

**TOWNSHIP OF DERRY
BOARD OF SUPERVISORS**

**PUBLIC HEARING
Tuesday, October 28, 2014**

600 Clearwater Road, Hershey, Pennsylvania 17033

CALL TO ORDER

The October 28, 2014 Public Hearing of the Township of Derry Board of Supervisors was called to order at 6:00 p.m. by John W. Foley, Chairman.

ROLL CALL

Supervisors Present:

Sandy A. Ballard
Justin C. Engle, Secretary
John W. Foley, Chairman
Marc A. Moyer, Vice-Chairman
Matthew A. Weir

Also Present:

Charles Emerick, Director of Community Development
Jill Henry, Assistant Township Manager
James N. Negley, Township Manager/Township Treasurer
Jon Yost, Solicitor

Public Present: Cathy Donough, Carl Donough, Doug R., Kay G., Kendra Mohr, Bob Santarelli, Donna Cope, Bob M., Joe Y., Jean Y., Charles Huth, John Ruth, Craig Smith, Jason Taylor, Christina Ortega, Jan Hesty, Cathy Dunn

NEW BUSINESS:

The purpose of this public hearing is to gain input regarding Conditional Use Request No. 2014-02 to cluster dwelling units, as filed by DSG Development Corporation.

Charles Emerick, Director of Community Development – The land which is the subject of this matter is Camp Stoverdale and Stover Farmhouse tracts. The Camp Stoverdale tract contains approximately 21.6 acres of area and the Stoverdale Farmhouse tract contains approximately 2.3 acres of area. The cluster development is proposed on two separate lots, but all units will be part of the “The Point” condominium and homeowners association (HOA) even though separated by more than 2,500 feet.

DSG Development Corporation is the equitable owner of the lands due to the Corporation having a sales agreement to purchase the land. Both tracts carry an Attached Residential zoning classification. This conditional use request seeks authorization to cluster 81 dwelling units comprised of 23 single family detached dwellings and 58 attached residential units (townhouses). Based on the net developable area on the Camp Stoverdale

site, the portion will support 19 single family dwelling units plus up to 90 townhouses or support up to 113 townhouses alone. Therefore, between 28 and 32 dwelling units will remain undeveloped. This is a mixed concern. The dwelling units tend to create a burden on the Township infrastructure, often costing more in services than they return in taxes. However, since Derry Township's stock of land to be developed is limited and the desire to preserve other open land seems to grow, it seems prudent to maximize development where and when it occurs. This is an issue that should be a focus on the Comprehensive Plan and future Zoning Ordinance discussions to consider how maximizing density can legally be regulated.

Our Subdivision and Land Ordinance requires a mandatory dedication of land to the Township and in this case it would be calculated at 2.92 acres and the developer has offered 2.96 acres.

The developer believes this cluster development meets the six goals needed for the Board of Supervisors to authorize this conditional use: preservation of open space, lack of disturbance of sensitive environmental areas (if applicable), lower housing costs, lower road maintenance costs, efficiency of traffic pattern, and efficiency of utility systems. It is the applicant's burden to compare and prove the six goals have been met.

The development will be served by public water and sewer facilities. At present, public streets are proposed within the larger portion of the development and a private access at the farmhouse tract.

The applicant has indicated 3 waivers from the Subdivision and Land Development Ordinance that they feel are necessary to develop this property as proposed. The first was Section 185-25.A. – Driveway separation related to the Farmhouse property. The developer agreed to explore a narrower driveway to provide a better alignment and pedestrian connectivity. He also committed to continuing to work with the Deer Run HOA to obtain a better alignment.

The second waiver was Section 185-22.D.(2) – Minor street right-of-way width. The developer is proposing a 54 foot right-of-way width instead of the required 60' for consistency of the existing street right-of-way and to preserve the natural feature of the property.

The third waiver was section 185-22.G.(3) – Alley centerline radii. Staff does not believe that this waiver is necessary. By the terms of the ordinance, the applicant is proposing an access drive or private driveway.

The Board of Supervisors is required to render a decision within 45 days after the last hearing before the Board. If the hearing is closed tonight, a decision will need to be rendered no later than December 12, 2014.

PUBLIC COMMENT

Kendra Moore, attorney for the Homeowners Association – The association is not taking a stance; however, they do have concerns. There is little parking on the developed side of the street in Deer Run. This will be a problem in the dense cluster development.

Ruth Anna Miller – Ms. Miller grew up in that area and is glad it is going to be a nice area for families of different income levels.

Donna Cope, Deer Run – Ms. Cope is concerned with parking and construction vehicles.

Jason Taylor, Stoverdale Court – Mr. Gelder wants to include the easement.

Christina Ortega – Ms. Ortega asked if Whitetail Drive would be completed before this project begins. She is concerned with the heavy equipment will come in the back road.

Jan Hesty, Deer Run – Ms. Hesty is concerned about the construction vehicles.

Cathy Dunn, Deer Run Commons – Ms. Dunn commented that the cartways are narrow and asked if there is enough parking.

Douglas Gelder, DSG Development Corporation – Mr. Gelder addressed some of the concerns for the construction traffic and waivers.

ADJOURNMENT

Vice-Chairman Moyer moved to adjourn the hearing at 7:12 p.m. Supervisor Ballard seconded. *The motion carried, 5-yes 0-no.*

SUBMITTED BY:

Justin C. Engle
Township Secretary

Brenda Van Deursen
Recording Secretary