

[REDACTED]

December 6, 2019

PA Office of Attorney General
Attn: ACRE
15th Floor, Strawberry Square
Harrisburg, PA 17120

Acre Review

Dear Office of A.G.

My name is [REDACTED] and I am a 5th generation fruit and vegetable farmer in the south hills area of Pittsburgh, PA, Washington County, Peters Twp. My family has been growing and selling fresh fruits and vegetables here for over 100 years. Our farm is our only source of income. On June 7, 2019 we received a violation letter from Peters Twp about a portion of our farm that we grow sweet corn, wheat, hay and other vegetables. I have included the letter and picture they sent. Peters Twp has made it clear that all of our 170 acre farm and rented farms are subject of these ordinances. As per the attached letter, Peters Twp is saying the grass and weeds along their road and on this tract of farmland is over their 10" Grass Law. My family is asking you to review this law under the Acre Law Provisions. We believe the "Right to Farm Act" protects us from ordinances such as this. They gave us one weeks to comply or they would put a lien against our farm. So, we did cut the grass and wheat field. Much of the grass was on the road "right of way". We do not understand why we are responsible for maintaining the road "right of way". Trying to maintain a grass or crop wheat height of only 10 inches simply over burdensome and is not possible on our farm.

We would also like to point out that in 1994 Peters Twp passed a resolution to place our farm and 24 other farms (including all tracts of land in question) into an Ag Security Area. I have included the affidavit and papers signed by PT Council and manager and all farmers that is on file at the Washington County Courthouse.

The Peters Twp Ag Security Area provides us with more protection from local ordinances (see §911) "Limitations on local regulations" it says any municipality shall exclude farms in the security area from its ordinances. Peters Twp has never excluded these farm from its ordinances. Additionally they were suppose to form an "Agriculture Security Are Advisory committee" and review the area every 7years (see §904) PT has never done this. The Ag Sec Law also says that PT will encourage farmers to make a long term commitments to Ag by offering them financial incentives and security of land use -- (see §902) not only has PT not done this but they have taken many actions that financially hurts farmers.

Such as in 2017 our property taxes went from [REDACTED] increase in one year! We believe they are ignoring the "clean and green laws". My family owns and farms many other farm outside of Peters Twp. Such as [REDACTED] We are welcomed and treated very good in all of these places we maintain all our farms good and have had a

not

property maintain issue. The total acreage in other places is equal about 190 acres and the yearly taxes are [REDACTED]. The total of acres in PT equals 170 acres the taxes in PT is [REDACTED] this is just too high for a full time farming family.

Another example is the mineral extraction law they passed which bans drilling from all our farm in Peters Twp, this cost my family millions. Other actions of enforcement of ordinances by PT on [REDACTED] [REDACTED] over the years :

1. No Single Projectile – we could not shoot deer for crop damage
2. Glare from the plastic on our greenhouses, PT has an ordinance that says "no glare"
3. Grass clipping on road
4. Too much noise from our bird scarecrows
5. Branches from the trees on our farm plugged road culvert
6. Could not get a building permit to build a farm market on our farm (2 year battle)
7. No directional signs to get customers to our farm

My family truly believe that PT is going to force us out of PT by using over regulation and over taxation making it financially impossible to farm here. We believe that the state of Pennsylvania has great farm laws to protect us. Please help.

[REDACTED]

PETERS TOWNSHIP
WASHINGTON COUNTY

Paul F. Loper, Manager
Ryan Jeroski, Assistant Township Manager



Peters Township Council

Frank Rose, Jr., Chairman David M. Daulton, Mayor
Frank Anderson Marisa R. Myrland
James F. Bennett Jim J. Striegel, Jr.
Robert J. Lewis

June 7, 2019

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

RE: [REDACTED]
Tax ID: [REDACTED]

It has come to our attention that there is an Ordinance Violation at the above mentioned property. There are high grasses and weeds along your property line near the intersection of Justabout Road and Sienna Trail. These weeds are causing a sight distance issue for motorist attempting to turn left onto Sienna Trail from Justabout Road. The overgrown grass and weeds need to be maintained, and **this must be ongoing.** (See attached photo) Please see the regulation below:

According to Peters Township Code of Ordinances: § 315-15 Exterior property areas.

D. Weeds/grass. All premises and exterior property shall be maintained free from weeds or grass in excess of 10 inches. All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs; provided; however, this term shall not include cultivated and well-maintained flowers and gardens, wooded sections, vetch hillsides, open fields, meadows, prairies and other natural areas.

L. Safe sight distance. Nor person, firm or corporation owning or occupying any property within Peters Township zoned or utilized for residential, business, commercial or industrial purposes shall permit any trees, bushes or shrubbery, of whatsoever kind or nature, to grow or remain upon such premises so as to encroach upon adjoining sidewalks, streets, highways, or alleys in such manner as to interfere with pedestrian or vehicular traffic lawfully using such sidewalks, streets, highways or alleys.

Please have the grass cut within one (1) week upon your receipt of this notice. Failure to do so will force the Township to commence enforcement action. This will involve submitting a citation to the District Magistrate's Office. If the notice of violation is not complied with, the code official shall institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation. Any action taken by the Township to remedy the violation will result in a lien being placed upon your property for all associated costs.

Peters Township appreciates your anticipated cooperation with this matter. Please contact me with any questions at 724-942-5005.

Sincerely,

Kristin Hullihen
Zoning and Code Enforcement Officer

enclosure: photo
cc: file

Violation
Letter





Yellow Lines Indicate Property Line. Please Hunt inside the Yellow Lines.

[Redacted]

Location of Violation

002690

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OFFICIAL

TOWNSHIP OF PETERS
WASHINGTON COUNTY, PENNSYLVANIA

RESOLUTION NO. 01-01-23

RECORDED
WASHINGTON COUNTY, PA.

93 FEB -5 AM 10:03

Edward M. ...

RECORDS OF DEEDS



A RESOLUTION OF THE TOWNSHIP OF PETERS,
WASHINGTON COUNTY, PENNSYLVANIA,
ESTABLISHING AN AGRICULTURAL AREA
ACCORDING TO THE AGRICULTURAL SECURITY
LAW.

WHEREAS, the Council of Peters Township, Washington, County,
Pennsylvania has been contemplating the establishment of an
agricultural area according to the Agricultural Security Law (3 P.S.
Sections 901-915; and

WHEREAS, the Council of Peters Township having received proposals
from the attached list of residents indicating their desire to be
included in the area; and

WHEREAS, the Council of Peters Township having received a
favorable report of acceptance from the Peters Township Planning
Commission of the proposal; and

WHEREAS, the Council of Peters Township has established and formed
an Agricultural Area Advisory Commission according to the law.

NOW, THEREFORE, be it resolved by the Council of Peters Township
that:

SECTION 1.

The Council of Peters Township declares and accepts the proposed
agricultural area for Peters Township.

SECTION 2.

The proposed area shall be recorded in the office of the Recorder
of Deeds, Washington County Court House under the list of miscellaneous
documents.

AFFIDAVIT

COMMONWEALTH OF PENNSYLVANIA }
COUNTY OF WASHINGTON } SS.

Before me, a Notary Public, the undersigned official, personally appeared Michael A. Silvestri, who acknowledged himself to be the Manager of Peters Township, who, after being duly sworn according to law hereby certifies that the aforesaid signatures are those of the legal title owners to the property described and referenced herein and that each of these properties has been adopted into the agricultural security area which has been created and approved at a meeting held by the Peters Township Council on the 25th day of JANUARY, 1993. A copy of the Minutes of the aforesaid meeting whereby official action was undertaken is also attached hereto.

Michael A. Silvestri
Michael A. Silvestri

Sworn to and subscribed
before me this 25th day of
January, 1993.

Marie M. Anderson
Notary Public

My Commission Expires:

NOTARIAL SEAL
MARIE M. ANDERSON, NOTARY PUBLIC
PETERS TWP, WASH. CO., PA.
My Commission Expires Sept. 3, 1994

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RESOLVED AND ADOPTED by the Council of Peters Township at a meeting duly assembled this 25th day of January, 1993.



TOWNSHIP OF PETERS

By:


Chairman of Council