



MOUNT JOY TOWNSHIP

LANCASTER COUNTY, PENNSYLVANIA

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

For Mount Joy Township Use Only:

M.J.T.P.C. File No.:	24-02-FSDP	Date of Receipt/Filing:	January 5, 2024
School District:	Donegal	<input checked="" type="checkbox"/> 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

Plan Name:	Preliminary/Final Subdivision Plan for Duane Hernley		
Plan No.:	0092500245	Plan Date:	11/28/2023
Location:	101 Sparrow Lane, Elizabethtown PA 17022		
Property Owner:	Duane Hernley		
Owner Address:	101 Sparrow Lane, Elizabethtown PA 17022		
Telephone No.:			
E-mail:	dlh106@yahoo.com		
Deed Reference:	6730192	Tax Parcel No.:	60-79145-0-0000
Plan Type:	<input type="checkbox"/> Sketch <input checked="" type="checkbox"/> Preliminary <input type="checkbox"/> Final		
	<input type="checkbox"/> Lot Line Change <input type="checkbox"/> Minor Agricultural or Land Development		
Description:	2 Lot subdivision		
Zoning District:	R-2 Residential, General Commercial		
Is a zoning change necessary?	NA	If yes, please specify:	
Is/was a zoning variance, special exception, or conditional use approval necessary?	NA	If yes, attach ZHB decision.	
Total Acreage:	10.74		
Name of applicant (if other than owner):	Applicant is owner		
Address:			
Telephone No.:			
E-mail:			
Firm which prepared plan:	Rettew Associates		
Address:	3020 Columbia Ave, Lancaster, PA 17603		
Phone No.:	484-798-9782		
Person responsible for plan:	Kim Fasnacht (Project Manager)		
E-mail:	kim.fasnacht@rettew.com		

◆ SUPERVISORS ◆ PARK & RECREATION BOARD ◆ PLANNING COMMISSION ◆ ZONING HEARING BOARD

8853 ELIZABETHTOWN ROAD, ELIZABETHTOWN, PA 17022
 PHONE (717) 367-8917 -FAX (717) 367-9208
www.mtjoytpw.org

Proposed Lots and Units

	# of Lots	# of Units		# of Lots	# of Units
Total #			Mixed Use		
Agricultural			Single Family Detached	1	1
Commercial	1	0	Multifamily (attached-sale)		
Industrial			Multifamily (attached-rental)		
Institutional			Other:		
Total Square Feet of Ground Floor Area (building footprint):				5,254	
Total Square Feet of Existing Structures (all floors):				5,254	
Total Square Feet of Proposed Structures (all floors):				NA	
Total Square Feet (or Acres) of Proposed Parkland/Other Public Use:				NA	
Linear feet of new street:				NA	
Identify all street(s) not proposed for dedication:				NA	

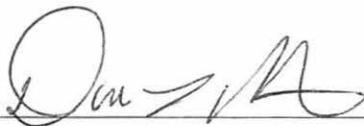
Type of water supply proposed:

	Public (Live)		Community
	Public (Capped)	X	Individual (existing)

Type of sanitary sewage disposal proposed:

	Public (Live)		Community
	Public (Capped)	X	Individual (existing)

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

1-2-24

Date



MJTPC file # 24-02-FLDP

We answer to you.

3020 Columbia Avenue, Lancaster, PA 17603 • Phone: (800) 738-8395
E-mail: rettew@rettew.com • Website: rettew.com

Engineers

Environmental
Consultants

Surveyors

Landscape
Architects

Safety
Consultants

January 4, 2024

RECEIVED

JAN - 5 2024

MOUNT JOY TOWNSHIP

Mr. Justin Evans, AICP, Township Manager
Mount Joy Township
8853 Elizabethtown Road
Elizabethtown, PA 17022

RE: Preliminary/Final Subdivision Plan
For Duane Hernley
Waiver/Deferral Request
RETTEW Project No. 0092500245

Dear Mr. Evans:

Please find herein a listing of waivers, deferrals and modifications for the above project which are requested from the Mount Joy Township Subdivision and Land Development Ordinance:

1. Section 119-25.C(1) – Preliminary Review Process
 - a. Relief requested: Waiver to allow the project to be reviewed as a combined Preliminary/Final Plan.
 - b. Justification: The project is a lot subdivision which proposes no construction and will not require sewer or water services and does not require any public improvements. The plan has been prepared to meet both the Preliminary and Final Plan requirements. We do not believe there is any benefit to reviewing the plan as both Preliminary and Final and request a waiver of this requirement.
2. Section 119-52.J.3.a. - The frontage along South Market Street shall be improved in accordance with 119-52.J or as indicated on the Township Official Map, whichever is greater.
 - a. Relief requested: Deferral to not install pavement widening, curbing, sidewalk, and a pedestrian/bicycle pathway along South Market Street.
 - b. Justification: South Market Street: The adjoining properties are not developed with sidewalk, curbing, widening or pedestrian/bicycle pathway.

If you have any further questions, please contact our office at 484-798-9782 or email at kim.fasnacht@rettew.com.

Sincerely,

Kim Fasnacht, PMP
Project Manager

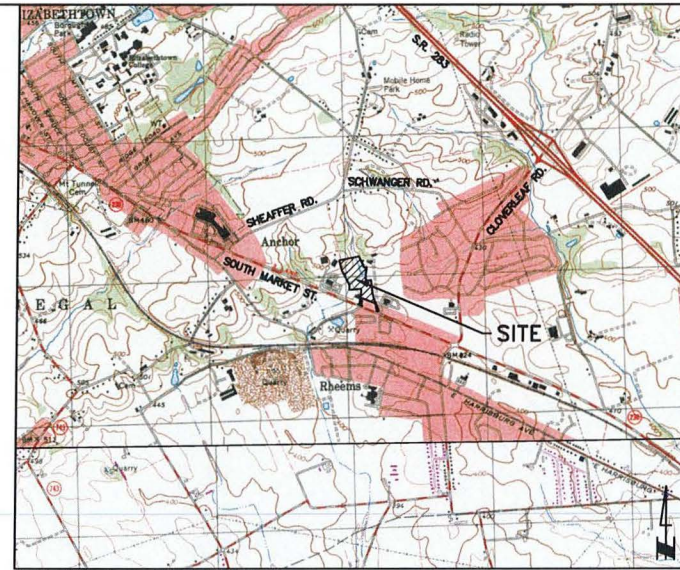
PRELIMINARY / FINAL SUBDIVISION PLAN

FOR

DUANE HERNLEY

MOUNT JOY TOWNSHIP,

LANCASTER COUNTY, PA



USGS QUADRANGLE: ELIZABETHTOWN, PA
SITE LOCATION MAP
 SCALE: 1"=2000'

CERTIFICATIONS

CERTIFICATION OF SURVEY ACCURACY

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 ORDINANCE, 20__.

CERTIFICATION OF PLAN ACCURACY

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 ORDINANCE, 20__.

PLANNING COMMISSION - FINAL PLAN APPROVAL CERTIFICATE

AT A MEETING ON _____, 20__, THE MOUNT JOY TOWNSHIP PLANNING COMMISSION APPROVED THIS PROJECT, INCLUDING THE COMPLETE SET OF PLANS AND INFORMATION WHICH ARE FILED WITH THE PLANNING COMMISSION IN MOUNT JOY TOWNSHIP PLANNING COMMISSION FILE NO. _____, BASED UPON ITS CONFORMITY WITH THE STANDARDS OF CHAPTER 119, SUBDIVISION AND LAND DEVELOPMENT.

CHAIRMAN OR DESIGNEE _____

VICE CHAIRMAN OR DESIGNEE _____

LANCASTER COUNTY PLANNING COMMISSION'S REVIEW CERTIFICATE

THE LANCASTER COUNTY PLANNING COMMISSION, AS REQUIRED BY THE PENNSYLVANIA MUNICIPALITIES PLANNING CODE, ACT 247 OF 1988, AS AMENDED, REVIEWED THIS PLAN ON _____, AND A COPY OF THE REVIEW IS ON FILE AT THE OFFICE OF THE PLANNING COMMISSION IN L.C.P.C. FILE NUMBER _____. THIS CERTIFICATE DOES NOT INDICATE APPROVAL OR DISAPPROVAL OF THE PLAN BY THE LANCASTER COUNTY PLANNING COMMISSION, AND THE COMMISSION DOES NOT REPRESENT NOR GUARANTEE THAT THIS PLAN COMPLIES WITH THE VARIOUS ORDINANCES, RULES, REGULATIONS OR LAWS OF THE LOCAL MUNICIPALITY, THE COMMONWEALTH, OR THE FEDERAL GOVERNMENT.

CARBONATE GEOLOGY CERTIFICATE

I, _____, CERTIFY THAT THE PROPOSED STORMWATER/BMP FACILITY (CIRCLE ONE) IS/IS NOT UNDERLAIN BY CARBONATE GEOLOGY.

CERTIFICATE OF OWNERSHIP, ACKNOWLEDGEMENT OF PLAN, AND OFFER OF DEDICATION

INDIVIDUAL

ON THIS, THE _____ DAY OF _____, 20__, BEFORE ME, THE UNDERSIGNED OFFICER, DUANE HERNLEY PERSONALLY APPEARED, WHO, BEING DULY SWORN OR AFFIRMED ACCORDING TO LAW, DEPOSES AND SAYS THAT THEY ARE THE OWNER OF THE PROPERTY SHOWN ON THIS PLAN, THAT THE PLAN THEREOF WAS MADE AT THEIR DIRECTION, THAT THEY ACKNOWLEDGE THE SAME, TO BE THE ACT AND PLAN, THAT THEY DESIRE THE SAME TO BE RECORDED AND THAT ALL STREETS AND OTHER PROPERTY IDENTIFIED AS PROPOSED PUBLIC PROPERTY (EXCEPTING THOSE AREAS LABELED 'NOT FOR DEDICATION') ARE HEREBY DEDICATED TO THE PUBLIC USE.

MY COMMISSION EXPIRES _____, 20__.

GENERAL NOTES

- THE PURPOSE OF THIS PLAN IS A 2 LOT SUBDIVISION.
- PROPOSED LOT NO. 1 IS AN EXISTING RESIDENTIAL USE WITH NO BUILDING CONSTRUCTION PROPOSED AS A RESULT OF THIS PLAN.
- PROPOSED LOT NO. 2 IS AN EXISTING VACANT LOT WITH NO BUILDING CONSTRUCTION PROPOSED AS A RESULT OF THIS PLAN.
- LANCASTER COUNTY TAX PARCEL NO.: 460-79145-00000
- DEED REFERENCE: 6194859
- BENCHMARK - TOP OF RIM OF EXISTING SANITARY SEWER MANHOLE #314 ALONG ROUTE 230. ELEVATION: 431.0, MOUNT JOY AUTHORITY DATUM (NOV0 29).
- SURVEY BASE MAPPING AND TOPOGRAPHIC INFORMATION PREPARED BY WEBER SURVEYORS.
- NO ZONING APPROVALS ARE ASSOCIATED WITH THIS PLAN.
- NO PUBLIC IMPROVEMENTS ARE ASSOCIATED WITH THIS PLAN.
- NO BUILDING PERMIT WILL BE ISSUED FOR ANY LOT OR PARCEL WHICH WILL REQUIRE ACCESS TO A TOWNSHIP HIGHWAY UNTIL AUTHORIZED BY A TOWNSHIP HIGHWAY OCCUPANCY PERMIT.
- NOTHING SHALL BE PLACED, PLANTED, SET OR PUT WITHIN AN EASEMENT THAT WOULD ADVERSELY AFFECT THE FUNCTION OF THE EASEMENT OR CONFLICT WITH THE EASEMENT AGREEMENT.
- THERE ARE NO FEMA MAPPED FLOODPLAINS OR FLOODWAYS ON THE SITE.
- WETLANDS INVESTIGATION PERFORMED BY RETTEW ASSOCIATES.

PLANNING WAIVER AND NONBUILDING DECLARATION

AS OF THE DATE OF THIS DEED/PLOT PLAN RECORDING, THE PROPERTY/SUBDIVISION DESCRIBED HEREIN IS AND SHALL BE DEDICATED FOR THE EXPRESS PURPOSE OF LOT SUBDIVISION USE. NO PORTION OF LOT 2 OF THIS PROPERTY/SUBDIVISION ARE APPROVED BY (MOUNT JOY TOWNSHIP) OR THE DEPARTMENT OF ENVIRONMENTAL PROTECTION (DEP) FOR THE INSTALLATION OF ANY SEWAGE DISPOSAL FACILITY. NO PERMIT WILL BE ISSUED FOR THE INSTALLATION, CONSTRUCTION, CONNECTION TO OR USE OF ANY SEWAGE COLLECTION, CONVEYANCE, TREATMENT OR DISPOSAL SYSTEM (EXCEPT FOR REPAIRS TO EXISTING SYSTEMS) UNLESS THE MUNICIPALITY AND DEP HAVE BOTH APPROVED SEWAGE FACILITIES PLANNING FOR THE PROPERTY/SUBDIVISION DESCRIBED HEREIN IN ACCORDANCE WITH THE PENNSYLVANIA SEWAGE FACILITIES ACT (35 P.S. §750.1 ET SEQ.) (ACT) AND REGULATIONS PROMULGATED THEREUNDER. PRIOR TO SIGNING, EXECUTING, IMPLEMENTING OR RECORDING ANY SALES CONTRACT OR SUBDIVISION PLAN, ANY PURCHASER OR SUBDIVIDER OF ANY PORTION OF THIS PROPERTY SHOULD CONTACT APPROPRIATE OFFICIALS OF (MOUNT JOY TOWNSHIP), WHO ARE CHARGED WITH ADMINISTERING THE ACT TO DETERMINE THE FORM OF SEWAGE FACILITIES PLANNING REQUIRED AND THE PROCEDURE AND REQUIREMENTS FOR OBTAINING APPROPRIATE PERMITS OR APPROVALS.

PRIOR RECORDED PLANS:

- FINAL LAND DEVELOPMENT PLAN FOR DUANE HERNLEY PREPARED BY LAKE ROEDER HILLARD AND BEERS, DATED 7/17/1997, RECORDED AT THE LANCASTER COUNTY RECORDER OF DEEDS OFFICE AT SUBDIVISION PLAN BOOK J-200, PAGE 58. ALL NOTES AND/OR RESTRICTIONS APPLY.
 - "PRELIMINARY/FINAL SUBDIVISION PLAN FOR THE HERNLEY SUBDIVISION", DATED OCTOBER 17, 2013, PREPARED BY ROBERT GABRIEL & ASSOCIATES, INC. AND RECORDED AT THE LANCASTER COUNTY RECORDER OF DEEDS OFFICE INSTRUMENT NO. 2015-0057-4. THIS PLAN CONTAINS NO NOTES OR RESTRICTIONS THAT AFFECT THE CURRENT APPLICATION.
 - WEST BROOKE IV PHASE 1, PREPARED BY RETTEW ASSOCIATES, AND RECORDED AT THE LANCASTER COUNTY RECORDER OF DEEDS OFFICE INSTRUMENT NO. 2023-0080-4. THIS PLAN CONTAINS NO NOTES OR RESTRICTIONS THAT AFFECT THE CURRENT APPLICATION.
- TO THE BEST OF MY KNOWLEDGE AND BELIEF, I HEREBY CERTIFY THAT THE ABOVE LIST OF PLANS IS TRUE AND CORRECT.

UNDERSIGNED BY DESIGN PROFESSIONAL

WAIVERS / MODIFICATIONS / DEFERRALS

MOUNT JOY SALDO:
 SALDO SECTION 119-250(1) ACTION: WAIVER OF PRELIMINARY REVIEW PROCESS
 SALDO SECTION 119-52.4(3) DEFERRAL: DEFERRAL OF IMPROVEMENT ALONG SOUTH MARKET STREET AS INDICATED ON THE TOWNSHIP OFFICIAL MAP AND IN ACCORDANCE WITH 119-52.4, WHICHEVER IS GREATER.

PROPERTY OWNER / APPLICANT

DUANE L. HERNLEY
 101 SPARROW LANE
 ELIZABETHTOWN, PA 17022
 DEED # _____
 ACCOUNT # 460816300000

SOURCE OF TITLE

EXISTING LOT
 DUANE L. HERNLEY
 101 SPARROW LANE
 ELIZABETHTOWN, PA 17022
 DEED # _____
 ACCOUNT # 460816300000

SITE DATA PHASES

	EXISTING	PROPOSED LOT 1	PROPOSED LOT 2
TOTAL AREA	10.74 AC.	7.448 AC.	3.289 AC.
AREA TO BE DEDICATED		0 AC.	0.003 AC.
EXISTING USE	RESIDENTIAL	RESIDENTIAL	COMMERCIAL
PROPOSED USE	RESIDENTIAL		
TOTAL NUMBER OF LOTS	1	2 LOTS CREATED IN THIS SUBDIVISION	
TOTAL NUMBER OF DWELLING UNITS	1	1	N/A*
		* NO DEVELOPMENT ON LOT 2 PROPOSED BY THIS PLAN	
OVERALL DENSITY	0.09 UNITS/AC.	0.13 UNITS/AC.	0.30 UNITS/AC.
IMPERVIOUS COVERAGE	0.34 AC. (3.1%)	0.35 AC. (4.7%)	N/A
PROPOSED WATER SUPPLY	WELL	WELL	PUBLIC
SANITARY SEWER SERVICE	ON LOT	ON LOT	PUBLIC

ZONING DATA

	REQUIRED	PROPOSED	LOT 1
MINIMUM LOT AREA	15,000 SF	7,448 AC.	75 FT.
MINIMUM LOT WIDTH	50 FT. AT B.S.L.	75 FT.	15 FT.
FRONT SETBACK	15 FT.	15 FT.	6 FT.
SIDE SETBACK	6 FT.	6 FT.	20 FT.
REAR SETBACK	20 FT.	20 FT.	1.6% (0.12 AC)
MAXIMUM BUILDING COVERAGE	65%	1.6% (0.12 AC)	2.5 STORY
MAXIMUM BUILDING HEIGHT	40 FT / 3 STORES	2.5 STORY	3.2% (0.24 AC)
MAXIMUM IMPERVIOUS COVERAGE	50%	3.2% (0.24 AC)	

ZONING DATA

	REQUIRED	PROPOSED	LOT 1
MINIMUM LOT AREA	10,000 SF.	7,448 AC.	75 FT.
MINIMUM LOT WIDTH	75 FT. AT B.S.L.	75 FT.	>100 FT.
MINIMUM LOT DEPTH	100 FT.	>100 FT.	35 FT.
FRONT SETBACK	35 FT.	35 FT.	15 FT.
SIDE SETBACK	15 FT.	15 FT.	25 FT.
REAR SETBACK	25 FT.	25 FT.	N/A
MAXIMUM BUILDING COVERAGE	50%	N/A	2.5 STORY
MAXIMUM BUILDING HEIGHT	40 FT / 3 STORES	2.5 STORY	1.4% (0.11 AC)
MAXIMUM IMPERVIOUS COVERAGE	65%		

ZONING DATA

	REQUIRED	PROPOSED	LOT 2
MINIMUM LOT AREA	10,000 SF.	3,289 AC.	>75 FT. @ EAGLE PARKWAY
MINIMUM LOT WIDTH	75 FT. AT B.S.L.	>75 FT. @ EAGLE PARKWAY	>430 FT. @ SOUTH MARKET
MINIMUM LOT DEPTH	100 FT.	>100 FT.	35 FT.
FRONT SETBACK	35 FT.	35 FT.	15 FT.
SIDE SETBACK	15 FT.	15 FT.	25 FT.
REAR SETBACK	25 FT.	25 FT.	N/A
MAXIMUM BUILDING COVERAGE	50%	N/A	N/A
MAXIMUM BUILDING HEIGHT	40 FT / 3 STORES	N/A	N/A
MAXIMUM IMPERVIOUS COVERAGE	65%	N/A	N/A

** EXISTING NONCONFORMITY

PA ONE CALL UNDERGROUND UTILITY PROTECTION ACT

PURSUANT TO THE PROVISIONS OF ACT NO. 287 OF 1974, AS AMENDED BY ACT 187 OF 1998, ACT 181 OF 2008, ACT 180 OF 2016 AND ACT 50 OF 2018 OF THE PENNSYLVANIA STATE LEGISLATURE, RETTEW ASSOCIATES, INC. HAS PERFORMED THE FOLLOWING IN PREPARING THESE DRAWINGS REQUIRING EXCAVATION OR DEMOLITION WORK AT SITES WITHIN THE POLITICAL SUBDIVISION(S) SHOWN ON THE DRAWINGS:

- PURSUANT TO SECTION 4, CLAUSE (2) OF SAID ACT, RETTEW ASSOCIATES, INC. REQUESTED FROM EACH FACILITY OWNER DESIGNATED ON SUCH LIST PROVIDED BY THE ONE CALL SYSTEM NOTIFICATION, THE INFORMATION PRESCRIBED BY SECTION 2, CLAUSE (4) OF SAID ACT, NOT LESS THAN TEN (10) NOR MORE THAN NINETY (90) BUSINESS DAYS BEFORE FINAL DESIGN IS TO BE COMPLETED.
- PURSUANT TO SECTION 4, CLAUSE (5) OF SAID ACT, RETTEW ASSOCIATES, INC. HAS MET THEIR OBLIGATIONS OF CLAUSE (2) BY CALLING THE PENNSYLVANIA ONE CALL SYSTEM SERVING THE LOCATION WHERE THE WORK IS TO BE PERFORMED, AND SHOWING THE ASSOCIATED SERIAL NUMBER(S) ON THIS/THOSE DRAWING(S).
- PURSUANT TO SECTION 4, CLAUSE (3) OF SAID ACT, RETTEW ASSOCIATES, INC. HAS SHOWN UPON THIS/THOSE DRAWING(S) THE TOLL-FREE NUMBER FOR THE ONE CALL SYSTEM AND THE SERIAL NUMBER(S) FOR THE ASSOCIATED ONE CALL SYSTEM NOTIFICATION(S).
- PURSUANT TO SECTION 4, CLAUSE (5) OF SAID ACT, RETTEW ASSOCIATES, INC. DOES NOT MAKE ANY REPRESENTATION, WARRANTY, ASSURANCE OR GUARANTEE THAT THE INFORMATION RECEIVED PURSUANT TO SAID REQUEST, AND AS REFLECTED ON THIS/THOSE DRAWING(S), IS CORRECT OR ACCURATE. INFORMATION REFLECTED ON THIS/THOSE DRAWING(S) IS SHOWN AS REQUIRED BY SAID ACT NO. 150 OF 2016, AND AS PROVIDED BY THE FACILITY OWNER PURSUANT TO SECTION 2, CLAUSE (4) OF SAID ACT.

DATE: 11/22/23
 ONE CALL SYSTEM SERIAL NUMBER: 20233262874

PA 1
SYSTEM, INC.
 1-800-242-1776
UTILITIES

COMCAST CABLE COMM. INC.
 1131 SOUTH TYRON STREET
 LANCASTER, PA 17602
 1-800-242-1776

BRIGHTSPEED
 1120 SOUTH TYRON STREET
 SLATE 700
 CHARLOTTE, NC 28203
 704-314-2503

WINDSTREAM COMMUNICATIONS
 CTS LLC
 1925 ENTERPRISE PKWY.
 WINDSBURG, OH 44087
 1-800-242-1776

USC LOCATING SERVICES
 8045 NORTH RIVER STE 300
 INDIANAPOLIS, IN
 462-40317-810-8254

FIRST ENERGY CORPORATION
 21 SOUTH MAIN STREET
 AKRON, OH 44308
 330-604-4073

MOUNT JOY TOWNSHIP LANCASTER COUNTY
 8853 ELIZABETHTOWN ROAD
 ELIZABETHTOWN, PA 17022
 717-675-2054

LIST OF DRAWINGS

PLAN SHEET NO.	TITLE	* SHEETS TO BE RECORDED
#1 OF 3	COVER SHEET	
#2 OF 3	EXISTING CONDITIONS PLAN	
#3 OF 3	SUBDIVISION PLAN	

MANAGER: KIM FASNACHT
 DESIGN BY: KF
 SURV. CHIEF: JMA
 DRAWN BY: TSG
 CHECK BY: KF
 CHECK BY: JMA
 CHECK BY: KF

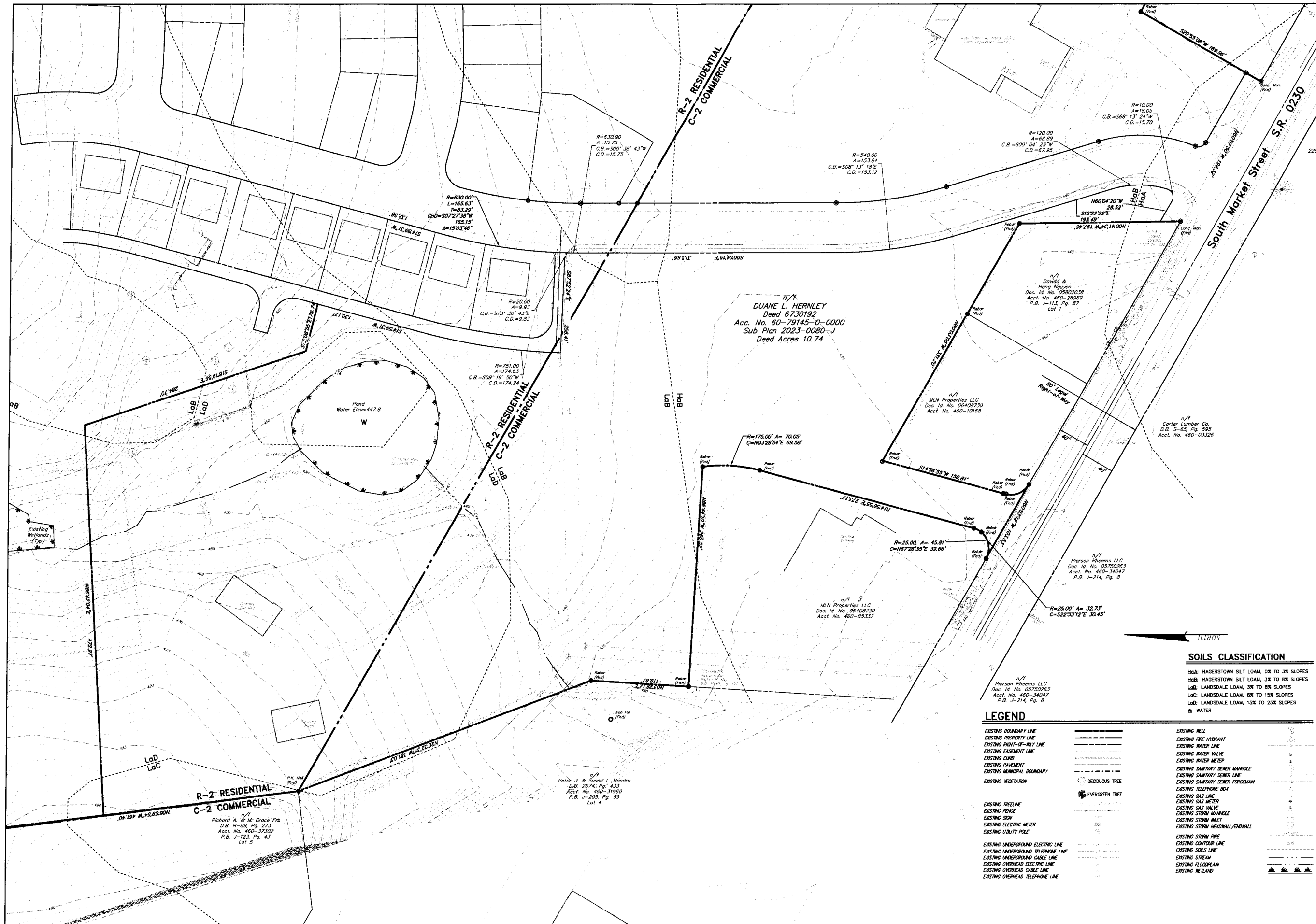
CLIENT: DUANE HERNLEY
 101 SPARROW LANE
 ELIZABETHTOWN, PA 17022

COVER SHEET
 PRELIMINARY / FINAL SUBDIVISION PLAN
 FOR
DUANE HERNLEY
 MOUNT JOY TOWNSHIP
 LANCASTER COUNTY, PA

DATE: 11/28/23
 SHEET NO. 1 OF 3
 DWG. NO. 0092500245

1 12/19/23 PER TOWNSHIP ENGINEER COMMENTS
 NO. DATE REVISION

RECEIVED
 Jan 05 2024
 MOUNT JOY TOWNSHIP
 24-02-FLDP



NO.	DATE	PER TOWNSHIP ENGINEER COMMENTS	REVISION
1	12/19/23		

MANAGER:	KIM FASNAUGHT
DESIGN BY:	KF
CHECK BY:	KF
SURV. CHIEF:	REBECCA NO. BINA COLLECTOR
DRAWN BY:	TSC
DATE:	KF

CLIENT
DUANE HERNLEY
 101 SPARROW LANE
 ELIZABETHTOWN, PA 17022

RETTEW
 RETTEW Associates, Inc.
 1000 N. 10th Street, Lancaster, PA 17603
 Phone: (717) 398-3336
 Email: retter@rettew.com
 Website: www.rettetw.com

EXISTING CONDITIONS PLAN
 PRELIMINARY / FINAL SUBDIVISION PLAN
 FOR
DUANE HERNLEY
 JOY TOWNSHIP
 LANCASTER COUNTY, PA

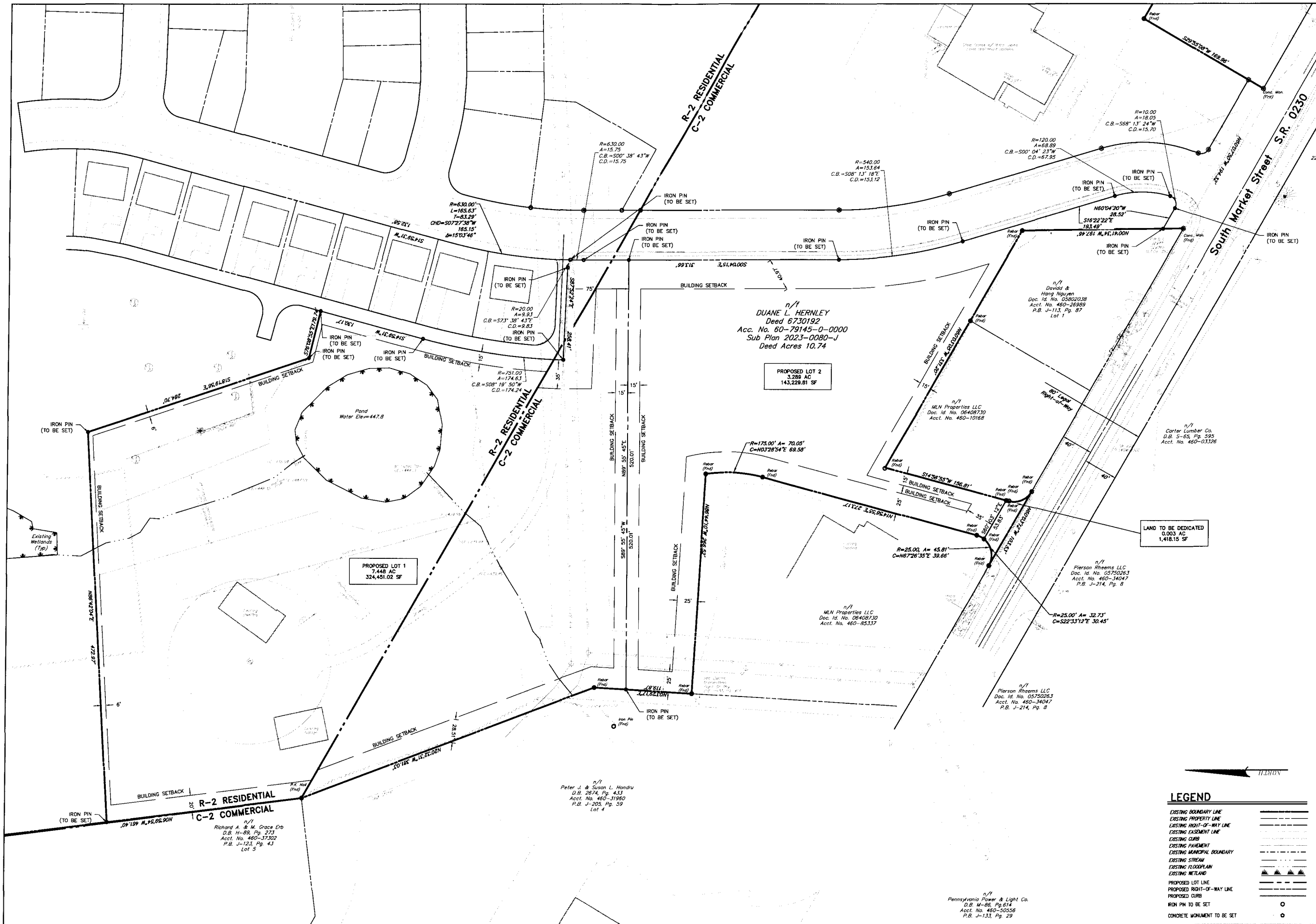
DATE: 11/28/23
 SHEET NO. 2 OF 3
 DWG. NO. 0092500245

SOILS CLASSIFICATION

- HdA: HAGERSTOWN SILT LOAM, 0% TO 3% SLOPES
- HdB: HAGERSTOWN SILT LOAM, 3% TO 8% SLOPES
- LdB: LANDSDALE LOAM, 3% TO 8% SLOPES
- LdC: LANDSDALE LOAM, 8% TO 15% SLOPES
- LdD: LANDSDALE LOAM, 15% TO 25% SLOPES
- W: WATER

LEGEND

EXISTING BOUNDARY LINE	---	EXISTING WELL	○
EXISTING PROPERTY LINE	---	EXISTING FIRE HYDRANT	○
EXISTING RIGHT-OF-WAY LINE	---	EXISTING WATER LINE	---
EXISTING EASEMENT LINE	---	EXISTING WATER VALVE	○
EXISTING CURB	---	EXISTING WATER METER	○
EXISTING PAVEMENT	---	EXISTING SANITARY SEWER MANHOLE	○
EXISTING MUNICIPAL BOUNDARY	---	EXISTING SANITARY SEWER FORCEMAIN	---
EXISTING VEGETATION	---	EXISTING TELEPHONE BOX	○
		EXISTING GAS LINE	---
EXISTING TREE LINE	---	EXISTING GAS METER	○
EXISTING FENCE	---	EXISTING GAS VALVE	○
EXISTING SIGN	---	EXISTING STORM MANHOLE	○
EXISTING ELECTRIC METER	○	EXISTING STORM INLET	○
EXISTING UTILITY POLE	○	EXISTING STORM HEADWALL/ENDWALL	○
EXISTING UNDERGROUND ELECTRIC LINE	---	EXISTING STORM PIPE	---
EXISTING UNDERGROUND TELEPHONE LINE	---	EXISTING CONTOUR LINE	---
EXISTING UNDERGROUND CABLE LINE	---	EXISTING SOILS LINE	---
EXISTING OVERHEAD ELECTRIC LINE	---	EXISTING STREAM	---
EXISTING OVERHEAD CABLE LINE	---	EXISTING FLOODPLAIN	---
EXISTING OVERHEAD TELEPHONE LINE	---	EXISTING WETLAND	---



REVISIONS NO. DATE PER TOWNSHIP ENGINEER COMMENTS 1 12/19/23	
MANAGER: KIM FASHNACHT DESIGN BY: KF SURV. CHIEF: KF ISSUED BY: TSS	CLIENT: DUANE HERNLEY 101 SPARROW LANE ELIZABETHTOWN, PA 17022
SCALE: 1" = 50' 0 25' 50' 100' 150'	DATE: 11/28/23 SHEET NO.: 3 OF 3 DWG. NO.: 0092500245

LEGEND
 EXISTING BOUNDARY LINE
 EXISTING PROPERTY LINE
 EXISTING RIGHT-OF-WAY LINE
 EXISTING EASEMENT LINE
 EXISTING CURB
 EXISTING PAVEMENT
 EXISTING MUNICIPAL BOUNDARY
 EXISTING STREAM
 EXISTING FLOODPLAIN
 EXISTING WETLAND
 PROPOSED LOT LINE
 PROPOSED RIGHT-OF-WAY LINE
 PROPOSED CURB
 IRON PIN TO BE SET
 CONCRETE MONUMENT TO BE SET

ASSOCIATION:
 RETTEW
 3000 C...
 Phone: (800) 738-8395
 Email: rettew@rettew.com
 Website: www.rettew.com

SUBMISSION PLAN
PRELIMINARY / FINAL SUBDIVISION PLAN
FOR
DUANE HERNLEY
 MOUNT JOY TOWNSHIP
 LANCASTER COUNTY, PA

NOT FOR CONSTRUCTION/NOT FOR BIDDING

LAW OFFICES

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

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

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)

RETIRED
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

OF COUNSEL
WILLIAM C. CROSSWELL
RANDALL K. MILLER

January 16, 2024

VIA EMAIL

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

Re: Preliminary/Final Subdivision Plan for Duane Hernley
Our File No. 10221-1

Dear Justin:

I have reviewed the Preliminary/Final Subdivision Plan for Duane Hernley (the "Plan") prepared by Rettew Associates, Inc. The Plan proposes to subdivide an existing lot containing approximately 10 acres with frontage on Eagle Parkway and limited frontage on South Market Street (SR 0230) into two lots. The current configuration of this ten-acre tract was created by the Final Subdivision, Land Development, & Lot Add-On Plan for Westbrooke 4 Phase 1 (the "Westbrooke Plan") recorded at Document No. 2023-080-J. The land is Lot 10 on the Westbrooke Plan. Lot 1 will contain Mr. Hernley's dwelling and be located principally within the R-2 Residential District. Lot 2 will be located entirely within the C-2 Commercial District. This letter will set forth comments on the Plan.

Rettew must proofread the Plan and remove inconsistencies. Under Source of Title on the cover sheet the land is identified as Lancaster County Tax Account No. 460-81630-0-0000, and the source of title is a deed recorded at Document No. 6194859. That tax account number and recording reference for the deed are from the Westbrooke Plan. General Note 4 has the correct Lancaster County Tax Account Number, 460-79145-0-0000, but General Note 5 has the incorrect recording reference for the deed. Sheets 2 and 3 of the Plan have the correct recording reference for the deed, Document No. 6730192, but the Tax Account Number is incorrectly listed as 60-79145-0-0000. All of these errors should be corrected.

The General Notes should be reviewed and clarified. General Note 10 is incomplete, and General Note 11 appears to be the end of the incomplete sentence in General Note 10. The same error is in General Notes 12 and 13. All of the General Notes should be reviewed and corrected as necessary.

Justin S. Evans, AICP, Community Development Director/Zoning Officer
January 16, 2024
Page 2

The Plan proposes dedication of additional right-of-way along the small frontage of South Market Street (SR 0230). This should be conveyed to the Township. I have reviewed the website of the Office of the Recorder of Deeds, and there do not appear to be any mortgages against the land.

The Plan was submitted with a non-building declaration. Lot 1 with Mr. Hernley's dwelling is currently served by an on-lot sewage disposal system. Lot 2 is undeveloped, but it will probably be commercially developed and provided with sewage disposal through the public sewer system being extended to serve Westbrooke. I concur with your email that this proposed subdivision does not appear to be eligible for the non-building waiver. If the Pennsylvania Department of Environmental Protection ("DEP") approves a non-building waiver, sewage planning will be required when there is a land development plan for Lot 2. The Township will have to monitor this property so that when a land development plan is eventually filed, sewage planning is performed or a waiver is obtained from the DEP.

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

Very truly yours,



Josele Cleary

JC:sle
MUNI\10221-1(7)\240105\71

cc: Ryan Minnich, Township Manager (via e-mail)
Patricia J. Bailey, Secretary (via e-mail)
Benjamin S. Craddock, P.E. (via e-mail)
Kimberly M. Fasnacht, PMP, LEED AP, Project Manager (via e-mail)

January 31, 2024

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

Via email: ryan@mtjoytp.org

Re: Duane Hernley
Preliminary/Final Subdivision Plan
Township Permit No. 24-02-FSDP
LCEC Project No: 25-164



LANCASTER CIVIL
★ ★ engineering company ★ ★
p.o. box 8972, lancaster, pa 17604-8972
www.lancastercivil.com

Dear Mr. Minnich,

We have received a preliminary/final subdivision plan submission from Rettew Associates, Inc. for the above-referenced project. The submission consisted of the following documents:

- Letter of transmittal dated January 4, 2024
- LCPC Subdivision And/Or Land Development Plan Processing Application dated January 2, 2024
- PADEP Request for Planning Waiver & Non-Building Declaration dated January 2, 2024
- Waiver request letter dated January 4, 2024
- Preliminary Subdivision and Land Development Plan dated December 19, 2023
- Wetland memorandum dated June 27, 2023

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

Zoning Ordinance

1. The area and bulk regulations (except for minimum lot area) for the R-2 District in the Zoning Data table shall be corrected (135-105).
2. The minimum lot depth shall be added to the Zoning Data table (135-105.D).
3. The maximum building height shown in the Zoning Data table shall be revised (i.e. to show *just* 40 feet) (135-135.A).
4. The setbacks for off-street parking, outdoor storage areas, loading areas for front and rear yards shall be added to the Zoning Data table (135-135.E(1)(c)).
5. The fifty-foot residential buffer strip shall be used for a landscape strip and screen (135-135.E(4) & 135-299). The fifty-foot residential buffer strip shall be shown on the plans and included in the Zoning Data table on the cover sheet.
6. A clear sight triangle and stopping sight distances shall be shown at the existing driveway onto S. Market Street (135-299.E(2) & 119-31.D(12)).
7. Slopes greater than 15% shall be shown on the plans (135-305.A).

8. The wetlands, conservation, & utility easement shown on the plan shall be dimensioned (135-306.B).
9. A cross-access easement shall be provided to ensure common use of, access to and maintenance of the joint-use driveway serving MLN Properties, LLC (135-321.C). Such easements shall be recorded in language acceptable to the Township Solicitor and shall be depicted on the plan.
10. The cover sheet shall provide the calculations for determining the required off-street parking spaces for Lot 1 (135-343.C).

Subdivision and Land Development Ordinance

11. A preliminary plan is required (119-25). The applicant has requested a modification of this requirement.

Modification response: The applicant proposes to process this as a preliminary/final plan which includes both preliminary and final plan requirements. This project is not phased and there are no private or public improvements proposed to be constructed. Therefore, I have no objection to this modification.

12. The plans shall be signed and sealed by a registered engineer, surveyor or landscape architect (119-31.A(5)).
13. The revision date shall be removed from the plans (or revised for the next (first) revision) (119-31.B(4)).
14. The deed shown in Source Of Title and General Note 5 on the Cover Sheet and the tax parcel identification number shown on the plans shall be corrected (119-31.B(10)).
15. The bench mark described in General Note 6 on the Cover Sheet shall be labeled on the plans (119-31.C(1) & 113-43.I(1)).
16. The names and plan book record numbers of all adjacent landowners shall be shown on the plan, including those across existing rights-of-way (119-31.C(2)).
17. Existing features within 200 feet of the subject tract shall be shown on the plans (119-31.C(3) & 113-43.I(5)). The plans shall reflect the existing features that have been installed as part of the adjacent Westbrooke development (e.g. curbing, Sparrow Lane, etc.).
18. The dimensions of the right-of-way and cartway widths for Eagle Parkway shall be added to the plan. The dimensions of the existing cartway widths for access drives shall be added to the plan (119-31.C(3)(a)).
19. The dimensions of the existing driveway on the subject tract shall be added to the plan (119-31.C(4)(a)).
20. The 20' utility easement and the 20' driveway easement shown on Westbrooke IV-Phase 1 Final Subdivision Land Development & Lot Add-On Plan shall be shown on the plans (119-31.C(4)(b)).
21. The access easements shown on the Sparrow Lane Exhibit dated 9/27/23 shall be shown on the plans (119-31.C(4)(b)).
22. The proposed land use shall be provided on the plans for proposed Lots 1 and 2 (i.e. only "existing" uses are provided for proposed lots) (119-31.D(3)).

23. A note shall be added for the proposed right-of-way for Eagle Parkway and West Main Street to explain that this right-of-way was proposed as part of the Westbrooke IV Phase 1 Final Plan and will be dedicated as part of that project (119-31.D(4)).
24. The density for the proposed Lot 2 shall be corrected (no dwelling units are proposed, so the density should be 0 units / acre) (119-31.D(3) & 119-12).
25. The dimension of the front yard setback for Proposed Lot 2 shown on Sheet 3 shall be corrected (119-31.D(5) & 119-55.A).
26. The plans shall indicate when the lot line markers are to be set (119-31.D(14)(a) & 119-57.D).
27. A water and sewer feasibility report shall be provided (119-32.A & 119-35.E(3)(b)).
28. A PDNI search shall be included in the wetlands study (119-32.B).
29. Bearings and distances shall be provided for all lot lines and curves (119-35.D(2)).
30. All certificates shall be executed prior to final plan approval (119-35.E).
31. Written notice shall be provided from the DEP that approval of the sewer planning module has been granted or notice from the Department that such approval is not required (119-35.E(2)(a) & 119-60.A).
32. A note stating any condition regarding the use of the land, minimum building setback or right-of-way lines for the PP&L easement shall be included on the plan (119-35.E(2)(b)). The deed book reference for this easement shall be shown on the plan. The applicant shall notify the owner of the easement of their intentions in accordance with Pennsylvania Act 287.
33. A construction cost estimate and financial security shall be provided for the lot line markers to be set (119-41 & 113-60).
34. The frontage along S. Market Street (S.R. 0230) shall be improved in accordance with 119-52.J or as indicated on the Township Official Map, whichever is greater. Improvements shall include curbing, sidewalk, trail, and cartway widening along the entire front of the street (119-52.J(3)(a)). The applicant has requested a deferral of this requirement.

Deferral response: The adjoining properties are not developed with sidewalk, curbing, widening, or pedestrian/bicycle pathway. In addition, the width of the lot along S. Market Street is approximately fifty-four feet; therefore, constructing improvements at this location would not provide a meaningful improvement for Township residents. Based on these considerations, I have no objections to a deferral of these requirements, with the condition a deferral agreement be executed in a form acceptable to the Township Solicitor.
35. If the Township determines that the road improvements required by 119-52.J(3)(a) are not feasible at the time of development, the developer shall deposit funds with the Township in the amount of 110% of the cost of improvements, or the applicant shall enter into an agreement that would defer road improvements to a time the Township would deem such road improvements as feasible (119-52.J(3)(d)).
36. Deeds to lots which contain clear sight triangles shall provide that no structure, landscaping or grading shall be erected, installed or performed within the area of the clear sight triangle which would obscure the vision of motorists (119-52.L).

37. The deed shall contain the requirement that nothing shall be placed, planted, set or put within an easement that would adversely affect the function of the easement or conflict with the easement agreement (119-56.B).

38. Three monuments shall be spaced around the proposed project, with at least two of the monuments placed as consecutive corners along the street right-of-way (119-57.B).

If you should have any questions or need additional information, please do not hesitate to contact me at bencraddock@lancastercivil.com or via telephone at 717-799-8599.

Sincerely,



Benjamin S. Craddock, PE, President

LANCASTER CIVIL

cc: Justin Evans, Township Community Development Director/Zoning Officer (via email)
Patricia Bailey, Township Secretary (via email)
Josele Cleary, Esquire, Township Solicitor (via email)
Nick Viscome, ERSA (via email)
Adam Minichelli, PE, CDM Smith (via email)
Renee Addleman, Planner, LCPC (via email)
Jena Klinger, Rettew Associates (via email)
Kim Fasnacht, Rettew Associates (via email)



Subdivision/Land Development Plan Review

Plan Name

S/LD #

Duane Hernley

76-69-10

Project Description

Gross Acreage

Subdivide a 3.289 Lot 2 from the parent tract

10.74

Date of Completed Application Receipt

Date of Review

01/09/2024

02/06/2024

Municipality/Municipalities

Project Address(es)

Mount Joy Township

101 Sparrow Lane, Elizabethtown

Project Location/Direction and Distance

Sparrow Lane's northern terminus

Parcel Account Number(s)

4607914500000

Existing Zoning District(s)

Mount Joy Township: General Commercial,
Mount Joy Township: Medium Density Residential

Existing Land Use(s)

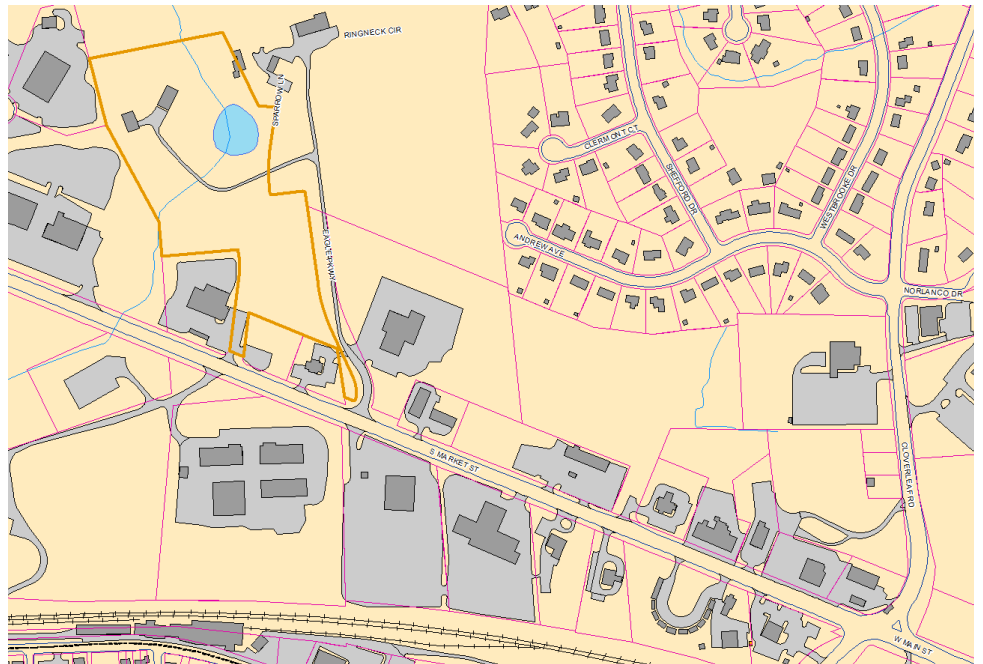
Residential

Designated Growth Area

Elizabethtown

places2040 Character Zone

Suburban



Owner Name

Applicant Name

Duane Hernley

Duane Hernley

Consulting Firm

LCPD's Regional Liaison



Subdivision/Land Development Plan Review

RETTEW Associates, Inc.

Renee Addleman

places2040 Consistency

Growing Responsibly: Carefully manage the use of large tracts of vacant land in urban areas

This subdivision divides a lot that is partially zoned residential and partially zoned commercial to create a new lot that is entirely commercial. This will provide more opportunity for this undeveloped land to be utilized in a manner that fits its zoning.

Comments Regarding Site Design

1. The LCPC signature block should be revised to state the following:

This Plan, bearing LCPC File No. _____, was reviewed by staff of the Lancaster County Planning Department on _____, as required 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 ordinances, rules, regulations, or laws of the local municipality, the commonwealth, or the federal government.

* _____

* Signature of the Chairperson or their designee

2. Revised deeds for the resultant lots should be recorded as part of this plan approval.

3. The plans should identify Eagle Parkway and the alley of Sparrow Lane with additional plan labels.

Because Lancaster County strives to create the most accurate public records possible, electronic AutoCAD files (.dwg or .dxf) are required by the Lancaster County Planning Department prior to, or at the time of, recording of any plan. Data features requested in the file are parcel boundaries, building footprints, road rights-of-way, and edges of pavement. It's preferred that the file be in the projected coordinate system: NAD 1983 State Plane Pennsylvania South FIPS 3702 (US Feet). **Please note that the Planning Department will not certify the plan for recording until this information is provided via links to online file download or by e-mail.**

Article V of the Pennsylvania Municipalities Planning Code establishes standards and procedures for the review of Subdivision and Land Development Plans. The Lancaster County Planning Department offers these recommendations and advisory comments which are for consideration in the application of municipal subdivision and land development regulations to this project.

Lancaster County Planning | 150 North Queen Street, Suite 320 | Lancaster, Pennsylvania 17603 | 717-299-8333 | lancastercountypanning.org

**PROPOSED MOTION FOR THE PRELIMINARY/FINAL SUBDIVISION PLAN
FOR DUANE HERNLEY
M.J.T.P.C. File # 24-02-FLDP**

I move that the Township Planning Commission grant waivers of Chapter 119 of the Code of Ordinances of the Township of Mount Joy, i.e. the Mount Joy Township Subdivision and Land Development Ordinance as follows:

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

And having granted such waivers, 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.

**ACCEPTANCE OF CONDITIONS UPON APPROVAL OF A
PRELIMINARY/FINAL SUBDIVISION PLAN
IMPOSED BY THE PLANNING COMMISSION OF MOUNT JOY TOWNSHIP
FOR**

**DUANE HERNLEY
M.J.T.P.C. File # 24-02-FLDP**

I have reviewed the conditions imposed by the Planning Commission of Mount Joy Township, Lancaster County, Pennsylvania, at the meeting on February 26, 2024, upon the approval of the Preliminary/Final Subdivision Plan for Duane Hernley (the "Plan") prepared by Rettew Associates, Inc., Drawing No. 0092500245, dated November 28, 2023. In my capacity as developer/developer's agent and being authorized to do so, and intending to be legally bound, I hereby accept the imposition of the conditions attached hereto as part of the approval of the above-described subdivision and/or land development project. I expressly waive any requirements of the Pennsylvania Municipalities Planning Code that the Township provide a section number of a governing ordinance, statute or regulation upon which such conditions are based and a description of the requirements which have not been met. To the extent that any condition is not based upon a specific requirement of a governing ordinance, statute or regulation, I expressly waive any right which I may have to challenge the imposition of such condition. If signing as developer's agent, I expressly state that I have been authorized by developer to agree to the conditions imposed upon the approval of the above-described subdivision and/or land development application.

Date: _____

Signature

Printed Name

Title