

**DERRY TOWNSHIP PLANNING COMMISSION
MEETING MINUTES
October 2, 2018**

CALL TO ORDER

The Tuesday, October 2, 2018 Derry Township Planning Commission meeting was called to order at 6:00 p.m. in the meeting room of the Derry Township Municipal Complex, Administration Building, 600 Clearwater Road, Hershey, PA, by Vice Chairman Don Santostefano.

ROLL CALL

Commission Members Present: Don Santostefano, Vice Chairman; Joyce St. John, Secretary; Matt Tunnell; Tom Wilson

Commission Member Absent: Glenn Rowe, Chairman

Also Present: Chuck Emerick, Director of Community Development; Brandon Williams, Assistant Director of Community Development; Matt Bonanno, HRG, Inc.; Diane Myers-Krug, Dauphin County Planning Commission representative; Jenelle Stumpf, Community Development Secretary

Public Registering Attendance: Ken Gall, Hershey Trust Company; Megan O'Hara, Patrick Brunner – Urban Design Associates; David Tshudy, Tim Anderson – Pepper Hamilton, LLP; Bill Fredericks, Mark Hackenburg – RGS Associates; Melanie Boehmer, Milton Hershey School; Craig S. Raynor, Pennoni Associates; Dale Holte, Middletown Road Coalition; Greg Koussis, Capital Construction Management; Jen Hynes; Gary Garver; Jim Burnham

APPROVAL OF MINUTES

On a motion made by Member Tunnell and seconded by Member Wilson, the Planning Commission unanimously approved the minutes from the September 4, 2018 meeting, as written.

OLD BUSINESS

None.

NEW BUSINESS

- A. Review and recommendation of Conditional Use Application No. 2018-01 (regarding a Master Plan), as filed by Hershey Trust Company, Trustee for Milton Hershey School, for Hershey West End**

Chuck Emerick explained that at the request of the applicant and in fairness to the Planning Commission, review of this project is intended to span two meetings. During this October meeting the Commission will discuss the initial introduction of the project scope and focus on the site layout, phasing, stormwater, parking, third-party permitting, pattern book, wayfinding signage, and landscaping. At the November 7, 2018 meeting, the Commission will discuss traffic, PennDOT permitting, the economic impact report, and the form of ownership for the development.

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Mr. Emerick stated that Hershey Trust Company is proposing the development of a new mixed-use community on approximately 245.79 acres located within the Township's Planned Campus West zoning district. The land is also subject to the overlay requirements of the Community Heritage Buffer (Overlay 1) along U.S. Route 322 and the Planned Campus West Future Development Area (Overlay 7). The parcel west of Waltonville Road lies within the Conservation zoning district, as does a portion of the property on the east side of Bullfrog Valley Road. The properties proposed for development currently consist of five separate parcels to be consolidated into one tract of land. The majority of the project area falls within the West Master Plan Approval Area which allows for the consideration and approval of an optional Master Plan through the Conditional Use process. Existing development on the east end of the site consists of the Cocoa Beanery Restaurant and Café, Hershey Center for Applied Research, and the recently expanded U-Gro Early Childhood Learning Center. There is also an existing barn situated in the northeastern portion of the site, which is the subject of a recent conditional land development plan approval for adaptive reuse and expansion to accommodate a 292-seat restaurant/brewery with an accessory 240-seat live entertainment venue. The southwestern corner of the site also contains another barn and rental homestead, which will remain as is. The development proposes a mix of commercial and residential uses, including retail; a grocer; restaurants; a hotel/conference center; office buildings; community buildings; single-family homes; apartments; townhouses; age-restricted apartments; and assisted living facilities.

Mr. Emerick; Matt Bonanno, HRG; and Diane Myers-Krug, Dauphin County Planning Commission representative, went over their plan review comments. Mr. Emerick also referenced DTMA's review comments.

Ken Gall, Hershey Trust Company, provided an introduction to the project.

Dave Tshudy, Pepper Hamilton, explained the Master Plan approval process.

Mark Hackenburg, RGS Associates, summarized the aspects of the site plan, including the proposed uses and square footages, and noted that Research Boulevard will be renamed West End Avenue. Mr. Hackenburg also outlined the phasing schedule as follows:

- Phase 1 – The estimated timing is 2017-2021. This phase will include the construction of medical office buildings.
- Phase 2 – The estimated timing is 2019-2023. This phase will include the cross connection and all the major infrastructure to support through traffic. It will also include the construction of most of the commercial uses and some of the residential uses.
- Phase 3 – The estimated timing is 2022-2026. This phase will include the construction of more of the residential uses, as well as some of the open spaces. It is also anticipated that there will be some infill of additional commercial uses and a future office building.
- Phase 4 – The estimated timing is 2024-2027. This phase includes the buildout of the western end of the development and creates the second point of access and connection to Waltonville

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Road. It also includes the construction of more residential units.

- Phase 5 – The estimated timing is 2025-2029. This phase includes the construction of more residential units.

Vice Chairman Santostefano noted that it appears as though there is in error in the total amount of square footage for the development. Mr. Hackenburg stated that he will double check the calculations and pointed out that the square footage for the residential uses is not part of the total for the development but it is included in the Economic Impact Assessment.

Bill Fredericks, RGS Associates, reviewed the following items:

- Shared parking calculations for the full buildout of the project.
- Anticipated modifications to the Subdivision and Land Development Ordinance. The applicant will provide justifications for the modifications. Mr. Fredericks noted that the majority of the modifications are for streets in order to create a traditional community atmosphere, walkability, and pedestrian safety.
- Street classifications and cross sections.
- The overall stormwater approach and proposed BMPs. There are five main study points. The two largest are Study Point 1, located on the west side of the site and under Route 322, and Study Point 4, located approximately in the center of the site and under Route 322. There is an existing 24-inch pipe under Route 322 at Study Point 1 and an existing 36-inch pipe under Route 322 at Study Point 4. The applicant is limited by those pipes and will not be increasing them.

Patrick Brunner, Urban Design Associates, summarized the aspects of the pattern book and stated that it will be amended to the Declaration of Condominium and will be privately enforced through the Condominium Association, not the Township.

Megan O'Hara, Urban Design Associates, reviewed the following items:

- Public realm and open spaces. There will be four publicly-accessible open spaces in addition to the trail network.
- Private realm landscape patterns.
- Wayfinding and community signage.

Member Tunnell asked if the pattern book is a recorded document. Mr. Tshudy responded that it will not be a recorded document. It will be referenced in the Declaration of Condominium as the architectural standards for the entire development, and certain portions of the pattern book will be

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adopted by the Board of Supervisors in their Conditional Use Decision as conditions of approval, such as separation, building height, yard requirements, and landscaping requirements. The signage portion of the pattern book will be amended to inform all builders within the development that signage will first need to satisfy the Township's Zoning Ordinance requirements, then it will need to comply with the design standards of the pattern book. The signage design standards will be enforced by the Condominium Association as an architectural standard.

Member Wilson inquired if the stormwater study points, and in particular the western study point which discharges into Hummelstown Borough, will address volume in addition to rate so that existing downstream flooding issues are not further exacerbated by this development. Mr. Fredericks stated that the existing pipe at Study Point 1 (at the western end of the development) will not be upsized, so the rate will not be increased. The developer is meeting volume requirements from a basin standpoint in terms of detention, but in terms of infiltration volume, the developer will not be infiltrating along the site. Member Wilson asked if the volume will be increased downstream. Mr. Fredericks answered that it will be increased but it will be mitigated as required by ordinance. Per NPDES requirements, the developer will have to demonstrate downstream compliance. Member Wilson asked if this development's stormwater management system will address the existing severely eroded channel adjacent to Wood Road. Mr. Fredericks responded that a swale/pipe system will be created that is adequate for that flow. The eroded condition will be corrected and accounted for downstream. Mr. Hackenburg noted that regarding discharge into Hummelstown Borough, the developer has had several meetings with Mike O'Keefe (the Borough manager) and will try to address some of the Borough's long-term concerns and needs by way of oversizing some of the stormwater management facilities.

Member Wilson commented that it is important for the developer to manage bicycle lane traffic on West End Avenue. Mr. Gall stated that there probably is not an opportunity for a separate lane on West End Avenue; however, there is a path between Route 322 and the development that bicyclists can use instead. There will be a lot of pedestrian opportunities with sidewalks in the development, so maybe just that section of the path could be for bicycles. The developer would need to talk to the Township about that first.

Vice Chairman Santostefano inquired if there are existing sinkholes on the site. Mr. Hackenburg responded that there are a number of sinkhole elements. Vice Chairman Santostefano noted that the geotechnical report recommends avoiding infiltration as much as possible.

Secretary St. John commented that sidewalk is proposed on both sides of the street in the residential area and on-street parking is permitted on most of those streets. She is concerned that there will not be enough room on the streets for bicyclists. Mr. Gall stated that one of the advantages of having amenities such as sidewalk located closer to the street is that vehicles tend to drive much slower.

Member Wilson noted that the garages in the residential area are accessed from the alleys. He is concerned that the garages may be too close to the alleys and there will be challenges for vehicles to get in and out. Mr. Gall responded that the layout is intentional, and it goes back to the way alleys used to be in town.

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Secretary St. John stated that she really likes the signage approach because it looks very informative but at the same time is not a distraction.

Discussion on this item will be continued at the November 7, 2018 Planning Commission meeting.

B. Review and recommendation of the Preliminary/Final Land Development Plan for Milton Hershey School Central Operations Facility Expansion, Plat #1306

Brandon Williams stated that this plan proposes the construction of a 27,734-square-foot addition to the Central Operations Facility; a 9,000-square-foot accessory storage building; and a 364-square-foot accessory equipment pavilion. All structures proposed are in the part of the Milton Hershey School campus area that is located between Bachmanville Road and Fishburn Road.

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

Craig Raynor, Pennoni Associates, spoke on behalf of the applicant. In response to one of Mr. Bonanno's review comments, Mr. Raynor requested an additional waiver from the Subdivision and Land Development Ordinance regarding plan scale.

Vice Chairman Santostefano asked what prompted the need for the expansion. Melanie Boehmer, Milton Hershey School, responded that it is a result of the growth in the school and the increase in the number of students. Vice Chairman Santostefano asked when the Central Operations Facility was built. Ms. Boehmer replied that it was built in the late 1990s.

Member Wilson referred to one of Mr. Williams' review comments and asked if the floodplain is a detailed study area. Mr. Williams answered that he does not believe it is a detailed study with elevations, it is just something that has been delineated on FEMA floodplain insurance mapping as an approximate floodplain.

MOTION ON WAIVERS/DEFERMENTS

On a motion made by Member Wilson, seconded by Secretary St. John, 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. From Sections 185-12.D.(3).(a).[9] and 185-13.E.(4).(a).[9] regarding providing all existing structures, wooded areas, watercourses, rock outcrops, culverts, utilities, fire hydrants, streets and their established grade and width, within 200 and 50 feet of the entire property.
- b. From Sections 185-12.D.(3).(a).[10] and 185-13.E.(4).(a).[10] regarding the location of sensitive environmental areas outside of the project area. The applicant shall detail sensitive environmental areas within the project area boundaries.

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- c. From Sections 185-12.D.(3).(a).[12] and 185-13.E.(4).(a).[13] regarding providing adjacent owner information that is now older than one year.
- d. From Section 185-12.D.(3).(a).[15] regarding providing soil boundaries on the property, subject to the applicant depicting soil boundaries within the project area.
- e. From Sections 185-12.D.(3).(a).[17] and 185-13.E.(4).(a).[15] regarding providing the names of existing and proposed streets and alleys.
- f. From Sections 185-12.D.(3).(a).[18] and 185-13.E.(4).(a).[16] regarding providing the width of existing streets, easements, and rights-of-way for the entire property.
- g. From Section 185-13.E.(4).(a).[18] regarding showing existing driveways on the entire property.
- h. From Sections 185-12.D.(3).(a).[21], [22], [23] and 185-13.E.(4).(a).[19], [20], [21] regarding profiles of existing stormwater sewer and conveyance systems, existing sanitary sewer systems, and existing gas and water systems for unaffected utilities only.
- i. From Sections 185-12.D.(3).(a).[35] and 185-13.E.(4).(a).[36] regarding providing contours at two-foot intervals within 200 feet and 50 feet of the perimeter of the entire property.
- j. From Sections 185-12.D.(3).(a).[40] and 185-13.E.(4).(a).[43] regarding providing existing street names, cartway widths, and right-of-way widths for the entire property.
- k. From Sections 185-12.D.(3).(a).[47] and 185-13.E.(4).(a).[45] regarding providing the recording reference of recorded subdivision and land development plans of adjoining land by plan name, date of recording, and recording reference, with the stipulation that references to recorded locations of other plans of record for the campus are provided.
- l. From Sections 185-12.D.(3).(a).[51] and 185-13.E.(4).(a).[49] regarding providing the location of all existing and proposed monuments and markers.
- m. From Section 185-13.E.(3) regarding providing a minimum scale of 1" = 50' on all plan sheets.
- n. From Section 185-22.D regarding street right-of-way and cartway widths for all existing streets on the property.
- o. From Section 185-22.E.(5) regarding curbing for all existing streets on the property and adjacent to the project. This waiver is granted as a deferment, with the stipulation that the property 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.

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- p. From Section 185-49 regarding a wetlands determination for the entire property.
- q. From Sections 185-12.D.(3).(a).[8] and 185-13.E.(4).(a).[8] regarding providing NAD 1983 PA Coordinate System numbers for all points on the property boundary.
- r. From Section 185-34.A.(1) regarding sidewalk installation. This waiver is granted as a deferment, with the stipulation that the property owner enters into an agreement with the Township that would allow the Township to require the installation of sidewalk in the future if deemed necessary.

MOTION ON PLAT #1306

On a motion made by Secretary St. John, seconded by Member Tunnell, and a unanimous vote, the Planning Commission made a recommendation to the Board of Supervisors that Plat #1306 be approved, subject to the following being satisfactorily addressed:

- a. The comments in Item 3 of the Township staff report.
- b. The comments in the September 25, 2018 HRG letter.

C. Review of the Sketch Plan for Fox Glen Drive, Plat #1307

Mr. Emerick reported that Fox Glen Drive Associates, L.P., submitted this sketch plan for consideration. They presently have conditional approval from the Board of Supervisors for a 5-lot subdivision of this property (Plat #1268), although it was under the prior Zoning Ordinance. Plat #1268 has not been recorded yet. This sketch plan represents the combination of 2 existing lots into a single lot that will be subdivided to create 6 new lots. One of the proposed lots will contain an existing dwelling. The subject property is located along existing Fox Glen Drive, east of Waltonville Road, west of Shank Park, and south of the Waltoncroft subdivision.

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

In response to a question from Vice Chairman Santostefano, Mr. Emerick explained that residents from the adjacent Waltoncroft development voiced concern at a previous Planning Commission meeting about an increase in stormwater runoff; however, the proposed development will cut off far more water from upstream properties than what will be generated by the small number of dwellings proposed. There should be a net reduction in stormwater runoff. Mr. Bonanno added that he worked with applicant's engineer to make sure the allowable runoff from the roofs of the proposed dwellings will be detained in the larger basin and then piped down. Mr. Bonanno believes it is a good design to effectively solve a lot of the existing stormwater issues.

Secretary St. John inquired about the buffer between the two developments that was shown on the previous plan. Mr. Emerick stated that this plan retains the 50-foot tree preservation easement. The easement was in part imposed by the Zoning Hearing Board as a condition of the relief granted for the previous plan. That relief is not required anymore, but the applicant is choosing to keep the buffer.

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Member Wilson asked if the proposed asphalt pedestrian path to Shank Park will connect to anything. Mr. Emerick responded that there is an earthen nature trail in that area of Shank Park, but he is not aware that the connection is proposed by the applicant. That would be a decision for the Township's Parks and Recreation department to make.

Joel McNaughton, Fox Glen Drive Associates, explained that this sketch plan is proposed because the previous plan (Plat #1268) was approved with relief granted by the Zoning Hearing Board regarding the Agricultural/Conservation zoning district criteria per the previous Zoning Ordinance. The property has since been changed to an R-1 district under the current Zoning Ordinance. Mr. McNaughton noted that probably the biggest difference in the zoning change, and what prompted the applicant to return with this sketch plan, is the front yard setback. The Agricultural/Conservation district required a 50-foot front setback, whereas the R-1 district only requires a 30-foot front setback. The closer the applicant can build to Fox Glen Drive, the more they can preserve the existing vegetation on the north side of the site. The proposed roadway and stormwater management designs are almost identical to what was proposed under Plat #1268, minus the water main extension. On-site wells are proposed now instead.

- D. Review and recommendation of Ordinance No. 708 to amend the Zoning Map by changing the zoning of 65.893 acres of land located east of Middletown Road, north of Kaylor Road, and south and west of Stoverdale Road from a Conservation classification to Planned Campus West and Active-Adult Community Overlay classifications and by changing the zoning of 53.531 acres of land identified as tax parcel no. 24-029-049 located north of Route 322, west of Route 39/Hersheypark Drive, and South of East Main Street to an Active-Adult Community Overlay classification**

- E. Review and recommendation of Ordinance No. 709, amending Chapter 225 (Zoning) of the Code of the Township of Derry regarding active-adult communities and associated uses and dimensional and bulk development requirements**

Mr. Williams explained that Ordinance No. 708 proposes to add a new Active-Adult Community Overlay zoning district classification to two properties. The properties include a portion of the Garver tract on Middletown Road, which was recently subject to a rezoning petition and Conditional Use application relating to the proposed Carousel active-adult community. The second property is owned by the Hershey Trust Company and is located on East Main Street in Hummelstown to the west of the Route 322/Hersheypark Drive cloverleaf. Ordinance No. 709 proposes text amendments to the Zoning Ordinance for the Active-Adult Community Overlay zoning district. Under these text amendments, separate land uses are proposed for the Active-Adult Community Overlay zoning district which include an Active-Adult Community being permitted by Master Plan (Conditional Use). In addition to Active-Adult Communities, landowners or developers of properties within the proposed Overlay district could develop any by-right nonresidential use that is permitted in the Planned Campus West zoning district, or they could develop from a separate list of Conditional Uses including mixed-use buildings and life-care or skilled nursing facilities. Any use permitted by-right or by Conditional Use could be a standalone development on the property, or it could be a use developed as part of and in

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support of an Active-Adult Community. Residential uses would only be permitted as part of the Active-Adult Community, ensuring that any rezoning approved on the properties would only result in age-qualified housing in accordance with Ordinance requirements.

Mr. Williams noted that the Dauphin County Planning Commission reviewed the proposed ordinances and provided recommendations on both. Regarding Ordinance No. 708, the County recommended that the Township consider a broader definition for Active-Adult Communities, not just in overlay form but also across other lands in the Township. Mr. Williams believes Township staff has addressed that comment with the proposed definition for Active-Adult Community because it is identified as a type of community that is permitted in the Active-Adult Community Overlay, but there is also a stipulation in the definition that any other residential development outside of the Active-Adult Community Overlay can have an age-qualified component, it just might not be able to develop under the Active-Adult Community Overlay mixed use requirements.

Secretary St. John asked if there is a restriction on the maximum density in the Active-Adult Community Overlay. Mr. Williams responded that the maximum density would apply to the base zoning district. The maximum density for single-family detached dwellings, two-family detached dwellings, single-family attached dwellings, and single-family semidetached dwellings would be 5 dwelling units per net developable acre. The maximum density for active-adult communities would be 15 dwelling units per net developable acre, and they are allowed a certain bonus under the Master Plan development as well.

Vice Chairman Santostefano stated that the last time the Planning Commission discussed active-adult communities was during the review of the proposed Carousel development on Middletown Road, and the inevitable issue of traffic on Middletown Road was also discussed. Mr. Williams commented that as part of the Conditional Use and Master Plan approval, the developer would have to submit a full traffic study. Mr. Emerick added that one of the concerns with the Carousel development was whether or not the entrance to the development would meet traffic signal warrants. Since the Board of Supervisors' public hearing in November 2017, the developer refined their traffic counts and it was determined that the development entrance would meet the warrants for the installation of a traffic signal.

MOTION

On a motion made by Member Tunnell, seconded by Secretary St. John, and a unanimous vote, the Planning Commission made a recommendation to the Board of Supervisors that Ordinance No. 708 and Ordinance No. 709 be adopted as written.

OTHER BUSINESS

None.

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ADJOURNMENT

On a motion by Secretary St. John, seconded by Member Tunnell, and a unanimous vote, the meeting adjourned at 7:47 p.m.

Respectfully submitted,

Joyce St. John
Planning Commission Secretary

Submitted by:

Jenelle Stumpf
Community Development Secretary (*stenographer*)