



# MOUNT JOY TOWNSHIP

• Lancaster County, Pennsylvania •

8853 Elizabethtown Road, Elizabethtown, PA 17022  
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## Minutes of a Regular Meeting of the Mount Joy Township Planning Commission Held on August 25, 2025

1. Chairman Delmar Oberholtzer 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 Baker — Present

Rodney Boll — Present

Gerald Cole — Present

Michael McKinne — Present

Arlen Mummau — Present

Delmar Oberholtzer — Present

Bill Weik, Jr. — Absent

Other Township Representatives Present: Justin Evans, Assistant Zoning Officer; Ben Craddock, Township Engineer

4. Public Comment: NONE

5. Consent Calendar:

Prior to consideration, Mr. Oberholtzer removed item #5b from the consent calendar as designated on the agenda to the plan item designated as item #6b.

- a. Approve and ratify the minutes of the July 28, 2025 meeting

A motion was made by Arlen Mummau and seconded by Gerald Cole to approve the Consent Calendar. All members present voted in favor of the motion.

6. Old Business:

- a. Preliminary/Final Land Development Plan for Lancaster Seed Sales (#25-07-FLDP) – Proposal to construct a 19,140-sf. building on a 11.939-acre agricultural property located at 2914 Homestead Road. The property is in the A, Agricultural District and is served by on-lot water and sewer facilities.

Todd Smeigh from DC Gohn Associates was joined by landowner Doug Wolgemuth and applicant Karl Dirks to present the project. Mr. Dirks provided a worksheet with truck trip traffic for the former animal operation on the site as well as the current business operation. He stated the new barn reduces trips to another location with inventory rather than increase traffic.

A discussion took place regarding the potential for future expansion of the business and an obligation to improve the road if certain thresholds are met. Mr. Craddock explained that the Subdivision and Land Development Ordinance is concerned with improving the width of the road to current standards versus

the condition of the roadway. The Township intends to repair large areas of Homestead Road as a maintenance project this year but not widen it.

A motion was made by Michael McKinne and seconded by Gerald Cole to grant a waiver of §119-52.J(3)(a) – Improvement of Existing Streets and grant approval of the Preliminary/Final Land Development Plan for Lancaster Seed Sales 2914 Homestead Road (the “Plan”) prepared by DC Gohn Associates, Inc., Drawing No. CG-4053, dated March 24, 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 August 19, 2025.
2. To the extent not otherwise provided in these conditions, Applicant shall address the comments of the Township Solicitor’s review letter dated April 2, 2025.
3. Applicant shall address and comply with all conditions contained in the Mount Joy Township Zoning Hearing Board (MJTZHB) decision dated March 11, 2025.
4. 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.
5. If a waiver of §119-52.J(3)(a) is not granted, 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 the property’s Homestead Road frontage. The Agreement, fully executed, shall be submitted and approved prior to the release of the final plan for recording.
6. 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. 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 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 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.

All members present voted in favor of the motion.

- b. Minor Land Development Plan for Elmer Beiler Poultry Barn (#25-08-MLDP) – Proposal to construct a 10,120-sf. poultry barn on a 13.5-acre lot located at 2980 Harvest Road. The property is in the A, Agricultural District and is served by on-lot water and sewer facilities.

Tim Ward from Red Barn Ag presented the plan on behalf of the landowner. He confirmed the capacity of the proposed barn is approximately 7,000 birds. Manure will be transported off-site and the Lancaster County Conservation District has accepted the Nutrient Management Plan. DEP is not requiring a sewage planning module. The only outstanding item in the Township reviews other than waivers is obtaining review comments from the Mastersonville Fire Department, which has not returned their request. Mr. Ward presented a certified mail receipt from early July.

A motion was made by Gerald Cole and seconded by Kevin Baker grant the following 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: §119-25 – Preliminary Plan; §119-31.D(14)(a) & §119-57.D – Monuments & Lot Line Markers; §119-57.B – Monuments; and §119-57.D – Lot Line Markers along with approval of the Minor Land Development Plan for Elmer Beiler Poultry Barn (the “Plan”) prepared by Red Barn Ag, Drawing No. 20250527, dated May 27, 2025, subject to the following conditions:

1. Applicant shall provide comments on the proposed project from the Mastersonville Fire Department.
2. Applicant shall apply for and obtain all necessary permits prior to commencing any construction activities.
3. 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.

All members present voted in favor of the motion. A motion was made by Kevin Baker and seconded by Arlen Mummau to sign the final plans. All members present voted in favor of the motion.

- c. Lot Add-On Plan for Jacob B. Huyard (#25-09-LLCP) – Proposal to transfer a 0.88-acre parcel from a 5.881-acre lot located at 1501 Valleyview Road to the applicant’s 9.422-acre lot located at 1835 Rissermill Road. Both properties are located in the A – Agricultural District and are served by on-lot water and sewer facilities.

Tim Trostle from Gordon L. Brown Surveyors presented the plan on behalf of the applicant. He noted that additional road right-of-way will be provided to the Township. A discussion took place pertaining to the order of subdivision plan approval and Zoning Hearing Board action, which is required due to the sending property not having subdivision rights to facilitate the plan.

A motion was made by Gerald Cole and seconded by Rodney Boll to grant a waiver of §119-52.J(3)(a) – Improvement of Existing Streets and grant approval of the Lot Add-On Plan for Jacob B. Huyard (the “Plan”) prepared by Gordon L. Brown & Associates, Inc., Drawing No. 24.18998, dated April 22, 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 August 21, 2025.
2. To the extent not otherwise provided in these conditions, Applicant shall address the comments of the Township Solicitor’s review letter dated June 20, 2025.

3. Applicant shall gain a variance from the Mount Joy Township Zoning Hearing Board (MJTZHB) regarding subdivision limitations set forth in §135-85.B of the Mount Joy Township Zoning Ordinance.
4. Applicant shall submit an agreement providing for the permanent maintenance of the wetland area designated on the plans 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.
5. Applicant shall either 1) set the specified lot corner markers and/or monuments prior to the release of the final plan for recording, or 2) submit a fully executed Land Development Agreement and post financial security to guarantee the lot corner markers and/or monuments. The Agreement shall be acceptable to the Township Solicitor and in recordable form. The amount of said financial security shall be in the amount consistent with the construction cost opinion approved by the Township Engineer.
6. Applicant shall provide recorded copies of a deed with a perimeter legal description for the Huyard Lot as enlarged and a deed with a perimeter legal description for the Auker Lot as reduced within 30 days from the release of the Plan for recording.
7. 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.

All members present voted in favor of the motion.

7. New Business: NONE

8. Initial View:

- a. Preliminary/Final Land Development Plan for Adam Brandt Ag Operation (#25-13-MLDP) – Proposal to construct two 28,560-sf. poultry barns, manure storage, and other associated improvements on an 88.95-acre tract located at 7573 Elizabethtown Road. The property is in the A, Agricultural District and is served by on-lot water and sewer facilities.

Caleb Light of Nye Consulting Services presented the plan on behalf of the landowners. Two 68' x 420' poultry houses are proposed for construction on the 89-acre farm with approximately 8 acres of land disturbance. The entrance is designed so that trucks do not cross the centerline of Elizabethtown Road. A 60' x 88' storage building and 65' x 65' egg room are also part of the project. Runoff will be managed by an infiltration basin. Since the farm will have approximately 120,000 layers, CAFO approval is necessary.

The applicant requested a waiver of road frontage improvements, noting that Elizabethtown Road is wider than in the previous examples. It has two 11' travel lanes and a 1' shoulder on each side. 5' shoulders are required by the Ordinance. A discussion took place about the Township's role in requiring a fee of deferral for the improvement of a PennDOT road. The farm has approximately 2 miles of road frontage and the applicant anticipates only generating one truck per day.

The barn is located approximately 250' from an adjoining property's dwelling, which is owned by a family member. Staff will need to investigate the implications of family ownership on this setback requirement. Mr. Light noted that CAFO requirements for this type of setback are lesser than the Township's.

Mr. McKinne expressed concern with the poultry operation's new well with respect to nearby wells in a new cone of depression. The applicant will provide further information on the new well. The Township Solicitor's review acknowledged an Agricultural Conservation Easement on this property, which may prevent the placement of a conservation easement. It should not affect the Stormwater Management Easement though. Coordination with the Agricultural Preserve Board is necessary.

A motion was made by Gerald Cole and seconded by Kevin Baker to table the road improvements waiver until further information is provided by PennDOT, notably the terms of their Highway Occupancy Permit. All members present voted in favor of the motion.

9. Correspondence: NONE

10. Other Business:

The Commission discussed the need for an amendment regarding road frontage improvements for rural or agricultural properties. They were concerned with not having more instruction in the SALDO for making judgement calls on waivers. Guidance or a policy from the Board of Supervisors could also help.

Other discussion included an update on the Milton Grove landfill.

11. The next regular meeting of the Mount Joy Township Planning Commission is scheduled to be held on **Monday, September 22, 2025** beginning at 7:00 P.M.

12. A motion was made by Gerald Cole and seconded by Kevin Baker to adjourn the meeting at 8:50 p.m. All members present voted in favor of the motion.

Respectfully Submitted,

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

Justin S. Evans, AICP  
Assistant Zoning Officer