

Gregg I Adelman, Esquire
Direct Dial: (610) 941-2552
Direct Fax: (610) 684-2001
gadelman@kaplaw.com
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November 10, 2025

VIA FEDERAL EXPRESS & EMAIL [JUSTIN@MTJOYTWP.ORG]

Justin S. Evans, AICP, Assistant Zoning Officer
Mount Joy Township
8853 Elizabethtown Road
Elizabethtown, PA 17022

**RE: Zoning Hearing Board Application - Etown IRE Associates, LLC;
1551 S. Market Street, Elizabethtown, PA 17022**

Dear Mr. Evans:

As you are aware, this firm represents Etown IRE Associates, LLC, the equitable owner and applicant (“**Applicant**”) of the property located at 1551 S. Market Street, Elizabethtown, PA 17022, further identified as Lancaster County Property ID #460-63001-0-0000 (“**Property**”). Enclosed is Applicant’s Zoning Hearing Board Application seeking area and bulk variance relief from Section 135-135.F(2) of the Mount Joy Township Zoning Ordinance to allow for an increase of impervious coverage in the C-2 General Commercial Zoning District (“**ZHB Application**”).

Enclosed are the following:

1. Six (6) copies of a completed and signed ZHB Application, together with Addendum and the following exhibits;
 - a. Deed to the Property;
 - b. Redacted Purchase and Sale Agreement;
 - c. Preliminary Subdivision Plan, prepared by Blue Marsh Associates, Inc., dated August 5, 2025, last revised October 17, 2025; and
2. A check made payable to Mount Joy Township in the amount of \$750.00 for the ZHB Application fee;

Also enclosed is one additional copy of the Application. Please time-stamp the extra copy of the Application and return to me in the self-addressed, postage prepaid envelope provided.

Justin S. Evans, AICP
November 10, 2025
Page 2

Please place this matter on the Township's regularly scheduled December 3, 2025 Zoning Hearing Board agenda and confirm the same.

If you have any questions or require anything further, please feel free to contact me. Thank you.

Sincerely,



Gregg I Adelman, Esquire

GIA/kds
Enclosures

Mount Joy Township Instructions for Variance & Special Exception Application

Please read the following information carefully prior to completing this application. The following information is to assist you in the process of applying for a Variance and/or a Special Exception from the Mount Joy Township Zoning Ordinance. This information is intended to provide a summary of the hearing process and does not constitute all of the requirements that may be placed on you as the applicant for a Variance and/or Special Exception.

Meeting Dates and Submission Deadlines

The Zoning Hearing Board typically meets the first Wednesday of every month. **Applications are due four (4) weeks prior to the regularly scheduled meetings.** Please confirm the meeting schedule prior to submitting the application in case a holiday interferes with the regularly scheduled meeting.

Completing the Application

The variance and/or special exception application must be completed by the landowner, equitable landowner, tenant, contract purchaser or someone who has a legal or equitable interest in the land. In the case that the applicant is not the landowner, the applicant shall provide proof of consent from the landowner acknowledging his/her awareness that a variance or special exception request has been filed for review by the Township Zoning Hearing Board. The landowner should complete the certification section of this application.

Please answer the questions on the Application fully and to the best of your ability. **Please provide six (6) copies of the application, plans, photographs, charts and any other supporting documentation and a check for \$750.00 for the application fee to the Mount Joy Township Office.** Checks should be made payable to Mount Joy Township. No application shall be complete until a site plan has been submitted. All applications requesting approval to establish or expand a nonresidential use or which concern a residential use containing 10 or more dwelling units shall submit a plan drawn to a scale of not more than 100 feet to the inch in accordance with section 135-284.A of the Zoning Ordinance. **Incomplete Applications will not be accepted by the Township.** Once the application is processed by the Township, the Zoning Officer will prepare a public notice that will be sent to the Lancaster Newspaper for advertisement of the hearing in accordance with the Pennsylvania Municipal Planning Code.

On the date of the hearing, the applicant (and landowner if different) should be prepared to be sworn in by the court reporter. You will be permitted, but not required, to obtain assistance from an attorney, engineer, architect, planner, or other professionals, as the situation warrants, during the hearing process. You and/or your representative need to be in attendance at the Zoning Hearing to present your application in front of the Zoning Hearing Board and be prepared to answer any questions the Board may have. If you or your representative is not present at the scheduled meeting, your application may be denied, or it may be tabled until the next hearing if a written and signed request from the Applicant is received prior to the meeting.

It is the Applicant's responsibility to research property line locations and have property lines verified by a professional registered surveyor prior to submitting the Zoning Hearing Application. Any deed restrictions, easements or other restrictive covenants should also be researched prior to the submission of this application.

The Applicant and/or Landowner agree that by signing this application, they grant the right of the Township Zoning Officer, or other designated Township Official, to investigate, inspect and examine the Property set forth herein, including land and structures, to determine compliance with the Mount Joy Township Zoning Ordinance and to determine the accuracy of the statements contained herein.

General Standards for Variances

There are five (5) criteria that the Zoning Hearing Board will consider, as applicable, when determining whether a Variance to the Township Zoning Ordinance is necessary. These five criteria are located in Section 910.2.a of the Pennsylvania Municipal Planning Code, as well as Section 135-383.C of the Township Zoning Ordinance. The criteria are as follows:

1. That unnecessary hardship exists due to unique physical circumstances of conditions, including irregularity, narrowness or shallowness of lot size, or shape or topographical or other physical conditions peculiar to the particular property, and that unnecessary hardship is due to such conditions and not the circumstances or conditions generally created by the provisions of this chapter in the neighborhood or district in which the property is located;
2. That because of physical circumstances or conditions there is no possibility that the property can be developed in strict conformity with the provisions of this chapter and that authorization of a variance is therefore necessary to enable the reasonable use of the property;
3. That such unnecessary hardship is not created by the applicant;
4. That the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located nor substantially or permanently impair the appropriate use of development of adjacent property nor be detrimental to the public welfare; and
5. That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue.

The Zoning Hearing Board may implement reasonable conditions and safeguards as it may deem necessary to implement the purposes of this act and the zoning ordinance, as is stated in the Pennsylvania Municipal Planning Code, Section 910.2.b.

Guidelines for Special Exceptions

In addition to the Performance Standards of a particular use and/or the Special Exception Standards delineated in Article XXVIII of the Township Zoning Ordinance, the Zoning Hearing Board may attach such reasonable conditions and safeguards as it may deem necessary to implement the purposes of this act and the Zoning Ordinance as enabled by the Pennsylvania Municipal Planning Code (Section 912.1)

ZHB Case # _____

Mount Joy Township

8853 Elizabethtown Rd
Elizabethtown, PA 17022

Phone: (717)367-8917 - Fax: (717)367-9208

Zoning Hearing Board Application

1. Applicant Information

Name: Etown IRE Associates, LLC

Address: P.O. Box 14 City/State/Zip: Villanova, PA 19085

Phone: 215-266-7996 Fax: _____

E-mail: jfogel@ironwood-re.com

2. Landowner Information (if different from the Applicant)

Name: Pennsylvania CVS Pharmacy LLC

c/o CVS #1672-01
Address: 1 CVS Drive MC 2320 City/State/Zip: Woonsocket, RI 02895

Phone: 678-570-7606 Fax: _____

E-mail: kmt@tomcholaw.com

3. Property Information

Property Address: 1551 S. Market Street

City/State/Zip: Elizabethtown, PA 17022

Existing Use: Commercial retail Proposed Use: Commercial retail

Total Property Area (Sq. Ft. or Acres): 3.6 acres +/-

FOR TOWNSHIP USE ONLY

Date Application Received: _____

Date Application to be heard: _____

Tax Parcel #: _____

Zoning District: _____

Application Denied/Approved: _____

4. Request for Special Exception

Section(s) of Zoning Ordinance for which a Special Exception is requested:

N/A

Provide an explanation of your proposal, particularly, why you need a special exception and for what type of use the special exception is being requested for:

N/A

This site is suitable for a Special Exception Use because:

N/A

How will the request affect adjacent properties? (Dust, noise, fumes, odors, glare, increased traffic, character of the neighborhood etc.):

N/A

5. Expansion of Special Exception Uses

Are there any existing nonconformities on the lot, if so list them:

Yes, impervious area coverage non-conformity. Seeking variance relief. See attached Addendum.

Existing and proposed square footage of the structure:

N/A

Percentage of Expansion:

N/A

Existing front, side and rear yard setbacks:

N/A

Proposed front, side and rear yard setbacks:

N/A

6. Request for a Variance

Section(s) of the Zoning Ordinance for which a Variance is requested:

Section 135-135.F(2)

Why do you need a variance and what is your proposed alternative from the requirements of the Township Zoning Ordinance?

See attached Addendum

What physical characteristics of the property prevent it from being used for any of the permitted uses in your zoning district? (Topography, size and shape of lot, environmental constraints, etc.):

N/A

Explain how the requirements of the Zoning Ordinance would result in difficulties or undue hardships in the use of your property, buildings and/or structures:

See attached Addendum

Explain how the granting of a variance will not be a substantial detriment to the public good or a substantial impairment of the intent and purpose of the Zoning Ordinance:

See attached Addendum

7. Certification

I/we, the undersigned, do hereby certify that:

1. The information submitted here in is true and correct to the best of my/our knowledge and upon submittal becomes public record.
2. Fees are not refundable, and payment does not guarantee approval of the Zoning Hearing Board Application.
3. All additional required written graphic materials are attached to this application



Applicant Signature

10/29/2025

Date Signed

Gregg I. Adelman, Attorney for Applicant

Applicant's Name (Printed)

Pennsylvania CVS Pharmacy, L.L.C.

Jonathan Shumrak

Jonathan Shumrak (Nov 7, 2025 14:01:46 CST)

Landowner Sign (if different from Applicant)

November 7, 2025

Date Signed

Jonathan B. Shumrak

Assistant Secretary

Landowner's Name (Printed)

KAPLIN STEWART MELOFF REITER & STEIN, P.C.

By: Gregg I. Adelman, Esquire
Attorney I.D. No.: 84137
Union Meeting Corporate Center
910 Harvest Drive
P.O. Box 3037
Blue Bell, PA 19422
(610) 260-6000

Attorneys for Applicant
Etown IRE Associates, LLC

**BEFORE THE ZONING HEARING BOARD
OF MOUNT JOY TOWNSHIP
LANCASTER COUNTY, PENNSYLVANIA**

In the Matter of: Etown IRE Associates, LLC

Property Address: 1551 S. Market Street

Property ID No. 460-63001-0-0000

ADDENDUM TO ZONING HEARING BOARD APPLICATION

Etown IRE Associates, LLC (“**Etown**” or “**Applicant**”), by and through its by and through its attorneys, Kaplin Stewart Meloff Reiter & Stein, P.C., hereby submits this Addendum to its Zoning Hearing Board Application (“**Application**”) seeking the within described area and bulk variance relief from Section 135-135.F(2) of the Mount Joy Township Zoning Ordinance.

1. **Name and Address of Applicant and Owners.** The Applicant is Etown IRE Associates, LLC, a limited liability company related to Ironwood Real Estate, LLC, both companies having a mailing address of P.O. Box 14, Villanova, PA 19085. The record owner of the property is Pennsylvania CVS Pharmacy LLC, having a mailing address of c/o CVS #1672-01, 1 CVS Drive MC 2320, Woonsocket, RI 02895. A copy of the Deed is attached hereto as **Exhibit “A”**. Applicant is the equitable owner of the Property. A redacted copy of the Purchase and Sale Agreement is attached as **Exhibit “B”**.

2. **Description of the Property.** The property is an irregular-shaped, 162,689.7 s.f (or 3.735 acre) (+/-) tract of land located at 1551 S. Market Street in Mt. Joy Township,

Lancaster County, PA, further identified as Lancaster County Tax Account No. 460-63001-0-0000 (“**Property**”). The Property currently contains: (i) an existing CVS Pharmacy with off-street parking (“**Existing CVS**”); and (ii) a stand-alone vacant building with off-street parking and circulation drive-through (“**Existing Vacant Building**”). The Property is unique in that a portion of the Property surrounds a complete and separate parcel (Parcel ID #460-80222-0-0000 or 1575 S. Market Street), owned by another third party, and is comprised of an existing shopping center (attached to the Existing CVS) with a mix of commercial retail shops and restaurants (“**Separate Shopping Center Parcel**”). The Separate Shopping Center Parcel is not subject to this Application.

3. **Zoning**. In accordance with the Mt. Joy Township Zoning Map, the Property is located in the C-2 General Commercial Zoning District (“**C2-District**”).

4. **Improvements to Property**. As depicted on the plan prepared by Blue Marsh Associates, Inc., entitled “Preliminary Subdivision Plan”, dated August 5, 2025, last revised October 17, 2025 (“**Preliminary Subdivision Plan**”), a copy of which is attached hereto as **Exhibit “C”**), Etown proposes to subdivide the Property into two (2) separate lots:

- Proposed lot 1 to contain 124,958 s.f. (2.869 acres) and the Existing CVS (“**Proposed Lot 1**”); and
- Proposed lot 2 to contain 37,731.7 s.f. (0.866 acres) and the Existing Vacant Building (“**Proposed Lot 2**”).

As detailed on the Preliminary Subdivision Plan, the Proposed Lot 2 complies with all of the applicable area and bulk requirements of the C-2 District, e.g. minimum lot size, maximum impervious coverage, building coverage, building setbacks, building height, and required off-street parking facilities. However, the Property currently has an existing non-conforming

impervious coverage of 70.7%. The impervious coverage on Proposed Lot 1 is proposed to be 75.8%, which exceeds the required maximum impervious coverage of 65%.

5. **Zoning Relief Requested.** Applicant hereby requests a variance from Section 135-135.F(2) to permit an increase of maximum impervious coverage to 75.8% where 65% is required. Applicant also requests the recognition of and the right to maintain the existing impervious coverage non-conformity on the Property.

6. **Reasons for Relief Requested.** The proposed variance is dimensional in nature that will not adversely impact public health and safety or the surrounding area. Applicant requests that the Zoning Hearing Board grant the requested variance from Sections 135-135.F(2) of the Mount Joy Township Zoning Ordinance and such other relief as is necessary to permit the subdivision of the Property.

Respectfully Submitted,

**KAPLIN STEWART MELOFF REITER & STEIN,
P.C.**



GREGG I. ADELMAN, ESQUIRE
Attorney for Applicant

Date: November 10, 2025

EXHIBIT “A”
Deed

Lancaster County

Bonnie L. Bowman
Recorder of Deeds
150 N. Queen Street
Suite 315
Lancaster, PA 17603
Phone: 717-299-8238
Fax: 717-299-8393



INSTRUMENT # : 5862458

RECORDED DATE: 06/14/2010 01:51:05 PM



2679725-0015.

LANCASTER COUNTY ROD**OFFICIAL RECORDING COVER PAGE**

Page 1 of 8

Document Type: DEED**Transaction Reference:** CVS - 1575 South Market Street**Document Reference:** CVS - 1575 South Market Street**Transaction #:**

2664818 - 1 Doc(s)

Document Page Count:

7

Operator Id:

dixonj

RETURN TO: (mgatto@saul.com)

**PLEASE NOTE: Recorded documents with completed
Cover Pages are returned via email to the email address(es)
identified above.

Margaret M. Gatto
1500 Market Street, 38th Floor
Centre Square West
Philadelphia, PA 19102-2186
(215) 972-8577

SUBMITTED BY: (mgatto@saul.com)

Margaret M. Gatto
1500 Market Street, 38th Floor
Centre Square West
Philadelphia, PA 19102-2186

*** PROPERTY DATA:**

Parcel ID #: 460-6300100000

Municipality: UPPER MOUNT JOY TOWNSHIP
(100%)

School District: ELIZABETHTOWN AREA SD

*** ASSOCIATED DOCUMENT(S):****FEES / TAXES:**

RECORDING FEE: DEED	\$13.00
CRC #6544	\$2.00
RIF #6543	\$3.00
WRIT TAX	\$0.50
AFF HSG #6557	\$11.50
PA SURCHARGE #6548	\$23.50
EXTRA PAGE FEE	\$6.00
STATE RTT	\$16,576.65
UPPER MOUNT JOY TOWNSHIP	\$8,288.33
ELIZABETHTOWN AREA SD	\$8,288.32
Total:	\$33,212.80

INSTRUMENT # : 5862458

RECORDED DATE: 06/14/2010 01:51:05 PM

I hereby CERTIFY that this document is
recorded in the Recorder of Deeds Office in
Lancaster County, Pennsylvania.



Bonnie L. Bowman
Recorder of Deeds

PLEASE DO NOT DETACH**THIS PAGE IS NOW PART OF THIS LEGAL DOCUMENT****NOTE: If document data differs from cover sheet, document data always controls.*****COVER PAGE DOES NOT INCLUDE ALL DATA, PLEASE SEE INDEX AND DOCUMENT AFTER RECORDING FOR ADDITIONAL INFORMATION.**

Prepared By:

Sandra W. Kugler, Esq.
Saul Ewing LLP
Centre Square West
1500 Market Street, 38th Floor
Philadelphia, PA 19102

Return To:

Sandra W. Kugler, Esq.
Saul Ewing LLP
Centre Square West
1500 Market Street, 38th Floor
Philadelphia, PA 19102

Tax ID# 460-63001-0-0000
(1575 South Market Street)

SPECIAL WARRANTY DEED

THIS INDENTURE is made the 15th day of January in the year Two Thousand Ten (2010) between **Rea & Derick, Inc.**, a Pennsylvania corporation (hereinafter called the Grantor), of the one part, and **Pennsylvania CVS Pharmacy, L.L.C.**, a Pennsylvania limited liability company (hereinafter called the Grantee), of the other part.

WITNESSETH, that the Grantor, for and in consideration of the sum of **One Dollar (\$1.00)** lawful money of the United States of America, unto it well and truly paid by the Grantee, at or before the sealing and delivery hereof, the receipt whereof is hereby acknowledged, has granted, bargained and sold, aliened, enfeoffed, released and confirmed, and by these presents does grant, bargain and sell, alien, enfeoff, release and confirm unto the Grantee, its successors and assigns,

ALL THAT CERTAIN piece or parcel of land situate in the Township of Mount Joy, County of Lancaster and Commonwealth of Pennsylvania, bounded and described as set forth in the legal description attached to this Deed as Exhibit "A" and incorporated by reference.

BEING the same premises which American Stores Company, a Delaware corporation, by Deed dated December 6, 1984 and recorded in the Lancaster County Recorder of Deeds Office in Deed Book Volume T 90, Page 108, granted and conveyed unto Rea & Derick, Inc., a Pennsylvania corporation, in fee.

AND pursuant to an Agreement and Plan of Merger dated December 3, 2009 and Articles of Merger filed December 15, 2009 with the Office of the Secretary of State of Rhode Island and Providence Plantations and Articles/Certificate of Merger dated December 10, 2009 and filed with the Pennsylvania Department of State on December 17, 2009, Rea & Derick, Inc., merged into CVS Pharmacy, Inc., a Rhode Island corporation.

UNDER AND SUBJECT to all covenants, conditions, restrictions, easements, rights of way and reservations of record, to the extent valid, subsisting and enforceable.

TOGETHER with all and singular the buildings, improvements, ways, streets, alleys, driveways, passages, waters, water-courses, rights, liberties, privileges, hereditaments and appurtenances, whatsoever unto the hereby granted premises belonging, or in any wise appertaining, and the reversions and remainders, rents, issues, and profits thereof; and all the estate, right, title, interest, property, claim and demand whatsoever of it, the Grantor, in law, equity, or otherwise howsoever, of, in and to the same and every part thereof.

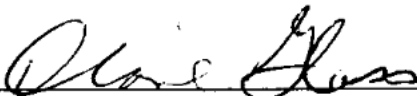
TO HAVE AND TO HOLD the said lots or pieces of ground above described with the buildings and improvements thereon erected, hereditaments and premises hereby granted, or mentioned and intended so to be, with the appurtenances, unto the Grantee, its successors and assigns, to and for the only proper use and behoof of the Grantee, its successors and assigns forever.

UNDER AND SUBJECT, as aforesaid.

AND the Grantor, for itself and its successors and assigns, does covenant, promise and agree, to and with the Grantee, its successors and assigns, by these presents, that it, the Grantor, and its successors and assigns, all and singular the buildings, hereditaments and premises hereby granted or mentioned and intended so to be, with the appurtenances, unto the Grantee, its successors and assigns, against the Grantor and its successors and assigns, and against all and every person and persons whomsoever lawfully claiming or to claim the same or any part thereof, by, from or under it or any of them, shall and will, subject as aforesaid, **WARRANT** and forever **DEFEND**.

IN WITNESS WHEREOF, the Grantor has hereunto set its hand and seal. Dated the day and year first above written.

REA & DERICK, INC., a Pennsylvania corporation

By: 
Name: Diane McMonagle-Glass
Title: Assistant Secretary

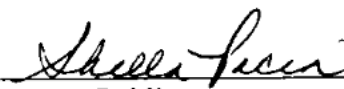
STATE OF RHODE ISLAND

COUNTY OF PROVIDENCE

:
:
: SS
:

On this 1st day of January, 2010, before me a Notary Public in and for the State of Rhode Island, the undersigned officer, personally appeared **Diane McMonagle-Glass**, who acknowledged herself to be the Assistant Secretary of **Rea & Derick, Inc.**, a Pennsylvania corporation, and that she as Assistant Secretary, being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation by him/herself as Assistant Secretary.

In Witness Whereof, I hereunto set my hand and official seal.

 [SEAL]
Notary Public

My Commission Expires:

10-30-2013

Shalla Pacia
Notary Public
State of Rhode Island
My Commission Expires 10/30/2013

Certification of Address

I hereby certify that the address of the within-named Grantee is:

One CVS Drive
Woonsocket, RI 02895
Attention: Property Administration – Store No. 1672C01



Attorney or Agent on behalf of Grantee
David Monagle-Glass
Assistant Secretary

Exhibit "A"**Legal Description**

ALL THAT CERTAIN tract of land situate in Mount Joy Township, Lancaster County, Pennsylvania, more particularly bounded and described in accordance with a Plan of Property by Louis D. Shope, Registered Engineer dated August 13, 1958, as follows:

BEGINNING at a stake on the West side of a 30 foot right-of-way said stake being located North 32 degrees and 56 minutes East, a distance of 224.10 feet from the center of U. S. Route 230; thence along lands now or formerly belonging to Collins Brothers North 57 degrees and 04 minutes West, a distance of 150 feet to a stake; thence South 32 degrees and 56 minutes West, a distance of 223.86 feet to a point in the center line of U. S. Route 230; thence along same South 56 degrees and 27 minutes East a distance of 17.6 feet to a point; thence South 48 degrees and 13 minutes West, a distance of 41.30 feet to a point in the Southerly right-of-way line of Route 130; thence North 55 degrees and 30 minutes West, a distance of 208.70 feet to a point; thence North 45 degrees and 02 minutes West, a distance of 223.32 feet to a point; thence North 32 degrees and 56 minutes East, a distance of 400.90 feet to a stake; thence passing over an iron pipe South 57 degrees and 04 minutes East, a distance of 570 feet to an iron pipe in the Westerly side of said 30 foot right-of-way; thence along the Westerly side of said 30 foot right-of-way; South 32 degrees 56 minutes West a distance of 190.9 feet to the point and place of beginning.

EXCEPTING THEREFROM AND THEREOUT the following described lot or piece of ground:

BEGINNING at a point at the Northeast corner of an existing store building said point being located 257.67 feet from the Eastern boundary line and 40.53 feet from the Northern boundary of lands of which the tract herein described is a part; thence South 57 degrees and 04 minutes East a distance of 172.00 feet; thence South 32 degrees and 56 minutes West a distance of 120.00 feet; thence North 57 degrees and 04 minutes West a distance of 162.00 feet; thence south 32 degrees and 56 minutes West a distance of 15.00 feet; thence North 57 degrees and 04 minutes West a distance of 10 feet to a point at the Southeast corner of a concrete walk which extends along the front of the aforementioned store building; thence along the East side of said building North 32 degrees and 56 minutes East a distance of 135.00 feet to the place of BEGINNING.

UNDER AND SUBJECT TO:

- a. Terms and conditions of Agreement between Charles E. Hoover and American Stores Company recorded in the Lancaster County Recorder of Deeds Office.

- b. An Easement for the overhang of the canopy attached to and forming a part of the building at the Southeast corner thereof, which easement shall be six feet six inches wide, eight feet in length and ten feet high, so long as the said canopy is attached to and a part of the said building. Grantee agrees that this easement shall run with the land and be binding upon the Grantee, its successors and assigns, and shall be incorporated in any deed or deeds covering the sale or other disposition of the above described premises.
- c. Right-of-Way granted by American Stores Realty Corporation, to Mount Joy Township Authority, by Deed of Grant dated February 23, 1982 and recorded in the records of Lancaster County in Record Book D, Volume 84, Page 159 etc.
- d. Covenants, conditions and agreements of record.

REV-183 EX (7-08) (F1)

pennsylvania
DEPARTMENT OF REVENUEBureau of Individual Taxes
PO BOX 280603
Harrisburg PA 17128-0603**REALTY TRANSFER TAX
STATEMENT OF VALUE****See Reverse for Instructions****RECORDER'S USE ONLY**

State Tax Paid	\$16,576.65
Book Number	5862458
Page Number	
Date Recorded	06/14/2010 01:51:05 PM

Complete each section and file in duplicate with Recorder of Deeds when (1) the full value/consideration is not set forth in the deed, (2) the deed is without consideration or by gift, or (3) a tax exemption is claimed. A Statement of Value is not required if the transfer is wholly exempt from tax based on family relationship or public utility easement. If more space is needed, attach additional sheets.

A. CORRESPONDENT - All inquiries may be directed to the following person:

Name	Diane McMonagle-Glass			Telephone Number:	407-770-7078
Street Address	City	State	ZIP Code		
One CVS Drive	Woonsocket	RI	02895		

B. TRANSFER DATA**Date of Acceptance of Document** 11/12/2010

Grantor(s)/Lessor(s)	Grantor(s)/Lessee(s)				
Rea & Derick, Inc.	Pennsylvania CVS Pharmacy, L.L.C.				
Street Address	Street Address				
One CVS Drive	One CVS Drive				
City	State	ZIP Code	City	State	ZIP Code
Woonsocket	RI	02895	Woonsocket	RI	02895

C. REAL ESTATE LOCATION

Street Address	City, Township, Borough	
1575 South Market Street	Upper Mount Joy Township	
County	School District	Tax Parcel Number
Lancaster	Elizabethtown Area	460-63001-0-0000

D. VALUATION DATA

1. Actual Cash Consideration	2. Other Consideration	3. Total Consideration
1.00	+ 0.00	= 1.00
4. County Assessed Value	5. Common Level Ratio Factor	6. Fair Market Value
1,227,900.00	X 1.35	= 1,657,665.00

E. EXEMPTION DATA

1a. Amount of Exemption Claimed	1b. Percentage of Grantor's Interest in Real Estate	1c. Percentage of Grantor's Interest Conveyed
- 0 -	100%	100%

2. Check Appropriate Box Below for Exemption Claimed

- ☐ Will or intestate succession. _____ (Name of Decedent) _____ (Estate File Number)
- ☐ Transfer to Industrial Development Agency.
- ☐ Transfer to a trust. (Attach complete copy of trust agreement identifying all beneficiaries.)
- ☐ Transfer between principal and agent/straw party. (Attach complete copy of agency/straw party agreement.)
- ☐ Transfers to the Commonwealth, the United States and Instrumentalities by gift, dedication, condemnation or in lieu of condemnation. (If condemnation or in lieu of condemnation, attach copy of resolution.)
- ☐ Transfer from mortgagor to a holder of a mortgage in default. (Attach copy of Mortgage and note/Assignment.)
- ☐ Corrective or confirmatory deed. (Attach complete copy of the deed to be corrected or confirmed.)
- ☐ Statutory corporate consolidation, merger or division. (Attach copy of articles.)
- ☐ Other (Please explain exemption claimed, if other than listed above.) _____

Under penalties of law, I declare that I have examined this statement, including accompanying information, and to the best of my knowledge and belief, it is true, correct and complete.

Signature of Correspondent or Responsible Party	Diane McMonagle-Glass Assistant Secretary	Date
		1-1-2010

FAILURE TO COMPLETE THIS FORM PROPERLY OR ATTACH REQUESTED DOCUMENTATION MAY RESULT IN THE RECORDER'S REFUSAL TO RECORD THE DEED.

EXHIBIT “B”

Redacted Purchase and Sale Agreement

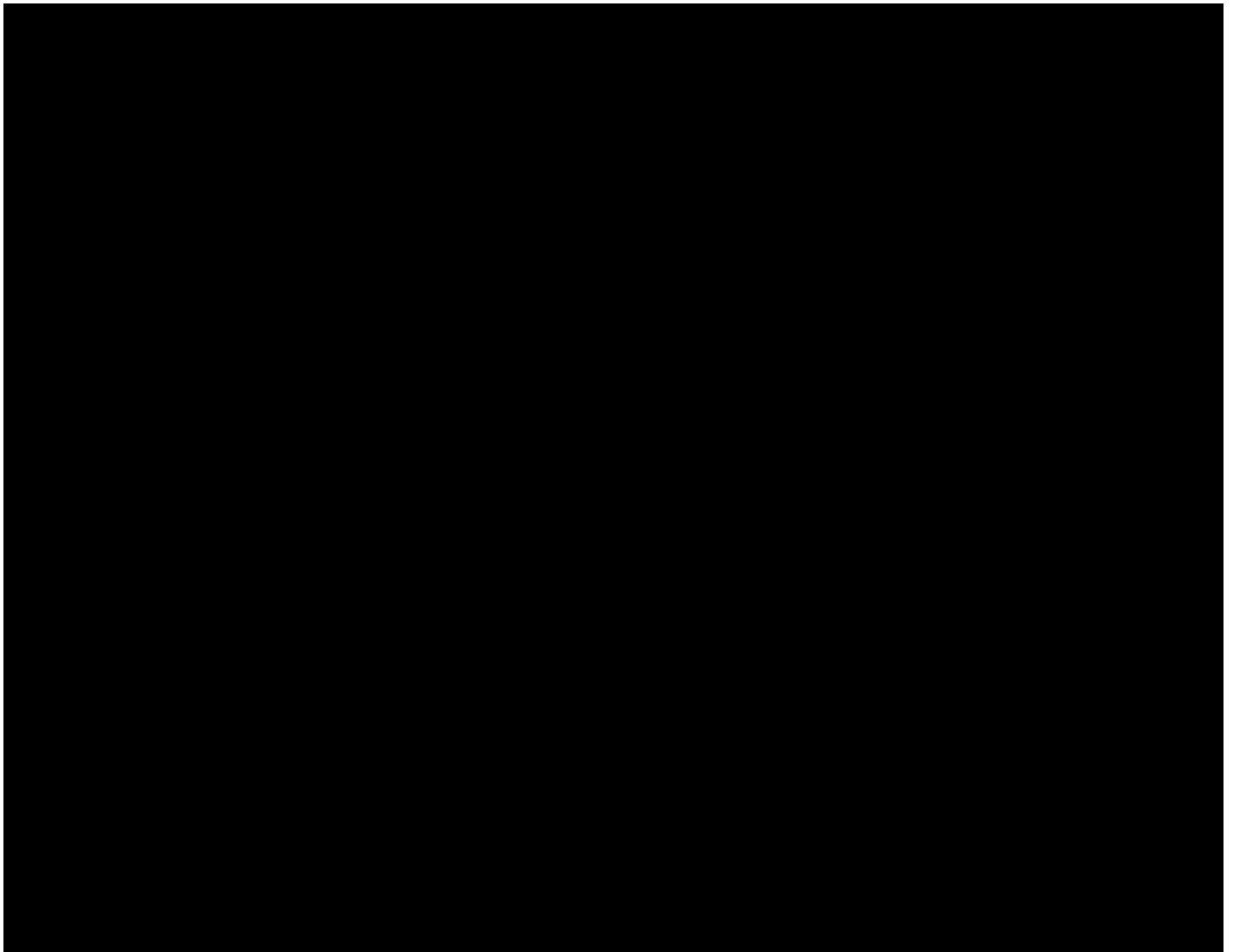
PURCHASE AND SALE AGREEMENT

THIS PURCHASE AND SALE AGREEMENT (the “**Agreement**”) is made and entered into as of the date of the last party to sign this Agreement (the “**Effective Date**”) by Pennsylvania CVS Pharmacy, L.L.C., a Pennsylvania limited liability company (“**Seller**”) and Etown IRE Associates, LLC, a Pennsylvania limited liability company (“**Purchaser**”).

WITNESSETH:

WHEREAS, Seller is the owner of that certain real property located in Lancaster County, Pennsylvania, as more particularly described on Exhibit A attached hereto and made a part hereof, together with all rights and appurtenances thereunto appertaining (the “**Property**”); and

WHEREAS, Seller wishes to sell the Property to Purchaser and Purchaser wishes to purchase the Property from Seller, upon the terms and conditions hereinafter set forth.



IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the later of the two dates set forth below.

SELLER:

Pennsylvania CVS Pharmacy, L.L.C., a Pennsylvania
limited liability company

Jonathan Shumrak
By: Jonathan Shumrak (May 7, 2025 12:09 CDT)
Jonathan Shumrak
Assistant Secretary
Date: May 7, 2025

CVS Legal Approval by The Tomcho Law Firm, P.C. (Kathleen Tomcho, Esq.)

PURCHASER:

Etown IRE Associates, LLC,
a Pennsylvania limited liability company

By: [Signature]
Name: Gregory E. Egan
Its: General Counsel
Date: 5/7/25

EXHIBIT A

DESCRIPTION OF THE PROPERTY

A portion of land in Lancaster County, Pennsylvania, known as Tax Parcel 460-63001-0-0000, as generally depicted below (outlined in blue):



EXHIBIT “C”

Preliminary Subdivision Plan

FLOOD NOTE:
BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS LOCATED IN:
ZONE "Y" (areas determined to be outside the 0.2% annual chance
floodplain) OF THE FLOOD INSURANCE RATE MAP, MAP NO.
4207100114F, WHICH BEARS A REVISION DATE OF APRIL 3, 2016.
AN ELEVATION CERTIFICATE MAY BE NEEDED TO VERIFY THIS
DETERMINATION TO APPLY FOR A VARIANCE.
BEFORE THE PREPARATION OF DESIGN PLANS PLEASE VISIT
FEMALOGY TO CONFIRM THE INFORMATION LISTED ABOVE.

CALL BEFORE YOU DIG!
PENNSYLVANIA LAW REQUIRES
3 WORKING DAYS NOTICE FOR
CONSTRUCTION PHASE AND 10 WORKING
DAYS IN DESIGN STAGE - STOP CALL
IF YOU ARE NOT SURE.
PA 1
TICKET #20251322059
TICKET #20251322060
TICKET #20251322061

LEGEND OF SYMBOLS

- CHAIN LINK FENCE
EDGE OF WOODS
OVERHEAD WIRES
METAL GUIDERAIL
APPROXIMATE LOCATION OF
UNDERGROUND ELECTRIC LINE
APPROXIMATE LOCATION OF
UNDERGROUND GAS LINE
APPROXIMATE LOCATION OF
UNDERGROUND TELEPHONE LINE
APPROXIMATE LOCATION OF
UNDERGROUND WATER LINE
APPROXIMATE LOCATION OF
UNDERGROUND SANITARY SEWER LINE
PROPERTY CORNER EVIDENCE
TREE W/ TRUNK DIAMETER
TITLE REPORT EXCEPTION
OFFSET OF STRUCTURE AT GROUND
LEVEL RELATIVE TO PROPERTY LINE
BOLLARD
SIGN
PAINTED ARROWS
PARKING COUNT
HANDICAP
AREA LIGHT
MANHOLE
INLET
VENT
CLEAN OUT
ELECTRIC METER
GAS METER
GAS VALVE
WATER VALVE
HYDRANT
MONITORING WELL
UTILITY POLE
DEED
STATE PLANE
PROPOSED PROPERTY
CORNERS (TO BE SET)

LANCASTER COUNTY PLANNING CERTIFICATE

THE LANCASTER COUNTY PLANNING COMMISSION, AS REQUIRED BY PENNSYLVANIA MUNICIPALITIES
PLANNING CODE, ACT 247 OF 1968, AS AMENDED, REVIEWED THIS PLAN ON _____, 20____,
AND A COPY OF THE REVIEW IS ON FILE AT THE OFFICE OF THE LANCASTER COUNTY PLANNING
COMMISSION IN LCPC FILE NO. _____. THIS CERTIFICATE DOES NOT INDICATE
APPROVAL OR DISAPPROVAL OF THE PLAN BY LANCASTER COUNTY PLANNING COMMISSION, AND THE
COMMISSION DOES NOT REPRESENT NOR GUARANTEE THAT THIS PLAN COMPLIES WITH VARIOUS
ORDINANCES, RULES, REGULATIONS OR LAWS OF THE LOCAL MUNICIPALITY, THE COMMONWEALTH, OR
THE FEDERAL GOVERNMENT.

CHAIRMAN _____ VICE CHAIRMAN _____

MOUNT JOY PLANNING CERTIFICATE

AT A MEETING ON _____, 20____, THE MOUNT JOY TOWNSHIP PLANNING
COMMISSION APPROVED THIS PROJECT, INCLUDING THE COMPLETE SET OF PLANS AND INFORMATION
WHICH ARE FILED WITH THE COMMISSION IN MOUNT JOY TOWNSHIP PLANNING COMMISSION FILE NO. _____.
BASED UPON ITS CONFORMITY WITH THE
STANDARDS OF CHAPTER 119, SUBDIVISION AND LAND DEVELOPMENT.

OWNER

ON THIS, _____ DAY OF _____, 20____, BEFORE ME, THE UNDERSIGNED
OFFICER, PERSONALLY APPEARED _____, BEING _____, WHO, BEING
DULY SWORN OR AFFIRMED ACCORDING TO LAW, DEPOSES AND SAYS THAT THE CORPORATION IS THE
OWNER OF THE PROPERTY SHOWN ON THE PLAN, THAT THEY ARE
AUTHORIZED TO EXECUTE SAID ON BEHALF OF THE CORPORATION, THAT THE CORPORATION DESIRES
THE SAME TO BE RECORDED.

MY COMMISSION EXPIRES _____

ZONING DATA

ZONED: C-2 (GENERAL COMMERCIAL DISTRICT)				
REQUIREMENT	REQUIRED	EXISTING	PROPOSED PARCEL '1'	PROPOSED PARCEL '2'
MIN. LOT AREA	10,000 S.F.	162,689.7 S.F.	124,958.0 S.F.	37,731.7 S.F.
MIN. LOT WIDTH	75 FT	570 FT	270.25 FT/423.00 FT	149.58 FT/149.58 FT
MIN. LOT DEPTH	100 FT	357.43 FT/375.85 FT	367.41 FT/375.85 FT	247.43 FT/257.54 FT
MIN. FRONT YARD SETBACK	35 FT	70.4 FT	203.5 FT	70.4 FT
MIN. SIDE YARD SETBACK	15 FT	34.0 FT	44.3 FT	34.0 FT/77.5 FT
MIN. REAR YARD SETBACK	25 FT	40.9 FT	40.9 FT	121.1 FT
MAX. BUILDING COVERAGE	50%	9.3%	12.1%	4.5%
MAX. BUILDING HEIGHT	35'	27.3'/17.8'	27.3'	17.8'
MIN. FRONT YARD SETBACK (OUTDOOR STORAGE)	N/A	NONE	NONE	NONE
MIN. SIDE & REAR YARD SETBACK (OUTDOOR STORAGE)	15 FT	NONE	NONE	NONE
MAX. IMPERVIOUS COVERAGE	65%	70.7%	75.8%	54.1%

ZONED: C-2 (PARKING REGULATIONS)				
REQUIREMENT	REQUIRED	EXISTING	PROPOSED PARCEL '1'	PROPOSED PARCEL '2'
RETAIL STORES, EXCEPT THOSE SPECIFICALLY NAMED ABOVE, SHALL BE PROVIDED WITH FIVE PARKING SPACES PER 1,000 SQUARE FEET OF GROSS FLOOR AREA	5 SPACES/1,000 S.F. OF GROSS FLOOR (33,870 S.F. EX. S.F.)	158 (TOTAL) 151 (REGULAR)	136 (TOTAL) 131 (REGULAR)	N/A
DRIVE-THROUGH AND/OR FAST-FOOD: RESTAURANTS SHALL BE PROVIDED WITH 1 SPACE FOR EVERY 2 SEATS PLUS AN ADD. SPACE PER EMPLOYEE ON THE LARGEST SHIFT	60 SPACES (W/ 20% RED. SEC. 135-344.4)	7 (RESERVED)	5 (RESERVED)	N/A
DRIVE-THROUGH AND/OR FAST-FOOD: RESTAURANTS SHALL BE PROVIDED WITH 1 SPACE FOR EVERY 2 SEATS PLUS AN ADD. SPACE PER EMPLOYEE ON THE LARGEST SHIFT	1 SPACE EVERY 2 SEATS & 1 SPACE EVERY EMPLOYEE	158 (TOTAL) 151 (REGULAR)	22 (TOTAL) 20 (REGULAR)	2 (RESERVED)

PRIOR TO USE FOR ANY EVALUATION OR DESIGN PURPOSE MUST CONFIRM CURRENT ZONING CODE.
* IMPERVIOUS AREAS DO NOT INCLUDE ANY AREA CALCULATIONS FROM PARCEL #460-8022200000
* IMPERVIOUS AREA COVERAGE EXCEED 65% AND THIS IS AN EXISTING NON-CONFORMITY (PER 135-135.F(2)).

PARCEL
#160-2975110001
LANDS N/E
JAMES & NARDO
(#10 ANCHOR RD.)

PARCEL
#160-3461000000
LANDS N/E
CHARLES J. MCCARDLE
INST. #6762326
(#20 ANCHOR RD.)

PARCEL
#160-4563700000
LANDS N/E
CLIFFORD A. HOSTETTER
INST. #6582767
(#30 ANCHOR RD.)

PARCEL
#160-5427700000
LANDS N/E
TAMERLY S. BELL
INST. #6267086
(#40 ANCHOR RD.)

LIST OF WAIVERS

- WAIVER REQUESTED TO PROCESS THE SUBDIVISION PLAN AS A
COMBINED PRELIMINARY/FINAL APPLICATION.
- WAIVER REQUESTED FROM SECTION 119.31.(3) TO ACCEPT AN
AERIAL OF EXISTING FEATURES IN LIEU OF ADDING EXISTING
FEATURES TO THIS PLAN.
- WAIVERS REQUESTED FROM SECTION 119-32-B AND
119-34.(3)(c) AS NO NEW DEVELOPMENT IS PROPOSED AS PART
OF THIS APPLICATION, AND THEREFORE, THERE IS NO IMPACT TO
WETLANDS, IF ANY EXIST ON THE PROPERTY.
- WAIVER REQUESTED FROM SECTIONS 135-299.E(2) &
119-31.(12) FROM SHOWING CLEAR SIGHT TRIANGLES AND
STOPPING DISTANCES AS NO PROPOSED CHANGES TO THE EXISTING
SITE CONDITIONS.

OWNER/APPLICANT

OWNER: PENNSYLVANIA CVS PHARMACY, LLC
ONE CVS DRIVE
WOONSOCKET, RI 02895
EQUITABLE OWNER: ETOWN RE ASSOCIATES, LLC
P.O. BOX 14
VILLANOVA, PA 19085
APPLICANT:

AREA TABLE

EXISTING PARCEL #460-6300100000 = 162,689.7 S.F. OR 3.735 AC.
PROPOSED PARCEL '1' = 124,958.0 S.F. OR 2.869 AC.
PROPOSED PARCEL '2' = 37,731.7 S.F. OR 0.866 AC.

SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY THAT, TO THE BEST OF MY KNOWLEDGE, THE SURVEY AND PLAN SHOWN
AND DESCRIBED HEREON IS TRUE AND CORRECT TO THE ACCURACY REQUIRED BY CHAPTER
119, SUBDIVISION AND LAND DEVELOPMENT.

JOSEPH J. WRIGHT
PENNSYLVANIA PROFESSIONAL LAND SURVEYOR #50-37826-E

DATE: 8-5-2025
SCALE: 1" = 30'
FIELD BK. NO.: 25-02
PROJECT NO.: 25-A-142
DRAWN BY: S.N.W./S.C.H.
REVIEWED BY: T.D.M./J.J.W.
REV-1: 10-17-2025
REV-2: PER COMMENT LETTER 9-18-2025
REV-3:
REV-4:
REV-5:

PRELIMINARY/FINAL SUBDIVISION PLAN

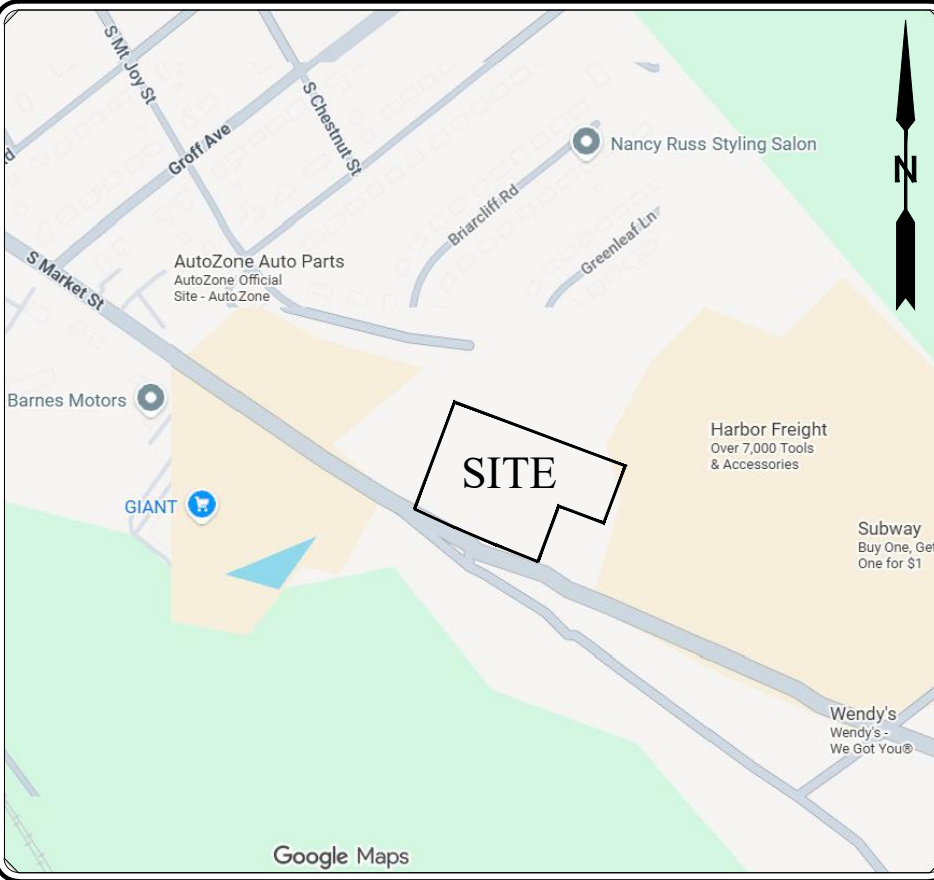
PENNSYLVANIA CVS PHARMACY, L.L.C.
#1551 SOUTH MARKET STREET
PARCEL #460-6300100000

TOWNSHIP OF MOUNT JOY, LANCASTER COUNTY
COMMONWEALTH OF PENNSYLVANIA

BLUE MARSH ASSOCIATES, INC.

LAND SURVEYORS & PLANNERS
351 EASTON ROAD, SUITE A
WARRINGTON, PA 18976-2370
215-278-4053 (MAIN)
215-343-0218 (FAX)
1541 ROUTE 57 EAST, SUITE B
TOMES RIVER, NJ 08753
732-929-8915 (FAX)
www.BlueMarshAssociates.com

VICINITY MAP



1" = 600'

NOTES

- PROPERTY KNOWN AS PARCEL #460-6300100000 AS IDENTIFIED ON THE OFFICIAL TAX
MAPS OF LANCASTER COUNTY, TOWNSHIP OF MOUNT JOY, COMMONWEALTH OF
PENNSYLVANIA.
- AREA PARCEL #460-6300100000 = 162,689 S.F. OR 3.735 AC.
- LOCATION OF ALL UNDERGROUND UTILITIES ARE APPROXIMATE. ALL LOCATIONS AND
SIZES ARE BASED ON UTILITY MARK OUTS, ABOVE GROUND STRUCTURES THAT WERE
VISIBLE & ACCESSIBLE IN THE FIELD, AND THE MAPS AS LISTED IN THE REFERENCES
AVAILABLE AT THE TIME OF THE SURVEY. AVAILABLE ASBESTOS PLANS AND UTILITY
MARKOUT DOES NOT ENSURE MAPPING OF ALL UNDERGROUND UTILITIES AND
STRUCTURES. BEFORE THE PREPARATION OF DESIGN PLANS AND/OR EXCAVATION IS TO
BEGIN, ALL UNDERGROUND UTILITIES SHOULD BE VERIFIED AS TO THEIR LOCATION, SIZE
AND TYPE BY THE PROPER UTILITY COMPANY.
- THIS PLAN IS BASED ON INFORMATION PROVIDED BY A SURVEY PREPARED IN THE FIELD
BY BLUE MARSH ASSOCIATES, INC. AND OTHER REFERENCE MATERIAL AS LISTED
HEREON.
- THE EXISTENCE OF UNDERGROUND STORAGE TANKS, IF ANY, WAS NOT KNOWN AT THE
TIME OF THE FIELD SURVEY.
- THIS PROPERTY SUBJECT TO RESTRICTIONS, COVENANTS AND/OR EASEMENTS, WRITTEN
OR IMPLIED.
- COORDINATES AND ELEVATIONS ARE BASED UPON (NAVD 88) DATUM ESTABLISHED
ONSITE UTILIZING GLOBAL POSITIONING SYSTEM DATA COLLECTION.
- ENCROACHMENTS AND VAULTS, IF ANY, BELOW SURFACE NOT SHOWN HEREON.
- THIS SUBDIVISION PLAN DOES NOT PROPOSE ANY NEW IMPROVEMENTS TO ANY PART OF
THIS PROPERTY.
- NO ITEMS SHALL BE PLACED, PLANNED, SET OR PUT WITHIN AN EASEMENT THAT WOULD
ADVERSELY AFFECT THE FUNCTION OF THE EASEMENT OR CONFLICT WITH THE EASEMENT
AGREEMENT.

REFERENCES

- THE OFFICIAL TAX MAPS OF LANCASTER COUNTY, TOWNSHIP OF MOUNT JOY,
COMMONWEALTH OF PENNSYLVANIA.
- MAP ENTITLED "FIRM, FLOOD INSURANCE RATE MAP, LANCASTER COUNTY, PENNSYLVANIA
(ALL JURISDICTIONS)", PANEL 114 OF 780, MAP NUMBER 4207100114F, MAP REVISED:
APRIL 3, 2016.
- MAP ENTITLED "FINAL SUBDIVISION AND LAND DEVELOPMENT PLANS FOR MEMBERS 1ST
FEDERAL CREDIT UNION, SOUTH MARKET STREET (S.R. 0230) & CAREY LANE, MOUNT
JOY TOWNSHIP/ELIZABETHTOWN BOROUGH, LANCASTER COUNTY, PA," PREPARED BY J.
MICHAEL BRILL & ASSOCIATES, INC., DATED DECEMBER 16, 2011, LAST REVISED
DECEMBER 14, 2012 AND FILED IN DOC. #2013-0054-J.
- MAP ENTITLED "PRELIMINARY/FINAL SUBDIVISION & LAND DEVELOPMENT PLANS FOR
NASSIMI REALTY LLC, MARKET STREET SQUARE RETAIL CENTER 460-20549-0-0000 &
250-39525-0-0000, ELIZABETHTOWN BOROUGH/MOUNT JOY TOWNSHIP, LANCASTER
COUNTY, PENNSYLVANIA" PREPARED BY COLLIER ENGINEERING & DESIGN, DATED
AUGUST 3, 2021, LAST REVISED APRIL 19, 2023 AS REVISION NO. 6 AND FILED IN
DOC. #2023-0275-J.
- MAP ENTITLED "FINAL SUBDIVISION PLAN, OAK MANOR, SECTION III, BLOCK "B",
BOROUGH OF ELIZABETHTOWN - LANCASTER CO. PENNSYLVANIA" PREPARED BY
RICHARD R. CRAMER, DATED JULY 27, 1988, LAST REVISED AUGUST 31, 1988 AND
FILED AS PLAN J-162-35, PG. 1.
- MAP ENTITLED "LOT ADD-ON PLAN, MESS ASSOCIATES LTD. 1821 OREGON PIKE,
LANCASTER, PA 17604" PREPARED BY DAVID MILLER/ASSOCIATES, INC., DATED AUGUST
1, 1990 AND FILED AS PLAN J-175-25.
- MAP ENTITLED "FINAL LAND DEVELOPMENT PLAN, MARKET STREET SQUARE, MOUNT JOY
TOWNSHIP & ELIZABETHTOWN BOROUGH, LANCASTER COUNTY, PA," PREPARED BY DAVID
MILLER/ASSOCIATES, LAST REVISED JANUARY 8, 1993 AND FILED AS PLAN J-181-117,
PG. 1.
- MAP ENTITLED "COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF TRANSPORTATION
DRAWINGS AUTHORIZING ACQUISITION OF RIGHT-OF-WAY FOR STATE ROUTE 0230,
SECTION 041 R/W IN LANCASTER COUNTY" SHEETS 1-13 OF 13.
- ZONING MAP OF MOUNT JOY TOWNSHIP, AS AMENDED THROUGH MAY 20, 2024.
- MAP ENTITLED "ALTA/NSPS LAND TITLE SURVEY, IRONWOOD REAL ESTATE, LLC, #1551
SOUTH MARKET STREET, PARCEL #460-6300100000 & PARCEL #460-8022200000,
TOWNSHIP OF MOUNT JOY, LANCASTER COUNTY, COMMONWEALTH OF PENNSYLVANIA",
PREPARED BY BLUE MARSH ASSOCIATES, INC., DATED 6-4-2025, PROJECT NO.
25-A-142.

GRAPHIC SCALE



SCALE: 1" = 30'



MOUNT JOY TOWNSHIP

• Lancaster County, Pennsylvania •

8853 Elizabethtown Road, Elizabethtown, PA 17022
717.367.8917 • 717.367.9208 fax
www.mtjoytwp.org

November 18, 2025

Certified Mail # 9407 1118 9876 5473 3303 69

Certified Mail # 9407 1118 9876 5473 3304 20

Etown IRE Associates, LLC
P.O. Box 14
Villanova, PA 19085

Pennsylvania CVS Pharmacy LLC
c/o CVS #1672-01
1 CVS Drive MC 2320
Woonsocket, RI 02895

Re: Proposed Subdivision of Land
Property Located at 1551 S. Market Street, Elizabethtown, PA 17022
Tax Parcel Account #460-63001-0-0000
Case #250019

Dear Sir or Ms.:

I have reviewed the above-referenced zoning hearing application submitted to Mount Joy Township on November 11, 2025. The hearing for the application is scheduled for **6:00 P.M. on Wednesday, December 10, 2025** at the Mount Joy Township Municipal Building located at 8853 Elizabethtown Road, Elizabethtown, PA 17022. I offer the following comments on the application:

- You have provided a copy of the subdivision plan that will be provided to the Zoning Hearing Board as part of your full application package. The plan shows the existing improvements on the property as well as the proposed lot line to subdivide it into two lots.
- The subject property contains approximately 3.7 acres and is located within the (C-2) General Commercial District. No construction is proposed by the subdivision plan. The subdivision will divide a former restaurant building onto a 0.866-acre lot and leave a shopping center on its own 2.869-acre lot. As a result, the shopping center lot will have 75.8% impervious coverage, an increase from the property's 70.7% coverage nonconformity.
- You are seeking and have requested approval of the proposed project via Chapter 135 of the Code of Ordinances of the Township of Mount Joy, i.e. the Mount Joy Township Zoning Ordinance of 2012. The following variance request has been made pursuant to Chapter 135:

(1) Chapter 135, Article XIV, §135-135.F(2) – maximum impervious coverage

In the event the Mount Joy Township Zoning Hearing Board would approve the application, the Township recommends the following conditions be applied to any approvals:

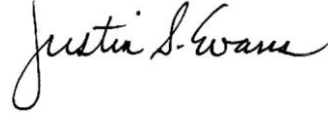
1. Applicant shall comply with all other provisions contained in Chapter 135 of the Code of Ordinances of the Township of Mount Joy for which relief has not been requested or granted.
2. Applicant shall submit and gain approval of a subdivision plan from the Mount Joy Township Planning Commission.
3. Applicant and any representatives of the Applicant shall comply with and adhere to the testimony and any evidence presented to the Mount Joy Township Zoning Hearing Board at the hearing held on December 10, 2025 and any continued hearings, if applicable, except to the extent modified by the conditions imposed by the Mount Joy Township Zoning Hearing Board herein.

The Township reserves its right to revise, amend and/or extend the aforementioned list of recommended conditions of approval based upon the testimony presented at the hearing. Please note that these conditions are a recommendation from the Township. If the Mount Joy Township Zoning Hearing Board approves the application, they may change or add

conditions if they determine such actions are appropriate based on the testimony and evidence presented and submitted at the hearing.

Should you have any questions concerning this matter, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink that reads "Justin S. Evans". The signature is written in a cursive, flowing style.

Justin S. Evans, AICP
Assistant Zoning Officer
Mount Joy Township

Copy: Etown IRE Associates, LLC – First Class Mail
Pennsylvania CVS Pharmacy LLC – First Class Mail
Gregg I. Adelman, Esq. – via Email
MJT Zoning Hearing Board
File

Enclosures