

**Mt. Joy Township  
Planning Commission Regular Meeting  
Tuesday, March 12, 2024**

**Meeting Minutes**

**Present:** Kim Birkhead, Chairman; Ben Mearns.

**On Zoom:** Kenneth Mutzabaugh, Vice Chairman; Ben Hawkins

**Not present:** Chris Burne

**Also Present:** Erik Vranich, Township Engineer; Myra Whatley, Administrative Assistant; Sandy Yerger, Interim Secretary.

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 ZOOM platform. The meeting was called to order at 7:01pm.

**Public Comments-**None

**Approval of Minutes.** Mr. Mutzabaugh moved, seconded by Mr. Mearns, to approve the minutes from February 13, 2024 without change. Motion carried, 4-0.

**Business.**

The Land Development plan for Menno Beiler at 170 Furney Road was presented with revisions that encompassed concerns presented last month. Erik Vranich, Township Engineer, noted the plan is virtually the same with some storm water management changes. However, these changes will not impact the plan significantly. He also confirmed the plan for abandonment of the living quarters in the garage after completion of the house. The Engineer Report from February 29 has had most items addressed. He noted to the Commission that the plan could be approved conditionally pending completion of remaining items and would then be referred to the Board of Supervisors. If the Commission wanted the Plan to be cleaner, it could wait for the revisions and consider it again in April. If the plan is approved today, the waiver that had been requested to combine the preliminary plan with the final plan would also need to be approved. The Commission received a motion by Mr. Mutzabaugh to approve the waiver of SALDO 86-10 to combine the preliminary plan with the final plan. The motion was seconded by Mr. Mearns. The motion carried, 4-0.

The Commission received a motion by Mr. Mearns to recommend conditional approval of the Beiler Land Development Plan pending satisfactory fulfillment of the requirements in the Township Engineers Report dated February 29, 2024. The motion was seconded by Mr. Mutzabaugh. Motion carried, 4-0.

The Preliminary and Final SALDO Plan Review by 3BD Realty LLC Property (DG Market) was tabled by the developer. They requested an extension to July 18, 2024. The approval of the extension will be acted upon during the March 21<sup>st</sup> Board of Supervisors meeting.

In further explanation of Plans review, Mr. Vranich noted that any plan submitted to the Commission would remain on the agenda for the duration of the review as the applicant could choose to attend a meeting for any discussion. They may request their plan be tabled if they do not wish to attend a meeting. Time extensions were also discussed. The first plan action deadline is a statutory delay and is typically set at 90 days after the first Planning Commission meeting. Subsequent extensions to the action deadline would be in accordance with the desire of the applicant. The action deadline is a protection for the applicant, in that it requires the Township to act within 90 days. Therefore, the applicant is offering to

extend the deadline required for action by the Township. The Township may accept or deny the extension. Action must be taken prior to the action deadline or the plan is deemed approved, whether all the requirements for the plan are fulfilled or not. Most time extensions are in the best interest of the Township to accept. A situation for denial is usually based on one in which a significant time frame that has elapsed without action on the part of the applicant.

In consideration of the proposed Amendment to Ordinance 2022-03 regarding extensions for solar energy systems, which strikes language from the original ordinance allowing a four-year period in which to complete or attain milestones without needing extensions, Mr. Hawkins motioned to support the amendment as proposed. The motion was seconded by Mr. Mutzabaugh. Motion carried, 4-0.

**Adjournment.** With no further business, Mr. Mutzabaugh moved, seconded by Mr. Mearns to adjourn the meeting. Motion carried, 4-0. The meeting adjourned at 7:31 p.m.

Respectfully submitted,

Sandy Yerger  
Interim Secretary