

**DERRY TOWNSHIP PLANNING COMMISSION**  
**MEETING MINUTES**  
**June 5, 2018**

**CALL TO ORDER**

The Tuesday, June 5, 2018 Derry Township Planning Commission meeting was called to order at 6:04 p.m. in the meeting room of the Derry Township Municipal Complex, Administration Building, 600 Clearwater Road, Hershey, PA, by Chairman Glenn Rowe.

**ROLL CALL**

Commission Members Present: Glenn Rowe, Chairman; Don Santostefano, Vice Chairman (*present via telephone only for the review and recommendation of Plat #1298*); Matt Tunnell; Thomas Wilson

Commission Member Absent: Joyce St. John, Secretary

Also Present: Chuck Emerick, Director of Community Development; Matt Bonanno, HRG, Inc.; Jenelle Stumpf, Community Development Secretary

Public Registering Attendance: Tim Leh, The Hershey Company; Garrett Gallia, Chris Brown – Hershey Entertainment & Resorts Company; Sue Gleiter, Penn Live; Massimo Rizzotto, Hershey; Adam Keiper, Light-Heigel & Associates; Rob Shaffer, Act One & Associates; Robert Naeye, *The Sun*; Kenny Hinebaugh, Evans Engineering

**APPROVAL OF MINUTES**

On a motion made by Member Wilson and seconded by Member Tunnell, the Planning Commission unanimously approved the minutes from the May 1, 2018 meeting, as written.

**OLD BUSINESS**

**A. Report of the Board of Supervisors' action regarding the Preliminary/Final Subdivision/Land Development Plan for Miller Oral Surgery, Plat #1294**

Chuck Emerick reported that the Board approved the plan, with conditions.

**B. Report of the Board of Supervisors' action regarding the Preliminary/Final Subdivision/Land Development Plan for 1806 East Chocolate Avenue – Red Roof Inn Site, Plat #1292**

Mr. Emerick reported that the Board approved the plan, with conditions.

**C. Review and recommendation of the Preliminary/Final Subdivision and Land Development Plan for Hersheypark 2020 Attraction, Plat #1298**

Member Wilson recused himself from the discussion and vote on this plan, due to the fact that his firm is the engineer for the project.

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Mr. Emerick explained that this plan represents a land development project for the expansion of Hersheypark, which was enabled in part by the relocation of Park Boulevard. The area subject to this plan covers about 362.31 acres. Generally speaking, the project includes demolition of existing buildings and infrastructure; construction of several new buildings, plaza improvements, and access roads; reconfiguration of the Park entrance gate and drop-off and pick-up areas; utility service relocation, reconstruction, and stream crossing; installation of stormwater collection and management facilities; removal of portions of the former roadway and two pedestrian bridges and construction of a new bridge; and stream restoration work.

Mr. Emerick and Matt Bonanno, HRG, went over their plan review comments. Mr. Emerick also referenced DTMA's review comments.

Chairman Rowe commented that we are finally seeing the benefits of relocated Park Boulevard because it gives Hershey Entertainment & Resorts Company (HE&R) another opportunity to stay competitive. He added that as much as we would like to preserve the downtown area for Hershey residents, we have to live with the fact that Hershey is a tourist town and this plan brings attention to the existing problem of making sure the community is connected via pedestrian-friendly routes. Now with the extra mile of relocated Park Boulevard, providing that connectivity is an issue. Chairman Rowe believes it is important that HE&R addresses this issue.

Garrett Gallia, HE&R, stated that he understands the concern regarding the old pedestrian pathway. Since HE&R announced the relocation of Park Boulevard in 2016, they have said they will work with the community to find alternatives. They have created a dedicated entry into Hersheypark via Zoo America. It has been a successful program but has not been over-advertised because HE&R does not want people outside the Hershey downtown community to take advantage of that dedicated entrance. The current walkway along relocated Park Boulevard will be reduced by 25% with this plan. The distance from downtown to the front gate will be reduced to under one mile. HE&R is also installing dedicated bike parking at the dedicated entrance for the downtown, at the Giant Center, and at the stadium. Additionally, HE&R is agreeable to installing a Zagster station downtown so people can pick up bikes and ride them to Hersheypark or the Giant Center. Mr. Gallia stated that there are benefits to this plan and it will improve existing conditions. HE&R is eager to improve the existing connectivity.

Chairman Rowe commented that he thinks there is an opportunity for HE&R to provide more services beyond what Mr. Gallia described. Chairman Rowe asked if HE&R has considered utilizing the existing shuttle service that is funded by The Hershey Company. Mr. Gallia responded that they have not researched that option in detail yet.

Member Tunnell inquired how the access point will work since the current walkway is going to be reduced. Mr. Gallia stated that HE&R installed a new pedestrian crosswalk that takes people into the Chocolate World parking lot. They are removing the loop around Chocolate World and moving up the front gate. There will be a dedicated entrance at that point for two audiences, one for people walking from downtown and one for tourists. Chairman Rowe asked if there is anything prohibiting people from using the new path. Mr. Gallia stated there is no sidewalk there and it will be a gated element. It is not built for pedestrian activity.

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Member Tunnell asked if HE&R is looking at the eastern side of the property as an area where there could be pedestrian improvements to the stadium. Mr. Gallia responded that this is difficult because it is a gated facility to make sure people have a ticket for the Park or event.

*MOTION ON WAIVERS*

On a motion made by Member Tunnell, seconded by Vice Chairman Santostefano, and a unanimous vote, the Planning Commission made a recommendation to the Board of Supervisors that the following waivers and deferments be granted from the Subdivision and Land Development Ordinance and the Stormwater Management Ordinance:

- a. Waivers from Sections 185-12.D.(3).(a).[9], [35] and 185-13.E.(4).(a).[9], [36] regarding location of existing features and topographic contours within 200' (preliminary plan) and 50' (final plan) of the land to be developed or subdivided, conditional upon critical features being shown in the areas of disturbance and proposed facilities being shown to adequately tie to existing facilities. All partial topographical areas must include all features.
- b. Waivers from Sections 185-12.D.(3).(a).[21], [22], [23] and 185-13.E.(4).(a).[19], [20], [21] regarding plans and profiles for existing stormwater, sanitary sewer, gas, and water systems, conditional upon existing and proposed facilities being shown in the areas of disturbance and as they cross profiled facilities.
- c. Waiver from Section 185-13.E.(4).(a).[35] regarding wetlands locations.
- d. Waiver from Section 185-49 regarding wetlands determination.
- e. Waivers from Sections 185-12.D.(2) and 185-13.E.(3) regarding plan scale, conditional upon the applicant updating the list of requested waivers as necessary on the coversheet of the plan.
- f. Waivers from Sections 185-12.D.(3).(a).[51], 185-13.E.(4).(a).[49], and 185.18.D regarding the absence of existing monuments and markers along recently constructed Park Boulevard right-of-way, conditional upon the applicant updating the list of requested waivers as necessary on the coversheet of the plan.
- g. Waiver from Section 174-13.B regarding stormwater volume control.
- h. Deferments from Sections 185-22.E.(5) and 185-34.A.(1) regarding the installation of curbing and sidewalks, walkways, and bicycle paths along Hersheypark Drive, Park Avenue, portions of relocated Park Boulevard, and portions of North Hockersville Road, subject to the owner entering into an agreement with the Township that would allow the Township to require the installation of curbing and sidewalk, walkways, and/or bicycle paths in the future if deemed necessary.

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MOTION ON PLAT #1298

On a motion made by Member Tunnell, seconded by Vice Chairman Santostefano, and a unanimous vote, the Planning Commission made a recommendation to the Board of Supervisors that Plat #1298 be approved, subject to the following being satisfactorily addressed:

- a. The comments in Item 3 of the May 31, 2018 Township staff report (excluding comments 3.a.i, 3.a.ii, 3.a.xv, and 3.c.i) and any additional items generated by future reviews.
- b. The comments in the May 29, 2018 HRG letter.
- c. The comments in the May 31, 2018 DTMA letter.
- d. Comment 6 in the March 28, 2018 Dauphin County Planning Commission review report.
- e. The applicant shall commit to working with the Township and the Board of Supervisors regarding walkability. The comments from the Planning Commission regarding the pedestrian access from downtown should be explored to the fullest extent possible and there should be an ongoing dialog that downtown is connected to the entertainment assets.

**NEW BUSINESS**

**A. Review and recommendation of the Preliminary/Final Subdivision Plan for 19 East Chocolate Avenue – South Lot, Plat #1299**

Chuck Emerick stated that Plat #1299 is intended to combine the properties which are encompassed by East Chocolate Avenue to the north, Homestead Road to the east, East Caracas Avenue to the south, and Ceylon Avenue to the west. There are 11 tax parcels, as well as vacated South First Street and F Street (proposed), to be joined together. The final tract area will be 4.30 acres. Four of the five existing buildings on the properties will be demolished, leaving a block garage proposed to store equipment to maintain the property. No new development is proposed by this plan beyond the demolition.

Mr. Emerick and Matt Bonanno, HRG, went over their plan review comments. Mr. Emerick also referenced the Dauphin County Planning Commission staff's review comment.

Chairman Rowe inquired about parking lot standards and grandfathering. Mr. Emerick responded that the applicant is not doing anything to change the parking space configuration that exists today. They are making the site less nonconforming with regard to impervious coverage by combining the paved lots with the lots that have green space. The Township would not require the applicant to do anything above and beyond that. However, there would be certain areas that will have to conform when reconfiguration occurs.

Kenny Hinebaugh, Evans Engineering, represented the applicant and stated that they have no issues with any of the review comments.

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MOTION ON WAIVERS

On a motion made by Member Tunnell, seconded by Member Wilson, and a unanimous vote, the Planning Commission made a recommendation to the Board of Supervisors that the following waivers and deferments be granted from the Subdivision and Land Development Ordinance:

- a. Waivers from Sections 185-12.D.(3).(a).[7] and 185-13.E.(4).(a).[7] regarding metes and bounds of existing street centerlines.
- b. Waivers from Sections 185-12.D.(3).(a).[21], [22], [23] and 185-13.E.(4).(a).[19], [20], [21] regarding existing stormwater, sanitary, and utility profiles that will be unaffected by the proposed subdivision.
- c. Waiver from Section 185-18 regarding monuments and markers (Point Label 32 and 33).
- d. Deferment from Section 185-22.D.(3) regarding cartway widening along Ceylon Avenue, East Caracas Avenue, and Homestead Road and additional street right-of-way along Ceylon Avenue and East Caracas Avenue, with the stipulation that the owner enters into an agreement with the Township that would allow the Township to require the cartway widening and additional right-of-way in the future if deemed necessary.
- e. Deferment from Section 185-34 regarding sidewalks, walkways, and bicycle paths along Homestead Road, with the stipulation that the owner enters into an agreement with the Township that would allow the Township to require the installation of sidewalks, walkways, and/or bicycle paths in the future if deemed necessary.

MOTIONS ON PLAT #1299

On a motion made by Member Tunnell, seconded by Member Wilson, and a unanimous vote, the Planning Commission made a recommendation to the Board of Supervisors that Plat #1299 be approved, subject to the following being satisfactorily addressed:

- a. The comments in Item 3 of the May 29, 2018 Township staff report, excluding comment 3.iv.
- b. The comments in the May 14, 2018 HRG letter.
- c. The comments in the May 31, 2018 DTMA letter.
- d. Comment 3 in the May 21, 2018 Dauphin County Planning Commission review report.

On a motion made by Member Tunnell, seconded by Member Wilson, and a unanimous vote, the Planning Commission also made a recommendation to the Board of Supervisors that South First Street and F Street be vacated by the Township as requested by The Hershey Company.

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**B. Review and recommendation of the Preliminary/Final Subdivision and Land Development Plan for LSP Investments, LLC, Plat #1300**

Chuck Emerick explained that this plan represents two existing lots located along Sand Hill Road. The applicant proposes to join the lots together in order to create 3 lots. Once combined, the applicant will create 1 lot around the existing dwelling and 2 new building lots.

Mr. Emerick and Matt Bonanno, HRG, went over their plan review comments. Mr. Emerick also referenced DTMA's review comments.

Adam Keiper, Light-Heigel & Associates, represented the applicant. He stated that a couple of Mr. Emerick's biggest comments seem to be about sensitive slopes and noted that they can revise the plan to pull the house down off the slope. They may be able to re-evaluate the placement of the infiltration BMP or possibly over-detain on the other site. Mr. Keiper does not think that any of the review comments are insurmountable.

Member Wilson inquired about the easement for DTMA. Mr. Keiper responded that they will have to look into that. Mr. Bonanno commented that all this water drains down to Bullfrog Valley pond and creek and we want to make sure we are not going to make it worse downstream. All of the development is proposed to be on one side of the Med-Ed right-of-way. We simply want to explore if the other side of the property could be used to provide check dams or other methods to slow the water.

*MOTION ON WAIVERS*

On a motion made by Member Wilson, seconded by Member Tunnell, and a unanimous vote, the Planning Commission made a recommendation to the Board of Supervisors that the following waivers and deferments be granted from the Subdivision and Land Development Ordinance:

- a. Waivers from Sections 185-12.D.(2) and 185-13.E.(3) regarding plan scale.
- b. Waivers from Sections 185-12.D.(3).(a).[21], [22], [23] and 185-13.E.(4).(a).[19], [20], [21] regarding profiles for existing stormwater, sanitary sewer, and water and gas facilities.
- c. Waivers from Sections 185-12.D.(3).(a).[21], [22], [23] and 185-13.E.(4).(a).[19], [20], [21] regarding plan scale.
- d. Deferment from Section 185-22.D.(2) regarding street right-of-way and cartway widths along Sand Hill Road, with the stipulation that the owner enters into an agreement with the Township that would allow the Township to require the cartway widening and additional right-of-way in the future if deemed necessary.
- e. Deferment from Section 185-34 regarding sidewalks, walkways, and bicycle paths along Sand Hill Road, with the stipulation that the owner enters into an agreement with the Township that would allow the Township to require the installation of sidewalks, walkways, and/or bicycle paths in the future if deemed necessary.

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- f. Deferment from Section 185-22.E.(5) regarding curbing along Sand Hill Road, with the stipulation that the owner enters into an agreement with the Township that would allow the Township to require the installation of curbing in the future if deemed necessary.

**MOTION ON PLAT #1300**

On a motion made by Member Wilson, seconded by Member Tunnell, and a unanimous vote, the Planning Commission made a recommendation to the Board of Supervisors that Plat #1300 be approved, subject to the following being satisfactorily addressed:

- a. The comments in Item 3 of the May 29, 2018 Township staff report.
- b. The comments in the May 21, 2018 HRG letter.
- c. The comments in the May 31, 2018 DTMA letter.

**C. Review and recommendation of the Preliminary/Final Subdivision Plan for Frank T. English, Jr., Plat #1301**

Chuck Emerick reported that this plan affects two separately-owned properties. Lot No. 1 is proposed to contain 12.729 acres upon completion of the project. It is a landlocked parcel depending on a 50' access easement for ingress and egress of the property. It is presently improved with a 1-story dwelling. Lot No. 2 is proposed to contain 5.000 acres upon completion of the project. It is presently improved with a house/commercial building and a detached 2-car garage. Both parcels are located along Church Road. This plan represents what is commonly known as a "lot add-on" plan, as no new development is proposed.

Mr. Emerick and Matt Bonanno, HRG, went over their plan review comments.

**MOTION ON WAIVERS**

On a motion made by Member Wilson, seconded by Member Tunnell, and a unanimous vote, the Planning Commission made a recommendation to the Board of Supervisors that the following waivers and deferments be granted from the Subdivision and Land Development Ordinance:

- a. Waivers from Sections 185-12.D.(3).(a).[21], [22], [23] and 185-13.E.(4).(a).[19], [20], [21] regarding plans and profiles of proposed and existing stormwater sewer or conveyance systems, sanitary sewer systems, and gas and water systems with grades, pipe sizes, location of manholes, valve boxes, fire hydrants, and other related structures at a scale of 1" = 50' horizontal and 1" = 5' vertical.
- b. Waiver from Section 185-18 regarding monuments and markers.

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- c. Deferment from Section 185-22.D regarding cartway width, with the stipulation that the owners enter into an agreement with the Township that would allow the Township to require the cartway widening in the future if deemed necessary.
- d. Deferment from Section 185-22.E regarding curbing, with the stipulation that the owners enter into an agreement with the Township that would allow the Township to require the installation of curbing in the future if deemed necessary.
- e. Deferment from Section 185-34 regarding sidewalks, with the stipulation that the owners enter into an agreement with the Township that would allow the Township to require the installation of sidewalks in the future if deemed necessary.

**MOTION ON PLAT #1301**

On a motion made by Member Wilson, seconded by Member Tunnell, and a unanimous vote, the Planning Commission made a recommendation to the Board of Supervisors that Plat #1301 be approved, subject to the following being satisfactorily addressed:

- a. The comments in Item 3 of the May 22, 2018 Township staff report.
- b. The comments in the May 30, 2018 HRG letter.

**OTHER BUSINESS**

None.

**ADJOURNMENT**

The meeting was adjourned at 7:51 p.m.

Respectfully submitted,

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Joyce St. John  
Planning Commission Secretary

Submitted by:

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Jenelle Stumpf  
Community Development Secretary (*stenographer*)