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December 9, 2024

VIA EMAIL

Justin S. Evans, AICP, Community
Development Director/Zoning Officer
Mount Joy Township
8853 Elizabethtown Road
Elizabethtown, PA 17022

Re: Final Land Development Plan for Sheetz-Elizabethtown PA (Veterans Drive)
Our File No. 10221-1

Dear Justin:

I have reviewed the Final Land Development Plan for Sheetz-Elizabethtown PA (Veterans Drive) (the "Sheetz Plan"). The Plan proposes the redevelopment of an existing lot containing slightly over two acres located at the southwest corner of the intersection of Hershey Road (SR 0743) and Veterans Drive (the "Property"). The letter from Chris Venarchick of RGS indicates that Sheetz, Inc. ("Sheetz") obtained the necessary special exception to establish a motor vehicle fueling facility and an extension of the time within which to obtain permits and completed construction.

The Property was the subject of prior recorded plans and agreements. The Final Land Development Plan for Vita, Inc. was recorded at Document No. 2013-0128-J (the "2013 Plan"). The Guiseppe Ferrarelli and Vita Ferrarelli ("Landowners") entered into an Agreement Providing for Grant of Conservation Easement relating to the wetlands dated January 14, 2013, recorded at Document No. 6054888. The Sheetz Plan shows the conservation easement but references only the 2013 Plan. The recording reference of the Agreement Providing for Grant of Conservation Easement should be included on the Sheetz Plan.

The Sheetz Plan proposes extensive storm water management facilities. The Landowners and the Township entered into a Storm Water Management Agreement and Declaration of Easement dated January 14, 2013, recorded at Document No. 6054855. Because the storm water management facilities will be changed by the Sheetz Plan, there must be a Storm Water Management Agreement for the Sheetz Plan. That Storm Water Management Agreement can state that the Storm Water Management Agreement recorded at Document No. 6054855 has no further force or effect.

Justin S. Evans, AICP, Community Development Director/Zoning Officer
December 9, 2024
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Sheet SW-28 of the Sheetz Plan has operation and maintenance requirements for the various storm water management facilities. RGS must prepare an exhibit, no larger than 8½ inches by 11 inches, of the operation and maintenance requirements in a readable font. A reduced copy of the plan sheet is not acceptable.

RGS has requested waivers of certain requirements of the Subdivision and Land Development Ordinance (“SALDO”) relating to widening and the installation of curb and sidewalk. The Township and Landowners entered into a Road Improvements Agreement to defer those improvements dated January 14, 2013, recorded at Document No. 6054885 in the Office of the Recorder of Deeds. We recommend that if the Planning Commission will not require that those improvements be constructed now, there be a new Deferred Improvements Agreement relating to all improvements which are required by the SALDO but not proposed by the Sheetz Plan. That improvement could also state that the Road Improvements Agreement recorded at Document No. 6054885 is superseded by the new Deferred Improvements Agreement.

The Storm Water Management Agreement and the Deferred Improvements Agreement should be recorded before the Sheetz Plan is released for recording. Sheetz is now the equitable owner of the Property. Because the Property is an existing lot, Sheetz may take title to it before the Sheetz Plan is released for recording or when the Sheetz Plan is recorded. Counsel for Sheetz should inform us when Sheetz will take title. If Sheetz will not take title until the Sheetz Plan is recorded, Landowners will have to be parties to the Storm Water Management Agreement and to the Deferred Improvements Agreement.

If you have any questions concerning any of these comments, please contact me.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Josele Cleary", is written over a light blue rectangular background.

Josele Cleary

JC:sle
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cc: Kimberly Kaufman, Township Manager (via email)
Patricia J. Bailey, Secretary (via email)
Benjamin S. Craddock, P.E. (via email)
Chris Venarchick, RLA (via email)