[redacted]

June 13, 2025

Office of Attorney General
Dave Sunday, Attorney General
393 Walnut St.
Harrisburg, PA 17120

Dear Attorney General:

I am writing to request an ACRE investigation of Lycoming County's definition of the law concerning farm buildings. We want to construct a 4,000 bird egg layer barn in Bastress Township, which falls under Lycoming County rules. Lycoming County is requiring that this project be labeled under a commercial classification, therefore requiring land development; see section 503 1.1 of PA MPC. **I believe the egg layer barn should be excluded from the county SALDO's definition of "land development" under Section 1.02B, as a qualified farm building because this farm already includes 2 pole barns, a bank barn, and a corn shed that are classified as agricultural buildings.**

LYCOMING COUNTY
SUBDIVISION AND LAND DEVELOPMENT ORDINANCE
1.02 Exclusions to the Land Development Definition
The following shall be excluded from the definition of land development, but not necessarily from the requirement to process a zoning permit or stormwater permit application:
* * *
B. The addition of an accessory building, including non-principal farm buildings, on a lot or lots subordinate to an existing principal building; or

PA Municipalities Planning Code
View Document - Unofficial Purdon's Pennsylvania Statutes from Westlaw
The subdivision and land development ordinance may include, but need not be limited to:
* * *
(1.1) Provisions for the exclusion of certain land development from the definition of land development contained in section 107[5] only when such land development involves:

> **(ii) the addition of an accessory building, including farm buildings, on a lot or lots subordinate to an existing principal building; or**

We also want to install a new lane on the farm. The farm consists of 112+ acres but due to only a 20' right of way for the existing lane, which cannot be widened, the new lane is completely necessary.

We are being told by the County that we will have to construct this lane to be in compliance with their Commercial Driveway Ordinance, which is a 20' cartway with a turn around area every 500 '. This driveway will be approximately 1400' long and will be serving two small sets of farm buildings on the 112 acres. All of these acres are owned by myself, including where the lane will be installed. They are stating that the lane is listed under commercial status due to the 4,000 hen layer facility. The Layer barn should not be classified commercial, as it is an agricultural building that is on agricultural land and is housing an agricultural product. The eggs will not be processed on the farm but will be sold and picked up weekly by one buyer.

This driveway is going to be cost prohibitive and an undue burden on a small farmer who is just trying to make a living. The driveway come off of a state road and PA DOT officials told me when they were out to fill out the HOP that Lycoming County cannot do this to you on your own land.

The County has said nothing about helping to pay for this but are telling me how this driveway must be installed, right down to the materials they say must be used. I think this matter needs looked into because this ordinance is infringing on our ability to farm. Enclosed, please find a copy of the Lycoming County Ordinance and also look at the PA DOT classification on this driveway. I have never seen a state or township road, or personal driveway that has a turn around area every 500'.

Thank you for your time and consideration in this matter. It is greatly appreciated!

Sincerely,

[redacted]

Enclosures