

Willig, Robert A.

From: [REDACTED]
Sent: Friday, December 2, 2022 5:48 PM
To: ACRE Shared Mailbox
Subject: [EXTERNAL] ACRE Act Complaint

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To Whom It May Concern,

I am writing to request an investigation into the zoning office of Franklin Township (Chester County), Pennsylvania, as it pertains to the ACRE Act.

We purchased a 7.9 acre equestrian property [REDACTED] on January 24, 2022. The property has an existing five stall barn, multiple pastures and had an overgrown outdoor riding arena. The primary reason for the purchase was for the existing facilities, but especially the riding arena. Prior to settlement we contracted the services of [REDACTED] whose specialty is equestrian arenas. [REDACTED] began rehabilitation work on the arena the morning of January 25, 2022. Estimated timeframe for the project was one week. Due to the weather, [REDACTED] was only able to work on 1/25 and was not able to resume work until 2/10/22.

On February 10, 2022, Township Zoning Officer [REDACTED], an employee of [REDACTED] visited the property based on a complaint he received from a neighbor [REDACTED] stated that he had been watching the construction for two weeks and gave a verbal cease and desist. We ceased all work immediately based on the information that we had been provided. I met with [REDACTED] at the Franklin Township office where he informed me that the work we were doing not only required a permit, but we would also need to provide a stormwater management plan. This was reinforced by township engineer [REDACTED] also and employee of [REDACTED]. Both men insisted that the arena and a pre-existing driveway leading back to our barn were "new work", not pre-existing, and would require permits and SWM plans. Based on this information we hired a company to develop a plan to satisfy the zoning officer and engineer requirements [REDACTED] even made the suggestion that we make additions to the SWM plan for any future work that we might want to do so we would not need to go through the process again.

From the beginning, our landscape architect [REDACTED], questioned the need for SWM, not only because the driveway and arena were pre-existing, but we were also an equestrian property. In order to develop a plan we were required to have a topographical survey (\$5,000) and perk testing (\$3,300) completed before [REDACTED] could develop any plans [REDACTED] continued to question the need for the plan, but was advised by [REDACTED] that it was necessary.

In April 2022 [REDACTED] was relieved of his duties in Franklin Township, but remained employed by [REDACTED]. We were still operating under the cease and desist order given by [REDACTED] while [REDACTED] continued to develop our SWM plan. In July 2022 Franklin Township assigned [REDACTED], from [REDACTED] as the new zoning officer for the township. Both my wife and I met with [REDACTED] separately at the township offices [REDACTED] informed us that the arena and driveway were both pre-existing and we are deemed as an equestrian property [REDACTED] gave us verbal permission to resume the work, as well as sending an email to our attorney [REDACTED] stating that the work in question was pre-existing and the cease and desist was no longer in effect.

Our plan was finalized by [REDACTED] and submitted to the township for approval. The township engineer responded to [REDACTED] with changes that needed to be made to our plan. After receiving this information, we decided to rescind our plans, especially since the initial work that we wanted to complete was finally deemed not necessary to have a SWM

plan. To date we have incurred approximately \$40,000 in bills for the survey, testing and plan, which never needed to be done in the first place.

We have since had the work on the arena completed, however, due to the delay we also incurred approximately \$4,000 in additional expense of the arena because of price increases in diesel fuel and materials. It is our feeling that our civil rights were violated, primarily by [REDACTED] and their representative, [REDACTED]. Due to [REDACTED] poor decision making, lack of communication and alleged going outside of the scope of his job, we incurred unnecessary debt and well as a delay in the use of our arena.

Sincerely,

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Sent from my iPhone

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