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[REDACTED]  
[REDACTED]  
[REDACTED]

SENT VIA E-MAIL AND FIRST CLASS MAIL

[REDACTED]

June 7, 2019

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

**RE: ACRE Request Upper Macungie Township – Lehigh County – [REDACTED]**

Dear Mr. Willig:

I am writing to you in my capacity as Solicitor for Upper Macungie Township. In that capacity, I am writing to you in response to your letter dated May 13, 2019 as well as the May 12, 2019 letter from [REDACTED]

In so responding, please note that this response is limited to the actual provisions of Township Ordinance. I am not addressing any actions that the Township has taken in enforcing zoning, building code or other ordinances. There are specific appeal processes in place that are afforded to any property owner and it is my opinion that the Office of Attorney General is not the party to dispose or decide those issues. Secondly, I will not be addressing the lengthy process that the Township undertook in adopting Ordinance 2018-08 (its "Agritourism" ordinance). I will only state that the process involved substantial input and cooperation from various residents and operators of agricultural businesses, including the [REDACTED]

With that as background, in reading [REDACTED] letter at Section IV, Conclusion, as well as your letter, it appears the main issue is the provisions related to "Retail Sales of Agricultural Products Grown Primarily on the Premises" codified at 27-403.M. of the Township's Code of Ordinances. In looking at this section, the Township is in agreement that this Section is inconsistent with Ordinance 2018-08 and the RTF Law. This repeal of the Section was overlooked when adopting the Agritourism Ordinance. It is admitted that there has been a misapplication of this Section with respect to the [REDACTED] operation. I have instructed both the

Township and [REDACTED] of the misapplication and the Township has rescinded any action against the [REDACTED] related to the misapplication of this and related sections. The repeal of this section and related provisions has been placed on the Township's radar to be addressed upon a subsequent revision to its Zoning Ordinance.

With respect to the request that the Attorney General confirm to the Township that [REDACTED] legal analysis and conclusions are correct as identified in paragraphs numbered 1 through 4 (page 16 of 17), again, it is my respectful opinion that this request is not appropriate for the Attorney General as other avenues are available. That being said, the Township agrees with those conclusions set forth in Paragraphs 1 through 4 and has retracted certain statements in [REDACTED] AA" that are contrary to these conclusions.

I believe that this response should address any concerns of both [REDACTED] and your Office. I further believe that Ordinance 2018-08 is a well-crafted, well thought Ordinance. Should you have any questions or concerns, please do not hesitate to contact me at my office.

Very truly yours,  
[REDACTED]

cc: [REDACTED]