



TOWNSHIP OF DERRY

Board of Supervisors Public Hearing Minutes
Wednesday, May 31, 2023

CALL TO ORDER

Vice Chairwoman Nutt called the May 31, 2023 Public Hearing of the Township of Derry Board of Supervisors to order at 6:04 p.m. in the meeting room of the Township of Derry Municipal Complex, 600 Clearwater Road, Hershey, PA. She advised that all public meetings are recorded for providing accurate notes. Before the roll call, she announced that Chairman Abruzzo would be late.

ROLL CALL

SUPERVISORS PRESENT:

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

ALSO PRESENT:

Christopher S. Christman, Township Manager
Chuck Emerick, Director of Community Development
Julie Echterling, Recording Secretary
Becky Sweigart, Public Outreach Coordinator
Eric Stump, HRG Engineer
Peter Nelson, Township Solicitor

Public in Attendance:

See Attached List.

[5-31-2023 Hearing sheet 2](#)

[5-31-2023 Hearing Sheets](#)

NEW BUSINESS

Reconvened public hearing regarding Conditional Use Application No. 2022-06 (Plat 1359), as filed by equitable owner Linlo Governor Crossing, LLC (“Applicant”) and Sheetz, Inc. (“Co-Applicant”), regarding a Master Plan Development for redevelopment of land generally located in the southwestern quadrant of the intersection of West Governor Road and Fishburn Road to include a series of nonresidential and residential uses consisting of a convenience store with fuel service; a mixed-use building with ground floor food service (i.e., restaurant) and small-scale retail and two upper floors containing multifamily apartment dwellings; a dialysis center; and a group child care facility

Vice Chairwoman Nutt read the agenda item and turned the meeting over to Solicitor Peter Nelson. Solicitor Nelson stated they would need to find more hearing dates at the end of this meeting. He also stated that at the end of a prior hearing, Attorney Strong asked for more time to review the exhibits before having them entered into evidence. He noted that was not done at the last meeting and asked that this be done at the June meeting. Attorney Strong agreed.

Attorney Edward Greenberg, Attorney for KinderCare, asked Township Engineer Eric Stump questions.

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Attorney David Getz, attorney for FSC Properties, asked Mr. Stump questions.

Attorney Mark Winter, attorney for Ron's Barbershop and for himself as a resident of Cocoa Townes, asked Mr. Stump questions. During his questioning, Mr. Ian Preston, KCI, answered a question about traffic. During his questioning, Mr. Stump was asked to look up the answer to a question. Solicitor Nelson stated he should be testifying and not looking up items. Attorney Winter can ask him outside questioning. Attorney Winters continued to ask questions about the HOP (Highway Occupancy Permit). Attorney Jamie Strong, attorney for applicant, objected to any further questioning on the HOP because it is not part of the Master Plan and only a traffic study is required. Attorney Winter stated he has only one more question. Solicitor Nelson will allow one more question. During this questioning, Chairman Abruzzo arrived at 6:45 p.m.

Mr. Doug Miller, Seedlings Academy, asked Mr. Stump questions.

RECESS & RECONVENMENT

The public hearing recessed for a break at 7:36 p.m. The hearing was reconvened at 7:49 p.m.

Mr. Doug Miller continued to asked Mr. Stump questions. At the end of his questioning, he started to provide information about the Academy, at which time, Solicitor Nelson stated that he would have an opportunity to testify later.

Mrs. Annette Means, A to Z Realty, asked Mr. Stump questions.

Ms. Anne Newman and Mr. Stang, both in attendance, had no questions for Mr. Stump.

Mr. Matt Hitchcock asked Mr. Stump questions.

Solicitor Nelson asked if the Board had any questions. Chairman Abruzzo and Vice Chairwoman Nutt asked questions of Mr. Stump. Solicitor Nelson asked Mr. Stump questions.

Solicitor Nelson asked Attorney MacNair if he has redirect questions and he said he does. Solicitor Nelson stated Attorney MacNair would start his questioning at the June meeting. The Board and parties discussed future hearing dates and came up with July 18 and August 24 as additional hearing dates.

ADJOURNMENT

Solicitor Nelson adjourned the hearing at 8:58 p.m.

SUBMITTED BY:

Carter E. Wyckoff, Township Secretary

PLEASE SIGN IN

Derry Township Board of Supervisors Reconvened Public Hearing
May 31, 2023, 6:00 p.m.

Conditional Use Application No. 2022-06 for Governor Crossing

<u>Name</u>	<u>Address or Company</u>
Doug Miller	Seedlings Academy
ZONACD Blumberg	637 FISHBURN RD
Dave Getz	Wix Wages & weiner
IAN PRESTON	KCI TECHNOLOGIES
MARK WINTER	JSDC LAW
M. B. Backenstos	218 W. Governor Rd. HERSHEY
Ed Greenberg	Ward Greenburg Philadelphia
Annette Means	A to Z Realty
Anne Newman	533 Elm Ave
JOAN May	Cocoa Townes
David Heppner, Jr.	GN Manager
MAT HITCHCOCK	110 Peach Ave
Colbee Vamath	KinderCare
ANGELICA GIBBO	KinderCare

PLEASE SIGN IN

Derry Township Board of Supervisors Reconvened Public Hearing

May 31, 2023, 6:00 p.m.

Conditional Use Application No. 2022-06 for Governor Crossing

Name

John M. Curt

Lori Neff

Address or Company

Representing Mary Beth Madelore

KENNEDY