

Rob's group COPY

DECISION OF THE LEWIS TOWNSHIP BOARD OF SUPERVISORS ON THE  
APPLICATION OF [REDACTED] FOR A CONDITIONAL USE TO ERECT THREE  
(3) 100' x 600' BARNs TO HOUSE POULTRY AS A CONCENTRATED ANIMAL  
FEEDING OPERATION

The Lewis Township Board of Supervisors met on September 10, 2025 at 6:30 p.m., to consider the Application for Conditional Use filed by [REDACTED] on July 24, 2025 for property located at [REDACTED]. The property is currently located in the Agricultural Preservation Zoning District.

Present at the hearing were [REDACTED] of TeamAg, the Applicant, [REDACTED] adjoining property owners [REDACTED] and his wife, and members of the general public. Also present were [REDACTED], Zoning Hearing Officer from COG, [REDACTED], Lewis Township Road Master and all of the members of the Lewis Township Board of Supervisors. Proceedings were transcribed by a member of Ervin Blank Associates, Inc.

[REDACTED], Zoning Hearing Officer testified and provided information to the Lewis Township Board of Supervisors regarding the Applicants application. [REDACTED] indicated that Section 202 of the Zoning Ordinance defines Concentrated Animal Feeding Operations (CAFO) and that Article IV Section 402 a.3 provides that CAFOs are a conditional use in the Agricultural Preservation Zoning District where this property is located. Article IX Section 901 provides that the Township Supervisors may grant Conditional Use approval only for uses set forth in Article IV of the Ordinance pursuant to express standards and criteria set forth for the specified uses in the Ordinance. Additionally, the Supervisors may attached reasonable conditions and safeguards as they deem appropriate to protect the public welfare and the purpose of the Ordinance.

[REDACTED] explained that [REDACTED] was seeking Conditional Use approval to build three (3) poultry barns on the [REDACTED] property. The three (3) poultry barns would be one hundred feet (100') by six hundred feet (600') in length. Each barn would house approximately 80,000 chickens or 240,000 chickens for a total Animal Equivalent Unit of 830.4 AEU. [REDACTED] testified that Pennsylvania Act 38 requires all Concentrated Animal Feeding Operations planning new animal housing or manure storage, develop and maintain an odor management plan written by a certified odor management specialist. These plans are reviewed and approved by the State Conservation Committee. [REDACTED] testified that the distance from the proposed animal

housing to the closest resident is about six hundred seventy-five feet (675') and that TeamAg will help develop an odor management plan and the Applicant will provide effective screening to adjoining properties. [REDACTED] also testified that TeamAg will prepare and submit for approval a Nutrient Management Plan, a CAFO permit and a Conservation Plan. The odor would be minimized on nearby properties by storage of the manure in the bottom of the barns. He testified that mortalities would be disposed of according to the regulations implemented by the Pennsylvania Department of Agriculture. He further testified that the proposed barns are located at least three hundred feet (300') from the nearest property line, complying with the setback set forth in Pennsylvania Chapter 83. [REDACTED] testified that there would be a large amount of truck traffic coming to and from the proposed operation. There would be multiple trucks going into the operation on a daily basis to collect eggs as well as trucks to provide feed for the chickens.

[REDACTED] a neighbor of the Applicant, testified as to he and his wife's concerns over the proposal. Specifically, the proposed ingress and egress to the property on [REDACTED]. [REDACTED] indicated that none of the adjoining property owners would be able to park along the road as well as concerns over the line of sight being inadequate for trailers accessing the property via [REDACTED]. Also, there were concerns over the road being able to withstand the amount of tractor trailer traffic that this operation would engender.

[REDACTED] the Lewis Township Road Master, testified that he had been head road master for several years and was familiar with the [REDACTED] property. He testified that [REDACTED] was a tar and chip road and that it did not have, in his opinion, a suitable base that would allow it to withstand a large number of heavy tractor trailer use. He testified as to the fact that any tractor trailer use on [REDACTED] was minimal amounting to no more than one or two trips on any given day.

#### DISCUSSION

Lewis Township Zoning Ordinance, Article IV Section 402 A.3 states that Concentrated Animal Feed Operations (CAFO) are a Conditional Use in the Agricultural Preservation District where this property is located. Section 901 of the Zoning Ordinance provides that the Township Supervisors may grant a Conditional Use only for those uses set forth in Article IV of the Ordinance. The Supervisors may attach reasonable conditions and safeguards as they deem appropriate to protect public

welfare and implement the purposes of the Ordinance. Section 901 also provides the criteria for review and approval of Conditional Use by the Supervisors, including: 1. the purpose of the zone in which the requested Conditional Use is to be located and the compatibility of the requested Conditional Use with existing and potential land uses on adjacent tracts of land; 2. Whether the specific site is an appropriate location for the use; 3. Whether the proposed use will adversely affect the neighborhood; 4. Whether the use will create undue nuisance or serious hazard to vehicles or pedestrians; 5. Whether adequate and appropriate facilities and services will be provided to ensure the proper operation of the proposed use; 6. The economic, noise, glare, or odor effects of the Conditional Use on adjoining properties and properties generally in the district; 7. Whether satisfactory provision and arrangement has been made concerning the following: a. Ingress and egress to the property and structure thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow, control and access in case of fire or other emergency; b. Off-street parking and loading areas; c. Waste collection, storage or disposal; d. Utilities, with reference to location, availability and compatibility; e. Screening and buffering with reference to type, dimensions and character; f. Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect and compatibility and harmony with properties in the district; and g. Required yards and open spaces.

After discussion and after a vote on motion dually made and seconded, the Conditional Use was approved by a unanimous decision. The conditions of the approved Conditional Use are outlined below.

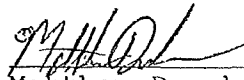
#### DECISION

Applicant, [REDACTED], shall be granted a Conditional Use to erect three (3) one-hundred-foot (100') by six-hundred-foot (600') poultry barns on his property. Applicant shall be required to receive approval of a Concentrated Animal Feed Operation from the Union County Conservation District as well as all approvals from the Water Basin Commission and establishment of a DEP approved Nutrient Management Plan and approved Odor Management Plan. Access to the property must be from the existing access road on Pennsylvania Route 45. The Applicant is required to receive all necessary approvals from the Pennsylvania Department of Transportation for utilization of access to the property. The only vehicles allowed access via the

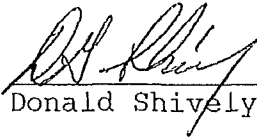
proposed [REDACTED] are personal vehicles such as cars and trucks. Nothing larger than a tri-axle truck shall be permitted to use the [REDACTED] access. The [REDACTED] access is not approved for ingress and egress during construction or for the proposed Conditional Use. Applicant shall comply with any and all other requirements of the Lewis Township Zoning Ordinance. Applicant will be granted an extension of 18 months for construction of the proposed Conditional Use.

Date: 10-14-25

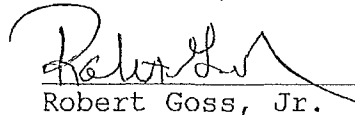
Respectfully submitted,



Matthew Dersham



Donald Shively



Robert Goss, Jr.