

TOWNSHIP OF DERRY
BOARD OF SUPERVISORS MEETING MINUTES
NOVEMBER 22, 2016

CALL TO ORDER

Vice Chairman John W. Foley called the November 22, 2016, regular meeting of the Township of Derry Board of Supervisors to order at 7:00 pm in the meeting room of the Township of Derry Municipal Complex, 600 Clearwater Road, Hershey, PA. There was an executive session prior to the meeting. He advised that all public meetings are recorded for providing accurate minutes. After the Pledge of Allegiance, a roll call was conducted.

IN ATTENDANCE:

SUPERVISORS

John W. Foley, Jr., Vice Chairman
Justin C. Engle, Secretary
Matthew A. Weir

ALSO PRESENT:

James N Negley, Township Manager
Jill Henry, Assistant Township Manager
Jon A. Yost, Township Solicitor
Chuck Emerick, Director of Community Development
Lauren Zumbrun, Economic Development Manager
Robert Piccolo, Assistant Director of Public Works
Garth Warner, Chief of Police
Matthew Mandia, Director of Parks and Recreation
Barbara Ellis, Hershey Public Library
Bob DiLello, Hershey Volunteer Fire Company
Matt Bonanno, HRG Engineer
Chris Brown, Derck & Edsom
Julie Echterling, Recorder

ABSENT:

Marc A. Moyer, Chairman
Susan M. Cort

Public in Attendance:

The following were in attendance: Charles Huth, Elvira Ebling, Tim Mellott, and Melissa Coleman.

VISITOR/PUBLIC COMMENTS:

There were no visitor/public comments.

APPROVAL OF MEETING MINUTES:

Supervisor Engle made a motion to approve the minutes from the November 7, 2016 Board of Supervisors Public Hearing. Supervisor Weir seconded the motion. **Motion carried 3-0.** Supervisor Weir made a motion to approve the minutes from the November 7, 2016 Board of Supervisors Public Meeting. Supervisor Engle seconded the motion. **Motion carried 3-0.**

NEW BUSINESS:

RESOLUTION NO. 1488- 2017 BOARD OF SUPERVISOR'S MEETINGS:

Mrs. Henry corrected the day to Tuesday for the April 25th meeting.
Supervisor Weir made a motion to adopt Resolution No. 1488 establishing the Board of Supervisor's meeting dates for the year 2017. Supervisor Engle seconded the motion. **Motion carried 3-0.**

PROPOSAL FROM HRG -WALTON AVENUE PROJECT:

Mr. Negley spoke about the proposal from HRG for the Walton Avenue Corridor short term improvement project. The requisite construction services weren't part of the original engineering agreement and subsequently this proposal is for the construction inspection and construction administration in accordance

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with the PennDOT scope of work for this phase of the project. The amount of the scope of services is \$17,502.12. He stated there is approximately \$88,000 remaining in the Homestead signal DCIB Loan.

Supervisor Engle made a motion to authorize the Township Manager to execute an agreement proposal from HRG for the Walton Avenue Project's construction administration and construction inspection associated with the short-term improvements identified in the Walton Avenue Corridor Study. Supervisor Weir seconded the motion. **Motion carried 3-0.**

FOX GLEN DRIVE -PLAT NO. 1268 PLAN:

Mr. Emerick stated Plat #1268 is located along existing Fox Glen Drive, east of Waltonville Road, west of Shank Park, and south of the Waltoncroft subdivision. The plan represents the combination of two existing lots into a single lot that will be subdivided to create five new lots. The subject property is located within the Agricultural/ Conservation zoning district and contains 7.35 acres. He stated the plan required relief from the Zoning Hearing Board. The Zoning Hearing Board granted the relief to allow this subdivision in its present configuration with a condition. The developer cannot connect Fox Glen Drive to Greenhill Drive. He stated the traffic impacts of the plan will be minimal, with approximately 40 new average daily trips will be generated. This plan proposes to extend Fox Glen Drive by approximately 490 feet and to terminate it in a compliant cul-de-sac configuration. The applicant has proposed to reduce the cartway width to 32 feet (matching the existing width) to better provide a sidewalk along one side of the roadway.

He discussed the current stormwater issues and how this development would help solve some these existing stormwater management deficiencies. There is evidence of some severe erosion on the eastern side of the property. It is, however, necessary for that stormwater basin to discharge into Shank Park, so as not to exasperate any existing stormwater deficiencies within the Waltoncroft subdivision. The stormwater entering Shank Park will be managed by pipes and swales that will ultimately discharge through an energy dissipater into an existing drainage way. He showed the Board the stormwater flow on the map and the erosion. He spoke about a pipe that would help with the stormwater issues where the Township would take over ownership and would later be dedicated to the Authority. He stated the Authority has not heard about this plan. He discussed the conditions and waivers for the plan.

Supervisor Weir and Engle asked about the forest and vegetation. Mr. Emerick discussed a condition from the Zoning Hearing Board for setbacks. He spoke about the ordinance dealing with the preservation of trees and how there would not be an issue as there was with the Woodland Hills. Mr. Tim Mellott, Mellott Engineering spoke about why there are so many conditions and waivers for the plans and spoke about the trees. Discussion ensued.

Supervisor Engle made a motion to approve the Preliminary/Final Subdivision Plan for Fox Glen Drive, Plat #1268 subject to the following:

1. The applicant reimburses the Township for costs incurred in reviewing the plan no later than December 22, 2016.
2. The performance security is provided to guarantee the completion of required improvements, and the accompanying agreement is signed no later than May 22, 2017.
3. The full disclosure statement is provided (as a separate document) per Section 185-56 of the Subdivision and Land Development Ordinance no later than May 22, 2017.

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4. The General Note 2 is completed on the plan no later than May 22, 2017.
5. A letter is provided from the Dauphin County Conservation District approving the Erosion and Sedimentation Control Plan no later than May 22, 2017.
6. A copy of the NPDES permit is provided no later than May 22, 2017.
7. The fee in lieu of open space dedication for the 4 new dwellings is provided no later than May 22, 2017.
8. The applicant provides 3 originals of the signed and notarized Operation and Maintenance Agreement for Lots 4 and 5 no later than May 22, 2017.
9. A document suitable for recording for the stormwater easement through the Township's property is provided for the Township's review no later than May 22, 2017.
10. The completed BMP Inventory Form is provided as an Excel file no later than May 22, 2017.
11. The revised legal description and exhibit for the right-of-way dedication of Fox Glen Drive are submitted for approval by the Township no later than May 22, 2017.
12. The Deed for the dedication of the Fox Glen Drive right-of-way is submitted for approval by the Township no later than May 22, 2017.
13. A draft legal description is provided no later than May 22, 2017 for each of the 5 resulting lots. Each legal description shall include the following language: "UNDER AND SUBJECT TO the Operation and Maintenance Agreement dated **??/??/??**, recorded in the Office of the Recorder of Deeds of Dauphin County, Pennsylvania, at Instrument No. **??**, regulating the BMP associated with this lot.ö
14. The agreement regarding the stormwater easement over the lands of Derry Township is recorded concurrently with the plan.
15. The Stormwater Best Management Practices Operation and Maintenance Agreement is recorded concurrently with the plan.

The following waivers are granted from the Subdivision and Land Development Ordinance:

1. From Section 185-22.C.(3) regarding cul-de-sac length.
2. From Section 185-22.C.(3) regarding the number of dwelling units served by a cul-de-sac.
3. From Section 185-22.D.(2) regarding cartway width.
4. From Section 185-22.D.(2) regarding street right-of-way.
5. From Section 185-22.G.(5) regarding cul-de-sac bulb grade.
6. From Section 185-31 regarding providing street trees within the street right-of-way.
7. From Section 185-33.C regarding providing lighting along the public street in accordance with an illumination design prepared by PPL.
8. From Section 185-34.A regarding providing sidewalks on both sides of the street to not require the installation of approximately 245 linear feet of sidewalk.
9. From Section 185-34.A.(1) regarding providing sidewalks 4" from the right-of-way line.
10. From Section 185-34.A.(2) regarding providing sidewalk grades at driveways in accordance with Appendix E of the Subdivision and Land Development Ordinance.
11. From Section 185-44 to allow the applicant to pay a fee in lieu of land dedication for recreation.
12. From Section 185-12.D.(3).(a).[9] regarding providing all structures, wooded areas, and other existing features within 200' of the subject properties.
13. From Section 185-12.D.(3).(a).[35] regarding providing contours within 200' of the properties being developed and the disturbed areas on Township property (Shank Park).
14. From Sections 185-12.D.(3).(a).[23] and 185-13.E.(4).(a).[21] regarding showing existing and proposed water systems.

Supervisor Weir seconded the motion. **Motion carried 3-0.**

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PROPOSAL-WEST CARACAS AVE PUBLIC PARKING LOT STORMWATER BMP

PROJECT:

Ms. Zumbrun discussed a proposal for engineering and construction phase services for the West Caracas Avenue Public Parking Lot Stormwater BMP project. She stated the Township was awarded a grant of \$200,000. HRG has provided a proposal for final engineering design for \$40,000 which would be paid out of the general fund in 2017 until the Township secures financing for the required matching funds of \$235,325. By authorizing the work tonight, it would allow HRG to expedite their schedule and have construction completed by the end of May 2017.

Supervisor Weir made a motion to accept a proposal from HRG for \$40,000 for engineering and construction phase services for the West Caracas Avenue Public Parking Lot. Supervisor Engle seconded the motion. **Motion carried 3-0.**

Supervisor Engle made a motion to approve Resolution 1491, subject to the Solicitor's review, declaring its intent to reimburse the general fund for amounts paid for the costs of constructing improvements to an existing municipal parking lot owned by the Township with funds received from a tax-exempt or other debt financing. Supervisor Weir seconded the motion. **Motion carried 3-0.**

REQUEST: NEW YEAR'S EVE CELEBRATION-SQUARE OF HERSHEY

Supervisor Weir made a motion to approve the request to hold the New Year's Eve Celebration in the Square of Hershey on December 31, 2016, along with the associated road closings. Supervisor Engle seconded the motion. **Motion carried 3-0.**

RESOLUTION 1490-COCOA AVENUE TO COOKIE AVENUE ON DECEMBER 5TH:

Supervisor Engle made a motion approving Resolution Number 1490, renaming Cocoa Avenue as Cookie Avenue on December 5, 2016 for a period not to exceed five (5) days. Supervisor Weir seconded the motion. **Motion carried 3-0.**

CORRESPONDENCE BOARD/COMMITTEE INFORMATION:

There was no information shared by the Board Members.

REPORTS:

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| <u>Library</u> | Mrs. Ellis spoke about the library gearing up for the holiday programs. |
| <u>Community Development</u> | Mr. Emerick provided October statistics to the Board. He spoke about the 13 properties in the foreclosure program. He stated they are working on the zoning ordinance. He spoke about scheduling a public hearing on January 24 th for the Vista Home. |
| <u>Economic Development</u> | Mrs. Zumbrun spoke about the tree lighting downtown on December 2, 2016 from 6-8pm. |

Vice Chairman Foley spoke about the revisions to the zoning ordinance. There are enough revisions to send the ordinance back through the Planning process. Mr. Emerick discussed the schedule for the zoning ordinance with going back to the County and Planning Commission. He stated it should be ready for a public hearing on February 28, 2017. Discussion ensued.

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Vice Chairman Foley made a motion to direct Mr. Emerick to withdraw the current zoning ordinance language, make modifications and restart the amended ordinance through the planning process. Supervisor Weir seconded the motion. **Motion carried 3-0.**

ACCOUNTS PAYABLE and PAYROLL:

Supervisor Weir made a motion to approve accounts payable in the amount of \$1,497,848.25 and Payroll of \$346,654.02. Supervisor Engle seconded the motion. **Motion carried 3-0.**

VISITOR/PUBLIC COMMENTS:

There were no visitor/public comments offered.

ADJOURNMENT:

Vice Chairman Foley adjourned the meeting at 7:48 pm.

SUBMITTED BY:

Justin C. Engle
Township Secretary

Julie Echterling
Recorder