



MOUNT JOY TOWNSHIP

• Lancaster County, Pennsylvania •

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Minutes of a Regular Meeting of the Mount Joy Township Planning Commission Held on June 24, 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 — Arrived at 7:10 p.m.

Gerald Cole — Present

Michael McKinne — Absent

Arlen Mummau — Present

Delmar Oberholtzer — Present

Bill Weik, Jr. — Present

Other Township Representatives Present: Kim Kaufman, Township Manager; Justin Evans, 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 and May 29, 2024 meetings

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

6. Old Business:

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.

Landowner Mark Kleinfelter updated the Commission that the new property corners have been set. Mr. Evans noted the Lancaster County Planning Department comments were received since the initial view in May, enabling action on the plan.

A motion was made by Kevin Baker and seconded by Delmar Oberholtzer to 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 dated June 14, 2024.

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 deeds with new perimeter legal descriptions within 30 days after the plan is released for recording. This applies to the enlarged Libertore lot (Lot 3) and the enlarged Kleinfelter lot (Lot 1). 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. Applicant shall reimburse the Township for all reasonable engineering and legal fees incurred in the review of plans under the Subdivision and Land Development Ordinance, Storm Water Management Ordinance, and other governing ordinances; review or preparation of documentation required in connection with the development; review and approval of financial security and other documentation; inspection of improvements; and for other costs as set forth in these Conditions within 30 days after receipt of an invoice for such fees. If Applicant fails to pay such costs within 30 days after the date of a written invoice for such costs, Applicant shall be in violation of this Condition.

All members present voted in favor of the motion.

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

Landowner Jay Garman was present with John Williamson of TeamAg to discuss the Commission's outstanding questions with the proposal. Mr. Cole asked if Mr. Garman is willing to provide Township staff with a daily log of trucks coming to the site for repairs and/or washing once the business is operational. He was willing to do so. Mr. Oberholtzer asked for the building layout to see how the interior space will be managed between the business and the farming operation. Mr. Garman showed the building plans to the Commission and noted he has been working with Agricultural Preserve Board staff to stay within their guidelines. He wishes to have seasonal flexibility with how the interior space is used.

Mr. Garman plans to use compressed air more often than washing the grinding equipment to remove the fine dust. This is more effective than wet washing for this purpose and should cut down on the frequency of washing and the amount of wash water generated by the business. He reiterated his willingness to provide a daily log of activity on a monthly basis for compliance.

A motion was made by Gerald Cole and seconded by Rodney Boll to grant approval of the Minor Land Development Plan for Proposed Building – Jay Garman (the "Plan") prepared by TeamAg, Inc., Drawing No. 5947-23-01, dated January 19, 2024, subject to the following conditions:

(Note: The Planning Commission granted relief at the April 22, 2024 meeting with a waiver of §119-31.A(1), plan scale and a deferral of §119-52.J(3), improvement of existing streets.)

1. To the extent not otherwise provided in these conditions, Applicant shall address the comments of the Township Engineer's review letter dated April 18, 2024.
2. To the extent not otherwise provided in these conditions, Applicant shall address the comments of the Township Solicitor's review letter dated February 3, 2024.
3. Applicant shall address and comply with all conditions contained in the Mount Joy Township Zoning Hearing Board (MJTZHB) decision dated September 14, 2024.
4. Applicant shall submit a fully executed Storm Water Management Agreement and Declaration of Easement, which shall be acceptable to the Township Solicitor and in recordable form. The

Agreement, fully executed, shall be submitted and approved prior to the release of the final plan for recording.

5. 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 widening of the property's frontage along Rissermill Road. The Agreement, fully executed, shall be submitted and approved prior to the release of the final plan for recording.
6. Applicant shall submit a fully executed Land Development Agreement, which shall be acceptable to the Township Solicitor. Said Agreement shall be submitted and approved prior to the release of the final plan for recording.
7. Applicant shall submit financial security to guarantee the proper installation of all improvements associated with this land development project prior to the release of the final plan for recording 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.
8. Applicant shall gain approvals from the Township Sewage Enforcement Officer pertaining to a replacement on-lot sewage treatment area.
9. Applicant shall gain approvals and enter into a agreement in a form acceptable to the Township Solicitor pertaining to the proposed holding tank for the commercial business.
10. Applicant shall apply for and obtain all necessary permits prior to commencing any construction activities.
11. 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.
12. Applicant shall provide the Township each month a daily log of the number of vehicles washed inside and outside of the barn, as well as the number of outside vehicles serviced as part of the farm-related business.

All members present voted in favor of the motion.

7. New Business:

- a. Land Development Plan Waiver for Savaland, LLC (#24-14-WAIV): Proposal to construct a two-unit semi-detached structure on the subject tract which contains an existing single-family dwelling and accessory structure. The site is located at 933 Campus Road and is within the R-2 Medium Density Residential District. It is served by public water and sewer facilities.

David Bitner of Bitner Engineering presented the waiver request with landowner Giuseppe Ferrarelli in the audience. He provided an overview of the proposal to construct two semi-family detached dwellings on the property that currently contains a single-family dwelling. The Township's reviews identified several zoning matters that may require relief from the Zoning Hearing Board, including the cumulative minimum lot frontage and minimum lot size for a lot with three dwellings as proposed. Mr. Bitner said that a boundary survey is needed to calculate the exact dimensions to determine if the proposal can meet these requirements.

The Commission discussed the appropriateness of waiving a land development plan in this situation. Sewage planning, road frontage improvements, and demonstration that the single-family home and the duplex could be divided onto their own lots and meet zoning requirements need to be addressed before action on the waiver is taken.

A motion was made by Gerald Cole and seconded by Bill Weik, Jr. to table the waiver request until more details are available and/or action is taken by the Zoning Hearing Board. All members present voted in favor of the motion.

8. Initial View:

- a. Final Minor Subdivision Plan for Lancaster County Career & Technology Center Mount Joy Campus Lot 2 (#24-12-FSDP): Proposal to subdivide a 0.919-acre residential lot from the 65.96-acre campus. The site is located within the R-1 Low-Density Residential District and is served by public water and sewer facilities. Road frontage is gained through a shared driveway flag lot upon Fairview Street.

i. Consideration of Waivers:

- (1) §119-32-.C(2) – Traffic impact study
- (2) §119-52.J(3)(a) – Improvement of existing streets
- (3) §119-53.B(1) & (2) – Sidewalks
- (4) §119-53.C - Curbs
- (5) §119-61 – Park and recreation fee-in-lieu
- (6) §119-62 – Recreation trail
- (7) §113-32.A(2)(c) – Loading ratios in Karst areas
- (8) §113-43.I(5) – Man made features within 200’
- (9) §113-43.I(6) – Existing stormwater management facilities

The applicant was not present for the meeting. Mr. Evans stated he will reach out to the consultant to coordinate the initial view at a future meeting.

9. Correspondence:

- a. Lancaster County Planning Commission review of the Raffensperger Tract Phase 1 plan (#24-10-FLDP), dated June 4, 2024

10. Other Business:

- a. MS4 Program Update for 2023-2024

Mr. Evans gave a presentation detailing the Township’s implementation of the Stormwater Management Program under the MS4 permit for the 2023-2024 reporting year that concludes on June 30, 2024.

11. The next regular meeting of the Mount Joy Township Planning Commission is scheduled to be held on Monday, July 22, 2024 beginning at 7:00 P.M.

12. A motion was made by Gerald Cole and seconded by Kevin Baker to adjourn the meeting at 8:10 p.m. All members present voted in favor of the motion.

Respectfully Submitted,

A handwritten signature in black ink that reads "Justin S. Evans". The signature is written in a cursive style with a large initial 'J' and a long, sweeping underline.

Justin S. Evans, AICP
Zoning Officer