



April 14, 2023

Via First Class Mail

Mr. Gresock
Mayor of Monroeville
2700 Monroeville Blvd.
Monroeville, PA 15146

Re: Public Hearing for Amended Zoning Ordinance

Dear Mr. Gresock:

We represent Protect PT, a non-profit, member-based organization located in Harrison City, PA. We are writing regarding the April 4, 2023 hearing that was held in Monroeville concerning the proposed new zoning map and proposed new zoning ordinance. Section 402(b) of the Municipal Planning Code provides “the governing body shall hold a public hearing pursuant to public notice.” While a “hearing” was held, we believe that it was deficient in the following regards.

First, you denied my client the right to speak at that hearing, even though Protect PT, by virtue of its members who reside in, and pay taxes in Monroeville, afford Protect PT organizational standing at such hearings. Ms. Gillian Graber, executive director for Protect PT, attempted to speak on behalf of her members, but was not allowed to do so. Instead, she was forced to limit her testimony to a written statement turned in at that hearing. Not allowing a member of the public, especially one that represents many members of the public, the opportunity to comment on the proposed amendment renders the hearing defective.

Second, while the April 4 event was advertised as a hearing, it was not conducted as a hearing. No person who spoke at that “hearing” was sworn in or under oath. Therefore, all speakers were incapable of offering testimony on the record. Most importantly, the Zoning Officer, Paul Whealdon, and John Trant, of Strategic Solutions, LLC, spoke at length regarding the features of the new map and ordinance, principally highlighting what they both considered the benefits of said ordinance and map. However, neither man was sworn in prior to speaking, and therefore nothing that they said was on the record. A hearing without testimony is hardly a hearing at all and we believe that it is deficient for that reason.

My client also believes that there are defects, or defects are likely to arise, with the process that Monroeville has taken to amend their ordinance.

Municipal Planning Code section 408(c) requires that “if any municipality proposes to adopt an official map, or amendment thereto, that shows any street or public lands intended to lead into

any adjacent municipality a copy of said official map or amendment shall be forwarded to such adjacent municipality for review and comment by the governing body and planning agency of the adjacent municipality.” As far as my client is aware, Monroeville did not serve any of the adjacent municipalities as was required. We believe that the comprehensive zoning map change proposed by Monroeville clearly falls under section 408(c) and that such notice was required. Monroeville must provide notice to adjacent municipalities of their right to comment on the proposed amendments and allow them 45 days to respond before taking any action to ratify the amendments.

My client also has deep concerns about the manner in which this process was conducted. Rather than consult with residents to determine their views on different aspects of the zoning map and ordinance, and then commencing to draw the map and draft the ordinance, Monroeville contracted out the drawing and drafting, and presented the map and ordinance as a *fait accompli* to the community. Monroeville then only allowed residents 5 minutes to speak to a 400-page document. My client feels that this is incredibly unfair to the public and gives the perception that Monroeville is not concerned with the input of residents in the massive changes that these amendments will cause to the community.

We urge you to provide the public with more time and opportunity to comment on the proposed changes to the Ordinance and to hold an actual public hearing for residents to voice their opinions. Thank you.

Sincerely,

Tim Fitchett