



# MOUNT JOY TOWNSHIP

• Lancaster County, Pennsylvania •

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## Minutes of a Regular Meeting of the Mount Joy Township Planning Commission Held on May 29, 2024

1. Chairman Arlen Mummau 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 — Absent

Michael McKinne — Present

Arlen Mummau — Present

Delmar Oberholtzer — Present

Bill Weik, Jr. — Absent

Other Township Representatives Present: Patricia J. Bailey, Township Secretary/Assistant Zoning Officer; Ben Craddock, PE, Township Engineer

4. Public Comment: NONE

5. Consent Calendar:

a. Approve and ratify the minutes of the April 22, 2024 meeting.

b. Authorize execution of Component 4A for the Sewage Facilities Planning Module related to the Elhadj event barn located at 2038 Creek Road, Manheim

c. Acknowledge the 60-day extension of time granted by the applicant in which to take action on the Land Development Plan – Proposed Building for Jay Garman (#24-05-MLDP)

A motion was made by Michael McKinne and seconded by Delmar Oberholtzer to approve the Consent Calendar as written. All members present voted in favor of the motion.

6. Old Business:

a. Final Subdivision and Land Development Plan for 1376 Campus Road – Phase 1A (#22-15-FLDP) – Proposal to develop Phase 1A with 70 single-family detached dwellings. Phase 1A is part of the 127.53-acre site located at 1376 Campus Road and is within the R-2 – Medium-Density Residential District.

Claudia Shank, McNees Wallace & Nurick, LLC and Andy Miller of Catalyst Commercial Development were in attendance to request waivers to allow for earthwork and infrastructure installation for Phase 1A to begin prior to recording the plan. Ms. Shank outlined the three waivers that are being requested tonight. Mr. Miller stated the preliminary plan has been approved. Both EAWA and ERSA have new Solicitors who want to review the draft agreements. This has held up having the plans recorded. Everything is anticipated to be completed by June. All E&S approvals have been received along with the NPDES permit. Mr. Miller said they are looking to record phase 1A by the end of June. The timeline for the work is to have the bulk grading, round about construction completed and installation of utilities

completed by Thanksgiving 2024. Benjamin Craddock, Township Engineer had no objections to the waivers as everything required on the preliminary plans for phase 1 were on the final plans for the entire site.

A motion was made by Kevin M. Baker and seconded by Rodney Boll to grant waivers of §119-28, §119-93.A, & §119-93.B to permit earthwork and installation of infrastructure prior to Phase 1A Final Plan recordation. 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.

Jay Garman along with Cameron Renehan of Team Ag were in attendance to discuss the proposed construction of a building for a feed grinding business. Mr. Renehan stated the one thing they wanted to nail down was the repair of one vehicle per day other than a business vehicle. Also, the final layout of the proposed building has not been received at this time. Mr. McKinne questioned if the site distance when pulling out of the driveway has been determined. Mr. Craddock stated it is shown on the plans. A utility pole will be relocated to allow room for trucks turning into the property.

Mr. McKinne asked if the trucks that are family-owned could be parked outside. Mr. Renehan stated during ZHB testimony only one business-related tractor trailer could be parked outside overnight. The repair business vehicles would be parked inside. Mr. Oberholtzer asked several times for the detailed layout of the building. He expressed concern that everything will be able to fit within the 59' that is allowed for the commercial business. Mr. Oberholtzer also questioned the use of a curtain to separate the wash bay from the repair side.

There was also concern about approving a commercial business on a farm that is in Ag Preserve. Mr. Oberholtzer stated that allowing a business goes against being in Ag Preserve and feels the Board would be setting a precedence. Mr. Garman stated he has notified the Ag Preserve Board and was told it was ok to have the business but that the building could only be 49% of the business and 51% would be for agricultural purposes for the property.

Mr. Mummau is concerned that over time truck traffic will increase for the business. He stated he sees the volume of trucks at his brother's business up the road. There have been complaints concerning water and oil running down the road due to the washing of trucks outside. Mr. Garman stated he will be doing some rinsing off of trucks outside. Mr. Renehan stated there is no approval required by DEP for the outside washing of vehicles. Mr. Craddock stated DEP says that "occasional" washing of trucks is allowed. The Board questioned what occasional means. Mr. Renehan stated there will be a holding tank for vehicles washed inside. Mr. McKinne questioned Condition 9 and would like to know who gives approval. Is it DEP?

Mr. Garman said he feels he is being mistreated due to what other family members are doing. He will do what he is telling the Planning Commission he will do. He is the owner and knows what he needs in a building. Mr. Mummau just wants to make sure the Planning Commission is doing their due diligence, so nothing comes back on their decision.

Mr. Renehan stated they will also be requesting a waiver of the Deferred Road Improvement Agreement. Mr. Craddock reported waivers are granted for Lot Line Change Plans. All the new developments have road improvement agreements in place. Mr. Baker and Mr. Oberholtzer are against making him pay for road improvements just because he is constructing a building. Mr. McKinne stated he is opposed to granting a waiver of the Subdivision and Land Development Ordinance because it is the Board of Supervisors ordinance. It is theirs to grant the waiver.

The Planning Commission members requested Mr. Garman to return next month with a detailed plan showing the complete layout of the commercial business and the ag business. They would also like to find out what “occasional” means for the outdoor truck washing from DEP.

- c. 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.

Brent Good from ELA Group and Brandon Conrad from Vistablock were in attendance to present a revised sketch plan for Westmount Development. Mr. Good said the plan shows 211 townhouse units and 78 multifamily units. Property was purchased from Henry R. & Kristina L Werner to allow for the development to connect to Bradfield Drive which is a dedicated road. The gravel driveway for the existing pole barn would remain. The pole barn will be converted into a community center to be used by the residents. ERSA has requested the pump station to be on its own lot (Lot #8). All of the units will be rented and be under an HOA.

Mr. McKinne asked how this plan was submitted which Mr. Good said was a final plan. Mr. McKinne stated the original plan had around 100 comments from the Township Engineer and wondered if they have ever been addressed and could resurface again with a new plan. Mr. Good stated the original plan will be withdrawn and the review process will begin again.

The road width will vary and there will be on street parking. There are no curves in the road as they would have lost some dwelling units to make the curves. There will be speed tables installed at some of the intersections. Bradfield Drive will have a speed limit of 25 MPH. The parking spaces will have 2 outside spaces per townhouse. There will be 59 on-street parking spaces.

Dumpsters will be placed in two locations for the apartments. Waiver request of §119-52.S(6) is being requested because where they are shown on the plans would block several parking spaces for several minutes 1 day per week. In Mr. Craddock’s review, he feels these are not adequate grounds for demonstrating the unreasonableness or hardship of fulfilling the requirement. Mr. McKinne agrees as he does not see the hardship.

The other waiver request that Mr. Craddock did not see the hardship was for §119-53.B(10) which is the 4’ wide grass planting strip between the back of the curb and the edge of the sidewalk. Pedestrians like to be farther from the cartway. Mr. Good stated he feels people would like to step onto a sidewalk instead of the grass strip. Mr. Craddock stated all other developments have the grass planting strip. Mr. Good stated the hardship is that the sidewalk would need to be bowed and moved outside of the ROW which would require an easement. Mr. Craddock asked if the sidewalk can be moved back the entire length to meet the requirement. Again, Mr. McKinne did not see the hardship.

Mr. Oberholtzer asked what the setbacks are to the railroad tracks. Mr. Good stated it will be a total of 75’ with a fence and landscaping. Mr. Oberholtzer asked if trucks will be able to make their turn in the “hammerhead” areas at the end of each townhouse building. Mr. Good concurred. No Parking signage will also be placed in the “hammerhead”.

The discussion then moved onto trash. The idea is for each townhouse unit to put their trash along Bradfield Drive. Ms. Bailey stated the contract the Township has in place does not cover toters. This would mean that each unit could potentially put at least 3 bags of trash along Bradfield Drive. This should be discussed in more detail as the plan moves forward.

A motion was made by Delmar Oberholtzer and seconded by Arlen Mummau to grant the following waivers:

- (1) §119-52.S(3)(d) – 200’ separation between access drive intersections
- (2) §119-52.S(3)(i) – 15’ separation between access drive and property line
- (3) §119-52.S(6) – trash collection area – NOT GRANTED
- (4) §119-53.B(1) – sidewalks on both sides of streets and access drives
- (5) §119-53.B(10) – 4’ wide grass planting strip – NOT GRANTED
- (6) §119-53.C(1) – concrete curb along access drives
- (7) §119-54.B – maximum length of a residential block
- (8) §119-55.E – 75’ residential setback from the railroad right-of-way (waiver previously granted at the 7/24/2023 meeting but must be revisited due to reconfiguration)

All members present voted in favor of the motion.

There is a proposed flag lot with the pump station. It does not seem like anything that will be done will met Township requirements. It could be made into a private drive and stubbed out with two access drives.

(NOTE: Waivers granted at the February 26, 2024 meeting)

- §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

7. New Business: NONE

8. Initial View: NONE

- a. Lot Line Change Plan for Kleinfelter / Libertore 955 & 1015 Trail Road North (#24-11-LLCP): Proposal to subdivide a 6.9201-acre and a 6.8505-acre tract from the 114.2248-acre parent tract for the purpose of increasing the lot sizes of two existing lots. The resultant lots will contain 10.4079 acres, 10.1272 acres, and 100.4543 acres (gross). The site is located within the A – Agricultural District and are served by on-lot water and sewer facilities.

Mark Kleinfelter was in attendance to provide information on his Lot Line Change Plan. The plan is to take 14 acres from the parent tract and add to 955 and 1015 Trail Road N. so each lot is 10 acres. This would allow the owners of each property to go into the Clean and Green program. The monument markers must be set prior to recording the plans. Two must be on Trail Road N. Mr. Kleinfelter stated that should be done shortly. Mr. Craddock suggested holding off on granting the waiver for the survey monuments until later, Since the Lancaster County Planning Department has not completed their review, the plan cannot be approved at this point.

A motion was made by Michael McKinne and seconded by Kevin M. Baker to grant the following waivers:

- (1) §119-31.A(1) – Plan scale
- (2) §119-52.J(3) – Improvement of existing streets
- (3) §119-57.B – Survey monuments and markers – NOT GRANTED

All members present voted in favor of the motion.

- b. Final Land Development, Subdivision, and Lot Add-On Plan for Raffensperger – Phase 1 (#24-10-FLDP): Proposal to develop Phase 1 of the Raffensperger project that includes the subdivision of 53 single-family residential lots on the 33.97-acre site. The project is located in the R-2 – Medium-Density Residential District and will be served by public water and sewer. A small add-on parcel will be divided from the parent tract and combined with the adjoining Erb lot at the northeast end of the site.

Kim Fasnacht of RETTEW Associates, Inc. was in attendance to present the Raffensperger – Phase 1 plan. Phase 1 will be developed east of the stream and consist of 53 single-family dwellings. The preliminary plan was approved in September 2023. Reviews have been received by the Township Engineer as well as the Township Solicitor. Most of the comments were either administrative or tweaks to the plan. All improvements will be made to Sheaffer Road. During the approval of the preliminary plans, the improvements to SR 230 were deferred. The Phase 1 plan is still under review by ERSA and EAWA. An HOA will be required for the development. Mr. McKinne stated that there are so many easements on the lots. Ms. Fasnacht commented that each lot will have the required 25’ backyard. They would like to begin construction as soon as possible. There will be on street parking one side of each street which is above and beyond the requirement.

9. Correspondence: NONE

10. Other Business:

There was a gentleman that spoke at the end of the meeting concerning the pole building on the Westmount property. He stated that the pole barn was not constructed to be a public community center and asked how that will be taken care of. Ms. Bailey stated that it will need to be brought up to code for a public building during the permit process.

11. The next regular meeting of the Mount Joy Township Planning Commission is scheduled to be held on **Monday, June 24, 2024** beginning at 7:00 P.M.

12. A motion was made by Rodney Boll and seconded by Delmar Oberholtzer to adjourn the meeting at 9:24 p.m. All members present voted in favor of the motion.

Respectfully Submitted,



Patricia J. Bailey  
Township Secretary / Assistant Zoning Officer