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Epstein sues Toll Brothers

By JAMES MCGINNIS
Bucks County Courier Times

WRIGHTSTOWN - Wrightstown millionaire and philanthropist Gene Epstein has sued Toll Brothers, claiming that construction near his home caused mud and silt to pollute his private lake and kill all his fish.



Epstein filed suit Friday in Bucks County court and seeks more than \$50,000 in damages.

A spokeswoman for Toll Brothers declined comment on the lawsuit, citing a corporate policy never to discuss pending litigation.

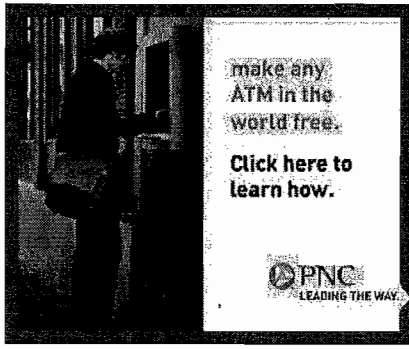
Epstein said it will cost at least \$150,000 to fix the 3-acre watering hole, which he first dredged more than 10 years ago. Epstein harvests fish for his own consumption and often invites Boy Scouts to drop hooks there. His granddaughter once pulled a 4-pound big mouth bass from the water.

The tug of war between Toll and Epstein has been going on for many years, though at one time Epstein was a shareholder in the company.

Toll initially wanted to build more than 100 homes next door to Epstein. Epstein protested the construction. He posted signs throughout the community, and claimed that one of his cars was vandalized during a contentious hearing on the project. Faced with opposition, Toll scaled it down to 45 homes and called it Chapman Corners.

Epstein's suit alleges that Toll failed to fence and control dirt and silt, which eventually washed downhill from Chapman onto his property. Much of the damage happened during a March 8 storm, he said.

The suit also alleges violations of the Pennsylvania Stormwater Management Act of 1978. Under that law, the Bucks County Conservation District is charged with investigating silt pollution and other environmental damage from construction projects.



Conservation district manager Gretchen Schatschneider said she reviewed the agency's file on Chapman Corner and found no formal complaints about the project and Toll was never cited.

"We did go out onto the site and we had other agencies on the site as well," Schatschneider said. "Toll Brothers had just cleared the site when, three days into opening the site, we received a

huge rain storm — well over 3 inches of rain. The best management practices were installed, according to plan. This was almost like an act of God. It was just a huge, huge storm."

A car dealer and entrepreneur, Epstein has a bucolic, 28-acre estate with horses. He loves the place so much he wants to be buried there. He also makes headlines for activism.

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In the 1990s, he took out newspaper ads challenging U.S. senators to do something about government waste. And when a famous painting of the Revolutionary War was to be moved from Washington Crossing Historical Park, Epstein offered to commission a famous painter to do another one.

He campaigns for organ-donor programs, the hungry and the homeless. In 1991, he and his wife, Marlene, were knighted by the prince of Malta.

James McGinnis can be reached at 215-949-3248 or jmccginnis@phillyburbs.com.

August 26, 2008 7:10 AM

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- **Grill** - Toll
(08/26/2008)
Bob Toll is satan...
- - Toll
(08/26/2008)
Epstein should have bought Toll out. Would have saved the poor people who paid \$1.5 million for a prefab house
- **martin** - epstein truth..
(08/26/2008)
He is an old car dealer from the 60s and 70s..re. northeast auto-rama mazda and gene roberts dodge with is cousin bobbby gordon. They ripped people off for years. thats how he got his fortune. he is a very mean old man and loaded with money from the poor he ripped-off.

goooo toll bros.
- **martin** - forgot something...
(08/26/2008)
I stand by my post. I knew his whole family from years ago. After he stole car money he snuck up to bucks County and hid,,trying to do good because he cant sleep. All they stole years ago,,,,yikes.
- **dave** - You Always Hurt The One You Love
(08/27/2008 , Ratings: ●●●●)
"Money money money muh-nay...muh-nay." They don't build em like they used to.

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