

**DERRY TOWNSHIP PLANNING COMMISSION
MEETING MINUTES
November 3, 2020**

CALL TO ORDER

The Tuesday, November 3, 2020 Derry Township Planning Commission meeting, which was conducted via video conference (Zoom Webinar) due to COVID-19, was called to order at 6:00 p.m. by Chairman Don Santostefano.

ROLL CALL

Commission Members Present (*via video conference*): Don Santostefano, Chairman; Joyce St. John, Vice Chairwoman; Matt Tunnell

Commission Members Absent: Tom Wilson, Secretary; Glenn Rowe

Also Present (*via video conference*): Chuck Emerick, Director of Community Development; Dave Habig, Assistant Director of Community Development; Jenelle Stumpf, Planning/Zoning Coordinator; Matt Bonanno, Mike Wood – HRG, Inc.; Diane Myers-Krug, Dauphin County Planning Commission representative

Public Attendance (*via video conference*): Jim Snyder, Jeramy Bittinger – Snyder, Secary & Associates; Bill Fredericks, Mark Hackenburg – RGS Associates; Bill Moffett; Ken Gall, Hershey Trust Company; Alex Piehl; Andy Andrews; Matt Luttrell

APPROVAL OF MINUTES

On a motion made by Vice Chairwoman St. John, seconded by Member Tunnell, and a unanimous vote, the Planning Commission approved the minutes from the October 6, 2020 meeting, as written.

OLD BUSINESS

A. Review and recommendation of the Final Lot Consolidation and Land Development Plan for Hershey West End – Streets and Infrastructure Phase, Plat 1330

Chuck Emerick explained that Plat 1330 represents the first final plan after the approval of Conditional Use Application No. 2018-01 for the Hershey West End Master Plan, as filed by Hershey Trust Company. The Conditional Use authorized the development of a new mixed-use community, based on traditional neighborhood design principles, on approximately 245.79 acres. The properties proposed for development currently consist of five separate parcels and this final plan will consolidate them into one tract of land. Existing development on the east end of the site consists of the Cocoa Beanery Restaurant and Café, Hershey Center for Applied Research (HCAR), the recently expanded U-Gro Early Childhood Learning Center, and the recently opened Englewood Barn. The southwestern corner of the site also contains another barn and rental homestead, which will remain as is. The main purpose of Plat 1330 is to build the road infrastructure for the development.

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Mr. Emerick noted that during the August 4, 2020 Planning Commission meeting, Member Rowe had inquired if an Intersection Control Evaluation (ICE) was completed for the Bullfrog Valley Road/Life Lion Drive intersection, noting that the evaluation analyzes different alternatives, the cost effectiveness of each alternative, and the life cycle of the alternatives. Mr. Emerick stated that the approval of the Conditional Use request included a condition that two traffic studies are submitted for the development. After conversations with Eric Stump, HRG, and Bill Fredericks, RGS Associates, it has been concluded that it is likely the ICE study was not used at the Bullfrog Valley Road/Life Lion Drive intersection, either because the planning for this development began two years ago and at that time, PennDOT was still developing the concept of the ICE studies, or because this intersection operates, and will continue to operate, at Level B or greater, so Mr. Emerick does not think it was a consideration or concern for PennDOT at the time they were evaluating the Phase 1 traffic study.

Mr. Emerick stated that waivers of certain portions of the Subdivision and Land Development Ordinance were granted as part of the Master Plan process, and no further action by the Planning Commission is required. Additionally, at the August 4, 2020 Planning Commission meeting, the Commission recommended that the Board of Supervisors grant the additional waivers from the Subdivision and Land Development Ordinance that were requested by the applicant in conjunction with Plat 1330. No further action by the Planning Commission is required regarding these waivers.

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

MOTION ON PLAT 1330

On a motion made by Member Tunnell, seconded by Vice Chairwoman St. John, and a unanimous vote, the Planning Commission made a recommendation to the Board of Supervisors that Plat 1330 be approved, subject to the following being satisfactorily addressed:

- a. The comments in Item 3 of the Township staff report.
- b. The comments in the October 22, 2020 HRG letter.

NEW BUSINESS

A. Review and recommendation of the Preliminary/Final Subdivision and Lot Consolidation Plan for Ronald McDonald House Charities of Central Pennsylvania, Plat 1332

This plan was withdrawn by the applicant prior to the meeting. It is anticipated that they will resubmit for consideration at the December Planning Commission meeting.

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B. Review and recommendation of the Final Land Development Plan for 1106 Cocoa Avenue for Nagillum Properties, LLC, Plat 1333

Dave Habig reported that the subject property is located along the western side of Cocoa Avenue. The site is within the Hershey Mixed Use and Southern Core Overlay zoning districts and contains a gross lot area of 16,000 square feet. Currently there is a mixed-use commercial building on site which will be demolished to build a new medical practitioners office, specifically for a dentist. The site will also contain the necessary parking facilities to support the future use. Located in the Southern Core Overlay zoning district, the maximum impervious coverage for the lot is 9,600 square feet, or 60%. The site currently has 13,643 square feet of impervious coverage, or 85.3% of the lot. With the demolition of the existing building and construction of the new building, the impervious coverage will be reduced to 10,996 square feet, or 73.3% of the lot. The proposal will also bring the vegetative cover from 2,357 square feet to 4,004 square feet.

Chairman Santostefano asked if the proposed impervious coverage of the lot is permitted to exceed the maximum amount. Mr. Emerick responded that when a site is proposed to be less nonconforming than it currently is, the Township does not penalize the developer for that because they have improved the situation.

Mr. Habig explained that the applicant has not submitted a traffic impact study but has completed a narrative of generated traffic for the proposed use. The proposed use is expected to generate approximately 19 AM peak hour trips and 15 PM peak hour trips.

Mr. Habig reviewed the waivers that have been requested from the Subdivision and Land Development Ordinance and the Stormwater Management Ordinance.

Jim Snyder and Jeramy Bittinger from Snyder, Secary & Associates represented the applicant. Per Mr. Habig's recommendation, Mr. Bittinger withdrew the applicant's request for a waiver from Section 185-12.A of the Subdivision and Land Development Ordinance regarding preliminary plan procedure.

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

Chairman Santostefano inquired if Township staff is really going to ask the applicant to clip the corner of the walkway at the rear of the building (*regarding Mr. Habig's review comment that the rear patio must be truncated to be no less than five feet from the side property line*). Mr. Emerick stated that, keeping in mind the macadam area at the rear of the building is proposed to be more than 12 feet wide, the patio cannot be within the setback area. Sidewalks or walkways are permitted within the setback; patios are not. Chairman Santostefano commented that if that is staff's reasoning, then he would call the macadam area a sidewalk. Mr. Emerick responded that he would agree if the macadam led somewhere, but it does not.

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Mr. Snyder noted that the sidewalk is permitted to encroach into the setback, and the sidewalk provides access to the patio. He asked for confirmation that they can be adjacent to each other. Mr. Emerick agreed; however, in other similar situations, the applicants had to go before the Zoning Hearing Board and request relief to allow that configuration. He is just trying to ensure that all applicants are treated the same.

MOTION ON WAIVERS

On a motion made by Member Tunnell, seconded by Vice Chairwoman St. John, and a unanimous vote, the Planning Commission made a recommendation to the Board of Supervisors that the following waivers be granted from the Subdivision and Land Development Ordinance and Stormwater Management Ordinance:

- a. From Section 185-12.D.(3).(a).[9] regarding existing physical features within 200' of the property.
- b. From Section 185-12.D.(3).(a).[35] regarding existing topographic features within 200' of the property.
- c. From Sections 185-12.D.(3).(a).[21], [22], [23] and 185-13.E.(4).(a).[19], [20], [21] regarding preparation of profiles for all existing storm sewer, sanitary sewer, water, and gas lines for facilities that are unaffected by Plat 1333.
- d. From Section 185-34.A.(1) regarding sidewalk being installed four inches from the right-of-way line. This waiver is recommended to be granted for the portion of sidewalk along Cocoa Avenue needed to transition to the required location.
- e. From Section 174-17.C.(2) regarding the minimum stormwater pipe size being 15 inches.

MOTION ON PLAT 1333

On a motion made by Vice Chairwoman St. John, seconded by Member Tunnell, and a unanimous vote, the Planning Commission made a recommendation to the Board of Supervisors that Plat 1333 be approved, subject to the following being satisfactorily addressed:

- a. The comments in Item 3 of the Township staff report.
- b. The comments in the October 12, 2020 HRG letter.

OTHER BUSINESS

None.

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ADJOURNMENT

On a motion by Member Tunnell, seconded by Vice Chairwoman St. John, and a unanimous vote, the meeting adjourned at 6:45 p.m.

Respectfully submitted,

Thomas P. Wilson
Planning Commission Secretary

Submitted by:

Jenelle Stumpf
Planning/Zoning Coordinator (*acting as stenographer*)