

**DERRY TOWNSHIP PLANNING COMMISSION
MEETING MINUTES
February 6, 2018**

CALL TO ORDER

The Tuesday, February 6, 2018 Derry Township Planning Commission meeting was called to order at 6:00 p.m. in the meeting room of the Derry Township Municipal Complex, Administration Building, 600 Clearwater Road, Hershey, PA, by Member Glenn Rowe.

ROLL CALL

Commission Members Present: Glenn Rowe; Don Santostefano; Joyce St. John; Matt Tunnell; Thomas Wilson

Commission Members Absent: None

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: Rick Russell, Jeff Sheip – Loto Station, LLC; Ray Fertig, Fertig Builders; Ken Gall, Hershey Trust Company; Tim Diehl, Dawood Engineering; Bill Fredericks, Alex Piehl, Mark Hackenburg – RGS Associates; Sean Flanagan, Matt Luttrell – Thynk Design, LLC; Greg Koussis, Capital Construction Management; Lee Engel, Steve Yingst – Yingst Engineers

APPROVAL OF MINUTES

On a motion made by Member St. John and seconded by Member Tunnell, the Planning Commission unanimously approved the minutes from the December 12, 2017 meeting, as written.

REORGANIZATION

Member Tunnell made a motion that the offices of Chairman, Vice Chairman, and Secretary be filled for 2018 as follows:

Chairman – Glenn Rowe
Vice Chairman – Don Santostefano
Secretary – Joyce St. John

The motion was seconded by Member Wilson and passed unanimously.

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OLD BUSINESS

- A. Report of the Board of Supervisors' action regarding the Preliminary/Final Land Development Plan for the Pennsylvania State University Milton S. Hershey Medical Center Children's Hospital Expansion, Plat #1285**

Chuck Emerick stated that the Board approved the plan, with conditions.

- B. Report of the Board of Supervisors' action regarding the Preliminary/Final Land Development Plan for 102 Reese Avenue, Plat #1278**

Mr. Emerick stated that the Board approved the plan, with conditions.

- C. Report of the Board of Supervisors' action regarding Conditional Use Application No. 2017-04 as filed by C&S Kray Real Estate, LLC and Sheetz, Inc.**

Mr. Emerick stated that the Board adopted a Decision granting the Conditional Uses, with conditions.

- D. Report of the Board of Supervisors' action regarding the Preliminary/Final Land Development Plan for Tanger Outlets, Plat #1280**

Mr. Emerick stated that the Board approved the plan, with conditions.

- E. Report of the Board of Supervisors' action regarding the Preliminary/Final Subdivision Plan for Carol S. Meily, 1635 and 1645 Church Road, Plat #1287**

Mr. Emerick stated that the Board approved the plan, with conditions.

- F. Report of the Board of Supervisors' action regarding the Preliminary/Final Subdivision Plan for Lane Schiavoni Partnership, Plat #1289**

Mr. Emerick stated that the Board approved the plan, with conditions.

- G. Report of the Board of Supervisors' action regarding the Preliminary/Final Subdivision Plan for Hershey Developers, LLC, Plat #1290**

Mr. Emerick stated that the Board approved the plan, with conditions.

NEW BUSINESS

- A. Review and recommendation of Conditional Use Application No. 2017-05, as filed by David A. Romanoski regarding 364 Mill Street, Hershey**

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Mr. Emerick reported that this application requests a Conditional Use authorization be granted under the provisions of Chapter 225 (Zoning), Section 225-501.1 of the Derry Township Code of Ordinances regarding the conversion of a single-family home with an accessory commercial use to a two-family home. The subject home is located at 364 Mill Street in the village of Hershey. It is situated on a 0.4-acre parcel of land located northwest of the Mill Street Carwash, which parcel also contains a single-family dwelling and a 2-unit apartment. The property is in the Hershey Mixed Use (HMU) zoning district. Mr. Emerick explained the Zoning Ordinance's performance standards for the Conditional Use and his assessment as to whether the applicant has met the standards.

Regarding the Zoning Ordinance requirement that "*Individual service lines and meters shall be provided for each dwelling unit where required by the standards, rules and regulations of the service provider*", Dave Romanoski stated that water for all the buildings on the property is handled by one 4-inch service lateral, which will not be overburdened by the proposed conversion. Each building is serviced by one water meter. The property is also served by a 4-inch sewer lateral.

Vice Chairman Santostefano asked if tenants are permitted to park in the Township alley to the west of the property. Mr. Romanoski answered no. Vice Chairman Santostefano asked if there is any concern for safety with even more vehicles backing out of the driveway and into the curve on Mill Street. Mr. Emerick stated that considers the parking situation to be an existing condition.

MOTION

On a motion made by Member Tunnell, seconded by Vice Chairman Santostefano, and a unanimous vote, the Planning Commission made a recommendation to the Board of Supervisors that the Conditional Use represented by Application No. 2017-05 be approved, subject to the following:

- a. Evidence shall be provided at the time of building permit application that the applicant is in compliance with the rules and regulations of the utility service providers.
- b. The development shall be in substantial compliance with the plans presented with the Conditional Use Application.
- c. A minimum of 9 off-street parking spaces shall be provided.
- d. The grant of approval of the Conditional Use request shall not relieve the applicant from filing and having the Township approve any permit, land development, subdivision, or site plan which may be required by other Township regulations or from otherwise complying with all applicable Township regulations.

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- e. The grant of this Conditional Use shall expire if a zoning permit, building permit, or certificate of use and occupancy is not obtained within 12 months from the date of the grant of the Conditional Use.
- f. The use shall meet all other requirements of the Township that may apply.

B. Review and recommendation of the Preliminary/Final Subdivision/Land Development Plan for 1806 East Chocolate Avenue – Red Roof Inn Site, Plat #1292

Brandon Williams explained that this plan represents the subdivision (lot add-on) and land development of 1806 East Chocolate Avenue in the Palmdale Mixed Use and East Chocolate Avenue Overlay zoning districts. The applicant proposes to combine a total of 3 lots. The first lot is identified as 1750 East Chocolate Avenue and is currently improved with a single-family detached dwelling; the second lot is identified as 1806 East Chocolate Avenue and is improved with the existing Red Roof Inn motel, a separate motel office building, and associated parking facilities; and the third lot is identified as 1806 Rear East Chocolate Avenue and is improved with a self-storage facility. The properties, once combined, will contain 2.01 acres of lot area. The land development of the property will result in the dwelling at 1750 East Chocolate Avenue being demolished. The existing Red Roof Inn office building will also be demolished to make way for construction of a new three-story, 60-room hotel building. The existing two-story, 24-room motel building will be retained and expanded to include a two-story, 325-square-foot addition to serve as office space for the existing Red Roof Inn motel.

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

Tim Diehl, Dawood Engineering, represented the applicant and stated that they are now proposing a four-story building. The building footprint and number of rooms will remain the same.

Chairman Rowe noted that the driveway design is fairly unconventional and asked why the applicant is proposing to do two one-way pairs instead of a conventional two-way driveway. Chairman Rowe believes this type of driveway requires extra signing and can create confusion for motorists as far as which driveway to use. Mr. Diehl stated that the reason for the proposed driveway design was to be able to accomplish the desired building footprint, given the property's width constraints. In response to a question from Chairman Rowe, Mr. Diehl commented that they tried to use a two-way driveway but it was too wide. Chairman Rowe inquired if the plan has been submitted to PennDOT. Mr. Diehl responded that it has been submitted and is currently under review. Chairman Rowe thinks a two-way driveway would work better from a public access standpoint. Chuck Emerick commented that the Township cannot mandate a certain kind of driveway design.

Vice Chairman Santostefano asked for confirmation that additional parking is not required because the applicant is not proposing more rooms on the fourth floor. Mr. Diehl responded that

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this will be a Best Western Plus hotel, which requires a four-story building even though there will not be additional rooms on the fourth floor. In response to a question from Secretary St. John, Mr. Diehl stated that the height of the building will conform with zoning regulations.

Member Wilson inquired if the location of the single handicapped-accessible parking space located on eastern side is acceptable, given that the user will have to cross traffic. Mr. Diehl responded that the space serves the existing motel building. Mr. Williams stated that the location is acceptable per Township regulations, as long as it is on an accessible route and nearest to the entrance to the use being served.

MOTION ON WAIVERS

On a motion made by Vice Chairman Santostefano, seconded by Member Wilson, and a majority vote (*Chairman Rowe voted in opposition*), the Planning Commission made a recommendation to the Board of Supervisors that the following waivers and deferment be granted from the Subdivision and Land Development Ordinance:

- a. From Sections 185-12.D.(3).(a).[21], [22], [23] and 185-13.E.(4).(a).[19], [20], [21] regarding profiles of existing storm, sanitary, gas, and waterlines, contingent upon the applicant profiling proposed and affected laterals.
- b. As a deferment from Section 185-22.D.(2) regarding the widening of the existing alley to the south and east of the property, with the stipulation that the owner enters into an agreement with the Township that would allow the Township to require the additional cartway in the future if deemed necessary.

MOTION ON PLAT #1292

On a motion made by Secretary St. John, seconded by Member Tunnell, and a majority vote (*Chairman Rowe voted in opposition*), the Planning Commission made a recommendation to the Board of Supervisors that Plat #1292 be approved, subject to the following being satisfactorily addressed:

- a. The comments in Items 2 and 3 of the Township staff report.
- b. The comments in the February 1, 2018 HRG letter.
- c. The comments in the January 31, 2018 DTMA letter.
- d. Comment 2 in the January 31, 2018 Dauphin County Planning Commission review report.

C. Review and comment on the Sketch Plan for Englewood Barn, Plat #1293

Chuck Emerick stated that the property proposed for development is located west of Bullfrog Valley Road and south of PA Route 322. It is a portion of a lot that contains 99.267 acres and is

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currently improved with a large medical research facility (Hershey Center for Applied Research), the Cocoa Beanery, the U-GRO facility, and a barn that originally supported agricultural activities on the property. The site is presently accessed from Research Boulevard, a private street, connecting to Bullfrog Valley Road by a driveway through the Cocoa Beanery site. This sketch plan proposes the retention, improvement, and expansion of the barn to create a restaurant with 160 indoor seats and 226 outdoor seats. The restaurant facility includes venue space which can accommodate up to another 240 seats, and although the venue space will remain flexible to serve primarily as a live entertainment space expected to be programmed 6-8 times a month, it will also be available as overflow space for restaurant seating and to provide space for weddings, corporate meetings, and other events. There is also a future expansion area that is planned as a brewery. The property being developed as shown on the sketch plan is included in the lands slated for the Hershey West End project. It is likely that these improvements will be incorporated into that Master Plan proposal.

Mr. Emerick and Matt Bonanno, HRG, went over their plan review comments.

Secretary St. John asked if the outdoor seating will face away from the parking lot. Bill Fredericks, RGS Associates, answered yes, it will overlook the field. Secretary St. John likes that the parking lot will not be visible as one approaches the site, and that there will be shared parking with other uses.

Vice Chairman Santostefano asked if there will be a pedestrian walkway to the overflow parking lot. Mr. Fredericks answered yes. Vice Chairman Santostefano asked how this project relates to the Master Plan process for Hershey West End. Mr. Emerick stated that the proposed use is not one of the uses that is only permitted in a Master Planned development. It is likely that the applicant does not want to wait for the Master Plan process. Ken Gall, Hershey Trust Company, added that this project will be integrated into the Hershey West End project; however, from a timing standpoint, he anticipates the Master Plan process will not begin until later in the year and believes that the sketch plan's applicant would like to have their venue approved and open for business by July 2018.

Member Wilson inquired if there is an opportunity to install a speed table or raised crosswalk on Research Boulevard where it will intersect with the pedestrian walkway. Mr. Fredericks responded that given the future integration of this project with the Master Plan process, he is not sure if the developers want to propose that quite yet. For the time being there will be signage and a painted crosswalk, but he does not want to introduce a speed table and potentially have to remove it later. Mr. Emerick commented that Research Boulevard is a private road, so the Township would not be able to require the raised crosswalk.

Chairman Rowe noted that it is getting to the point where the existing perpendicular parking spaces on Research Boulevard could create a sight distance problem when vehicles are backing out of the spaces. Mr. Gall stated that the perpendicular spaces will be removed with the Master Plan or possibly with the land development plan for the proposed project.

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D. Review and recommendation of the Preliminary/Final Subdivision/Land Development Plan for Miller Oral Surgery, Plat #1294

Brandon Williams reported that Plat #1294 represents the subdivision (lot add-on) and land development of 1220 East Chocolate Avenue, in the Palmdale Mixed Use and East Chocolate Avenue Overlay zoning districts. The applicant proposes to combine the properties at 1220 East Chocolate Avenue and 1226 East Chocolate Avenue. 1220 East Chocolate Avenue currently contains a dwelling unit that is proposed to be demolished, and 1226 East Chocolate Avenue is currently a vacant lot. The combined property will contain a 3,281-square-foot healthcare practitioners' office housing the Miller Oral Surgery offices. The access drive will be an entrance only, which Township staff notes is a favorable design that will result in no additional egress points onto East Chocolate Avenue beyond existing conditions. Egress from the site will occur via South First Street, a rear alley to the south of the property.

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

Member Tunnell referenced one of HRG's stormwater management review comments and asked what kind of corrective action can be taken if the ponds do not de-water in the designed timeframe. Mr. Bonanno stated that many times these ponds do not work as intended because they are compacted during construction or silt is not properly cleaned out. He prefers underdrains so there is an opportunity for water to get out. He is requesting that a corrective action plan is documented so that if the ponds do not de-water, the owner is not surprised by what needs to be done to correct the problem.

In response to an inquiry from Vice Chairman Santostefano, Mr. Williams stated that the Township's bike path currently follows South First Street (the alley behind the property), but per the Official Map the long-term plan is to transfer the location of the bike path to the Caracas Avenue corridor. Vice Chairman Santostefano asked if Township staff is comfortable with this plan's proposal for vehicles to exit the property onto the alley. Mr. Williams answered yes, and that it is fairly common for the redeveloped properties on Chocolate Avenue to exit onto the alley. Vice Chairman Santostefano thinks it is beneficial that vehicles will not be exiting onto Chocolate Avenue.

Matt Luttrell of Thynk Design, LLC, and Steve Yingst and Lee Engel of Yingst Engineers represented the plan. Mr. Luttrell noted that the outstanding items will be addressed.

Member Wilson asked if the sidewalk will be replaced. Mr. Luttrell answered yes.

Member Tunnell asked if there is a Township streetscape plan for this portion of Chocolate Avenue and if the improvements associated with this project can be matched with future development. Chuck Emerick responded that it will be difficult to overcome existing conditions

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(i.e., driveways, sidewalk location, curbing). He thinks that if there would be a major street project in the area, the streetscape improvements would be coordinated.

Mr. Yingst commented that one of the properties currently contains a blighted home that should be demolished, and that is what the applicant is trying to do to help this area grow. He thinks there are some misconceptions on the stormwater issue.

Secretary St. John inquired about the likelihood that the sidewalk will have to be relocated in the future. Mr. Emerick responded that he does not think the sidewalk will have to be relocated.

MOTION ON WAIVERS

On a motion made by Vice Chairman Santostefano, seconded by Secretary St. John, and a unanimous vote, the Planning Commission made a recommendation to the Board of Supervisors that the following waivers and deferments be granted from the Subdivision and Land Development Ordinance:

- a. From Sections 185-12.D.(3).(a).[22] and 185-13.E.(4).(a).[20] regarding profiles for existing sanitary sewer systems, contingent upon the applicant revising the waiver request to include the appropriate sections, and contingent upon the lateral connection to the building complying with all requirements of DTMA.
- b. As deferments from Sections 185-22.E.(1) and 185-22.E.(5) regarding curbing along East Chocolate Avenue and South First Street, with the stipulation that the owner enters into an agreement with the Township that would allow the Township to require the installation of curbing in the future if deemed necessary.
- c. From Section 185-34.A.(1) regarding the public sidewalk location relative to the right-of-way along East Chocolate Avenue.
- d. From Sections 185-12.D.(3).(a).[21] and [23] and Sections 185-13.E.(4).(a).[19] and [21] regarding profiles of existing stormwater, gas, and waterline systems, contingent upon the applicant providing all profiles for proposed or affected stormwater or utility lines as required.
- e. From Section 185-22.D.3 regarding the requirements to widen South First Street, contingent upon the owner entering into an agreement with the Township that would allow the Township to require the cartway widening in the future if deemed necessary.

The request for a waiver from Section 185-12 regarding preliminary plan procedures and specifications was formally withdrawn by Mr. Engel.

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MOTION ON PLAT #1294

On a motion made by Secretary St. John, seconded by Vice Chairman Santostefano, and a unanimous vote, the Planning Commission made a recommendation to the Board of Supervisors that Plat #1294 be approved, subject to the following being satisfactorily addressed:

- a. The comments in Items 2 and 3 of the Township staff report.
- b. The comments in the January 16, 2018 HRG letter.
- c. The comments in the February 1, 2018 DTMA letter.

OTHER BUSINESS

None.

ADJOURNMENT

The meeting adjourned at 7:38 p.m.

Respectfully submitted,

Joyce St. John
Planning Commission Secretary

Submitted by:

Jenelle Stumpf
Community Development Secretary (*stenographer*)