

TOWNSHIP OF DERRY
BOARD OF SUPERVISORS PUBLIC HEARING MINUTES
MARCH 29, 2023 6:00 PM

CALL TO ORDER

Chairman Abruzzo called the March 29, 2023 Public Hearing of the Township of Derry Board of Supervisors to order at 6:09 p.m. in the meeting room of the Township of Derry Municipal Complex, 600 Clearwater Road, Hershey, PA. A roll call was performed. He reminded the public that the meetings are recorded.

IN ATTENDANCE:

SUPERVISORS

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

ALSO PRESENT:

Peter Nelson, Township Solicitor
Chuck Emerick Director of Community Development
Eric Stump, HRG Engineer
Summer Miller, Stenographer
Julie Echterling, Recording Secretary

PUBLIC IN ATTENDANCE:

See attached pages.

INTRODUCTION:

Chairman Abruzzo stated this is the reconvened public hearing regarding Conditional Use Application No. 2022-06 (Plat 1359), as filed by equitable owner Linlo Governor Crossing, LLC and Sheetz, Inc., regarding a Master Plan Development. He asked that everyone identify themselves when they speak at the podium. He turned the meeting over to Solicitor Nelson. Solicitor Nelson had no administrative items to discuss.

Attorney Jamie Strong asked Mr. Christopher Commarata, VP of Construction with Kiddie Academy, questions about his background and the potential Kiddie Academy site.

Township Attorney Scott MacNair asked Mr. Commarata questions.

Attorney Crist asked Mr. Commarata questions.

Attorney Getz asked Mr. Commarata questions. Attorney Strong objected during the line of questioning about Hope Road since it is not part of the plan. Solicitor Nelson asked him to reword the question and upheld the objection related to the question of fairness. Attorney Getz continued to ask questions after the objection.

Attorney Greenberg asked Mr. Commarata questions. During the business model questions, Attorney Strong objected as it has nothing to do with the Township's ordinances. Attorney Greenberg noted he is trying to establish who will control the Center. Solicitor Nelson overruled the objection. Attorney Greenberg continued his questioning. Attorney Strong objected to the relevance of the questions and stated the Township can restrict the hours and the applicant would be bound by those restrictions and spoke about the conditional use. Solicitor Nelson overruled his objection based on his comments on the first objection. Attorney Greenberg continued his questioning.

Attorney Winter asked questions of Mr. Commarata. Attorney Strong objected to the question of why this was a good location. Solicitor Nelson asked him to reword the question and move on. Attorney Winter continued his questioning.

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Ms. Annette Means asked Mr. Commarata questions.

Ms. Newman had no questions.

Mr. Doug Miller asked Mr. Commarata questions.

Mr. Hitchcock had no questions.

Vice Chairwoman Nutt, Chairman Abruzzo and Solicitor Nelson asked questions of Mr. Commarata.

RECESS & RECONVENMENT

The public hearing recessed for a break at 7:42 p.m. The hearing was reconvened at 7:58 p.m.

Solicitor Nelson asked if Attorney Strong had called his last witness and he stated he did and asked that Applicant Exhibits A1-A30 be entered into the record. Attorney Strong also asked that he be allowed rebuttal as the hearing continues. Solicitor Nelson asked the parties if there were any objections. Attorney Crist suggested that the applicant may want to only enter the most recent traffic study and Solicitor Nelson stated it is best to enter everything. Solicitor Nelson indicated it was time for Township Attorney MacNair to call witnesses.

Township Attorney MacNair provided a handout of exhibits to the Board and the parties in attendance. He called Mr. Eric Stumpf, HRG Engineer and Township Engineer to be sworn in. Stenographer Miller swore in Mr. Stumpf. He asked Mr. Stumpf about his education and work experience. He provided Exhibit T1 which was Mr. Stumpf's resume. He moved that Mr. Stumpf qualified as a Traffic Engineer. Solicitor Nelson asked if there were any objections and there were no questions or objections by the parties in attendance. He continued to ask Mr. Stumpf questions.

Township Attorney MacNair spoke of the following exhibits during his questioning of Mr. Stumpf:

- T1=Mr. Eric Stumpf's resume
- T2=TIS Scoping Application – HRG Review letter
- T3=HRG 10/17/22 Comments
- T4=Roadway Improvement Concept map
- T5=Expert of PennDOT HOP Operations manual

Solicitor Nelson discussed future dates for hearings. April 26, May 31, and June 21 were the dates chosen for the next three hearings.

ADJOURNMENT:

Chairman Abruzzo adjourned the hearing at 9:02 p.m.

SUBMITTED BY:

Carter E. Wyckoff
Township Secretary

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Derry Township Board of Supervisors Reconvened Public Hearing
March 29, 2023, 6:00 p.m.
Conditional Use Application No. 2022-06 for Governor Crossing

<u>Name</u>	<u>Address or Company</u>
<u>Dave Getz</u>	<u>Wix Wagon Etc. Inc.</u>
<u>STEPHANIE DEDWARDS</u>	<u>116 ALMOND DR HERSHEY</u>
<u>Dave Jellen</u>	<u>6 ALMOND DR.</u>
<u>Anne Newman</u>	<u>533 Emb Avenue</u>
<u>Doug Miller</u>	<u>Seedlings Academy</u>
<u>Annette Meaux</u>	<u>A to Z Realty</u>
<u>Mary Beckensause</u>	<u>218 Governor Rd.</u>
<u>Vic Cini</u>	<u>1800 Creek Run LN, Lebanon PA</u>
<u>Douglas Ernie</u>	<u>716 Fishburn Rd. Hershey</u>
<u>Neal Rhoads</u>	<u>47 Peach Ave. Hershey</u>
<u>Ron Blumberg</u>	<u>46 Almond Dr. Hershey</u>
<u>Edward Greenberg</u>	<u>637 FISHBURN RD</u>
<u>Dr. M. Hoffman Jr.</u>	<u>Ward Creech Phila PA</u>
<u>MARK WINTER</u>	<u>6 N management</u>
<u>Joan May</u>	<u>JSDC LAW</u>
<u>John Miller 379 Cocoa</u>	<u>Cocoa Townes</u>

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*Derry Township Board of Supervisors Reconvened Public Hearing
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Name

Address or Company

Madelyn Tuymen

Cocoa Townes

Matt Hitchcock

110 Peach Ave

Jaraph M. Crist

Chuck Rosel
