



MOUNT JOY TOWNSHIP

• Lancaster County, Pennsylvania •

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Minutes of a Regular Meeting of the Mount Joy Township Planning Commission Held on February 26, 2024

1. Vice Chairman Delmar Oberholtzer called the meeting to order at 7:00 p.m. in the Mount Joy Township Municipal Building located at 8853 Elizabethtown Road, Elizabethtown, PA 17022.
2. Pledge of Allegiance
3. Roll call of the Planning Commission Members:

Kevin Baker — Present

Rodney Boll — Present

Gerald Cole — Present

Michael McKinne — Present

Arlen Mummau — Absent

Delmar Oberholtzer — Present

Bill Weik, Jr. — Absent

Other Township Representatives Present: Justin Evans, Zoning Officer; Joshua Brengel, representing the Township Engineer

4. Public Comment: NONE
5. Consent Calendar:
 - a. Approve and ratify the minutes of the January 22, 2024 meeting
 - b. Accept additional time in which to take action on the Final Land Development Plan for Westmount (#23-07-FLDP); new deadline is June 24, 2024

A motion was made by Gerald Cole and seconded by Michael McKinne to approve the consent calendar. All members present voted in favor of the motion.

6. Old Business:
 - a. Revised Sketch Plan for Westmount (#23-07-FLDP) – Proposal to develop a 40-acre site located at 1349 Harrisburg Avenue for the construction of 214 townhouse units and 78 multi-family dwelling units. The site is zoned R-2 – Medium-Density Residential and will be served by public water and sewer. The applicant filed a Final Land Development Plan for the construction of 217 townhouse units and 72 multi-family dwelling units on May 5, 2023 as File #23-07-FLDP. This revised sketch includes additional area at the northwest corner of the site to extend Bradfield Drive into the subject property.

Landowner Brandon Conrad of Vistablock presented the updated sketch plan associated with the Westmount residential development application. An agreement to purchase a portion of the western adjoining property owned by the Werners will enable the developer to extend the proposed roadway to the Bradfield Drive cul-de-sac. This creates a through public street and alleviates some of the prior zoning conflicts with the previous plan.

Mr. Conrad led a lengthy discussion about the design and a number of waivers requested that will help further the land development. One waiver included a reduction in the setback between homes and the

Amtrak right-of-way. A reduced setback waiver was granted for the previous version of the plan but the Commission expressed concern with granting it for more dwelling units shifted to be located along the railroad. Residents in a different neighborhood recently constructed along the same railroad approached the Township to mitigate the sound at night. The Commission was sensitive to not creating a similar conflict. Mr. Conrad spoke about ways his company can ensure home buyers are aware and create language for the HOA documents to relieve the Township of any responsibility for mitigation in the future.

A discussion took place regarding block length and how PennDOT's restriction on the number of access points to Harrisburg Avenue creates a challenge. The Department will only allow two access points, one of which is the proposed intersection near Nolt Road; the other is the existing Bradfield Drive intersection. The Commission's key concern is emergency vehicle access and having another exit point in case of a disaster scenario. Mr. Conrad stated they will explore a design to use the existing driveway to the pole building for emergency purposes. The building will be used for maintenance and as a community fitness center.

A motion was made by Gerald Cole and seconded by Michael McKinne to grant the following waivers, as requested by the applicant:

- §119-52.J(3)(a) – Improvements to existing streets
- §119-52.S(3)(g) – No more than two access drives located on a single street frontage
- §119-53.C(2) – Vertical and slant curb

All members present voted in favor of the motion.

7. New Business:

- a. Waiver Request for Mark Kleinfelter (#24-06-WAIV) – Waiver submitted in anticipation of filing a lot line change plan to increase the size of two residential parcels via subdivision of the parent tract located at 1005 Trail Road North. The properties are zoned in the A – Agricultural District and served by on-lot water and sewer facilities.

Mr. Evans introduced the waiver request since the applicant was not present. The Township Engineer recommended against granting the waiver since the prior wetland study was prepared approximately 20 years ago. Common practice recognizes wetland studies for a period of about 5 years. This is an area where wetlands exist due to topography and bedrock close to the surface.

A motion was made by Gerald Cole and seconded by Rodney Boll to deny the waiver request. All members present voted in favor of the motion.

8. Initial View:

- a. Preliminary/Final Subdivision Plan for Duane Hernley (#24-02-FLDP) – Proposal to subdivide a 3.289-acre commercial lot from a 10.74-acre parent tract located at 101 Sparrow Lane that is split-zoned C-2, General Commercial and R-2 – Medium-Density Residential. No land development improvements are proposed as part of this subdivision. Public water and sewer service is available to the properties. The remaining 7.448-acre lot contains an existing dwelling and associated improvements.

Kim Fasnacht from Rettew Associates presented the subdivision plan with landowner Duane Hernley. Mr. Hernley intends to subdivide a commercial lot for future development along the zoning district boundary. This lot will be zoned C-2 – General Commercial while the remaining acreage containing his home will remain in the R-2 – Medium-Density Residential District. No improvements are proposed by this plan. Future commercial development will require submission and approval of a plan.

A motion was made by Michael McKinne and seconded by Gerald Cole to grant approval of the following waivers:

- §119-25 – Preliminary plan
- §119-52.J – Deferral of road frontage improvements

All members present voted in favor of the motion.

A motion was made by Kevin Baker and seconded by Gerald Cole to grant approval of the Preliminary/Final Subdivision Plan for Duane Hernley (the “Plan”) prepared by Rettew Associates, Inc., Drawing No. 0092500245, dated November 28, 2023, subject to the following conditions:

1. To the extent not otherwise provided in these conditions, Applicant shall address the comments of the Township Engineer’s review letter dated January 31, 2024.
2. To the extent not otherwise provided in these conditions, Applicant shall address the comments of the Township Solicitor’s review letter dated January 16, 2024.
3. Applicant shall submit a fully executed Deferred Road Improvement Agreement, which shall be acceptable to the Township Solicitor and in recordable form. The Agreement shall include, but not necessarily limited to, provisions for the improvement of the South Market Street frontage. The Agreement, fully executed, shall be submitted and approved prior to the release of the final plan for recording.
4. Applicant shall dedicate the additional right-of-way along South Market Street as proposed in the subdivision plan.
5. Applicant shall reimburse the Township for all reasonable engineering and legal fees incurred in the review of plans under the Subdivision and Land Development Ordinance, Storm Water Management Ordinance, and other governing ordinances; review or preparation of documentation required in connection with the development; review and approval of financial security and other documentation; inspection of improvements; and for other costs as set forth in these Conditions within 30 days after receipt of an invoice for such fees. If Applicant fails to pay such costs within 30 days after the date of a written invoice for such costs, Applicant shall be in violation of this Condition.

All members present voted in favor of the motion.

- b. Minor Land Development Plan – Proposed Building for Jay Garman (#24-05-MLDP) – Proposal to construct a 9,600-sf. building to house equipment for a feed grinding business at 1267 Risser Mill Road. The 63.96-acre property is located within the A – Agricultural District and is used primarily for agricultural purposes.

Cameron Renehan from TeamAg presented the land development plan with landowner Jay Garman. Mr. Renehan provided an overview of the proposed project that includes construction of a 80’ x 120’ barn, new driveway, and stormwater management facilities. At least half of the barn will be used for hay storage and less than half for the mobile ag grinding business. Zoning Hearing Board approval was granted for the farm-related business and approval under the Agricultural Conservation Easement is forthcoming.

Mr. McKinne expressed concern with truck washing on site and how wash water will be treated. Will runoff be pre-treated before going into the pond? Where will trucks park? Mr. Garman stated it is important to clean flammable grain dust from equipment so a wash bay with a containment system will be constructed in the new building. Final details for this system are being arranged. He estimates 2-3 trucks per day entering the site as approved by the Zoning Hearing Board.

The Planning Commission spoke about the need to monitor the operations to ensure compliance with conditions, including the number of tractor trailers parked on site. Additionally, truck washing and repairs should be confined to vehicles related to the ag business. Mr. Garman stated he will not open the wash bay to the public. He wants to bring his part of the Garman Ag business to his property, including repair of his trucks. Based on the family's operation at the Grandview Road site, outside trucks utilizing this new facility is a big concern of the Commission.

The Commission asked questions about stormwater management, driveway location, and Rissermill Road existing width. A stormwater facility will be constructed to manage and pretreat runoff before overflowing into the pond on site. The driveway location is constrained by the Township's headwall and cross pipe location to the south of the existing built area of the farm. A secondary sewage system is being tested and the existing well will be used for the garage's water supply. An abbreviated water and sewer analysis will be provided, so that waiver will be withdrawn.

A motion was made by Gerald Cole and seconded by Rodney Boll to table action on the waiver request regarding road frontage improvements until additional information is provided by staff. All members present voted in favor of the motion. The Commission requested that staff provide an estimated cost for road widening along the property's frontage and details on the Zoning Hearing Board's restrictions for the business.

9. Correspondence: NONE

10. Other Business:

- a. Discussion on the Chiques Crossing Conditional Use Application (Rapho Township) – Mr. Evans updated the Commission on the multifamily residential development adjacent to Mount Joy Township and Borough along the Little Chiques Creek. The hearing process will begin in Rapho Township early April

11. The next regular meeting of the Mount Joy Township Planning Commission is scheduled to be held on **Monday, March 25, 2024** beginning at 7:00 P.M.

12. A motion was made by Gerald Cole and seconded by Rodney Boll to adjourn the meeting at 9:40 p.m. All members present voted in favor of the motion.

Respectfully Submitted,



Justin S. Evans, AICP
Zoning Officer