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November 10, 2025

VIA MAIL AND EMAIL (justin@mtjoytwp.org)

Mr. Justin Evans
Assistant Zoning Officer
Mount Joy Township
8853 Elizabethtown Road
Elizabethtown, PA 17022

RE: Ironwood Real Estate, LLC/Etown IRE Associates, LLC
1551 South Market Street - Subdivision Plan

Dear Justin:

On behalf of Ironwood Real Estate, LLC/ Etown IRE Associates, LLC, I attach two (2) full sized copies and eight (8) 11"x17" sized copies of a revised Subdivision Plan prepared by Blue Marsh Associates, LLC last revised November 7, 2025 and further offer the following responses to the review comments received from Mount Joy Township and the Lancaster County Planning Commission:

Lancaster Civil September 18, 2025 Review Letter

Zoning Ordinance

1. The maximum height requirement shall be added to the Zoning Data table (135-135.A).

The maximum height requirement has been added to the subdivision plan.

2. All off-street parking lots shall be set back at least 15 feet from the side and rear lot lines (135-135.E(2)(c) & 135-135.E(3)(b)). These setbacks should be shown on the plans.

The parking setbacks have been added to the subdivision plan.

3. The existing impervious coverage exceeds 65%. This is an existing non-conformity (135-135.F(2)).

No response required.

4. Clear sight triangles and stopping sight distances shall be shown at the existing access points (135-299.E(2) & 119-31.D(12)).

There are no changes proposed to be made to the site or the access points. The existing conditions will remain.

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5. Riparian corridors shall be established to include 30 feet on each side of the watercourse, measured from the top of each stream bank (135-306.B). The applicant shall enter into a recordable agreement with the Township providing for the permanent maintenance of the riparian corridor, in a form acceptable to the Township Solicitor (135-306.F).

A proposed riparian corridor has been added to the subdivision plan. The applicant will enter into a riparian corridor maintenance agreement prior to subdivision plan recording.

6. The total required number of spaces for the retail store use (i.e. shopping center) shall be corrected (135-343.C). The required number of parking spaces may be reduced by 20% for joint parking lots (135-344.A).

The required number of parking spaces for the shopping center has been reduced by 20%.

7. The parking space requirement based on the number of employees shall be included in the required parking space calculation for the Drive-Through Restaurant use (135-343.C(5)).

The parking requirement for the Drive-Through Restaurant use has been updated on the subdivision plan.

8. A cross-access easement and maintenance agreement that ensures the common use of, access to, and maintenance of the joint-use parking lot for proposed lots 1 and 2. The agreement shall be provided in a form acceptable to the Township Solicitor (135-344.C).

Will comply. A reciprocal easement agreement will be provided for review prior to subdivision plan recording.

9. Off-street loading space information shall be shown on the plans (135-346).

There are no changes proposed to be made to the site or the loading areas. The existing conditions will remain.

Subdivision and Land Development Ordinance

10. The application indicates that this is a “Minor Subdivision Plan” however since this subdivision involves non-residential uses, it must be processed as a standard subdivision plan (119-25.C(4)(a)). The plan title shall be corrected to reflect that this is a standard subdivision.

The subdivision plan title has been revised to “Preliminary/Final Subdivision Plan”.

11. The plan should be submitted as a preliminary subdivision plan (or a waiver requested to allow it to be processed as a preliminary/final plan) (119-25.C(2)).

A waiver is requested to process the subdivision plan as a combined preliminary/final application.

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12. The plans shall be signed and sealed by a registered engineer, surveyor or landscape architect (119-31.A(5)).

The subdivision plan has been signed by the surveyor.

13. The name of the owner and developer/subdivider of the subtract tracts shall be clearly identified on the plans. The address of the owner and developer/subdivider of the subtract tracts shall be added to the plan (119-31.B(3)).

The name of the equitable owner/subdivider has been added.

14. The location map shall be drawn to scale (119-31.B(8)).

The location map has been drawn to scale.

15. The zoning district boundary lines for Elizabethtown Borough shall be shown and labeled on the plans (119-31.B(9)).

The zoning district boundary lines have been added.

16. The location of the boundaries with West Donegal Township and Elizabethtown Borough shall be shown on the plan (119-31.B(2) & 119-31.B(9)).

The municipal boundary line has been added.

17. The plan shall identify all prior plans, including all notes or restrictions affecting the current development, with a verification signed by the design professional that such list is complete and correct (119-31.B(14)).

Prior plans, if any, have been added under the Reference section.

18. The names of all adjacent landowners shall be shown on the plan, including those across existing rights-of-way (119-31.C(2)). The plan book for the adjacent landowners shall be shown on the plans.

The names and recording information of landowners across the existing rights of way have been added.

19. Existing features (i.e. buildings, stormwater management facilities, public utilities, etc.) within 200 feet of the subject tract shall be shown on the plans (119-31.C(3)).

A waiver from Section 119-31.C(3) is hereby requested to accept an aerial of the existing features in lieu of adding the existing features to the subdivision plan. There are no proposed changes to the site under this application.

20. The cartway for S.R. 0230 and all existing access drives shall be shown on the plans. The dimensions of existing rights-of-way and cartways for streets, as well as dimensions for existing access drives, shall be added to the plan (119-31.C(3)(a)).

The existing rights of way and cartway dimensions from the centerline of the road per the recorded PennDOT right of way plan have been added.

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21. The existing stream on the subject tract shall be shown on the plans (119-31.C(5)).

The existing stream has been added.

22. The total number of lots, units of occupancy, density, and land use shall be provided on the plans (119-31.D(3)).

The plan shows the total number of lots is three (3) and there are multiple commercial/retail buildings existing on the property.

23. A wetlands study shall be provided (119-32.B & 119-34.E(3)(c)).

Waivers from Sections 119-32.B and 119-34.E(3)(c) are requested as no new development is proposed as part of this application, and therefore, there is no impact to wetlands, if any exist on the property.

24. All certificates shall be executed prior to final plan approval (119-35.E).

Will comply.

25. The Lancaster County Planning Commission certificate shall be shown on the plans (119-35.E(1)(d)).

The LCPC certificate has been added.

26. Written notice shall be provided from the DEP that approval of the sewer planning module has been granted or notice from the Department that such approval is not required (119-35.E(2)(a) & 119-60.A).

There are no new structures or changes in use proposed as part of this application, which only creates a new subdivided lot for ownership purposes. Therefore, this subdivision does not constitute a “new land development revision” under PA DEP sewage facilities planning regulations.

27. A land development agreement in a form acceptable to the Township Solicitor shall be executed (119-35.E(4)(f)).

There is no land development associated with this application, which only creates a new subdivided lot for ownership purposes. Therefore, a land development agreement is not required.

28. A construction cost estimate and financial security shall be provided (119-41 & 113-60).

There is no construction associated with this application, which only creates a new subdivided lot for ownership purposes. Therefore, a construction cost estimate and financial security agreement is not required.

29. The frontage along South Market Street (S.R. 230) shall be improved in accordance with 119-52.J or as indicated on the Township Official Map, whichever is greater. Improvements shall include curbing, sidewalk, dedication of additional right-of-way and construction of a second

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westbound through lane. The required right-of-way indicated on the Official Map is 100 feet for South Market Street (S.R. 230); it is currently unclear whether the existing right-of-way meets this requirement (119-52.J(3)(a) & 119-53.B(2) / 119-53.C).

Waivers from Sections 119-52.J(3)(a) & 119-53.B(2) / 119-53.C are requested since this application only creates a new subdivided lot for ownership purposes and there is no development or construction proposed.

30. If the Township determines that the road improvements required by 119-52.J(3)(a) are not feasible at the time of development, the developer shall deposit funds with the Township in the amount of 110% of the cost of improvements, or the applicant shall enter into an agreement that would defer road improvements to a time the Township would deem such road improvements as feasible (119-52.J(3)(d)).

A waiver from Sections 119-52.J(3)(d) is requested since this application only creates a new subdivided lot for ownership purposes and there is no development or construction proposed.

31. A note shall be added to the plan with the requirement that nothing shall be placed, planted, set or put within an easement that would adversely affect the function of the easement or conflict with the easement agreement (119-56.B). This note shall also be included in all deeds for lots which contain an easement.

The note has been added.

32. Three monuments shall be spaced around the proposed project, with at least two of the monuments places as consecutive corners along the street right-of-way (119-57.B).

Will comply. The location of the proposed monuments has been added.

33. Lot line markers shall be set at the street right-of-way and at all angles in property lines, where lot lines intersect curves, and at the intersection of all other property lines (119-57.D).

Will comply. The lot line markers will be set accordingly.

34. The plans shall indicate when the lot line markers and concrete monuments are to be set (119-31.D(14)(a) & 119-57.D).

The locations of the lot line markers and concrete monuments have been added.

35. Any action taken on waiver requests, dates, and any conditions of approval shall be added to the cover sheet (119-91.C).

Will comply. A list of the requested waivers has been added to the plan.

Josele Cleary, Esquire September 18, 2025 Review Letter

- A zoning application seeking a variance from the maximum permitted impervious coverage has been submitted.

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- A reciprocal easement agreement among the other parcel owners in the shopping center will be established providing for reciprocal access, parking, and maintenance. A draft of the reciprocal easement agreement will be provided to the Township Solicitor for review prior to recording of the subdivision plan.
- E-town Associates, L.P. (owner of parcel #460-8022200000) does not own any land that is part of this application, which is why E-town Associates, L.P. is not listed as an owner on the subdivision plan. There are no reciprocal easement or shared parking agreements of record known to the applicant.
- The off-street parking zoning data table has been updated to demonstrate there is adequate parking for both Lot 1 and the 1575 Market St building.
- The handicapped accessible parking spaces have been labeled on the plan.

Lancaster County Planning Commission October 8, 2025 review letter

- Revised deeds for the newly subdivided lot and residual existing lot will be prepared and recorded.
- A reciprocal access easement agreement will be prepared and recorded.

Sincerely yours,



Gregg I Adelman, Esquire

/attachments

cc (via email only): Patricia Bailey, Township Secretary / Assistant Zoning Officer
Josele Cleary, Esquire, Township Solicitor
Benjamin S. Craddock, P.E., Township Engineer
Renee Addleman, Planner, LCPC

December 2, 2025

Justin Evans
Assistant Zoning Officer
Mount Joy Township
8853 Elizabethtown Road
Elizabethtown, PA 17022

Via email: justin@mtjoytwp.org



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Re: Ironwood Real Estate, LLC (1551 South Market Street)
Minor Subdivision Plan
Township Permit No. 25-16-MSDP
LCEC Project No: 25-203

Dear Mr. Evans,

We have received a minor subdivision plan submission by Blue Marsh Associates, Inc (submitted by Kaplin/Stewart attorneys) for the above-referenced project. The submission consisted of the following documents:

- Comment response letter dated November 10, 2025
- Minor Subdivision Plan revised November 7, 2025

Based upon my review of the submitted information, I offer the following comments for the Township to consider:

Zoning Ordinance

1. The maximum height requirement shown in the Zoning Data table shall be corrected (135-135.A).
2. The existing impervious coverage exceeds 65%. This is an existing non-conformity. However, the proposed impervious coverage for Proposed Lot 1 (75.8%) exceeds the existing, non-conforming impervious coverage (70.7%); this would require a variance from the Zoning Hearing Board (135-135.F(2)).
3. Clear sight triangles and stopping sight distances shall be shown at the existing access points (135-299.E(2) & 119-31.D(12)). The applicant appears to have requested a waiver of this requirement since this requirement is listed in the "List of Waivers" on the Cover Sheet; however the response letter does not state a waiver is being requested.

Waiver response: The applicant indicates that there are no improvements which change the site or access points and that existing conditions will remain; however, I do not believe the applicant has provided sufficient justification as to the hardship of this requirement to show clear sight triangles on the plans. Therefore, I am unable to support a waiver of this requirement.

4. The applicant shall enter into a recordable agreement with the Township providing for the permanent maintenance of the riparian corridor, in a form acceptable to the Township Solicitor (135-306.F).

5. The total required number of spaces for the retail store use (i.e. shopping center) shall be corrected (135-343.C). For 33,870 sf of gross floor area, 169 parking spaces would be required (5 spaces per 1,000 sf of floor area). The required number of parking spaces may be reduced by 20% for joint parking lots (135-344.A)
6. A calculation showing the number of seats and employees shall be provided for the parking space requirements for the Drive-Through Restaurant use (135-343.C(5)).
7. A cross access easement and maintenance agreement that ensures the common use of, access to, and maintenance of the joint-use parking lot for proposed lots 1 and 2. The agreement shall be provided in a form acceptable to the Township Solicitor (135-344.C).
8. Off street loading space information shall be shown on the plans (135-346).

Subdivision and Land Development Ordinance

9. The plan should be submitted as a preliminary subdivision plan (119-25.C(2)). The applicant has requested a waiver of this requirement.

Waiver response: The applicant proposes to process this as a preliminary/final plan which includes both preliminary and final plan requirements. This project is not phased and proposes a simple subdivision; therefore, I have no objection to a waiver of this requirement.

10. The plans shall be signed and sealed by a registered engineer, surveyor or landscape architect (119-31.A(5)).
11. The zoning district boundary lines for Elizabethtown Borough shall be shown and labeled on the plans (119-31.B(9)).
12. The plan shall include a verification signed by the design professional that the list of prior plans is complete and correct (119-31.B(14)).
13. The plan book for the adjacent landowners shall be shown on the plans (119-31.C(2)).
14. Existing features (i.e. buildings, stormwater management facilities, public utilities, etc.) within 200 feet of the subject tract shall be shown on the plans (119-31.C(3)). The applicant has requested a waiver of this requirement.

Waiver response: The plan currently shows existing features within 50 feet of the subject tract and there are no proposed improvements as part of this plan. The features that are not shown would not be affected by the project or visa versa, therefore I have no objection to a waiver of this requirement.

15. The cartway for S.R. 0230 shall be shown on the plans. The dimensions of existing rights-of-way and cartways for streets, as well as dimensions for existing access drives, shall be added to the plan (119-31.C(3)(a)).
16. The total number of lots, units of occupancy, density, and land use shall be provided on the plans (119-31.D(3)).
17. A wetlands study shall be provided (119-32.B & 119-34.E(3)(c)). The applicant has requested a waiver of this requirement.

Waiver response: There are no proposed improvements as part of this plan. The National Wetland Inventory website indicates that there are no wetlands on the subject tract and the majority of the site is developed. Based on these considerations, I have no objection to a waiver of this requirement.

18. All certificates shall be executed prior to final plan approval (119-35.E).

19. The Lancaster County Planning Commission certificate shown on the plans shall be updated to the current version (119-35.E(1)(d)).
20. Written notice shall be provided from the DEP that approval of the sewer planning module has been granted or notice from the Department that such approval is not required (119-35.E(2)(a) & 119-60.A). The response letter indicates that this plan does not constitute a "new land development revision" under PADEP sewage facilities planning regulations. While we do not disagree with this statement, the ordinance requires written notice from DEP as confirmation.
21. A land development agreement in a form acceptable to the Township Solicitor shall be executed (119-35.E(4)(f)). A land development agreement is not necessary if the concrete monuments and lot markers are set prior to the recording of the plans.
22. A construction cost estimate and financial security shall be provided (119-41). A cost estimate/financial security are not necessary if the concrete monuments and lot markers are set prior to the recording of the plans.
23. The frontage along South Market Street (S.R. 230) shall be improved in accordance with 119-52.J or as indicated on the Township Official Map, whichever is greater. Improvements shall include curbing, sidewalk, dedication of additional right-of-way and construction of a second westbound through lane. The required right-of-way indicated on the Official Map is 100 feet for South Market Street (S.R. 230); it is currently unclear whether the existing right-of-way meets this requirement (119-52.J(3)(a) & 119-53.B(2) / 119-53.C). The applicant has requested a waiver of this requirement.

Waiver response: The subject tract has existing curb and sidewalk for approximately 145 feet of frontage but approximately 275 feet of property frontage lacks curb and sidewalk. Curb and sidewalk are currently installed continuously (except where broken by driveways or parking lots) along the northern side of S.R. 230 for more than two miles from Sheaffer Road through Elizabethtown Borough to north of Linden Avenue. The subject property represents the only property within the 2 mile pedestrian corridor, where no pedestrian accommodation is provided. According to PennDOT data, the average daily traffic for S.R. 230 is more than 13,000 vehicles per day. In my opinion, adding curb and sidewalk at this location will provide a significant benefit to pedestrian safety by providing separation from vehicular traffic and by closing a major gap within the 2 mile pedestrian corridor, without adversely affecting the intent of the plan (to create an additional lot). Based on these considerations, I am unable to support a waiver of this requirement.

24. If the Township determines that the road improvements required by 119-52.J(3)(a) are not feasible at the time of development, the developer shall deposit funds with the Township in the amount of 110% of the cost of improvements, or the applicant shall enter into an agreement that would defer road improvements to a time the Township would deem such road improvements as feasible (119-52.J(3)(d)).
25. The proposed property corners symbols shall be labeled to differentiate between the different types of corners to be set (119-57.B & 119-57.D). It currently appears that concrete monuments are to be set at each corner; however, there are three different "proposed property corners" symbols shown in the legend.
26. The plans shall indicate when the lot line markers and concrete monuments are to be set (119-31.D(14)(a) & 119-57.D).
27. Any action taken on waiver requests, dates, and any conditions of approval shall be added to the cover sheet (119-91.C).

If you should have any questions or need additional information, please do not hesitate to contact me at bencraddock@lancastercivil.com or via telephone at 717-799-8599.

Sincerely,



Benjamin S. Craddock, PE, President

LANCASTER CIVIL

cc: Patricia Bailey, Township Secretary / Assistant Zoning Officer (via email)
Josele Cleary, Esquire, Township Solicitor (via email)
Renee Addleman, Planner, LCPC (via email)
Kristen Shepherd, Kaplin/Stewart (via email)

**PROPOSED MOTION FOR THE PRELIMINARY/FINAL SUBDIVISION PLAN
PENNSYLVANIA CVS PHARMACY, LLC
M.J.T.P.C. File # 25-16-MSDP**

I move that the Township Planning Commission grant waivers of Chapter 119 of the Code of Ordinances of the Township of Mount Joy, i.e. the Mount Joy Township Subdivision and Land Development Ordinance as follows:

- (1) §119-25.C(2) – preliminary plan requirement
- (2) §119-31.C(3) – existing features within 200' of the site
- (3) §119-32.B & §119-34.E(3)(c) – wetlands study
- (4) §119-52.J – road frontage improvements

And having granted such waivers, grant approval of the Preliminary/Final Subdivision Plan – Pennsylvania CVS Pharmacy, LLC (the “Plan”) prepared by Blue Marsh Associates, Inc., Drawing No. 25-A-142, dated August 5, 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 December 2, 2025.
2. To the extent not otherwise provided in these conditions, Applicant shall address the comments of the Township Solicitor’s review letter dated September 18, 2025.
3. Applicant shall address and comply with all conditions contained in the Mount Joy Township Zoning Hearing Board (MJTZHB) decision for Case #250019.
4. An easement shall be delineated on the Plan for the purpose of shared access and circulation between Lot 1 and Lot 2. Additionally, an agreement shall be executed and recorded to grant said easement.
5. Applicant shall submit a fully executed agreement providing for permanent maintenance of the riparian corridor, 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. If the required concrete monuments and/or lot markers are not set prior to release of the final plan for recording, applicant 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.
7. If the required concrete monuments and/or lot markers are not set prior to release of the final plan for recording, 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.

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.

**ACCEPTANCE OF CONDITIONS UPON APPROVAL OF A
PRELIMINARY/FINAL SUBDIVISION PLAN
IMPOSED BY THE PLANNING COMMISSION OF MOUNT JOY TOWNSHIP
FOR**

**PENNSYLVANIA CVS PHARMACY, LLC
M.J.T.P.C. File # 25-16-MSDP**

I have reviewed the conditions imposed by the Planning Commission of Mount Joy Township, Lancaster County, Pennsylvania, at the meeting on January 29, 2026, upon the approval of the Preliminary/Final Subdivision Plan for Pennsylvania CVS Pharmacy, LLC, prepared by Blue Marsh Associates, Inc., Drawing No. 25-A-142, dated August 5, 2025. In my capacity as developer/developer's agent and being authorized to do so, and intending to be legally bound, I hereby accept the imposition of the conditions attached hereto as part of the approval of the above-described subdivision and/or land development project. I expressly waive any requirements of the Pennsylvania Municipalities Planning Code that the Township provide a section number of a governing ordinance, statute or regulation upon which such conditions are based and a description of the requirements which have not been met. To the extent that any condition is not based upon a specific requirement of a governing ordinance, statute or regulation, I expressly waive any right which I may have to challenge the imposition of such condition. If signing as developer's agent, I expressly state that I have been authorized by developer to agree to the conditions imposed upon the approval of the above-described subdivision and/or land development application.

Date: _____

Signature

Printed Name

Title