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Attorneys at Law

July 31, 2025

BY EMAIL

Commonwealth of Pennsylvania Office of Attorney General
Attn: ACRE
15th Floor, Strawberry Square
Harrisburg, PA 17120

Re: Worcester Township, Montgomery County, PA

My client [REDACTED] purchased adjoining properties totaling 15 acres of [REDACTED] in Worcester Township (the "Township"), Montgomery County, PA (the "Properties"). The Properties are presently owned by two limited liability companies [REDACTED] owns 3.69 acres known as [REDACTED] and [REDACTED] owns 10.58 acres known as [REDACTED] (the "Properties"). [REDACTED] intends to combine the Properties into a single parcel (the "Property").

The Property is located in the Township's AGR-Agricultural zoning district ("AGR District"). As explained in the Township's Zoning Code (pertinent pages attached), the AGR District is intended to promote agricultural use [REDACTED] intends to operate an apiary and a nursery on the Property. There would seem to be no question that such uses constitute "agriculture."

Nonetheless, the Township required [REDACTED] to request a zoning officer's determination that the apiary and nursery uses were permitted in the AGR District. The zoning officer's determination letter (copy attached) agrees that a nursery and apiary are both permitted uses. However, in the same letter, the zoning officer purports to impose conditions and restrictions on the permitted uses, such as equipment quantities and types, stockpile limitations, and the very expensive and time consuming requirement of a land development application requiring an application fee of \$12,000, and the payment of the Township's review and inspection fees. The Township also required an application to the County Conservation District.

[REDACTED] would also like to operate a small farm store on the Property. However, another section of the Township Zoning Ordinance (copy attached) does not allow for a farm store unless the property is 25 acres or more. We believe this provision is meant to create exclusivity for the one existing farm store in the Township, located at [REDACTED].

[REDACTED]
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Lastly, the Township's riparian corridor ordinance (copy attached), makes controlling stormwater runoff for the property virtually impossible. The Pennsylvania Department of Environmental Protection and the Montgomery County Conservation District prefer that stormwater be piped to the existing stream and released at a controlled rate, rather than having it flow overland. The Township's riparian ordinance does not permit what the State and County prefer (and may mandate).

[REDACTED] believed that the Township would prefer a farm to another community of large, expensive homes. However, the Township seems intent upon causing [REDACTED] to abandon his farming plans. The restrictions being imposed by the Township are not imposed on any other farm in the Township. The aforesaid [REDACTED] is owned and operated by one of the three Township elected officials. However, I cannot say definitively whether a large farm is attempting to keep a smaller farm out of the Township.

Respectfully, any assistance you can provide would be greatly appreciated. Please feel free to contact me should you require additional information or have any questions.

Respectfully,

[REDACTED]

nas

Attachments

- (1) AGR Ordinance
- (2) Zoning Officer Determination Letter
- (3) Farm Store Ordinance
- (4) Riparian Ordinance