

**DERRY TOWNSHIP PLANNING COMMISSION  
MEETING MINUTES  
December 13, 2016**

**CALL TO ORDER**

The Tuesday, December 13, 2016 Derry Township Planning Commission meeting was called to order at 6:18 p.m. in the meeting room of the Derry Township Municipal Complex, 600 Clearwater Road, Hershey, PA, by Vice Chairman Glenn Rowe.

**ROLL CALL**

Commission Members Present: Glenn Rowe, Vice Chairman; Matt Tunnell, Secretary (by phone); Don Santostefano

Commission Members Absent: Joyce St. John, Chairwoman; Ned Wehler

Also Present: Chuck Emerick, Director of Community Development; Jenelle Stumpf, Community Development Secretary

Public Registering Attendance: Dale Holte, Middletown Road Coalition; Charles Huth, *The Sun*; Mike Jarman, The Vista Foundation

**APPROVAL OF MINUTES**

On a motion made by Member Santostefano and seconded by Secretary Tunnell, the Planning Commission unanimously approved the minutes of the October 4, 2016 meeting, as written.

**OLD BUSINESS**

**A. Report of the Board of Supervisors' action regarding the Preliminary/Final Land Development Plan for U-GRO Learning Center Addition, Plat #1271**

Mr. Emerick reported that the Board of Supervisors conditionally approved the plan.

**B. Report of the Board of Supervisors' action regarding extending the conditional approval of the Preliminary/Final Subdivision Plan for George Cvijic, Plat #1163**

Mr. Emerick reported that the Board of Supervisors granted a three-year extension.

**C. Report of the Board of Supervisors' action regarding extending the conditional approval of the Preliminary/Final Land Development and Lot Consolidation Plan for 1601, 1603, 1609, 1611 East Chocolate Avenue, Plat #1198**

Mr. Emerick reported that the Board of Supervisors granted a five-year extension.

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- D. Report of the Board of Supervisors' action regarding extending the condition approval of the Preliminary/Final Land Development Plan for Hershey's Chocolate World Employee Satellite Parking, Phase 1, Plat #1154**

Mr. Emerick reported that the Board of Supervisors granted a one-year extension.

- E. Report of the Board of Supervisors' action regarding Ordinance No. 682, amending Chapter 225 (Zoning) of the Code of the Township of Derry by changing the definition of the term 'Sign' and adding a definition for the term 'Attraction Branding'**

Mr. Emerick reported that the Board of Supervisors adopted the Ordinance.

- F. Report of the Board of Supervisors' action regarding Preliminary/Final Subdivision Plan for Fox Glen Drive, Plat #1268**

Mr. Emerick reported that the Board of Supervisors conditionally approved the plan.

- G. Report on additional waiver request for the Preliminary/Final Land Development Plan for the Hershey Lodge Natatorium Replacement, Plat #1242**

Mr. Emerick stated that as part of the original plan approval, the applicant had been granted a waiver from having a land surveyor seal the plans; however, they posted performance security for the installation of monuments around the property. The applicant is now requesting the release of the performance security provided to the Township and are requesting a waiver from the installation of the monuments.

The Commission is supportive of the additional waiver being granted by the Board of Supervisors.

- H. Report on the Middletown Road Corridor Transportation Evaluation**

Mr. Emerick stated that the study has been completed and is on the Township website.

- I. Update on the final draft of the proposed Zoning Ordinance**

Mr. Emerick stated that the final draft will be e-mailed to the Planning Commission in the near future for a recommendation at the February meeting.

**NEW BUSINESS**

- A. Review and recommendation of Conditional Use Application No. 2016-02, as filed by The Vista Foundation for the property located at 1649 Melrose Drive, Hummelstown, to allow a group home for persons with disabilities**

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Mr. Emerick explained that the subject property is located in the Village Residential zoning district, where a group home for persons with disabilities is permitted, subject to the approval of a conditional use. The Vista Foundation presently serves three male residents at this location, which the Township treats as a single family dwelling. The proposed addition of a fourth resident triggers the need for the conditional use, per the Zoning Ordinance. Mr. Emerick recommended that the conditional use be granted with the following conditions:

1. The group home for persons with disabilities shall at all times operate in accordance with Sections 225-113.B.(1), (2), (3), (4), and (6) of the Zoning Ordinance regarding specific standards.
2. The group home for persons with disabilities shall not be changed to serve a greater number of residents or residents with impairments which differ substantially from those which were described in the initial application, unless the change is presented to the Board of Supervisors pursuant to procedures for approving conditional uses as a new application, and such change is approved by the Board.
3. If at any future date the facility operates differently than stated in the application or the Board determines that the residents of the group home for persons with disabilities have endangered the general welfare of the surrounding community due to a breach of security or lack of adequate supervision, it will be considered a breach of the conditions of this conditional use and the authorization to operate the conditional use shall be revoked.

Vice Chairman Rowe asked for clarification on condition 2. If the applicant later proposed to add yet another resident (for a total of 5 residents), would the applicant have to return to the Township for further approval? Mr. Emerick answered yes.

Mike Jarman, The Vista Foundation, stated that they have a total of 4 homes for persons with disabilities in the area, and 2 of the homes are in Derry Township. He added that it is not likely they will add a 5<sup>th</sup> resident to the home on Melrose Drive because there are only 4 bedrooms.

Member Santostefano asked if the Township will perform periodic inspections to ensure that the approved use has not changed. Mr. Emerick responded that the Township does not do follow up inspections. Mr. Jarman commented that the Department of Human Services does periodic inspections, not to confirm that the number of residents has not changed, but to confirm compliance regarding the care of the residents. However, he doubts that the Department of Human Services would allow more than 4 residents in the subject home based on the layout of the building.

**MOTION**

On a motion made by Member Santostefano, seconded by Secretary Tunnell, and a unanimous vote, the Planning Commission made a recommendation to the Board of Supervisors that Conditional Use Application No. 2016-02 be granted with the three conditions recommended by Mr. Emerick.

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**OTHER BUSINESS**

None.

**ADJOURNMENT**

On a motion made by Secretary Tunnell, seconded by Member Santostefano, and a unanimous vote, the meeting adjourned at 6:31 p.m.

Respectfully submitted,

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Matthew Tunnell  
Planning Commission Secretary

Submitted by:

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Jenelle Stumpf  
Community Development Secretary (*stenographer*)