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June 4, 2025

VIA EMAIL

Kimberly Kaufman, Township Manager
Mount Joy Township
8853 Elizabethtown Road
Elizabethtown, PA 17022

Re: Final Land Development Plan for Elmer Beiler Poultry Barn
Our File No. 10221-1

Dear Kim:

I reviewed the Final Land Development Plan for Elmer Beiler Poultry Barn (the "Plan") prepared by Red Barn Consulting ("Red Barn"). The Plan proposes the erection of poultry barn on a tract of land on the east side of Harvest Road identified as 2980 Harvest Road (the "Property"). The Property is owned by Christian K. Stoltzfus and Elizabeth K. Stoltzfus ("Landowners"). The Property contains approximately 13 acres and is developed with a dwelling, greenhouse, barn, garage, and shed. The Plan proposes the installation of a poultry barn measuring 220 feet by 46 feet. Shells Run and areas of its floodplain are at the rear of the Property. This letter will set forth comments on the Plan and identify required documents.

The Plan incorrectly states that the minimum lot area is 2 acres. The minimum lot area for an agricultural use is 25 acres. Zoning Ordinance §135-85.C(3). However, an agricultural use that was established on a smaller lot as of the effective date of the Zoning Ordinance is authorized to continue as a use permitted as of right and may be expanded as of right. The deed into Landowners for the Property recites that the source of title of the prior owner is a 1986 deed recorded at Deed Book C, Volume 95, Page 684. The Property was apparently created as a separate lot by a deed recorded May 12, 1978. Therefore, the Property falls within the exception for lots containing agricultural uses which are less than 25 acres in Section 135-85.C(3) of the Zoning Ordinance. The 1978 deed recorded at Deed Book Y, Volume 73, Page 323, states that the lot area is 13.54290 acres which includes the right-of-way of Harvest Road.

There must be a Storm Water Management Agreement and Declaration of Easement for the Plan. Red Barn should prepare an exhibit, no larger than 8½ inches by 11 inches, containing the operations and maintenance requirements in the last two columns on Sheet 201 of the Plan. The exhibit must be in a readable font. A reduced copy of Sheet 201 is not acceptable. Landowners

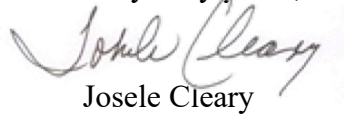
Kimberly Kaufman, Township Manager
June 4, 2025
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have granted a mortgage to Univest Bank and Trust Co., so there must be a Joinder by Mortgagee for the Storm Water Management Agreement.

Sheet 202 of the Plan shows the floodplain of Shells Run. There should be an Agreement Providing for Grant of Conservation Easement to preserve the floodplain of Shells Run. Univest Bank and Trust Co. will also have to execute a Joinder by Mortgagee for the Agreement Providing for Grant of Conservation Easement.

If you have any questions concerning these comments or desire for me to prepare the documents, please contact me.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Josele Cleary", is written over a light pink rectangular background.

Josele Cleary

JC:sle
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cc: Joseph Price, Community Development Director/Zoning Officer (via email)
Patricia J. Bailey, Township Secretary (via email)
Benjamin S. Craddock, P.E. (via email)
Timothy Ward, EIT (via email)