

# MOUNT JOY TOWNSHIP

# **Application for Consideration of a** Subdivision and/or Land Development Plan

For Mount Joy Township Use Only:

M.J.T.P.C. File No.:		Date of Receipt/Filing:	Date of Receipt/Filing:			
School District:	Donegal	Elizabethtown				

The undersigned hereby applies for approval under Chapter 119, Subdivision and Land Development, of the Code of the Township of Mount Joy for the Plan submitted herewith and described below:

#### **Plan & Project Information**

							register) est.			
Plan Name:	Fina	nal Subdivision Plan for 1376 Campus Road								
Plan No.:	2018	8D62-004 Plan Date				Date:	December 1, 2023			
Location:	1376	Campus Road								
Property Ow	ner: 1376 Campus Road Associates, LLC (Equitable Owner)									
				), West	West Conshohocken, PA 19428					
Telephone No	o.:	717-779-5120								
E-mail: arepucci@catacomm.com										
Deed Referen	ice:	5929617		Та	Tax Parcel No.: 4607260800000					
Plan Type:			Sketch			Prelimi	nary	X Final		
			Lot Line Chan	ige		Minor A	Agricu	ltural or Land Develor	ment	
Description:	Subo	division of e	existing lot into tw	o sepa	rate lots 1	and 2. L	ot 1 is	a non-building lot.		
Zoning Distri	ct:	R-2 Medi	um Density Resid	dential						
Is a zoning ch	ange	necessary	y?	If yes,	, please s <sub>l</sub>	pecify:				
Is/was a zonii	ng va	riance, sp	ecial exception,	or con	ditional	X		If yes, attach ZHB de	cision.	
use approval	nece	ssary?								
Total Acreage: ~128.65 Acres										
Name of appl	icant	(if other t	than owner):							
Address:				and the			20.12			
Telephone No	o.:									
E-mail:										
Firm which p	repai	ed plan:	RGS Associates	, Inc.						
Address:		53 W. Jam	nes Street, Suite	101, La	ncaster, P	A 17603				
Phone No.:		717-715-1	396							
Person respon	rsible	for plan:	Chris Venarch	ick, RL	A, ASLA					
E-mail:										

**Proposed Lots and Units** 

	# of Lots	# of Units		# of Lots	# of Units
Total #			Mixed Use		
Agricultural	2		Single Family Detached		
Commercial			Multifamily (attached-sale)		
Industrial			Multifamily (attached-rental	)	
Institutional			Other:		
Total Square Feet of Grou	and Floor Area	a (building	footprint):		
Total Square Feet of Exis	ting Structures	(all floors)	:		
Total Square Feet of Prop	osed Structure	es (all floors	s):		
Total Square Feet (or Acr	es) of Propose	d Parkland	/Other Public Use:		
Linear feet of new street:					
Identify all street(s) not p	roposed for de	edication:			

Type of water supply proposed:

Χ	Public (Live)	Community
	Public (Capped)	Individual

Type of sanitary sewage disposal proposed:

X	Public (Live)	Community	
	Public (Capped)	Individual	

The undersigned hereby represents that, to the best of his knowledge and belief, all information listed above is true, correct and complete.

Signature of Landowner of Applicant

Date



LANCASTER 53 W. James Street Suite 101 Lancaster, PA 17603 717.715.1396 YORK 221 W. Philadelphia Street Suite 108E York, PA 17401 717.854.3910 HARRISBURG P.O. Box 841 Camp Hill, PA 17001 717.599.7615

December 1, 2023

Justin Evans, Township Manager Mount Joy Township 8853 Elizabethtown Road Elizabethtown, Pennsylvania 17022

RE: 1376 Campus Road
Final Minor Subdivision Plan
Mount Joy Township
RGS Project No: 2018D62-004

#### Dear Justin:

RGS Associates, on behalf of 1376 Campus Road Associates, LLC, is pleased to submit this application for a proposed Final Minor Subdivision Plan of the Campus Road project. The property is located at 1376 Campus Road and is approximately 129 acres within the R-2 Medium Density Residential Zoning District. This plan proposes to subdivide the existing property into two separate lots. Lot 1 consists of a 0.16 acre lot that will be a non-building lot consistent with the prior Zoning Variances granted for the property. Lot 2 is proposed to be the remaining 128.32 acres of land. A Wetland Study which was previously prepared for the site is included with this submission. No improvements are proposed as part of this plan therefore several waivers/deferrals of the Subdivision & Land Development Ordinance are outlined in a letter included with this submission. We will coordinate with DEP to obtain confirmation that no sewer planning is needed to satisfy township SLDO Section 119-35.E(2)(a).

We request that this package be considered at the January 22, 2024 Planning Commission meeting. Thank you for your assistance with this review process.

Sincerely,

Chris Venarchick, RLA, ASLA Principal

**Enclosures** 

cc: Catalyst Commercial Development LCPC



# **MOUNT JOY TOWNSHIP**

• Lancaster County, Pennsylvania •

8853 Elizabethtown Road, Elizabethtown, PA 17022 717.367.8917 • 717.367.9208 fax www.mtjoytwp.org

October 11, 2023

1376 Campus Road Associates, LLC 100 Front Street, Suite 560 West Conshohocken, PA 19428

The Raymond H. Myer Testamentary Unified Credit Trust 695 Three Feathers Road Bozeman, MT 59718

The Estate of Elizabeth Myer 1376 Campus Road Elizabethtown, PA 17022

Re:

Mount Joy Township Zoning Hearing Board - 1376 Campus Road Associates

Proposed Subdivision of Non-building Lot

Property located at 1376 Campus Road, Elizabethtown, PA 17022

Zoning Case No. 230014

#### Dear Sir or Madam:

As a result of a public hearing held on October 4, 2023, the Mount Joy Township Zoning Hearing Board (the "Board") voted unanimously to grant the following requests on the Application for the property located at 1376 Campus Road, Elizabethtown, PA 17022, Tax Parcel ID #460-72608-0-0000 (the "Property") in accordance with the Mount Joy Township Zoning Ordinance of 2012, as amended (the "Ordinance"):

- (i) A Variance from Section 135-105.B regarding minimum lot size; and
- (ii) A Variance from Section 135-105.C regarding minimum lot width.

Ryan Davidson of 101 Woodland Avenue, an adjacent property, was granted party status; he was not represented by counsel. Mr. Davidson affirmed that he supports the Application. The Property is located within the R-2 Medium Density Residential District and consists of approximately 128 acres. The Property is currently undeveloped and used agriculturally, but Applicant, the equitable owner, currently has conditional subdivision approval for a residential development. The Applicant proposes to subdivide a 0.16 acre parcel from the Property (the "Proposed Lot"). The Proposed Lot has been the subject of recent litigation initiated by Mr. Davidson. The Proposed Lot is a small stub of the Property with frontage along Woodland Avenue, and is adjoined by single-family dwellings on both sides (one of which owned by Mr. Davidson). Applicant proposes to align the rear property line of the Proposed Lot with the rear lot lines of the adjoining dwellings. Applicant proposes, as a condition to approval, to record a deed restriction against the Proposed Lot prohibiting the construction of a principal structure on the Proposed Lot. The Applicant and Mr. Davidson testified that there is interest in conveying the Proposed Lot to Mr. Davidson if the

1376 Campus Road Assoc., LLC October 11, 2023 Page 2 of 2

requested relief is granted. The Applicant demonstrated, through credible testimony and evidence, that it meets the criteria to obtain the requested di minimis dimensional variances, subject to the conditions set forth herein.

The relief granted shall be subject to the following conditions and safeguards which the Board deems reasonable and necessary to implement the purpose of the Ordinance and the Pennsylvania Municipalities Planning Code:

- 1. The Applicant and/or the owner(s) of the Property shall comply with all other provisions contained in the Ordinance for which relief has not been requested or granted;
- 2. The Applicant shall file and gain approval of a subdivision plan through the Mount Joy Township Planning Commission.
- Following subdivision approval, the Applicant shall record a deed restriction against the Proposed Lot prohibiting any future construction of a principal structure or use upon the Proposed Lot.
- 4. The Applicant and any representative of the Applicant shall comply with and adhere to the testimony and any evidence presented to the Board at the hearing held on October 4, 2023 except to the extent modified by conditions imposed by the Board herein.

Mount Joy Township Zoning Hearing Board

For:

Gregory R. Hitz, Sr., Chairman James E. Hershey, Vice Chairman Robert F. Newton, Jr., Secretary Roni K. Clark, Alternate Member

JPH:slk

cc: Claudia Shank, Esq. – Email Ryan Davidson Zoning Hearing Board Members Board of Supervisors Justin S. Evans, Zoning Officer



December 1, 2023

LANCASTER 53 W. James Street Suite 101 Lancaster, PA 17603 717.715.1396 YORK 221 W. Philadelphia Street Suite 108E York, PA 17401 717.854.3910 HARRISBURG
P.O. Box 841
Camp Hill, PA 17001
717.599.7615

**RECEIVED** 

Dec 01 2023

MOUNT JOY TOWNSHIP

24-01-MSDP

Justin Evans, Township Manager Mount Joy Township 8853 Elizabethtown Road Elizabethtown, Pennsylvania 17022

RE: 1376 Campus Road

**Modification Request – Final Minor Subdivision Plan** 

**Mount Joy Township** 

**RGS Project No: 2018D62-004** 

Dear Justin:

RGS Associates, on behalf of 1376 Campus Road Associates, LLC, respectfully requests the following modifications associated with the Minor Subdivision Plan:

#### **Subdivision and Land Development Ordinance**

#### 1. SECTION 119-23(B): MULTIPLE APPLICATIONS

#### Requirement:

An applicant may not submit multiple applications for approval of a subdivision or land development plan for the same property or any portion thereof.

#### **Proposed Relief:**

To submit the Final Minor Subdivision Plan concurrently while the Preliminary and Phase 1 Final Subdivision and Land Development Plans are actively filed with the township.

#### Justification:

The Final Minor Subdivision Plan is being filed to subdivide off a 0.16 acre portion of the parent tract to allow the currently filed Preliminary Plans and Phase 1 Final Plans to proceed to recording.

#### 2. <u>SECTION 119-31.A(1): PLAN SCALE</u>

#### Requirement:

The plan shall be clearly and legibly drawn at a commonly used scale between 20 feet and 100 feet to the inch.

#### **Proposed Relief:**

To provide a plan scale of 1''=150' on the existing conditions and overall subdivision plan sheets.

#### Justification:

This request is driven by the size and shape of the site to be subdivided. The entirety of the site to be shown on the plan requires a scale greater than the ordinance requirement for plan and design information. The scale which best presents the site information and subdivided lots is

December 1, 2023 Mount Joy Township 1376 Campus Road Minor Subdivision Modifications Page 2

the 150 feet to the inch scale. This scale is legible without adding an unnecessary number of additional sheets.

#### 3. SECTION 119-31.D(14)(a): MONUMENT AND MARKER INFORMATION

#### Requirement:

Location and material of all permanent monuments and lot line markers, including a note that all monuments and lot markers are set or indicating when they will be set.

#### **Proposed Relief:**

Deferral for setting pins for the resulting parent tract.

#### Justification:

The deferral of setting pins for the resulting parent tract is justified in that all information regarding permanent monuments and lot line markers, including the location, material and when they will be set, is shown on the actively filed Phase 1 Final Plan for the project site.

## 4. <u>SECTION 119-52.J(3): IMPROVEMENTS OF EXISTING STREETS AND INTERSECTIONS</u>

#### Requirement:

Improvements of existing streets and intersections.

- (a) In cases where a subdivision or land development abuts an existing Township and/or state street, the street shall be improved to the ultimate width in accordance with Subsection J or as indicated on the Township Official Map, whichever is greater, and additional right-of-way shall be provided, concrete curbing and sidewalk, and any other street improvements that are required by this chapter, shall be constructed.
- (b) In cases where the development is situated only on one side of an existing street, the Township may require that only that side of the street be improved.
- (c) Where the developer of the subdivision or land development is required to provide a traffic study and report under § <u>119-32C</u> and the traffic study and report indicates that improvements are required as provided in § <u>119-32C</u>, the developer shall install improvements, including but not limited to traffic signals, traffic control devices, additional traffic lanes, traffic dividers and highway markings.
- (d) When the Township determines that the required improvements are not feasible at the time of development of the use, the developer shall deposit funds with the Township in the amount of 110% of the cost of improvements computed in accordance with § 119-41 of this chapter, the amount of the deposit shall be submitted for approval by the Township Engineer, or the applicant shall also have the option to enter into an agreement that would defer road improvements to a time the Township would deem such road improvements as feasible. The deferred road improvement agreement shall be recorded at the Lancaster County Recorder of Deeds office and contain content that is suitable to the Township and the Township Solicitor. Any developer choosing to enter into a deferred road improvement agreement must note on the final plans that all required road improvements shall be constructed within six months of notification from the Township.

December 1, 2023 Mount Joy Township 1376 Campus Road Minor Subdivision Modifications Page 3

#### **Proposed Relief:**

Defer improvements of existing streets to the actively filed Phase 1 Final Plan for the project site.

#### Justification:

No physical improvements are proposed as part of the Minor Subdivision Plan. The actively filed Phase 1 Final Plan for the project site identifies improvements to the existing streets.

#### 5. SECTION 119-52.N: FUTURE RIGHTS-OF-WAY

#### Requirement:

Future rights-of-way are rights-of-way reserved for future street improvements, as delineated on the Township Official Map, county highway plan or as part of a future phase of development, or if the zoning of an adjoining undeveloped lot would be conducive to similar-type development in the future. Future rights-of-way shall be designed in conformance with the design requirements of the particular classification of street in which the future street is intended to be used, and the contiguous parcels must contain proper setbacks and sight distances.

- (1) The area within the future right-of-way shall be included within the deeds to the abutting lots with an easement in favor of the Township and landowners of the land in which the future right-of-way will extend to permit the use of the future right-of-way for public street purposes should the adjoining lands be developed.
- (2) The landowners of the lots in which the future right-of-way is included shall have the duty to maintain the area included within the future right-of-way, and this duty shall be indicated in a note on the final plan and in all deeds to such lots.
- (3) The landowners of the lots in which the future right-of-way is included shall have no obligation concerning the improvement of such future right-of-way for street purposes.

#### **Proposed Relief:**

Deferral for future right-of-way as delineated on the Township Official Map.

#### Justification:

No physical improvements are proposed as part of the Minor Subdivision Plan. The actively filed Phase 1 Final Plan for the project site identifies a proposed street alignment and associated right-of-way based on the Official Township Map for the project site.

#### 6. SECTION 119-53.C(1): CONCRETE CURBS

#### Requirement:

Concrete curbs shall be provided for all subdivisions and land developments along street frontages, access drives, and along the edge of any landscaped portions of a parking facility. For developments located outside the designated growth area, curbing shall not be required along all street frontages, access drives and along the edge of any landscaped portion of a parking facility, unless the Township Engineer determines it is necessary for stormwater management and control purposes. Concrete curbs may be required by the Township in subdivisions and land developments outside the designated growth area in the following locations:

- (a) Along the radius of each corner of all street intersections.
- (b) Along the radii of all access drive intersections with a street, which shall contain a minimum of a five-foot taper at the end of the radii.

December 1, 2023 Mount Joy Township 1376 Campus Road Minor Subdivision Modifications Page 4

(c) Along streets where sidewalks exist or are proposed.

#### **Proposed Relief:**

Deferral of curbing along the property frontage.

#### Justification:

No physical improvements are proposed as part of the Minor Subdivision Plan. The actively filed Phase 1 Final Plan for the project site identifies improvements to the existing streets including proposed curbing along the property frontage.

We request that these modifications and/or deferrals be considered at the January 22, 2024 Mount Joy Township Planning Commission meeting. Thank you for your assistance with this review process.

Sincerely,

**RGS ASSOCIATES, INC.** 

Chris Venarchick, RLA

Principal

**Enclosures** 

cc: Catalyst Commercial Development

**LCPC** 

# FINAL MINOR SUBDIVISION PLAN 1376 CAMPUS ROAD

# LANCASTER COUNTY PLANNING DEPARTMENT REVIEW CERTIFICATE

THIS PLAN, BEARING LCPC FILE NO. THE LANCASTER COUNTY PLANNING DEPARTMENT ON BY THE PENNSYLVANIA MUNICIPALITIES PLANNING CODE, ACT 247 OF 1968, AS AMENDED. THIS CERTIFICATE DOES NOT REPRESENT NOR GUARANTEE THAT THIS PLAN COMPLIES WITH THE VARIOUS ORDINANCE, RULES, REGULATIONS, OR LAWS OF THE LOCAL MUNICIPALITY, THE COMMONWEALTH, OR THE FEDERAL GOVERNMENT.

SIGNATURE OF THE CHAIRMAN AND VICE CHAIRMAN OR THEIR DESIGNEES.

# PLANNING COMMISSION FINAL PLAN APPROVAL CERTIFICATE

, 20\_\_\_\_, THE MOUNT JOY TOWNSHIP PLANNING COMMISSION APPROVED THIS PROJECT, INCLUDING THE COMPLETE SET OF PLANS AND INFORMATION WHICH ARE FILED WITH THE COMMISSION IN MOUNT JOY TOWNSHIP PLANNING COMMISSION FILE NO. BASED UPON ITS CONFORMITY WITH THE STANDARDS OF CHAPTER 119, SUBDIVISION AND LAND

SIGNATURES OF THE CHAIRMAN AND VICE CHAIRMAN OR THEIR DESIGNEES

TO THE PUBLIC USE

#### CERTIFICATE OF OWNERSHIP, ACKNOWLEDGMENT OF PLAN, AND OFFER OF DEDICATION

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF LANCASTER ON THIS, THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20 \_\_\_\_, BEFORE ME, THE UNDERSIGNED

OFFICERS, PERSONALLY APPEARED BEING A MEMBER OF 1376 CAMPUS ROAD ASSOCIATES, LLC, WHO, BEING DULY SWORN OR AFFIRMED ACCORDING TO LAW, DEPOSES THE PLAN, THAT HE IS AUTHORIZED TO EXECUTE SAID ON BEHALF OF THE LIMITED LIABILITY COMPANY THAT THE LIMITED LIABILITY COMPANY DESIRES THE SAME TO BE RECORDED AND ON BEHALF OF THE LIMITED LIABILITY COMPANY FURTHER ACKNOWLEDGES THAT ALL STREETS AND OTHER PROPERTY IDENTIFIED AS PROPOSED PUBLIC PROPERTY (EXPECTING THOSE AREAS LABELED NOT FOR DEDICATION) ARE HEREBY DEDICATED

# **CERTIFICATE OF ACCURACY - SURVEY**

I HEREBY CERTIFY THAT, TO THE BEST OF MY KNOWLEDGE, THE SURVEY SHOWN AND DESCRIBED HEREON IS TRUE AND CORRECT TO THE ACCURACY REQUIRED BY CHAPTER 119, SUBDIVISION AND LAND DEVELOPMENT.

# **CERTIFICATE OF ACCURACY - PLAN**

I HEREBY CERTIFY THAT, TO THE BEST OF MY KNOWLEDGE, THE PLAN SHOWN AND DESCRIBED HEREON IS TRUE AND CORRECT TO THE ACCURACY REQUIRED BY CHAPTER 119, SUBDIVISION AND LAND DEVELOPMENT.

TOTAL SITE ACREAGE 128.65 AC. (GROSS) 127.68 AC. (NET) AGRICULTURAL EXISTING LAND USE: PROPOSED LAND USE: RESIDENTIAL **PUBLIC** PUBLIC WATER:

R-2 MEDIUM-DENSITY RESIDENTIAL DISTRICT\*\*\*\* ZONING:

2 LOTS

\*\*\*\* THE SUBJECT TRACT WAS REZONED FROM RURAL DISTRICT (R) TO MEDIUM DENSITY RESIDENTIAL DISTRICT (R-2) ON OCTOBER 19TH 2020 PER ORDINANCE NO. 324-2020

# **GENERAL PLAN NOTES**

TOTAL PROPOSED LOTS:

- ▲BENCHMARKS: BENCHMARK "A" IS A REBAR SET ON THE SOUTHEAST SIDE OF A FARM LANE. LEVATION=543.21' NAVD88 DATUM. BENCHMARK "B" IS A REBAR SET ALONG THE MIDPOINT IN
- THE SOUTHEASTERN PROPERTY LINE. ELEVATION = 496.95' NAVD88 DATUM. (SEE SHEET EXISTING CONDITIONS & DEMOLITION PLAN FOR LOCATION)
- BOUNDARY AND TOPOGRAPHICAL INFORMATION PROVIDED BY RETTEW ASSOCIATES, PROJECT NAME: 1376 CAMPUS ROAD, PROJECT NO.: 111902012, DATED: 01/13/2021.
- THIS PROPERTY WAS SURVEYED USING THE CURRENT DEED OR DEEDS OF RECORDS AND WITHOUT
- THE BENEFIT OF A "TITLE SEARCH." HORIZONTAL DATUM: NAD83 PENNSYLVANIA STATE PLANE COORDINATE SYSTEM; SOUTH ZONE
- VERTICAL DATUM: NAVD88 6. UNDERGROUND UTILITY LOCATIONS ARE APPROXIMATE AND WERE DETERMINED FROM VISIBLE LOCATION, PA ONE CALL UTILITY RESPONSES AND/OR BEST AVAILABLE PLAN INFORMATION. PA ONE CALL NOTIFICATION SERIAL NUMBERS ARE 20203033598, ELIZABETHTOWN BORO & 20203033597, MOUNT JOY TWP, BOTH DATED 11/14/2020. (RETTEW CANNOT GUARANTEE THE EXACT LOCATION OF
- ANY UNDERGROUND UTILITIES OR STRUCTURES. AN EXACT LOCATION CAN ONLY BE OBTAINED BY SUBSURFACE EXPLORATION, WHICH IS NOT WITHIN THE SCOPE OF THIS CONTRACT). PERMANENT MONUMENTS AND LOT MARKERS SHALL BE SET AT THE LOCATIONS SHOWN ON
- 8. ANY ALTERATIONS TO THIS PLAN AFTER THE DATE OF PLAN PREPARATION OR LATEST REVISION
- SHALL NOT BE THE RESPONSIBILITY OF RGS ASSOCIATES, INC. 9. PROPOSED LOT 2 IS A NON-BUILDING LOT, THEREFORE WILL NOT NEED SEWER AND WATER

- AREAS IDENTIFIED AS 100-YR FLOODPLAIN WERE DELINEATED USING THE GEOHECRAS SOFTWARE BASED ON AVAILABLE LIDAR AND SURVEY INFORMATION. AND ARE BASED ON THE
- FLOODPLAIN ANALYSIS REPORT PREPARED BY RGS ASSOCIATES DATED DECEMBER 13, 2021 2. THE FLOODWAY SHALL BE KEPT FREE OF STRUCTURES, FILL AND OTHER ENCROACHMENTS.

# **WETLAND NOTES**

- WETLANDS DELINEATED ON THE PLANS SHALL BE KEPT FREE OF STRUCTURES, FILL AND OTHER ENCROACHMENTS. NO DISTURBANCE SHALL OCCUR WITHIN THE BOUNDARY OF THE WETLANDS. 2. IN APRIL 21, 2021 A PRELIMINARY WETLANDS INVESTIGATION AND A FIELD SURVEY TO
- DETERMINE THE EXTENT OF WETLANDS PRESENT ON THE SITE WAS CONDUCTED BY VORTEX ENVIRONMENTAL, INC. THERE ARE TEN (10) REGULATED FEATURES THAT EXIST WITH THE APPROXIMATELY 126.5 ACRE STUDY AREA FOR CAMPUS ROAD, CONSISTING OF THREE (3 WATERCOURSES (WATERCOURSE 1-3) AND SEVEN (7) ASSOCIATED WETLAND AREAS.

# UNDERGROUND UTILITY LINE PROTECTION ACT

- IN COMPLIANCE WITH AND PURSUANT TO THE PROVISIONS OF 73 P.S. 176, AS AMENDED BY ACT 121 OF 2008, RGS ASSOCIATES, INC. HAS PERFORMED THE FOLLOWING REQUIREMENTS IN PREPARING THESE DRAWINGS THAT INCLUDE EXCAVATION OR DEMOLITION WORK AT SITES WITHIN THE POLITICAL SUBDIVISION AND/OR LAND DEVELOPMENT SHOWN ON THE DRAWINGS HEREIN:
- 1. PURSUANT TO 73 P.S. 176(2), RGS ASSOCIATES, INC. HAS REQUESTED LINE AND FACILITY INFORMATION FROM THE ONE CALL SYSTEM NOT LESS THAN TEN (10) NOR MORE THAN NINETY (90) BUSINESS DAYS BEFORE FINAL DESIGN IS TO BE COMPLETED. IF SUCH INFORMATION WAS OBTAINED MORE THAN NINETY (90) DAYS BEFORE FINAL DESIGN IS TO BE COMPLETED, RGS HAS STATED IN THE REQUEST THAT
- PURSUANT TO 73 P.S. 176(3), RGS ASSOCIATES, INC. HAS SHOWN, UPON THESE DRAWINGS, THE POSITION AND TYPE OF EACH FACILITY OWNER'S LINE, AS DERIVED PURSUANT TO THE REQUEST MADE AS REQUIRED BY 73 P.S. 176(2), THE NAME OF THE FACILITY OWNER AND THE FACILITY OWNER'S DESIGNATED OFFICE ADDRESS AND 3. PURSUANT TO 73 P.S. 176(5), RGS ASSOCIATES, INC. HAS CALLED THE ONE CALL
- SYSTEM AND SHOWN AS PROOF, THE SERIAL NUMBER OF ONE CALL NOTICE AND THI TOLL-FREE NUMBER OF THE ONE CALL SYSTEM ON THE DRAWINGS NEAR THE SERIAL 4. IF, PURSUANT TO THE REQUIREMENTS OF 73 P.S. 176(2), RGS ASSOCIATES, INC. HAS
- REQUESTED LINE AND FACILITY INFORMATION FROM THE ONE CALL SYSTEM MORE THAN NINETY (90) DAYS BEFORE FINAL DESIGN IS TO BE COMPLETED, RGS HAS INDICATED THAT THE REQUEST IS PRELIMINARY AND THE SERIAL NUMBER OF SAID

RGS ASSOCIATES, INC. DOES NOT REPRESENT, WARRANT, ASSURE OR GUARANTEE THAT REFLECTED ON THESE DRAWINGS IS ACCURATE OR CORRECT, FURTHERMORE, RGS ASSOCIATES, INC. INCLUDES THE INFORMATION ONLY PURSUANT TO THE REQUIREMENTS
OF THE UNDERGROUND UTILITY LINE PROTECTION ACT, AS AMENDED BY ACT 121 OF 2008. PENNSYLVANIA ONE CALL SYSTEM SERIAL NO. (FINAL):

PENNSYLVANIA ONE CALL SYSTEM SERIAL NO. (PRELIMINARY):

PENNSYLVANIA ONE CALL SYSTEM SERIAL NO. (SURVEY): 20203033598 & 20203033597 DATE: \_\_\_11/14/2020\_\_\_\_ BY: RETTEW

SYSTEM, INC.

CALL BEFORE YOU DIG! PENNSYLVANIA LAW REOUIRES (3) WORKING DAYS NOTICE FOR CONSTRUCTION PHASE AND (10) WORKING 1-800-242-1776 DAYS IN DESIGN STAGE - STOP CALL

#### OWNER OF RECORD

MICHAEL A. MYER TRUSTEE OF THE RAYMOND H. MYER TESTAMENTARY UNIFIED CREDIT TRUST

MICHAEL A. MYER EXECUTOR OF THE ESTATE OF ELIZABETH MYER PO BOX 11062 BOZEMAN, MT 59719

**EQUITABLE OWNER** 

1376 CAMPUS ROAD ASSOCIATES, LLC ONE TOWER BRIDGE 100 FRONT STREET, SUITE 560 WEST CONSHOHOCKEN, PA 19428 **SOURCE OF TITLE** 

LANCASTER COUNTY, PA PARCEL ID: 4607260800000 DEED REF: 5367226 1376 CAMPUS ROAD, ELIZABETHTOWN, PA 17022

**LANCASTER COUNTY CODE** 

# **SURVEY INFORMATION**

BOUNDARY AND TOPOGRAPHY PROVIDED BY:

RETTEW ASSOCIATES, INC. 3020 COLUMBIA AVENUE LANCASTER, PA 17603 (800)-738-8395 DATE: 01-13-21 DWG NO.: 111902012

### **WETLANDS INFORMATION**

WETLANDS DELINEATION PROVIDED BY: VORTEX ENVIRONMENTAL, INC. 2819-I WILLOW STREET PIKE NORTH WILLOW STREET, PA 17584 (717)509-3934 DATE: 05-21-21

**REQUESTED MODIFICATIONS** 

THE FOLLOWING WAIVERS OF THE MOUNT 10Y TOWNSHIP SUBDIVISION AND

3. SECTION 119.31.D(14)(A) - MONUMENT AND MARKER INFORMATION

4. SECTION 119-52.J(3) - IMPROVEMENTS OF EXISTING STREETS AND

**REQUESTED VARIANCES** 

THE FOLLOWING VARIANCES OF THE MOUNT JOY TOWNSHIP ZONING

LAND DEVELOPMENT ORDINANCE WERE REQUESTED:

ACTION:\_\_\_\_\_ DATE:\_\_\_\_

1. SECTION 119-23.B - MULTIPLE APPLICATIONS

5. SECTION 119-52.N - FUTURE RIGHTS-OF-WAY

6. SECTION 119-53.C(1) - CONCRETE CURBS ACTION:\_\_\_\_\_ DATE:\_\_\_\_

ORDINANCE WERE REQUESTED:

\*SEE VARIANCE CONDITIONS:

PLANNING COMMISSION.

CONDITIONS:

1. SECTION 135-105.B - MINIMUM LOT SIZE\*

2. SECTION 135-105.C - MINIMUM LOT WIDTH\*

ACTION: APPROVED DATE: 10/4/2023

ACTION: APPROVED DATE: 10/4/2023

1. THE APPLICANT AND/OR THE OWNER(S) OF THE PROPERTY

2. THE APPLICANT SHALL FILE AND GAIN APPROVAL OF A SUBDIVISION PLAN THROUGH THE MOUNT JOY TOWNSHIP

3. FOLLOWING THE SUBDIVISION APPROVAL, THE APPLICANT

4. THE APPLICANT AND ANY REPRESENTATIVE OF THE APPLICANT SHALL COMPLY WITH AND ADHERE TO THE TESTIMONY AND ANY EVIDENCE PRESENTED TO THE BOARD AT THE HEARING HELD

ON OCTOBER 4, 2023 EXCEPT TO THE EXTENT MODIFIED BY

STRUCTURE OR USE UPON THE PROPOSED LOT.

CONDITIONS IMPOSED BY THE BOARD HEREIN.

SHALL COMPLY WITH ALL OTHER PROVISIONS CONTAINED IN

THE ORDINANCE FOR WHICH RELIEF HAS NOT BEEN REQUESTED

SHALL RECORD A DEED RESTRICTION AGAINST THE PROPOSED

LOT PROHIBITING ANY FUTURE CONSTRUCTION OF A PRINCIPAL

2. SECTION 119-31.A(1) - PLAN SCALE

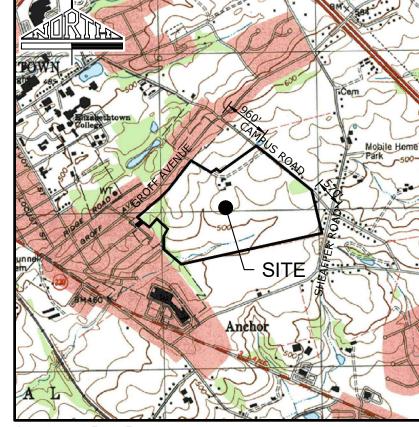
ACTION:\_\_\_\_

ACTION:\_

INTERSECTIONS

# **DRAWING INDEX**

- 2 EXISTING CONDITIONS PLAN 3 OVERALL SUBDIVISION PLAN
  - \* ALL SHEETS TO BE RECORDED



# SCALE: 1" = 2000'

#### PRIOR PLANS OF RECORD AND STORMWATER AGREEMENTS

PREPARED BY CLIFFORD L. ROMIG DATED 11/06/80

# Copyright MyTopo Terrain Navigator

FINAL PLAN OF LOTS FOR RAYMOND H. AND ELIZABETH MYER

I HEREBY CERTIFY THAT, TO THE BEST OF MY KNOWLEDGE, THE ABOVE REFERENCED PLAN IS THE ONLY PRIOR RECORDED PLAN FOR THE SUBJECT TRACT AND THAT NO NOTES AND/OR RESTRICTIONS ON SUCH AFFECT THE CURRENT DEVELOPMENT. I AM ALSO NOT AWARE OF ANY STORMWATER MANAGEMENT AGREEMENTS ASSOCIATED WITH THE SUBJECT PROPERTY.

SITE FEATURE LEGEND EXISTING FEATURES **PROPOSED FEATURES** ---- 454 -----GRADE CONTOUR GRADE INDEX CONTOUR SPOT ELEVATION BENCHMARK IRON PIN MONUMENT BOUNDARY LINE ----- CENTERLINE ---- --- EASEMENT LINE MUNICIPAL BOUNDARY ZONING BOUNDARY ---- BUILDING ---- EDGE OF PAVEMENT ---- EDGE OF GRAVEL/DRIVEWAY \_\_...\_ POND 100 YEAR FLOODPLAIN EDGE OF FLOODPLAIN ----- EDGE OF FLOODWAY ···— ·· · · · EDGE OF WETLANDS — · · · — · · · — · · · — · · · — STREAM TREELINE \_\_\_\_\_ OE \_\_\_\_\_ OE \_\_\_\_ OVERHEAD ELECTRIC UTILITY POLE

GRAVITY SEWER LINE & MANHOLE

WATER MAIN, VALVE & HYDRANT

RECEIVED Dec 01 2023 MOUNT JOY TOWNSHIP

NOT FOR BUILDING/NOT FOR CONSTRUCTION

SHEET NO.: 1 OF 3

LCPC NO.:

DATE: DECEMBER 1, 2023

PROJECT NO.: 2018D62-004

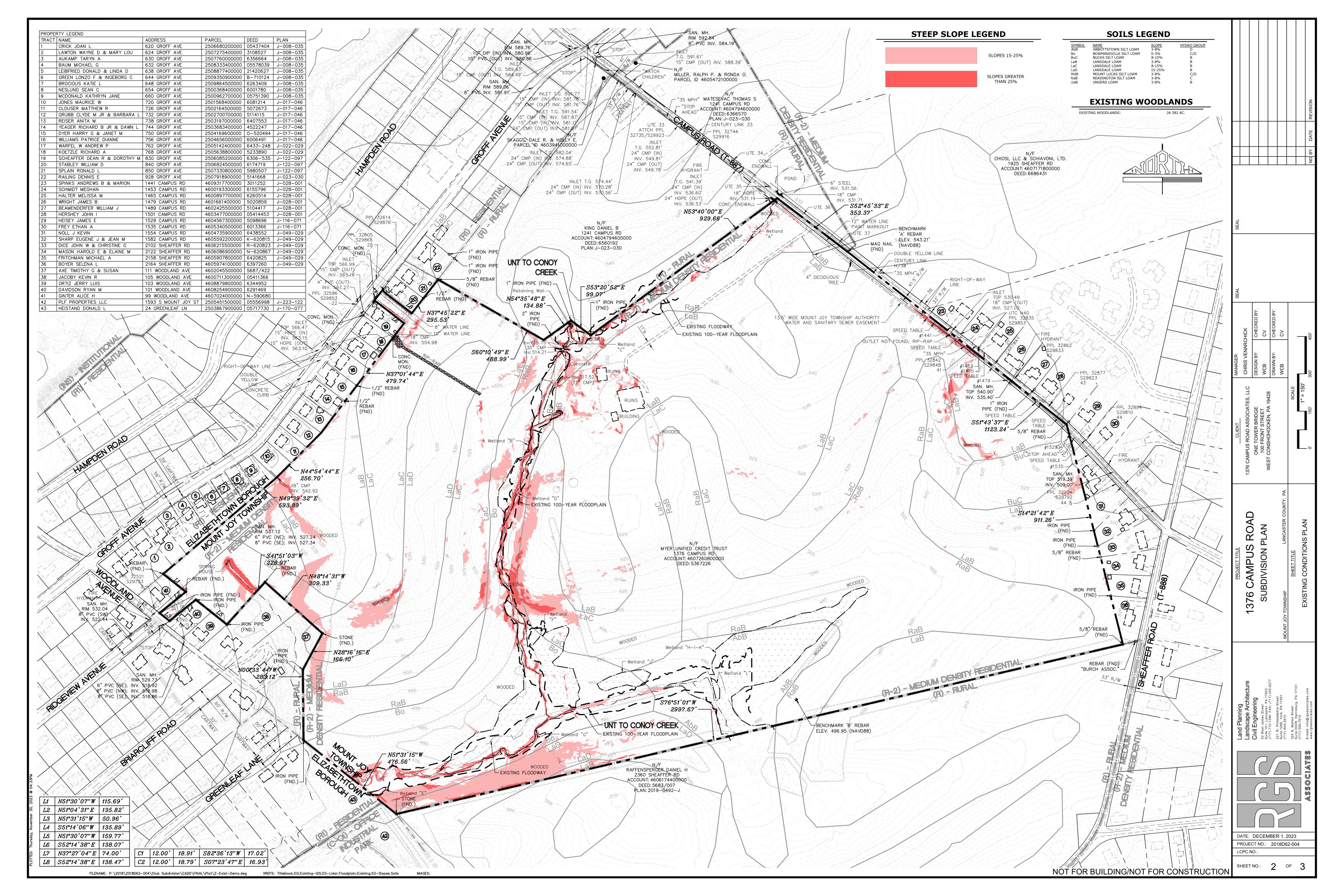
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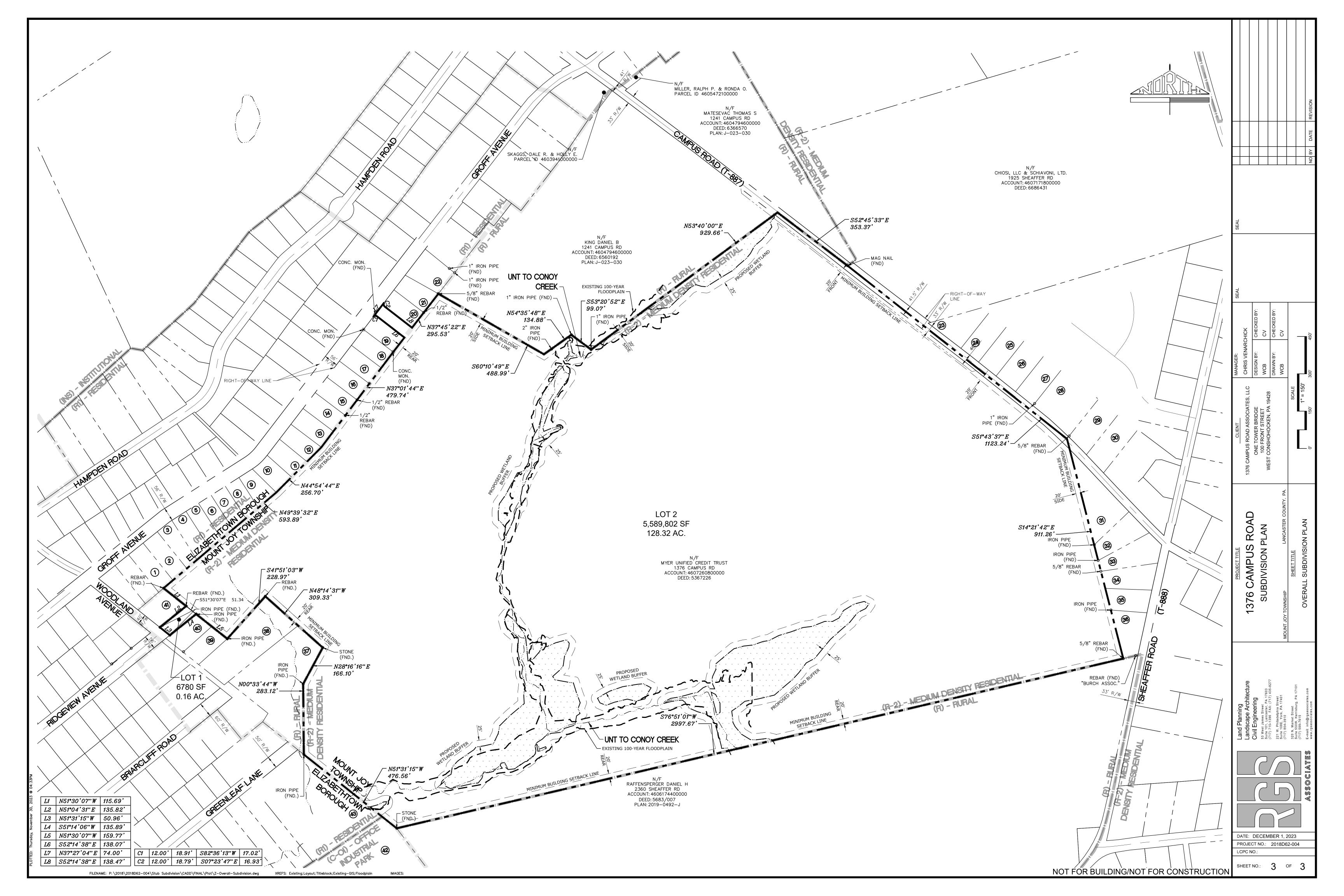
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#### LAW OFFICES

ANTHONY P. SCHIMANECK JOSELE CLEARY ROBERT E. SISKO JASON M. HESS

WILLIAM C. CROSSWELL

RANDALL K. MILLER

OF COUNSEL

#### MORGAN, HALLGREN, CROSSWELL & KANE, P.C.

P.O. BOX 4686

LANCASTER PENNSYLVANIA 17604-4686

WWW.MHCK.COM

FAX (717) 299-6170

E-MAIL: attorneys@mhck.com

GEORGE J. MORGAN (1971 - 2021)

<u>RETIRED</u> CARL R. HALLGREN MICHAEL P. KANE

700 NORTH DUKE STREET LANCASTER, PA 17602 717-299-5251

> 1536 W MAIN STREET EPHRATA, PA 17522 717-733-2313

659 E WILLOW STREET ELIZABETHTOWN, PA 17022 717-361-8524

December 15, 2023

VIA E-MAIL

Justin S. Evans, AICP, Community Development Director/Zoning Officer Mount Joy Township 8853 Elizabethtown Road Elizabethtown, PA 17022

Re: Final Minor Subdivision Plan for 1376 Campus Road

Our File No. 10221-1

Dear Justin:

I have reviewed the Final Minor Subdivision Plan for 1376 Campus Road (the "Minor Plan") filed by 1376 Campus Road Associates, LLC ("Catalyst") concerning the property identified as 1376 Campus Road (the "Property"). The Minor Plan proposes the subdivision of an area measuring 50 feet on Woodland Avenue and extending in depth approximately 135 feet (the "Proposed Lot"). The Proposed Lot was authorized by a decision of the Township Zoning Hearing Board issued October 11, 2023, conditioned by the Proposed Lot being designated as a non-building lot and there being recorded a deed restriction prohibiting construction of a principal structure. The Proposed Lot was the subject of an action filed by the owners of 101 Woodland Avenue, Ryan Davidson and Liesel Davidson. Although the action docketed to No. CI-21-00532 has been terminated by the entry of a judgment of non pros, Catalyst desires to subdivide the Proposed Lot to avoid any questions on the title report for the remainder of the Property.

The Minor Plan references one previously recorded subdivision plan. The materials submitted with the Minor Plan include a request for a waiver of Section 119-23.B of the Subdivision and Land Development Ordinance ("SALDO") prohibiting multiple applications for the same land. The waiver request also addresses items such as improvement of existing streets and intersections, dedication of additional right-of-way, etc. It is reasonable to request those waivers because of the pending Final Subdivision & Land Development Plan for 1376 Campus Road – Phase 1 (the "Phase 1 Plan"). However, there should be notes added to the Minor Plan beyond simply identifying sections of the SALDO from which the Township has granted waivers. I believe the Township should consider requiring the following notes for the Minor Plan:

The Property which is the subject of this application is also proposed for development by the Final Subdivision & Land Development Plan for 1376 Campus

Justin S. Evans, AICP, Community Development Director/Zoning Officer December 15, 2023
Page 2

Road – Phase 1. Developer has requested waivers from certain provisions of the Township Subdivision and Land Development Ordinance, and the Township Planning Commission has granted such waivers, conditioned on the required improvements being addressed by the Final Subdivision & Land Development Plan for 1376 Campus Road – Phase 1 and by future final subdivision plans for the development shown on the Preliminary Subdivision & Land Development Plan for 1376 Campus Road.

Landowner and Developer acknowledge that by granting the waivers shown on this Plan Mount Joy Township has not waived the requirements to improve existing streets and intersections, dedicate additional rights-of-way, or install curb or sidewalk in connection with the development of the land. The granting of these waivers is limited solely to this minor subdivision plan, and the Township retains the right to enforce all provisions of its Subdivision and Land Development Ordinance and other governing ordinances for the development of the tract known as 1376 Campus Road.

If you have any questions concerning these comments, please contact me.

Very truly yours,

Josele Cleary

JC:sle MUNI\10221-1(711)\231211\71

cc: Ryan Minnich, Township Manager (via e-mail)
Patricia J. Bailey, Secretary (via e-mail)
Benjamin S. Craddock, P.E. (via e-mail)
Chris Venarchick, RLA (via e-mail)
Claudia N. Shank, Esquire (via e-mail)

January 4, 2024

Ryan Minnich Township Manager Mount Joy Township 8853 Elizabethtown Road Elizabethtown, PA 17022

Via email: ryan@mtjoytwp.org

Re: 1376 Campus Road

Final Minor Subdivision Plan Township Permit No. 24-01-MSRP

LCEC Project No: 25-100



Dear Mr. Minnich,

We have received a minor subdivision plan submission from RGS Associates Inc. for the abovereferenced project. The submission consisted of the following documents:

- Submission cover letter dated December 1, 2023
- Modification request letter dated December 1, 2023
- Final Minor Subdivision Plan dated December 1, 2023
- DEP email correspondence dated December 1, 2023
- Wetland Delineation dated April 21, 2021

Based upon my review of the submitted information, I offer the following comments for the Township to consider:

#### **Zoning Ordinance**

- 1. At a Zoning Hearing Board meeting on October 4, 2023, the Board granted the following:
  - a. Variance from Section 135-105.B regarding minimum lot size
  - b. Variance from Section 135-105.C regarding minimum lot width
- 2. The conservation easements for the riparian corridor and the wetlands will be recorded as part of the Phase 1 Final Plan for this property (135-306.F & 135-307.E).

#### **Subdivision and Land Development Ordinance**

3. An applicant may not submit multiple applications for approval of a plan for the same property or any portion thereof (119-23.B). The applicant has submitted a Preliminary Plan and a Phase 1 Final Plan for the same property. The applicant has requested a waiver of this requirement.

<u>Waiver response</u>: The applicant has previously submitted a Preliminary Plan and a Final Phase 1 Plan for this property. This minor subdivision subdivides off a small portion of the lot (0.16 acres) in an area that is not proposed for development by the prior plans, and this plan will not change the substance of those prior plans. Based on these considerations, I have no objections to a waiver of this requirement. The Preliminary and

- Final Phase 1 plans shall be revised so that the lot lines, lot areas, etc. are consistent with this minor subdivision.
- 4. The existing conditions plan shall be shown at a scale between 20 feet and 100 feet to the inch (119-31.A(1)). The applicant has requested a waiver of this requirement.
  - <u>Waiver response</u>: The current plan scale of 150 feet to the inch appears to be appropriate for showing the required detail, therefore I have no objection to a waiver of this requirement.
- 5. The plans shall be signed and sealed by a registered engineer, surveyor or landscape architect (119-31.A(5)).
- 6. The linetype of the proposed lot line on Sheet 3 is inconsistent with the proposed lot line linetype shown in the proposed features legend on the Cover Sheet (119-32.D(2)).
- 7. The lot areas shown for Lot 1 (0.16 acre) and Lot 2 (128.32 acre) on Sheet 3 are inconsistent with the total site acreages shown in the Site / Zoning Data table on the Cover Sheet (128.65 gross acres and 127.68 net acres) (119-31.D(2)).
- 8. The units of occupancy and density shall be provided on the plans (119-31.D(3)).
- 9. The proposed area and bulk requirements shall be added to the Site / Zoning Data table for the Medium-Density Residential District (R-2) (119-31.D(9)). The Site / Zoning Data table shall also provide the proposed site date for the proposed lots.
- 10. Section 119-31.D(14)(a) requires the location of all monuments and markers to be shown on the plan. The applicant has requested a waiver of this requirement.
  - <u>Waiver response</u>: The applicant has submitted a Preliminary Plan and a Final Phase 1 Plan for this property which includes all of the required property monuments and markers; therefore, I have no objection to a waiver of the requirement to place monuments and markers. The ordinance section referenced in the waiver request (119-31.D(14)(a)) requires the monuments and markers to be shown on the plans. Sections 119-57.B and 119-57.D are the ordinance sections that require the placement of monuments and markers; therefore, the waiver request should be revised to reference Sections 119-57.B and 119-57.D. General Plan Note 7 shall also be deleted.
- 11. All certificates shall be executed prior to final plan approval (119-37.D).
- 12. The frontage along Campus Road and Woodland Avenue shall be improved in accordance with 119-52.J or as indicated on the Township Official Map, whichever is greater. Improvements shall include pavement widening, curbing, sidewalk and dedication of additional right-of-way. (119-52.J(3) & 119-53.C(1)). The applicant has requested a waiver of this requirement.
  - <u>Waiver response</u>: The applicant has submitted a Preliminary Plan and a Final Phase 1 Plan for this property, both of which provide roadway improvements along Campus Road. Improvements to the small portion of the property frontage abutting Woodland Avenue would not provide a meaningful improvement for Township residents; therefore, I have no objection to a waiver of these requirements on the condition that the notes recommended by the Township Solicitor's December 15, 2023 letter are added to the plans.
- 13. Section 119-52.N requires future rights-of-way to be designed in conformance with the street classifications, and sets forth easement and maintenance requirements for future rights-of-way. The applicant has requested a waiver of this requirement.

January 4, 2024 Page 2 of 3

<u>Waiver response</u>: The applicant has submitted a Preliminary Plan and a Final Phase 1 Plan for this property which includes the required rights-of-way for the future street network; therefore, I have no objection to a waiver of the requirement to provide future rights-of-way. The ordinance section referenced in the waiver request (119-52.N) sets forth the requirements for future rights-of-way when they are provided. Section 119-52.E is the ordinance section that requires future rights-of-way; therefore, the waiver request should be revised to reference Section 119-52.E.

If you should have any questions or need additional information, please do not hesitate to contact me at <a href="mailto:bencraddock@lancastercivil.com">bencraddock@lancastercivil.com</a> or via telephone at 717-799-8599.

Sincerely,

Benjamin S. Craddock, PE, President

LANCASTER CIVIL

Bayamin S Gasklack

cc: Justin Evans, Township Community Development Director/Zoning Officer (via email)
Patricia Bailey, Township Secretary (via email)
Josele Cleary, Esquire, Township Solicitor (via email)
Chris Venarchik, RLA, RGS Associates Inc. (via email)
Andy Miller, PE, Catalyst Commercial Development, LLC (via email)

Renee Addleman, Planner, LCPC (via email)

January 4, 2024 Page 3 of 3