

March 16, 2021

By e-mail

Robert A. Willig
Senior Deputy Attorney General
PA Office of Attorney General
Litigation Section
Attention: ACRE
1251 Waterfront Place, Mezzanine Level
Pittsburgh, PA 15222

RE: ACRE Petition for review of Municipality of Monroeville Timbering Harvest Fee

Dear Senior Deputy Attorney General Willig,

The [REDACTED] and [REDACTED] of Monroeville, Pennsylvania requests a review and legal challenge by the Office of the Attorney General of the Municipality of Monroeville Timbering Harvest Fee, Ordinance 2730 (Attachment 1) and the enforcement of this local ordinance under the Pennsylvania's Agriculture, Communities and Rural Environments (ACRE) law, Act 38 of 2005.

The [REDACTED] is a group of 12 local residents of Monroeville who challenged the Municipality of Monroeville Timber Harvesting Ordinance in September 2013 and paid a fee of \$1000 to obtain the timbering permit after the Attorney General required the municipality to change their ordinance. We conducted our timbering operation in 2017. Following the [REDACTED] challenge of the Timber Harvest Ordinance the Municipality of Monroeville and timbering operation the Municipality of Monroeville increased the fee to \$2000 per parcel.

With the change in the Monroeville Timber Harvesting Ordinance, [REDACTED] submitted for a timbering permit in 2018 and paid a fee of \$4000 to harvest timber on two parcels.

The [REDACTED] has been reviewing documents (Fact Sheet: PA ACRE Law and a Summary of Attorney General Positions on Timber Harvesting, ACRE Review Requests for Lower Saucon Township and North Coventry Townships, and newspaper article (PA Takes the Ax to North Coventry Logging Law) as it relates to timber permit fees. Based on these documents Office of the Attorney General held permit fees in the \$100 range.

In June 2020 the [REDACTED] left a voicemail with the Monroeville Municipal Manager to request providing information to him about the timbering permit fee. The zoning officer returned the call and the documents mentioned above were provided to him. The [REDACTED] requested that the zoning officer provide us with feedback after the municipality had a chance to review the documents. No feedback was provided.

On December 22, 2020 Monroeville passed Ordinance 2730 with the timbering permit fee remaining at \$2000 for each parcel of land and the ordinance was entered into the legal book on January 1, 2021. The ordinance also indicates that miscellaneous fees can be charged, "The Municipality reserves the right to assess additional costs for engineering review, legal, and Expert service when deemed necessary."

[REDACTED] and [REDACTED] are also requesting that the permit fees previously paid for the timbering permits in 2017 and 2018 be returned to us as the fees that were charged at the time of our applications the Municipality of Monroeville was unlawfully converting the timbering application into one for a conditional use (challenged in the original review) instead of a permitted use by right.

If you have any questions or require any additional information regarding this petition please contact [REDACTED] and [REDACTED] by the e-mails below.

Signed,

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

cc:

[REDACTED]

Attachments: Parts of Ordinance 2730