

**Mt. Joy Township  
Planning Commission Regular Meeting  
Tuesday, February 8, 2022**

**Meeting Minutes**

**Present:** Kim Birkhead, Chairman; Dan Moore, Vice-Chairman; Kenneth Mutzabaugh

**Also Present:** Susan Smith, Solicitor; Melissa Zirkle, Administrative Assistant; Shannon Hare; Secretary/Zoning Officer/Code Enforcement Officer

**Absent:** Bubba Grimm; Sindy Jennings

The Mount Joy Township Planning Commission met this date, as publicly advertised, at the Mount Joy Township Building located at 902 Hoffman Home Rd., Gettysburg, PA 17325. In addition to being in person, the meeting was also accessible by remote StartMeeting platform. No one participated remotely. Roll call was taken for all votes.

**Call to Order**

**Chairman Comments-**None

**Public Comments-**None

**Approval of Minutes.** Mr. Moore moved, seconded by Mr. Mutzabaugh to approve the minutes for January 11, 2022. Motion carried, unanimously.

**Business.**

- Final Minor Subdivision Plat for Donald G. Titus-Sewage Facilities Request for Planning Waiver and Non-building Declaration. Ms. Hare read an email from Mr. Vranich that this plan is proposing the transfer of 0.826 acres from the Titus property (579 Hoffman Home Rd) to the adjacent Laudeman property (703 Hoffman Home Rd). The purpose of the land transfer is to provide adequate area for a replacement septic system for the Laudeman property. The plan seems to be in accordance with the Zoning Ordinance but is still under review by the Township Engineer and Zoning Officer. The SEO has signed off on the Planning Module Non-Building Waiver and so Mr. Vranich recommends that the Planning Commission approval of the Donald Titus Subdivision Plan Sewage Facilities Planning Waiver and Non-Building Declaration. Mr. Moore moved, seconded by Mr. Mutzabaugh to approve the Donald Titus Subdivision Plan Sewage Facilities Planning Waiver and Non-Building Declaration and its execution by the Chairman on behalf of the Planning Commission. Motion carried, unanimously.
- Solar Uses Zoning Ordinance amendments ordinance. Solicitor Smith explained that the Board of Supervisors had referred the Board of Supervisors-drafted amendments to public hearing and, as required by the MPC, to the Planning Commission for review and recommendation. She walked the Planning Commission through the proposed ordinance and the existing ordinance. The Planning Commission discussed the circumstance of a solar project generating more power than needed for the use. Mr. Newhart participated in the discussion. Mr. Moore moved, seconded by Mr. Mutzabaugh to recommend that the Board of Supervisors adopt the proposed amendments to the Zoning Ordinance. Motion carried, unanimously.
- Parking requirements Zoning Ordinance amendments ordinance. Solicitor Smith explained that the first amendment was drafted to limit a deficit parking allowance which became of concern in

a prior project and that the second amendment was drafted, in response to a surveyor's inquiry, to clarify that the stacked parking prohibition was not intended for application to a dwelling use. Mr. Moore moved, seconded by Mr. Mutzabaugh to recommend that the Board of Supervisors adopt the proposed amendments to the Zoning Ordinance. Motion carried, unanimously.

- Storage/distribution uses Zoning Ordinance amendments ordinance. Solicitor Smith explained that, following public hearing on the ordinance, the Board of Supervisors again revised the ordinance and referred it back to the Planning Commission for reconsideration. She noted that the Township Secretary had distributed public hearing comments and the BOS-second revised draft to the Planning Commission in advance of the meeting and that at the table was the illustrative site plan and a municipal ordinance considered by the Planning Commission previously. She identified municipalities along Interstates 81 and 83 whose ordinances were reviewed because of the presence of or known applications for distribution centers, but none except one contained use specific requirements for a distribution center use. She explained that the Board asked the Planning Commission to reconsider location, setbacks, height, and scale standards for the distribution center use specifically and storage facility use generally. The Planning Commission asked what specifically the Board was looking for. Solicitor Smith said that the Board directed that the Planning Commission be provided with the BOS-further revised draft ordinance and the public comments that were made at public hearing and that they consider these and other ordinances in reconsideration of the draft. The Planning Commission noted that they had worked on the amendments for 10 months and had discussed other ordinances during that time, and decided unanimously that they were happy with the way it was written and that without specific direction from the Board they saw no need to make any changes. Mr. Moore moved, seconded by Mr. Mutzabaugh to leave the draft ordinance as is and forward it back to the Board so that they could make the changes they saw fit. Motion carried, unanimously.
- Solicitor Smith reported that the General Assembly had enacted law limiting the maximum performance security for a project to cost of construction of improvements as determined by the Township Engineer plus 10%. She also reported that there is a proposed bill change to amend the MPC to allow for electronic transmittals when submitting draft ordinances to the county for review, which the Township has been doing in coordination with ACOPD for years.

**Adjournment.** With no further business, Mr. Moore moved, seconded by Mr. Mutzabaugh to adjourn the meeting. Motion carried unanimously. Meeting adjourned 8:04 p.m.

Respectfully submitted,

Shannon M. Hare  
Secretary