

**Mt. Joy Township
Planning Commission Regular Meeting
Tuesday, June 14, 2022**

Meeting Minutes

Present: Kim Birkhead, Chairman; Kenneth Mutzabaugh; Bubba Grimm; Chris Burne

Also Present: Susan Smith, Solicitor; John Golanoski, Township Engineer; Shane Wise, Roadmaster; Melissa Zirkle, Administrative Assistant; Shannon Hare; Secretary/Zoning Officer/Code Enforcement Officer

Absent: Dan Moore

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.

Call to Order

Public Comments-None

Approval of Minutes. Mr. Mutzabaugh moved, seconded by Mr. Grimm to approve the minutes for May 10, 2022. Motion carried, unanimously.

Subdivision and Land Development Plans.

Beiler Storage Barn and Garage Land Development Plan. Ms. Hare presented the zoning comments and the applicant's engineer's response to each comment. Mr. Golanoski presented the Township Engineer comments. The applicant's engineer, Josh Weidler asked that the Planning Commission consider recommendation for approval conditioned upon satisfactory completion of the review comments on the Zoning Officer and Township Engineer's review letters.

Mr. Golanoski talked about the purpose of the plan and background of the parcel and addressed the requested waiver from SALDO 86:10 submitted with the plan. Justification offered for the waiver of SALDO 86:10 requirement for submission of a preliminary plan: land development involves only a barn and garage, and the submitted plan contains information required for both preliminary and final plans. Mr. Burne moved, seconded by Mr. Mutzabaugh to recommend approval of waiver request to allow the plan to proceed as a preliminary/final plan. Motion carried, unanimously.

Mr. Golanoski said that the applicant submitted an additional waiver request in their response letter to the zoning and engineering review comments of SALDO 86:39 requirement for posting a bond in an amount sufficient to cover the installation of all required stormwater management and erosion control measures. Justification offered for the waiver: land development involves only a barn and garage. Ms. Birkhead moved, seconded by Mr. Mutzabaugh to recommend approval of waiver request. Motion carried, unanimously.

Mr. Mutzabaugh moved, seconded by Mr. Grimm to recommend approval of the plan with condition of satisfactory completion of the comments on the Township Engineer and Zoning Officer review letters dated May 25, 2022. Motion carried, unanimously.

Business.

- Green Pallet, LLC Zoning Hearing. Solicitor Smith explained the background of the project including the conditional use application that preceded the request for these variances. Solicitor Smith explained that the Zoning Hearing Board applies five MPC-required criteria to apply when determining variances.
 1. That there are unique physical circumstances or conditions peculiar to the property and that the unnecessary hardship is due to such conditions and not created by the provisions of the zoning ordinance.
 2. That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the zoning ordinance and that granting of the variance is necessary to reasonably use the property.
 3. That such unnecessary hardship has not been created by the applicant.
 4. That granting the variance will not alter the essential character of neighborhood or district where property is located, nor impair adjacent property, nor be detrimental to public welfare, and
 5. That granting the variance will represent the minimum variance that will afford relief and will represent the least modification possible.

There was discussion about the traffic study variance request. PennDOT is not requiring a traffic study and so the applicant is requesting a variance from the township's traffic study.

Mr. Burne moved, seconded, by Mr. Mutzabaugh to recommend that the variances, with the exception of requested variance from Section 110-603 to allow 57 parking spaces instead of 113 spaces, not be approved by the Zoning Hearing Board without further compelling justification by the applicant. Motion carried, unanimously.

Adjournment. With no further business, Mr. Mutzabaugh moved, seconded by Mr. Grimm to adjourn the meeting. Motion carried unanimously. Meeting adjourned 8:19 p.m.

Respectfully submitted,

Shannon M. Hare
Secretary