

ANTHONY P. SCHIMANECK
JOSELE CLEARY
ROBERT E. SISCO
JASON M. HESS

LAW OFFICES
MORGAN, HALLGREN, CROSSWELL & KANE, P.C.

P. O. BOX 4686
LANCASTER, PENNSYLVANIA 17604-4686

WWW.MHCK.COM

FAX (717) 299-6170

E-MAIL: attorneys@mhck.com

GEORGE J. MORGAN
(1971 - 2021)

RETIRED
CARL R. HALLGREN
MICHAEL P. KANE

700 NORTH DUKE STREET
LANCASTER, PA 17602
717-299-5251

1536 W MAIN STREET
EPHRATA, PA 17522
717-733-2313

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

OF COUNSEL
WILLIAM C. CROSSWELL
RANDALL K. MILLER

April 2, 2025

VIA EMAIL

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

Re: Preliminary/Final Land Development Plan for Lancaster Seed Sales
Our File No. 10221-1

Dear Kim:

I have been provided with the Preliminary/Final Land Development Plan for Lancaster Seed Sales (the "Plan") and supporting information. The Plan relates to a tract of land on the north and south side of Homestead Road identified as 2914 Homestead Road (the "Property"). The portion of the Property on the north side of Homestead Road is presently developed with buildings and other structures related to the Lancaster Seed Sales operation. The Plan indicates the Zoning Hearing Board granted approval at a hearing on March 5, 2025, to construct a 19,140 square foot building which will be connected to the existing seed processing building. This letter will set forth comments on the Plan.

The Plan must be updated to correctly identify the landowners and the Lancaster County Tax Account Number. By a Deed dated February 3, 2025, Landowners J. Douglas Wolgemuth and Sharilynn D. Wolgemuth conveyed to themselves two tracts of land and included the language recognized by the Lancaster County Assessment Office to join the two tracts into a single tract. The Plan includes the recording reference of this Deed, Document No. 20250004143, but it identifies Douglas J. Wolgemuth as the sole landowner.

Site Note 3 of the Plan indicates that the Property is served by on-site sewer and water. Sheet 2 of the Plan shows an approximate location of an existing sewer system. There is no indication of a tested area for a replacement location. Will there be a replacement location determined?

There must be a Storm Water Management Agreement and Declaration of Easement for the proposed storm water management facilities. Site Note 14 states, "There is a recorded stormwater operation and maintenance (O & M) that indicates the location and responsibility for maintenance of the on-site storm water management facilities." This note does not indicate any

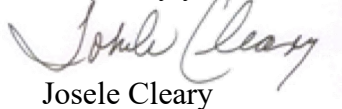
Kimberly Kaufman, Township Manager
April 2, 2025
Page 2

recording reference for an existing Storm Water Management Agreement. I did not see any recorded Storm Water Management Agreement and Declaration of Easement for the Property. Landowners and the Township did enter into a Storm Water Management Agreement with the Township which is recorded at Document No. 5717581, but that Storm Water Management Agreement relates to land on the north and south side of Fairview Road. There do not appear to be any mortgages against the Property, so no Joinder by Mortgagee will be necessary for the Storm Water Management Agreement. The operations and maintenance requirements on Sheet 11 of the Plan must be included in the Storm Water Management Agreement.

Brian Cooley of D. C. Gohn Associates included a waiver letter with the application seeking relief from the requirements of the Subdivision and Land Development Ordinance to widen the cartway and provide additional right-of-way. The Planning Commission should determine whether it wishes to waive such requirements or defer the requirements. If there is to be a deferral, there must be a recorded Deferred Improvements Agreement to address both the dedication of additional right-of-way and the widening.

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

Very truly yours,



Josele Cleary

JC:sle
MUNI\10221-1(7)\250401\71

cc: Justin S. Evans, AICP, Community Development Director (via email)
Patricia J. Bailey, Township Secretary (via email)
Benjamin S. Craddock, P.E. (via email)
Brian R. Cooley, Landscape Architect (via email)