



MOUNT JOY TOWNSHIP

• Lancaster County, Pennsylvania •

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8853 Elizabethtown Road, Elizabethtown, PA 17022

717.367.8917 • 717.367.9208 fax

www.mtjoytwp.org

AUG 14 2024

MOUNT JOY TOWNSHIP

Tax Parcel # 461-36261-0-0000

M.J.T.P.C. File No. 24-17-WAIV

SUBDIVISION-LAND DEVELOPMENT WAIVER REQUEST FORM

TO: MJT Planning Commission

Applicant: Daniel S. Beiler

Address: 2091 Milton Grove Rd Mt. Joy

Phone #: 717-572-9300-1

E-mail: dbcabinetry@ibcfax.com

Property Owner: Daniel S. Beiler

Address: 2091 Milton Grove Rd Mt. Joy

Phone #: 717-572-9300-1

E-mail: dbcabinetry@ibcfax.com

Location of Project:

2091 Milton Grove Rd Mount Joy PA 17552

Description of Project:

Build new schoolhouse - Build new horseshed / Outhouses.

New driveway off Milton Grove Rd

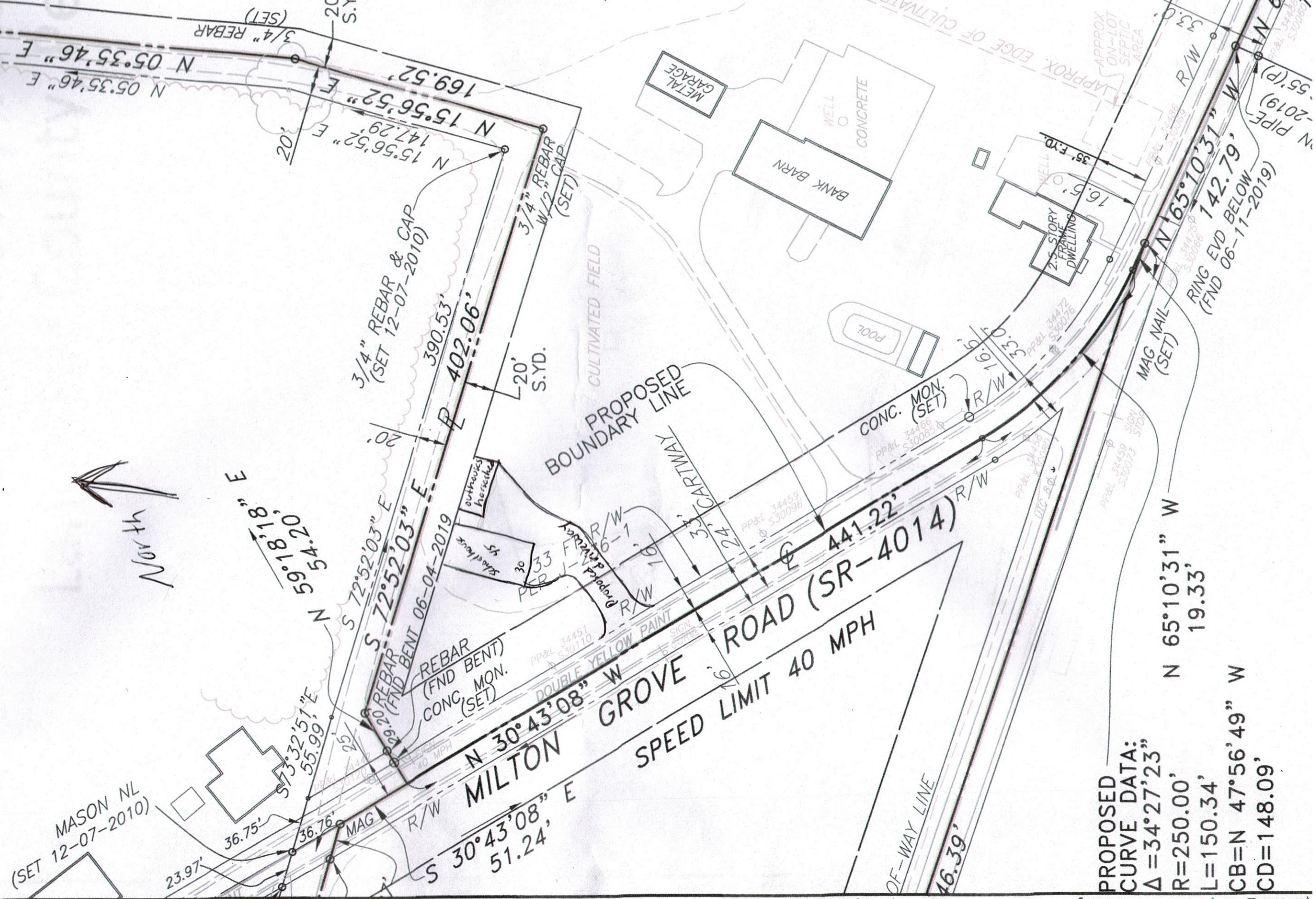
I hereby request a waiver of having to prepare, submit and gain approval of a subdivision/land development plan, pursuant to the provisions contained in/at Chapter 119, Article III of the Code of Ordinances of the Township of Mount Joy, i.e. the Mount Joy Township Subdivision and Land Development Ordinance, as amended.

By virtue of my signature upon this form, I hereby acknowledge and agree to reimburse Mount Joy Township for the actual engineering and legal costs, including any inspection costs, incurred by the Township for the review of this waiver request/project.

Daniel S. Beiler
Signature

8-14-24
Date

Rev. 01-2014



September 16, 2024

Kim Kauffman
Township Manager
Mount Joy Township
8853 Elizabethtown Road
Elizabethtown, PA 17022

Via email: kkauffman@mtjoytwp.org

Re: 2091 Milton Grove Road (Daniel Beiler)
Land Development Plan Waiver Request
Township Permit No. 24-17-WAIV
LCEC Project No: 25-177



LANCASTER CIVIL
★ ★ engineering company ★ ★
p.o. box 8972, lancaster, pa 17604-8972
www.lancastercivil.com

Dear Mr. Evans,

We have received a land development waiver request for the above-referenced project. The submission consisted of the following documents:

- Subdivision - Land Development Waiver request form dated August 14, 2024
- Sketch plan

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

Zoning Ordinance

1. At a Zoning Hearing Board meeting on August 7, 2024, the Board granted the following:
 - a. Special Exception per Section 135-82 to permit establishment of a school in the Agricultural District; and
 - b. Variance from Section 135-85.B(1) to permit an additional principal non-agricultural building/use on the property
2. Stopping sight distances shall be evaluated and a clear sight triangle provided at the proposed driveway (135-299.E(2) & 119-31.D(12)).

Subdivision and Land Development Ordinance

3. The applicant has requested a waiver of the Subdivision and Land Development Ordinance (Chapter 119, Article III) for the construction of a one room Amish schoolhouse along with associated access drive and a horse shed at 2091 Milton Grove Road.

Waiver response: The existing 22.8 acre property has one existing single-family detached dwelling and agricultural buildings which are to remain. The property also contains a woodworking shop which was approved as a farm-related business in 2019. The property fronts upon Milton Grove Road (S.R. 4033) which is a State roadway. The schoolhouse will not generate significant vehicular traffic, nor will it have an adverse impact to neighboring properties. A highway occupancy permit will also be required for a

new driveway to be installed. Based on these considerations, I have no objection to this waiver request.

Stormwater Management Ordinance

4. Prior to any earth disturbance, a plan meeting the requirements of the Mount Joy Township Stormwater Management Ordinance shall be submitted to the Township (113-31.A).

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,

A handwritten signature in blue ink that reads "Benjamin S. Craddock".

Benjamin S. Craddock, PE, President

LANCASTER CIVIL

cc: Justin Evans, AICP, Community Development Director/Zoning Officer (via email)
Patricia Bailey, Township Secretary (via email)
Josele Cleary, Esquire, Township Solicitor (via email)
Daniel Beiler (via email)

**PROPOSED MOTION FOR A WAIVER REQUEST
FOR
DANIEL S. BEILER (PROPOSED SCHOOLHOUSE)
M.J.T.P.C. File # 24-17-WAIV**

I move that the Township Planning Commission grant a waiver of Chapter 119, Article III of the Code of Ordinances of the Township of Mount Joy, i.e. the Mount Joy Township Subdivision and Land Development Ordinance, i.e. plan processing procedure, relating to the requirement to prepare, submit, gain approval of and record 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 September 16, 2024.
2. If a new driveway is to be constructed, Applicant shall submit a copy of the Highway Occupancy Permit as issued by the Pennsylvania Department of Transportation or, in lieu thereof, evidence satisfactory to Township Staff that the Pennsylvania Department of Transportation will not require the issuance of a Highway Occupancy Permit.
3. Applicant shall address and comply with all conditions contained in the Mount Joy Township Zoning Hearing Board decision dated August 12, 2024 (Case #240009).
4. Applicant shall submit a fully executed Privy Agreement, which shall be acceptable to the Township Solicitor and in recordable form. The Agreement, fully executed, shall be submitted and approved prior to the issuance of any and all required permits.
5. Applicant shall prepare, submit and gain approval of a Stormwater Management Site Plan, as applicable, and obtain 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.
6. Applicant shall submit a fully executed Stormwater 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 issuance of any and all required permits.
7. Applicant shall submit financial security to guarantee the proper installation of all improvements associated with this project prior to the commencement of construction 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 apply for and obtain all necessary permits prior to commencing any construction activities.
9. 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

9/19/2024

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 WAIVER REQUEST
IMPOSED BY THE PLANNING COMMISSION OF MOUNT JOY TOWNSHIP
FOR**

**DANIEL S. BEILER (PROPOSED SCHOOLHOUSE)
M.J.T.P.C. File # 24-17-WAIV**

I have reviewed the conditions imposed by the Planning Commission of Mount Joy Township, Lancaster County, Pennsylvania, at the meeting on September 23, 2024, upon the approval of the Waiver Request for Daniel S. Beiler (Proposed Schoolhouse), dated August 14, 2024. 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