

**PROPOSED MOTION FOR THE MINOR LAND DEVELOPMENT PLAN
FOR ROBERT L. BRUBAKER
M.J.T.P.C. File # 24-21-MLDP**

I move that the Township Planning Commission grant waivers or modifications or deferrals of the requirement to comply with 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 they pertain to the following and only as specifically requested in writing by the applicant:

- 1) §119-52.J(3)(a),119-53.B(2),119-53.C
Relating to the requirements for the improvement of streets .
This waiver request is neither supported nor objected to by the Township engineer but a deferral of this requirement is more appropriate.

And having granted such waivers, modifications or deferrals grant approval of the Brubaker plan (the “Plan”) prepared by NCS Inc., dated January 08, 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 May 16, 2025.
2. To the extent not otherwise provided in these conditions, Applicant shall address the comments of the Township Solicitor’s review letter dated November 11, 2024.
3. Applicant shall submit a fully executed Storm Water 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 release of the final plan for recording.
4. Applicant shall submit a fully executed Deferred Road Improvement Agreement, which shall be acceptable to the Township Solicitor and in recordable form. The Agreement shall include, but not necessarily limited to, provisions for the improvement of road frontage along Camp Road. The Agreement, fully executed, shall be submitted and approved prior to the release of the final plan for recording.
5. Applicants 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.
6. 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.
7. Applicant shall apply for and obtain all necessary permits prior to commencing any construction activities.
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,

[2025-05-22]

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
FINAL SUBDIVISION AND LAND DEVELOPMENT PLAN
IMPOSED BY THE PLANNING COMMISSION OF MOUNT JOY TOWNSHIP
FOR**

**ROBERT L. BRUBAKER
M.J.T.P.C. File # 24-21-MLDP**

I have reviewed the conditions imposed by the Planning Commission of Mount Joy Township, Lancaster County, Pennsylvania, at the meeting on May 28, 2025, upon the approval of the Minor Land Development Plan for Robert L. Brubaker, prepared by NCS Inc. dated January 08, 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