

**BY EMAIL acre@attorneygeneral.gov and  
FEDERAL EXPRESS OVERNIGHT DELIVERY**

SDAG Robert A. Willig  
Office of Attorney General  
1251 Waterfront Place  
Mezzanine Level  
Pittsburgh, PA 15222

RE: ACRE Request for Review – Frankstown Township – Blair County  
Residents: [REDACTED]

Dear Attorney Willig:

In my capacity as Solicitor for Frankstown Township, I am writing in response to your September 20, 2023 letter requesting that the Township reply within thirty (30) days of [REDACTED] ACRE complaint/request for review filed with your Office.

At the outset, I would note that I appeared on behalf of the Township at the Magisterial District Judge proceedings wherein both [REDACTED] and his wife, [REDACTED] were convicted of summary offenses involving violations of the Township's Junk and Salvage Yard Ordinance and its Floodplain Ordinance. The Township's Zoning and Code Enforcement Officer, [REDACTED] testified for the Commonwealth and presented extensive photographic evidence in support of the charges. As to conviction on the latter violation, the [REDACTED] had constructed on their [REDACTED] property in the floodplain without a permit from the Township a lean-to structure immediately adjacent to another structure whose presence on the property predated the 2018 Floodplain Ordinance. [REDACTED] acknowledged at the time of the hearing that he had

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torn down the lean-to prior to the August 9, 2023 hearing before Magisterial District Judge [REDACTED]. Nevertheless, Judge [REDACTED] found the [REDACTED] guilty of the Floodplain Ordinance violation. In rendering her decision, Judge [REDACTED] concluded unequivocally that the lean-to had in no way been a movable "trailer" or "hay trailer" as [REDACTED] contended at the hearing and as he described in his August 23, 2023 email to your office.

Accompanying this letter are color photographs depicting the structure for which [REDACTED] was convicted of involving the Floodplain Ordinance violation. The exterior photograph marked as C-12 speaks for itself, and the color photograph of a portion of the interior of the lean-to with an axle and two wheels appearing to be attached the side of it are what [REDACTED] pointed to as evidence that the lean-to was a trailer and not a structure. Curiously, the same or a similar axle and wheels appear to be laying in the [REDACTED] yard as evidenced by a June 12, 2023 photograph enclosed and marked as Exhibit C-25, days before his receipt of the citation for the ordinance violation. Judge [REDACTED] summarily rejected [REDACTED] contention as to the lean-to being a trailer- it takes no specialized knowledge or training for any other persons to reach the same conclusion.

In his Complaint/Request for Review, [REDACTED] spoke to the "agricultural activities" that the Township allegedly sought to curtail on his "farms" at [REDACTED] and [REDACTED] in alleged violation of Act 38. The Township denies that enforcement of either its Floodplain Ordinance or Junkyard/Salvage Ordinance prohibits or limits normal agricultural activities by the [REDACTED]. Moreover, the Township categorically denies [REDACTED] contentions as described in paragraph 2 of your September 20, 2023 letter.

Indeed, [REDACTED] complaints to your Office wholly obscure the nature of the MDJ proceeding: the photographic evidence submitted to Judge [REDACTED] and provided to you with this letter demonstrate under any standard of reasonableness that the [REDACTED] maintain their rural residential properties in a deplorable manner- indeed, the visual equivalent of junkyards for which numerous neighbors have appeared repeatedly before the Township Board of Supervisors and registered vocally and loudly their complaints regarding the absolutely trashy condition of the [REDACTED] properties. The photographs accompanying this letter show, both before and after [REDACTED] ownership, aerial photographs of [REDACTED] and [REDACTED]. They also depict garbage, debris, appliances, hot water heaters, chairs, empty cylinder containers, and other miscellaneous rubbish strewn over each property under [REDACTED] ownership. At the hearing, [REDACTED] testified the condition of his properties as being wholly in furtherance of farming on them (he had several pigs and horses on the [REDACTED] property during the period prior to the filing of the charges against him and his wife). Judge [REDACTED] did not buy this defense, and your Office should not be swayed by [REDACTED] efforts to cloak his absolute untidiness under the guise of farming. As I stated to Judge [REDACTED] and as I state again, the condition of the [REDACTED] properties is an affront to all farmers in this Commonwealth.

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Simply stated, the Township's enforcement of its Ordinances against the [REDACTED]s and was wholly within the police power of the Township, and conviction on the summary offenses in no way interferes or limits the [REDACTED] ability to engage in farming activities on their properties in Frankstown Township.

Thank you for your attention to this matter. If you have any questions or need additional information from the Township in furtherance of your investigation, please let me know.

Sincerely,

[REDACTED]

Enclosures

pc: Frankstown Township Board of Supervisors (w/o enc.)

[REDACTED]

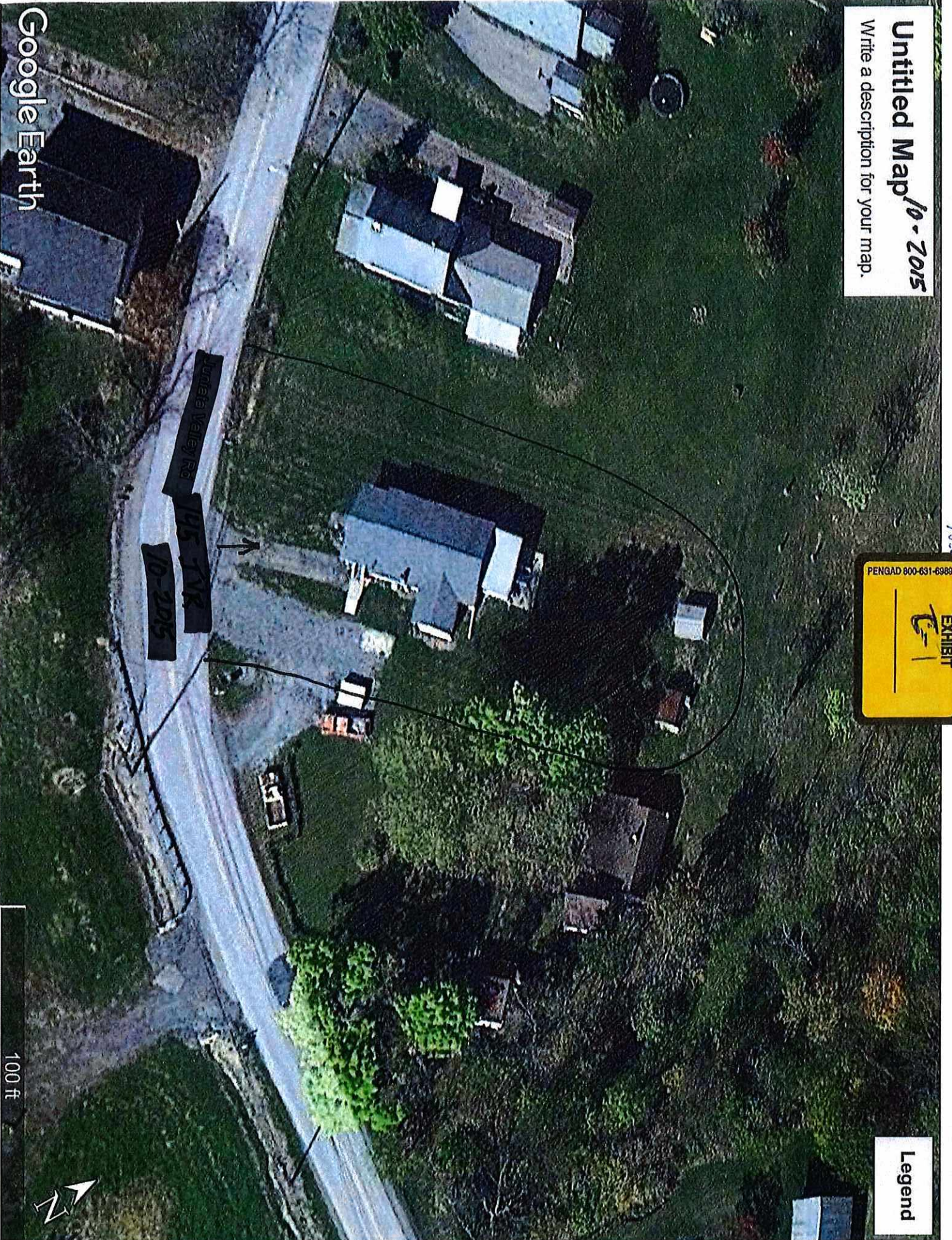


Untitled Map 10-2015

Write a description for your map.



Legend



Google Earth

100 ft





9-26-2017  
Untitled Map  
Write a description for your map.

PENGAD 800-631-6989

EXHIBIT

C-2

Legend

Google Earth

Summit Valley Rd

195  
Summit Valley

195 TWR

9-26-2017

100 ft





1/10/2023 10:11:23

PENGAD 800-631-6989  
EXHIBIT  
C-4



Garage 195 South Valley Rd.

4-10-23





PENGAD 800-631-6989  
EXHIBIT  
C-5

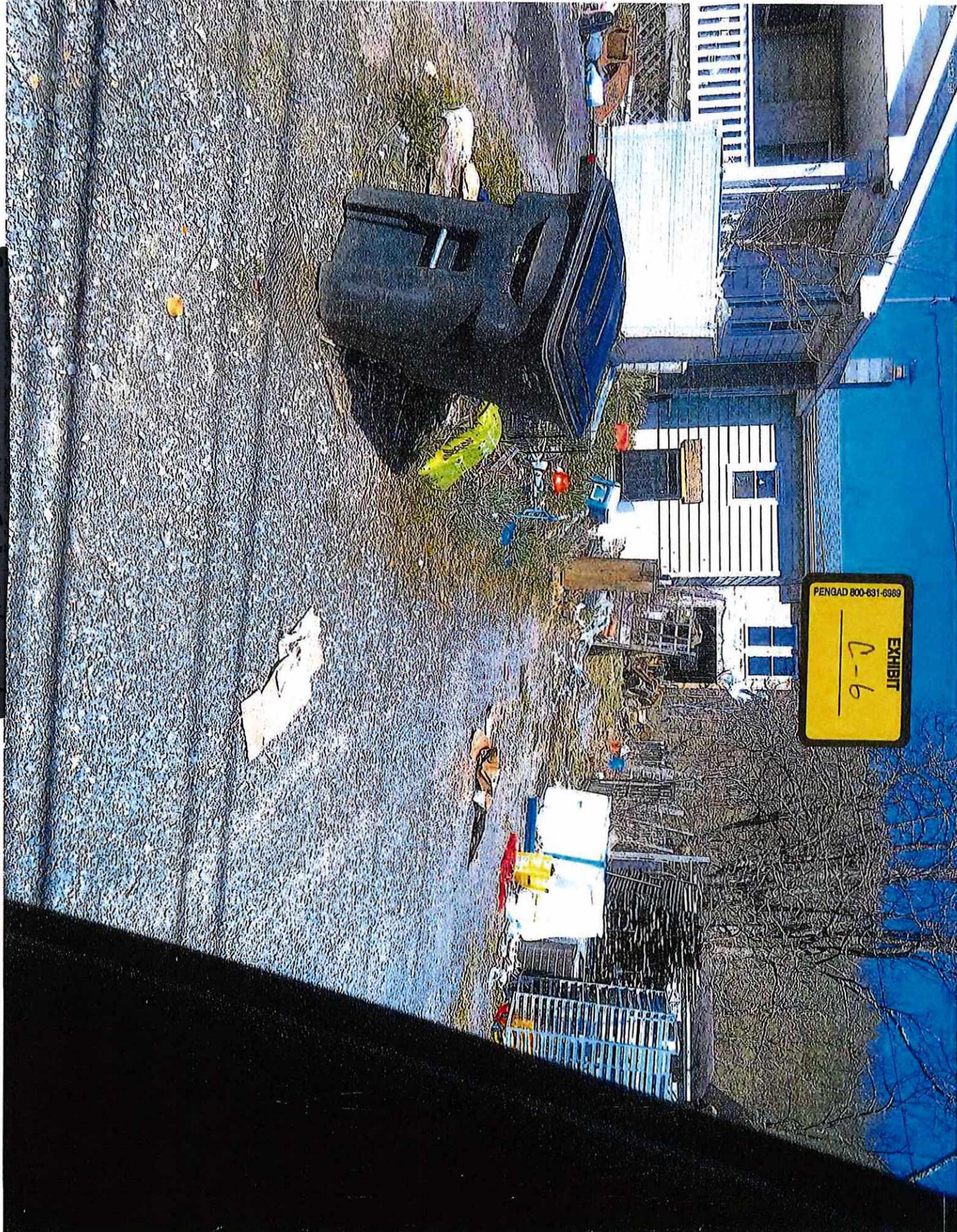
POON MEVIN 145 SWING WAY RD

4-B-23



Bayview 145 Jamaica Vnky Rd

4-10-23



PENGAD 800-631-6989  
EXHIBIT  
L-6





Existing  
New Addition

EXHIBIT  
C-12  
PENGLAD 800-831-6989



Image Date 9-26-19  
Untitled Map

Write a description for your map.

PENGAD 800-631-6989  
EXHIBIT  
C-15

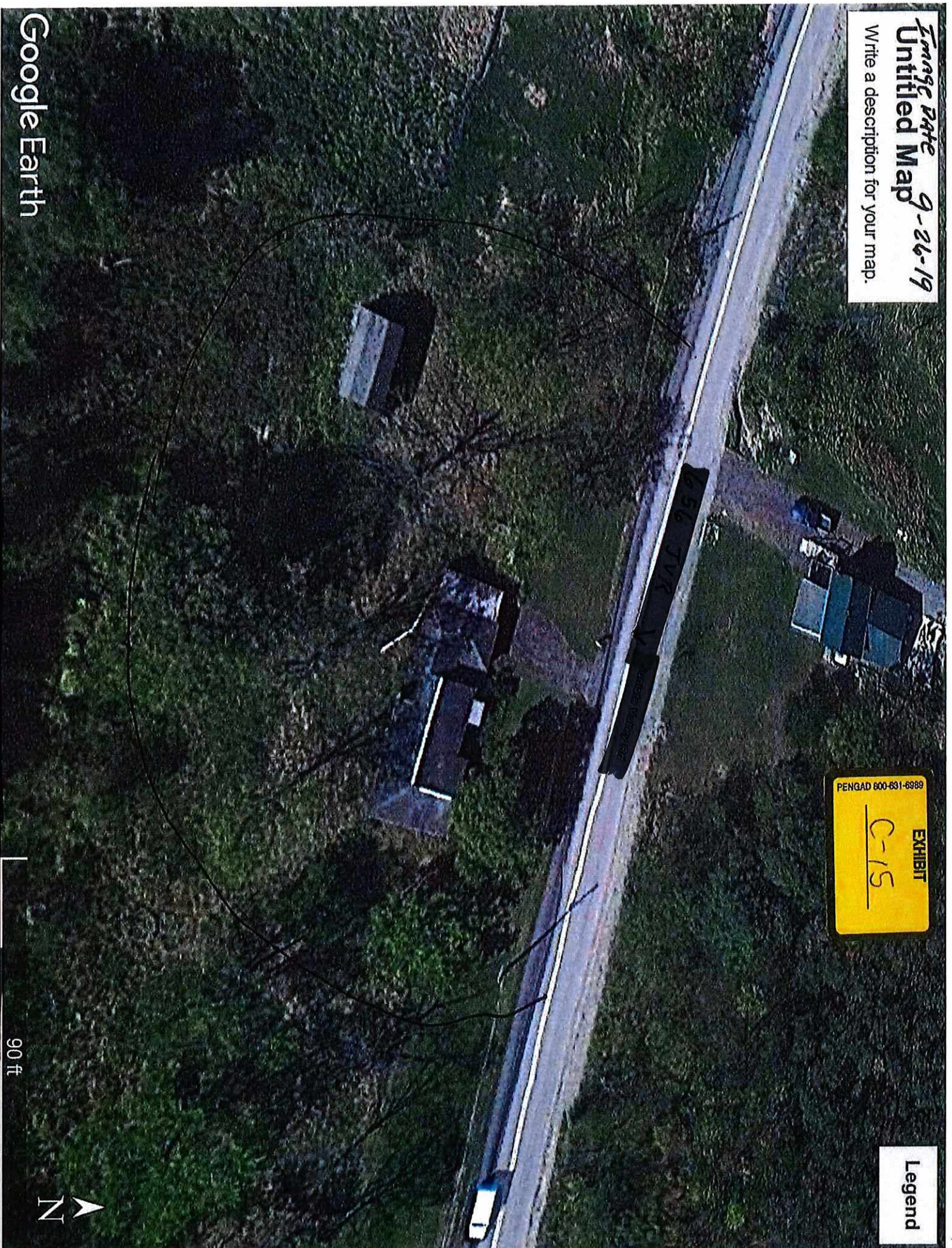
Legend

Google Earth

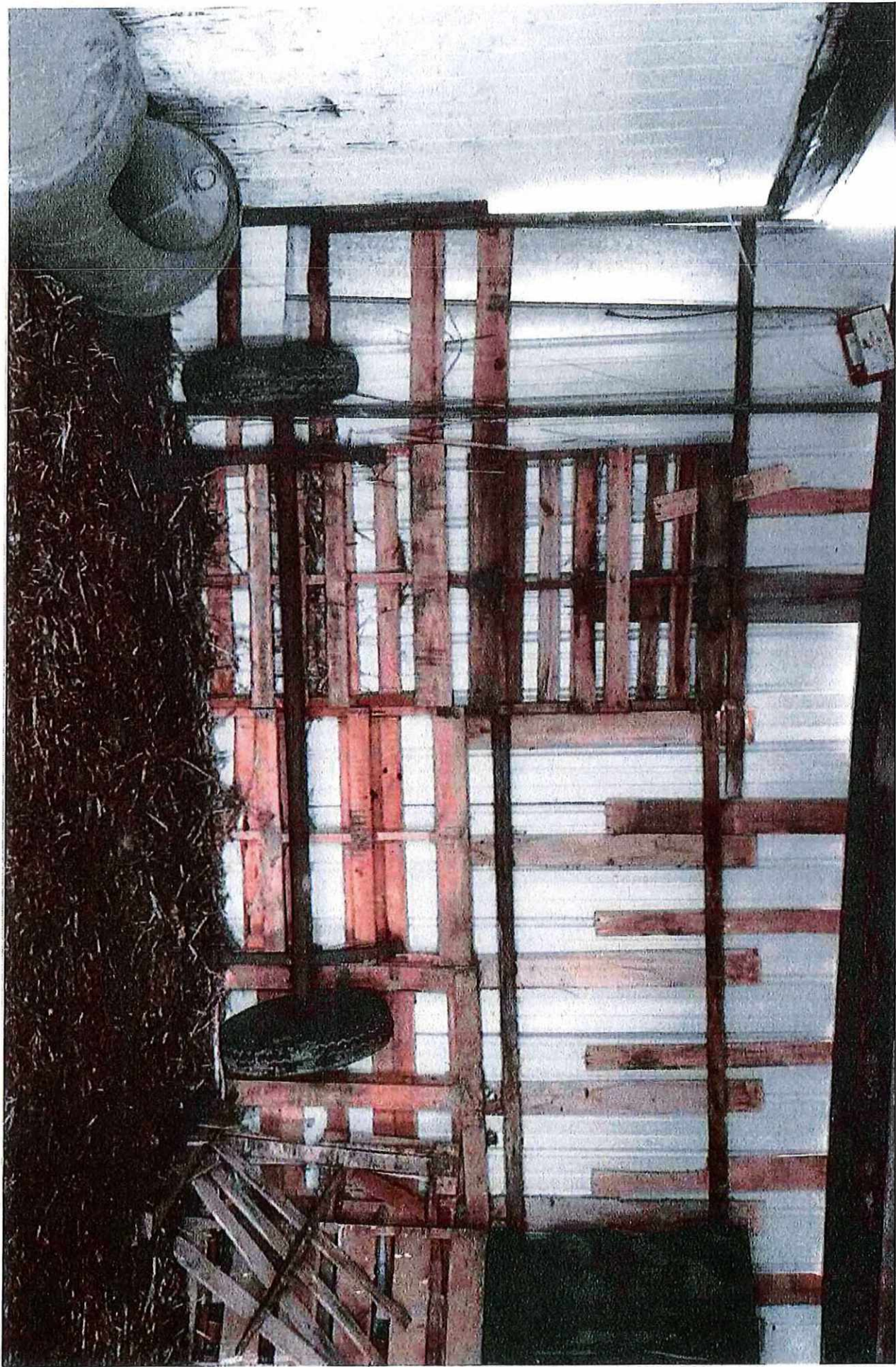
656 Swinerton Valley Rd

Before measures covered property

90 ft











PENGAD 800-631-6989

EXHIBIT

C-17

MAN PROPERTIES 9411 1/2 W. 10th Ave. & Rd. 10

4-10-2023





PENQAD 800-631-6988  
EXHIBIT  
C-19

4-10-23





ANON MEMPHIS

24 Tumbler Valley Rd

4-18-23



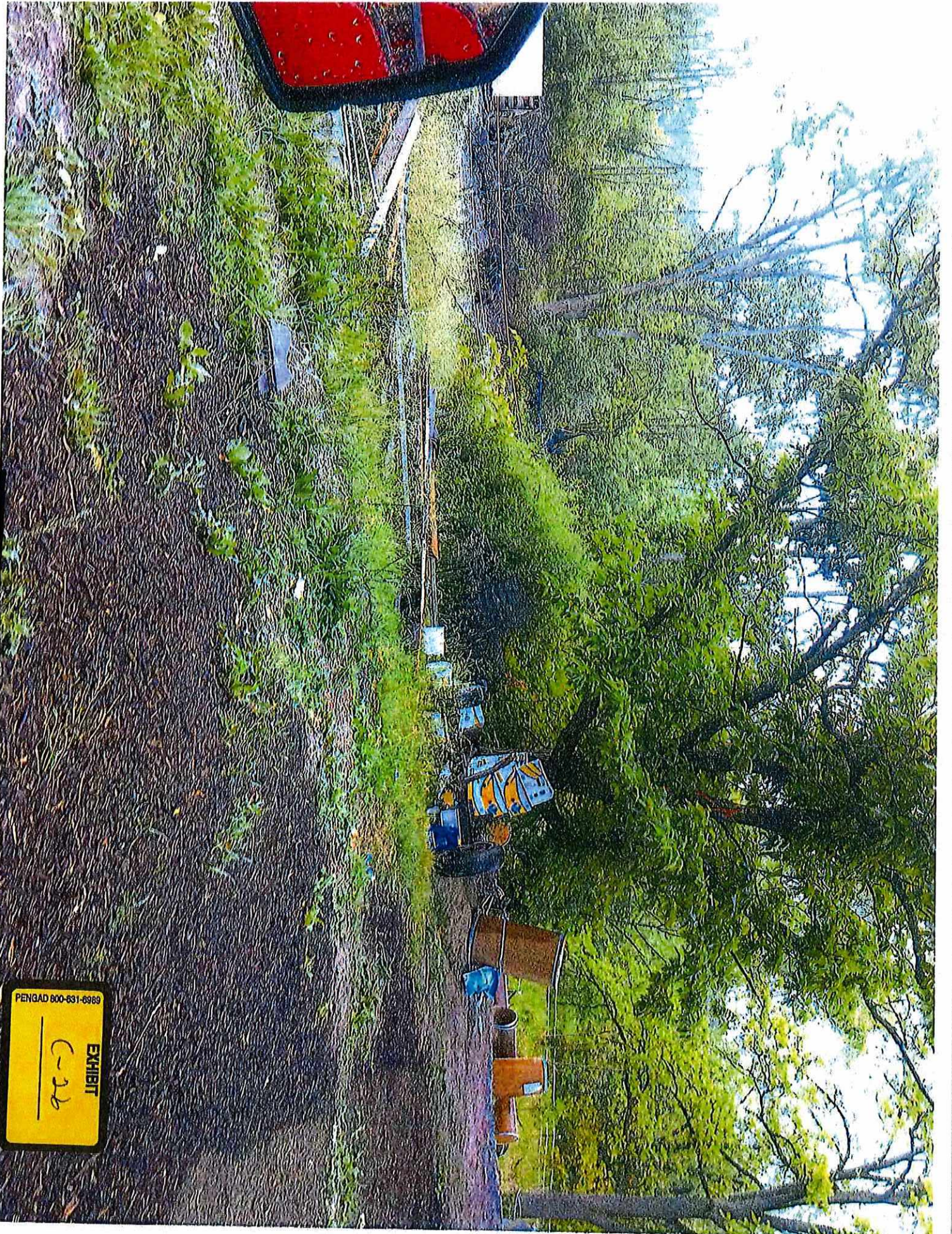


PENGAD 800-631-6389

EXHIBIT

C-25





KYAD MARIWE 6-12-23

656 JVF

PENGAD 800-631-6989  
EXHIBIT  
C-22