



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.: 24-11-LLCP	Date of Receipt/Filing: May 8, 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: LOT LINE CHANGE PLAN FOR KLEINFELTER / LIBERTORE, 955 & 1015 TRAIL ROAD NORTH			
Plan No.: 24-011	Plan Date: May 3, 2024		
Location: 955 & 1015 TRAIL ROAD NORTH, ELIZABETHTOWN, PA 17022			
Property Owner: MARK KLEINFELTER- LOTS 1 & 4, FRANK LIBERTORE-LOT 3			
Owner Address: 955 & 1015 TRAIL ROAD NORTH, ELIZABETHTOWN, PA 17022			
Telephone No.: 717-449-0268			
E-mail: kleinfelterm@comcast.net			
Deed Reference: 6736-412, 6146-091		Tax Parcel No.: 2304339-318017, 2304572-318948, 2303693-317878	
Plan Type:	<input type="checkbox"/> Sketch	<input type="checkbox"/> Preliminary	<input type="checkbox"/> Final
	<input checked="" type="checkbox"/> Lot Line Change	<input type="checkbox"/> Minor Agricultural or Land Development	
Description: The purpose of this plan is to subdivide Interim Lot 4A and Lot 4B from Existing Lot 4. Interim Lot 4A and Lot 4B is to be added to Existing Lot #1 and Lot #3 to create proposed Lot #1 and Lot #3, respectively, and be unified by deed.			
Zoning District: "A" AGRICULTURE DISTRICT			
Is a zoning change necessary?	NO	If yes, please specify:	
Is/was a zoning variance, special exception, or conditional use approval necessary?	NO	If yes, attach ZHB decision.	
Total Acreage: 120.97			
Name of applicant (if other than owner): MARK KLEINFELTER			
Address: 955 TRAIL ROAD NORTH, ELIZABETHTOWN, PA 17022			
Telephone No.: 717-449-0268			
E-mail: kleinfelterm@comcast.net			
Firm which prepared plan: ACT ONE & Associates			
Address: 4701 North Front St., Hbg., PA 17110			
Phone No.: 717-236-7500			
Person responsible for plan: MICHAEL NEUMAYER			
E-mail: MNEUMAYER@ACTONEASSOCIATES.COM			

APPLICATION FEE=\$100, ESCROW=\$2,500
3 SETS OF 24x36, 7 SETS OF 11x17, 2 SETS OF DOCUMENTS, PDF COPIES

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

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

Proposed Lots and Units

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

Type of water supply proposed:

<input type="checkbox"/>	Public (Live)	<input type="checkbox"/>	Community
<input type="checkbox"/>	Public (Capped)	XX	Individual NO CHANGE

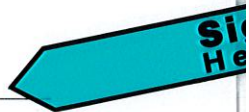
Type of sanitary sewage disposal proposed:

<input type="checkbox"/>	Public (Live)	<input type="checkbox"/>	Community
<input type="checkbox"/>	Public (Capped)	XX	Individual NO CHANGE

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

5/6/24
 Date





ACT ONE & Associates
Consulting Engineers & Surveyors

4701 North Front Street
 Harrisburg, PA 17110
 (717) 236-7500 • fax (717) 236-3314
 aoa@actoneassociates.com
 www.actoneassociates.com

Civil Engineering • Construction Management • Building & Structural Plans • Surveying • Sanitary Engineering • Site Planning

May 8th, 2024

RECEIVED

Mount Joy Township
 Plan Commission
 Chair Arlen Mummau
 8853 Elizabethtown Road
 Elizabethtown, PA 17022

24-11-LLCP

May 08 2024

MOUNT JOY TOWNSHIP

Re: Waiver request for Lot Line Change
 Plan for Kleinfelter / Libertore
 955 & 1015 Trail Road North
 AOA# 24-011

Commissioners:

On behalf of the applicant, ACT ONE & Associates respectfully requests the following Waiver of Mount Joy Township's, Chapter 119, Subdivision and Land Development regulations:

- 1) Chapter 119-25 Preliminary review process.

The applicant is proposing to submit a Lot Line Change Plan for review and approval that will increase the size of 2 parcels (460-2303693-317878-0-0000 & 460-2304312-318372-0-0000) to 10 acres each (clean & green enrollment), while decreasing the size of a third parcel (460-2304572-318948-0-0000) from approximately 116.6 acres to 103.1 acres. No construction or land development is proposed on this new plan. The 2 smaller parcels already have single-family dwellings therefore no more earth disturbances are necessary. Lot #4 on plan J215-47 is currently vacant.

- 2) Chapter 119-31.A.(1) – Drafting standards, The plan shall be clearly and legibly drawn at a commonly used scale between 20 feet and 100 feet to the inch.

Due to the size of Lot 4 (114.22 acres) on this plan, the plan scale on sheet 2 is 150 feet to the inch. The remaining plan scales on sheets 3 & 4 comply with Township regulations.

- 3) Chapter 119-52.J.(3) – Improvements of existing streets.

The applicant is proposing to submit a Lot Line Change Plan for review and approval that will increase the size of 2 parcels (460-2303693-317878-0-0000 & 460-2304312-318372-0-0000) to 10 acres each (clean & green enrollment), while decreasing the size of a third parcel (460-2304572-318948-0-0000) from approximately 116.6 acres to 103.1 acres. No construction or land development



ACT ONE & Associates

Consulting Engineers & Surveyors

is proposed on this new plan. The 2 smaller parcels already have single-family dwellings therefore no more earth disturbances are necessary. Lot #4 on plan J215-47 is currently vacant.

4) Chapter 119-57.B – Survey monuments and markers.

Due to the existing underlying geologic unit, diabase (JTrd), the installation of the required monuments & markers may not be physically possible. Markers of varying length will be set where field conditions permit, and if necessary, drill holes will be placed where large boulders are present on the surface.

Your consideration of this waiver and modification of requirements request shall be greatly appreciated.

Please contact Rob Shaffer with any questions.

Respectfully submitted,

Robert E. Shaffer, Jr., P.E.
Robshaffer@actoneassociates.com

NOTES:

- 1. The purpose of this plan is to subdivide Interim Lot 4A and Lot 4B from Existing Lot 4. Interim Lot 4A and Lot 4B is to be added to Existing Lot #1 and Lot #3 to create proposed Lot #1 and Lot #3, respectively, and be unified by deed.
- 2. No construction, improvements, or earth disturbance is proposed as a result of this Plan. Prior to any future construction of any building or driveway, a building and zoning permit must be applied for and approved by the Township. All improvements shown on Lot 2 and 4 and as depicted hereon are as per the Final Subdivision Plan for Mark E. Kleinfelter & Marian L. Fetter prepared by D. C. Gohn Associates, Inc., on January 15, 2002 and recorded in the Recorder of Deeds Office of Lancaster County, Pennsylvania in Subdivision Plan Book J-215, Page 47. This Plan proposes no impacts or changes to Lot 2.
- 3. According to the FEMA Flood Insurance Rate Map Number 42075C0333E for Mount Joy Township, effective July 2020, no portion of the property, as shown hereon, is located in the floodplain.
- 4. All boundary information shown hereon for Lots #1, 2, and 3, is the result of a boundary survey performed by ACT ONE & Associates. Lot #4 is the result of deed plot and not the result of a complete or accurate field survey.
- 5. All existing features shown on Lots #1 and 3 have been surveyed by ACT ONE & Associates. The contours for Lot #3 are based on the As-Built Plan for Frank Libertore. The contours for Lots #1, 2, and 4 shown hereon are based on the Pennsylvania Department of Conservation and Natural Resources (D.C.N.R.) high resolution light detection and ranging (LIDAR) data. All data is in units of feet, NAVD88 vertical datum (http://www.pamap.dcnr.state.pa.us/pamap/data_source.aspx).
- 6. Wetlands were observed on site as defined in accordance with the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Eastern Mountains and Piedmont Region (hereafter called the Corps Manual). A wetland determination has been performed by Bradley Gochbauer, Vortex Environmental, Inc. in March 2024. ACT ONE & Associates surveyed the wetland boundary on March 25 and 27, 2024.
- 7. There are no proposed protective covenants, all known existing easements and right-of-ways are shown hereon. However, this Plan was prepared without the benefit of a title report.
- 8. **Easements**
 - 8.1. All easements and rights-of-way have been shown on the plan apart from the PP&L easement along Trail Road North. Per document #5035498, a fifteen foot easement exists on each side of centerline of the electric line from pole #33512 S31759 to pole #33575 S31764.
 - 8.2. Nothing shall be placed, planted, set, or put within the area of an easement that would adversely affect the function of the easement or conflict with the easement agreement.
 - 8.3. Areas located within conservation easements shall be protected from any further development.
- 9. No structures, landscaping, or grading may be constructed, installed, or performed within the area of the clear sight triangle which would obscure the vision of motorists.
- 10. All existing utilities shall be contacted and the contractor must field verify their exact location before all excavations. All utilities shown hereon are approximate and have been contacted through PA One Call.
- 11. No additional right-of-way area is proposed to be dedicated as part of this subdivision plan. Dedicated right-of-way is per Subdivision Plan J-215, 47 and is re-dedicated per this Plan.
- 12. In accordance with Section 119-60.C.(4) regarding Sanitary Sewer disposal on-lot absorption areas:
Construction of improvements upon or disturbance of replacement location prohibited. The replacement location shall not be excavated, graded, filled or otherwise disturbed in any manner which would prevent its use as a future location for an on-lot sewage disposal system during development of the lot. No permanent or temporary improvements of any character other than the planting of trees, shrubs or other plant matter shall be constructed upon the replacement location unless the person who desires to construct such improvements shall demonstrate to the satisfaction of the Sewage Enforcement Officer that an alternate replacement location which complies with all applicable Township ordinances exists upon the lot. If such an alternate replacement location shall be identified, the alternate replacement location may be considered to be the replacement location required by this chapter and shall be designated as the replacement location, and the plans shall be accordingly revised and submitted to the Planning Commission. The newly designated replacement location shall thereafter be considered the replacement location for the purposes of this chapter.
- 13. According to county records, the subject property may be subject to the Pennsylvania Farmland and Forest Land Assessment Act of 1974 (a.k.a. the Clean and Green Act), Act 319 of 1974, P.L. 973; 72 P.S. 5490.1, as amended, and as further amended by Act 156 of 1998, as amended. These acts provide for preferential property tax assessment and treatment. It is the property owner's responsibility to be aware of the laws, rules and regulations applicable to his or her property, including the provision that: a) preferential property tax assessment and treatment will remain in effect continuously until the landowner changes the agricultural use from the approved category, or if a transfer, split-off or separation of the subject land occurs; b) if a change in use occurs, or if a conveyance, transfer, separation, split-off or subdivision of the subject land occurs, the property owner will be responsible for notifying the County Assessor within 30 days; the payment of roll-back taxes, plus interest, for the period of enrollment, or a period not to exceed seven years, whichever is less, may be required; d) if the property owner fails to notify the County Assessor within the thirtyday period, prior to land conveyance, the property owner may be subject to a civil penalty of \$100; e) if the property owner fails to pay the roll-back tax, a municipal lien could be placed on the property under existing delinquent tax law."

- 14. WARNING: The residential uses or lots proposed by this subdivision and/or land development plan are in the Agricultural Zoning District. The primary use of such district is agricultural, and residents must expect occurrences such as the smell of farm animals and the animal waste they produce, insects, toxic chemical spraying, slow-moving agricultural machinery on local roads and other by-products of agricultural business and activity.
- 15. Permanent lot corner markers will be placed, as necessary, in accordance with §119.19.D.14 and §119-35 prior to the recording of this Plan.

WAIVER REQUEST
Mount Joy Township Subdivision and Land Development Ordinance, Chapter 119

§ 119-25 - Preliminary Review Process
Approved by Mount Joy Township Board of Supervisors on _____

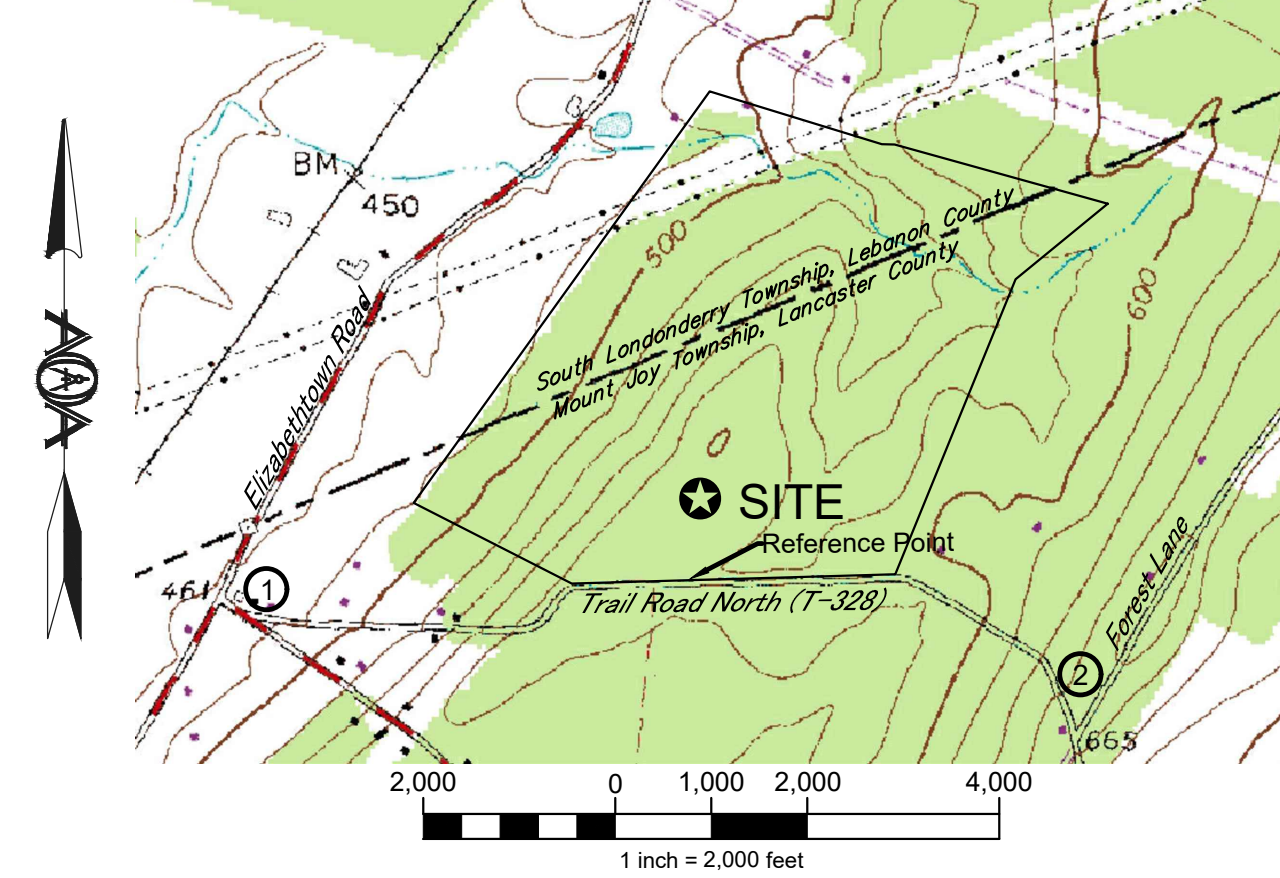
§ 119-31.A.(1) - Drafting Standards, Plan Scale
Approved by Mount Joy Township Board of Supervisors on _____

§ 119-52.J.(3) - Improvements of Existing Streets
Approved by Mount Joy Township Board of Supervisors on _____

§ 119-57.B - Survey Monuments and Markers
Approved by Mount Joy Township Board of Supervisors on _____

Site Data								
Lot	Existing			Interim		Proposed		
	Lot #1	Lot #3	Lot #4	Lot #4A	Lot #4B	Lot #1	Lot #3	Lot #4
Use	Residential	Residential	Residential	Residential	Residential	Residential	Residential	Residential
Gross Area	3,4878 acres	3,2767 acres	114,2248 acres	6,9201 acres	6,8505 acres	10,4079 acres	10,1272 acres	100,4543 acres
Net Area	151,929 ft ²	142,735 ft ²	4,975,634 ft ²	301,438 ft ²	298,407 ft ²	453,368 ft ²	441,142 ft ²	4,375,788 ft ²
Impervious Cover	13,041 ft ²	8,293 ft ²	0 ft ²	0 ft ²	0 ft ²	13,041 ft ²	8,293 ft ²	16,083 ft ²
Building Cover	4,693 ft ²	3,175 ft ²	0 ft ²	0 ft ²	0 ft ²	4,693 ft ²	3,175 ft ²	4,112 ft ²
Vegetative Cover	133,551 ft ²	128,903 ft ²	4,954,243 ft ²	289,008 ft ²	298,403 ft ²	422,558 ft ²	427,306 ft ²	4,350,749 ft ²
Water Service	Well	Well	N/A	N/A	N/A	Well	Well	Well
Sewer Service	On-Lot	On-Lot	N/A	N/A	N/A	On-Lot	On-Lot	On-Lot
Parking	3 Spaces	3 Spaces	N/A	N/A	N/A	3 Spaces	3 Spaces	3 Spaces

Mount Joy Township's Zoning Data: "A" Agricultural District		
Regulation	Description	Required
Width Regulations	Minimum Lot Width	100 feet
Depth Regulations	Minimum Lot Depth	150 feet
Yard Regulations	Minimum Front Yard Setback	35 feet from the ultimate street right-of-way
	Minimum Side Yard Setback (each)	20 feet
	Minimum Rear Yard Setback	50 feet
Coverage Regulations	Minimum Vegetative Cover	75%
	Maximum Building Coverage	20%
	Maximum Impervious Coverage	25%
Height Regulations (Maximum)	Principal Use	An additional side yard setback of one foot shall be provided for every two feet, or fraction thereof, increase in height above 35 feet.
	Detached Accessory Use	20 feet, except that this restriction shall not be applicable to farm buildings and silos.
Area Regulations	Minimum Lot Area	1 acre
Parking Requirements	Restaurant	Two parking spaces for each dwelling unit with three bedrooms or fewer and three parking spaces for each dwelling unit with four or more bedrooms



- 1 Elizabethtown Road is approximately 2,980 ft (0.56 mi) to the centerline of Lot 3's driveway (Reference Point).
- 2 Forest Lane is approximately 2,230 ft (0.42 mi) to the centerline of Lot 3's driveway (Reference Point).

LOT LINE CHANGE PLAN FOR KLEINFELTER / LIBERTORE 955 & 1015 TRAIL ROAD NORTH MOUNT JOY TOWNSHIP LANCASTER COUNTY COMMONWEALTH OF PENNSYLVANIA

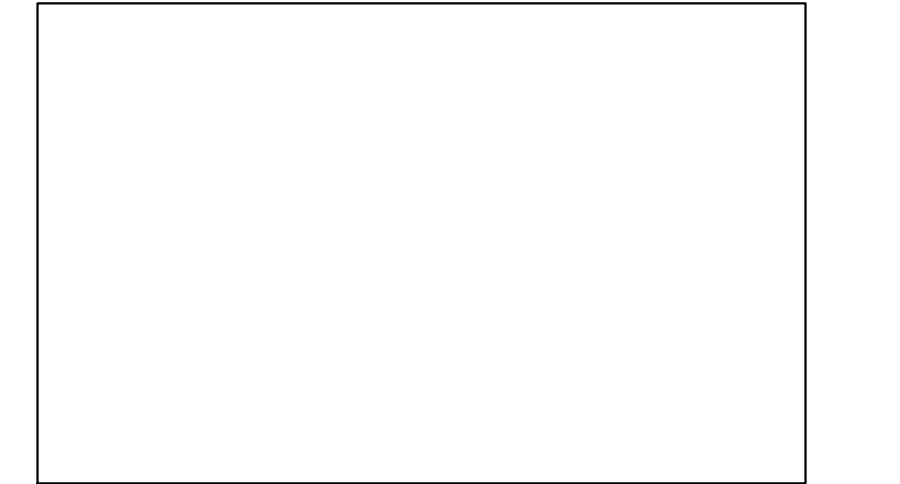


The contractor shall verify all dimensions and existing conditions at the site before construction.

The contractor shall comply with the provisions of act 287 notification of utilities before excavation in the project area in order to determine the existence and location of all utilities. prior to any construction, the contractor will be required to contact all utilities and request them to mark their locations in the field, the one call system telephone number is (800) 242-1776

PA ONE CALL DESIGN I.D. # 20240870521 DATE: March 2024.

LANCASTER COUNTY RECORDER OF DEEDS CERTIFICATION



UNIFORM PARCEL IDENTIFIER
Lot 1 - 460-2304572-318372-0-0000, Deed Book 6736, Page 412
Lot 3 - 460-2303693-317878-0-0000, Deed Book 6146, Page 91
Lot 4 - 460-2304572-318948-0-0000, Deed Book 6736, Page 412

SOURCE OF TITLE/APPLICANT - LOTS #1 & 4
Mark E. Kleinfelter & Marian L. Fetter
955 Trail Road North
Elizabethtown, PA 17022
kleinfelterm@comcast.net
717-449-0268

SOURCE OF TITLE - LOT #3
Frank Libertore and Honorata Libertore
1015 Trail Road North
Elizabethtown, PA 17022
717-575-7851

This drawing is and shall remain the property of ACT ONE & Associates. Any reuse on project extensions, any other project, or alterations or additions to this project shall be at the user's sole risk, and without liability to ACT ONE & Associates.

**Owner(s) _____
Mark E. Kleinfelter

**Owner(s) _____
Marian L. Fetter

My Commission Expires _____
Notary Public

*Identify ownership or equitable ownership
**Signature of the individual
***Signature and seal of notary public or other officer authorized to acknowledge deeds.

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF LANCASTER

On this, the ____ day of _____, 20____, before me, the undersigned, personally appeared _____ who being duly sworn according to law, deposes and says that he/she/they is/are the _____ of the property shown on this plan, that he/she/they acknowledges the same to be his/her/their act and plan, that he/she/they desire(s) 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.

**Owner(s) _____
Frank Libertore

**Owner(s) _____
Honorata Libertore

My Commission Expires _____
Notary Public

*Identify ownership or equitable ownership
**Signature of the individual
***Signature and seal of notary public or other officer authorized to acknowledge deeds.

The Lancaster County Planning Commission, as required by the Pennsylvania Municipalities Planning Code, Act 247 of 1968, as amended, reviewed this plan on _____, 2024, and copy of the review is on file at the office of the Planning Commission in LCPC File No. _____. 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.

* _____
* _____
*Signatures of the Chairman and Vice Chairman or their designee

Appendix No. 9 Planning Commission Final Plan Approval Certificate

At a meeting on _____, 2024, the Mount Joy Township Planning Commission approved this project, including the complete set of plans and information which are filed with the Commission in the Mount Joy Township Planning Commission File No. _____ based upon its conformity with the standards of Chapter 119, Subdivision and Land Development.

* _____
* _____
*Signatures of the Chairman and Vice Chairman or their designee

I hereby certify that, to the best of my knowledge, the survey and plan shown and described hereon is true and correct to the accuracy required by Chapter 119, Mount Joy Township Subdivision and Land Development Ordinance.
_____, 20____

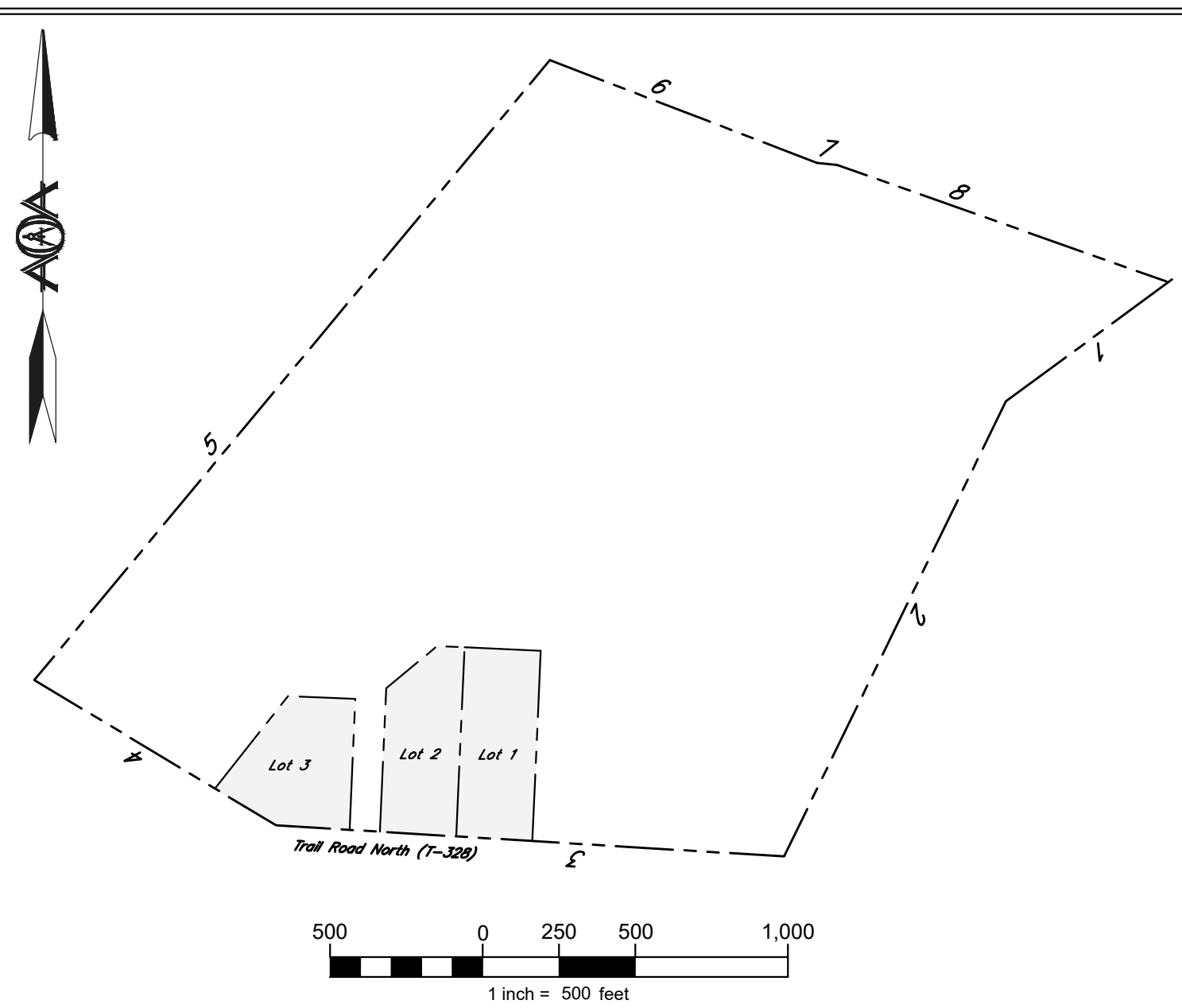
Scott A. Strauser, PLS
4701 North Front Street
Harrisburg, PA 17110
(717) 236-7500

Professional Land Surveyor

LOT LINE CHANGE PLAN
FOR
KLEINFELTER / LIBERTORE
955 & 1015 TRAIL ROAD NORTH
MOUNT JOY TOWNSHIP
LANCASTER COUNTY
COMMONWEALTH OF PENNSYLVANIA

ACT ONE & Associates
Consulting Engineers & Surveyors
4701 N. Front Street, Harrisburg, PA 17110
(717) 236-7500, fax (717) 236-3314
Email: aoa@actoneassociates.com, Website: actoneassociates.com

DATE: May 4, 2024	REVISIONS:	DRAWN BY: MLN
SCALE: As Shown		CHECKED BY: RES
SHEET 1 of 4		JOB NO.: 24-011



ORIGINAL DEED PLOT

Direction	Length
1 S53° 45' 00"W	674.85'
2 S26° 00' 00"W	1658.25'
3 N86° 30' 00"W	1666.50'
4 N59° 00' 00"W	924.00'
5 N39° 45' 00"E	2640.00'
6 S69° 00' 00"E	937.20'
7 S84° 15' 00"E	66.00'
8 S70° 30' 00"E	1145.10'

Curve Table					
	Length	Radius	Delta	Chord Direction	Chord Length
C1	88.33'	852.67'	5° 56' 08"	N87° 45' 58"W	88.29'
C2	88.15'	174.64'	28° 55' 16"	S73° 50' 03"W	87.22'

Existing Property Line Table		
	Direction	Length
L1	S87° 17' 51"W	250.02'
L2	S87° 17' 51"W	249.93'
L3	S87° 17' 51"W	99.90'
L4	S87° 17' 51"W	240.77'
L5	S87° 03' 45"W	190.72'
L6	S87° 07' 17"W	59.30'
L7	S87° 07' 17"W	219.99'
L8	S88° 17' 41"W	29.95'
L9	S88° 17' 41"W	99.91'
L10	S88° 16' 50"W	165.28'
L11	N87° 28' 40"E	90.00'
L12	S87° 17' 51"W	845.31'
L13	S88° 38' 21"W	279.22'
L14	S87° 15' 05"W	238.24'
L15	S86° 03' 17"W	136.02'
L16	S87° 02' 12"W	108.90'
L17	S21° 06' 01"W	12.36'

Lot #4 Original Deed Plot Property Line Table	
Direction	Length
1 S53° 45' 00"W	674.85'
2 S26° 00' 00"W	1658.25'
3 N86° 30' 00"W	1666.50'
4 N59° 00' 00"W	924.00'
5 N39° 45' 00"E	2640.00'
6 S69° 00' 00"E	937.20'
7 S84° 15' 00"E	66.00'
8 S70° 30' 00"E	1145.10'

FILE PATH: \\ACTONE\SERVER\COMPANY BACKUP\2024\24-011 955 TRAIL RD NORTH KLEINFELTER MT JOY LANCASTER\DRAWING\24-011 955 TRAIL RD NORTH KLEINFELTER MT JOY TWP.DWG
 LAST SAVED: 5/8/2024 11:21 AM PLOTTED: 5/8/2024 10:00 PM PLOTTED BY: AOA-S



OVERALL EXISTING BOUNDARY CONFIGURATION

EXISTING LEGEND
 Existing Feature Labeling Uses Lower Case Stated Text

- Boundary Line
- Right-of-Way
- County Line Boundary
- Contours
- Spot Elevation
- Edge of Paving
- Edge of Gravel
- Minimum Building Setbacks
- Sewer Line
- Underground Communication
- Underground Electric
- Overhead Electric
- Stream
- Fence Line
- Stone Row
- Treeline
- Utility Pole w/ Guy Wire
- Percolation & Probe Holes
- Well
- Cable Box
- Electric Box
- Telephone Box
- Electric Meter
- Wood Fence Post
- Wetlands

Property Adjoiners Table				
ID	Name	Site Address	Tax Map and Parcel Number	Deed Book / Instrument Number
①	Mark E. Kleinfelter	955 Trail Road North	460-09784-0-0000	DB 6736, PG 412
②	Jonathan A. Norton	1041 Trail Road North	460-46958-0-0000	Inst. # 6431271
③	Robert E. & Brenda K. Kelchner	1089 Trail Road North	460-88995-0-0000	DB F, Vol. 96, PG 609
④	Aaron J. Glick	574 Trail Road North	31-2302868-318831	Inst. #202304546
⑤	Dean F. & Sherry M. Kreamer	5674 Elizabethtown Road	31-2304135-320216	DB 269, PG 34
⑥	Robert D. & Clairissa A. Mertz	5668 Elizabethtown Road	31-2305746-320605	Inst. #202114262
⑦	Elizabethtown Beagle Club	1307 Slate Hill Road	460-41380-0-0000	DB X, Vol. 54, PG 190
⑧	Gary J. Welsh	829 Trail Road North	460-96145-0-0000	Inst. #6102611
⑨	Mark E. Hunter	827 Trail Road North	460-68345-0-0000	Inst. #6335394
⑩	Milton Grove Sportsmens Club	731 Milton Grove Road North	460-54766-0-0000	DB 4647, PG 450
⑪	Big Chiques Bowmen	849 Milton Grove Road North	460-42248-0-0000	DB N, Vol. 430, PG 567
⑫	Allen W. Whittemore	1014 Trail Road North	460-85933-0-0000	Inst. #5402578

LOT LINE CHANGE PLAN FOR

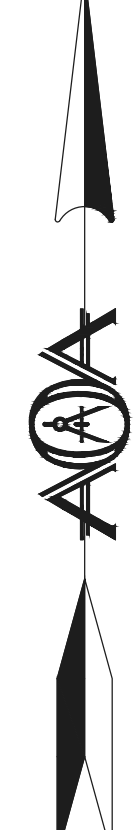
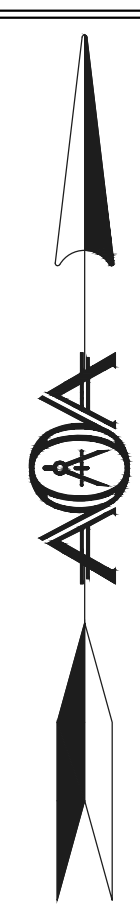
KLEINFELTER / LIBERTORE
955 & 1015 TRAIL ROAD NORTH

MOUNT JOY TOWNSHIP
 LANCASTER COUNTY
 COMMONWEALTH OF PENNSYLVANIA

ACT ONE & Associates
 Consulting Engineers & Surveyors

4701 N. Front Street, Harrisburg, PA 17110
 (717) 236-7500, fax (717) 236-3314
 Email: aoa@actoneassociates.com, Website: actoneassociates.com

DATE: May 4, 2024	REVISIONS:	DRAWN BY: MLN
SCALE: As Shown		CHECKED BY: RES
SHEET 2 of 4		JOB NO.: 24-011

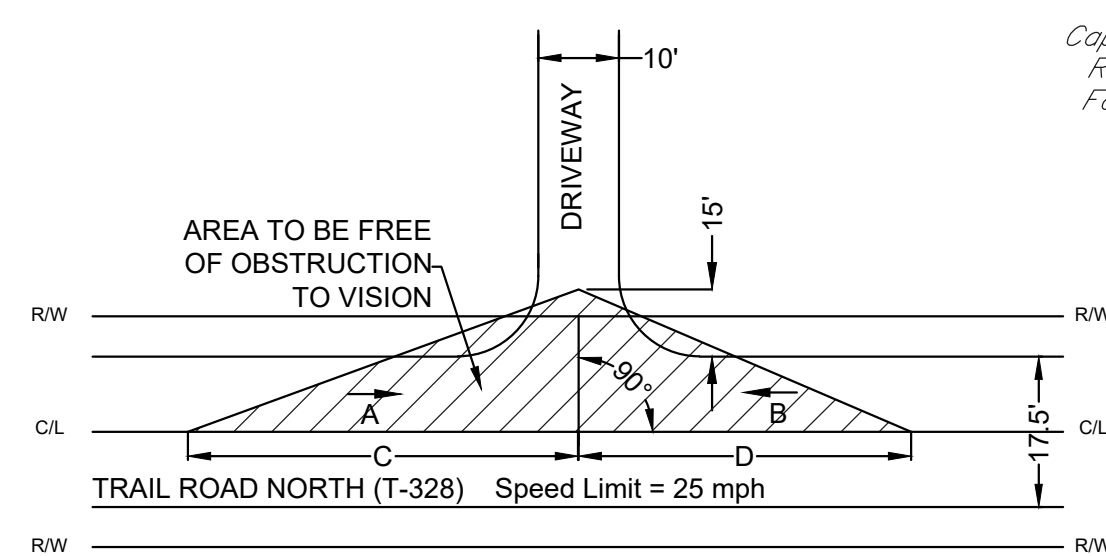
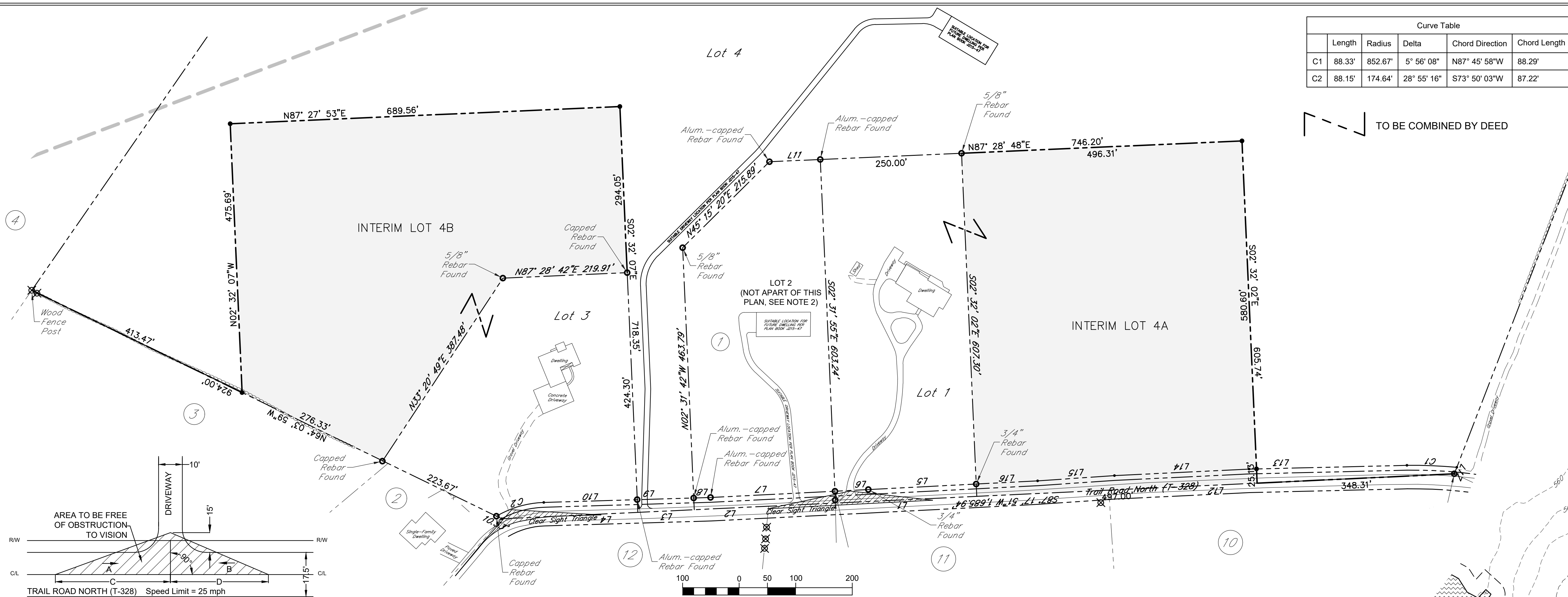


Curve Table					
Length	Radius	Delta	Chord Direction	Chord Length	
C1	88.33'	852.67'	5° 56' 08"	N87° 45' 58"W	88.29'
C2	88.15'	174.64'	28° 55' 16"	S73° 50' 03"W	87.22'

Existing Property Line Table		
Direction	Length	
L1	S87° 17' 51"W	250.02'
L2	S87° 17' 51"W	249.93'
L3	S87° 17' 51"W	99.90'
L4	S87° 17' 51"W	240.77'
L5	S87° 03' 45"W	190.72'
L6	S87° 07' 17"W	59.30'
L7	S87° 07' 17"W	219.99'
L8	S88° 17' 41"W	29.95'
L9	S88° 17' 41"W	99.91'
L10	S88° 16' 50"W	165.28'
L11	N87° 28' 40"E	90.00'
L12	S87° 17' 51"W	845.31'
L13	S88° 38' 21"W	279.22'
L14	S87° 15' 05"W	238.24'
L15	S86° 03' 17"W	136.02'
L16	S87° 02' 12"W	108.90'
L17	S21° 06' 01"W	12.36'

- EXISTING LEGEND**
Existing Feature Labeling Uses Lower Case Slanted Text
- Boundary Line
 - Right-of-Way
 - County Line Boundary
 - Contours
 - Spot Elevation
 - Edge of Paving
 - Edge of Gravel
 - Minimum Building Setbacks
 - Sewer Line
 - Underground Communication
 - Underground Electric
 - Overhead Electric
 - Stream
 - Fence Line
 - Stone Row
 - Treeline
 - Utility Pole w/ Guy Wire
 - Percolation & Probe Holes
 - Well
 - Cable Box
 - Electric Box
 - Telephone Box
 - Electric Meter
 - Wood Fence Post
 - Wetlands

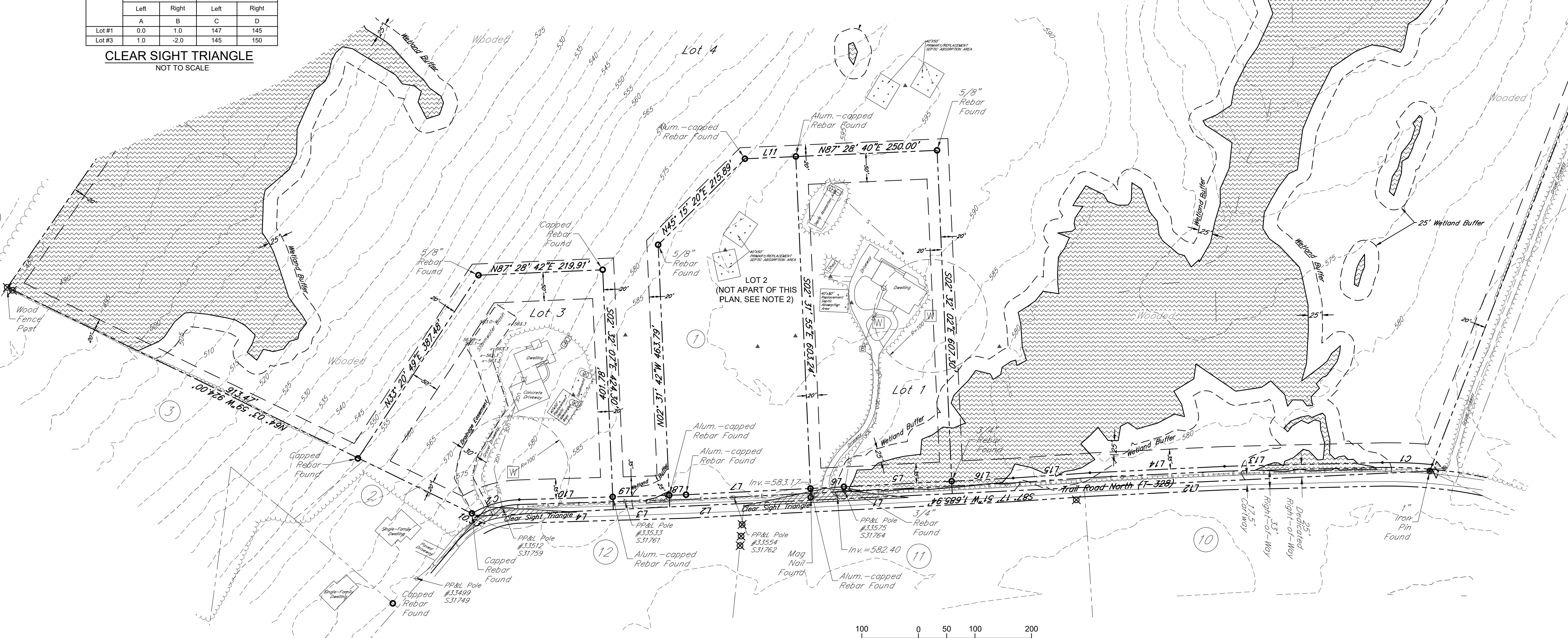
- PROPOSED LEGEND**
PROPOSED FEATURE LABELING USES UPPER CASE STRAIGHT TEXT
- BOUNDARY LINE
 - EDGE OF PAVING
 - MINIMUM BUILDING SETBACKS
 - WELL (SUITABLE LOCATION PER PLAN BOOK J215-47)
 - IRON REBAR (Ø)



	Roadway Slope (%)		Stopping Sight Distance (ft)	
	Left	Right	Left	Right
Lot #1	0.0	1.0	147	145
Lot #3	1.0	-2.0	145	150

CLEAR SIGHT TRIANGLE
NOT TO SCALE

INTERIM BOUNDARY CONFIGURATION



EXISTING CONDITIONS

LOT LINE CHANGE PLAN
FOR

KLEINFELTER / LIBERTORE
955 & 1015 TRAIL ROAD NORTH

MOUNT JOY TOWNSHIP
LANCASTER COUNTY
COMMONWEALTH OF PENNSYLVANIA

AOA
ACT ONE & Associates
Consulting Engineers & Surveyors

4701 N. Front Street, Harrisburg, PA 17110
(717) 236-7500, fax (717) 236-3314
Email: aoa@actoneassociates.com, Website: actoneassociates.com

DATE: May 4, 2024	REVISIONS:	DRAWN BY: MLN
SCALE: As Shown		CHECKED BY: RES
SHEET 3 of 4		JOB NO.: 24-011

FILE PATH: \\ACTONE\SERVER\COMPANY BACKUP\2024\24-011 955 TRAIL RD NORTH KLEINFELTER MT JOY LANCASTER\DRAWING\24-011 955 TRAIL RD NORTH KLEINFELTER MT JOY TWP.DWG
LAST SAVED: 5/8/2024 11:21 AM PLOTTED: 5/8/2024 12:00 PM PLOTTED BY: AOA-S



EXISTING LEGEND

- Existing Feature Labeling Uses Lower Case Strikethrough Text
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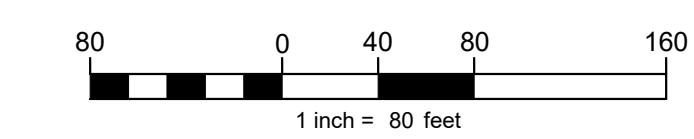
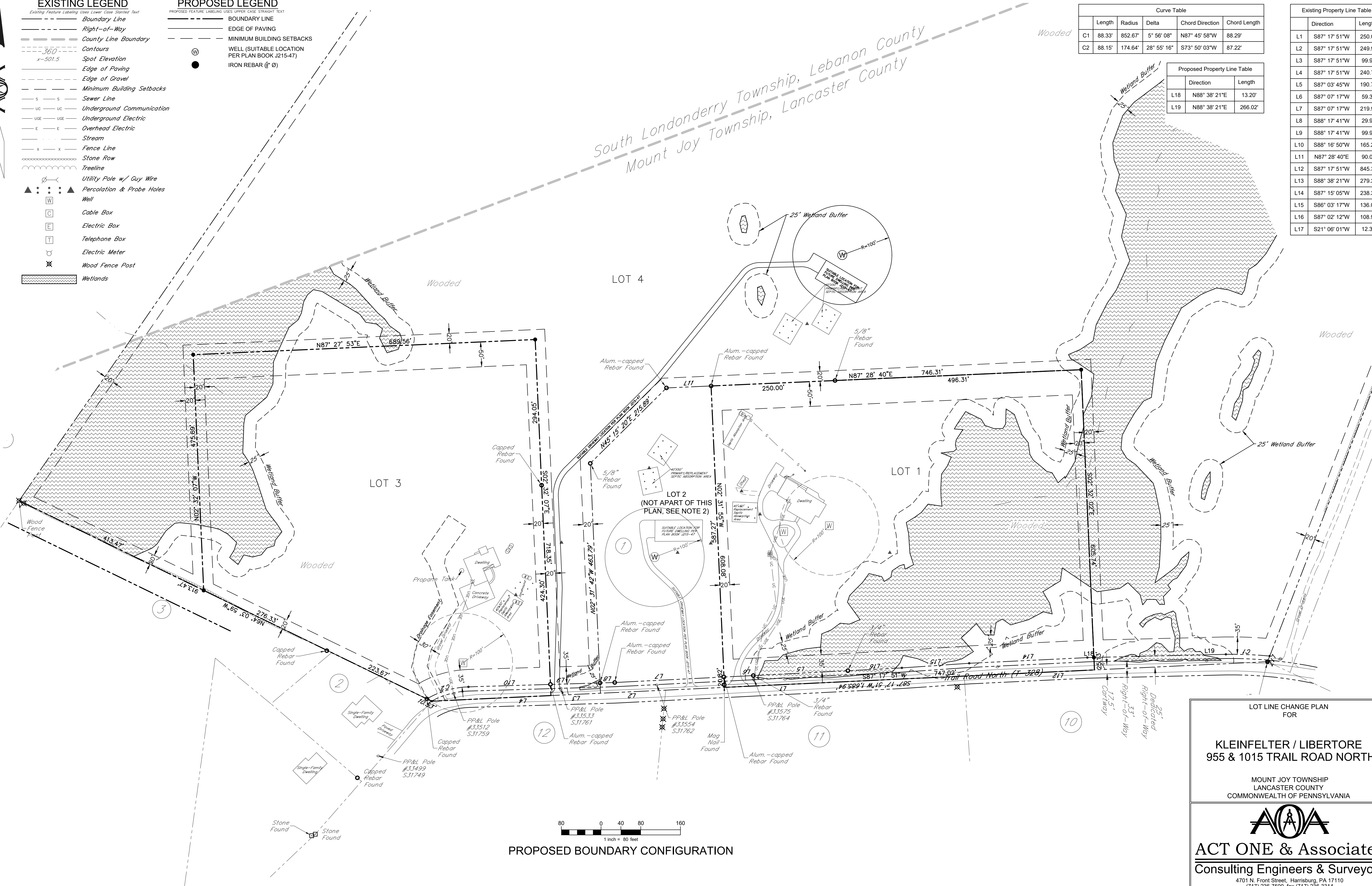
PROPOSED LEGEND

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L16	S87° 02' 12"W	108.90'
L17	S21° 06' 01"W	12.36'

Proposed Property Line Table		
	Direction	Length
L18	N88° 38' 21"E	13.20'
L19	N88° 38' 21"E	266.02'



PROPOSED BOUNDARY CONFIGURATION

LOT LINE CHANGE PLAN
FOR

KLEINFELTER / LIBERTORE
955 & 1015 TRAIL ROAD NORTH

MOUNT JOY TOWNSHIP
LANCASTER COUNTY
COMMONWEALTH OF PENNSYLVANIA

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May 22, 2024

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

Via email: Justin@mtjoytwp.org

Re: Lot Line Change Plan for Kleinfelter/Libertore
Township Permit No. 24-11-LLCP
LCEC Project No: 25-166



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

Dear Mr. Evans,

We have received a lot line change plan submission from Act One & Associates for the above-referenced project. The submission consisted of the following documents:

- Lot Line Change Plan dated May 4, 2024
- Waiver Request for Lot Line Change Plan dated May 8, 2024
- South Londonderry Township Board of Supervisors Meeting Minutes dated April 9, 2024
- Email correspondence re: deferral of Lot Line Change Plan to Mount Joy Township dated April 10, 2024
- Email correspondence re: Lebanon County Planning deferment notification dated May 6, 2024

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 December 6, 2023, the Board granted a variance from Section 135-85.B(1) to permit two additional non-agricultural subdivisions from the parent tract.
2. The maximum lot area shall be added to the Zoning Data table on the Cover Sheet (135-85.C(2)).
3. The minimum setbacks for accessory buildings shall be added to the Zoning Data table on the Cover Sheet (135-86.B, C, & D).
4. Clear sight triangles and stopping sight distances shall be shown at the proposed driveways (135-299.E(2) & 119-31.D(12)).
5. Slopes greater than 15% shall be shown on the plans (135-305.A).
6. The applicant shall enter into a recordable agreement with the Township providing for the permanent maintenance of the wetland areas, in a form acceptable to the Township Solicitor (135-307.E).

7. The “Restaurant” description of the Parking Requirements in the Zoning Data Table on the Cover Sheet shall be corrected (135-343.A(1)).

Subdivision and Land Development Ordinance

8. The applicant has requested a modification of the requirement to submit a preliminary plan; however, a modification of this requirement is not needed (a single application is acceptable for lot line change plans) (119-25 & 119-27). This waiver request shall be removed from the Cover Sheet and the waiver request letter.

9. 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 modification of this requirement.

Modification response: The existing plans sheet is shown at a scale of 150 feet to the inch in order to show all of Lot 4 (114.22 acres). The proposed lot line changes are shown at a scale of 80 feet and 100 feet to the inch. Based on these considerations, I have no objections to a modification of this requirement.

10. The plans shall be signed and sealed by a registered engineer, surveyor or landscape architect (119-31.A(5)).
11. The plan shall identify all prior plans, including all notes or restrictions affecting the current development, with a verification signed by the design professional that such list is complete and correct (119-31.B(14) & 119-51.C).
12. The total number of lots, units of occupancy and density shall be provided on the plans (119-31.D(3)).
13. The PP&L easement described in Note 8.1 of the Cover Sheet shall be shown on the plans (119-31.D(4)). Also reference shall be made to the PP&L easement recorded as Instruction #6539553 and this easement shall be shown on the plans as well.
14. The right-of-way shown on the Final Subdivision Plan for Mark E. Kleinfelter & Marian L. Fetter (Instrument #5135240) was dedicated to the Township via a deed recorded as Instrument #5141322. Note 11 on the Cover Sheet indicates that this right-of-way is being re-dedicated as part of the current plan; however, the right-of-way cannot be re-dedicated if it has already been dedicated. This note shall be revised to remove the reference to “re-dedication” and to include a reference to the deed of dedication recorded as Instrument #5141322 (119-31.D(4)). The “Right-of-Way Line” on Sheets 3 and 4 of the plans shall be removed from the plans and the “Dedicated-Right-of-Way” line for Trail Road North shall be labeled as “Existing Right-of-Way”.
15. The plans shall indicate when the lot line markers are to be set (119-31.D(14)(a) & 119-57.D).
16. The wetlands study described in Note 6 shall be provided (119-32.B & 119-34.E(3)(c)).
17. Conservation easements shall be provided around the perimeter of all wetlands (119-32.B(6) & 119-56.H).
18. A statement shall be added to the plan indicating the variance granted by the Zoning Hearing Board, including all of the conditions (119-35.D(6) & 119-51.B).
19. All certificates shall be executed prior to final plan approval (119-35.E).
20. The most recent Lancaster County Planning Commission certificate shall be shown on the plans (119-35.E(1)(d)).

21. A copy of the deed with the perimeter description of Lot 3 and 4 shall be provided prior to the final release of financial security (119-35.E(4)(g)).
22. A construction cost estimate and financial security shall be provided (119-41 & 113-60). The cost estimate shall include the costs for setting the proposed lot markers and monuments. If the proposed lot markers and monuments are set prior to the recording of the plan, and the plan is revised to include the set markers and monuments, then financial security would not need to be posted.
23. The frontage along Trail Road North 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. The required cartway for a local street outside of the urban growth area is 20 feet with 2-foot paved shoulders. The applicant has requested a waiver for this requirement.

Waiver response: The applicant indicated in the request that no construction or land development is proposed in the new plan. In addition, the Township is scheduled to widen the frontage of Trail Road North this summer. Based on these considerations, I have no objections to this proposed modification.

24. 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)).
25. Note 9 states that no structures, landscaping or grading may be constructed, installed or performed within the area of the clear sight triangle which would obscure the vision of motorists; however existing landscaping/vegetation is shown within the clear sight triangles for Lots 1 and 3. Deeds to lots which contain clear sight triangles shall provide the restrictions in Note 9 on the Cover Sheet (119-52.L). The applicant shall confirm that the clear sight triangles for Lots 1 and 3 shown on Sheet 3 of the plans are consistent with Note 9.
26. The unlabeled lot line markers along the “Dedicated Right-of-Way” shall be labeled on the plan or included in the legend (119-57.A).
27. 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). Lot line markers shall be set at all points where lot lines intersection curves, at all angles in property lines, at the intersection of all other property lines and at the street right-of-way (119-57.D). The applicant has requested a waiver for this requirement.

Waiver response: The applicant indicates that it may be physically impossible to set monuments and markers due to the underlying Diabase geological unit. In addition, the applicant indicates at least some markers will be set where field conditions permit and drill holes will be placed where large, surface boulders are present. It is our opinion that the applicant has not provided sufficient justification for a waiver of this requirement. A waiver of this requirement may be appropriate after the applicant attempts to set all required monuments and markers and if evidence is provided to show the monuments and markers cannot physically be set. Based upon these considerations, I am not able to support a waiver of this requirement at this time.

28. A note shall be provided on the plan indicating when the monuments and markers are to be set (119-57.H).

29. Any action taken on waiver requests, dates, and any conditions of approval shall be added to the cover sheet (119-91.C).

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,

A handwritten signature in blue ink that reads "Benjamin S. Craddock". The signature is written in a cursive style.

Benjamin S. Craddock, PE, President

LANCASTER CIVIL

cc: Patricia Bailey, Township Secretary (via email)
Josele Cleary, Esquire, Township Solicitor (via email)
Renee Addleman, Planner, LCPC (via email)
Rob Shaffer, PE, ACT One & Associates (via email)

**PROPOSED MOTION FOR THE LOT LINE CHANGE PLAN
FOR KLEINFELTER / LIBERTORE
955 & 1015 TRAIL ROAD NORTH
M.J.T.P.C. File # 24-11-LLCP**

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:

- (1) §119-31.A(1) – Plan scale
- (2) §119-52.J(3) – Improvement of existing streets

And having granted such waivers, grant approval of the Lot Line Change Plan for Kleinfelter / Libertore 955 & 1015 Trail Road North (the “Plan”) prepared by Act One & Associates, Drawing No. 24-011, dated May 4, 2024, 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 May 22, 2024.
2. To the extent not otherwise provided in these conditions, Applicant shall address the comments of the Township Solicitor’s review letter.
3. Applicant shall address and comply with all conditions contained in the Mount Joy Township Zoning Hearing Board (MJTZHB) decision dated December 11, 2023.
4. Applicant shall record a deed with a perimeter legal description within 30 days after the plan is released for recording. Mount Joy Township reserves the right not to issue permits to allow construction of any building or addition to an existing building until provided with proof that deeds with perimeter legal descriptions have been recorded.
5. If the required lot line markers and monuments are not set prior to final plan recording, applicant shall submit financial security to guarantee their proper installation and shall be in a form acceptable to the Township Solicitor. The amount of said financial security shall be in the amount consistent with the construction cost opinion approved by the Township Engineer.
6. 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.

[05/23/2024]

**ACCEPTANCE OF CONDITIONS UPON APPROVAL OF A
LOT LINE CHANGE PLAN
IMPOSED BY THE PLANNING COMMISSION OF MOUNT JOY TOWNSHIP
FOR**

**FOR KLEINFELTER / LIBERTORE
955 & 1015 TRAIL ROAD NORTH
M.J.T.P.C. File # 24-11-LLCP**

I have reviewed the conditions imposed by the Planning Commission of Mount Joy Township, Lancaster County, Pennsylvania, at the meeting on May 29, 2024, upon the approval of the Lot Line Change Plan for Kleinfelter / Libertore 955 & 1015 Trail Road North (the "Plan") prepared by Act One & Associates, Drawing No. 24-011, dated May 4, 2024. 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