



MOUNT JOY TOWNSHIP

• Lancaster County, Pennsylvania •

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Minutes of a Regular Meeting of the Mount Joy Township Planning Commission Held on July 27, 2026

1. Chairman Bill Weik, Jr. 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 Becker — Present

Rodney Boll — Present

Michael McKinne — Present

Delmar Oberholtzer — Absent

Lynn Royer — Absent

Karen Sweigart — Present

Bill Weik, Jr. — Present

Other Township Representatives Present: Justin Evans, Assistant Zoning Officer and Benjamin Craddock, Township Engineer

4. Public Comment: NONE

5. Consent Calendar:

- a. Approve and ratify the minutes of the May 27, 2026 meeting
- b. Ratify and confirm signature of the Minor Subdivision Plan for 1501 Mill Road (#25-14-MSDP)
- c. Authorize the Assistant Zoning Officer to issue a planning consistency letter re: EAWA Well 6 & 7 Improvements

A motion was made by Karen Sweigart and seconded by Michael McKinne to approve the Consent Calendar. All members present voted in favor of the motion.

6. Old Business:

- a. Preliminary/Final Subdivision Plan for Akbar & Susan Boutorabi (#26-03-FSDP) – Proposal to subdivide a 22.7-acre tract located at 583 Trail Road North into three residential lots. The property is zoned (A) Agricultural and is/will be served by on-lot water and sewer facilities.

Engineer David Keener presented the plan with applicant Amir Boutorabi present. He provided a summary of the plan and a progress report since having an initial view with the Commission. The Zoning Hearing Board granted relief from two setback issues in June. Sewage planning approval for all three lots was also granted in the meantime. In addition to seeking conditional approval of the plan, two additional waivers were requested.

The Township Engineer's review flagged the requirement for a water and sewer feasibility report. It was determined in the meeting that a water report is not required for a three-lot subdivision per §119-32.A(2)(b)(11). Mr. Keener noted the information provided in the DEP sewage module should address the

sewage report's requirements. The Commission agreed but asked that the sewage information be provided to satisfy this comment.

The applicant also requested a waiver from submitting a wetland report as required by §135-32.B. Mr. Keener noted that wetlands were mapped by Vortex Environmental but there is no report. The Commission discussed the importance of the wetland report during the subdivision process even though only Lot 1 will be built on at this time. A motion was made by Karen Sweigart and seconded by Rodney Boll to deny the waiver request of §135-32.B regarding the wetland report. All members present voted in favor of the motion.

A motion was made by Rodney Boll and seconded by Karen Sweigart to grant approval of the plan, 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 July 22, 2026.
2. To the extent not otherwise provided in these conditions, Applicant shall address the comments of the Township Solicitor's review letter dated July 11, 2026.
3. Applicant shall address and comply with all conditions contained in the Mount Joy Township Zoning Hearing Board (MJTZHB) decision dated June 11, 2026 for ZHB Case #260008.
4. Applicant shall submit a fully executed Storm Water Management Agreement and Declaration of Easement in a form acceptable to the Township Solicitor prior to the release of the Plan for recording.
5. Applicant shall submit a fully executed Agreement Providing For Grant of Riparian Buffer and Conservation Easement in a form acceptable to the Township Solicitor prior to the release of the Plan for recording.
6. Applicant shall submit a fully executed Declaration of Groundwater Recharge Easement in a form acceptable to the Township Solicitor prior to the release of the Plan for recording.
7. Applicant shall submit a fully executed Land Development Agreement in a form acceptable to the Township Solicitor prior to the release of the Plan for recording.
8. Applicant shall submit financial security in a form acceptable to the Township Solicitor to guarantee the proper installation of all improvements associated with the project prior to the release of the Plan for recording. The amount of said financial security shall be in the amount consistent with the construction cost opinion approved by the Township Engineer.
9. Applicant shall apply for and obtain all necessary permits prior to commencing any construction activities.
10. 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.
11. Applicant shall prepare and submit a wetland study in accordance with §119-32.B.

All members present voted in favor of the motion.

7. New Business:

- a. Land Development Waiver Request for Jacob S Lapp (#26-06-WAIV) – Proposal to replace a barn and milk house with new structures and a manure storage structure on a 68-acre farm located at 2302 Valley View Road. The property is zoned (A) Agricultural.

Engineer Nancy Harris from Weaver Environmental Consulting presented the application with David and Jacob Lapp also present. The project will result in an increase of the herd size from 30 to approximately 53 cows. New manure storage will also be constructed, and all applicable agricultural plans will be provided in accordance with Lancaster County Conservation District requirements. All structures will be located outside of the required buffer around the constructed wetlands on site.

Mr. McKinne asked about an easement or deed restrictions associated with the constructed wetlands. The applicant is unable to find any such terms; however, the Lapps are amenable to providing a buffer around the wetlands. A discussion took place regarding the Lapps constructing a crossing through the wetlands to access a field physically separated from the farmstead. They added some soil to the existing spillway between wetland areas and have been using it as a crossing. Mr. Boll asked how far the manure storage will be from the wetlands; approximately 50-60’.

A motion was made by Kevin Becker and seconded by Michael McKinne to waive the requirement to submit and gain approval of a land development plan, 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 July 20, 2026.
2. Applicant shall prepare, submit and gain approval of a Stormwater Management Permit in accordance with Chapter 113 of the Code of Ordinances of the Township of Mount Joy, i.e. the Mount Joy Township Stormwater Management Ordinance.
3. Applicant shall submit a fully executed agreement providing for the permanent maintenance of the riparian corridor in a form acceptable to the Township Solicitor prior to the issuance of permits.
4. Applicant shall apply for and obtain all necessary permits prior to commencing any construction activities.
5. 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.
6. Applicant shall provide and adhere to any deed restrictions, easements, or other obligations relating to the constructed wetlands located on the property.

All members present voted in favor of the motion.

8. Initial View:

- a. Lot Line Change Plan for Montana Thompson (#26-05-LLCP) – Proposal to transfer two, 0.497-acre parcels between adjoining properties located at 161 & 181 Hereford Road. No improvements are associated with the plan. Both properties are zoned (A) Agricultural.

Todd Smeigh from DC Gohn presented the plan to the Commission, starting with a brief history of the properties. An old farmhouse was subdivided onto a separate lot, then a home was built near the center of the site. Several encroachments of the common property line developed over the years, including a swimming pool. This plan will swap equally sized parcels between the owners of 161 (Lapp) and 181 (Thompson) Hereford Road and alleviate these encroachments. No construction is proposed by the plan, and no additional lots will be created. A small area of wetlands is present in the corner of 161 Hereford Road, and a riparian corridor is on 181 Hereford Road.

A waiver of road frontage improvements is requested. A prior plan recorded in 1991 proposed additional right-of-way along Hereford Road, though it is unknown if the Township took dedication of it. The request is specific to road widening, noting that the Township widened and repaved the road in recent years. It may be up to one foot short of the width required by the SALDO. Additionally, Mr. Smeigh will file a waiver of sewage planning with a non-building declaration.

9. Other Business: NONE

10. Correspondence: NONE

11. The next regular meeting of the Mount Joy Township Planning Commission is scheduled to be held on **Monday, August 24, 2026** beginning at 7:00 P.M.

12. A motion was made by Michael McKinne to adjourn the meeting at 8:03 p.m. All members present voted in favor of the motion.

Respectfully Submitted,

A handwritten signature in black ink, reading "Justin S. Evans". The signature is written in a cursive, flowing style.

Justin S. Evans, AICP
Assistant Zoning Officer