

**Mt. Joy Township
Planning Commission Regular Meeting
Tuesday, August 13, 2024**

Meeting Minutes

Present: Kim Birckhead, Chairman; Kenneth Mutzabaugh, Vice-Chairman; Ben Hawkins; Ben Mearns; Chris Burne.

Also Present: Christine Demas, Supervisor; Kim Livelsburger, Zoning/Code Enforcement Officer; Erik Vranich, Engineer; Issac Wakefield, Solicitor

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 7:00pm.

Public Comments: None

Chairman Comments: None

Approval of Minutes: Mr. Mutzabaugh moved seconded by Mr. Mearns, to approve the minutes from June 11, 2024, along with the minutes from July 9, 2024 when there was no meeting. Motion carried, unanimously.

Business:

- **Proposal for an Addition to an Agricultural Security Area – 754 Orphanage Road:** Chairman Demas presented the application for the addition of a property at 754 Orphanage Road to the Agricultural Security Area. The property is owned by Karen Burns, and the ASA Advisory Committee had approved the addition at their August 5th meeting. The Planning Commission had no further comments, and a motion was made by Mr. Mearns seconded by Mr. Burne, to recommend the Board of Supervisors approve the application of Karen Burns, 754 Orphanage Road to the ASA. Motion carried, unanimously.

- **Smoker Land Development Plan Review:** Mr. Vranich provided an overview of the Smoker Land Development Plan, which is for the construction of two 6,400 square foot greenhouses at 217 Mud College Road. He noted that the plan had been revised, and the Planning Commission had received an updated letter from the Township Engineer dated July 26, 2024, as well as a letter from the Zoning Officer. Mr. Vranich stated that the comments were mostly administrative or minor in nature and would not significantly change the layout of the plan.

The Planning Commission discussed the following key points:

- ✚ **Wetland Delineation:** Mr. Vranich clarified that Hanover Land Services had conducted a site visit and confirmed that there were no wetlands in the proposed development area.

- ✚ Lighting: Mr. Mutzabaugh recommended that the plan note whether there would be any lighting associated with the greenhouses, as the ordinance requires compliance with lighting standards if lighting is proposed.
- ✚ Waiver Request: Mr. Vranich explained that the applicant was requesting a waiver of the preliminary plan submission requirements, as this is a small-scale project without public improvements. The Planning Commission discussed the waiver and agreed that it was appropriate for this type of development.

A motion was made by Mr. Mearns, seconded by Mr. Burne, to grant a waiver of Section 8610 to waive the preliminary plan submission procedures. The motion carried, unanimously.

A motion was then made by Mr. Mutzabaugh, seconded by Mr. Burne to conditionally approve the Smoker Land Development Plan, pending satisfactory completion of the items in the engineer's letter dated July 26, 2024, and the zoning officer's letter dated July 31, 2024. The motion carried, unanimously.

- **Dollar General Land Development Plan Review:** Mr. Vranich provided an overview of the revised Dollar General Development Plan, noting that the building footprint had been reduced, and the truck loading area had been reconfigured to minimize impacts on the parking area.

The Planning Commission discussed the following key points:

- ✚ Lighting: Mr. Mutzabaugh noted that the plan did not indicate whether there would be any lighting and recommended that the applicant clarify this.
- ✚ Fence and Landscaping Maintenance: The Planning Commission expressed concerns about the long-term maintenance of the proposed fence and landscaping and requested that the applicant provide more details on the maintenance plan.
- ✚ Stormwater Management: Ms. Birckhead raised concerns about the shared stormwater management system and the need for clear maintenance agreements between the property owners.

The Planning Commission decided to table the review of the Dollar General Development Plan until the October meeting, to allow the applicant time to address the outstanding issues. The applicant was advised to submit revised plans in time for the October meeting.

Mr. Mearns moved seconded by Mr. Hawkins, to table the review of the Dollar General Development Plan until the October meeting. Motion carried, unanimously.

- Discussion of Ordinance No. 2022-03 Warehouse, Storage and Truck-related uses: The Solicitor, presented proposed changes to the warehouse storage and truck-related ordinances. The key discussion points were:

- ✚ Defining Warehouse Uses: The argument against categorizing different types of warehouse uses, suggesting that it could lead to ambiguity and developers claiming their use doesn't fit the defined categories. Instead, The Solicitor proposed refining the definitions of "distribution center" and "storage facility" to provide more clarity. Mr. Mearns agreed that the definition should be expanded to include the conventional

Amazon model of picking, packing, and delivering directly to consumers. Mr. Burne recommended defining "bulk storage" separately to give the township more leverage. The Solicitor agreed but had concerns about how the bulk storage definition would transition.

- ✚ Dimensional Requirements: The Solicitor discussed the legal principles around adjusting dimensional requirements, such as setbacks and height limits, to avoid making the use impossible or the ordinance exclusionary. The group discussed fire safety concerns related to warehouse height and the need to balance regulations with feasibility.
- ✚ Wildlife and Environmental Protection: The Solicitor stated that the township's existing provisions related to steep slopes, environmental studies, and other environmental factors were likely sufficient for warehouse developments. The group discussed whether these requirements should also apply to self-storage facilities.
- ✚ Overlay District Boundaries: The group discussed the history and rationale behind the Baltimore Pike Corridor Intensive Use Overlay district, questioning whether it was truly an overlay or more of a standalone zoning district. It was suggested that if a new warehouse/distribution center overlay were to be considered, it should be as small an area as possible to still accommodate the intended use. The group acknowledged the need to balance suitable locations for these uses while avoiding arbitrary or exclusionary zoning.
- ✚ Other Considerations: The Solicitor mentioned the need to address data centers and battery storage facilities, as they do not fit neatly into the existing definitions. The group discussed the potential for incorporating traffic impact fees to help fund necessary infrastructure improvements.

The Solicitor agreed to incorporate the Planning Commission's feedback and present a draft ordinance at a future meeting, likely in September or October. The Planning Commission would then review the draft and provide a recommendation to the Board of Supervisors.

Adjournment. With no further business, Mr. Hawkins moved, seconded by Mr. Mutzabaugh to adjourn the meeting. Motion carried. The meeting adjourned at 8:42 p.m.

Respectfully submitted,

Sheri Moyer
Township Secretary