

**DERRY TOWNSHIP DESIGN REVIEW BOARD
MEETING MINUTES
MAY 20, 2013**

The meeting of the Derry Township Design Review Board was called to order at 6:00 p.m. by Chairwoman Joyce St. John in the Meeting Room of the Derry Township Municipal Complex, 600 Clearwater Road, Hershey, PA.

ROLL CALL

Members Present: Joyce St. John, Chairwoman; Ed Buchan, Vice Chairman; Sandy Ballard, Secretary; Pam Moore; Brian O'Day; Ted Herman

Member Absent: Glenn Rowe

Also Present: Chuck Emerick, Director of Community Development; Brandon Williams, Assistant Director of Community Development; Jenelle Stumpf, Community Development Secretary

Public attendance: Peter Levasseur, LSC Design; Frank Nardo, 818 Reese Avenue; Kenny Hinebaugh, Evans Engineering; Vince O'Domski; Brian T. Evans, Evans Engineering, Inc.; Matt Weir, 1986 Church Road; Phil Guarino, 108 West Chocolate Avenue

APPROVAL OF MINUTES

On a motion made by Member Herman, seconded by Secretary Ballard, and a unanimous vote, the minutes of the April 29, 2013 meeting were approved as presented.

NEW BUSINESS

a. Consideration of replacement of existing flower bed with a raised patio on the property located at 108 West Chocolate Avenue – Phillip Arthur's (Phil Guarino, DRB #335)

Mr. Guarino stated that he would like to build up the area around an existing large tree with pavers to make it more in line with what the rest of the properties on Chocolate Avenue look like. He is proposing to use the same color pavers as what exists at the Chocolate Avenue Grill (*114 West Chocolate Avenue*). Mr. Guarino is proposing this change because the sloped flower bed is not very attractive, and he would also like to offer outdoor seating.

Mr. Guarino stated that there are some aspects of his proposal that he has not decided on, and he asked the Design Review Board for approval of the general concept. He would like to place either four tables on the pavers or park benches. Service is not proposed in either scenario.

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Mr. Williams pointed out that providing tables with seats on the patio will affect parking requirements, and the Zoning Hearing Board will have to grant relief to permit the tables. Mr. Guarno stated that if the Zoning Hearing Board does not grant the relief, he will place park benches instead.

Mr. Guarno stated that the sign will remain in its current location. It may have to be raised a little to remain visible. He is also proposing to install railing around the patio area that will be similar to the railing around Fenicci's patio.

Chairwoman St. John noted that the proposal will block the view of the parking lot. She thinks it enhances the area.

Member Herman asked how people would access the patio area. Mr. Guarno responded that the access would be from the parking lot. He stated that he can add steps to access the patio on the other side if desired, but they are not necessary. The Board agreed that the proposal is acceptable without the steps.

The motion to issue a Certificate of Appropriateness for the proposal was made by Vice Chairman Buchan, seconded by Secretary Ballard, and passed unanimously. The Board would prefer the addition of tables to the patio, but if the Zoning Hearing Board does not grant relief to permit tables, the Design Review Board finds the addition of park benches acceptable.

b. Consideration of exterior changes to the easternmost portion of Building 18 of the facility located at 19 East Chocolate Avenue (The Hershey Company, DRB #336)

Rick Russell, Director of Government Relations for The Hershey Company, represented the proposal, which includes a new staircase exit from the facility. It is intended to reuse the existing limestone from the demolition of other portions of the facility. The difference between the proposed staircase and the previous one is that the new one will exit to the west instead of to the east. Mr. Russell clarified that there will be a doorway at the top of the steps (this was not clearly shown on the renderings). He stated that there will also be lighting bollards on both sides of the door to light the staircase.

Also proposed are changes to the north elevation. Mr. Russell commented that although this section of the facility is within the Design Review Board's jurisdiction, it will be very difficult to see the changes from the road. The color scheme will be consistent with "EIFS Renovation in Progress" photo shown on the renderings that were submitted to the Board. Mr. Russell stated that the changes to the north elevation do not include windows at this time, because The Hershey Company does

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not have an identifiable space for that section of building, but windows are a possibility in the future.

Member Moore made a motion to issue a Certificate of Appropriateness for the proposal as presented.

Member Herman commented that the reuse of the existing limestone gives a very nice presentation. He asked if the egress that existed prior to the start of demolition was located on the corner of Building 25. Kenny Hinebaugh, Evans Engineering, explained that they are replacing the staircase on the same corner, it will just be mirrored around the corner of the building.

Member Herman commented that the windows were replaced in 2008, and he noticed that the pattern of the window located at the corner of the building, where the staircase door will be installed, seems off-center. Mr. Hinebaugh responded that there is a revision to the renderings (*presented during the meeting*) to correct this and shift the door to be center of the window, as it is for the other entranceways on Chocolate Avenue.

Mr. Williams asked if the dimensions of the staircase will be the same in the setback as what existed previously. Mr. Hinebaugh believes that the footprint will be within the same dimensions.

Member Herman suggested that Member Moore's motion be amended to include the revision to the design element, making more of a consistent vertical appearance with the door and window as depicted in the revised rendering presented during the meeting. Member Moore accepted Member Herman's amendment. The amended motion was seconded by Secretary Ballard, and passed by a majority vote. (Vice Chairman Buchan abstained from voting.)

Mr. Russell also requested a modification to the April 29, 2013 Certificate of Appropriateness that was issued by the Design Review Board for 19 East Chocolate Avenue, to remove the condition regarding a horizontal muntin. The windows are not proposed to be changed, but this was misrepresented on the renderings that were presented to the Board. Peter from LSC Design also clarified that the light sconces will not change either – they will be removed, cleaned, and put back in place.

c. Consideration of the use of the eastern side of the billboard located at 818 Reese Avenue (ABBCO Real Properties Corp., DRB #337)

Frank Nardo of ABBCO Real Properties Corp. represented the proposal. He stated that the billboard has existing for about 40 years, and currently only has

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advertisement on the western side. In July of 2012, the Zoning Hearing Board granted approval for the use of the eastern side of the billboard. The existing advertisement on the western side consists of a vinyl wrap, and the eastern side would be similar to that, but with different advertisement. Chairwoman St. John asked who would be advertising on the eastern side. Mr. Nardo answered that he does not know at this time.

Chairwoman St. John asked Mr. Emerick if the Board will have to review the proposal again once the advertisement is known. He responded that placing a sign on the eastern side of the billboard qualifies as an alteration, and therefore requires a permit and review by the Design Review Board. Sign copy changes do not require a permit. Secretary Ballard questioned why the Board did not review copy changes to the billboard in the past. Mr. Emerick believes it was treated as an existing nonconforming sign. He commented that the Board could condition an approval upon the sign meeting requirements for colors and materials. Mr. Nardo stated that restricting the number of colors would defeat the purpose of the billboard.

Chairwoman St. John asked what aspects of the billboard make it nonconforming. Mr. Emerick responded that billboards are not permitted in the Chocolate Avenue Preservation Overlay district. He added that vinyl is not an acceptable sign material in this district.

Chairwoman St. John stated that it is difficult to review this proposal because the materials, size, number of colors, and lack of raised or carved lettering all conflict with the Design Review Board guidelines. Mr. Emerick noted that this overlay district is not meant to regulate billboards.

Secretary Ballard noted that the proposal does not conform with §225-142.A.(4).(a) of the Zoning Ordinance regarding the visual impact of all signs; and §225-142.C regarding guidelines for signs and awnings. Member Moore commented that §225-128.J lists billboards as prohibited signs.

In response to a question from Member Herman, Mr. Nardo stated that PennDOT does not issue an approval letter, just a sticker (*a copy of the sticker was included with the submission*). The approval was required because the billboard touches the right-of-way.

Chairwoman St. John asked what will be on the eastern side if there is no advertisement. Mr. Nardo stated that there will be a white face with red letters saying "For Lease." He added that in the 20 years they have owned the billboard, the longest period that there was no advertisement was 2 weeks, and that was because the billboard was being painted.

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The motion to deny a Certificate of Appropriateness was made by Secretary Ballard, seconded by Member Moore and passed unanimously, for the following reasons:

1. *The proposal does not comply with the following sections of the Zoning Ordinance:*
 - *§225-142.A.(4).(a) and (b) regarding the visual impact, coordinated signing effort, and function and color restrictions of all signs.*
 - *§225-142.C regarding guidelines for signs as they relate to restrictions of distractions, automobile-oriented signs, and signs of excessive size.*
 - *§225-142.C.(1).(a) regarding the requirement that signs be coordinated with buildings in materials and colors, and the desire for dimensional signs in this district.*
2. *The billboard is a prohibited sign under §225-128.J of the Zoning Ordinance, unless located in the General Sign Overlay district and approved by the Board of Supervisors as a conditional use.*

The Design Review Board agreed that if the Board of Supervisors allows the second side of the billboard, the Design Review Board wants to be able to review what is proposed on it, including the existing western side. Mr. Emerick stated that this will have to be adjusted in the Zoning Ordinance. He would have trouble doing that under the current regulations.

d. Consideration of a sign on the property located at 250 West Chocolate Avenue (Congressman Charles Dent, DRB #338)

Vince O'Domski, Director for Congressman Dent, represented the proposal. He stated that they have submitted two sign options and are looking for the Board's guidance on which one should be used.

Vice Chairman Buchan recommended that the phone number be removed from the sign. Mr. O'Domski stated that its removal will not be an issue. Mr. Emerick noted that the smaller sign cannot be attached to the existing freestanding sign, because it would cause that sign's square footage to exceed what is permitted. Installing the smaller sign as a separate structure under the existing sign will still give the appearance of one sign structure.

The motion to issue a Certificate of Appropriateness for the carved 10" x 48" sign, without the phone number, was made by Member Herman, seconded by Secretary Ballard, and passed unanimously.

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Mr. O'Domski noted that the words "District Office" will be centered after the removal of the phone number.

The meeting adjourned at 7:11 p.m.

Chairwoman