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LEBANON SOLAR I, LLC,	:	IN THE COURT OF COMMON PLEAS
Appellant	:	LEBANON COUNTY, PENNSYLVANIA
	:	CIVIL ACTION - LAW
	:	
vs.	:	NO. 2022-00553
	:	
NORTH ANNVILLE TOWNSHIP BOARD	:	
OF SUPERVISORS,	:	
Appellee	:	

MOTION OF NORTH ANNVILLE TOWNSHIP TO QUASH APPEAL

AND NOW, comes North Annville Township by and through undersigned counsel and moves the Court as follows:

1. The Appeal taken by Appellant was not taken and perfected within the time permitted.
2. Appeals from Land Use decisions must be filed within thirty (30) days after the entry of the decision of the Board as provided in the Municipality's Planning Code at 53 P.S. §11002-A(a).
3. This thirty (30) day limitation must be applied in all cases.
4. Failure to file a Zoning Appeal within thirty (30) days deprives the Court of jurisdiction.
5. In this matter, Appellant filed an Appeal on May 5, 2022. The decision of the Board was signed on May 12, 2022 and served on the Appellant on May 12, 2022.
6. Appellant filed an amended Notice of Appeal on June 17, 2022.

7. The initial Appeal filed on May 5, 2022 was premature and therefore untimely filed.

8. The amended Notice of Appeal was filed five (5) days outside of the thirty (30) day time period provided by statute and therefore was untimely.

9. Because of the untimely filing of the Appeals, the Court does not have jurisdiction to hear this matter.

WHEREFORE, Movant respectfully requests that the Court quash the Appeal of Lebanon Solar I, LLC in this matter.

REILLY WOLFSON

By: _____
Paul C. Bametzreider, Esq.
Counsel for Appellee

Date: _____