

**DERRY TOWNSHIP PLANNING COMMISSION
MEETING MINUTES
July 2, 2018**

CALL TO ORDER

The Monday, July 2, 2018 Derry Township Planning Commission meeting was called to order at 6:02 p.m. in the meeting room of the Derry Township Municipal Complex, Administration Building, 600 Clearwater Road, Hershey, PA, by Chairman Glenn Rowe.

ROLL CALL

Commission Members Present: Glenn Rowe, Chairman; Don Santostefano, Vice Chairman; Thomas Wilson

Commission Members Absent: Joyce St. John, Secretary; Matt Tunnell

Also Present: 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 Zmuda, Derry Township Board of Supervisors

APPROVAL OF MINUTES

On a motion made by Member Wilson and seconded by Vice Chairman Santostefano, the Planning Commission unanimously approved the minutes from the June 5, 2018 meeting, as written.

OLD BUSINESS

A. Report of the Board of Supervisors' action regarding the Preliminary/Final Subdivision/Land Development Plan for Tru Hotel, Plat #1295

Brandon Williams stated that the Board approved the plan, with conditions.

NEW BUSINESS

A. Review and recommendation of Ordinance No. 705, amending Chapter 225 (Zoning) of the Code of the Township of Derry to make general revisions, corrections, and clarifications

Brandon Williams stated that the original 2017 Zoning Ordinance was adopted by the Board of Supervisors on March 28, 2017. A text amendment was adopted under Ordinance No. 692 in November of 2017 that provided corrections and clarifications to specific standards. Township staff has identified a list of additional corrections and clarifications that are needed. As a result, staff is proposing text amendments under Ordinance No. 705. These amendments are strictly to the text of the Ordinance and will not result in any changes to how properties are zoned.

Mr. Williams summarized the proposed changes as follows:

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1. The Hershey Mixed Use zoning district currently allows a maximum height of 35 feet, a maximum impervious coverage of 40%, and a minimum vegetative coverage of 60% for all uses permitted in the district. These requirements caused many of the existing nonresidential uses to be nonconforming to current standards. The text amendment proposes a maximum 50-foot height, 60% impervious coverage, and 30% vegetative coverage in the district for permitted nonresidential uses.
2. Since the above text amendment would raise the maximum height requirements to 50 feet in the base Hershey Mixed Use zoning district, maximum height requirements are also proposed to be changed from 45 feet to 50 feet in the Compact Development Overlay and East Chocolate Avenue Overlay zoning districts. The height requirements in the Southern Core Overlay zoning district would also change from 40 feet to 50 feet. These changes are strictly for consistency with the changes proposed to the base zoning district.
3. Changes to height requirements are also proposed for the Planned Campus West district. Currently all uses in the district are permitted a height of 60 feet. The change would require single-family and two-family dwellings contain a maximum height of 40 feet, which is consistent with residential requirements for many of the other zoning districts in the Township.
4. Numerous changes and corrections are proposed to the sign regulations as follows:
 - a. Wall sign regulations were updated to permit additional design options for business owners. Current regulations limit sign height or width to 3 feet. The proposed text amendments would allow taller signs if the sign is being limited to a maximum sign area.
 - b. Since the 2017 Ordinance was adopted, there have been concerns raised regarding the intensity of the illumination of signs that is permitted by the Ordinance. Our Ordinance requires signs to be lit to a reasonable intensity but provides no definition of what “reasonable intensity” is. The text amendment proposes to add lighting intensity standards that are consistent with industry-wide accepted lighting levels. This text addition creates a more enforceable regulation so that signs can be inspected, and compliance determined in the event concerns are raised over glare.
 - c. The regulations for electronic message boards are proposed to be updated, specifically relating to illumination requirements and the number of changing messages that are permitted to be displayed on the sign within a certain time interval.
 - d. Regulations are proposed to be added for wayfinding signs. Current regulations define what a wayfinding sign is but provide no regulations regarding maximum sign height or area.
 - e. Updates are proposed for the Mural and Street Art review process. Under current regulations, the Mural and Street Art approval was in the conditional use section, but a conditional use hearing was not required for approval of a Mural or Street Art proposal.

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To avoid confusion, the requirements are proposed to be relocated to the General Regulations article of the Zoning Ordinance. Regulations have also been updated to better define the process for anyone proposing a Mural or Street Art element in the Township.

Mr. Williams noted that Dauphin County Planning Commission staff has reviewed Ordinance No. 705 and recommends adoption as written; however, an official recommendation will not be available until the County's meeting on July 9, 2018.

In response to an inquiry from Chairman Rowe, Mr. Williams confirmed that the proposed regulations regarding wayfinding signs relate to on-premise wayfinding signs and not the Township's wayfinding signage plan.

MOTION

On a motion made by Vice Chairman Santostefano, seconded by Member Wilson, and a unanimous vote, the Planning Commission made a recommendation to the Board of Supervisors that Ordinance No. 705 be adopted as written, with the inclusion of comments (if any) from the Dauphin County Planning Commission.

B. Review and recommendation of Ordinance No. 706, amending Chapter 225 (Zoning) of the Code of the Township of Derry regarding the use of properties as a vacation home, bed and breakfast home, or boarding home

Brandon Williams explained that bed and breakfast homes (owner-occupied dwellings) and vacation homes (non-owner-occupied dwellings) continue to be an attractive venture in Hershey due to the presence of the strong tourism industry in the Township. These uses are typically operated out of an existing dwelling and as a result, the Township receives several complaints from neighbors each year, mostly relating to parking, noise, and the number of people residing in a rental home at one time. Some of the Township's current regulations are too strict, making it difficult for property owners to propose these types of uses legally, particularly the non-owner-occupied rentals. As a result, this amendment proposes to make several changes for where and how non-owner-occupied vacation homes are permitted in the Township. Additionally, boarding homes will have performance standards so that they are regulated on the same level as all other transient occupancies in the Ordinance. This is the least likely of the transient occupancies to be proposed within the Township based on current trends. Boarding homes are non-owner-occupied uses that have a common cooking area for all boarders. Unlike vacation homes, they tend to have a separate contract for each boarder, while vacation homes are catered to immediate or extended families under a single contract.

Mr. Williams stated that Dauphin County Planning Commission staff has reviewed Ordinance No. 706 and recommends adoption as written; however, an official recommendation will not be available until the County's meeting on July 9, 2018.

Chairman Rowe inquired about the complaints the Township receives regarding bed and breakfast homes and vacation homes. Mr. Williams responded that there are two active complaints, but Township staff is currently working with both owners to create conforming situations. He estimated that the Township

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receives one to two complaints per year; however, staff receives phone calls every week about permitting the uses.

In response to an inquiry from Vice Chairman Santostefano, Mr. Williams explained where short-term rental units would be permitted in the Township by-right or by special exception.

MOTION

On a motion made by Member Wilson, seconded by Vice Chairman Santostefano, and a unanimous vote, the Planning Commission made a recommendation to the Board of Supervisors that Ordinance No. 706 be adopted as written, with the inclusion of comments (if any) from the Dauphin County Planning Commission.

C. Review of the Sketch Plan for Derry Township Community Center, Plat #1302

Brandon Williams explained that the subject site on Cocoa Avenue currently contains three separate tracts of land containing a total of 17.8 acres of gross lot area, with a net developable area of 13.5 acres after floodplains, steep slopes, and areas of right-of-way are deducted. This plan proposes to combine the three existing tracts into one. The development property currently contains the Township's recreation center, outdoor swimming pool, Cocoa Castle playground, tennis courts, and associated parking. In addition to combining the three tracts of land, this plan also proposes demolition of the building and outdoor pool, and construction of a new community center building, including an indoor competition pool, leisure pool, gymnasium, exercise/fitness areas, locker rooms, senior center, and office space. A new outdoor swimming pool is also proposed to replace the existing outdoor pool facility. Cocoa Castle playground will be retained for use with the new center.

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

Aaron Bricker of RGS Associates represented the applicant. He stated that regarding parking, there is a Memorandum of Understanding (MOU) between the Township and Derry Township School District that is in process, and the applicant would like to follow up with Township staff regarding how the parking calculations are being determined for this use. As a point of clarification, the required parking is being provided on the property for day-to-day operations at the Community Center. The purpose of the MOU is to address the unique, larger swimming events when the School District property would need to be accessed for additional parking.

Chairman Rowe commented that he is glad to hear there will be shared parking between the Township and School District properties.

Vice Chairman Santostefano inquired if the construction of the project will be phased. Greg Koussis of Capital Construction Management responded that there are no plans to phase the project. The intention is to start construction in March 2019 and finish by May 2020.

Member Wilson asked if geotechnical testing has been completed. Mr. Bricker stated that some of the testing has already been completed from a structural standpoint, and the rest will be completed in the near future. Member Wilson asked what type of stormwater management facilities will be used. Mr.

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Bricker responded that the applicant is considering using three bioretention facilities. Those details will be finalized with the formal land development plan submission.

Chairman Rowe noted that the basketball courts that are proposed to be removed are heavily used currently. He recommended that the applicant consider replacing them. Matt Mandia, Director of Parks and Recreation for Derry Township, responded that they are in agreement and have already started internal discussions about the replacement of the two basketball courts.

OTHER BUSINESS

None.

ADJOURNMENT

The meeting adjourned at 6:48 p.m.

Respectfully submitted,

Joyce St. John
Planning Commission Secretary

Submitted by:

Jenelle Stumpf
Community Development Secretary (*stenographer*)