

**TOWNSHIP OF DERRY
BOARD OF SUPERVISORS
PUBLIC HEARING MINUTES
MARCH 28, 2017 – 6:00 PM**

CALL TO ORDER

Chairman John W. Foley, Jr., called the March 28, 2017 Public Hearing of the Township of Derry Board of Supervisors to order at 6:00 pm in the meeting room of the Township of Derry Municipal Complex, 600 Clearwater Road, Hershey, PA. A roll call was performed.

IN ATTENDANCE:

SUPERVISORS

John W. Foley, Jr., Chairman
Susan B. Cort, Vice Chairwoman
Justin C. Engle, Secretary
Matthew A. Weir
Marc A. Moyer

ALSO PRESENT:

James N. Negley, Township Manager and Treasurer
Jill Henry, Assistant Township Manager
Jon A. Yost, Township Solicitor
Chuck Emerick, Director of Community Development
Brandon J. Williams, Asst. Director of Community Development
Lauren Zumbrun, Economic Development Manager
Julie Echterling, Recorder

Public in Attendance:

Charles Huth

INTRODUCTION:

Chairman Foley stated this is a public hearing regarding proposed Ordinance No. 686, which would amend the Code of the Township of Derry by adding Chapter 89, entitled "Downtown Core Design Standards".

Mr. Williams stated the Design Standards Ordinance is serving as a supplemental ordinance to the proposed zoning requirements that are on the agenda later tonight. The Zoning Ordinance establishes a Downtown Core Overlay Zoning District where setbacks, permitted uses and density of uses will be regulated. The Design Standards Ordinance will establish design criteria for those same properties.

When drafting the Design Standards, they began modifying each of the guidelines in the current zoning ordinance into more enforceable requirements. These guidelines will make it easier for the Design Board, landowners and developers to determine the path to compliance with the ordinance. The current guidelines were often too subjective and difficult to enforce uniformly amongst the applications reviewed each month. Thus, the process was unpredictable for many developers.

Along with the new standards, the Design Board will be restructured. A new Downtown Core Design Board would be created and would consist of two Supervisors who serve on the Downtown Hershey Association (DHA) Board of Directors. In addition, five additional members will be nominated by the DHA. This reconstruction will build off the on-going revitalization efforts of the DHA by enabling them to be more involved in the design review process and will consolidate design review into one group. The rest of the review process will be like the proceedings under the current requirements. The Board of Supervisors will maintain their role for approval of new construction and demolition projects within the District.

He showed the Board the boundaries on the map. Since the boundaries of the District have been expanded, the exemptions for one or two-family dwellings that have no frontage along Chocolate

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Avenue from having to comply with these separate standards have been included. These types of uses contain improvements that would only impact the private landowner, and these improvements would be regulated under the zoning ordinance. When the uses would change to a use of a higher impact including a mixed-use building, other commercial use or residential apartments containing more than two units, they would need to comply with these design standards. Infill development of nonresidential uses and more intense uses outside of the Chocolate Avenue Corridor, as might be the eventual case with the Car Barn and Lumber Yard tracts, would also still need to be compliant with the Design Standards.

He stated lastly, since the criteria will become requirements rather than guidelines, the ordinance proposes a modification process that will allow applicants to propose alternative design elements. The process will be like the waiver process under the Subdivision and Land Development Ordinance in that it would require no additional fees. The request would need to be in writing along with justification that the alternative designs would still achieve the purpose statements of the ordinance.

At the March 7, 2017 meeting of the Township Planning Commission, they recommended the Board approve this ordinance. The meeting notes were provided to the Board in the packet. The County Planning Commission has elected to not review this ordinance since it is a standalone ordinance from the Township's Zoning and Subdivision and Land Development Ordinance. He stated they made some very minor revisions, mostly text corrections in the ordinance, and one minor addition to the requirements for awnings, which excludes black and white in the permitted maximum number of colors. This will enable trim and accent colors without counting against the colors otherwise permitted on the awnings. They will continue to monitor for potential revisions in the near future.

Supervisor Weir asked about roofing standards. Mr. Williams spoke about the need for review with additions and modifications. He stated changing the requirement for roofing would be a change that would send the entire ordinance and process back through the process. Chairman Foley asked if alternative materials would be proposed if there would need to be a hearing. Mr. Williams stated the Board would review it with the submission and a hearing would not be necessary.

PUBLIC COMMENTS

There were no public comments offered.

ADJOURNMENT:

Chairman Foley adjourned the public hearing at 6:13 pm.

SUBMITTED BY:

Justin C. Engle
Township Secretary