



# LANCASTER TOWNSHIP

## BUTLER COUNTY, PA

June 27, 2022

**VIA USPS PRIORITY MAIL and EMAIL** [REDACTED]

Robert Willig, Senior Deputy Attorney General  
Office of Attorney General  
1251 Waterfront Place  
Mezzanine Level  
Pittsburgh, PA 15222

Re: June 8, 2022/ACRE Request

Deputy Willig:

This letter serves as the Township's response to your June 8, 2022, letter regarding the ACRE review of Township Zoning Ordinances. All ordinances are codified and publicly available on the internet through E Code 360 at: <https://ecode360.com/LA3847>. There are no separately maintained ordinances that are related to the property at [REDACTED] (Lancaster Township, Butler County) (the "Property"). There is currently an enforcement action underway concerning the Property. A warning letter, notice of violation and a cease and desist were issued regarding [REDACTED] operation of a commercial business at the Property in violation of the Zoning Ordinance (see attached). The Property is located in a Rural Residential District (R-1), where normal agricultural operations are permitted. But commercial businesses, such as contractor establishment, excavating company, grading, or landscaping business are not.

"Normal Farming Operations" are defined in the Ordinance as: "The customary and generally accepted activities, practices, and procedures that farmers adopt, use or engage in year after year in the production and preparation for market of crops, livestock and livestock products and in the production and harvesting of agricultural, agronomic, horticultural, silvicultural, and aquacultural crops and commodities." Chapter 75, Agricultural Security Area, Section 75-1. An Agricultural Operation is: "An enterprise that is actively engaged in the commercial production and preparation for market of crops, livestock, and livestock products and in the production, harvesting, and preparation for market or use of agricultural, agronomic, horticultural, silvicultural, and aquacultural crops and commodities. The term includes an enterprise that implements changes in production practices and procedures or types of crops, livestock, livestock products, or commodities produced consistent with practices and procedures that are normally engaged by farmers or are consistent with technological development within the agricultural community." Chapter 300, Zoning, Section 300-9 Definitions.

The above activities are not the type of activities in which [REDACTED] are engaging that are of concern to the Township [REDACTED] and his relations would have you believe so, but the evidence of the operation of his commercial business is overwhelming, and that business is



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concentrated at the boundary of his neighbor's property. See the attached map and photos with annotations. [REDACTED] does not really deny that he operates a commercial business from his Property; in fact, he claims he received "permission" from a former township manager. Even if true, no manager has the authority to amend the zoning ordinance. This authority lies only with the Zoning Hearing Board, or legislatively with the Board of Supervisors.

Most troubling is that [REDACTED] is engaged in a course of harassing activities presumably designed to intimidate the Township and his neighbors. These activities are the subject of a number of criminal citations pending with the local and state police. They are separate and distinct from the zoning enforcement action.

The rural residential district is specifically designed to strike a balance between preserving agricultural areas while permitting residential uses, such as a single-family dwelling, to co-exist. As such, those Township residents who relied on the zoning ordinance to inform what types of uses they could expect in the same district as their single-family dwelling, are also entitled to the protection of the zoning ordinance.

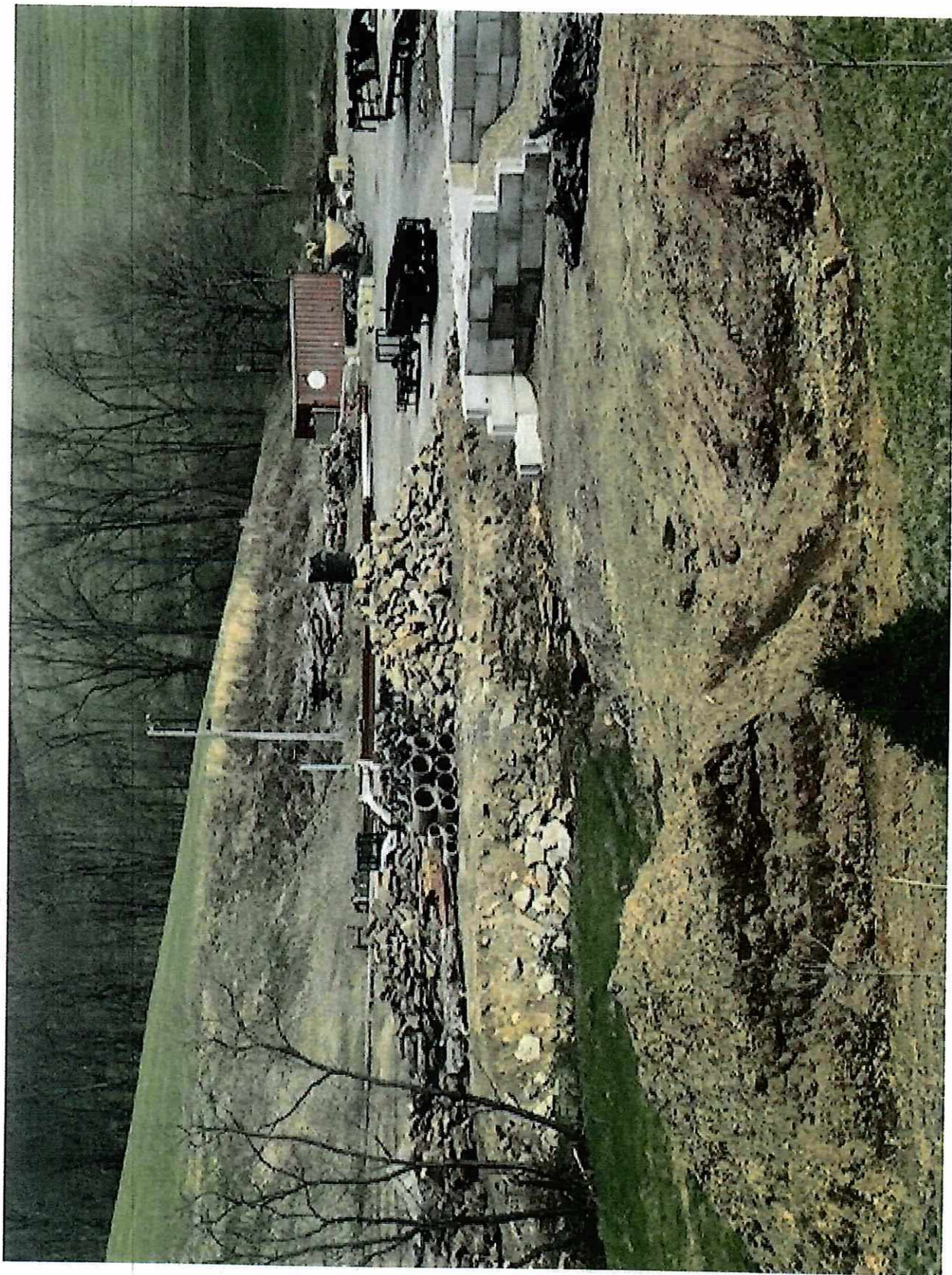
In sum, the Township is and has been a farming friendly community. The ordinances in place reflect that and the Township knows of no ordinance or ordinance provision that is inconsistent with ACRE, generally or specifically related to the Property. If the Township can provide additional information, please advise.

Very truly yours,

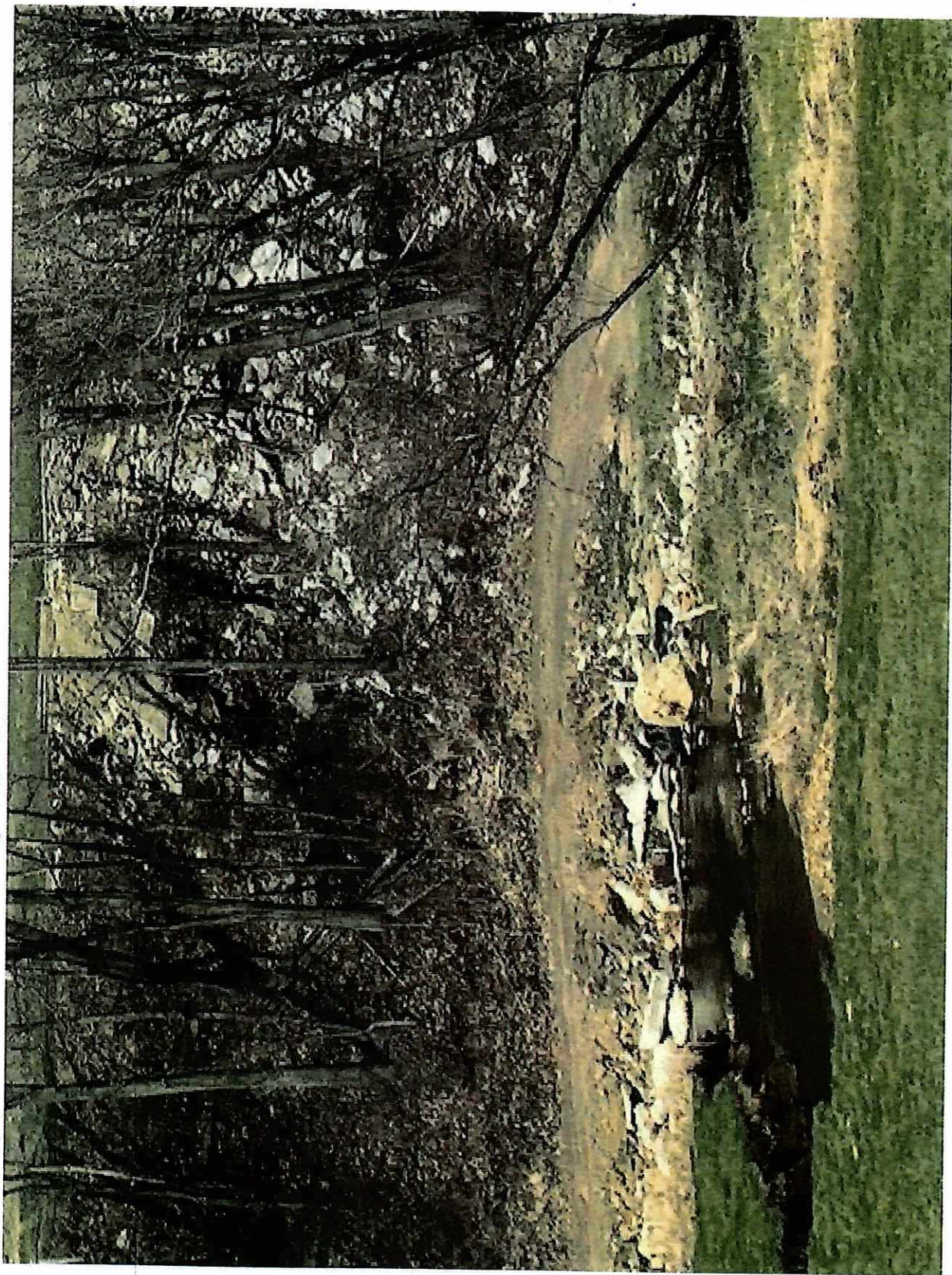
[REDACTED]  
C. Michael Foote, Township Manager

c: [REDACTED]  
Neva L. Slotter, Solicitor (email only)  
[REDACTED]  
David and Heather Cox (via USPS First Class Mail)

2022-04-05



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Current - from Google Earth



Residential  
Neighbor

Commercial  
Business