

DERRY TOWNSHIP PLANNING COMMISSION
MEETING MINUTES
April 7, 2015

CALL TO ORDER

The Tuesday, April 7, 2015 Derry Township Planning Commission meeting was called to order at 6:08 p.m. in the meeting room of the Derry Township Municipal Complex, 600 Clearwater Road, Hershey, PA, by Vice Chairman Gregg Mangione.

ROLL CALL

Commission Members Present: Gregg Mangione, Vice Chairman; Ned Wehler; Matt Tunnell

Commission Members Absent: Joyce St. John, Chairwoman; Glenn Rowe, Secretary

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: David Habig, 1087 Princeton Dr., Hummelstown; Carl Helman and Michael Leader, 830 Cherry Drive; Lee Engel and Steve Yingst, Yingst Engineers & Associates

APPROVAL OF MINUTES

On a motion made by Member Tunnell and seconded by Member Wehler, the Planning Commission unanimously approved the minutes of the March 11, 2015 meeting as written.

OLD BUSINESS

A. Report of the Board of Supervisors' action regarding a modification to a waiver from filing a land development plan, as requested by 169 Chocolate Group, LLC

Mr. Emerick stated that the Board of Supervisors approved the modification, which relocated the temporary structure so that it is not in the way of the upcoming construction activities on the site.

NEW BUSINESS

A. Review and recommendation of the Preliminary/Final Land Development Plan for Country Meadows of Hershey, Plat #1251

Mr. Williams reported that the subject property is located along the eastern side of Sand Hill Road, just south of its intersection with Cherry Drive. The property contains the Country Meadows of Hershey facility, 2 offices buildings, three 8-unit apartment buildings, a single-family dwelling, and the Hershey Area Playhouse. The site also contains parking facilities to support the uses. The applicant proposes to construct a 2-story addition at the front entrance of the main 3-story building to improve operations at the main facility.

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The proposed alterations are meant to increase appeal and efficiency of the property and as such, additional traffic generation from this proposal is not anticipated. Stormwater management for the site is provided by the continued use of existing facilities, together with the use of porous pavement infiltration areas to accommodate the new improvements.

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

Lee Engel, Yingst Engineers & Associates, represented the plan. He stated that the work is basically focused around the front of the building. Mr. Engel asked that a full waiver be granted from Sections 185-12.D.(3).(a).[23] and 185-13.E.(4).(a).[21] regarding profiles of the gas and water facilities, since they are outside of the scope of work. All of the sewer laterals and the water will show fire connections, but the applicant does not see a need to show profiles of those existing utilities. Mr. Williams explained that the plans show the water line and the fire service line within the area of disturbance, so they would have to be profiled. Mr. Bonanno noted that the applicant indicated there are no lines within the limit of disturbance, but some were found during the plan review. Mr. Engel responded that he does not see the water line in the disturbed area. Mr. Bonanno stated that the applicant needs to confirm the location of the water lines and if they are within the area of disturbance, they need to be profiled. If the applicant is sure that the water lines are not within the area of disturbance, he believes the full waiver could be granted. Mr. Engel asked for clarification of what Township staff considers to be "disturbed area." Mr. Williams responded that if it is within the area to be graded, it would have to be profiled. If it is outside of the area of disturbance, a full waiver would be consistent with what has been granted in the past.

Mr. Engel referenced Mr. Williams' review comment regarding parking lot landscaping requirements and noted that their proposal would be to add landscaping around the site. Mr. Bonanno stated that the landscaping has to be provided *within* the parking area, so adding trees around the entire site would not meeting the requirements of the Zoning Ordinance. Mr. Engel noted that they might add additional trees within the existing parking islands. Mr. Williams added that the applicant can extend their review of the entire parking area, not just the reconfigured parking area, to see if they would meet the requirement that way.

Regarding the Dauphin County Planning Commission's review comment that a lighting plan is required to be provided, Mr. Engel noted that they are not changing the parking lot layout, and lighting currently exists. Any new lighting will be under the canopy of the addition.

Steve Yingst of Yingst Engineers reminded everyone that this is a big complex. Yingst Engineers did not do the original design so they do not have all of the features. All they are doing is changing the front entrance. The floor area ratio and impervious coverage are being improved, and parking spaces are being added. The rest of the site is what it is. The improvements should not be considered a full land development. The engineer will address the issues for the most part, but to keep the project in perspective, it is not as though a new complex is being constructed. The applicant hired companies to find the utilities and they found what they could. Mr. Yingst stated that it is good of Country Meadows to add sidewalk along Sand Hill Road as requested by the Township, and he thinks they are willing to enter into the sidewalk agreement for Cherry Drive and Apple Lane.

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Member Wehler commented that Sheet 201 shows the existing paving being milled for resurfacing. He asked if that is an expansion of the parking area and an increase in impervious coverage. Mr. Williams answered that the applicant is increasing impervious coverage, but much of the addition is going to be constructed over existing paving. The applicant will be compensating for the small increase in impervious cover by using porous pavers as indicated. Mr. Bonanno confirmed that this is acceptable. Because of the small amount of increase in impervious surface, the applicant is only required to provide volume controls for the 2-year storm, and they have provided the storage volume underneath the porous pavers to account for that. Member Tunnell asked if that requires a stormwater management agreement to be recorded. Mr. Bonanno answered yes.

Member Wehler asked if the plan indicates at what point Cherry Drive becomes a private street. Mr. Williams answered yes, and he confirmed that Apple Lane is a public street.

MOTION ON WAIVERS

On a motion made by Member Tunnell, seconded by Member Wehler, and a unanimous vote, the Planning Commission recommended that waivers be granted from the Subdivision and Land Development Ordinance as follows:

- a. From Sections 185-12.D.(3).(a).[9] and 185-13.E.(4).(a).[9] regarding showing the location of all existing structures, wooded areas, watercourses, rock outcrops, culverts, utilities (above or below ground), fire hydrants and streets within 200' and 50' of the site.
- b. From Sections 185-12.D.(3).(a).[21] and 185-13.E.(4).(a).[19] regarding profiles for the existing stormwater sewer facilities that are undisturbed. Profiles shall be provided for the stormwater conveyance system in the area of disturbance for the paving and building addition. Any alteration to these facilities shall be detailed. All required planimetric features shall be shown.
- c. From Sections 185-12.D.(3).(a).[22] and 185-13.E.(4).(a).[20] regarding profiles for the existing sanitary sewer facilities that are undisturbed. All required planimetric features shall be shown.
- d. From Sections 185-12.D.(3).(a).[23] and 185-13.E.(4).(a).[21] regarding profiles for the existing gas and water facilities that are undisturbed. The applicant is to review the area of disturbance to determine whether or not the water and gas facilities are impacted and if they are, the waiver will be considered partially granted and the applicant will be required to provide profiles for those facilities.
- e. From Section 185-22.D.(3) regarding minimum required cartway width for Sand Hill Road and Cherry Drive.
- f. From Section 185-22.E.(5) regarding installing curbing along Sand Hill Road adjacent to the subject property.

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- g. From Section 185.34.A. regarding installing sidewalks along Apple Lane and Cherry Drive adjacent to the subject property, 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 along Apple Lane and Cherry Drive in the future if deemed necessary.
- h. From Section 185-34.A.(1) regarding sidewalks being located four inches from the right-of-way line of Sand Hill Road.

MOTION ON PLAT #1251

On a motion made by Member Tunnell, seconded by Member Wehler, and a unanimous vote, the Planning Commission recommended approval of Plat #1251, subject to the following being satisfactorily addressed:

- a. The conditions in Item 2 of the Township staff report.
- b. The comments in Item 3 of the Township staff report.
- c. The comments in the March 17, 2015 HRG letter.
- d. The comments in the March 25, 2015 DTMA letter.
- e. Comment 1 of the March 20, 2015 Dauphin County Planning Commission report.

B. Review and recommendation of an ordinance proposed by the Township that would amend Chapter 225 (Zoning) of the Code of the Township of Derry by changing the permitted minimum front yard area depth in the Village Core zoning district, and by changing the permitted encroachments in required yard areas

The modifications proposed by this ordinance will allow buildings in the Village Core district to be positioned closer to the front of the lot; encourage variation in the positioning of buildings and attachments to buildings within the Village Core district; promote building presence along road frontages; and allow the placement of patios within the required yard area in the Village Core district. In general, this amendment will allow greater flexibility in the location of buildings and will encourage developers to create buildings and facilities that enhance walkability and street continuity. To meet that goal, the ordinance will maintain a 6-foot setback as the “base” yard area. However, this distance may be adjusted for portions of the building to allow a 4-foot yard area for up to 75% of the building and attachments to the building; a 2-foot yard area for up to 50% of the building and attachments to the building; and a 0-foot yard area for up to 50% of the building for portions of the building greater than 14 feet from the adjacent ground level. In addition, it states that no principal building shall have a yard area greater than 12 feet for 100% of its frontage unless physical constraints of the property would not allow such a setback.

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Mr. Williams noted that even though the Township is in the process of updating the Comprehensive Plan and will be updating the Zoning Ordinance, it has become necessary to make certain changes now in anticipation of pending development within downtown Hershey.

Diane Myers-Krug, Dauphin County Planning Commission representative, stated that the County Planning Commission will meet next week; however, she anticipates that they will support the proposed amendment.

Member Tunnell questioned why the amendment does not allow for a 0-foot front setback. Mr. Williams stated that it is to allow for and encourage such features as landscaping and patios; and for variation in design elements. Member Tunnell asked about side setbacks. Mr. Williams stated that they will remain the same (6 feet).

Vice Chairman Mangione referenced the Comprehensive Plan's recommendation that "variations in the setbacks of new buildings should not exceed 10% of the average of the surrounding buildings." He asked if a property was redeveloped and the location of the new building was closer to the street than the old building, is the Comprehensive Plan's recommendation constraining in any way? Mr. Williams responded that the recommendation came from the guidelines of the Chocolate Avenue Preservation Overlay district, so it is intended to be a guideline and not necessarily a requirement.

Member Wehler asked where the 6-foot front yard setback is measured from. Mr. Williams stated that it is the distance from the property line or right-of-way line to the building wall, whichever is closer. Member Wehler asked if the maximum setback of 12 feet applies to the front yard. Mr. Williams answered yes. Member Wehler commented that the proposed amendment does not clearly state that. Mr. Williams clarified that the language states "No principal building shall have a yard area greater than 12 feet for 100% of its *frontage*..." Member Wehler wanted to make sure that does not also apply to the side yard. Mr. Williams referenced the Zoning Ordinance definition of 'frontage'; he believes the language is acceptable as written. Member Wehler asked if there is no opportunity in the Village Core district to abut buildings wall to wall because of the required 6-foot side yard setback. Mr. Williams responded that it has not been considered at this point because a lot of the infill development will allow for significant buildings to be constructed on some of the larger tracts. With safety regulations and building regulations the way they are, Mr. Williams expects there would have to be some significant considerations to joining those two codes together.

Member Tunnell asked how the setbacks, coverage areas, and parking requirements work together, and whether a functional building can be constructed on some of these sites. Mr. Williams thinks they can be, but consideration would have to be given to changing single level parking to deck parking on some of the larger, undeveloped or underdeveloped properties, as an example. He added that further consideration for parking requirements will be given as part of the Comprehensive Plan and Zoning Ordinance updates.

Member Tunnell wondered how many existing buildings in the Village Core district would conform to the proposed amendments. He asked if Township staff is concerned about the possibility of someone demolishing an existing structure and then constructing one that does not fit with everything around it, in terms of setbacks. Mr. Williams responded that staff would be more worried about the current

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regulations and front yard setback of 20 feet along Chocolate Avenue. Requiring such a large setback in the downtown would go against the goals and objectives we are trying to accomplish in our Comprehensive Plan revisions. Member Tunnell commented that he thinks the amendments are a great idea, but the desired effect is not going to happen overnight.

In response to a question from Member Wehler, Mr. Williams stated that the maximum building height in the Village Core district is 60 feet. Member Tunnell noted that constructing a 60-foot building right on the setback line could detract from the goal of making the downtown inviting and walkable, especially if there are more restrictive parking requirements. He thinks a maximum height of 30 feet or 35 feet would make more sense. Mr. Williams stated that the maximum height issues are beyond what has been discussed with the updated Comprehensive Plan at this point; however, current density allowances of 49 dwelling units per acre in the Zoning Ordinance would be more conducive to multi-story building development. This would also be in line with the recommendations of the 1991 Comprehensive Plan that envisioned the Village Core district as a denser downtown center.

Member Wehler asked if there is a historic preservation component in the Chocolate Avenue Preservation Overlay district. Mr. Williams responded that there is not.

Member Wehler referenced the proposed amendment to Section 225-64.D.(1) regarding yard area depth and asked if 6 feet is intended to be the minimum. Mr. Williams answered that the 6 foot setback is to be a base starting point for all buildings – the maximum front setback is proposed to be 12 feet, the minimum would be 6 feet, and then there are permitted variations to the 6 foot setback requirement, in order to permit flexibility in the design of building facades and architectural details such as awnings and patio spaces. Member Wehler suggested including the word ‘minimum’ for clarification.

MOTION

On a motion made by Member Wehler, seconded by Member Tunnell, and a unanimous vote, the Planning Commission recommended that the proposed ordinance be adopted, with the addition of the word ‘minimum’ to Section 225-64.D.(1).

OTHER BUSINESS

Mr. Williams reminded everyone that there will be a Board of Supervisors and Planning Commission joint workshop meeting regarding the Comprehensive Plan on Wednesday, April 22nd at 7:00 p.m.

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ADJOURNMENT

On a motion by Member Tunnell, seconded by Member Wehler, and a unanimous vote, the meeting adjourned at 7:16 p.m.

Respectfully submitted,

Glenn Rowe
Secretary

Submitted by:

Jenelle Stumpf
Community Development Secretary