

DERRY TOWNSHIP PLANNING COMMISSION
MEETING MINUTES
January 10, 2023

CALL TO ORDER

The Tuesday, January 10, 2023 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 Member Tom Wilson.

ROLL CALL

Commission Members Present: Tom Wilson; Glenn Rowe; Matt Tunnell; Don Santostefano; Mike Guntrum

Commission Members Absent: None

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

Public Registering Attendance: Warren and Teri Rohr, 741 Locust St.; Stacy Longenecker, Light-Heigel & Associates; Charles Suhr, Stevens & Lee

APPROVAL OF MINUTES

On a motion made by Member Tunnell, seconded by Member Santostefano, and a unanimous vote, the Planning Commission approved the minutes from the December 13, 2022 meeting, as written.

REORGANIZATION

Member Santostefano made a motion that the offices of Chairman, Vice Chairman, and Secretary be filled for 2023 as follows:

Chairman – Glenn Rowe
Vice Chairman – Matt Tunnell
Secretary – Mike Guntrum

Member Wilson seconded the motion, which was passed unanimously.

OLD BUSINESS

None.

DERRY TOWNSHIP PLANNING COMMISSION
MEETING MINUTES
January 10, 2023

NEW BUSINESS

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

Chuck Emerick explained that this plan represents the re-subdivision of Lots 1 and 2 as created by the Preliminary/Final Subdivision Plan for Barbara A. Eckenrode, Plat 974. 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 also have access to Jo Ann Avenue via an undedicated 40-foot-wide right-of-way. 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 will 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 dwelling units.

The extension of Clifton Heights Road was first contemplated as part of the Preliminary Subdivision Plan for Stone Creek, Plat 899, which plan 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 plan was recorded in 2002. 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 maximum 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 vehicle 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.

Member Santostefano inquired if there is a specific reason for the proposal being presented as a sketch plan. Mr. Emerick answered that it is a good way to start a project such as this so that the applicants can receive input from the Township and public about any concerns prior to the submission of a formal subdivision and land development plan.

Vice Chairman Tunnell asked if the applicants will need to seek relief from Township regulations for the number of units proposed. Mr. Emerick stated that the applicants also provided a sketch plan of what they believe is the by-right full build out of area at 70 units, as opposed to the 40 units proposed. In the R-3 zoning district, 12 apartment units per net developable acre are permitted, and Mr. Emerick believes that the applicants will not need to seek relief for density. However, they will need to request a waiver from the Subdivision and Land Development Ordinance for the number of dwelling units permitted on a cul-de-sac street. Fourteen is the maximum number of units permitted on a cul-de-sac street.

Vice Chairman Tunnell thinks there will be a lot of opposition from Stone Creek residents to the proposed Duryea Drive extension and asked if the applicants have considered connecting Clifton Heights Road to Jo Ann Avenue by way of an unopened extension of Locust Street. Mr. Emerick

DERRY TOWNSHIP PLANNING COMMISSION
MEETING MINUTES
January 10, 2023

explained that the Locust Street connection was explored in 2002 as part of the Preliminary/Final Subdivision Plan for Barbara A. Eckenrode, Plat 974. The problem with the 40-foot-wide unopened Locust Street right-of-way is that it is substandard in width, and the offer for dedication to the Township would have expired 21 years after Plat 974 was recorded. To extend Clifton Heights Road to Jo Ann Avenue now would likely require condemnation by the Board of Supervisors.

Vice Chairman Tunnell believes it will be difficult for the applicants to get a waiver from the maximum number of units permitted on a cul-de-sac street because of how many units they are proposing. Secretary Guntrum added that if an applicant is seeking a significant waiver from planning, there has to be some significant benefit to the Township and its residents, otherwise there is likely to be opposition to the request from the public and the Board of Supervisors.

Chairman Rowe asked if the proposed apartments units will be equivalent to the existing apartments on Clifton Heights Road. Stacy Longenecker of Light-Heigel & Associates spoke on behalf of the applicants and stated that they are looking to do something more upscale and similar to The Residences of Hershey apartment complex on Middletown Road.

Vice Chairman Tunnell commented that if the proposed project is approved, including the connection to Duryea Drive, he suspects it would solve density issues for other properties on Clifton Heights Road. He asked what zoning district the other properties are in and what the permitted density is. Mr. Emerick responded that the density is based on the portions of the properties that are developable, so he is unable to give a quick answer. However, the properties are in the R-3 zoning district and apartments are permitted.

Member Wilson asked what the hardship would be to justify the waiver request regarding the number of dwellings on a cul-de-sac. Charlie Suhr, Stevens & Lee, represented the applicants and responded that they know the waiver request is going to be a big ask. They have tentatively explored the idea of relocating one of the proposed buildings on Barbara Way so that it would front on Duryea Drive extended. There are other reconfigurations that could be done to reduce the number of units on the cul-de-sac.

Mr. Suhr asked for clarification regarding HRG, Inc.'s review comment that a 60-foot right-of-way width needs to be provided or a waiver needs to be requested. Mr. Suhr explained that the applicants had proposed a 54-foot right-of-way to match the existing Clifton Heights Road and Duryea Drive rights-of-way. The Subdivision and Land Development Ordinance was amended to require a 60-foot right-of-way after the establishment of those streets. He asked if the Township would rather the applicants make the right-of-way of the remaining streets match everything else in the area or if the Township would want the right-of-way width to be 60 feet to comply with Subdivision and Land Development Ordinance. Ryan Cummings of HRG, Inc., responded that if the applicants cannot provide the 60-foot right-of-way, they will have to request a waiver.

Mr. Suhr noted that there are also historic issues with stormwater in this area of the Stone Creek development and it is the intention of the applicants to help clear up those issues, which would benefit the public. Mr. Emerick pointed out the Stone Creek stormwater basin that discharges

DERRY TOWNSHIP PLANNING COMMISSION
MEETING MINUTES
January 10, 2023

through an easement on the Rohrs' property. The stormwater easement was granted when the connection to Duryea Drive was negotiated between the developer of Stone Creek and the Rohrs. Mr. Emerick stated that he understands the Stone Creek residents may be concerned about the additional development; however, the safety improvement to the nonconforming Clifton Heights Road cul-de-sac should not be overlooked when considering the Rohrs' current proposal.

In response to questions from Vice Chairman Tunnell and Chairman Rowe, Mr. Suhr stated that there have not been any conversations with the Stone Creek residents or the Jo Ann Avenue residents about the proposal. Mr. Suhr added that he is not sure the time period has expired for dedication of the 40-foot-wide unopened Locust Street right-of-way. It is a little more complicated than 21 years after plan approval; it is more about public use. However, even if the time period has not expired, the width would still be substandard. The applicants are not exploring that connection because it would be a bigger hassle to go that way and it did not make sense to do so.

At Chairman Rowe's request, Mr. Cummings went over HRG, Inc.'s plan review comments.

Member Santostefano mentioned the fact that this proposal will add a significant number of vehicle trips to the ever-present Middletown Road traffic issue.

OTHER BUSINESS

None.

**DERRY TOWNSHIP PLANNING COMMISSION
MEETING MINUTES
January 10, 2023**

ADJOURNMENT

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

Respectfully submitted,

Michael J. Guntrum
Planning Commission Secretary

Submitted by:

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