



Reading Eagle: Susan L. Angstadt | In an email to the Reading Eagle this week, attorney Allen R. Shollenberger, who represents the Stop the Fence group of neighbors, confirmed that he filed the appeal Jan. 26.

Wyomissing fence foes appeal to state Supreme Court

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By [Becca Y. Gregg](#)

The fight over a fence around the Wyomissing High School football field could reach the state Supreme Court.

A group of neighbors opposed to the school district's plans for the fence have appealed the Commonwealth Court's decision on the matter late last year.

There's no guarantee the Supreme Court will choose to take the case, however. And further, this time around, they'll fight without the legal support of the borough, which last month said that it would not further appeal the decision.

In an email to the Reading Eagle this week, attorney Allen R. Shollenberger, who represents the Stop the Fence group of neighbors, confirmed that he filed the appeal Jan. 26.

The appeal follows a one-sentence decision at the end of December, when the Commonwealth Court denied a request by the Stop the Fence group for reconsideration of its decision to allow the district to build the fence. President Judge Dan Pellegrini wrote the order rejecting a petition for the case to be heard before all nine judges of the court, rather than by a panel selected from them.

The Stop the Fence group had requested such reconsideration after the court's November 2015 ruling that the district could build a 6-foot-high fence around the field at Girard and Wyoming avenues.

The Nov. 25 Commonwealth Court ruling overturned a March decision by Berks County Judge A. Joseph Antanavage that upheld the Wyomissing Zoning Board's denial of the district's plan for the fence. It followed an Oct. 5 hearing in Philadelphia before a panel of three Commonwealth Court judges: Bernard L. McGinley, Mary Hannah Leavitt and Senior Judge Rochelle S. Friedman.

Throughout the fight against the fence, the borough was aligned with the Stop the Fence Group.

"Borough council felt that they had done whatever they could to defend borough representatives who had made the decision to not allow the fence," Wyomissing Borough Manager Marti Hozey said Thursday of the borough's decision not to appeal. "They also felt it was time to end this conflict and help the community to heal."

Shollenberger said there's no specific time frame for the case at this point.

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- See more at: <http://www.readingeagle.com/news/article/wyomissing-fence-foes-appeal-to-state-supreme-court#sthash.dDuNBsVQ.dpuf>