

[REDACTED]

April 25, 2024

Robert A. Willig, Esq.
Commonwealth of Pennsylvania
Office of Attorney General
1251 Waterfront Plaza
Mezzanine Level
Pittsburgh, PA 15222

Re: [REDACTED]
Somerset Township

Mr. Willig:

Below is Somerset Township's response to the ACRE complaint filed by [REDACTED]

[REDACTED] complains that a setback requirement for construction of a barn to house livestock is a violation of Act 38 of 2005.

[REDACTED] complaint to the Township was that the setback requirement violated the Nutrient Management Act's setback. March 22, 2024 email to Mr. Krutules advising that the information he sent provided to the Township involved setbacks contained in the Nutrient Management Act and that he should sent any questions.

Somerset Township's zoning ordinance establishing setbacks for structures was adopted in 1985, the zoning district that [REDACTED] has not changed since 1985.

[REDACTED] purchased the subject real estate in 2021


On March 6, 2024, [REDACTED] applied for a building permit for a 20' x 40' barn for livestock, dirt floor, no sewage. By letter dated March 22, 2024, Somerset Township's Building Code Official denied the application because the proposed location of the barn did not comply with required setbacks.

On March 29, 2024, [REDACTED] was provided with instructions and appropriate form to appeal the denial of the building permit to the Zoning Hearing Board. [REDACTED] did not file an appeal the Zoning Hearing Board.

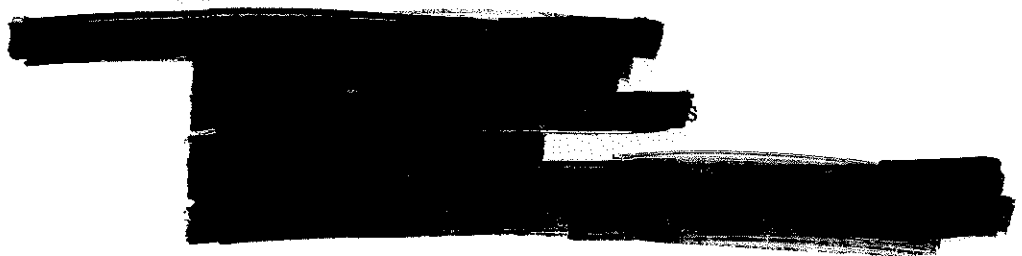
[REDACTED] also did not complete or submit an Agricultural Building UCC Exemption Form.

It is the Township's position that the Township's setback requirements do not violate Act 38 of 2005 (ACRE)

Yours truly,

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cc: 

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