

**DERRY TOWNSHIP PLANNING COMMISSION  
MEETING MINUTES  
December 13, 2022**

**CALL TO ORDER**

The Tuesday, December 13, 2022 Derry Township Planning Commission meeting was called to order at 6:00 p.m. in the main meeting room of the Derry Township Municipal Complex, Administration Building, 600 Clearwater Road, Hershey, PA, by Secretary Matt Tunnell.

**ROLL CALL**

Commission Members Present: Matt Tunnell, Secretary; Don Santostefano; Mike Guntrum

Commission Members Absent: Tom Wilson, Chairman; Glenn Rowe, Vice Chairman

Township Staff and Review Agency Representatives Present: Chuck Emerick, Director of Community Development; Ryan Cummings, HRG, Inc.; Diane Myers-Krug, Dauphin County Planning Commission representative

Public Registering Attendance: Mary Driscoll, Mary's Health and Fitness; Craig Smith, RGS Associates; John Melham, Melham Associates, PC

**APPROVAL OF MINUTES**

On a motion made by Member Santostefano, seconded by Member Guntrum, and a unanimous vote, the Planning Commission approved the minutes from the November 1, 2022 meeting, as written.

**OLD BUSINESS**

**A. Report on the Board of Supervisors' action regarding Preliminary Land Development and Stormwater Management Site Plan for Hershey Square Proposed Outparcel Development, Plat 1353**

Chuck Emerick explained that the Board has traffic impact concerns and denied the applicant's request for a waiver from providing a traffic impact study and their offer of a financial contribution in-lieu of the study. The Board severed the preliminary plan from the final plan, conditionally approved the preliminary plan, and tabled the final plan pending the submission of a traffic impact study.

**B. Report on the Board of Supervisors' action regarding the Preliminary/Final Stormwater Management and Land Development for Project Milton, Plat 1362**

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

**C. Report on the Board of Supervisors' action regarding the Final Land Development and Subdivision Plan for Hershey West End – Final Phase J, Plat 1361**

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

**NEW BUSINESS**

**A. Review and recommendation of the Preliminary/Final Subdivision and Land Development Plan for Mary's Health and Fitness, Plat 1366**

Chuck Emerick explained that Plat 1366 proposes to combine the properties addressed as 971 Bullfrog Valley Road and 1550 Sand Hill Road and develop a health and fitness center. The property is located on the west side of Roush Road and the north side of Bullfrog Valley Road. The final lot is proposed to contain 3.5 acres.

Mr. Emerick summarized the waivers and deferments that the applicant has requested from the Subdivision and Land Development Ordinance.

Mr. Emerick; Ryan Cummings, HRG, Inc.; and Diane Myers-Krug, Dauphin County Planning Commission representative, went over their plan review comments.

Craig Smith, RGS Associates, represented the plan on behalf of the applicant and stated that they have no issues with the review comments that were presented.

Member Santostefano inquired about the appearance of the proposed structure, given the mixed-use nature of this area. Mary Driscoll responded that it will be a white, metal building.

In response to questions from Member Guntrum, Ms. Driscoll stated that she intends to convert the existing single-family dwelling into offices to support the fitness center. She also intends to retain the garage near the dwelling. Mr. Emerick noted that the plan shows the garage will be demolished, and that is a stormwater management consideration. The plan also proposes dedication of right-of-way in the area of the garage so if it is retained, the plan will have to be revised. He also noted that converting the dwelling into office space will require a permit for a change of use.

**MOTION ON WAIVERS AND DEFERMENTS**

On a motion made by Member Santostefano, seconded by Member Gruntrum, 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. Waivers from Sections 185-12.D.(3).(a).[9] and 185-13.E.(4).(a).[9] regarding showing the location of all existing structures, wooded areas, water courses, rock outcrops, culverts, utilities above or below ground within 200 feet and 50 feet (respectively) of the site.
- b. Waivers from Sections 185-12.D.(3).(a).[35] and 185-13.E.(4).(a).[36] regarding providing topographic land contours at minimum vertical intervals of two feet on the

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tract of land to be developed or subdivided and within 200 feet and 50 feet (respectively) of the perimeter.

- c. Waivers from Sections 185-12.D.(3).(a).[21], [22], [23] and 185-13.E.(4).(a).[19], [20], [21] regarding providing plans and profiles of existing stormwater sewer, sanitary sewer, and gas and water systems and other related structures.
- d. Waivers from Sections 185-13.E.(4).(a).[19], [20], [21] regarding providing plans and profiles of proposed and existing stormwater sewer or conveyance systems with grades, pipe sizes and location of all inlets, manholes and other related structures at a scale of one inch equals 50 feet horizontal and one inch equals 50 feet vertical.
- e. Waiver from Section 185-22.D.(3).(c) regarding widening of Bullfrog Valley Road, Roush Road, and Sand Hill Road.
- f. Deferment from Section 185-22.E.(5) regarding curbing installation along Bullfrog Valley Road, Roush Road, and Sand Hill Road, subject to and conditional on the property owner agreeing to and executing a Declaration of Covenants, in a manner and form acceptable to the Township, to be recorded against the property, that would allow the Township to require the installation of curbing along Bullfrog Valley Road, Roush Road, and Sand Hill Road in the future if deemed necessary.
- g. Deferment from Section 185-34.A regarding sidewalk installation along Bullfrog Valley Road, Roush Road, and Sand Hill Road, subject to and conditional on the property owner agreeing to and executing a Declaration of Covenants, in a manner and form acceptable to the Township, to be recorded against the property, that would allow the Township to require the installation of sidewalk along Bullfrog Valley Road, Roush Road, and Sand Hill Road in the future if deemed necessary.

**MOTION ON PLAT 1366**

On a motion made by Member Santostefano, seconded by Member Guntrum, and a unanimous vote, the Planning Commission made a recommendation to the Board of Supervisors that Plat 1366 be approved, subject to the following being satisfactorily addressed:

- a. The comments in Item 3 of the November 17, 2022 Township staff report.
- b. The comments in the December 5, 2022 HRG, Inc. letter.
- c. The comments in the December 7, 2022 DTMA letter.

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**B. Review and recommendation of the Sketch Plan for Warren and Teri Rohr, Plat 1367**

Chuck Emerick explained that the applicants have requested that Plat 1367 be tabled until the January 2023 meeting.

*MOTION*

On a motion made by Member Guntrum, seconded by Member Santostefano, and a unanimous vote, the Planning Commission tabled Plat 1367 until the January 2023 meeting.

**C. Review and recommendation of the Preliminary/Final Subdivision Plan of 208 Clark Road, Plat 1368**

Chuck Emerick explained that this plan represents the subdivision of 0.6-acre lot, which contains an existing single-family dwelling. The purpose of the subdivision is to create a new lot for a new single-family dwelling.

Mr. Emerick summarized the waivers and deferments that the applicant has requested from the Subdivision and Land Development Ordinance.

Mr. Emerick; Ryan Cummings, HRG, Inc.; and Diane Myers-Krug, Dauphin County Planning Commission representative, went over their plan review comments.

In response to a question from Member Guntrum, Mr. Emerick commented that the location of the proposed dwelling conforms with Zoning Ordinance requirements in terms of setbacks.

John Melham of Melham Associates represented the applicant and stated that they have no issues with the comments that have been presented. Regarding one of DTMA's comments, Mr. Melham stated that the applicant is willing to provide a trench drain or similar facility on the proposed driveway to intercept excess runoff that would impact Clark Road and asked for input as to where the trench drain should discharge to. Mr. Emerick stated that it appears as though the trench drain could become part of the stormwater management system and go into the infiltration trench.

In response to a question from Mr. Melham regarding one of the Dauphin County Planning Commission staff's comments, Mr. Emerick stated that a lighting plan is not required for Plat 1368.

Mr. Melham clarified with Mr. Cummings what HRG is looking for in terms of their request for a profile of the proposed driveway.

*MOTION ON WAIVERS AND DEFERMENTS*

On a motion made by Member Guntrum, seconded by Member Santostefano, 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:

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- a. Deferment from Section 185-22.D.(2) regarding right-of-way dedication, subject to and conditional on the applicant agreeing to and executing a Declaration of Covenants, in a manner and form acceptable to the Township, to be recorded against the property, that would allow the Township to require the additional right-of-way along Clark Road in the future if deemed necessary.
- b. Deferment from Section 185-22.D.(2) regarding cartway widening, subject to and conditional on the applicant agreeing to and executing a Declaration of Covenants, in a manner and form acceptable to the Township, to be recorded against the property, that would allow the Township to require the cartway widening along Clark Road in the future if deemed necessary.
- c. Deferment from Section 185-34.A.(1) regarding sidewalk installation, subject to and conditional on the applicant agreeing to and executing a Declaration of Covenants, in a manner and form acceptable to the Township, to be recorded against the property, that would allow the Township to require sidewalk installation along Clark Road in the future if deemed necessary.
- d. Waivers from Sections 185-12.D.(3).(a).[21], [22], [23] and 185-13.E.(4).(a).[19], [20], [21] regarding providing plans and profiles of existing stormwater sewer, sanitary sewer, and gas and water systems and other related structures at a scale of one inch equals 50 feet horizontal and one inch equals 5 feet vertical.
- e. Waiver from Section 185-12.D.(3).(a).[9] regarding providing the location of all existing structures, wooded areas, water courses, rock outcrops, culverts, and utilities above and below ground within 200 feet of the perimeter of the site.
- f. Waiver from Section 185-12.D.(3).(a).[35] regarding providing topographic land contours at minimum vertical intervals of 2 feet on the tract of land to be developed or subdivided and within 200 feet of the perimeter.
- g. Waiver from Section 185-30.F requiring side lot lines to be perpendicular to the street.

**MOTION ON PLAT 1368**

On a motion made by Member Guntrum, seconded by Member Santostefano, and a unanimous vote, the Planning Commission made a recommendation to the Board of Supervisors that Plat 1368 be approved, subject to the following being satisfactorily addressed:

- a. The comments in Item 3 of the November 22, 2022 Township staff report.
- b. The comments in the December 5, 2022 HRG letter.
- c. The comments in the December 7, 2022 DTMA letter.

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**D. Review and recommendation of the Preliminary/Final Land Development Plan for U-HAUL Moving & Storage of Hershey, Plat 1369**

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

**OTHER BUSINESS**

None.

**ADJOURNMENT**

On a motion made by Member Guntrum, seconded by Member Santostefano, and a unanimous vote, the meeting was adjourned at 6:43 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*)