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September 18, 2025

# VIA EMAIL

Justin S. Evans, AICP, Assistant Zoning Officer Mount Joy Township 8853 Elizabethtown Road Elizabethtown, PA 17022

e: Minor Subdivision Plan Ironwood Real Estate, LLC

Our File No. 10221-1

#### Dear Justin:

I have reviewed the Minor Subdivision Plan Ironwood Real Estate, LLC (the "Plan") submitted by an applicant identified as Etown IRE Associates, LLC ("Developer"). Both Etown IRE Associates, LLC and Ironwood Real Estate, LLC are limited liability companies which are active according to the Corporation Bureau website. The land which is the subject of the Plan is held by Pennsylvania CVS Pharmacy, L.L.C. The relationship of Ironwood Real Estate, LLC to the Plan should be addressed.

The Plan proposes to subdivide what it identifies as "Parcel #460-6300100000" into "Proposed Parcel #1 and Proposed Lot 2". The area table refers to "Proposed Parcel 1" and "Proposed Parcel 2". The zoning data table also references "Proposed Parcel 1" and "Proposed Parcel 2." The Plan should be updated to consistently identify Lot 1 and Lot 2.

The Plan indicates that the existing impervious surface coverage is 79.2 percent, which I assume is an existing dimensional nonconformity. Proposed Lot 2 will have 47.4 percent impervious surface coverage and will contain a substantial portion of the undeveloped part of the Property at the northwest corner of the existing tract. Even though the Plan does not propose removal of any impervious surface, the Plan states that the amount of impervious surface coverage on Lot 1 will decrease to 79.1 percent after removal of the undeveloped area to be included in Lot 2. This does not make any sense. The zoning data table does have an asterisk for the existing impervious surface coverage and proposed impervious surface coverage for Lot 1, but I cannot see anywhere that the asterisk is explained. If the Plan will create a lot with impervious surface coverage greater than the existing nonconforming 79.2 percent impervious surface coverage, the applicant must obtain a variance from the Zoning Hearing Board.

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Both Proposed Lot 1 and Proposed Lot 2 are developed with existing buildings, off-street parking, and circulation. The access from South Market Street will be principally located on Lot 1 and partially located on Lot 2. The Plan does not show any easements for the shared access. The Plan must be revised to show the appropriate access easements, and there must be an agreement to provide for the long-term maintenance of the shared access.

The Plan identifies "existing parcel #460-8022200000", includes a notation that the "parcel is not included in any area calculations" but does not contain any further information. Lancaster County Tax Account No. 460-80222-0-0000 is held of record by PA E-town Associates, L.P. by two deeds conveying undivided interests recorded at Record Book 5388, Page 384, and Record Book 5388, Page 387. The Plan should be updated to identify the owner of 1575 South Market Street and the sources of title. I assume that there are access easements recorded to provide both access to 1575 Market Street as well as shared parking which are not identified.

The off-street parking zoning data table does not indicate whether the parking on Lot 1 is solely for the existing building to remain on Lot 1 or whether it includes both the building on Lot 1 and the building on 1575 South Market Street which will be using those off-street parking spaces. This should be clearly identified, and the applicant must demonstrate that Lot 1 will have sufficient off-street parking for both the building on Lot 1 and the building on 1575 South Market Street. The document recorded at Deed Book E, Volume 51, Page 694, provides that the off-street parking area is to contain 195 parking spaces and "all parking areas, access roads, and service areas ... shall be for the common use of the customers, employees and business invitees of the parties."

The Plan identifies certain parking spaces as "reserved". It appears that they are handicapped parking spaces and should be appropriately identified.

If you have any questions concerning any of the comments in this letter, please contact me.

Very truly yours.

Josele Cleary

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cc: Patricia J. Bailey, Township Secretary (via email)
Benjamin S. Craddock, P.E. (via email)
Joseph J. Wright (via email)

September 18, 2025

Justin Evans
Assistant Zoning Officer
Mount Joy Township
8853 Elizabethtown Road
Elizabethtown, PA 17022

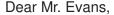
Via email: justin@mtjoytwp.org

Re: Ironwood Real Estate, LLC (1551 South Market Street)

Minor Subdivision Plan

Township Permit No. 25-16-MSDP

LCEC Project No: 25-203



We have received a minor subdivision plan submission from Blue Marsh Associates, Inc for the above-referenced project. The submission consisted of the following documents:

Minor Subdivision Plan dated August 5, 2025

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

### **Zoning Ordinance**

- 1. The maximum height requirement shall be added to the Zoning Data table (135-135.A).
- 2. All off-street parking lots shall be set back at least 15 feet from the side and rear lot lines (135-135.E(2)(c) & 135-135.E(3)(b)). These setbacks should be shown on the plans.
- 3. The existing impervious coverage exceeds 65%. This is an existing non-conformity (135-135.F(2)).
- 4. Clear sight triangles and stopping sight distances shall be shown at the existing access points (135-299.E(2) & 119-31.D(12)).
- 5. Riparian corridors shall be established to include 30 feet on each side of the watercourse, measured from the top of each stream bank (135-306.B). The applicant shall enter into a recordable agreement with the Township providing for the permanent maintenance of the riparian corridor, in a form acceptable to the Township Solicitor (135-306.F).
- 6. The total required number of spaces for the retail store use (i.e. shopping center) shall be corrected (135-343.C). The required number of parking spaces may be reduced by 20% for joint parking lots (135-344.A)
- 7. The parking space requirement based on the number of employees shall be included in the required parking space calculation for the Drive-Through Restaurant use (135-343.C(5)).



- 8. A cross access easement and maintenance agreement that ensures the common use of, access to, and maintenance of the joint-use parking lot for proposed lots 1 and 2. The agreement shall be provided in a form acceptable to the Township Solicitor (135-344.C).
- 9. Off street loading space information shall be shown on the plans (135-346).

## Subdivision and Land Development Ordinance

- 10. The application indicates that this is a "Minor Subdivision Plan" however since this subdivision involves non-residential uses, it must be processed as a standard subdivision plan (119-25.C(4)(a)). The plan title shall be corrected to reflect that this is a standard subdivision.
- 11. The plan should be submitted as a preliminary subdivision plan (or a waiver requested to allow it to be processed as a preliminary/final plan) (119-25.C(2)).
- 12. The plans shall be signed and sealed by a registered engineer, surveyor or landscape architect (119-31.A(5)).
- 13. The name of the owner and developer/subdivider of the subtract tracts shall be clearly identified on the plans. The address of the owner and developer/subdivider of the subtract tracts shall be added to the plan (119-31.B(3)).
- 14. The location map shall be drawn to scale (119-31.B(8)).
- 15. The zoning district boundary lines for Elizabethtown Borough shall be shown and labeled on the plans (119-31.B(9)).
- 16. The location of the boundaries with West Donegal Township and Elizabethtown Borough shall be shown on the plan (119-31.B(2) & 119-31.B(9)).
- 17. The plan shall identify all prior plans, including all notes or restrictions affecting the current development, with a verification signed by the design professional that such list is complete and correct (119-31.B(14)).
- 18. The names of all adjacent landowners shall be shown on the plan, including those across existing rights-of-way (119-31.C(2)). The plan book for the adjacent landowners shall be shown on the plans.
- 19. Existing features (i.e. buildings, stormwater management facilities, public utilities, etc.) within 200 feet of the subject tract shall be shown on the plans (119-31.C(3)).
- 20. The cartway for S.R. 0230 and all existing access drives shall be shown on the plans. The dimensions of existing rights-of-way and cartways for streets, as well as dimensions for existing access drives, shall be added to the plan (119-31.C(3)(a)).
- 21. The existing stream on the subject tract shall be shown on the plans (119-31.C(5)).
- 22. The total number of lots, units of occupancy, density, and land use shall be provided on the plans (119-31.D(3)).
- 23. A wetlands study shall be provided (119-32.B & 119-34.E(3)(c)).
- 24. All certificates shall be executed prior to final plan approval (119-35.E).
- 25. The Lancaster County Planning Commission certificate shall be shown on the plans (119-35.E(1)(d)).
- 26. Written notice shall be provided from the DEP that approval of the sewer planning module has been granted or notice from the Department that such approval is not required (119-35.E(2)(a) & 119-60.A).

- 27. A land development agreement in a form acceptable to the Township Solicitor shall be executed (119-35.E(4)(f)).
- 28. A construction cost estimate and financial security shall be provided (119-41 & 113-60).
- 29. The frontage along South Market Street (S.R. 230) shall be improved in accordance with 119-52.J or as indicated on the Township Official Map, whichever is greater. Improvements shall include curbing, sidewalk, dedication of additional right-of-way and construction of a second westbound through lane. The required right-of-way indicated on the Official Map is 100 feet for South Market Street (S.R. 230); it is currently unclear whether the existing right-of-way meets this requirement (119-52.J(3)(a) & 119-53.B(2) / 119-53.C).
- 30. If the Township determines that the road improvements required by 119-52.J(3)(a) are not feasible at the time of development, the developer shall deposit funds with the Township in the amount of 110% of the cost of improvements, or the applicant shall enter into an agreement that would defer road improvements to a time the Township would deem such road improvements as feasible (119-52.J(3)(d)).
- 31. A note shall be added to the plan with the requirement that nothing shall be placed, planted, set or put within an easement that would adversely affect the function of the easement or conflict with the easement agreement (119-56.B). This note shall also be included in all deeds for lots which contain an easement.
- 32. Three monuments shall be spaced around the proposed project, with at least two of the monuments places as consecutive corners along the street right-of-way (119-57.B).
- 33. Lot line markers shall be set at the street right-of-way and at all angles in property lines, where lot lines intersect curves, and at the intersection of all other property lines (119-57.D).
- 34. The plans shall indicate when the lot line markers and concrete monuments are to be set (119-31.D(14)(a) & 119-57.D).
- 35. Any action taken on waiver requests, dates, and any conditions of approval shall be added to the cover sheet (119-91.C).

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,

 $Benjamin\ S.\ Craddock,\ PE,\ President$ 

LANCASTER CIVIL

Banjamin S Carlock

cc: Patricia Bailey, Township Secretary / Assistant Zoning Officer (via email)
Josele Cleary, Esquire, Township Solicitor (via email)
Renee Addleman, Planner, LCPC (via email)
Kristen Shepherd, Kaplin/Stewart (via email)