

McNees Wallace & Nurick LLC 570 Lausch Lane, Suite 200 Lancaster, PA 17601

#### **RECEIVED**

Dec 11 2024

MOUNT JOY TOWNSHIP

Peter Wertz Direct Dial: 717.581.2314 Fax: 717.291.2186 pwertz@mcneeslaw.com

December 10, 2024

Mount Joy Township Attn: Justin Evans Township Manager 8853 Elizabethtown Road Elizabethtown, PA 17022 VIA HAND-DELIVERY

RE: 1376 Campus Road ("Property") – Zoning Hearing Board Application

Dear Justin:

We represent 1376 Campus Road Associates, LLC ("Applicant"), the owner of the above-referenced Property in Mount Joy Township. Applicant is seeking variances to facilitate the installation of a private trail extension and certain residential development signage on the Property. The tax parcel numbers for the portions of the Property impacted by the requested relief are set forth in the enclosed Application.

Enclosed in support of its request are the following:

- 1. One (1) original and five (5) copies of the Township's Zoning Hearing Board Application;
- 2. Six (6) copies of a Narrative in Support of the Application providing justification for the requested relief and related supporting documentation; and
- 3. A check made payable to Mount Joy Township in the amount of \$750.00 constituting the filing fee for the Application

We request that the enclosed Application be placed on the Mount Joy Township Zoning Hearing Board's agenda for January 8, 2025. At the meeting, Applicant will present testimony and additional evidence to provide justification for the requested relief. It is our understanding that the Township will provide appropriate public notice and post the Property as required under the Pennsylvania Municipalities Planning Code. We also request that the Township arrange to have a stenographer present at the meeting.

Please confirm placement of the enclosed Application on the January 8, 2025, Zoning Hearing Board agenda. Do not hesitate to contact me if you have any questions or need any further documentation.

Sincerely

Peter Wertz

MCNEES WALLACE & NURICK LLC

PW

**Enclosures** 

CC:

Andy Miller, w/enclosure

Chris Venarchick, RLA, w/enclosure

ZHB Case #	
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## Mount Joy Township

8853 Elizabethtown Rd Elizabethtown, PA 17022 Phone: (717)367-8917 - Fax: (717)367-9208

# Zoning Hearing Board Application

1. Applicant Information	
Name: 1376 Campus Road Associates, LLC	
Address: 100 Front Street, Suite 560	City/State/Zip: West Conshohocken, PA 19428
Phone:717.581.2314	Fax:
E-mail: pwertz@mcneeslaw.com	
2. Landowner Information (if different from	m the Applicant)
Name:	
Address:	City/State/Zip:
Phone:	Fax:
E-mail:	
3. Property Information	
Property Address: Tax Parcel Nos. 460-56627-0-	-0000; 460-66914-0-0000; and 460-55127-0-000
City/State/Zip: Mount Joy Township, Lancaster	County, PA
Existing Use: See attached Narrative	Proposed Use: See attached Narrative
Total Property Area (Sq. Ft. or Acres): See attac	hed Narrative
	HIP USE ONLY
Date Application Received:	
Date Application to be heard:	
Tax Parcel #:	
Zoning District:	

Application Denied/Approved:\_

# 4. Request for Special Exception Section(s) of Zoning Ordinance for which a Special Exception is requested: Provide an explanation of your proposal, particularly, why you need a special exception and for what type of use the special exception is being requested for: N/A This site is suitable for a Special Exception Use because: How will the request affect adjacent properties? (Dust, noise, fumes, odors, glare, increased traffic, character of the neighborhood etc.): N/A

#### 5. Expansion of Special Exception Uses

Are there any existing nonconformities on the lot, if s	so list them:
---	---------------

N/A

Existing and proposed square footage of the structure:

N/A

Percentage of Expansion:

N/A

Existing front, side and rear yard setbacks:

N/A

Proposed front, side and rear yard setbacks: N/A
6. Request for a Variance
Section(s) of the Zoning Ordinance for which a Variance is requested: See attached Narrative
Why do you need a variance and what is your proposed alternative from the requirements of the Township Zoning Ordinance? See attached Narrative
What physical characteristics of the property prevent it from being used for any of the permitted uses in your zoning district? (Topography, size and shape of lot, environmental constraints, etc.):"
See attached Narrative
Explain how the requirements of the Zoning Ordinance would result in difficulties or undue hardships in the use of your property, buildings and/or structures:
See attached Narrative
Explain how the granting of a variance will not be a substantial detriment to the public good or a substantial impairment of the intent and purpose of the Zoning Ordinance:
See attached Narrative

#### 7. Certification

I/we, the undersigned, do hereby certify that:

- 1. The information submitted here in is true and correct to the best of my/our knowledge and upon submittal becomes public record.
- 2. Fees are not refundable, and payment does not guarantee approval of the Zoning Hearing Board Application.
- 3. All additional required written graphic materials are attached to this application

By: Manuface & Nurick LLC	12/10/24	
Applicant Signature	Date Signed	
Peter Wertz, Esq., Counsel for Applicant		
Applicant's Name (Printed)		
Landowner Sign (if different from Applicant)	Date Signed	
Landowner's Name (Printed)		

### NARRATIVE IN SUPPORT OF MOUNT JOY TOWNSHIP ZONING HEARING BOARD APPLICATION

#### I. INTRODUCTION/BACKGROUND

1376 Campus Road Associates, LLC ("Applicant") is the record owner of the following three tracts of land located in Mount Joy Township, Lancaster County, Pennsylvania (the "Township"): (i) an approximately 24.85-acre tract depicted as Lot 9 on the plan entitled "1376 Campus Road – Phase 1A", dated December 2, 2022, and recorded August 28, 2024, in the Office of the Recorder of Deeds in and for Lancaster County at Instrument No. 2024-0333-J (the "Final Plan"), and identified as Lancaster County Tax Parcel ID No. 460-56627-0-0000 ("Lot 9"); (ii) an approximately 14.64-acre tract depicted as Lot 1 on the Final Plan and identified as Lancaster County Tax Parcel ID No. 460-66914-0-0000 ("Lot 1"); and (iii) an approximately 50.3-acre tract depicted as Lot 5 on the Final Plan and identified as Lancaster County Tax Parcel ID No. 460-55127-0-0000 ("Lot 5", and collectively with Lot 1 and Lot 9, the "Property").

The Property constitutes portions of Klein Mills, a multi-phase residential development consisting of single-family detached dwellings and apartments for a total of 489 units at full build out (the "Development"). An aerial map of the Property, which is located in the Township's R-2 Medium-Density Residential Zoning District (the "R-2 District"), is attached hereto as **Exhibit "A"**.

Applicant desires to install certain signage at the entrances to the Development. Additionally, Applicant proposes to extend a private walking path from the Property's existing public walking path to the clubhouse in the Development. In connection with the foregoing, Applicant is respectfully requesting that the Mount Joy Township Zoning Hearing Board (the "ZHB") grant variances from Sections 135-332.B(4)(b), 135-307.B(2) and 135-307.B(3)(b) of the Mount Joy Township Zoning Ordinance of 2012, as amended (the "Zoning Ordinance"), as hereinafter discussed.

#### II. PROPOSED SIGNAGE

The Development, which consists of approximately 128 acres in total, will be constructed by Applicant across several phases. Certain earlier phases of the Development are either completed or under construction as of the date of this Application. A layout sheet from the Final Plan depicting the Development is attached hereto as **Exhibit "B"** (the "Layout Plan"). As shown on the Layout Plan, at initial build out, the Development's internal streets will gain access from Campus Road at two locations and from Groff Avenue at one location. The Development's main access point features a roundabout at its northernmost intersection along Campus Road. The roundabout, which was constructed by Applicant, will provide access to both the

<sup>&</sup>lt;sup>1</sup> Since portions of the Development are already subdivided into numerous lots, Applicant defines the "Property" to include only the areas physically impacted by the improvements that are the subject of this Application (i.e., Lots 1, 5 and 9 on the Final Plan). Nevertheless, the variances, if granted, will benefit the Development as a whole.

Development (i.e., Klein Mills) on the south side of Campus Road and the recently approved Meridian Heights development to the north of Campus Road. In addition to these access points, the Development reserves right-of-way for an additional entrance on the southern side of Lot 5 in the event the abutting parcel is developed.

Section 135-32 of the Zoning Ordinance defines a "residential development sign" as "[a] permanent identification sign at the entrance of a neighborhood or residential development." To facilitate identification of the Development from Campus Road and Groff Avenue, Applicant proposes to install residential development signs along each of the Development's entrances (the "Proposed Signs"). A sign plan depicting the specifications and locations of the Proposed Signs is attached hereto as **Exhibit "C"** (the "Sign Plan"). As shown on Sheet 1 of the Sign Plan, Applicant desires to install two "Type A" signs at the roundabout and one "Type B" sign at each of the Development's two secondary entrances. A third "Type B" sign is proposed in future when the southernmost entrance to the Development is constructed. A clearer illustration of the proposed location of the third "Type B" sign is shown on Sheet 2 of the Sign Plan.

The precise locations and specifications of each of the two types of Proposed Signs are shown on Sheets 3 through 8 of the Sign Plan. The "Type A" signs, which will be affixed to the masonry walls along the roundabout's entrance and exit, include 20 square feet of total sign area. The "Type B" signs, which will be installed at the Development's secondary entrances, are freestanding and include 10 square feet of sign area. As shown on Sheet 8 of the Sign Plan, the "Type B" sign located at the Development's northern entrance along Groff Avenue will be positioned on the Township side of the municipal boundary separating the Township and Elizabethtown Borough. Each of the Proposed Signs complies with maximum height and area requirements and will be externally illuminated by LED downlighting fixtures in accordance with the Zoning Ordinance.

Section 135-332.B(4)(b) of the Zoning Ordinance, relating to the specific requirements for residential development signs, states that "[n]o more than one such sign shall be permitted at each entrance to the development." While the Proposed Signs are zoning compliant in terms of dimensions and specifications, Applicant is requesting a variance from Section 135-332.B(4)(b) to authorize two "Type A" signs at the Development's roundabout entrance.

#### III. PRIVATE WALKING PATH EXTENSION

In connection with the Final Plan, Applicant constructed a bituminous trail on portions of the Property for the benefit of both the residents of the Development and the general public (the "Trail"). A significant portion of the Trail is located along the western side of an unnamed tributary to Conoy Creek as depicted on the Layout Plan. The Trail concludes in a loop near the northern boundary of the Development (the "Trail Loop"). The Layout Plan (**Exhibit "B"**) illustrates the location of the Trail and the Trail Loop.

Applicant now desires to construct an extension to the Trail from the Trail Loop to the Development's private clubhouse on the eastern side of the stream (the "Trail Extension") as generally shown on **Exhibit "D"** attached hereto (the "Trail Extension Plan"). Unlike the main Trail, which is open to the public generally, the Trail Extension is designed for the exclusive use

and benefit of the residents of the Development. To that end, Applicant proposes to install signage at the Trail Extension's intersection with the Trail Loop that states "Private Path for Community Residents and Their Guests Only" or similar language.

As evidenced, the Trail Extension, if authorized, would involve a stream crossing. Portions of the stream are flanked by wetlands to the east and west. Section 135-307.B(2) of the Zoning Ordinance requires a 25-foot-wide buffer surrounding the wetland boundary. Section 135-307.B(3)(b) states that the buffer may be reduced below 25 feet if certain requirements are met, provided, however, that in no event may the buffer be reduced to less than 15 feet. While the location of the Trail Extension is designed to avoid wetlands and other sensitive areas as shown on the Trail Extension Plan, the Trail Extension cannot be completed without encroaching into the required wetland buffer. The extent of the Trail Extension's encroachment into the buffer is shown in red cross hatching on the Trail Extension Plan. Based on the foregoing, Applicant is requesting a variance from Section 135-307.B(2) of the Zoning Ordinance and, to the extent necessary, a variance from Section 135-307.B(3)(b) of the Zoning Ordinance.

As a final matter, Applicant also notes that the Trail Extension, if authorized, would traverse a portion of the conservation easement designated on the Final Plan and granted to the Township pursuant to that certain Agreement Providing for Grant of Conservation Easement dated July 15, 2024, and recorded August 27, 2024, in the Office of the Recorder of Deeds in and for Lancaster County at Instrument No. 20246797246 (the "Conservation Easement Agreement"). In the event the ZHB is inclined to grant Applicant's requested relief, Applicant would agree to condition its approval on Applicant obtaining the Township's agreement, at the Township's sole discretion, to authorize the Trail Extension's encroachment into the conservation easement, together with the execution and recordation of an appropriate amendment to the Conservation Easement Agreement.

#### IV. DISCUSSION

1. Variance from Section 135-332.B(4)(b) of the Zoning Ordinance to authorize two residential development signs at the Development's roundabout entrance.

Section 135-383.C(1) of the Zoning Ordinance states that the ZHB may grant a variance provided that certain findings of fact are made where relevant in a given case. Here, Applicant's requested variance for two signs at the Development's roundabout entrance is warranted for several reasons. First, unlike traditional signalized intersections, roundabouts have unique characteristics that impact a motorist's ability to identify and respond to signage. The purpose of a roundabout is to maximize the efficiency in the flow of traffic by eliminating unnecessary or prolonged stops. However, whereas traffic signals and stop signs provide motorists with the opportunity to consider their surroundings (or check their GPS), a roundabout requires constant attention to traffic. This is especially true for motorists who are unfamiliar with the area or are inexperienced with roundabouts generally. By providing signage on either side of the roundabout, the Development will be more easily identifiable and the number of traffic errors will be reduced.

Second, the traffic patterns associated with roundabouts impacts signage identification and thereby warrants the requested relief. This is illustrated on Sheet 5 of the Sign Plan. Roundabouts are characterized by a right-in, right-out configuration. As a result, it is unlikely that the sign on the south side of the roundabout (lefthand side of the Sign Plan) will be identifiable by northbound motorists turning right into the roundabout. The sign on the north side of the roundabout (righthand side of Sign Plan) is designed for the benefit of these motorists since it is identifiable leading up to and during their use of the roundabout. On the other hand, southbound motorists will have a line of sight to the sign on the south side of the roundabout (lefthand side of Sign Plan) on their approach to the roundabout, but will not have a clear view to the sign on the north side of the roundabout (righthand side of Sign Plan) until after they begin their turning movement. Moreover, even if they had a line of site to the northern sign while waiting in queue at the roundabout's entrance, their focus will be to the left, which is the direction of oncoming traffic.

Despite their benefits, roundabouts are not common in our region, especially at the entrance to residential developments. The unique attributes of roundabouts and the relative inexperience of roundabout users warrants a second identification sign. The roundabout itself constitutes the unique physical condition necessary to support a hardship. Moreover, it cannot be said that Applicant created the circumstances giving rise to its request. Here, Applicant constructed the roundabout at the Township's request.

The second sign at the roundabout entrance will not alter or impair the appropriate use or development of adjacent property, nor will it adversely impact the character of the neighborhood or the R-2 District, nor will it be detrimental to the public welfare. On the contrary, the additional sign will provide a benefit by facilitating smoother traffic flow and motorist safety within and up to the roundabout. Further, unlike monument signs often found at the entrance to a residential development, the two "Type A" signs at the roundabout will be affixed to masonry walls flanking the Development's entrance and exit lanes. In other words, Applicant is not proposing the installation of an additional structure in the event its variance is approved. This circumstance mitigates the impact of the relief requested. Finally, the variance is the minimum necessary to afford Applicant relief.

2. Variance from Section 135-307.B(2) and, to the extent necessary, Section 135-307.B(3)(b) of the Zoning Ordinance to authorize the Trail Extension to encroach into the required wetland buffer.

As depicted on the Trail Extension Plan, Applicant is proposing to construct the Trail Extension in a location that minimizes impacts to the wetlands and other environmental features. However, while the Trail Extension avoids encroaching into the wetlands, it cannot be constructed without encroaching into the wetlands' required 25-foot-wide buffer.

The Trail Extension will provide a significant benefit to the residents of the Development by allowing them to access the main Trail from the clubhouse. Without the Trail Extension, residents on the western side of the stream would need to walk a considerable distance south to the sidewalk along Gianna Drive, cross the stream, and then turn north in the opposite direction.

As shown on the Layout Plan, wetlands are prevalent on the Property in the vicinity of the stream. Applicant did not create this condition. The Trail Extension is proposed in the only location that can wholly avoid encroachment into the wetlands. The requested relief will not alter or impair the appropriate use or development of adjacent lands or the neighborhood or the R-2 District, nor will it be detrimental to the public welfare. The requested variance constitutes the minimum necessary to afford Applicant relief. Finally, as previously noted, Applicant would agree to condition an approval of its variances on Applicant seeking and obtaining an amendment to the Conservation Easement Agreement at the Township's sole discretion. Accordingly, Applicant respectfully requests that the ZHB grant the variances herein sought.

In Hertzberg v. Zoning Bd. of Adj. of the City of Pittsburgh, 721 A.2d 432, 47-48 (Pa. 1998), the Pennsylvania Supreme Court held that, "[w]hen seeking a dimensional variance within a permitted use, the owner is asking only for a reasonable adjustment of the zoning regulations" and, as a result, "the quantum of proof required to establish unnecessary hardship is . . . lesser when a dimensional variance, as opposed to a use variance, is sought." The variances are, for practical purposes, dimensional in nature and represent reasonable adjustments of the applicable regulations. Given the character of the Applicant's requests, and the lower level of proof required to establish an unnecessary hardship when a dimensional variance is sought, it is appropriate for the ZHB to grant the requested relief.

#### V. CONCLUSION

Based on the foregoing, and the additional evidence and testimony that will be presented at the hearing, the Applicant respectfully asks the ZHB to grant the requested relief.

## Exhibit A

Aerial Map

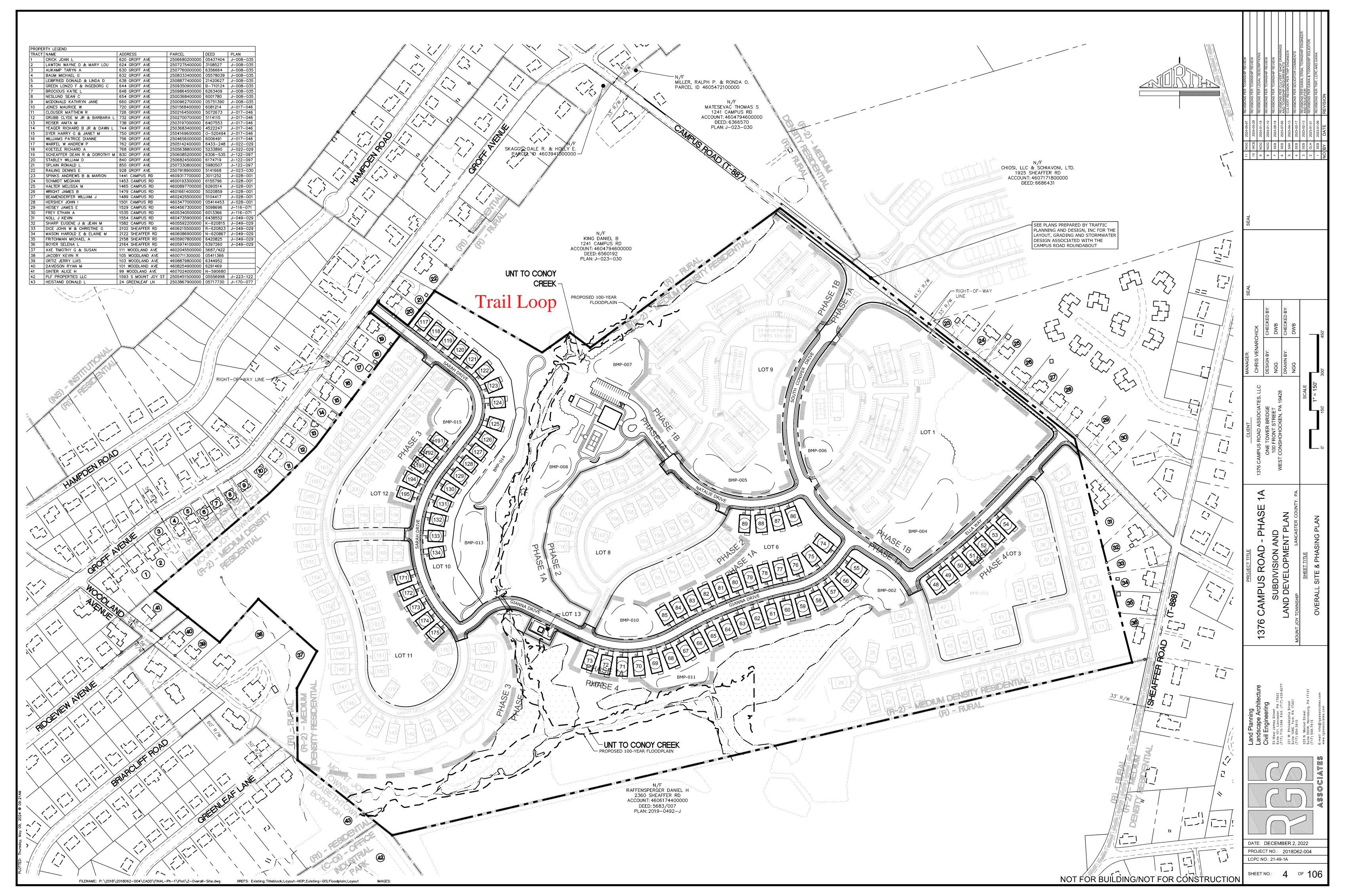
## LanCo View Parcel Map



Dauphin County, York County Planning Commission, Esri, HERE, Garmin, GeoTechnologies, Inc., Intermap, USGS, EPA

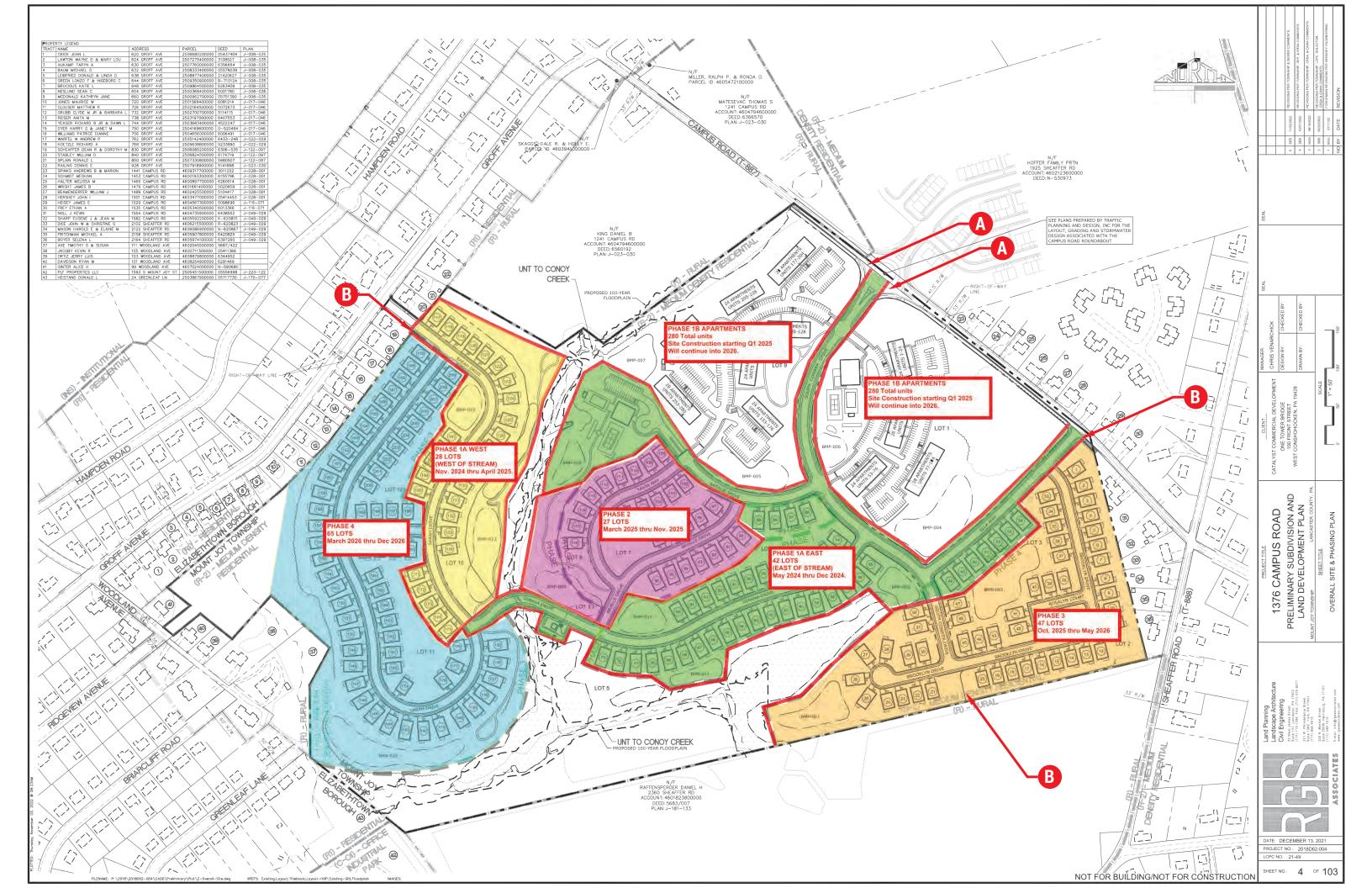
## Exhibit B

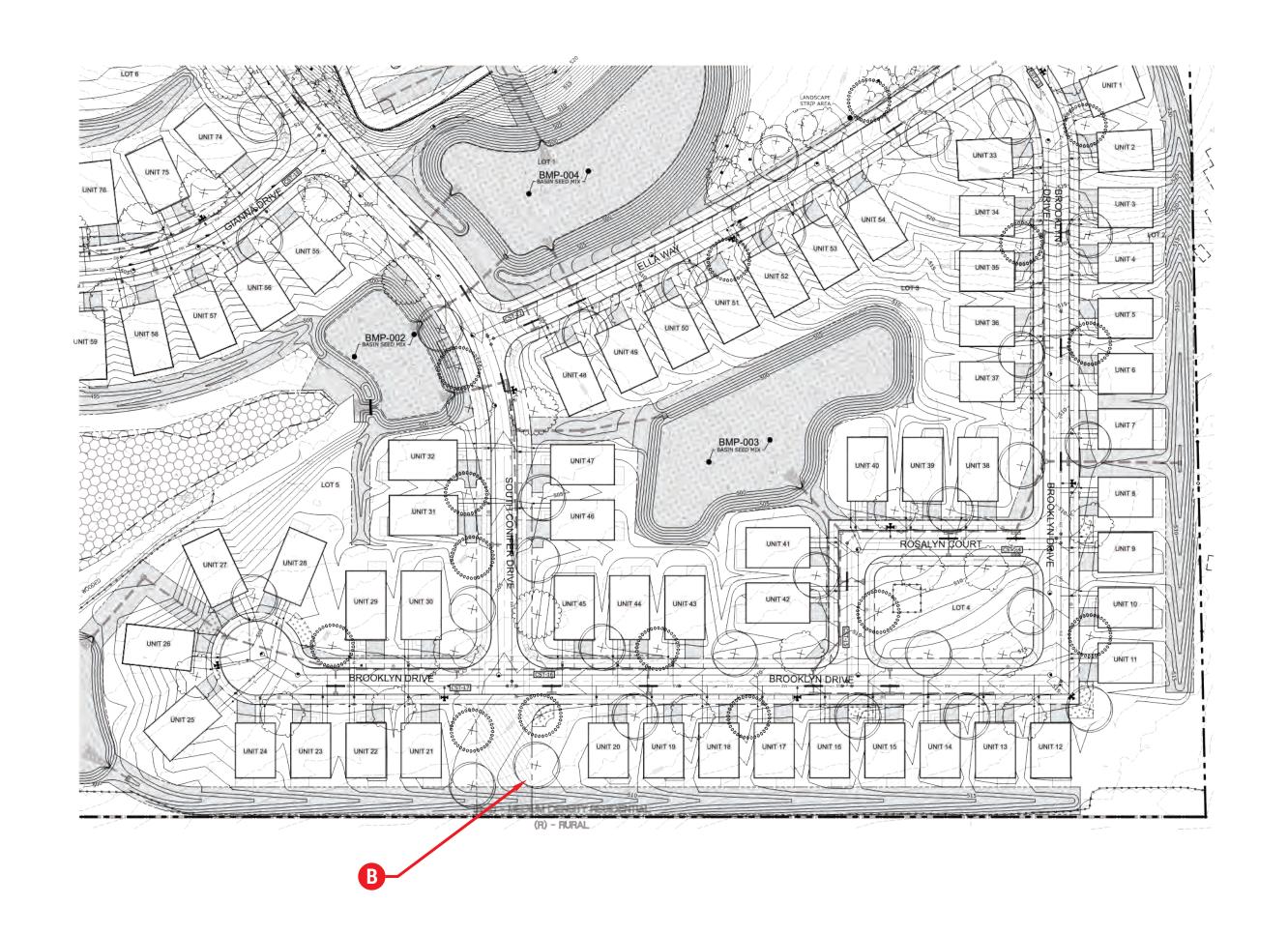
Final Plan – Layout Plan



## Exhibit C

Sign Plan

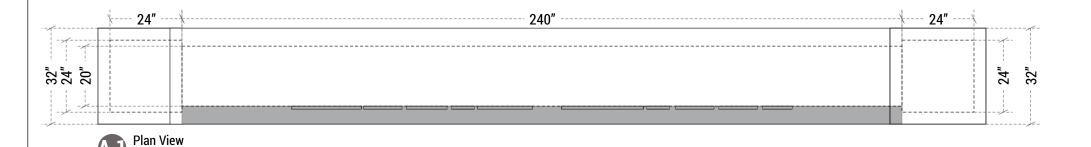


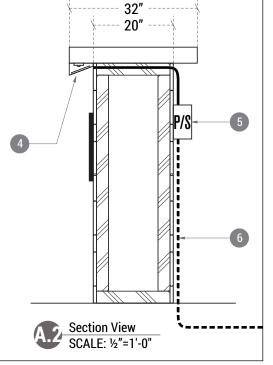




- 1. ALUMINUM FRAMED & SKINNED PIER FACED WITH FAUX STONE VENEER (PA SIERRA LEDGESTONE)
- 2. ALUMINUM FAUX CAPSTONE PAINTED BLACK(P1)
- 3. 1" THK. PVC STUD-MOUNT FCO LETTERS PAINTED BLACK(P1)
- 4. CUSTOM LED DOWNLIGHTING FIXTURE ("Z" BRACKET MOUNT) WITH FROSTED LENS & SELF-CONTAINED 4500 K LED DIODES.
- 5. LONE SECONDARY UL-APPROVED WHIP CARRIED TO REMOTE POWER SUPPLY. 1 AMP PRIMARY ELEC. DRAW
- 6. 120/277V. PRIMARY ELEC. SVC. (BY OTHERS)
- 7. WHITE PICKET FENCING (BY OTHERS)

SCALE: %"=1'-0"





## **Catalyst Commercial**

1376 Campus Rd. Elizabethtown, PA

**Project: 24-0158** 

Faux Masonry Pier w/ FCOs

#### **Fabrication Information:**

Produce flanking entry walls with dimensional lettersets & custom downlighting as shown.

#### Installation Information:

#### **Electrical Information:**

600W Max

120/277V

1A Max Draw

Qty: 01

#### **Paint**

P1 MP Satin Black (923)

Date / Designer 06.13.24- JHH

X:\SharedFiles\MISC PROPERTIES\Catalyst Commercial\1376 Campus Rd Elizabethtown PA

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**(B)** 09.17.24 - JHH

R6 11.06.24 - JHH

R2 10.04.24 - JHH

R3 10.29.24 - JHH

R4 10.30.24 - JHH

R5 11.06.24 - JHH



F. 215.442.1328

Interior / Exterior Sign Manufacturers

424 Caredean Dr. Horsham PA, 19044 T. 215.442.1323

Sales: Jeff Carson

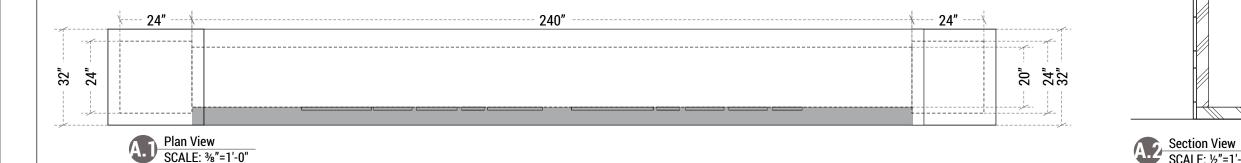








- 1. ALUMINUM FRAMED & SKINNED PIER FACED WITH FAUX STONE VENEER (PA SIERRA LEDGESTONE)
- 2. ALUMINUM FAUX CAPSTONE PAINTED BLACK(P1)
- 3. 1" THK. PVC STUD-MOUNT FCO LETTERS PAINTED BLACK(P1)
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- 6. 120/277V. PRIMARY ELEC. SVC. (BY OTHERS)
- 7. WHITE PICKET FENCING (BY OTHERS)



## **Catalyst Commercial**

1376 Campus Rd. Elizabethtown, PA

**Project: 24-0158** 

Faux Masonry Pier w/ FCOs

#### **Fabrication Information:**

Produce flanking entry walls with dimensional lettersets & custom downlighting as shown.

#### Installation Information:

#### **Electrical Information:**

600W Max

120/277V

1A Max Draw

Qty: 01

#### **Paint**

P1 MP Satin Black (923)

32"

20"

SCALE: ½"=1'-0"

Date / Designer 06.13.24- JHH

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R5 11.06.24 - JHH



Interior / Exterior Sign Manufacturers

R6 11.06.24 - JHH

424 Caredean Dr. Horsham PA, 19044 T. 215.442.1323 F. 215.442.1328

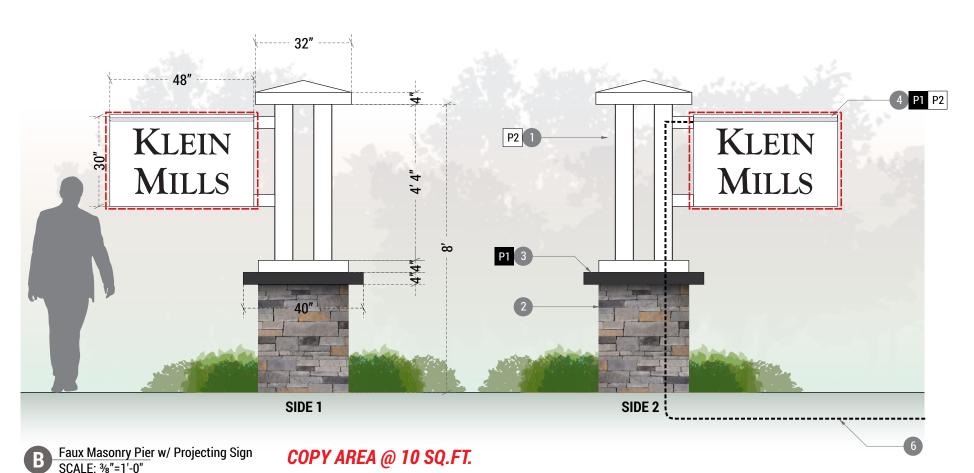








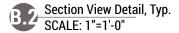






- 1. ALUMINUM FRAMEWORK WITH 6" SQUARE TUBE SUPPORTS ALL EXPOSED SURFACES PAINTED WHITE(P2)
- 2. FAUX STONE VENEER (PA SIERRA LEDGESTONE)
- 3. ALUMINUM FAUX CAPSTONE PAINTED BLACK(P1)
- 4. ¼" THK. PVC FCO LETTERS PAINTED BLACK(P1) STUD MOUNTED TO PROJECTED SIGN PAINTED WHITE(P2)
- 5. CUSTOM SELF-CONTAINED LED DOWNLIGHTING FIXTURE WITH FROSTED LENS & SELF-CONTAINED 4500 K LED DIODES & POWER SUPPLIES. 1 AMP PRIMARY ELEC. DRAW.
- 6. 120/277V. PRIMARY ELEC. SVC. (BY OTHERS)
- 7. WHITE PICKET FENCING (BY OTHERS)





## **Catalyst Commercial**

1376 Campus Rd. Elizabethtown, PA

**Project: 24-0158** 

Faux Masonry Pier w/ Projecting Sign

## **Fabrication Information:**

Fabricate custom pier cap to incorporate d/f projecting blade with concealed downlighting tray over length of 48" width pan.

#### Installation Information:

#### **Electrical Information:**

600W Max

120/277V

1A Max Draw

Qty: 03

#### **Paint**

P1 MP Satin Black (923)

MP Satin White (202)

Date / Designer 06.13.24- JHH

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R2 10.04.24 - JHH

R3 10.29.24 - JHH

R4 10.30.24 - JHH

R5 11.06.24 - JHH

F. 215.442.1328



Sign Manufacturers

Interior / Exterior

R6 11.06.24 - JHH

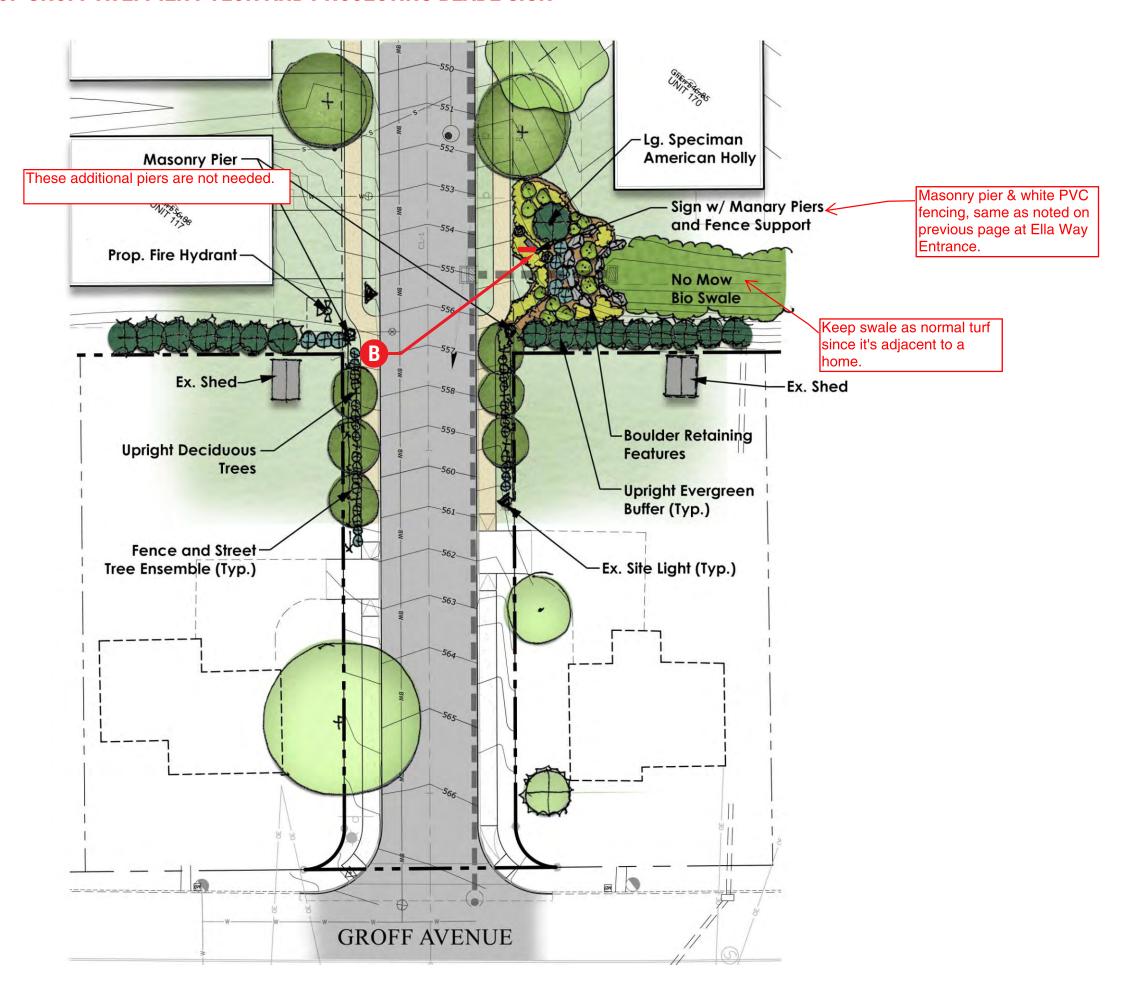
Sales: Jeff Carson 424 Caredean Dr. Horsham PA, 19044 T. 215.442.1323





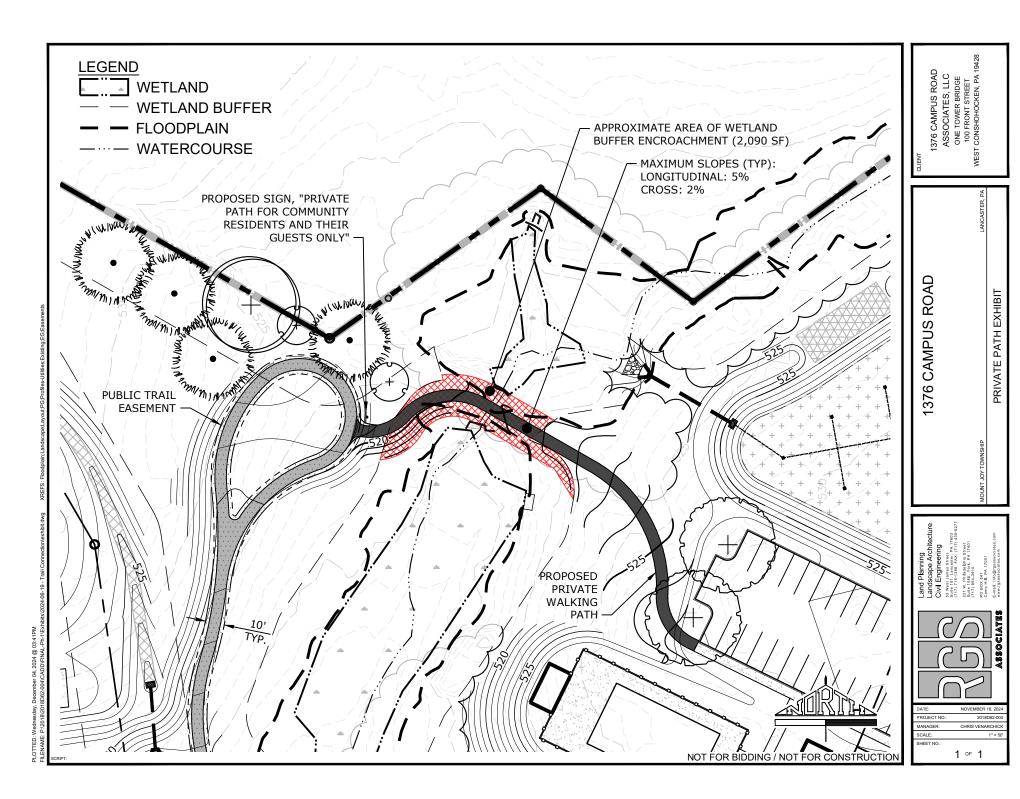


## CLOSE UP PLAN VIEW OF GROFF AVE. PIER PYLON AND PROJECTING BLADE SIGN



## Exhibit D

Trail Extension Plan





# **MOUNT JOY TOWNSHIP**

• Lancaster County, Pennsylvania •

8853 Elizabethtown Road, Elizabethtown, PA 17022 717.367.8917 • 717.367.9208 fax www.mtjoytwp.org

December 16, 2024

Certified Mail # 9407 1118 9876 5452 4242 32

1376 Campus Road Associates, LLC 100 Front Street, Suite 560 West Conshohocken, PA 19428

Re: Proposed Signage and Wetland Buffer Relief

Property Located Along Campus Road, Elizabethtown, PA 17022

Tax Parcel Account #460-56627-0-0000, #460-66914-0-0000, & #460-55127-0-0000

Case #250002

#### Dear Sir or Ms.:

I have reviewed the above-referenced zoning hearing application submitted to Mount Joy Township on December 11, 2024. The hearing for the application is scheduled for **6:00 P.M. on Wednesday, January 8, 2025** at the Mount Joy Township Municipal Building located at 8853 Elizabethtown Road, Elizabethtown, PA 17022. I offer the following comments on the application:

- You have provided multiple images and plan sheets demonstrating the extent of the overall development project as well as the specific impacts of the zoning relief requests. They will be provided to the Zoning Hearing Board along with your full application package.
- The multi-phase residential development site consists of 128 acres and is zoned in the R-2, Medium Density Residential District. The property is served by public water and sewer facilities.
- The application proposes the following improvements within the development that require zoning relief in the form of variances:
  - An additional residential development sign located at the Campus Road roundabout entrance to the site
  - An extension of the walking path system through a wetland buffer
- The applicant is seeking and has requested approval of the proposed project via Chapter 135 of the Code of Ordinances of the Township of Mount Joy, i.e. the Mount Joy Township Zoning Ordinance of 2012. The following variance requests have been made pursuant to Chapter 135, as noted below:
  - (1) Chapter 135, Article XXIV, §135-332.B(4)(b) no more than one residential development sign permitted at each entrance to the development
  - (2) Chapter 135, Article XXIII, §135-307.B(2) wetland buffer encroachment
  - (3) Chapter 135, Article XXIII, §135-307.B(3)(b) alternative width of a wetland buffer

General criteria for variances are found in §135-383.C of the Zoning Ordinance. You have addressed these criteria in the narrative of the application package.

In the event the Mount Joy Township Zoning Hearing Board would approve the application, the Township recommends the following conditions be applied to any approvals:

1. Applicant shall comply with all other provisions contained in Chapter 135 of the Code of Ordinances of the Township of Mount Joy for which relief has not been requested or granted.

1376 Campus Road Associates, LLC MJTZHB File #250002 December 16, 2024 Page 2 of 2

- 2. Applicant shall apply for and obtain the appropriate permits from Mount Joy Township for the proposed improvements.
- 3. Applicant shall execute and record an amendment to the recorded Conservation Easement Agreement in a form acceptable to the Township Solicitor.
- Applicant shall provide revised impervious coverage calculations for the applicable lot(s) on which the path extension is constructed.
- 5. Applicant and any representatives of the Applicant shall comply with and adhere to the testimony and any evidence presented to the Mount Joy Township Zoning Hearing Board at the hearing held on January 8, 2025 and any continued hearings, if applicable, except to the extent modified by the conditions imposed by the Mount Joy Township Zoning Hearing Board herein.

The Township reserves its right to revise, amend and/or extend the aforementioned list of recommended conditions of approval based upon the testimony presented at the hearing. Please note that these conditions are a recommendation from the Township. If the Mount Joy Township Zoning Hearing Board approves the application, they may change or add conditions if they determine such actions are appropriate based on the testimony and evidence presented and submitted at the hearing.

Should you have any questions concerning this matter, please do not hesitate to contact me.

Sincerely

Justin S. Evans, AICP Zoning Officer

Mount Joy Township

Copy: 1376 Campus Road Associates – First Class Mail

Peter Wertz, Esq. – via Email MJT Zoning Hearing Board

File

Enclosures