



TOWNSHIP OF DERRY

Board of Supervisors Public Hearing Minutes
Monday, July 31, 2023

CALL TO ORDER

Vice Chairwoman Nutt called the July 31, 2023 Public Hearing of the Township of Derry Board of Supervisors to order at 6:05 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.

ROLL CALL

SUPERVISORS PRESENT:

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

ABSENT:

E. Christopher Abruzzo, Chairman

Public in Attendance:

Ms. Maria O'Donnell, Stenographer and attached list.

[7-31 sign in sheets 20230802](#)

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

Solicitor Nelson went over the plan for this meeting and the August 24 meeting. He stated there would be an opportunity for public comment at the August meeting. He asked Mr. Strong if he was okay with keeping the record open until August. Mr. Strong was okay with this request. Chairman Abruzzo and Township Special Counsel Mr. MacNair were unable to be at tonight's meeting. They will receive the transcript to review prior to the decision being made.

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Ms. Annette Means was sworn in by Stenographer O'Donnell. She presented her case and provided exhibits to the Board and applicant. Attorney Strong asked her questions. During his questioning, Mr. Miller, Seedlings Academy, objected to the statement made by Attorney Strong that he objected to the prior plan, but rather he did not know about it. Solicitor Nelson stated they can look at the record and see what was said. Solicitor Nelson asked all the other parties and Board if they had questions for Ms. Means. They all answered no. Solicitor Nelson marked Ms. Means' exhibits as - M1 was the ordinance, M2 was Article VII of the MPC and M3 as an article about Traditional Neighborhood Development. He asked Attorney Strong if he had any objections. Attorney Strong noted his standing objection to the relevance of the documents submitted. Solicitor Nelson asked the other parties if they had objections and there were no objections to her exhibits.

Attorney Winter, representing himself and wife who live on Almond Avenue, was sworn in and provided testimony as a resident of CocoaTownes. Attorney Strong asked him questions. Solicitor Nelson asked if any of the parties had any questions and they had none. Vice Chairwoman Nutt asked him a question.

Solicitor Nelson stated the rest of the parties have chosen to provide public comment versus a case. He asked Attorney Strong if he had a rebuttal or other witnesses to call. He asked to reserve the right to do so at the August meeting but had nothing tonight. The Board had no objections to his request.

PUBLIC COMMENTS

Mrs. Terri Miller, 228 Clark Road, was sworn in and provided public comment. She is co-owner of the Seedlings Academy. After her comments, Solicitor Nelson asked all the parties and Board if they had questions. They all stated they had no questions.

Mr. Philip Jurus, 58 Locust Ave, was sworn in and provided public comments about the project as a citizen of the Township. After his comments, Solicitor Nelson asked all the parties and Board if they had questions, and they all stated they had no questions.

Mr. Matt Hitchcock, 110 Peach Ave, was sworn in and provided public comments about the project as a party and citizen of the neighborhood. After his comments, Solicitor Nelson asked all the parties and Board if they had questions, and they all stated they had no questions.

RECESS AND RECOVENMENT:

The public hearing recessed at 7:42 p.m. and reconvened at 7:55 p.m.

Mr. Robert Smith, 101 Almond Drive, was sworn in and provided public comments about the project as a party and citizen of the neighborhood. After his comments, Solicitor Nelson asked all the parties and Board if they had questions, and they all stated they had no questions.

Mrs. Christina Stickler, 43 Locust Ave, was sworn in and provided public comment about the project. After her comments, Solicitor Nelson asked all the parties and Board if they had questions, and they all stated they had no questions.

Mr. Bob Welsh, 421 Hilltop Road, was sworn in and provided public comments about the project. After his comments, Solicitor Nelson asked all the parties and Board if they had questions, and they all stated they had no questions.

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Mr. David Brewin, 105 Almond Drive, was sworn in and provided public comment about the project as a citizen of the neighborhood. After his comments, Solicitor Nelson asked all the parties and Board if they had questions, and they all stated they had no questions.

Mr. Jonathan Crist, 2865 Church Road, started to speak. Solicitor Nelson asked him if he was a Township resident and he stated he was not. Solicitor Nelson stated he could not testify at the hearing since he is not a resident.

Mr. Angel Rosado, 672 Fishburn Road, was sworn in and provided public comment about the project as a citizen of the neighborhood. After his comments, Solicitor Nelson asked all the parties and Board if they had questions, and they all stated they had no questions. Solicitor Nelson asked him to verify the location of his home.

Mr. Douglas Ednie, 47 Peach Ave, was sworn in and provided public comment about the project as a citizen of the neighborhood. After his comments, Solicitor Nelson asked all the parties and Board if they had questions, and they all stated they had no questions.

Solicitor Nelson noted there is one more hearing on August 24. The meeting will start with the Applicant's rebuttal. He stated the oral arguments for the Attorneys should be about 10 minutes. After that, the record can be closed.

ADJOURNMENT

Solicitor Nelson adjourned the hearing at 8:38 p.m.

SUBMITTED BY:

Carter E. Wyckoff, Township Secretary

PLEASE SIGN IN

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

Conditional Use Application No. 2022-06 for Governor Crossing

Name

Address or Company

DOUGLAS Miller

Seedlings Academy

TERRI Miller

Seedlings Academy

MARK WINTER

JSDC LAW

SEPENA DiMAGNO

314 NOYAL VILLAGE TERRACE

Anne Newman

533 Elm Ave

Ed Greenberg

Ward Greenberg for KinderCare

PHILIP JUDIS

58 LOCUST AVE 17033

SUE KELLNER

58 LOCUST AV 17033

Tawna M. Brust

2865 CHUKAT DR STANND

Dave Getz

508 N2d Hwy

Krista Klee

Seedlings Aca.

Sarah Narehood

Seedlings Academy

Douglas Ednie

716 Fishburn Rd

PLEASE SIGN IN

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

Conditional Use Application No. 2022-06 for Governor Crossing

<u>Name</u>	<u>Address or Company</u>
David Brewin	105 Almond Dr. Hershey
Ronald Blumberg	637 Fishburn RD
Suzanne Morgan	100 Elm Ave
Randy Morgan	100 Elm Ave
Bob Welsh	421 Hilltop Rd #town
Matt Hitchcock	110 Peach Ave
Scott & Jeannie Harvey	961 Sunnyside Rd
Christine Stickler	43 Locust Ave
ROBERT SMITH	101 ALMOND DR.
Scott & Annette ^{Messaw} Mants	Needlepoint Acorn
Olivia Lewis	The Sign
M.B. Brubaker	218 W. Gov
V.M. Cini	218 W. Gov.