

DERRY TOWNSHIP PLANNING COMMISSION
MEETING MINUTES
June 7, 2011

CALL TO ORDER

The Tuesday, June 7, 2011 Derry Township Planning Commission meeting was called to order at 6:00 p.m. in the meeting room of the Derry Township Municipal Complex, 600 Clearwater Road, Hershey, PA, by Chairman Wehler.

ROLL CALL

Commission Members Present: Ned Wehler, Chairman; Matthew Tunnell, Vice Chairman; Joyce St. John, Member

Commission Members Absent: Silvan Lutkewitte, Secretary; Peter Gleason, Member

Also Present: Edward Small, Director of Community Development; Matt Bonnano, HRG, Inc.; Jenelle Stumpf, Community Development Secretary; Tracy Telesha, Stenographer

Public Registering Attendance: Tom DeDonatis, 345 Elm Avenue; Rob Shaffer, Act One Consultants; Elaine Dye, 51 Woodland Avenue; Sandy Ballard, 650 Cocoa Avenue; Bill Landis; Suzanne Friday, Nauman Smith; Jon Sheppard, Swatara Station; Linda Misceovich, Swatara Station

APPROVAL OF MINUTES

On a motion by Vice Chairman Tunnell and seconded by Member St. John, the Planning Commission approved the minutes of May 3, 2011.

OLD BUSINESS

A. Report of the Board of Supervisors' action regarding the Preliminary/Final Subdivision/Land Development Plan for 515 East Chocolate Avenue, Plat #1204

Mr. Small reported that the Board of Supervisors approved Plat #1204.

B. Report of the Board of Supervisors' action regarding the Revised Preliminary/Final Subdivision/Land Development Plan for the West Hershey Plant Expansion, Plat #1205; and Stormwater Management Site Plan and Report

Mr. Small reported that the Board of Supervisors approved Plat #1205.

C. Review and recommendation of the Preliminary/Final Subdivision Plan for Woodland Hills, Plat #1203

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Mr. Small reported that this is the fourth submission of the plan. It was discussed at the April Planning Commission meeting where action was taken on the waivers only. As a result of the re-design of the plan, it became necessary for the developer to seek relief from the Zoning Hearing Board regarding lot width requirements for Lots 4 and 5. The case will be heard at the June 15, 2011 meeting.

The current design of the plan includes a short extension of Hillside Road, which will terminate in a cul-de-sac of conforming dimensions and slopes; withdraws previous waiver requests for cul-de-sac slopes; and presents no extension of Woodland Avenue. If granted by the Zoning Hearing Board, the lot width relief will save a large impervious installation of the Woodland Avenue extension, its cul-de-sac, and an excavation to create a 30' grade change to keep the cul-de-sac slopes conforming. It will also enable a larger stormwater detention basin on Lot 5.

Additional waivers are requested from the Subdivision and Land Development regulations as follows:

- a. From Section 185-22.C.(5) regarding dead-end streets being terminated in a permanent cul-de-sac.
- b. Section 185-25.B regarding driveway grades exceeding 7% within 20 feet of cart way.

Matt Bonanno, HRG, reviewed his report and highlighted items 1, 4, 5, 11, 15 and 18 from the Subdivision and Land Development section; and items 5 and 9 from the Storm water Management and Drainage section.

Chairman Wehler questioned if a waiver is needed to allow the two driveways off of Woodland Avenue. Mr. Small replied that a waiver is not needed; however a variance request will be presented to the Zoning Hearing Board for consideration.

Jon Sheppard, Swatara Station Partners ("SSP"), clarified that the originally proposed cul-de-sac at the end of Woodland Avenue would not be easily maintained by the Township due to the slope of the area, and individual driveways were a compromised solution to reduce the amount of soil disruption.

SSP's attorney, Suzanne Friday, created a Boundary Line Agreement which has been signed by SSP and Ty and Cecelia Kreamer and recorded at the Dauphin County Courthouse. It addresses the issue of the Kreamer's improvements which were constructed over the common property line and onto property of SSP. The Agreement allowed for the common property line to be adjusted and a portion of SSP's property to be sold to Mr. Kreamer in order to allow the improvements to have the proper setbacks. Ms. Friday requested that the signature block for the Kreamers, representing the transfer of land from SSP to the Kreamers, be removed from the plan because the

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issue has already been addressed by the Boundary Line Agreement. Mr. Small stated that this would be acceptable as long as plan notes are added to explain the resolution of the problem by way of the Agreement, and that all references to Lot 14A are removed.

Mr. Small questioned if it was possible for Mr. Kreamer to appeal the new property line. Ms. Friday stated that Mr. Kreamer signed the filed Agreement and actually benefited from the agreement by enlarging his lot.

Mr. Wehler questioned if the terms of the Agreement required the newly-created property line to be monumented. Mr. Sheppard replied that it is currently monumented with iron pins.

PUBLIC COMMENT

Elaine Dye stated that she is a nearby neighbor and is concerned about storm water runoff as well as preserving the woodland area.

Mr. Sheppard replied that he met with most of the neighbors and took their concerns into consideration and believes the proposed plan will significantly reduce water runoff along Woodland Avenue and will retain as many trees as possible.

MOTION

On a motion made by Vice Chairman Tunnell, seconded by Member St. John, the Planning Commission unanimously recommended approval of waivers from Sections 185-25.B and 185-22.C.(5).

On a motion made by Vice Chairman Tunnell, seconded by Member St. John, the Planning Commission unanimously recommended approval of Plat #1203, subject to the signature line for Kreamer and all references to Lot 14A being removed; the necessary relief being granted by the Zoning Hearing Board; pins or monuments being set to reflect the Boundary Line Agreement; the Boundary Line Agreement being depicted as an existing condition on the plan; and the outstanding comments of staff and HRG being satisfactorily addressed.

NEW BUSINESS

None.

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OTHER BUSINESS

None.

ADJOURNMENT

On a motion by Member St. John, seconded by Vice Chairman Tunnell, and a unanimous vote, the meeting adjourned at 7:00 p.m.

Respectfully submitted,

Silvan Lutkewitte
Secretary

Submitted by:

Tracy Telesha
Stenographer