



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 28, 2025

1. Chairman Delmar Oberholtzer 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 — Present

Michael McKinne — Present

Arlen Mummau — Present

Delmar Oberholtzer — Present

Bill Weik, Jr. — Absent

Other Township Representatives Present: Joe Price Community Development Director and Zoning Officer, Jackie Wilbern — Assistant Zoning Officer, Ben Craddock, PE — Twp. Engineer, and Kim Kaufman - Township Manager

4. Public Comment: NONE

Township Manager Kim Kaufman welcomed Joe Price, the new Community Development Director and Zoning Officer and thanked Jackie Wilbern for her work (a third party consultant), as Assistant Zoning Officer, which concludes at the end of May.

5. Consent Calendar:

- a. Approve and ratify the minutes of the April 28, 2025 meeting

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

6. Old Business:

- a. P/F Land Development Plan for Sheetz – Veterans Drive (#24-22-FLDP): Plan proposes a 6,132 SF convenience store and gas pumps on a 2.171-acre property located at the corner of Veterans Drive and Hershey Road, with additional access to Old Hershey Road.

Chris Venarchick of RGS Associates gave background information regarding the plan as well as an update on its status. He then proceeded to address the comments of the Township Engineers review letter dated April 23. He specifically discussed comment #16 of the letter pertaining to the initial modification request to install 4 ft. sidewalks along the access drive onto Hershey Road vs. the ordinance requirement of 5 ft. The applicant has since decided to install the sidewalks as per the requirement therefore rendering the modification unnecessary.

Rodney Boll questioned Mr. Venarchick regarding concerns over the delivery of fuel to the site. Mr. Venarchick responded by stating that all Sheetz delivery drivers are properly trained regarding deliveries. Delmar Oberholtzer then asked if Sheetz would be installing signage regarding deliveries and perhaps prohibiting tractor trailers from accessing the site. He went on to say that such signage could help provide clarity regarding any potential accidents and damages occurring as it pertains to properly assigning responsibility in relation to such damage. Gerald Cole suggested that perhaps signs that limit access to trucks based on weight could be considered. Arlen Mummau noted that recreational vehicles could pose a problem as well. Mr. Cole asserted that he feels there should be a sign.

There was then general discussion between the Commission, Mr. Venarchick and Ben Craddock pertaining to consideration for conditional final plan approval and requested waivers and modifications. The Applicant requested the following waivers/ modifications, or deferrals from Chapter 119 - Subdivision & Land Development Ordinance:

1. §119-25.C(2) – Preliminary plan submission
2. §119-52.J.3.A - Improvements of existing streets and intersections, curbing of existing streets (deferral request)
3. §119-52.K(4) – Cartway edge tangential arc radius
4. §119-52.S.3(D) – Access drive separation within 200' of intersection of streets
5. §119-53.B.1 – Sidewalks along existing streets
6. §119-53.B(4)(A) – Sidewalk construction standards
7. §119-53.B(10) – Grass planting strip
8. §119-53.C(2) – Vertical curb dimensions

The Applicant requested the following waivers/modifications from Chapter 113 – Stormwater Management Ordinance:

1. §113-32.A(2)(c) – Loading Ratio
2. §113-37.C – Conveyance pipe diameter
3. §113-42.D – Plan scale

Regarding Chapter 119, Mr. Craddock clarified that requested waiver #1 was already previously granted and thus was no longer needed. Waiver #6, which related directly to the engineer's comment #16 as noted above, was no longer being requested. Mr. Craddock also noted that the requested modification to the loading ratio of Chapter 113 was not needed since he already has the authority as the Township Engineer to approve higher loading ratios. After some additional discussion, a motion was made by Gerald Cole to approve, as requested, waivers/ modifications/ deferrals to Chapter 119: #2 through five and #7 and #8, and waivers/ modifications to Chapter 113: #2 and #3 and to grant conditional plan approval with the following conditions:

- 1.The applicant shall install a sign to address concerns about tractor trailers accessing the site.
- 2.To the extent not otherwise provided in these conditions, Applicant shall address the comments of the Township Engineer's review letter dated April 23, 2025.
- 3.To the extent not otherwise provided in these conditions, Applicant shall address the comments of the Township Solicitor's review letter dated December 9, 2024.
- 4.Applicant shall address and comply with all conditions contained in the Mount Joy Township Zoning Hearing Board (MJTZHB) decision dated October 2, 2024.
- 5.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.

6. 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 1) sidewalk and vertical curbing along Veterans Drive, Old Hershey Road, and Hershey Road frontages. The Agreement, fully executed, shall be submitted and approved prior to the release of the final plan for recording.
7. Applicant shall submit a copy of the required Highway Occupancy Permit as issued by the Pennsylvania Department of Transportation prior to the release of the final plan for recording.
8. Applicants 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.
9. 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.
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.

Kevin Baker seconded the motion and the motion carried unanimously.

7. New Business:

- a. Street Light Modification for 1376 Campus Road – All Phases: A modification has been requested from SALDO Section 119-52.O(1) – Streetlight Standards. To provide streetlighting supplied by PP&L, a modification to the illumination requirement of a small percentage of areas is necessary.

Chris Venarchick of RGS Associates introduced the lighting modification request. He stated that Pennsylvania Power and Light has conceptually approved the plan.

Gerald Cole motioned to approve the modification. Arlen Mummau seconded the motion which carried unanimously.

As an aside, Mr. Venarchick confirmed that condominium documents are recorded and he went on to explain that recreation information for the site is being discussed with the Parks and Recreation Board.

- b. Waiver for Bob Brubaker Minor Land Development Plan: A waiver is requested from SALDO Sections 119-52.J(3)(a), 119-53.B(2), and 119-53.C requiring improvements to the frontage along Camp Road.

1. Consideration of Conditional Plan Approval

Mr. Bert Nye of NCS introduced the plan and explained where things stood in relation to the Township Engineer's latest comments. Mr. Oberholtzer asked about the proximity of the barn to the property line. Mr. Nye explained. Mr. Oberholtzer also inquired about previously required testing related to a CAFO (Concentrated Animal Feeding Operation). Mr. Nye stated that all approvals are in place. Mr. Mummau asked where additional water (runoff) from the site will go. Mr. Nye gave an overview of how site stormwater will be managed. This was followed by general discussion regarding the number of chickens housed on site and estimated water usage per bird and in total. Mr. Nye addressed the issue as well as on site stormwater recharging.

Mr. Boll inquired about the drainage easement associated with comment #5 of the engineer's latest review letter. He expressed his curiosity as to if owners are required to pay for the road improvements when the deferral period is over.

Joe Price noted that the Township Engineer neither supported nor objected to the waiver request but explained that the request was more appropriately considered as a deferral request. A motion was made by Michael McKinney to approve the waiver and plan (with conditions as per the proposed motion as follows).

And having granted such waivers, modifications or deferrals grant approval of the Brubaker plan (the "Plan") prepared by NCS Inc., dated January 08, 2025, 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 16, 2025.
2. To the extent not otherwise provided in these conditions, Applicant shall address the comments of the Township Solicitor's review letter dated November 11, 2024.
3. 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.
4. 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 the improvement of road frontage along Camp Road. The Agreement, fully executed, shall be submitted and approved prior to the release of the final plan for recording.
5. Applicants 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.
6. 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.
7. Applicant shall apply for and obtain all necessary permits prior to commencing any construction activities.
8. 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.

Mr. Cole seconded the motion which carried unanimously.

- c. Rezoning Petition - 2360 Sheaffer Road – Proposal to rezone a 57.15 parcel located at 2360 Sheaffer Road from the R – Rural District to the R-2 Medium-Density Residential District.
 1. Review and make recommendation to the Board of Supervisors.

Chuck Hess of Landmark Homes introduced the request to rezone 2360 Sheaffer Road. He explained that the current request is a revision to a previous request which included a proposed text amendment

to the R-2 zoning. The petitioner, 2360 Sheaffer, LLC, now plans to develop the site according to existing R-2 regulations if the rezoning is approved. The plan is to construct 102 single family dwellings. He stated that more than 30 acres of the site will be used to provide public and private parkland.

Mr. McKinne expressed his concerns regarding water supply and the capacity to serve the proposed development. Mr. Hess stated that he has spoken with the water and sewer authorities and that the applicant will move forward regarding such verifications at a time following approval of the rezoning if approval is granted. Mr. Cole asked if the project would be constructed in phases. Mr. Hess said that he was not sure at this time. When asked by Mr. Cole if the development would be similar to the sketch plan (concept plan), Mr. Hess replied that yes it would be. There was then a general discussion of the proposal and site characteristics. Mr. Hess reiterated the information pertaining to the public and private parkland that will be created. Mr. Boll had questions and comments regarding traffic and traffic flow. Mr. Hess noted that there would be a traffic study related to the proposal. Mr. Hess added that the applicant will be going back to the Parks and Recreation Board in the future. Mr. McKinne said that he would like someone from the Township to ask the Water Authority if they can serve the proposed project. Mr. Kaufman stated that he will have a conversation with the Authority. Mr. Hess stated that they will do the same.

Mr. Mauer made a motion to recommend rezoning the subject property to R-2 zoning as requested. Mr. Baker seconded the motion. The motion carried by a vote of 4 to 1 with Mr. McKinne abstaining and Mr. Cole voting in opposition.

8. Initial View: NONE
9. Correspondence: NONE
10. Other Business: Mr. Oberholtzer said that he would like additional information concerning Township regulations pertaining to solar facilities. He would like to know whether the regulations are up to date. He was also curious about what happens when the facilities are no longer in use. Joe Price stated that he will provide the Commission with a report.
11. The next regular meeting of the Mount Joy Township Planning Commission is scheduled to be held on Monday, June 23, 2025 beginning at 7:00 P.M.
12. A motion was made by Gerald Cole and seconded by Kevin Baker to adjourn the meeting at 8:39p.m. All members present voted in favor of the motion.

Respectfully Submitted,



Joseph B. Price
Community Development Director and Zoning Officer