

**DERRY TOWNSHIP PLANNING COMMISSION  
MEETING MINUTES  
January 4, 2022**

**CALL TO ORDER**

The Tuesday, January 4, 2022 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 Don Santostefano.

**ROLL CALL**

Commission Members Present: Glenn Rowe (*via conference call*); Matt Tunnell; Don Santostefano

Commission Members Absent: Tom Wilson; Mike Guntrum

Township Staff Present: Chuck Emerick, Director of Community Development; Jenelle Stumpf, Planning/Zoning Coordinator

Public Registering Attendance: Kyle Fink, Chris Hager – Langan; George Bivens, Marc J. Infantino – PSP; David Narkiewicz, PSP/DGS

**APPROVAL OF MINUTES**

On a motion made by Member Tunnell, seconded by Member Rowe, and a unanimous vote, the Planning Commission approved the minutes from the November 2, 2021 meeting, as written.

**REORGANIZATION**

Member Tunnell made a motion that the offices of Chairman, Vice Chairman, and Secretary be filled for 2022 as follows:

Chairman – Tom Wilson  
Vice Chairman – Glenn Rowe  
Secretary – Matt Tunnell

Member Rowe seconded the motion, which was passed unanimously.

**OLD BUSINESS**

- A. Report on the Board of Supervisors' action regarding Conditional Use Application No. 2021-04 to establish a Short-Term Rental use at 731 East Chocolate Avenue, as filed by Abigail Myers and Conrad Krawiec**

Chuck Emerick stated that the Board granted the Conditional Use request, with conditions.

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**NEW BUSINESS**

- A. Review and recommendation of Zoning Amendment Petition No. 2021-01, as filed by the Commonwealth of Pennsylvania, to change the zoning classification of land located north of Hersheypark Drive and south of Police Academy Drive from a Conservation classification to a Planned Campus North classification**

Chuck Emerick explained that the petition represents a request to rezone approximately 42.5 acres of land from the Conservation zoning district to the Planned Campus North zoning district. The land subject to this rezoning request is a portion of the 136.111-acre tract of land owned by the applicant and was shown as Areas “H” and “I” on the Preliminary/Final Subdivision Plan for Hershey Trust Company and the Commonwealth of Pennsylvania, Plat 1334. Area “H” is comprised of former Tax Map Parcel No. 24-004-031 and Tax Map Parcel No. 24-004-042, and Area “I” is comprised of former Tax Map Parcel No. 24-004-036. Tax Map Parcel Numbers 24-004-031 and 24-004-036 were consolidated with Tax Map Parcel No. 24-004-013 as a result of Plat 1334. Tax Map Parcel No. 24-004-042 (2.38 acres) was created by the Dauphin County Tax Assessment Office and was never a separate parcel of land. It was created to allow the former student home known as Applehurst to be taxed as a commercial office use. This area of land is already zoned Planned Campus North and therefore is excluded from the description for Area “H”. The subject property is located adjacent to and north of Hersheypark Drive, adjacent to and west of Tax Map Parcel No. 24-004-042, and south of the original Pennsylvania State Police Academy tract and lands of the Pennsylvania State Police Historical, Educational, and Memorial Center. The frontage of the subject land along Hersheypark Drive is presently located in the Hersheypark Drive/Route 39 Overlay zoning district and will remain as such. The subject land is also presently located in the Limited Sign Overlay; however, if the zoning change is enacted, it will be placed in the General Sign Overlay.

Member Santostefano asked why the Conservation lots were not rezoned to Planned Campus North with the adoption of the current Zoning Ordinance. Mr. Emerick responded that with the adoption of the 2019 Zoning Ordinance, a portion of the Commonwealth of Pennsylvania property was rezoned to Planned Campus North and the remaining portion was kept in the Conservation zoning district because of steep slopes and to help retain the bucolic feel. However, now that all the Commonwealth property has been consolidated, it makes sense for the entire tract to be zoned Planned Campus North. There has been some discussion about a conservation easement being placed on a portion of the property to avoid buildings being constructed there, and the Board of Supervisors may choose to pursue that.

Mr. Emerick stated that the Future Land Use Plan of the 2015 Comprehensive Plan, as amended, indicates that the subject area would be zoned “Work, Learn, Play, Eat; 4.4”. The area identified as 4.4 in the Comprehensive Plan resulted in many of the adjacent properties being zoned the Planned Campus North zoning district in the 2019 Zoning Ordinance. Therefore, it is easy to say that the proposed zoning is consistent with the 2015 Comprehensive Plan. The applicant is simply asking that their entire land holding consist of the same zoning district.

The rezoning process requires the applicant to provide certain supporting information as a part of their application. Mr. Emerick reviewed each of the requirements and how the applicant addressed them.

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Mr. Emerick noted that the Dauphin County Planning Commission staff provided a draft review of the proposal, and they are suggesting approval of the request. A formal recommendation will be made by the Dauphin County Planning Commission at their meeting on January 10, 2022.

Member Santostefano commented that he is concerned about the oil tank spill and the other tanks that were closed in the 1980s and 1990s, as noted in the applicant's Phase 1 Environmental Site Assessment. He asked if the location of the tanks is known, as well as what was in them and how they were closed. David Narkiewicz, Assistant Chief Counsel for the Department of General Services, promised cooperation from the Commonwealth in locating the tanks. Chris Hager, Langan Engineering and Environmental Services, reported that they did the Phase 1 Assessment and identified the prior tanks, as well as some previous studies that got partway through, so they are already under contract with DGS. The old tanks have been located and are being removed, and local soil remediation is underway. A separate report of the findings will be submitted to the Township. Member Santostefano asked if any other tanks are proposed. Kyle Fink, Langan Engineering and Environmental Services, replied that another 2,000-gallon diesel tank is proposed but it will not be in the area proposed for rezoning. It will be where the functions of the Academy currently stand.

Secretary Tunnell inquired if the Planning Commission and Board of Supervisors will review and act on the land development plan for the project or if the Commonwealth is exempt from the review process. Mr. Narkiewicz answered that Township approval is required for the land development plan.

Member Santostefano asked if Township approval would be required for the addition of a building in the "front part" of the property near Hersheypark Drive. Mr. Emerick stated that if it is a principal building containing more than 2,500 square feet of floor area then yes, Township approval of a land development plan would be required.

Major George Bivens, Director of Training and Education for the Pennsylvania State Police, commented that they currently have 30 horses at the Academy that are used operationally all over the Commonwealth for various crowd control and riot situations, as well as for public relations. The horses are very important to the State Police and they want to have the whole "front area" of the property near Hersheypark Drive as pasture and have the horses on display for the community.

**MOTION**

On a motion made by Secretary Tunnell, seconded by Vice Chairman Rowe, and a unanimous vote, the Planning Commission made a recommendation to the Board of Supervisors that the rezoning request filed under Zoning Amendment Petition No. 2021-01 be approved.

**B. Review and recommendation of the Preliminary/Final Land Development and Stormwater Management Site Plan for Hershey Square Proposed Outparcel Development, Plat 1346**

This plan was withdrawn by the applicant prior to the meeting.

**OTHER BUSINESS**

None.

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**ADJOURNMENT**

On a motion by Secretary Tunnell, seconded by Vice Chairman Rowe, and a unanimous vote, the meeting was adjourned at 6:26 p.m.

Respectfully submitted,

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Matthew Tunnell  
Planning Commission Secretary

Submitted by:

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