



MOUNT JOY TOWNSHIP

• Lancaster County, Pennsylvania •

8853 Elizabethtown Road, Elizabethtown, PA 17022

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Minutes of a Meeting of The Mount Joy Township Zoning Hearing Board Wednesday, September 3, 2025

- 1) Chairman Gregory R. Hitz Sr. called the meeting to order at 6:00 P.M. in the Mount Joy Township Municipal Building located at 8853 Elizabethtown Road, Elizabethtown, PA 17022.
- 2) Meeting Attendance:
 - Members Present: Gregory R. Hitz Sr., Robert F. Newton Jr., & Roni K. Clark
 - Members Absent: James E. Hershey
 - Township Representatives: Justin Evans, Assistant Zoning Officer
 - Lancaster County Court Reporter: Angela Kilby
 - Zoning Hearing Board Solicitor: John P. Henry, Esq. of Blakinger Thomas
- 3) A motion was made by Robert F. Newton Jr. and seconded by Roni K. Clark to approve the minutes of the August 6, 2025 meeting. All members present voted in favor of the motion.
- 4) Mr. Evans confirmed that the public notice was published in the Thursday, August 14th and Thursday, August 21st editions of the LNP. The property was posted on Friday, August 22nd.
- 5) Solicitor John P. Henry provided a procedural briefing for the meeting.
- 6) Zoning Case #250013
 - a. Applicant/Landowner: RVTs Enterprises, LLC
 - b. Property Location: 1054 Dairy Lane, Elizabethtown, PA 17022; Tax Parcel ID #460-68253-0-0000
 - c. Zoning District: (C-1) Limited Commercial District
 - d. Special Exception Request:
 - (1) Chapter 135, Article I, §135-7 – uses not specifically provided for

The application was presented by Attorney Beau Hoffman, Scott Shambach, PLS, and landowner representative Keith Hill. The following exhibits were presented at the hearing:

- Ex. A-1: application
- Ex. A-2: site plan
- Ex. A-3: narrative
- Ex. A-4: letter from Zoning Officer

Attorney Hoffman noted that the Zoning Ordinance provides for ground-mounted solar arrays as a principal use covering greater than 1 acre. Solar arrays are also permitted as an accessory use; however, the proposal is to construct one as a principal use covering less than 1 acre. The applicant acknowledged receipt of the Zoning Officer's letter dated August 8, 2025 and had no objections to the proposed conditions.

The array would be located approximately 250' from Route 283. The applicant addressed concerns about glare for motorists, noting that current solar panel technology produces little to no glare. A 6-foot high vinyl privacy fence will surround the facility, and no lighting or signage will be present. The surface will have a weed barrier underlaying a clean 2B stone surface.

A cutoff will enable emergency responders to shut the system down in case of incident. Although not submitted with the application, a decommissioning plan was presented at the hearing to address the system's 25-year life span. Energy

will be sent to the PPL grid at Ridgeview Road. The switch gear should not create noise, and the system is three-phase at 320 kW.

Mr. Shambach clarified his earlier comment about distance from Route 283. After checking Google Earth, the array is more like 700' – 750' away.

A motion was made by Robert F. Newton Jr. and seconded by Roni K. Clark to grant approval of the application subject to the following conditions:

1. The Applicant shall apply for and obtain all appropriate permits from Mount Joy Township for the proposed improvements.
2. The Applicant shall obtain Land Development Plan approval from the Mount Joy Township Planning Commission, or a waiver thereof.
3. The Applicant shall gain approval of a Stormwater Management Site Plan or demonstrate to the Township Engineer's satisfaction that stormwater will infiltrate into the ground beneath the solar panels at a rate equal to that of the infiltration rate prior to placement of the panels.
4. The Applicant shall submit to the Township Zoning Officer a Decommission Plan with respect to the proposed use.
5. The Applicant shall comply with all other provisions contained in the Zoning Ordinance for which relief has not been requested or granted.
6. The Applicant and any representative of the Applicant shall comply with and adhere to the testimony and any evidence presented to the Board at the hearing held on September 3, 2025, except to the extent modified by conditions imposed by the Board herein.

All members present voted in favor of the motion.

7) Zoning Case #250014

- a. Applicant/Landowner: IES PA RE, LLC
- b. Property Location: 1650 Steel Way Drive, Mount Joy, PA 17552; Tax Parcel ID #461-15379-0-0000
- c. Zoning District: (LI) Light Industrial District
- d. Special Exception Request:
 - (1) Chapter 135, Article XVII, §135-163.C – expansion of an industrial use not specifically referenced by Section 135-162.E
- e. Variance Requests:
 - (2) Chapter 135 Article XVII, §135-166.A – residential buffer strip
 - (3) Chapter 135, Article XVII, §135-166.B – landscaping strip
 - (4) Chapter 135, Article XXIII, §135-299.B(1) – landscape strip
 - (5) Chapter 135, Article XXIII, §135-299.B(3) – tree planting in landscape strip

Rick Sine of Greiner Industries was joined by Brian Cooley of DC Gohn Associates to present the application. The following people requested party status:

- Joelle Myers, 2706 Mount Pleasant Road – lives near the site
- Michele Myers, 1128 Miller Road – adjoins the site
- Randy Stevens, 2541 Mount Pleasant Road – lives approximately ¼-mile from the site

The applicant did not object to the request of Joelle Myers and Michele Myers to become parties to the case. They did object to Randy Stevens' request due to the greater distance between his home and the site. A motion was made by Robert F. Newton Jr. and seconded by Roni K. Clark to grant party status to Joelle Myers, Michele Myers, and Randy Stevens. All members present voted in favor of the motion.

Mr. Cooley reviewed the application narrative that proposes construction of a gravel outdoor storage area for use by Greiner Industries. Typical materials to be stored there are products for customers, cranes, and similar equipment to

free up space on the main site and improve efficiency. The application package also included three prior Zoning Hearing Board decisions for the Greiner Industries site.

The proposed outdoor storage area will not create new employees or generate additional truck traffic to and from the facility. The gravel pad is situated in such a way that accommodates a future public road along the Township's right-of-way between Steel Way Drive and Mount Pleasant Road. Two rows of trees will be planted along the Strickler and Myers properties as a buffer. Although they will not be utilized by this project, the site is served by public sewer and on-lot water. Adjoining properties are zoned (LI) Light Industrial. No toxic or hazardous materials will be stored on site.

Mr. Cooley clarified the design with respect to the future public road crossing the Greiner Industries site. Traffic flow will not change as vehicles will continue to enter and exit from Steel Way Drive. The applicant worked with Township staff to plan the site around the future street and/or the subdivision of the Greiner Industries property along the right-of-way. He discussed the existing woodlands on the perimeter, noting the lack of lighting and signage since the gravel lot will be surrounded by a fence. There is no access from the storage area to Mount Pleasant Road.

The applicant requests a variance to install two rows of evergreens to ensure better year-round screening with the adjoining residential properties. The Zoning Ordinance specifies one row of evergreens and one row of deciduous trees. A variance from installing the landscape strip is specific to a small section along Miller Road across from the agricultural field and along Mount Pleasant Road across from the Hershey Excavating site. No trees are proposed in the strip adjacent to the Freedom Outfitters warehouse. Some areas of existing woodlands will be kept as shown on the site plan.

36,000 sf of landscape strip equates to a requirement of 48 trees per the Zoning Ordinance. 36 trees will be planted adjacent to the two residential properties. Norway Spruce is specified; however, ongoing conversations with Michele Myers may lead to alternative species. Mr. Hitz expressed concern with certain species and the maintenance of evergreens, especially regarding resistance to disease. Mr. Cooley requested to amend the application, changing Norway Spruce to another suitable species in its place.

Michele Myers confirmed the conversation with Mr. Sine and Mr. Cooley. Her desire is for the buffer along her property to be planted after the facility is in place so that it fits better with the surroundings.

Joelle Myers asked if the current Light Industrial zoning is not being changed. Mr. Cooley confirmed.

Randy Stevens made comments about the applicant's uncertainty in the use of the site before questioning the applicant.

- What is the existing impervious coverage? 17% building coverage; 60.4% impervious coverage. The project will result in 69% impervious coverage.
- Is stone considered impervious coverage? Yes, both in the existing and proposed conditions.
- Will there be hazardous materials? No. Only storage of finished products and equipment; no outdoor manufacturing.

Mr. Clark asked if there would be any grading or similar processes conducted outdoors on the storage lot. No. The applicant confirmed receipt of the Zoning Officer's letter dated August 8, 2025. They have no concerns about the proposed conditions.

Neither Joelle Myers nor Michele Myers provided testimony. Mr. Stevens did provide testimony. He was unhappy with the application stating, "see narrative". Mr. Cooley noted the narrative contains seven pages of detailed information. No objections were made by Joelle Myers or Michele Myers. Mr. Stevens was concerned with the vagueness of the application, with specific mention to health, safety, and welfare.

A motion was made by Robert F. Newton Jr. and seconded by Roni K. Clark to grant approval of the application subject to the following conditions:

1. With respect to all trees to be planted in connection with the Application, Applicant shall actively maintain said trees in good order and condition, and shall immediately replace any of said trees that die or lose the majority of their coverage.

2. Applicant shall obtain Land Development Plan approval from the Mount Joy Township Planning Commission, or a waiver thereof. If a waiver is granted by the Planning Commission, Applicant shall gain approval of a Stormwater Management Site Plan.
3. Applicant shall apply for and obtain the appropriate permits from Mount Joy Township for the proposed improvements.
4. Applicant shall comply with all other provisions contained in Chapter 135 of the Code of Ordinances of Mount Joy Township for which relief has not been requested or granted herein.
5. Applicant and any representatives of Applicant shall comply with and adhere to the testimony and any evidence presented to the Board at the Hearing held on September 3, 2025, except to the extent modified by conditions imposed by the Board herein.

All members present voted in favor of the motion.

8) Zoning Case #250015

- a. Applicant/Landowner: Crystal & Mark Underkoffler
- b. Property Location: 1270 Mount Gretna Road, Elizabethtown, PA 17022
- c. Zoning District: (OS) Open Space and Conservation District
- d. Variance Request:
 - (1) Chapter 135, Article IV, §135-32 – to increase enrollment of a home day care service to 10 individuals

Landowners Crystal & Mark Underkoffler were present with Attorney Sheila O'Rourke. Childcare consultant Barb Green was also present. The following exhibits were submitted at the hearing:

- Ex. A-1: LanCo View Parcel Map
- Ex. A-2: Certificate of Compliance from PA Department of Human Services
- Ex. A-3: Certificate of Occupancy from Mount Joy Township
- Ex. A-4: daily schedule of childcare activities
- Ex. A-5: interior and exterior photos of the premises
- Ex. A-6: reference letters from clients
- Ex. A-7: letters from nearby property owners and reference map
- Ex. A-8: Chapter 135-232 (home day-care service) standards from the Mount Joy Township Zoning Ordinance

Prior to testimony, Mr. Newton stated he knows the applicant but can hear the case without bias. Attorney O'Rourke introduced Ms. Underkoffler and her childcare business that began in 2011 with three children, which then grew to six children. Now she seeks an increase to ten children.

Referring to Exhibit A-1, she confirmed that the property is narrow but deep and has woodlands at the rear. It is zoned (OS) Open Space and Conservation and is improved with a 2,900-sf dwelling and a garage. The property is served by public sewer and well water. Her current certificate through the state permits up to six unrelated children. This certification includes a site inspection, other assessments, and confirmation that employees have valid clearances.

Current enrollment is six and Ms. Underkoffler is the sole employee. She has worked in childcare since 2011 and detailed a typical daily routine as laid out in Exhibit A-4. Operating hours are 6:30 am – 5:00 pm, Monday through Friday. Drop off and pickup takes just less than four minutes with minimal overlap between parents in the driveway. Mount Gretna Road has a speed limit of 35 mph and visibility from the driveway is good. It can accommodate five vehicles.

Photos found in Exhibit A-5 were reviewed to demonstrate the suitability of areas inside and outside the home for children. She also provided insight into the costs of materials, supplies, and training. Exhibit A-9 was submitted, detailing the financials of the business. Tuition is \$70/week and the business is running close to cost right now. Increasing enrollment to ten will help spread costs across more children. She currently has a waiting list of 25. No additional staff are needed and there should not be a change to operations or increased impacts to neighbors. The increase will change the business status from home day care to group day care per PA DHS standards. There will be no change in the outward appearance of the home.

Multiple parents provided reference letters for Ms. Underkoffler's day care, which were provided in Exhibit A-6 and read aloud. Letters from nearby neighbors were compiled in Exhibit A-7 with no negative feedback therein.

The applicant confirmed receipt of the Zoning Officer's letter dated August 8, 2025 and agreed with the proposed conditions. Mr. Hitz then asked several questions of the applicant. The back yard has a fence on the left-hand side, trees to the rear, and a driveway to the right. PA DHS does not have a requirement for fencing. There is a small splash pad with no more than 3" of water that does not require a lifeguard. The well has not been tested and is not a requirement for facilities with less than 16 children. Monthly fire drills are conducted as are annual emergency disaster drills.

A motion was made by Robert F. Newton Jr. and seconded by Roni K. Clark to grant approval of the application subject to the following conditions:

1. The Applicant shall apply for and obtain a use and occupancy permit for the expanded home day care use. Proof of licensure through the Pennsylvania Department of Human Services shall be provided with the permit application, as applicable.
2. The Applicant shall comply with all other provisions contained in the Zoning Ordinance for which relief has not been requested or granted.
3. The Applicant and any representative of the Applicant shall comply with and adhere to the testimony and any evidence presented to the Board at the hearing held on September 3, 2025, except to the extent modified by conditions imposed by the Board herein.

All members present voted in favor of the motion.

- 9) Next regularly scheduled meeting will be held October 1, 2025 beginning at 6:00 P.M.
- 10) A motion was made by Roni K. Clark and seconded by Robert F. Newton Jr. to adjourn the meeting at 7:54 P.M. All members present voted in favor of the motion.

Respectfully Submitted,



Justin S. Evans, AICP
Assistant Zoning Officer

For: Robert F. Newton, Jr., Secretary
Mount Joy Township Zoning Hearing Board