

**DERRY TOWNSHIP PLANNING COMMISSION
MEETING MINUTES
May 3, 2012**

CALL TO ORDER

The Thursday, May 3, 2012 Derry Township Planning Commission meeting was called to order at 6:00 p.m. in the meeting room of the Derry Township Municipal Complex, 600 Clearwater Road, Hershey, PA, by Chairman Tunnell.

ROLL CALL

Commission Members Present: Matthew Tunnell, Chairman; Peter Gleason, Vice Chairman; Ned Wehler, Secretary; Gregg Mangione, Member

Commission Members Absent: Joyce St. John, Member

Also Present: Charles Emerick, Director of Community Development; Matt Bonnano, HRG, Inc.; Jenelle Stumpf, Community Development Secretary; Tracy Telesha, Stenographer

Public Registering Attendance: Ron Lucas, Stevens & Lee; Suzanne Hoffer, HB Engineering; Tonya Krushinsky, Southpoint; Kim Smith, Southpoint; Mike LaCesa, Sheetz; Ken Scardino, Deer Run Board of Directors; Dennis Trout, Locust Lane; Ralph Watters, Derry Township Municipal Authority; Ed Consalo, DTSD; Mark Shrift, Hayes Large Architects; Dale Holte, Deer Run HOA; Susan Finger, Deer Run; Don Prowell, Deer Run; Bill Gladstone, NAICR; Bruce Kinney, Deer Run; Jan Huddy, Deer Run; Rich Gamble

APPROVAL OF MINUTES

On a motion by Vice Chairman Gleason and seconded by Member Mangione, the Planning Commission approved the minutes of April 3, 2012 as written.

OLD BUSINESS

None.

NEW BUSINESS

A. Review and recommendation of a waiver from filing a land development plan as requested by the Derry Township Municipal Authority

This request relates to the recovery of the Derry Township Municipal Authority space in the administration building from Tropical Storm Lee which will include an expansion and alterations. Three hundred and twenty (320) square feet will be added to the ground level and 3,230 square feet on a second floor level above the flood elevation. The volume of water that would be displaced by the ground floor addition is being offset by

DERRY TOWNSHIP PLANNING COMMISSION
MEETING MINUTES
May 3, 2012

the removal of approximately 570 cubic feet of earth from the floodplain located on the property. This project will not include the addition of any new roads, sidewalks, employees, or parking areas; no stormwater design will be required; and there will be no new traffic to the property.

MOTION

On a motion made by Member Mangione, seconded by Vice Chairman Gleason, and a unanimous vote, the Planning Commission recommended approval of the waiver.

B. Review and recommendation of the Preliminary/Final Land Development Plan for Derry Township School District Middle School Addition, Plat #1215

The Derry Township School District is proposing an addition of 4,559 square feet of new floor area and the removal of a parking area previously proposed at the southeast corner of the high school. No changes in vehicular patterns are proposed.

Waivers from the Subdivision and Land Development Ordinance are sought as follows:

- a. Sections 185-12.D.(3).(a).[9]. and [35] regarding existing features and topography within 200 feet of the property boundary
- b. Section 185-12.D.(3).(a).[15] regarding soils series boundary
- c. Section 185-12.D.(3).(a).[39] regarding utility service letters with conditions for easements/right-of-way
- d. Section 185-12.D.(4).(g) regarding fire hydrant flow requirements
- e. Section 185-13.E.(3) regarding plan scale for the overall site boundary plan
- f. Section 185-13.E.(4).(a).[8] regarding survey tied to Pennsylvania coordinate system
- g. Section 185-13.E.(4).(a).[10] regarding location of sensitive environmental areas
- h. Sections 185-13.E.(4).(a).[16], [18], [38], [42], [43] regarding location, width of existing driveways, streets/easements and rights-of-way
- i. Sections 185-13.E.(4).(a).[19], [20], [21] regarding utility profiles for existing storm sewer, sanitary sewer, water and gas
- j. Section 185-13.E.(4).(a).[34] regarding 100 year floodplain boundary

**DERRY TOWNSHIP PLANNING COMMISSION
MEETING MINUTES
May 3, 2012**

- k. Sections 185-13.E.(4).(a).[38], [42] regarding purpose/location of existing easements and rights-of-way on property. Mr. Emerick noted that these waivers were previously requested in item 'h'; therefore, no action is necessary.

Mark Shrift, a landscape architect with Hayes Large Architects who is representing the School District, stated that the proposed addition would be for administrative offices, including the nurse's suite. The existing administration area would be converted into three classrooms.

Secretary Wehler questioned whether any lighting alterations are being proposed. Mr. Shrift replied that lighting would be on the proposed building addition and canopy area.

Secretary Wehler asked where the stormwater run-off would be directed. Mr. Shrift responded that the run-off would be directed into an existing rain garden area.

MOTION ON WAIVERS

On a motion made by Vice Chairman Gleason, seconded by Member Mangione, and a unanimous vote, the Planning Commission recommended that waivers 'a' through 'i' be granted and that waiver 'j' be denied. No action is necessary on waiver 'k'.

MOTION ON PLAN

On a motion made by Vice Chairman Gleason, seconded by Member Mangione, and a unanimous vote, the Planning Commission recommended approval of Plat #1215, subject to the outstanding comments of Township staff, HRG, and DTMA being satisfactorily addressed.

C. Review and recommendation of the Preliminary/Final Subdivision and Land Development Plan for 777 Middletown Road, Plat #1216

This property, located on the east side of Middletown Road and the north side of Stoverdale Road, contains 12.72 acres and is located in the Neighborhood Commercial zoning district. The parcel has been subdivided into two lots - Lot 1 contains 2.706 acres, and Lot 2 contains 9.6661 acres and is partially located in the Agricultural/Conservation zoning district. The applicant is proposing to locate a 6,180-square-foot retail/fuel sale store with a single bay car wash on Lot 1. Lot 2 will contain a 2,880-square-foot bank with four drive-through lanes, and a 19,200 square foot retail/office building.

Waivers from the Subdivision and Land Development Ordinance are sought as follows:

DERRY TOWNSHIP PLANNING COMMISSION
MEETING MINUTES
May 3, 2012

- a. Section 185-22.E.(5) regarding proposed curbing along Middletown, Stoverdale, and Wood Roads
- b. Section 185-34.A.(1) regarding sidewalk location along Middletown, Stoverdale, and Wood Roads
- c. Section 185-22.D, Table 185-22 regarding width of parking lane
- d. Section 185-12.D.(2) and 185-13.E.(3) regarding plan scale for subdivision plan and easement plans
- e. Sections 185-12.D.(3).(a) and 185-13.E.(4).(a) regarding plan requirements for the Garver parcel

Ron Lucas, attorney for Sheetz, stated that all proposed lighting for the Sheetz store will be LED and will comply with the foot candle requirements.

Brian Soyka from Sheetz stated that gas is pre-paid and the speakers at the pump are used only for emergency communications. Music aired over the speakers can be turned off.

Suzanne Hoffer, traffic engineer for the applicant, stated that the main driveway off Middletown Road will be posted as no left turns. Customers will use Stoverdale Road to access the traffic light for left turns. Ms. Hoffer clarified that Wood Road would have full access for right and left turns.

Mr. Lucas explained that storm water management will be handled by underground piping and storage areas as well as a surface pond. All sidewalks will be constructed of pervious materials.

PUBLIC COMMENT

Rich Gamble questioned the purpose of having two identical services (fuel stations) a half mile apart. Mr. Gamble also has concerns about the property owner's ability to complete the proposed project.

Donald Prowell stated that he has observed heavy traffic stacking on Wood Road during peak times and he opposes a Sheetz store due to noise, odor, traffic, and environmental concerns.

Jan Huddy stated that letters and petitions were sent to the Derry Township Board of Supervisors, Zoning Hearing Board, and Representative John Payne in November, 2011. Ms. Huddy stated that there has been no response from either of the Boards. Ms.

DERRY TOWNSHIP PLANNING COMMISSION
MEETING MINUTES
May 3, 2012

Huddy is also concerned about the property owner's current status in regards to tax arrears.

Tonya Krushinski questioned who governs use. Ms Krushinski also questioned the purpose of an access point off Middletown Road when two other access points are being proposed that seem safer.

Chairman Tunnell replied that the Zoning Hearing Board governs codes and while use is taken into consideration, code compliance supersedes.

Ms Krushinsky further questioned where the large gas price sign would be placed.

Mr. Soyka replied that the sign would be located along Middletown Road.

Ken Scardino, Secretary of the Deer Run Board of Directors, stated that he is pleased with the proposed toned down appearance and lighting plan. Mr. Scardino would like to hear about plans to reduce noise, and requests that any signage be as aesthetically pleasing as possible.

Dennis Trout stated that he lives across the street from the Turkey Hill store and he constantly sees directional signs ignored by drivers. Mr. Trout stated that while Turkey Hill itself does not make noise, the patrons do. Mr. Trout questioned whether the car wash would have some sort of alert buzzer. Mr. Trout further added that during the recent Tropical Storm Lee, the Stoverdale intersection was under water.

Bruce Kinney questioned if the traffic study took into consideration the blind curve on Middletown Road or the level of speeding that occurs in the area.

Susan Finger questioned if increased traffic would be diverted by way of signage off Routes 283 and 422 to the Sheetz store and whether that was taken into consideration in the traffic study.

Chairman Tunnell questioned whether infiltration and sinkhole concerns had been considered.

Jack Raudenbush, engineer for the applicant, stated the testing was done and has not shown any issues along the lines of infiltration or sinkholes.

Secretary Wehler questioned whether a landscaping plan was included in the proposal. Mr. Raudenbush stated that a plan was submitted that meets the Township's requirements and includes extra buffers to lessen the headlight impact on Middletown Road.

DERRY TOWNSHIP PLANNING COMMISSION
MEETING MINUTES
May 3, 2012

Dennis Trout encouraged the Planning Commission to review the Zoning Hearing Board's minutes regarding the cross link road/driveway. The cross link was suggested as a way to alleviate left turns off Wood Road. Mr. Trout also expressed concern about possible seal failures on the gas tank fills that could be flooded and flow into the nearby stream.

MOTION ON WAIVERS

On a motion made by Vice Chairman Gleason, seconded by Secretary Wehler, and a unanimous vote, the Planning Commission made recommendations on the requested waivers as follows:

- a. From Section 185-22.E.(5) regarding installing curbing along Middletown Road, Stoverdale Road, and Wood Road. This waiver was recommended to be granted as a deferment for Middletown Road, Wood Road, and the north side of Stoverdale Road; provided, however, that if PennDOT deems the developer should provide curbs in this area, the Township will support the PennDOT request.
- b. From Section 185-34.A.(1) regarding sidewalk location along Middletown Road, Stoverdale Road, and Wood Road. This waiver was recommended to be granted.
- c. From Section 185-22.D, Table 185-22 regarding parking lane width. This waiver was recommended to be granted for the north side of Stoverdale Road, and for the south side of Stoverdale Road to a point approximately 300 feet east of the intersection. Regarding the remaining portion of the south side of Stoverdale Road adjacent to the development site, the waiver was recommended to be granted as a deferment.
- d. From Sections 185-12.D.(2) and 185-13.E.(3) regarding plan scale. These waivers were recommended to be granted for the subdivision plan (SD-1) and the easement plans (EP-1 and EP-2) to be provided at a scale of 1"=60', as long as all occurrences of text-over-text and text obscured by lines or hatching are resolved.
- e. From Sections 185-12.D.(3).(a) and 185-13.E.(4).(a) regarding plan requirements. These waivers were recommended to be granted for the depiction of land holdings of the Garver property affected by this subdivision.

MOTION ON PLAN

On a motion made by Vice Chairman Gleason, seconded by Member Mangione, and a unanimous vote, the Planning Commission tabled taking action on Plat #1216.

**DERRY TOWNSHIP PLANNING COMMISSION
MEETING MINUTES
May 3, 2012**

D. Review and recommendation of a proposed ordinance which would amend the text of Chapter 225 (Zoning), Article XXXII (Floodplain Overlay District) of the Code of the Township of Derry

Mr. Emerick explained that the amendment was promoted by the development of new flood insurance rate mapping for all of Dauphin County. This mapping was developed by FEMA. In doing so, FEMA has required each municipality to review the new mapping and to amend their floodplain ordinances to meet the minimum National Flood Insurance Program standards. The mapping revision and the text amendment were underway long before Tropical Storm Lee occurred.

MOTION

On a motion made by Secretary Wehler, seconded by Vice Chairman Gleason, and a unanimous vote, the Planning Commission recommended that the proposed ordinance be adopted.

OTHER BUSINESS

None.

ADJOURNMENT

On a motion by Secretary Wehler, seconded by Vice Chairman Gleason, and a unanimous vote, the meeting adjourned at 9:15 p.m.

Respectfully submitted,

Ned Wehler
Secretary

Submitted by:

Tracy Telesha
Stenographer