

TOWNSHIP OF DERRY
BOARD OF SUPERVISORS MEETING MINUTES
FEBRUARY 28, 2023

CALL TO ORDER

Chairman Abruzzo called the February 28, 2023 Regular Meeting of the Township of Derry Board of Supervisors to order at 7:00 p.m. in the meeting room of the Township of Derry Municipal Complex, 600 Clearwater Road, Hershey, PA. He advised that all public meetings are recorded for providing accurate notes. After the pledge of Allegiance, a role call was performed. He announced an Executive Session was held at 6 p.m. Land and legal matters were discussed.

IN ATTENDANCE:

SUPERVISORS

E. Christopher Abruzzo, Chairman
Natalie L. Nutt, Vice Chairwoman
Carter E. Wyckoff, Secretary
Richard D. Zmuda
Michael P. Corado-*By Phone*

ALSO PRESENT:

Christopher Christman, Township Manager
Mary Eberly, Solicitor
Chuck Emerick, Director of Community Development
Thomas Clark, Director of Public Works
Chief Garth Warner, Police Department
David Sassaman, Hershey Volunteer Fire Company
Alison Jacobine, Director of Hershey Public Library
Zach Jackson, Director of Parks & Recreation
Eric Stumpf, HRG Engineer
Becky Sweigart, Public Outreach Coordinator
Julie Echterling, Recording Secretary

Public in Attendance:

See attached.

VISITOR/PUBLIC COMMENTS:

Mr. David Romanski, 243 South Mill Road, spoke about the wall at the 600 block of Chocolate Avenue. He has worked with Mr. Emerick. He has been working on trying to get it fixed for a year as it is in disrepair. He provided the Board a copy of a lawsuit, he is planning to file, with all the facts he has about the wall. He is having a hard time figuring out who owns the wall. PennDOT states the Township owns it. He would like the Township to be with him on the lawsuit. Solicitor Eberly asked if they could have time to review the document before providing advice to the Board.

CONSENT CALENDAR:

Supervisor Wyckoff made a motion to approve action on the following items on the consent calendar:

1. Adoption of the Board of Supervisors Meeting Minutes for the 6:30 PM February 14, 2023 Public Hearing. Adoption of the Board of Supervisors Meeting Minutes for the 6:45 PM February 14, 2023 Public Hearing. Adoption of the Board of Supervisors Meeting Minutes for the 7:00 PM February 14, 2023 Regular Meeting. Adoption of the Board of Supervisors Meeting Minutes for the 6:00 PM February 22, 2023 Public Hearing.
2. Approval of February 28, 2023 Accounts Payable of \$875,505.93 and February 17, 2023 Payroll of \$344,461.52

Supervisor Zmuda seconded the motion. **Motion carried 5-0.**

NEW BUSINESS:

SWEARING IN-SERGEANT BURGWALD - POLICE:

Chief Warner stated Wendy A. Burgwald joined the Police Department in January of 2006. She had a brief stint in the Dauphin County Drug Task Force. Wendy is very involved in the law enforcement

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duties in regard to crimes against animals and successfully investigated a cruelty case involving dogs which resulted in charges under the newly adopted Libre's Law. She is also a member of Dauphin County's Human Trafficking Task Force. Chairman Abruzzo swore her in and congratulated her.

SKETCH PLAN FOR ROHRS – PLAT #1367:

Chairman Abruzzo provided instructions to the audience about this sketch plan. He stated there would be a public comment after the presentation of the plan. He asked those who wanted to speak not to repeat something that has already been said. Solicitor Eberly explained what a sketch plan was and how this is the Board's first opportunity to see the plan and hear from the public. She stated nothing will be approved tonight and is an introduction of a concept.

Township Presentation:

Mr. Emerick stated this plan, represents the re-subdivision of Lots 1 and 2. Each of the lots presently contains a single-family dwelling. The area of land being re-subdivided totals approximately 12.9 acres. The properties front on Clifton Heights Road and Duryea Drive and also have access to Jo Ann Avenue via an undedicated 40-foot-wide right-of-way for Locust Street. This Plat 1367 proposes to extend Duryea Drive to Clifton Heights Road and extend Clifton Heights Road approximately 440 feet to terminate in a cul-de-sac. The plan would create a total of four lots. Lots 1A and 1B are proposed to each contain two apartment buildings, each with 10 units. Lots 2 and 3 will each contain one of the existing single-family dwelling units. The extension of Clifton Heights Road was first contemplated as part of the Preliminary Subdivision Plan for Stone Creek, Plat 899, which was recorded in 2000. The right-of way for the extension of Duryea Drive was also reserved on the Eckenrode Subdivision Plan, Plat 974, which was recorded in 2002. The Stone Creek plan proposed the right-of-way for the Duryea Drive cul-de-sac at the edge of the Stone Creek development property to allow for a future extension of Duryea Drive. When Duryea Drive was dedicated to the Township, the dedication also ended at the Eckenrode property line. This planning was done since Clifton Heights Road is a cul-de-sac that does not meet Township standards for length or number of units. Clifton Heights Road, as it exists today, is approximately 2,650 feet long and serves 69 dwelling units. A cul-de-sac under today's standards cannot be longer than 500 feet or serve more than 14 dwelling units. The plan proposes to make Clifton Heights Road compliant with the maximum permitted cul-de-sac length. The applicants acknowledge that they will need relief from the maximum number of units served by a cul-de-sac to allow the proposed 40 apartment units. The design of automobile circulation for the apartments includes a private drive connection to Duryea Drive extended to support the applicants' waiver request related to the maximum permitted number of dwelling units on a cul-de-sac. The project will be served by an extension of the public sewer & water system. He spoke about the stormwater management. No information has been provided relative to the impacts of this development on adjacent roadways. No formal action is required for this sketch plan; however, any comments from the Board, individually or collectively, may be offered to the applicants so that the applicants may consider the comments when preparing the formal plan submission.

Applicant Presentation:

Mr. Charlie Suhr, Attorney with Stevens & Lee, representing the Rohrs, stated they are here to introduce the plan. The connection to Duryea Drive is also recorded Phase 5 in 2004. He spoke about the triangle of the road which was an indication that the road would be extended at some time. He stated the concept of the 40 units of apartments is in flux and may have a different configuration of the apartments, including less but not more units, and the roads. He understands the residents are here tonight and do not like the plan of opening up the cul-de-sac and can understand it. However, it was planned and in the

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works for years. He stated they are working on the preliminary plan to submit. They plan on submitting it without needing any waivers and that it would be as a right to do this.

Board Questions:

Vice Chairwoman Nutt asked if Clifton Heights Road has sidewalks. Mr. Stacy Longenecker, Light-Heigel Associates, stated there are none. She asked if the proposed units would be similar to what is already there and he answered no. She asked if the apartments would be under the same management as the current ones and he said no. He noted they are separate owners. She mentioned that there is a need for maintenance for the current apartments. She asked if homeowners had been informed and he stated no. She shares the concerns the homeowners have expressed about this plan. She is concerned that opening Duryea will allow cars to cut through Stone Creek to get to Middletown Road, which is very congested. She believes most of the residents do not know these plans were out there. She has a lot of concerns about traffic without sidewalks. In addition, these apartments will be in the front yard of some of the homes.

Chairman Abruzzo agrees with Vice Chairwoman Nutt's comments. He stated residents have been making these points. The Duryea connection will change the whole nature of the roadway. The traffic generated with the apartments and the through-way traffic will create a public safety issue. He does not believe the homeowners knew about this connection. He asked if there were any other options for building the apartments without opening up the connection. Attorney Suhr stated if Clifton Heights went straight through Locust, it would not be wide enough, and relief would be needed. Vice Chairwoman Nutt noted that would create a new issue with Joann that does not have sidewalks. Chairman Abruzzo asked them to find another way to get out of the development back onto Middletown Road. He spoke about Middletown Road and the growth and congestion. Attorney Suhr spoke about a possible extension of the cul-de-sac and other possibilities.

Vice Chairwoman Nutt asked about a traffic study. Mr. Emerick stated it would be at the discretion of Board or if there are known traffic issues – which would probably be yes with Middletown Road. Mr. Emerick showed the prior plans and the ownership of the property and lines. She asked if they would be rental apartments and Attorney Suhr stated that has not been determined yet.

Supervisor Wyckoff had some questions but was hesitant because the plans are going to change. Attorney Suhr stated the number and layout of units may change but the Duryea Drive connection would not change. Mr. Emerick went over the required waivers needed based on the presented plan, including those in reference related to the cul-de-sac and minimum feet lot requirements. Chairman Abruzzo opened up the public comment after confirming the next step would be the submission of a preliminary plan.

Public Comments:

Reverend Richard Sheffield, 2411 Zell Court, has lived in Stone Creek for six years. He spoke about the safe quiet development. He spoke about their daily walks. He stated routing traffic on these quiet streets is dangerous and an unwelcome hazard. He stated it would degrade their property and reduce the taxes. He spoke about being blindsided and not being informed of this plan. He spoke about other options that are available including a second exit through their own property. He does not see any reason for the Duryea Drive connection and the disregard of 200 homes and over 500 residents. He understands that this plan was proposed 10 years ago and rejected. He opposes the plan shown tonight. He is an HOA member and will support and pursue any way to stop this connector.

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Mr. Chuck Stickler, 1105 Stone Creek Drive, spoke about the position of his home and how he can see dangerous situations that he has had to call the police about. He spoke about cars taking the corner and how the development cannot take the traffic it has now. The plans would add 80 cars. Based on what he sees on a daily basis, they need to be careful.

Mr. Michael Kryger, 1156 Duryea Drive, lives next to the cul-de-sac. He spoke about this quiet area where kids learn to ride bikes. It is disturbing that they would have a thruway in their development. He spoke about how kids will go into the street to catch a ball. He spoke about lots of kids using the streets and sidewalks. He said they could have 100 plus cars with the apartments and they will use this as a cut through. He would fear for his children with the proposed connector and strongly opposes it.

Mr. Philip Dobson, 2274 Pullman Way, has lived in Stone Creek for a year and did not know about the connector. Not only will these apartments use this as a shortcut, but the 60 homes will use it also, to avoid Middletown Road. Safety must trump profit and he oppose this project.

Dr. Rob Muscalus, 2471 Zell Court, agrees with the previous speaker's comments. He has served as the Pennsylvania Surgeon General under several governors. He worked with PennDOT officials and State Police. He has worked with these agencies regarding safety issues. His concern is for the safety of the children in the street, street walkers, dog walkers, and the current traffic is all they can handle. Additional traffic is likely to put individuals at risk and asked them to strongly take this into consideration.

Mr. John Kolar, 2208 Fulton Way, spoke about relocating and choosing the area. He is a retired developer and spoke about his history of developing in several states and numerous builders. To route all traffic through a residential neighborhood violates every concept of good planning. He stated he cannot think of any plans he has ever developed that any developer would think to do this.

Dr. Allison Platt, 2333 Pullman Road, spoke of her three kids. She spoke of renters and the increased risk of drugs and crime from people who have less of a community mind versus the homeowners.

Dr. Nahov Cherin, 1230 Auburn, stated her home is behind the cul-de-sac. She stated the developer spoke about concepts from the 1930s and stated times have changed. She spoke of the negative impact this will have on the safe tight-knit neighborhood. She stated this would negatively impact their neighborhood. She stated the developer spoke of relief and stated relief for who, certainly not the homeowners.

Mr. Daniel Cherin, 1230 Auburn, agrees with his wife and sent an email to the Board. He spoke about the trail and does not want to add more traffic and for it to become the death trail. He is concerned about safety.

Mr. Steve Novchick, 2421 Zell Court, has lived in the Stone Creek development for 17 years. He has great pride in the beautiful community. This is not a direct access to Middletown Road, which means they must weave through the other roads in the community. He agrees and supports what everyone has said and is opposed to this plan.

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Mr. Pete Gleason, 2362 Pullman Way, asked them to do everything to try and stop this plan. He stated he was on the Planning Commission in 2008 and this plan was submitted. He asked the Board to come out around 7-9 a.m. and see all the activity. He stated 40 new units will provide access to 109 units with the prior development. He spoke about sitting through cycles of the light on Locust Lane. He knows that traffic is an issue in the Township and spoke about the 2016 traffic study and projections for Middletown Road. He spoke about the apartment units (106 newly proposed) and traffic. He wishes the HOA would have known. He spoke about the profit that can be made from this plan. He does not like the threat of use from the developer.

Ms. Paula Moodie, 1217 Duryea, stated she lives on the cul-de-sac and is one of the five homes with a driveway in the cul-de-sac. She stated there are 9 vehicles utilizing the cul-de-sac now and is concerned that it could go up to 100 a day. She is opposed to this plan. She spoke about living here since 2005. She spoke about Joann Drive not having sidewalks. She spoke about the quality of life and walkability of their community. They are concerned about the traffic and what it could bring to their community. She is concerned with noise and light pollution especially as she will be so close to the new development. She appealed to them to preserve their neighborhood.

Ms. Ngoc Chow, 1104 Chadwick Circle, spoke about moving to Stone Creek and is upset to hear these plans have been around for years and not conveyed to them and finds it shocking. She is frustrated because they are disregarding safety as someone could be hurt or killed. They need to find other solutions. She opposes the plan and spoke of her active family and the quiet environment they have now. She does not understand the need for this and how it can impact other neighborhoods. She loves her community and does not want anyone to get hurt.

Ms. Julie Kiser, 1156 Chadwick Circle, voiced a strong ditto to what everyone has said. She has four kids at home and is concerned about people she does not know being in her neighborhood. She is concerned with the temporary people who will be living and traveling through their community.

Dr. Valih Motevak, 1188 Auburn, has agreed about most of what has been said about safety and traffic. He moved there in 2021 and did not know about the plans. He is all for development. The issues he has not heard about is the environmental impact of being next to the creek. He is also concerned about first responders with fire trucks. He agrees there is no reason for the extension and there are probably more options. There is no reason to pass on the problems to their community. He suggested adding a few luxury homes which would have just a few cars.

Mr. Elwood Menear, 1215 Upton Court, thanked the Board for listening. He urged the Board to look at the intent of Phase 4, which implies they are going to build more Stone Creek versus Clifton Heights. He feels blessed to be in his neighborhood. He hates to see land unused but believes it should be more Stone Creek instead of apartments. He believes more would be in favor of this. He spoke about issues with the exits.

Ms. Mitzy Sider, 1138 Chadwick Circle, has lived here for 20 years. She agrees with her neighbors' comments. She said that the plans were not proposed when she moved in but heard them in 10 years and opposed the plans then. She does not worry about the neighbors and safety now. But if this plan is done, she will be worried about their safety. She asked them not to approve this.

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Mr. Gearhart Schulz 1261 Auburn, moved here 15 years ago from New York City. They moved here to avoid the crime and congestion. He spoke about why they moved here and loving the community and green space. He did not know that Stone Creek was a cluster development which means they have 25% more traffic. To add 100 homes to the community seems unfathomable. He spoke about how they look out for each other. He spoke about how people will see their streets as a shortcut.

Ms. Rachel Gleason, 2362 Pullman Way, agrees with the previous speaker about the cluster development. She echoes all the comments of her neighbors. She asked them to consider their comments.

Ms. Karen Wilson, 1132 Chadwick Circle, spoke about the location of her home. She agrees with all the comments and opposes the plan. The neighborhood is good and offers a safe place for the kids to be able to be out playing. She is concerned about the traffic having to weave through their neighborhood at 25 mph. She spoke about the retirees in their neighborhood walking and risking their safety.

Mr. Vakil, 1150 Duryea, shares the concerns of those who have spoken. He spoke about his family visiting his brother who lives in the development and riding bikes through the neighborhood.

Mr. Vonn Walter, 1144 Duryea, has lived in Stone Creek for 7.5 years and is proud to be there. He has serious concerns about the Duryea connection. He shares his neighbors' concerns and wants the Board to oppose this plan.

Mr. Gui Wang, 1134 Duryea, has lived in Stone Creek for 18 years. His children have grown up in the community and loves it. He has not heard about this plan before. He spoke about his driveway which is downhill. He spoke about driving through the community and the danger of increased traffic. He thinks they should be smart with designing a community.

Mr. Jeff McNamara, 2363 Almond Drive, echoes everything said tonight. He has two young boys who use the street to ride bikes. He believes the safety concern alone should be enough not to approve this plan.

Mr. Beahzab Bastani, 1150 Duryea, agrees with what everyone else has said. He spoke about choosing the lot and building the home and how they have enjoyed the neighborhood. He spoke about the calm and quiet community. He has seen crazy cars drive through their neighborhood. He spoke of the two neighborhoods that are not compatible with each other. He spoke of the lifestyle and wanting his grandchildren to enjoy the same environment his children did in this neighborhood. He stated if this happens, the lifestyle will not be the same. He begged them not to let it happen and to end it.

Dr. Keshau Rao, 2465 Zell Court, moved here two years ago and loves it. He has concerns that this is the beginning of increased traffic. He strongly objects to the connector and would like to continue to live the way they are now.

Ms. Donna Yurick, 1132 Stone Creek, built their house in 2002. She would like to preserve the community and remain the same community for her daughter at college. She wants to preserve the memories and keep their community. She stated the renters do not care about the homeowners and the community.

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Ms. Jan Erickson, 2459 Zell Court, opposes their plan and agrees with what everyone has said.

Mr. Zhonglu Wang, 2247 Pullman Way, agrees with all the comments expressed today. We moved here in 2016 and we oppose the plan. He loves the neighborhood.

Ms. Tracy Burke, 2368 Pullman Way, has lived here for 16 years and did not know about this plan. She echoes everything that was said.

Ms. Linda Eaton, 1150 Cord Drive, moved in 2015 and loved the neighborhood right away. She spoke about the safety and the friendly neighbors. She has grandchildren who play and she knows who is coming and going through the neighborhood. Safety is a major concern for her. She believes people who do not own property do not consider their neighborhood. She thanked them and hopes they take their concerns seriously.

Ms. Susan Stagg, 2390 Pullman Way, supports everything that was said. She spoke about her street and how it is used with traffic. She spoke about the busses coming in their development and the volume of traffic in their neighborhood. She spoke about the in and out because people swerve going up the hill on Stone Creek. She spoke about Joann Drive and the trail and concerns about safety. She echoes everyone else's comments.

Mr. Nabaraj Mainali, 1210 Auburn, is so glad he came today as he realizes he belongs to such a loving community. He moved here two years ago and loves the neighborhood. He uses the Duryea cul-de-sac every day with his family, and it is safe now. He strongly hopes it does not go through there.

Ms. Katie Lutska, 1164 Duryea, loves the quietness of the street. She spoke about the bus stop across the street and concerns for safety now and would hate to see it get busier.

Mr. Jianming Hu, 1126 Chadwick Circle, moved here in 2004. He agrees with all his neighbors and thinks it is a bad idea. It would change the nature of the neighborhood and would create safety and traffic concerns. He asked the Board to consider what their concerns are.

Chairman Abruzzo received their comments and emails. He stated they registered their concerns.

RECESS & RECONVENEMENT

The meeting recessed for a break at 9:04 p.m. The meeting reconvened at 9:12 p.m.

AGREEMENT (RACP) -GRANT FUNDS- COMMUNITY CENTER CONSTRUCTION:

Mr. Christman stated the Township has been approved to receive a Redevelopment Assistance Capital Program (RACP) grant in the amount of \$2 million to help offset construction costs associated with the new Derry Township Community Center. Approval and execution of the agreement between the Township and the Commonwealth is required as the next step in the process prior to making a request for the disbursement of funds. The Solicitor has reviewed the agreement and is in concurrence with the Administration to seek Board authorization to execute the agreement.

Supervisor Zmuda made a motion to authorize the Chairman of the Board to execute an agreement by and between the Commonwealth of Pennsylvania and the Township of Derry - Contract No. ME 300-2078 - for the purpose of securing Redevelopment Assistance Capital Program grant funds to offset

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capital construction costs associated with the Derry Township Community Center. Vice Chairwoman Nutt seconded the motion. **Motion carried 5-0.** She thanked Mr. Jackson and Mr. Christman for their hard work for the Township to receive this money.

ORDINANCE-AMENDMENT-DWELLING FOR EMPLOYEES & STUDENTS-HERSHEY MIXED USE ZONING DISTRICT:

Mr. Emerick stated he is seeking the Board's direction for a proposed Zoning Ordinance text amendment as requested by Milton Hershey School, in concert with Hershey Trust Company and Hershey Entertainment and Resorts Company. The proposed text amendment would allow for Dwellings for Employees and Students in the Downtown Core 9.1 Overlay of the Hershey Mixed Use zoning district. Dwellings for Employees and Students are presently permitted by-right in the Planned Campus South and Medical Campus Central zoning districts. The benefit of allowing this type of use through a Conditional Use process is that conditions and restrictions can be applied to the regulations and conditions of approval to ensure that the outcome is as expected. If the Board is agreeable to this text amendment moving forward, the Board can instruct Staff and legal counsel to incorporate any Board comments into a final draft amending ordinance, with copies of the final draft being provided to the Derry Township and Dauphin County Planning Commissions for review and comment at least 30 days prior to the hearing date. The Board should also authorize Staff to advertise a public hearing for the matter. If the applicant provides a formal application and the required filing fee by March 7, 2023, a public hearing could be scheduled on or about April 25, 2023.

Chairman Abruzzo spoke about normal traffic concerns with any plan that need to be addressed and discussed. He believes it can move through the process as long as they understand how traffic coming and going affects other businesses and residents. He spoke of restricting what could be used in the future versus requested uses now. Mr. Emerick suggested the applicant can come in and present the sketch plan at the next meeting. Solicitor Eberly stated this would give time for Staff and legal counsel time to agree on the language for next meeting.

Supervisor Zmuda made a motion to authorize Staff and legal counsel to incorporate any comments from tonight's meeting into a final draft ordinance and to otherwise review and amend the draft once the application and filing fee is received. Once completed the final draft ordinance shall be re-presented to the Board for authorization to schedule a hearing and forward to the County and Township Planning Commissions for comments. Vice Chairwoman Nutt seconded the motion. **Motion carried 5-0.**

PENNDOT WINTER MAINTENANCE AGREEMENT:

Mr. Clark stated the Board authorized approval of an amended Agreement No. 3900039235 on October 25, 2022, under Resolution No. 2022-19 for reimbursing the township for snow removal maintenance costs. PennDOT has provided a Supplemental Agreement No. 3900039235A of the five-year (2020-2025) Winter Maintenance Agreement for maintenance of certain state-owned roads within the Township. Under this Supplemental Agreement No. 3900039235A, there is no financial change to the Agreement. PennDOT overlooked including Exhibits B and C.

Chairman Abruzzo made a motion to adopt Resolution No. 2023-10, including Exhibits B and C and execute the Supplemental Agreement No. 3900039235A of the five-year (2020-2025) Winter Maintenance Agreement between the Pennsylvania Department of Transportation and the Township of Derry. Supervisor Zmuda seconded the motion. **Motion carried 5-0.**

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FLASHING DEVICE - PEDESTRIAN CROSSING - COCOA AVENUE AND BROOK LANE:

Mr. Clark stated last month a bid opening was held as advertised for the installation of a flashing warning device for a pedestrian crossing at Cocoa Avenue and Brook Lane. Two bids were requested and we received one bid from Herr Signal & Lighting Company, Inc. at the cost of \$39,500.

Supervisor Zmuda made a motion to award the contract for the pedestrian crossing at Cocoa Avenue and Brook Lane to Herr Signal & Lighting Company, Inc. Vice Chairwoman Nutt seconded the motion.

Motion carried 5-0.

METAL ROOF FOR SHANK PARK BARN:

Mr. Clark spoke about the need for a new roof for the Shank Park Barn. In January, a bid opening was advertised for the removal of an existing cedar shingle roofing system and installation of a Drexel Metal 24-gauge DMC 150 snap lock standing seam metal roof. Two bids were requested with one being received from Windy Valley Exteriors at the cost of \$60,120. They are the contractor that repaired the Police Department roof in 2021.

Vice Chairwoman Nutt made a motion to award the contract for the roof replacement as well as the alternative options at the Shank Park Barn to Windy Valley Exteriors. Supervisor Wyckoff second the motion. **Motion carried 5-0.**

SIDEWALK WAIVER REQUEST - PLAN FOR WOODLAND HILLS, PLAT 1203:

Mr. Emerick stated Plat 1203 was approved by the Board in December 2014 and recorded in January 2015. The plan depicted the subdivision of a 15-acre tract of land, located at the ends of Woodland Avenue and Hillside Road, into 5 new lots for single-family dwellings. Since that time, all of the lots have been sold and homes have been built on Lots 1, 2, and 3. The Federicis, owners of Lots 4 and 5, have no present plans to construct a home. When the plan was recorded, sidewalks were proposed along the Hillside Road frontages of Lots 1, 2 and 3 as required by Section 185-34.A of the Subdivision and Land Development Ordinance. The developer, Swatara Station Partners, is now requesting a waiver of the sidewalk installations. Hillside Road ends in a cul-de-sac and serves four dwellings. In approving a waiver of sidewalks, Section 185-34.A.(4).(a) requires the Township to determine that one or more of the conditions which he spoke about. In this case, the waiver request is supported by the facts that the Township has no sidewalk installations planned in this area of the Township, the nearest off-road pedestrian path to the north is more than 1,600 feet away, and the nearest sidewalk to the south is over 3,000 feet away and neither the Comprehensive Plan nor the Official Map include sidewalks as a desired feature on Hillside Drive or Woodland Avenue. Swatara Station Partners has contacted the lot owners from the Woodland Hills subdivision and each supports the requested waiver. Swatara Station Partners has offered a fee in lieu of sidewalk installation, the amount of which has been approved by HRG is \$17,424. In conversations with Pat Armstrong, it is advisable to have a document prepared to be recorded as a notice of the sidewalk waiver. This document will be prepared by Mr. Armstrong's office and is to be recorded by Swatara Station Partners.

Chairman Abruzzo made a motion granting the requested waiver from Section 185-34.A regarding the installation of sidewalks along Lots 1, 2, and 3 of the Woodland Hills subdivision (Plat 1203), conditioned upon Swatara Station Partners paying the \$17,424. fee in lieu of installation and recording the document related to the same. Vice Chairwoman Nutt seconded the motion. **Motion carried 5-0.**

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CORRESPONDENCE BOARD/COMMITTEE INFORMATION:

Supervisor Zmuda spoke about the Transportation meeting where updates on projects were discussed. Supervisor Wyckoff stated the DTMA meeting was cancelled.

REPORTS:

<u>Police:</u>	Chief Warner thanked the Board for being part of the promotion. He spoke about the limited candidates to fill the other two vacant spots.
<u>Fire:</u>	Mr. Sassaman stated they had 59 calls in February and spoke about training they are having in a house. He spoke of their upcoming training and the junior firefighters.
<u>Library</u>	Mrs. Jacobine spoke about the upcoming concert at the Library.
<u>Recreation:</u>	Mr. Jackson spoke about hiring for the summer and going to the high school.
<u>Community Development</u>	Mr. Emerick stated there is a need for a public hearing on fireworks for April 25 at 6 p.m.

VISITOR/PUBLIC COMMENTS:

There were no comments offered.

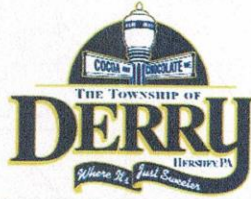
ADJOURNMENT:

Supervisor Zmuda made a motion to adjourn the meeting at 9:43 p.m. Vice Chairwoman Nutt seconded the motion. **Motion carried 5-0.**

SUBMITTED BY:

Carter E. Wyckoff
Township Secretary

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Township of Derry
Board of Supervisors
Meeting Attendance 7:00 PM

Meeting of: February 28, 2023

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Darren Rohr	Terry & Steven Novichich
Teri Rohr	Sherril + Ed Stom
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Bokul Shaktias	Nancy Frederick
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ELWOOD MENEAR	Jacqueline Mann
MARJORIE MENEAR	Juan M Stan M
Pamela Perrygo	Maxine K. Elvey
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Ken Gull	Jeff McNamee
Alice Hamilton	Chuck Stickler
RICHARD SHEFFIELD	Stephenei Nune
Margie Hopper	John Kolar
Kia Wang	Paul Dong
Guirong Wang	Susan Stagg
LYNN BAKER	Alicia + Bernard Schultz
Charles Suhr	Stavros Elee.

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Bruce Karpas	Amy Kessler
Erin Rafferty	Rita Christod
Brian Prud'homme	Susan Soudeib
Agnes and George Jude	Jeanette H. Robin
Nancy Sapsky	Yvonne Jackson
Philip DeBacco	Janet Owen
J. B.	Juanming Hu
Marc Chou	Peter O'Season
Cynthia Liu	Machel Gleason
JANE ERICSON	Rick Yazinski
Shantini Rao	Michael Kruger
Leah Rao	Julie Kiser
Joe Russo	Uday Shrikantia
Joey Russo	Abhishek Shrikantia
Andrew Russo	Lakshmi Shrikantia
Patricia Boyle	Donna Yurick
Sophia Boyle	Justin Hong
Mitsu Sider	F. Nersisyan
Tucker Hull	B. Pastan
Dave Fitzgerald	Zhongli Wang
Rob Muscalus	Yu Jiang
David Romanoski	Sara Kim
Paula Moodie	Heather Kim
BRIAN GRUBB	Hyekyoung Shin

TOWNSHIP OF DERRY
BOARD OF SUPERVISORS MEETING MINUTES
FEBRUARY 28, 2023

7pm
2/28/2023
Stone Creek Homeowner

Naba Mainali
Guanhong LI

Lin Zhang
Neyha Cherin
Daniel Cherin

Jun You

Alison Platt
Anket Babakzadeh

Valid Motevali

Hosi Karzai
YANG LIU

Xin Wang
Sourabh Metnivat G.
Adine Kreamer

Haifa Bachrak
Kalpen Vakil

Rajini Vakil

Anrut Lal Vakil

Bakul Vakil

ASHRAF ELIOLA

NADIA ELRAIF

Yanfang Guan

James Hester

ED LISZKA

Kathleen Liska

Karen Wilson

Tim Wilson

Zatra Ahmed

Leon Chow

Ngoc Chau

Nabila Taha
Cynthia Liu
Charles Raup