

**DERRY TOWNSHIP PLANNING COMMISSION
MEETING MINUTES
June 3, 2014**

CALL TO ORDER

The Tuesday, June 3, 2014 Derry Township Planning Commission meeting was called to order at 6:03 p.m. in the meeting room of the Derry Township Municipal Complex, 600 Clearwater Road, Hershey, PA, by Chairman Matt Tunnell.

ROLL CALL

Commission Members Present: Matt Tunnell, Chairman; Joyce St. John, Vice Chairwoman; Glenn Rowe, Secretary; Ned Wehler

Commission Members Absent: Gregg Mangione

Also Present: Chuck Emerick, Director of Community Development; Matt Bonanno, HRG; Diane Krug, Dauphin County Planning Commission representative; Jenelle Stumpf, Community Development Secretary

Public Attendance: Joe Eisenhauer, Light-Heigel & Associates; Charles Huth, *The Hummelstown Sun*; Tim Przybylowski, Century Engineering, Inc.; Garrett Gallia, Hershey Entertainment & Resorts Company

APPROVAL OF MINUTES

On a motion made by Secretary Rowe and seconded by Vice Chairwoman St. John, the Planning Commission unanimously approved the minutes of the May 6, 2014 meeting as written.

OLD BUSINESS

None.

NEW BUSINESS

A. Review and recommendation of the Preliminary/Final Land Development Plan for the Pennsylvania State Police Historical, Educational, and Memorial Center, Plat #1241

Chuck Emerick reported that this plan represents the continued development of a 10.38-acre tract located north of Hersheypark Drive and west of Laudermilch Road, adjacent to the Pennsylvania State Police Academy. The site is also adjacent to, and served by, an alternate entrance to the Pennsylvania State Police Academy. The property is presently improved with a 2,400-square-foot building that contains the Pennsylvania State Police Historical, Educational, and Memorial Center. This plan depicts the addition of 3,285 square feet of building and will result in the development of 29 regular parking spaces, 2 handicapped-accessible parking spaces, and 1 loading/unloading space. The existing stormwater management facilities will be relocated and enlarged to serve this development. The narrative accompanying the submission notes that the final project is likely to result in less than 10 peak hour vehicle trips.

Mr. Emerick; Matt Bonanno, HRG; and Diane Krug, Dauphin County Planning Commission representative, went over their plan review comments.

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Joe Eisenhauer, Light-Heigel & Associates, represented the applicant. In response to one of Ms. Krug's comments, he stated that the connection to the sewer lateral will be properly defined on the revised plan. He added that this project is funded through Local Share Gaming for construction purposes, and the memorial wall will look similar to the Vietnam Veterans Memorial wall in Washington, DC.

Member Wehler asked if the two proposed new basins are sized for this project only, or if they have excess capacity. Mr. Eisenhauer responded that they are only sized for this project. Member Wehler noted that the emergency overflow for the basins is the entire slope of the berm and asked if any stabilization will be provided. Mr. Bonanno stated there will be permanent matting – it will degrade eventually, but not as quickly as a typical temporary mat. Member Wehler is concerned that if there is not a stabilized spillway, when the basins overflow the slope will erode. Mr. Eisenhauer believes the basins will only overflow in an extreme circumstance. Mr. Bonanno commented that the basins are sized for the 100-year storm.

MOTION ON WAIVERS

On a motion made by Vice Chairwoman St. John, seconded by Secretary Rowe, and a unanimous vote, the Planning Commission recommended that waivers be granted as follows:

- a. From Sections 185-12.D.(3).(a).[21], [22], [23] and 185-13.E.(4).(a).[19], [20], [21] of the Subdivision and Land Development Ordinance regarding stormwater sewer, sanitary sewer, and water and gas plans and profiles, to permit only those features affected by the development to be profiled on the plans.
- b. From Section 185-22.E.(5) of the Subdivision and Land Development Ordinance to not require the installation of curbing along Swatara Road. This waiver is recommended to be granted as a deferment, with the stipulation that the owner/developer enter into an agreement with the Township that would allow the Township to require the installation of curbing along Swatara Road in the future if deemed necessary.
- c. From Section 185-34 of the Subdivision and Land Development Ordinance to not require the installation of sidewalk, walkways, and bicycle paths along Swatara Road and internally within the development area. This waiver is recommended to be granted as a deferment, with the stipulation that the owner/developer enter into an agreement with the Township that would allow the Township to require the installation of sidewalk along Swatara Road in the future if deemed necessary.
- d. From Section 185-22.D.(2) of the Subdivision and Land Development Ordinance to not require street widening along Swatara Road, with the stipulation that the waiver be listed under the heading of 'Waivers' (*instead of 'Deferments'*) in the Waivers and Deferments table on Sheet 1 of the plan.
- e. From Section 174-17.B.(1) of the Stormwater Management Ordinance regarding emergency spillway grading.

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MOTION ON PLAT #1241

On a motion made by Secretary Rowe, seconded by Vice Chairwoman St. John, and a unanimous vote, the Planning Commission recommended approval of Plat #1241, subject to the following being satisfactorily addressed:

- a. The comments in Item 3 of the Township staff report.
- b. The comments in the May 7, 2014 HRG letter.
- c. Comments 1 and 7 of the May 28, 2014 Dauphin County Planning Commission report.

B. Review and recommendation of the Preliminary/Final Land Development Plan for the Hershey Lodge Natatorium Replacement, Plat #1242

Chuck Emerick reported that this plan represents the replacement of the existing natatorium at the Hershey Lodge, which is located along Governor Road, west of University Drive. The property contains 44.08 acres of land and is located within the Commercial Recreation zoning district. Plat #1242 represents the demolition of the existing indoor and outdoor pool facility and the creation of a leisure pool area, whirlpool area, children's pool area, and exterior spray pad area. The use of these facilities will be limited to guests of the Hershey Lodge. No public memberships will be sold. Since the improvements proposed will not include additions of rooms or meeting areas, no additional parking or traffic is anticipated as a result of this development.

Mr. Emerick; Matt Bonanno, HRG; and Diane Krug, Dauphin County Planning Commission representative, went over their plan review comments.

Tim Przybylowski, Century Engineering, represented the applicant. He stated that all of the plan review comments can be addressed, including the stabilization of the outflow channel downstream of the spillway.

Secretary Rowe noted the applicant is requesting a waiver from the installation of sidewalk (which Mr. Emerick is recommending to be granted, with the stipulation that the property owner enter into an agreement with the Township that would allow the Township to require the installation of sidewalk in the future if deemed necessary), and that there is no sidewalk along the University Drive frontage of the property between the entrance and West Chocolate Avenue. He asked what circumstances would cause the Township to enforce the agreement and require this section of sidewalk to be installed. He does not think there is justification for the installation of sidewalk along the West Chocolate Avenue frontage of the property, but believes the "missing link" of sidewalk along University Drive should be installed. Mr. Emerick responded that if this project was going to generate any new traffic or intensify the use of the property, he would have recommended the installation of the section of sidewalk along University Drive, at a minimum.

Member Wehler asked if there is an operation and maintenance (O&M) agreement in place for the Lodge property regarding stormwater measures. Mr. Przybylowski stated that this will be the first one, and it will establish the agreement of the easement around Swan Lake. Member Wehler asked if the agreement will include a provision to obligate the owner to remedy erosion problems at Swan Lake in the future. Mr.

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Emerick commented that the older plans contained notes regarding the maintenance of the stormwater facilities. He wondered if Swan Lake could be encompassed as part of Plat #1242. Mr. Przybylowski stated that the previous 3 land development plans for the Lodge were approved prior to the requirement for an O&M agreement. Member Wehler commented that if it is now customary to have O&M agreements, even if a project does not propose an increase in the intensity of the use, an O&M agreement should be instituted that meets the practices since 2006. Mr. Przybylowski believes this will be accomplished with Swan Lake and the outfall from Swan Lake to the property line by virtue of the easement being requested by Mr. Emerick and by incorporating all of the notes that apply to the maintenance responsibilities for Swan Lake.

Secretary Rowe thinks that installing the section of sidewalk along University Drive would be a small percentage of the cost of the proposed project, and it would be worthwhile to complete the sidewalk network. Mr. Emerick noted that this sidewalk installation would require a PennDOT permit because of being in their right-of-way.

Chairman Tunnell stated that he is conflicted on the sidewalk issue – he supports sidewalk installation in general, but in this case it is a long section of sidewalk with only one destination (Friendly's). He would feel stronger about the requiring the sidewalk if there was more development activity around Friendly's. Secretary Rowe commented that there may be people visiting The Hershey Company's Technical Center and Reese's who stay at the Lodge, and they would be able to walk to those sites. His issue is with the uncertainty of when the Lodge will be required to complete that section of sidewalk, because it might years before any other improvements are proposed on the property.

Garrett Gallia, Hershey Entertainment & Resorts Company, stated that they view the replacement of the pool complex as a needed improvement that will bring the Lodge up to a standard that is equivalent with other lodging facilities. Because it is a replacement project, they did not envision that they would have to install additional sidewalk.

Chairman Tunnell stated that the Board of Supervisors could require the installation of the sidewalk now, if they chose to enforce one of the previous sidewalk agreements for this site. Mr. Emerick estimated that the additional sidewalk would result in approximately 1/10 of an acre of new impervious area, which is important to note from a stormwater management perspective.

Member Wehler commented that he has been an advocate for not granting waivers from sidewalk installation, especially in places where sidewalk already exists and there are destinations to walk to; however, in this situation he is swayed by the argument that there is no increase in the intensity of the use, plus there is not much of a sidewalk network on the other side of West Chocolate Avenue to connect to. Secretary Rowe is concerned that if the sidewalk installation is based on intensity, it might never be installed.

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MOTION ON WAIVERS

On a motion made by Member Wehler, seconded by Vice Chairwoman St. John, and a majority vote*, the Planning Commission recommended that the following waivers 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 locating all existing structures, wooded areas, watercourses, rock outcrops, culverts, utilities above or below ground, fire hydrants, streets and their established grade and width, all within 200 feet or 50 feet of the tract of land, respectively, for those areas outside of the project area and limit of disturbance.
- b. From Sections 185-12.D.(3).(a).[21] and 185-13.E.(4).(a).[19] regarding showing plans and profiles of existing stormwater sewer or conveyance systems located outside of the project area and limit of disturbance.
- c. From Sections 185-12.D.(3).(a).[22] and 185-13.E.(4).(a).[20] regarding showing plans and profiles of existing sanitary sewer systems located outside of the project area and limit of disturbance.
- d. From Sections 185-12.D.(3).(a).[23] and 185-13.E.(4).(a).[21] regarding showing plans and profiles of existing gas and water systems located outside of the project area and limit of disturbance.
- e. From Sections 185-12.D.(3).(a).[33] and 185-13.E.(4).(a).[33] regarding providing a registered surveyor boundary certification.
- f. From Section 185-13.E.(3) regarding plan scale.
- g. From Section 185-22.E.(5) to not be required to install curbing along existing streets abutting the property, with the stipulation that the owner/developer enter into an agreement with the Township that would allow the Township to require the installation of curbing in the future if deemed necessary.
- *h. From Section 185-34.A.(1) to not be required to install sidewalks along existing streets abutting the property, with the stipulation that the owner/developer enter into an agreement with the Township that would allow the Township to require the installation of sidewalks in the future if deemed necessary.

** Chairman Tunnell voted in favor of the motion; Secretary Rowe voted in opposition. Secretary Rowe's reason for voting in opposition was specific to the waiver from Section 185-34.A.(1) regarding sidewalk installation, because he thinks the additional section of sidewalk along University Drive is needed. He was not opposed to the other waiver requests being recommended for approval.*

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MOTION ON PLAT #1242

On a motion made by Member Wehler, seconded by Vice Chairwoman St. John, and a unanimous vote, the Planning Commission recommended approval of Plat #1242, subject to the following being satisfactorily addressed:

- a. The comments in Item 3 of the Township staff report.
- b. The comments in the May 8, 2014 HRG letter.
- c. The comments in the May 28, 2014 DTMA letter.

OTHER BUSINESS

Mr. Emerick reported that no submissions were received for consideration at the July Planning Commission meeting; however, he is trying to schedule a joint workshop meeting with the Board of Supervisors and the Planning Commission regarding the revised Comprehensive Plan. He will contact the Planning Commission by e-mail when he has more information.

ADJOURNMENT

On a motion made by Vice Chairwoman St. John, seconded by Secretary Rowe, and a unanimous vote, the meeting adjourned at 6:59 p.m.

Respectfully submitted,

Glenn Rowe
Secretary

Submitted by:

Jenelle Stumpf
Community Development Secretary