

**DERRY TOWNSHIP PLANNING COMMISSION
MEETING MINUTES
September 1, 2015**

CALL TO ORDER

The Tuesday, September 1, 2015 Derry Township Planning Commission meeting was called to order at 6:17 p.m. in the meeting room of the Derry Township Municipal Complex, 600 Clearwater Road, Hershey, PA, by Chairwoman Joyce St. John.

ROLL CALL

Commission Members Present: Joyce St. John, Chairwoman; Ned Wehler; Matt Tunnell

Commission Members Absent: Glenn Rowe, Secretary; Gregg Mangione, Vice Chairman

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

Public Registering Attendance: Sandy Ballard, 650 Cocoa Avenue; Kendra Mohr, Pannebaker & Mohr; Craig Smith, RGS Associates; Cathy Donough, 713 Stag Court; Sal Lando, Deer Run HOA; R. Gamble

APPROVAL OF MINUTES

On a motion made by Member Wehler and seconded by Member Tunnell, the Planning Commission unanimously approved the minutes of the August 4, 2015 meeting, as written.

OLD BUSINESS

A. Report of the Board of Supervisors' action regarding the Preliminary/Final Land Development Plan for Hershey Square Shopping Center, Plat #1259

Chuck Emerick stated that the Board of Supervisors conditionally approved the plan.

B. Report of the Board of Supervisors' action regarding minor modifications to the Preliminary/Final Land Development Plan for East Point Trade Center – Building C, Plat #1234

Chuck Emerick stated that the Board of Supervisors gave approval for the plan modifications to be reviewed at the Township staff level.

C. Review and recommendation of the Preliminary Subdivision and Land Development Plan for The Point, Plat #1255

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Chuck Emerick explained that he will go over the preliminary plan in detail and have the Commission make a recommendation on that plan; then he will go over the aspects of the final plan that differ from the preliminary plan and have the Commission make a recommendation on the final plan.

Mr. Emerick stated that the land involved in this development is commonly referred to as the Camp Stoverdale and Stover Farmhouse tracts. The Camp Stoverdale tract contains 21.601 acres and is located between Deer Run, Deer Run Commons, Gelder Park, and the Swatara Creek. The Stover Farmhouse tract contains 2.268 acres and is located along Middletown Road, adjacent to lands of the Deer Run of Hershey, PA Homeowners Association near Deer Run Drive. Prior to processing this preliminary plan and the accompanying final plan, the applicant filed a conditional use request seeking authorization to cluster 81 dwelling units. This conditional use was granted by the Board of Supervisors with the understanding that there would be some modification to the layout resulting from the impacts of actual field surveying and accurate plotting of the floodway. Originally proposed as 23 single family detached dwellings and 58 attached residential units (townhouses), the preliminary plan now proposes 21 single family detached dwellings and 56 townhouses for a total of 77 units. Mr. Emerick listed the waivers that are being requested from the Subdivision and Land Development Ordinance.

Member Tunnell asked if what the developer proposes regarding storm pipe trench construction has to be part of the stormwater best management practices plan. Mr. Emerick responded that the detail of the construction will be required to be depicted and recorded. Member Tunnell asked if Township staff and the Township's engineer are comfortable with what is being proposed as part of the waiver request regarding storm pipe trench construction. Matt Bonanno, HRG, stated that the waiver request only involves the trench, not the pipe or a BMP. Because the developer is requesting to construct a trench that is narrower than the PennDOT requirement, HRG will spend extra time on site to make sure that the pipe is being laid property and compacted.

Member Wehler asked what staff's reasoning is for recommending that the requested waiver regarding providing a traffic impact study be granted in favor of the developer providing a financial contribution. Mr. Emerick stated that a traffic study for this development would not provide mitigation solutions for all of the existing problems along the Middletown Road corridor, whereas a contribution can be put toward fixing the problems. Member Wehler stated that until enough contributions are provide to make a difference in the mitigation process, this development will only add to the existing problems.

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

Member Wehler noted that the developer is requesting a waiver regarding right-of-way and cartway width and is proposing a 27' cartway width on Red Fox Drive and Stoverdale Road (where the townhouses will be located) and a 34' cartway width on the Stoverdale Road cul-de-sac (where the single family dwellings will be located). He asked what the logic is for the inconsistency between the cartway width for the more dense townhouse segment and the cartway width for the less dense single family dwelling segment. Mr. Emerick answered that a larger cartway usually leads to faster traffic. In this case, parking will only be allowed on one side of the street in the townhouse area, so the smaller cartway width is adequate. For the single family dwelling area, it is typical to have a single driveway

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and to allow parking in front of each of the units, so that was the reasoning for the difference in cartway widths.

Craig Smith, RGS Associates, represented the developer. He stated that, regarding the waiver from submitting a traffic study, they had Traffic Planning and Design do an initial analysis of the units that are being proposed and learned that there will be fewer than 100 daily peak trips generated by the units. Even if a traffic study was conducted, the impact of the development would be so minimal in the realm of the Middletown Road corridor that the developer thought it would be more valuable to provide the financial contribution instead.

Regarding the cartway width waiver request, Mr. Smith noted that this site is severely sloped and heavily wooded, so in order to make the streets wider to meet the Township requirements, more of the site would have to be disturbed and the benefit to doing that is minimal. That is why the developer is proposing parking on only one side of the street in the townhouse area.

Mr. Smith addressed Mr. Emerick's review comment that the applicant should consider providing a public pedestrian access easement south and west of Unit 59 for access to Lot 2. Mr. Smith stated that the developer is concerned about making this a public access because the topography and the proposed stormwater basin will make it difficult to traverse the lot.

Public comment:

Kendra Mohr, an attorney with Pannebaker & Mohr, represented the Deer Run Homeowners Association. She asked for confirmation that on-street parking on the existing portions of Red Fox Drive and Buck Drive will not be restricted to only one side of the street in conjunction with the proposed narrower cartway width of the extended portions of these roads. Mr. Emerick stated that this plan does not propose any changes to the permitted on-street parking on the existing portions of the roads. Ms. Mohr stated the plan submitted for construction vehicle access does not reflect what was discussed previously between the developer and the Homeowners Association. Construction traffic was supposed to be directed by way of Deer Run Drive to Whitetail Drive to Red Fox Drive; the plan depicts the traffic being routed to the site from Deer Run Drive by way of Stoverdale Road. The construction traffic should not access the site by way of Stoverdale Road because there is parking on both sides of the street and often children at play. Mr. Emerick stated that the Township cannot restrict the use of the public roads. Mr. Smith commented that they can talk to the contractor about changing the route, but there are some areas on Red Fox Drive that are going to be problematic to use until the earthwork is completed.

Member Wehler asked if the existing portions of Whitetail Drive, Red Fox Drive, Buck Drive, and Stoverdale Road have a 27' cartway width. Mr. Smith answered no, they have a 34' cartway width, but he clarified that Whitetail Drive narrows as it becomes part of the Deer Run Commons development, because it is a private road at that point. He explained where the cartway widths will transition on Red Fox Drive and Stoverdale Road.

Member Wehler questioned if Red Fox Drive and Buck Drive intersect Stoverdale Road at 90 degree angles. Mr. Smith answered yes, it is radial. Member Wehler asked if the Subdivision and Land Development Ordinance regulations permit the curve of Stoverdale Road to end in the intersection

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with Red Fox Drive or if the regulations require that the intersection be perpendicular and square. Mr. Bonanno stated that the regulations require the intersection to be square, based on the centerlines, and the proposed intersections conform to the regulations.

Member Wehler asked if the proposed street slopes are in conformance with the Subdivision and Land Development Ordinance. Mr. Emerick answered yes, with the exception of the waiver requested for the slope across the Stoverdale Road cul-de-sac bulb.

Public comment:

Dale Holte, Deer Run Homeowners Association, commented that regarding the proposed construction vehicle routes, Deer Run Drive is a collector road that flows through the development. The construction started in 1995 and has continued back into the property. For the past 10 years there has been construction traffic traversing Deer Run Drive and the side streets, and Mr. Holte gets a lot of comments from residents about the trucks, noise, and debris. They would like to have the least disruptive route for construction traffic, and Mr. Holte requested that the Township represent the people who already own property in this area and restrict the path of the construction vehicles to The Point.

Member Tunnell stated that those are thoughtful comments from the Deer Run Homeowners Association, and wished that the developer were present at the meeting so he could respond. Member Tunnell suggested that the Planning Commission acknowledge the homeowners association's concerns and ask that the developer attend the Board of Supervisors meeting to address the topic and give a level of comfort to the homeowners association as to how the construction traffic can sequence through that area.

MOTION ON WAIVERS

On a motion made by Member Tunnell, seconded by Member Wehler, and a unanimous vote, the Planning Commission made a recommendation to the Board of Supervisors that the following waivers be granted from the Subdivision and Land Development Ordinance and the Stormwater Management Ordinance:

- a. From Section 185-22.D.(2) regarding minor street right-of-way and cartway width.
- b. From Section 185-22.E.(1) regarding curbs.
- c. From Section 185-22.G.(5) regarding cul-de-sac slope.
- d. From Section 185-25.A regarding driveway location.
- e. From Section 185-25.D regarding driveways at right angles.
- f. From Section 185-12.D.(2) regarding plan scale.
- g. From Section 185-12.D.(3).(a).[21] regarding plan and profile scales.

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- h. From Sections 185-12.D.(3).(a).[21], [22], [23] regarding profiles of existing utilities.
- i. From Section 185-33.C regarding PPL lighting design.
- j. From Section 185-42.A regarding the submission of a traffic impact study, subject to the developer providing a letter of intent regarding the traffic contribution.
- k. From Section 185-18.C regarding monument and marker placement.
- l. From Section 185-34.A.(2) regarding sidewalk construction specifications.
- m. From Section 174-17.C.(15) regarding storm pipe trench construction.

MOTION ON PLAT #1255

On a motion made by Member Tunnell, seconded by Member Wehler, and a unanimous vote, the Planning Commission made a recommendation to the Board of Supervisors that Plat #1255 be approved, subject to the following being satisfactorily addressed:

- a. The comments in Item 3 of the Township staff report.
- b. The comments in the August 25, 2015 HRG letter, with the exception of #2 and #3 under ‘Subdivision and Land Development’ (regarding providing traffic and open space fees – these items will be addressed with the final plan).
- c. The comments in the August 20, 2015 DTMA letter.

Also, the Board of Supervisors should review the construction traffic plan and work with the Deer Run Homeowners Association, the residents, and the developer to make accommodations to ensure that the construction traffic accesses the site in a way that causes the least amount of disturbance to the residents, with consideration being given to having construction traffic move onto Whitetail Drive in accessing the site when at all possible.

D. Review and recommendation of the Final Subdivision and Land Development Plan for The Point, Plat #1256

Mr. Emerick explained where the waiver requests differ from the preliminary plan to the final plan, and went over his plan review comments. Matt Bonanno, HRG; and Diane Myers-Krug, Dauphin County Planning Commission representative, did not have any additional comments.

Member Wehler asked how many stormwater detention basins are proposed for the development. Mr. Bonanno stated there are 2. Member Wehler asked what the drainage area is that feeds the basin proposed on the Camp Stoverdale parcel. Mr. Bonanno responded that he could not reference an exact acreage, but it is a good portion of the site. Member Wehler asked if the basin’s emergency spillway overflow will be earthen. Mr. Bonanno answered yes, and there will be matting on top. Member

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Wehler asked who has the obligation to restore a failure that occurs due to flooding, and if that obligation is a disclosure item. Mr. Bonanno stated that the homeowners association would be responsible for the repair work. Mr. Emerick added that one of his review comments is that the Declaration of Covenant, Restrictions, and Easements and the Disclosure Statement be revised to include references to the stormwater management Operation and Maintenance Agreement.

MOTION ON WAIVERS

On a motion made by Member Tunnell, seconded by Member Wehler, and a unanimous vote, the Planning Commission made a recommendation to the Board of Supervisors that the following waivers be granted from the Subdivision and Land Development Ordinance and the Stormwater Management Ordinance:

- a. From Section 185-22.D.(2) regarding minor street right-of-way and cartway width.
- b. From Section 185-22.E.(1) regarding curbs.
- c. From Section 185-22.G.(5) regarding cul-de-sac slope.
- d. From Section 185-25.A regarding driveway location.
- e. From Section 185-25.D regarding driveways at right angles.
- f. From Section 185-12.D.(2) regarding plan scale.
- g. From Section 185-12.D.(3).(a).[21] regarding plan and profile scales.
- h. From Sections 185-12.D.(3).(a).[21], [22], [23] regarding profiles of existing utilities.
- i. From Section 185-33.C regarding PPL lighting design.
- j. From Section 185-42.A regarding the submission of a traffic impact study, subject to the developer providing a letter of intent regarding the traffic contribution.
- k. From Section 185-18.C regarding monument and marker placement.
- l. From Section 185-34.A.(2) regarding sidewalk construction specifications.
- m. From Section 174-17.C.(15) regarding storm pipe trench construction.

MOTION ON PLAT #1256

On a motion made by Member Tunnell, seconded by Member Wehler, and a unanimous vote, the Planning Commission made a recommendation to the Board of Supervisors that Plat #1256 be approved, subject to the following being satisfactorily addressed:

- a. The comments in Item 3 of the Township staff report.

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- b. The comments in the August 25, 2015 HRG letter.
- c. The comments in the August 20, 2015 DTMA letter.

Also, the Board of Supervisors should review the construction traffic plan and work with the Deer Run Homeowners Association, the residents, and the developer to make accommodations to ensure that the construction traffic accesses the site in a way that causes the least amount of disturbance to the residents, with consideration being given to having construction traffic move onto Whitetail Drive in accessing the site when at all possible.

NEW BUSINESS

None.

OTHER BUSINESS

None.

ADJOURNMENT

On a motion made by Member Tunnell, seconded by Member Wehler, and a unanimous vote, the meeting adjourned at 7:39 p.m.

Respectfully submitted,

Glenn Rowe
Planning Commission Secretary

Submitted by:

Jenelle Stumpf
Community Development Secretary (*stenographer*)