



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.: 25-03-FLDP	Date of Receipt/Filing: 1/27/2025
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: 2269 South Market Street	
Plan No.: 1	Plan Date: 1/2/2025
Location: 2269 South Market Street, Elizabethtown, PA 17022	
Property Owner: Elizabethtown Mount Joy Associates LP	
Owner Address: 1000 Germantown Pike, Suite A-2, Plymouth Meeting, PA 19462	
Telephone No.: 484-686-8302	
E-mail: Bob@pennmark.com	
Deed Reference: 5707-539 & Z-85-556	Tax Parcel No.: 460-32729-0-0000 & 460-04088-0-0000
Plan Type:	<input type="checkbox"/> Sketch <input checked="" type="checkbox"/> Preliminary <input type="checkbox"/> Final <input type="checkbox"/> Lot Line Change <input type="checkbox"/> Minor Agricultural or Land Development
Description: Elizabethtown Mount Joy Associates LP is proposing to develop 10.66-acre tract located in Mount Joy Township, Lancaster County, PA. The applicant is proposing 21 units of self-storage. The project will also include exterior parking, driveways, utilities, landscaping, stormwater management controls, and any necessary measures and amenities to support the development.	
Zoning District: C-2 General Commercial District	
Is a zoning change necessary?	If yes, please specify:
Is/was a zoning variance, special exception, or conditional use approval necessary?	If yes, attach ZHB decision.
Total Acreage: 10.66	
Name of applicant (if other than owner):	
Address:	
Telephone No.:	
E-mail:	
Firm which prepared plan: Bohler Engineering PA, LLC	
Address: 1600 Manor Drive, Suite 200, Chalfont, PA 18914	
Phone No.: 215-996-9100	
Person responsible for plan: Matt Landro, P.E.	
E-mail: mlandro@bohlereng.com	

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

8853 ELIZABETHTOWN ROAD, ELIZABETHTOWN, PA 17022
PHONE (717) 367-8917 -FAX (717) 367-9208

www.mtjoytp.org

Proposed Lots and Units

	# of Lots	# of Units		# of Lots	# of Units
Total #	1		Mixed Use		
Agricultural			Single Family Detached		
Commercial	1		Multifamily (attached-sale)		
Industrial			Multifamily (attached-rental)		
Institutional			Other:		
Total Square Feet of Ground Floor Area (building footprint):			102,000		
Total Square Feet of Existing Structures (all floors):			0		
Total Square Feet of Proposed Structures (all floors):			102,000		
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:

N/A	Public (Live)		Community
	Public (Capped)		Individual

Type of sanitary sewage disposal proposed:

N/A	Public (Live)		Community
	Public (Capped)		Individual

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

Date



RECEIVED

Jan 27 2025

1600 Manor Drive, Suite 200
Chalfont, PA 18914
215.996.9100

MOUNT JOY TOWNSHIP

January 23, 2025
Via: Fed-Ex – Priority

Mount Joy Township
8853 Elizabethtown Road
Elizabethtown, PA 17022

Attention: Kim Kaufman, Township Manager

Re: Professional Engineering Services
2269 South Market Street
Mount Joy Township
Lancaster County
PAA240089.00

Dear Kim:

As part of their Land Development submission for the Proposed Self-Storage Project, Elizabethtown Mount Joy Associates LP requesting the following waivers:

1. A waiver from section § 113-37A(7) to not require a breach analysis for the proposed site.

A waiver is being requested due to the site not displaying any site-specific conditions that would concern a downstream property.

2. A waiver from section § 113-43J(1) to not show steep slope delineation on the SWM site plan.

A waiver is being requested due to the steep slopes being delineated on their own plan sheet.

3. A waiver from section § 113-43K to not show the locations of all E&S control facilities on the SWM Site plan.

A waiver is being requested due to the E&S control facilities being delineated on their own plan sheet.

4. A waiver from section § 113-44B to not provide a general description of the overall SWM concept for the project on the SWM Site plan.

A waiver is being requested due to the general description of the overall SWM concept for the project being in the SWM report.

5. A waiver from section § 113-44C to not provide the effect of the project (in terms of runoff volumes, water quality and peak flows) on adjacent properties and on any existing municipal stormwater management facilities on the SWM Site plan.

A waiver is being requested due to this information being provided in the SWM report.

6. A waiver from section § 113-44D to not provide Complete hydrologic, hydraulic, and structural computations for all SWM facilities on the SWM Site plan.

A waiver is being requested due to this information being provided in the SWM report.

7. A waiver from section § 113-44E to not provide a project timeline on the SWM Site plan.

A waiver is being requested, however updates on the project timeline will be provided to the Township throughout the application process as it becomes available.

Should you have any questions or require any additional information regarding the above matter, please do not hesitate to contact our office at (215) 996-9100.

Sincerely,

BOHLER ENGINEERING PA, LLC



Matt Landro, P.E.
Sr. Project Manager

cc:

Robert Sichelstiel (via Newforma)
Dean Cafiero (via Newforma)
Justin Bartholomew (via Newforma)

JA/cc
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LAW OFFICES

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717-733-2313

659 E WILLOW STREET
ELIZABETHTOWN, PA 17022
717-361-8524

OF COUNSEL

WILLIAM C. CROSSWELL
RANDALL K. MILLER

February 8, 2025

VIA EMAIL

Kimberly Kaufman, Township Manager
Mount Joy Township
8853 Elizabethtown Road
Elizabethtown, PA 17022

Re: Preliminary/Final Land Development Plans for Proposed Self Storage Pennmark
Elizabeth Mt Joy, LLC
Our File No. 10221-1

Dear Kim:

We have been provided with a copy of the Preliminary/Final Land Development Plans for Proposed Self Storage Pennmark Elizabeth Mt Joy, LLC (the "Plan") prepared by Bohler Engineering. The Plan relates to two adjoining tracts of land on the northeast side of South Market Street which the Plan states are now or formerly held by McArt, Inc. ("McArt") and are identified as Lancaster County Tax Account Nos. 460-04088-0-0000 and 460-32729-0-0000 (collectively the "Property"). The Plan identifies the recording references of the deeds for the Property as Record Book 5707, Page 539, and Deed Book Z, Volume 85, Page 556.

Lancaster County Tax Account Number 460-04088-0-0000 is a lot containing 2.21 acres identified as 2269 South Market Street. Lancaster County Tax Account Number 460-32729-0-0000 is a lot containing 7.7 acres identified as 2269 South Market Street Rear. Both tracts are held by "Elizabethtown Mt Joy LLC" ("Landowner") by a deed from McArt dated April 29, 2017, and recorded May 4, 2017, at Document No. 6331298.

There is a place on the cover sheet of the Plan which identifies the "owner" and the "developer" as "Pennmark Elizabethtown Mount Joy Associates, LP". As indicated above, the record owner is "Elizabethtown Mt Joy LLC". If there is an entity identified as "Pennmark Elizabethtown Mount Joy Associates LP" we should be provided with proof of its existence. Sheet C-103 further identifies the "Property Owner" as "Pennmark Elizabethtown Mt Joy, LLC", with an address of 2269 South Market Street, Elizabethtown. It indicates that the "Applicant/Equitable Owner" is "Elizabeth Mt Joy LLC" also with an address of 2269 South Market Street, Elizabethtown. As indicated above, 2269 South Market Street is one of the lots comprising the Property which is a vacant lot. Sheet C-103 also identifies the Property by two "TPN" which have no relationship to any tax account number which Lancaster County uses.

The Plan should correctly identify the record owner, the source of title, and the mailing address of the record owner as expressly required by Section 119-31.B(3) and (10) of the Subdivision and Land Development Ordinance (“SALDO”).

The Property is located within the C-2 General Commercial District. Self-storage or mini warehouse facilities are authorized as a use by special exception. Zoning Ordinance §135-133.N. It appears from the Township’s website that Landowner did obtain a special exception in 2023 and obtained an extension of time of that special exception at the Zoning Hearing Board meeting on October 2, 2024. The Zoning Hearing Board granted the application at its meeting on November 1, 2023, subject to conditions including compliance with the testimony presented. As discussed below, it does not appear that the Plan is consistent with the site plan presented as Exhibit A-6 to the Zoning Hearing Board.

The cover sheet of the Plan identifies it as “preliminary/final”, but the indication on the right-hand side of each sheet identifies it as “preliminary land development plans”. The application has the boxes for both preliminary and final checked. The Plan should be consistently labeled as for its intent.

The Plan does not propose to join the two lots comprising the Property to form a single lot, notwithstanding the development of the two lots as a single self-storage facility. The Plan is not designated as a subdivision plan, and none of the sheets contain a tie bar indicating that the two lots are to be joined. If the two lots are not joined, the Plan does not meet Zoning Ordinance requirements relating to setbacks, impervious surface coverage, and similar matters.

There is a Zoning Table on several sheets of the Plan. That Zoning Table states that the existing lot area is 10.107 acres, and the proposed lot area is 10.107 acres. This is true only if the two existing lots comprising the Property are joined into a single lot. I also note that the various Zoning Tables state that both the applicant and the property owner is “Elizabeth Mt Joy LLC” with a mailing address of 2269 South Market Street, Elizabethtown.

Sheet C-202 identifies the adjoining property owner to the west as Duane L. Hernley and Sylvia Hernley by a deed recorded at Record Book 5714, Page 475, and the Tax Account Number as 460-20206-0-0000. This reference is very out of date; Sylvia Hernley conveyed her interest to Duane Hernley in 2011. That land has since been subdivided by a plan recorded at Document No. 2023-0080-J, and the portion of the former Hernley land adjoining the Property is identified as 2 Eagle Parkway, Tax Account No. 460-86394-0-0000. It is owned by H & H Property Holdings, LLC by a deed recorded in 2023 at Document No. 6735676.

2269 South Market Street Rear was created by the Final Subdivision Plan for Horst & Huffman Associates recorded at Subdivision Plan Book J-164, Page 15, on May 12, 1989 (the “1989 Plan”). The north corner of the Property adjoining the lands of Elizabethtown Church of the Christian and Missionary Alliance and lots which are part of the Westbrooke development contains a substantial detention basin within a large drainage easement which accepts storm water

runoff from Westbrooke. General Note 4 on the 1989 Plan states that the maintenance of the drainage facility is “the responsibility of the lot owner.” The Township Engineer will have to determine whether the Plan complies with Section 119-31.C(4)(d) which requires that the Plan identify the “size, capacity and condition of the existing stormwater management system”.

There is a shared access point on 2269 South Market Street Rear which serves 2305 South Market Street. This access onto 2305 South Market Street is not clearly shown on the Plan. It is shown on the Final Subdivision and Land Development Plan for Graystone Bank recorded at Subdivision Plan Book J-236, Page 140, on June 12, 2009 (the “2009 Plan”). The then owners in 2009 recorded a Shared Access Easement and Maintenance Agreement dated March 12, 2009, recorded at Document No. 5771728. The existence of the easement and its recording reference should be noted on the Plan.

The Plan proposes a driveway and storm water management facilities extending into onto 2327 South Market Street which the Plan states is held by Russell W. Schweers. 2327 South Market Street is held by Russell W. Schweers and Jolene M. Schweers. The Plan does not contain sufficient information relating to the dimensions of the “Prop variable width access easement”. We must be provided with a copy of any access easement over the property of Mr. and Mrs. Schweers.

The Plan will require a Storm Water Management Agreement. Mr. and Mrs. Schweers must be parties to the Storm Water Management Agreement. Mr. and Mrs. Schweers granted a mortgage to Mid Penn Bank, so there will have to be a joinder by mortgagee. The maintenance responsibility for the storm water management facilities to be installed on the land of Mr. and Mrs. Schweers must be specifically addressed.

The minutes of the hearing before the Zoning Hearing Board on November 1, 2023, state that a “50’ wide buffer along the residential area boundary to the north is provided with a double-staggered row of evergreens”. The landscaping in this area on Sheet L-103 of the Plan does not include a double-staggered row of evergreens. The landscaping shown on the Plan does not comply with the condition in the Zoning Hearing Board decision that the applicant comply with the evidence presented to the Zoning Hearing Board.

The minutes of the hearing before the Zoning Hearing Board on November 1, 2023, state that a “grassed area at the southeast corner of the site could be developed as a pad site in the future but applicant does not have plans to do so at this time. This pad site is similar in size to the bank on the east side of the access drive.” The Plan does not contain a pad site. The area across from the bank contains a self storage building. Without reviewing Exhibit A-6 presented to the Zoning Hearing Board on November 1, 2023, I cannot determine whether the number of self storage buildings has been increased. It is clear, however, that the layout of the self storage facilities have been changed from Exhibit A-6 and the Plan does not comply with the condition in the Zoning Hearing Board decision that the applicant comply with the evidence presented to the Zoning Hearing Board.

Kimberly Kaufman, Township Manager
February 8, 2025
Page 4

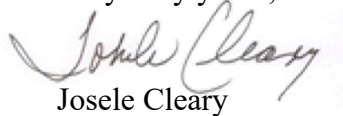
The Plan indicates a date of preparation of January 2, 2025. Given that information on the Plan is as much as a decade out of date (such as the reference to Sylvia Hernley as being an adjoining property owner), the accuracy of the existing conditions sheets are questionable. There may, or may not, be utility easements or other easements not shown on the Plan. As indicated above, there is an existing access easement which has not been identified. The SALDO requires an identification of plans that were reviewed and notes on those plans which may impact the current Plan, see SALDO Section 119-31.B(14), and this was not provided. The cover sheet of the Plan references a boundary and topographic survey prepared August 5, 2010. If a 2010 survey is the only source of information for the improvements on the Property and on the adjoining lands within the distance required by the SALDO, it is not acceptable.

The Plan has not been prepared to meet the requirements of the Recorder of Deeds. There should be a one inch margin on the top of each plan sheet for the recording information. The Plan is prepared in a manner such that areas will be made unreadable when the Recorder of Deeds includes the recording information if the Plan is eventually approved and recorded.

There will have to be significant revisions to the Plan to address the inconsistencies with the Zoning Hearing Board approval, and there may also have to be revisions to address current existing conditions and easements. If Landowner desires to continue with the design on the Plan which is not consistent with the information presented to the Zoning Hearing Board, then Landowner will have to make a new application to the Zoning Hearing Board. Given these issues, I may have additional comments if Landowner submits a revised version of the Plan.

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

Very truly yours,



Josele Cleary

JC:sle
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cc: Patricia J. Bailey, Secretary (via email)
Benjamin S. Craddock, P.E. (via email)
Matthew Landro, P.E. (via email)