

**TOWNSHIP OF DERRY
BOARD OF SUPERVISORS
PUBLIC HEARING (PART 1 OF 2)
Tuesday, November 27, 2018, 5:30 PM**

CALL TO ORDER

The Tuesday, November 27, 2018 Derry Township Board of Supervisors public hearing was called to order at 5:34 p.m. by Chairman Marc Moyer in the meeting room of the Administration Building in the Derry Township Municipal Complex, 600 Clearwater Road, Hershey, PA.

ROLL CALL

Supervisors Present:

Marc A. Moyer, Chairman
Matthew A. Weir, Vice Chairman
Justin C. Engle, Secretary
Susan M. Cort
Richard D. Zmuda

Supervisors Absent:

None

Also Present:

Chuck Emerick, Director of Community Development
Christopher Christman, Township Manager
Jon A. Yost, Township Solicitor
Jill Henry, Assistant Township Manager
Lauren Zumbrun, Economic Development Manager
Eric Stump, HRG
Jenelle Stumpf, Community Development Secretary (*stenographer*)

Public Registering Attendance: A. C. Tahir, 240 Beech Ave., Hershey; Roy Michaelson, 1169 Wicklow Ct., Hummelstown; Greg Koussis, Capital Construction Management; Ken Gall, Todd Pagliarulo ó Hershey Trust Company; Bill Fredericks, Mark Hackenburg ó RGS Associates; Susan Longnaker, Oakmont; Elma Longnaker, Areba Ave.; J. Ziegler, Bullfrog Valley Rd.; J. J. and April Seasoce, Spring Hill Dr., Hummelstown; Ken Bradley, Cambridge Commons; Penny Dougherty, 1632 Sand Hill Rd.; David and Judy Horst, Maple St., Palmyra; Robert Naeye, *The Sun*

NEW BUSINESS

A. Public hearing regarding Conditional Use Application No. 2018-01 as filed by Hershey Trust Company, Trustee for Milton Hershey School, for Hershey West End

Chuck Emerick, Director of Community Development, explained that Hershey Trust Company is proposing the development of a new mixed-use community on approximately 245.79 acres located within the Township's Planned Campus West zoning district. The land is also subject to the overlay requirements of the Community Heritage Buffer (Overlay 1) along U.S. Route 322

**TOWNSHIP OF DERRY
BOARD OF SUPERVISORS
PUBLIC HEARING (PART 1 OF 2)
Tuesday, November 27, 2018, 5:30 PM**

and the Planned Campus West Future Development Area (Overlay 7). The parcel west of Waltonville Road lies within the Conservation zoning district, as does a portion of the property on the east side of Bullfrog Valley Road. The properties proposed for development currently consist of five separate parcels to be consolidated into one tract of land. The majority of the project area falls within the West Master Plan Approval Area which allows for the consideration and approval of an optional Master Plan through the Conditional Use process. Existing development on the east end of the site consists of the Cocoa Beanery Restaurant and Café, Hershey Center for Applied Research, and the recently expanded U-Gro Early Childhood Learning Center. There is also an existing barn situated in the northeastern portion of the site, which is the subject of a recent land development plan approval for adaptive reuse and expansion to accommodate a 292-seat restaurant/brewery with an accessory 240-seat live entertainment venue. The southwestern corner of the site also contains another barn and rental homestead, which will remain as is. The development proposes a mix of commercial and residential uses, including retail; a grocer; restaurants; a hotel/conference center; office buildings; community buildings; single-family homes; apartments; townhouses; age-restricted apartments; and assisted living facilities.

The property will be served by public water and sewer facilities. At some point during the buildout of the project, a 12-inch water main will need to be extended through the property, and it is likely that there will be a sewer pump station to service a portion of the property.

The development is comprised of approximately 590,000 square feet of commercial space and 919 new dwelling units. Some of those uses are subject to Conditional Uses under the Master Plan approval. They are as follows: The proposed single-family detached dwellings, the single-family attached dwellings, the multi-family apartments, the life care and skilled nursing home, the research and technology business incubator, the shared parking throughout the property, the mixed-use buildings, and the hotel. The applicant has provided information supporting the Conditional Uses, and Community Development staff finds it acceptable to grant the Conditional Uses.

The project is anticipated to be developed over a 12-year timeframe and 5 phases. The Zoning Ordinance allows a Master Plan to span 7 years, with an optional 5-year term. The applicant has requested the optional 5-year term in order to complete their anticipated buildout.

The properties are currently subject to a Declaration of Condominium based on prior developments. The open spaces proposed as part of the Hershey West End project will be maintained by the condominium association. The streets will be dedicated to the Township for public use.

The applicant provided a preliminary pattern book for architectural standards, a portion of which will be used as the regulatory book for the development in terms of zoning setback lines. Within a Master Plan approval, a developer is permitted to alter some of the setbacks of the base zoning

**TOWNSHIP OF DERRY
BOARD OF SUPERVISORS
PUBLIC HEARING (PART 1 OF 2)
Tuesday, November 27, 2018, 5:30 PM**

district. The Zoning Ordinance requires a 25-foot front setback in this zoning district and the applicant is proposing a 5-foot to 15-foot front setback for the residential uses and a 0-foot front setback for commercial uses to bring those buildings closer to the street, as one would normally see in a village atmosphere. The Zoning Ordinance requires a 10-foot rear setback and the applicant is proposing 0-foot to 5-foot setbacks, again to accommodate a village atmosphere. The required maximum building height of the base zoning district is 60 feet; however, within a Master Plan approval, the regulations allow a maximum building height of 65 feet. The applicant is proposing a hotel and convention center that they believe will exceed the maximum height of 65 feet. This will require relief from the Zoning Hearing Board.

Mr. Emerick reviewed the applicant's list of anticipated modifications under the Subdivision and Land Development Ordinance.

Mr. Emerick explained that the pattern book will be used by the Township to enforce setbacks and other dimensional requirements in the development, which is allowable under a Master Plan approval. To avoid future conflict, Mr. Emerick is suggesting that the developer allow the "Walk-up apartments" to reach a maximum height of 40 feet and the "Corridor Apartments" to reach a maximum height of 50 feet for ease in permitting. Additionally, great care shall be taken so that the general signage provisions of the pattern book are not in conflict with the Township Zoning Ordinance, and Mr. Emerick recommended that a prominent note be placed in the pattern book to read as follows: *"The signage section of this Pattern Book is meant as a guide and supplement to the signage requirements of the Township Zoning Ordinance. Where the Township's Zoning Ordinance is more restrictive than these guidelines, its regulations shall prevail."*

The applicant has provided an Economic Impact Report that indicates the development will have a positive financial impact on the Township and other taxing authorities. The report considers the impacts at the completion of each phase and at the completion of the development.

At full buildout the project will include 5.372 miles of new alleys and streets. The traffic study narrative notes that two traffic studies are proposed for this development. The Phase 1 traffic study focuses on the impacts of Traffic Phase 1, but also includes an analysis of the full buildout condition with Traffic Phase 2. It is desired that West End Avenue be constructed during one of the early stages of the project (like Development Phase 2 as currently proposed) to provide a second point of site access. The Phase 2 traffic study will consider the operation of the traffic improvements installed as recommended by the Phase 1 study, consider actual traffic generated by Building Phases 1 and 2 and also includes that which is proposed in Phases 3 through 5. PennDOT, HRG, and Township staff have agreed to this approach.

The applicant's traffic engineer, Traffic Planning & Design (TPD) recommends construction of the following roadway improvements as outlined at the study area intersections in conjunction with Traffic Phase 1 of Hershey West End:

**TOWNSHIP OF DERRY
BOARD OF SUPERVISORS
PUBLIC HEARING (PART 1 OF 2)
Tuesday, November 27, 2018, 5:30 PM**

- Install a roundabout at the intersection of the Waltonville Road and the relocated Route 322 ramp connector at the proposed West End Avenue. This roundabout will be designed for future expansion to allow for a dual lane, northbound roadway.
- Install a fully-actuated, two-phase traffic signal in the opening year at the Waltonville Road/Quarry Road/Route 322 West off-ramp.
- Optimize traffic signal function at the Middletown Road and Route 322 East off-ramp/frontage road intersection, at the Bullfrog Valley Road and Route 322 intersection, and at the Bullfrog Valley Road and proposed West End Avenue/Life Lion Drive intersection.

At full buildout, the proposed Hershey West End development is anticipated to result in 811 new trips during the weekday AM peak hour, 955 new trips during the weekday PM peak hour, and 1,105 new trips during the Saturday mid-day peak hour.

Mr. Emerick also summarized the following elements of the traffic study:

- Under 2024 projected conditions for Traffic Phase 1, with implementation of the site-related recommendations, all approaches and turning movements at the West End Avenue intersection with the external roadway network will operate at level of service B or better during the weekday AM, weekday PM, and Saturday midday peak hours.
- Regarding the Middletown Road and Route 322 Eastbound Off-ramp/Frontage Road intersection ó Under the 2024 PM peak hour with buildout of Traffic Phase 1, the overall intersection level of service drops from C to D with an overall delay increase that exceeds 10 seconds. PennDOT will consider accepting the level of service degradation based on municipal input and approval.
- Regarding the Middletown Road/Wood Road intersection ó Under the 2024 PM peak hour with buildout of Traffic Phase 1, the overall intersection level of service drops from C to D with an overall delay increase of approximately 12 seconds. In order to mitigate this marginal level of service degradation, installation of a traffic signal at Middletown Road and Wood Road is required; however, the Township does not support signalization of this intersection at its current location but would rather explore some additional fulfillment of the Township's Official Map. PennDOT will consider accepting the level of service degradation based on municipal input and approval.

Mr. Emerick stated that in the cases of the Middletown Road/Wood Road and Middletown Road/Route 322 eastbound off-ramp/frontage road, each intersection drops in service from level C to level D. TPD notes that the Township's Official Map proposes a new connector road linking

**TOWNSHIP OF DERRY
BOARD OF SUPERVISORS
PUBLIC HEARING (PART 1 OF 2)
Tuesday, November 27, 2018, 5:30 PM**

Waltonville Road and Middletown Road to West End Avenue and ultimately to Bullfrog Valley Road which will alleviate the drops in service. TPD also states in their report that it is more appropriate to focus efforts on advancing the improvements (road extension) on the Township's Official Map rather than improving existing intersections that will be positively impacted by the road extension. Community Development staff agrees and would like to ensure that this connection can be made in the future, especially since it would mitigate two level of service drops resulting from this development. The road extension was also discussed in a report prepared by HRG on behalf of the Township in 2016 titled "Middletown Road Corridor Transportation Evaluation." That evaluation also included the road extension as a "Mid-Term Consideration." It may be appropriate for the Township to consider obtaining the necessary right-of-way, understanding the impacts that this connector will have on the Township as a whole. According to 2010 census data, approximately 18% of the Township's population (4,487 of 24,679) resides on the Middletown Road corridor. This connection, if implemented, would also improve accessibility to the Hershey Medical Center, which employs over 12,000 staff members and sees over 1.2 million patients a year. Hershey Trust Company, TPD, HRG, and Township staff and officials continue to work together to finalize the traffic study and intended roadway improvements to obtain the best results for all.

Ken Gall, Hershey Trust Company, provided an introduction to the project. Regarding traffic, Mr. Gall noted it is anticipated that many of the people who will be living in the development are already employees of the Medical Center, which will reduce the number of vehicle trips into and out of the Township.

David Tshudy, attorney with Pepper Hamilton, reviewed the exhibit index. Exhibits 1-21 have already been provided to the Township. Exhibit 22 is the Powerpoint presentation that will be projected on the screen during this hearing. Exhibits 23-26 are the curriculum vitae of the four individuals who will be testifying in their expert capacities, copies of which have been provided at the beginning of the hearing. Mr. Tshudy requested the admission of all exhibits that were provided. Chairman Moyer confirmed that Exhibits 1-26 are hereby admitted into the record. Mr. Tshudy also requested that all of the individuals be recognized as experts in their particular fields, based upon the provided curriculum vitae. Chairman Moyer confirmed the Board's agreement.

Mr. Tshudy stated that this is a hearing on a Conditional Use application. A Conditional Use is a permitted use within a zoning district that may only be established after a hearing before the governing body of the municipality, in this case the Derry Township Board of Supervisors. During the hearing the applicant must demonstrate compliance with all of the applicable criteria of the Zoning Ordinance and if the applicant meets all of the criteria, then the Conditional Use approval must be granted. Hershey Trust Company is applying to use this property as a Master Planned development as a Conditional Use within the Planned Campus West district. The specific criteria for the Master Plan approval is found at Section 225-501.58, and the general criteria for all Conditional Uses is found at Section 225-501.K of the Zoning Ordinance.

**TOWNSHIP OF DERRY
BOARD OF SUPERVISORS
PUBLIC HEARING (PART 1 OF 2)
Tuesday, November 27, 2018, 5:30 PM**

Appendix E of the Zoning Ordinance also makes reference to a condition for approval based upon the results of the Economic Impact Report. Additionally, there are several Conditional Uses in the underlying zoning district with or without the Master Plan approval.

Bill Fredericks of RGS Associates, the civil engineer for the project, reviewed the following items:

- The applicant had submitted a sketch plan to the Township, and the sketch plan is largely similar to the Master Plan currently presented.
- A mix of residential and commercial uses is proposed. The residential component will consist of 123 single-family units, 140 townhouse units, 462 apartments units, 88 age-restricted apartments, and 100 assisted living units. The commercial component will consist of retail, a grocer, restaurants, office uses, a hotel and conference center, and medical office buildings. There will also be various community facilities. All of the proposed uses are permitted by-right or by conditional use. Mr. Fredericks noted that the Master Plan section of the Zoning Ordinance allows a density bonus for the residential units. Based on what is proposed, there is enough acreage to meet the required densities.
- Open space is proposed throughout the project. All elements of the open space will be available to the public but will be maintained by the condominium association. Mr. Fredericks pointed out that Bullfrog Valley Park is shown on the Site Plan, but it is not part of the project site. It was shown because of the interconnectedness with the Jonathan Eshenour Memorial Trail.
- To the greatest extent practical the proposed design protects sensitive environmental features, existing wooded areas, and historical resources.
- Phasing schedule:
 - Phase 1 will include the construction of medical office buildings.
 - Phase 2 will include the cross connection and all the major infrastructure to support through traffic. It will also include the construction of most of the commercial uses and some of the residential uses.
 - Phase 3 will include the construction of more of the residential uses, as well as some of the open spaces. It is also anticipated that there will be some infill of additional commercial uses and a future office building.
 - Phase 4 will include the buildout of the western end of the development and creates the second point of access and connection to Waltonville Road. It will also include the construction of more residential units.

**TOWNSHIP OF DERRY
BOARD OF SUPERVISORS
PUBLIC HEARING (PART 1 OF 2)
Tuesday, November 27, 2018, 5:30 PM**

- Phase 5 will include the construction of more residential units.
- All streets and alleys are intended to be dedicated to the Township.
- Shared parking will be included within the Declaration of Condominium as an enforceable document with tenants. It will be evaluated on a phase-by-phase basis to make sure there is sufficient parking for the new tenants as the uses are constructed.
- Regarding the overall stormwater approach, there are five main study points. The two largest are Study Point 1, located on the west side of the site and under Route 322, and Study Point 4, located approximately in the center of the site and under Route 322. There is an existing 24-inch pipe under Route 322 at Study Point 1 and an existing 36-inch pipe under Route 322 at Study Point 4. The applicant is limited by those pipes and will not be increasing them. Geology testing was conducted because the site is located in a Karst area.

Patrick Brunner, project manager with Urban Design Associates, explained the following regarding the pattern book:

- The purpose of the pattern book is to assure a predictable outcome and a minimum design standard in the architecture that will be built in this development. The pattern book will be amended to the Declaration of Condominium and will be privately enforced through the condominium association, not the Township. The pattern book also illustrates regulatory elements of the Master Plan approval.
- The organization for the pattern book follows two parallel tracks, one for the residential units and one for the non-residential units.
 - Residential ó The Community Patterns section relates to how the building is placed on the land unit. This includes building separation, height, maximum lot coverage, parking location, and permitted encroachments. After that, one of the three styles is selected from the Architectural Patterns section. Finally, the Landscape Patterns section is used.
 - Non-Residential ó The West End Village section outlines the building location on the land unit, building height, and permitted encroachments. The architectural principles are also in the West End Village section. There is also a Landscape Patterns section.
- The West End Village Center describes the five building types: one-story retail, mixed-use, anchor retail, office, and hotel. Within these five sections, the building composition, massing, roof forms, fenestration, and bay articulation are laid out. Also within this section are the commercial and storefront regulations, which are a guide and supplement to the Zoning Ordinance. When there is a conflict between the two, the Zoning Ordinance shall prevail.

**TOWNSHIP OF DERRY
BOARD OF SUPERVISORS
PUBLIC HEARING (PART 1 OF 2)
Tuesday, November 27, 2018, 5:30 PM**

- The wayfinding and community signage is oriented to the pedestrian, and they provide a sense of unity, clarity, and identity within Hershey West End.

Amy Kronenberg, Executive Vice President of GMS Funding Solutions (GMS), explained that Hershey Trust Company retained their services to develop an Economic Impact Report per the requirements of Appendix E of the Zoning Ordinance. Appendix E outlines the parameters for calculation and the impact evaluation standards for a cost benefit analysis of a proposed Master Plan development. The objective of the analysis is to determine whether the proposed development will result in a net negative or a net positive fiscal impact to the Township and the School District. Ms. Kronenberg stated that GMS estimated the property tax, earned income tax, occupation tax, local services tax, real estate transfer tax, permit fee revenue, and other revenues and expenditures for the Township and the School District. Each phase, based on the proposed development activities and uses, is going to generate varying one-time and annual reoccurring tax and fee revenues and expenses. Phase 1 involves entirely commercial uses. There are no residential uses in this phase which will be particularly helpful to the School District because it will front-load property taxes before the School District begins to incur any expenses for new students. Phase 2 is still robust in commercial uses but also incorporates 359 residential units. Phase 3 is another mix of commercial and residential uses, adding 221 new units. Phases 4 and 5 are entirely residential. GMS expects that the taxes and fees received throughout the buildout of the development will exceed the expenditures for both the Township and the School District.

Craig Mellott, Traffic Planning and Design, Inc. (TPD), reviewed the following points regarding the Transportation Impact Study (TIS):

- The purpose of a TIS is two-fold: to evaluate site access requirements for the development and to evaluate off-site traffic impacts that are directly related to construction of the development.
- Given the size and complexity of this project, the applicant was required to go through a collaborative scoping process to determine what the study would include in terms of intersections, time periods, and the methodologies that would be used to forecast traffic. This process involved Derry Township staff, engineers, and elected officials, as well as Hummelstown Borough and PennDOT. The scope parameters were determined and agreed on in June 2018.
- Regarding the TIS improvement recommendations, Mr. Mellott noted the following:
 - The Township's Official Map shows a proposed connection from Middletown Road to Bullfrog Valley Road, and West End Avenue fully implements the first segment of that connection. The applicant will work with the Township and PennDOT to implement the second phase of that connection.

TOWNSHIP OF DERRY
BOARD OF SUPERVISORS
PUBLIC HEARING (PART 1 OF 2)
Tuesday, November 27, 2018, 5:30 PM

- A new traffic signal is proposed at the westbound off-ramp from Route 322. Based on feedback received from Township staff and the Derry Township Planning Commission, TPD has observed a significant safety issue that currently exists at this intersection ó on occasion there are queues that back up off the westbound ramp towards the mainline where there is high-speed traffic on Route 322. The proposed signal will address that safety issue and also accommodate the additional traffic that is associated with Hershey West End.
- Regarding the proposed roundabout concept, it is driven by PennDOT's design standards which require that if a roundabout is feasible at an intersection, it is to be installed instead of a traffic signal or stop signs. PennDOT has found that roundabouts have a higher capacity to accommodate traffic than a traffic signal and they are substantially safer than signalized intersections. The intent of the roundabout is to be multimodal so there will be pedestrian crossing accommodations across all four legs. It will be a single lane roundabout; however, because of the possibility of volumes increasing and the need for additional lanes, TPD has sized the roundabout so that if additional lanes are needed in the future, it can be easily done without substantial reconstruction of the roundabout. The roundabout will also be designed to accommodate bike traffic.

Mr. Tshudy concluded the applicant's presentation by stating that Conditional Use applications should be granted when all of the applicable criteria per the Zoning Ordinance has been satisfactorily addressed. Through the exhibits that have been admitted into the record, together with the testimony that has been presented at this hearing, the applicant has satisfied all of the applicable criteria. Mr. Tshudy acknowledged that under the Pennsylvania Municipalities Planning Code, the Board of Supervisors may attach reasonable conditions to an approval, and earlier today the applicant reviewed conditions that Mr. Tshudy believes are similar to those outlined in Mr. Emerick's staff report that was provided to the Supervisors. Mr. Gall, as representative for Hershey Trust Company, Trustee for Milton Hershey School, agreed to those conditions, should the Board of Supervisors grant the Conditional Use application.

Mr. Emerick noted that he shared the recommended conditions of approval with the applicant so that they could be prepared to react to them at this hearing. He also pointed out that under the Conditional Use for life care facilities and skilled nursing home, there is a provision that allows the Board of Supervisors to grant the applicant one-half of a parking space per institutional dwelling unit and one parking space per employee, which is key to the applicant's parking counts. Mr. Tshudy requested the referenced parking relief.

**TOWNSHIP OF DERRY
BOARD OF SUPERVISORS
PUBLIC HEARING (PART 1 OF 2)
Tuesday, November 27, 2018, 5:30 PM**

BOARD OF SUPERVISORS' COMMENTS

Regarding the Economic Impact Report, Supervisor Cort asked if the projections for the taxes and fees that would be realized annually are based on year one of the construction, the final year, or an average of the buildout of the development. Ms. Kronenberg responded that the projections are based on the final year of each phase.

Chairman Moyer inquired about the estimated 2.9 million dollars in one-time revenues to be received at full buildout. Ms. Kronenberg stated that is the estimated total of one-time revenues for all of the phases combined at the end of the 12-year buildout. Additionally, once construction is completed, 1.159 million dollars is anticipated annually in recurring revenue. Chairman Moyer commented that he is very concerned about the infrastructure undertaking that the Township will have to implement in terms of road maintenance and repairs, snow plows, fire coverage, etc. He asked if it is accurate that by GMS's calculations, it is anticipated that upon full buildout, the Township will be in the black in annual revenue rather than in the red. Ms. Kronenberg concurred and stated that Township staff contemplated those expenses as part of Appendix E of the Zoning Ordinance. Additionally, per PennDOT, the Township's Liquid Fuels allocation will increase by approximately \$19,000 per year to help cover the maintenance for the five miles of new Township roadways. Chairman Moyer asked if additional considerations, such as police coverage, are factored into the expense/revenue calculations. Ms. Kronenberg believes that is the intent of the Municipal Expenditures portion of Appendix E. For the record, Ms. Kronenberg stated that per Appendix E, the estimated municipal expenditures are required to be calculated using the prior fiscal year general fund expenditures divided by the total population of the last Census year. That result is then multiplied by the estimated number of new residents. The number of new residents is calculated using the facts provided on the first page of Appendix E.

Lauren Zumbrun, Economic Development Manager, stated that she had a conversation with Ms. Kronenberg during the preparation of the Economic Impact Report, and Ms. Kronenberg had asked about typical expenditures that the Township would be incurring, such as road maintenance, but ultimately Community Development staff preferred that GMS follow the regulations in Appendix E. Ms. Kronenberg clarified that the anticipated 1.159 million dollars in annual recurring revenue is the net amount after those additional costs are factored in.

Secretary Engle asked Mr. Mellott to explain how the levels of service dropped at certain points on Middletown Road and what the implications are. Mr. Mellott stated that PennDOT has something called a "marginal level of service drop", which is a fancy way of saying the delay with the development drops relative to the no-build or no development condition, but it is within a typically accepted range where the traffic operation is not significantly impacted. That occurred at the frontage road intersection with Middletown Road and the eastbound ramps and also at Wood Road and Middletown Road. Chairman Moyer asked for a definition of "marginal level of service drop." Mr. Mellott replied that the level of service is the measure of traffic impact. Each level corresponds to the amount of delay or how much time someone waits to get through an

**TOWNSHIP OF DERRY
BOARD OF SUPERVISORS
PUBLIC HEARING (PART 1 OF 2)
Tuesday, November 27, 2018, 5:30 PM**

intersection. The way the PennDOT standards and the Township's regulations work, if an intersection operates on an overall average at a level of service C, with the new development it should also operate at an overall level of service C, with some minor exceptions. The TIS shows that the two referenced intersections operate without the development an overall level of service C; they then drop to overall level of service D. PennDOT considers an overall intersection level of service D to be acceptable operation; they consider E or F to not be acceptable operation. It is called "marginal" because it is a drop in level of service but it is within a typically accepted range. PennDOT will accept it if the Township concurs and if there is a plan to address the drops in service at those two intersections. The Township has already thought through this in the Comprehensive Plan. There is an improvement that is planned to be implemented to address those level of service drops, and that is the construction of the connector road from Bullfrog Valley Road to Waltonville Road and from Waltonville Road to Middletown Road.

Secretary Engle asked for verification that when there are those service level drops, PennDOT wants the developer to mitigate that or have a plan in place with the Township to address it. Mr. Mellott stated that is correct. What PennDOT said in this case was that it is a marginal level of service drop, so the Township needs to be supportive of that and have a plan in place to address it, or the Township can install a signal at the intersection of Wood Road and Middletown Road. The developer believes that would be wasted money because it does not give the residents to the west the benefit of the signal, and ultimately the signal would be removed when the connector road is constructed.

Chairman Moyer asked if this plan necessitates the connector road in order to make the level of service drop acceptable. Mr. Mellott answered no. It is a marginal level of service drop so PennDOT will accept it without any improvements because it is within the acceptable range. In response to a comment from Secretary Engle, Mr. Mellott stated that if the Township does not want to cooperate, the developer would have to put in the traffic signal at the intersection of Wood Road and Middletown Road. Mr. Gall added that part of the Township's plan is for West End Avenue to go straight through, and 75% of it is being constructed as part of this project.

Chairman Moyer got the impression that the need for the roundabout is being driven by the perceived need for a traffic signal on the off-ramp. Mr. Mellott responded that PennDOT has specific warrants that have to be met to install the traffic signal, and those warrants are already met at the westbound off-ramp with Waltonville Road without the Hershey West End development. Chairman Moyer stated that the need for the signal is then based on what TPD perceives to be a backlog of traffic down the ramp and onto Route 322. Mr. Mellott commented that ultimately it is a function of volume so the need for a signal is determined by how much traffic is turning off the ramp onto Waltonville Road. Often signals are installed where long backups do not exist but there is volume. In this case, it meets signal warrants today and the queue as observed by TPD at peak times backs up on occasion to the point that it is close to Route 322.

**TOWNSHIP OF DERRY
BOARD OF SUPERVISORS
PUBLIC HEARING (PART 1 OF 2)
Tuesday, November 27, 2018, 5:30 PM**

PUBLIC COMMENTS

Rich Gamble, Hockersville Road, hopes the developer considers completing the infrastructure improvements prior to any major development taking place. That would resolve a lot of the Township's existing infrastructure problems.

Roy Michaelson, Oakmont V, had the following questions:

- *Is there a cost projection by phase?*
Mr. Gall responded that this information for infrastructure and building construction is included in the Economic Impact Report calculations.
- *Will the ownership of the residential properties be by the occupants or by Hershey Trust Company?*
Mr. Gall stated that Hershey Trust Company will not be leasing the units. People will have fee simple ownership of condominium lots and the single-family dwellings that are located on the lots.
- *How is the project going to be financed? Will Hershey Trust Company finance it or will they go through a third party?*
Mr. Gall replied that the vision right now is Hershey Trust Company will likely fund the infrastructure development. Land leases for the commercial construction will be used as much as possible, but Mr. Gall cannot comment on how the lessees will finance the construction of their buildings.
- *Once an individual phase begins, are funds for the completion of the phase going to be escrowed?*
Mr. Gall stated that letters of credit will be in place to guarantee the completion of each phase.

Ken Bradley, 36 Glasgow Court, asked who the landlord of the rental properties will be. Mr. Gall responded that is not known at this time.

Jay Ziegler, Bullfrog Valley Road, asked about the number of employees that will result from this development. Mr. Ziegler is a daily user of Bullfrog Valley Road and he disagrees with Township staff that this project will not impact Bullfrog Valley Road. There are already traffic backlogs on the surrounding roads at peak times and new employees at Hershey West End are going to add to that backlog even if the new residents of the development do not. The applicant asked for a waiver of widening Bullfrog Valley Road and Wood Road adjacent to their land and Mr. Ziegler thinks the Board of Supervisors needs to consider that carefully, otherwise the widening will come at the expense of the taxpayers. The word "bypass" was used. In Mr. Ziegler's opinion, a bypass is something that decreases travel time and he does not think this will

**TOWNSHIP OF DERRY
BOARD OF SUPERVISORS
PUBLIC HEARING (PART 1 OF 2)
Tuesday, November 27, 2018, 5:30 PM**

be the case with West End Avenue because there will be 10 intersections and on-street parking. Maybe the Hershey West End residents will use West End Avenue but Mr. Ziegler does not think the public will use it. The Township may want to revisit the bypass plan, not construct the other segment of the connector road, and widen Wood Road instead.

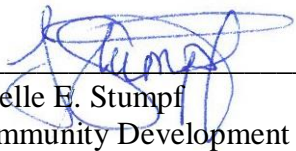
In response to Mr. Ziegler's inquiry about the number of new employees, Ms. Kronenberg stated that in total after the 12-year buildout, GMS is expecting the construction phases will have supported 3,594 temporary construction jobs, and there will be 1,575 permanent new jobs.

ADJOURNMENT

On a motion by Chairman Moyer, seconded by Secretary Engle, and a unanimous vote, the November 27th portion of the hearing adjourned at 7:08 p.m. The hearing will be continued on Tuesday, December 4, 2018, at 5:30 p.m.

SUBMITTED BY:

Justin C. Engle
Township Secretary



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