

**TOWNSHIP OF DERRY  
BOARD OF SUPERVISORS  
PUBLIC HEARINGS (2 and 3 of 3)  
Thursday, November 9, 2017, 6:00 PM**

**CALL TO ORDER**

The second and third of the three Thursday, November 9, 2017 Derry Township Board of Supervisors public hearings was called to order at 7:47 p.m. by Chairman John W. Foley, Jr. in the meeting room of the Derry Township Municipal Complex, 600 Clearwater Road, Hershey, PA.

**ROLL CALL**

***Supervisors Present:***

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

***Supervisors Absent:***

None

***Also Present:***

Brandon Williams, Assistant Director of Community Development  
James N. Negley, Township Manager/Township Treasurer  
Jon A. Yost, Township Solicitor  
Chris Brown, Derck & Edson  
Matt Bonanno, HRG  
Eric Stump, HRG  
Jenelle Stumpf, Community Development Secretary (*stenographer*)

***Public Registering Attendance:*** Craig Smith, RGS Associates; Robert Weil, Agnes and George Frioti, Rob Muscalus, Bruce Karper, Kevin Kroutch, Reverend James E. Stough, Dustin and Leslie Peters, Marjorie Menear – Stone Creek; James H. Carter, Linda Crandall, Tracy Bemis – Southpoint; Cindy Wolfe, Bruce Wolbrette, Lisa Fedyk, Carter Wyckoff – Walton Spring Hills; Joyce P. St. John, Brookline Drive; Jen Hynes, Bridgett West, Cornelia Foster, Kathy Crandall, Rick Zmuda - Hershey; Charles Huth, *The Sun*; Denise Rex, citizen; Tom Wilson, Deer Run; Trish Foster, 2439 Raleigh Road; Steve Ramis; Todd Shaffer, 508 Sophia Circle; Tom Longenecker, 2073 Berkley Way; Lou Mione, Prometheus One, LLC; G. Garver, 930 Stoverdale Road

**NEW BUSINESS**

- A. Public hearing regarding Conditional Use Application No. 2017-03 (regarding a Master Plan), as filed by DSG Development Corporation for the development of an age-restricted active adult community**

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**B. Public hearing regarding Conditional Use Application No. 2017-02 (regarding dwelling units in the Planned Campus West zoning district), as filed by DSG Development Corporation for the development of an age-restricted active adult community**

Brandon Williams, Assistant Director of Community Development, stated that Application No. 2017-02 is the applicant's request for the permission of the proposed dwelling units on the property. The conditional use requirements in the Zoning Ordinance permit dwelling units when they are proposed as part of a Master Plan development, so Application No. 2017-03 addresses the Master Plan submittal requirements. In this case, since the dwelling units are proposed on a property that contains more than 25 acres and there will be more than 100 dwelling units, the conditional use requirements indicate that the applicant must provide for at least 3 dwelling unit types and that a minimum of each of the dwelling types that are provided must make up 10% of the composition of the total dwelling units. The applicant is proposing 3 types of dwellings; however, only 2.9% of the development will consist of duplex dwellings. Therefore, the applicant does not meet the composition requirement of the dwellings. There is a pending Township-initiated Zoning Ordinance amendment that would change the text of the conditional use section of the Ordinance, and under that amendment active-adult communities would only be required to contain two dwelling types, meaning this development would comply with the proposed amendment. Application No. 2017-03 addresses the Master Plan process which is required with this development to enable the residential element to be constructed. Mr. Williams commented that many of the same reports and plans that were submitted with the rezoning petition were also required for the Master Plan submittal, and most of those reports and plans were already discussed at length during the preceding hearing.

Mr. Williams explained that this development will be constructed as a Planned Unit form of development with homeowner requirements being addressed in the Homeowners Association documents. The Master Plan development requires the submittal of an architectural pattern book, which has been provided. The applicant was also required to submit a preliminary set of waiver requests anticipated during the land development plan process. Three waivers were identified, including the requirements to provide cartway widening of the existing roadways adjoining the development, as well as providing curbing and sidewalk along the existing street frontages.

The Department of Community Development staff recommends that Conditional Use Applications No. 2017-02 and 2017-03 be denied based on their recommendation that Zoning Amendment Petition No. 2017-01 be denied. As companion applications, Conditional Use Applications 2017-02 and 2017-03 cannot ultimately be approved without a condition of the applicant also receiving approval for the zoning change necessary to implement this proposal. Staff's recommendation is also based on the outstanding items to be addressed on the plan and the unmitigated concerns with the traffic issues.

**BOARD OF SUPERVISORS COMMENTS**

None.

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**PUBLIC COMMENTS**

**Dave Weaver, 1163 Galway Court**, noted that the Township adopted a Comprehensive Plan after several years of vigorous debate. It seems like a no-brainer as to what the Board of Supervisors' decision should be since the Dauphin County Planning Commission and Township staff are not recommending approval of the proposal as presented. Residents do not want more development and signals on Middletown Road, they want less. The residents along Middletown Road are not seeing the benefits of modern stormwater management – there is flooding all the time in this area. Mr. Weaver suggested that the Board slow down and think hard about this before a decision is made.

**Sharon Cin, 94 JMR Circle**, stated that the development needs to have sidewalks. Mr. Williams explained that in lieu of sidewalks, the applicant is proposing a recreational path along the Middletown Road frontage. The private streets within the development will have sidewalks on one side of the street.

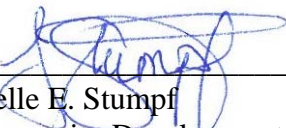
**ADJOURNMENT**

On a motion by Secretary Engle, seconded by Vice Chairwoman Cort, and a unanimous vote, the hearings adjourned at 7:59 p.m.

SUBMITTED BY:

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Justin C. Engle  
Township Secretary



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Jenelle E. Stumpf  
Community Development Secretary  
(*stenographer*)