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August 27, 2014

Mr. Paul Welsh, Jr.
Mr. Keith E. Peters
Mr. Douglas E. Clark
Harrison Township Trustees

Re: Horse Training and Boarding Facility

Dear Harrison Township Trustees:

This letter is in reference to the horse boarding and training facility that it is my understanding will be built in Harrison Township by LW Associates, Inc. Initially I received a phone call from Zoning Inspector Joe DeFelice regarding this matter and we had discussions that this may be a commercial facility. However, I was then contacted by Attorney Catherine Cunningham on the matter. After several discussions with her and research on the matter, it appears that this horse boarding and training facility will be 100% exempt from zoning as an agricultural use. I have attached the letter from Ms. Cunningham referencing the applicable case law and concur with her opinion on this matter. As a result, it appears the township has no ability to regulate this facility. Ms. Cunningham has assured me that her clients still wish to ensure they operate a clean and well-maintained facility despite not being regulated under zoning, and intend to be good stewards in the township.

If you have any further questions regarding this matter please do not hesitate to contact our office at (740) 474-6066. Please be advised this is legal opinion from the Prosecutor's Office and as such it is a privileged matter. However, should you as trustees wish to waive that privilege the letter can be turned over to anybody who requests it or made part of a record in the township minutes.

Sincerely,



Jayme Hartley Fountain
Assistant Prosecuting Attorney