

**DERRY TOWNSHIP PLANNING COMMISSION**  
**MEETING MINUTES**  
**July 12, 2023**

**CALL TO ORDER**

The Wednesday, July 12, 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 Chairman Glenn Rowe.

**ROLL CALL**

Commission Members Present: Glenn Rowe, Chairman; Mike Guntrum, Secretary; Tom Wilson

Commission Members Absent: Matt Tunnell, Vice Chairman; Don Santostefano

Township Staff and Review Agency Representatives Present: Chuck Emerick, Director of Community Development; Valerie Wood, Community Development Secretary; Ryan Cummings, HRG, Inc.

Public Registering Attendance: Chris Brown, Bob DeFiore – Hershey Entertainment & Resorts Company; Mark Swank, David Barto – Penn State Health; Andrew Tinsley, Raymond Brace, Dan Clough, Craig Mellott, Mark Brace – SwimHershey; Tim Leh, The Hershey Company; Jennifer Lee, K&W Engineers; Sean Adams, *Patriot-News/PennLive*; Jake Krieger, Mark Hackenburg – RGS Associates, Inc.

**APPROVAL OF MINUTES**

On a motion made by Chairman Rowe, the Planning Commission approved the minutes from the June 6, 2023, meeting, as written. Secretary Guntrum and Member Wilson abstained from voting because they were not present at the June meeting.

**OLD BUSINESS**

- A. Report on the Board of Supervisors’ action regarding Ordinance No. 2023-05, amending Chapter 225 (Zoning) of the Code of Ordinances of Derry Township by permitting Dwellings for Employees and Students as a Conditional Use in the Downtown Core Overlay 9.1 of the Hershey Mixed Use zoning district and establishing specific criteria and requirements for the same**

Chuck Emerick reported that the Board adopted Ordinance No. 2023-05 at their meeting on June 13, 2023.

**NEW BUSINESS**

- A. Review and comment on the Sketch Plan for The Villas at The Hotel Hershey, Plat 1377**

Chuck Emerick explained that this sketch plan represents the development of 10 new “villas” that were originally proposed as part of the Preliminary/Final Subdivision and Land Development Plan for Cottages at the Hotel Hershey, Plat 1139. Plat 1139 combined the two properties that now make up the

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Hotel Hershey site, which contains about 226 acres. Plat 1139 also enabled a myriad of improvements at the site, including a new grand entrance, upgraded recreation opportunities, a new restaurant building, reconstructed parking facilities, and 21 cottages. All of the improvements have been completed, except for 10 of the cottage buildings, which were noted in 2008 to not be built until 2017. The 10 cottages that were not built were proposed to be served by two small cul-de-sacs, whereas the present sketch plan proposes a loop road. Two other changes that are worth noting between the old land development plan and the new sketch plan are that the new sketch plan proposes three six-bedroom cottages in place of the three four-bedroom cottages that were previously proposed. The sketch plan now also proposes a small mechanical/housekeeping building in the area of the cottages. A traffic evaluation was done under Plat 1139 and since this sketch plan proposes only six more lodging units than the prior land development plan, it is not anticipated that traffic in the area will be impacted in any meaningful way.

Mr. Emerick and Ryan Cummings, HRG, Inc., summarized their sketch plan review comments.

In response to a question from Mr. Emerick, Chris Brown of Hershey Entertainment & Resorts Company stated that the outside of the loop road will be curbed to catch stormwater runoff but only portions of the inside of the loop road will be curbed.

Chairman Rowe asked if the proposal will affect the property's nature trail. Mr. Brown responded that the trail will not be affected. If anything, there will be new opportunities to connect to the trail.

Member Wilson asked if the proposed stormwater facility will be a wet pond. Mr. Brown answered that it will be dry.

**B. Review and comment on the Sketch Plan for SwimHershey, Plat 1378**

Chuck Emerick explained that this sketch plan, filed by The Foundation for Enhancing Communities on behalf of SwimHershey, represents the subdivision and development of an approximately 52.33-acre tract of land fronting on Sand Beach Road and accessed by Crystal A Drive, a private road. The site is in the Planned Campus North zoning district. It is proposed to subdivide 7.84 acres to contain The Hershey Company's existing Global Customer Insights Center (GCIC) building, resulting in a 44.49-acre vacant tract on the north side of Crystal A Drive. The plan proposes the construction of a 47,495-square-foot structure to contain a 50-meter pool, an 8,100-square-foot entry pavilion, and an 11,850-square-foot building to contain a 25-meter warm-up/warm-down pool. Access to the SwimHershey site is proposed to be via a private access drive from Crystal A Drive. According to the project narrative, the site would be developed in two phases, with the first phase containing only the 50-meter pool, which would accommodate 300 swimmers, seat 750 spectators at an event, and require 248 parking spaces. Phase two, anticipated to be constructed four to six years after sustained operation of the initial phase, would see the construction of the welcome pavilion and the warm-up/warm-down pool, which would allow up to 800 swimmers and 1,500 spectators, and would require 660 parking spaces. Mr. Emerick noted that a traffic evaluation is in the process of being prepared.

Mr. Emerick and Ryan Cummings, HRG, Inc., summarized their sketch plan review comments.

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Mark Hackenburg of RGS Associates, Inc., the project's engineer, stated that the applicant has no issues with the review comments that were presented, and they will be addressed during the land development plan process.

Ray Brace, a member of the SwimHershey Board, explained that their focus is on building a 50-meter competition pool for the underserved communities of competitive swimming and diving, water polo, and artistic swimming. It will not be a recreational swimming facility.

In response to an inquiry from Chairman Rowe, Mr. Brace stated that the proposed facility will have a regional market area north to New York, west to Ohio, and south to Maryland. It will bring a positive economic impact to the community, estimated to be in the range of five million dollars initially to 20 million dollars at full buildout.

Chairman Rowe asked what SwimHershey's response is to the controversy regarding the size of the pool at the Township's Community Center. Mr. Brace replied that he was involved in those discussions and had offered four million dollars in contributions from SwimHershey to increase the size of the Community Center's pool from 25 or 35 meters to 50 meters. They were disappointed with the final result but they understood that there were issues the Township needed to contend with, such as potential adverse reactions to closing a recreational facility for a weekend due to a large competitive event, and traffic flow to and from the Cocoa Avenue facility. Mr. Brace added that they would like to partner with the Community Center going forward.

In response to questions from Chairman Rowe regarding trip generation, Craig Mellott of Traffic Planning and Design explained that they have not completed the traffic impact study yet. They will have to see what kind of feedback PennDOT provides regarding the type of facility, the size of events, and anticipated impacts during certain days and times.

Member Wilson asked Mr. Mellott to expound upon the management plan for large events and who will be responsible for the resulting costs. Mr. Mellott responded that he does not have those answers, but typically the event management plan is identified on a plan and such items as the need for Township police services and adjustments to traffic signal timings are detailed. He does not think the intent is to burden the taxpayers. This aspect will be addressed during the land development plan process. Chairman Rowe commented that it is almost at the point where the Township should have permanent message boards for directing event traffic.

In response to a question from Secretary Guntrum, Mr. Mellott stated that the expectation is the majority of the traffic traveling to the subject site would use Hersheypark Drive. Chairman Rowe and Member Wilson noted that the applicant should take into consideration that navigation apps such as Waze might direct incoming traffic from the north to use Boathouse Road and Sand Beach Road if there is a backlog on Route 39. Mr. Emerick pointed out that Boathouse Road is closed during the Sweet Lights seasonal event.

Mr. Hackenburg asked for preliminary feedback on the waivers the applicant will be requesting when the land development plan for the first phase of the project is submitted. The Hershey Company will be

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filing a separate subdivision plan because they will be leasing the property to SwimHershey. The intention is that the land development plan and the subdivision plan will be submitted concurrently so that one approval does not occur before the other. Regarding the alignment of the roadway, Mr. Hackenburg explained that the property boundary was set to follow the alignment of the roadway, at The Hershey Company's request, so SwimHershey will work with them to determine if it will be necessary to request a waiver for the alignment, if The Hershey Company is insistent on that configuration, or if SwimHershey can just provide a buffer separation to achieve a compliant alignment. Regarding providing sidewalks along Sand Beach Road and Kieffer Road adjacent to the subject property, SwimHershey intends to seek waivers regarding providing sidewalks, roadway widening, and street trees along Kieffer Road due to the existing topography. They will also request waivers regarding frontage improvements along Sand Beach Road, including sidewalks and widening.

Mr. Emerick stated that under the Subdivision and Land Development Ordinance, the Township has the options to either require sidewalk installation, grant a deferment of sidewalk installation when it is anticipated that sidewalks will be necessary in the subject area in the future, or grant a waiver of sidewalk installation, subject to the applicant providing a fee in-lieu of sidewalk installation. Mr. Emerick expects that a waiver of sidewalk installation along Kieffer Road will be granted, subject to the previously mentioned in-lieu-of fee being provided. However, Mr. Emerick could see Sand Beach Road being a corridor to the proposed use, so a deferment of sidewalk installation might be a better option. He does not expect the Township will require widening of either Sand Beach Road or Kieffer Road. Chairman Rowe agreed with Mr. Emerick.

Mr. Hackenburg commented that the large events are not anticipated to be scheduled immediately after the construction of the facility, and the project team has been discussing the possibility of building a portion of the parking areas and retaining them in a gravel condition or possibly at a binder level of the paved surface area and installing the circulation infrastructure to accommodate the full buildout. The project team has not gotten to the point of formalizing any requests for this scenario, but they would like preliminary feedback from Township staff. Mr. Emerick responded that as long as the whole thing is bonded, that will make the request a little easier to approve. However, he does not think the Township would want gravel parking because the Subdivision and Land Development Ordinance requires all-weather, dust-free surfaces for parking.

In response to a question from Member Wilson, Mr. Emerick stated that he thinks the current width of Sand Beach Road meets Subdivision and Land Development Ordinance requirements, so a waiver of providing additional width might not be necessary. However, depending on the results of the traffic impact study, other improvements may be needed.

Mr. Hackenburg explained that regarding providing a second means of access to the facility, for the first phase of the project the applicant is intent on using the existing access point and providing a means of emergency ingress and egress that will connect to the internal circulation drive. The applicant's thought is to provide the second, fully functional access to the site as part of the second phase of the project. Mr. Hackenburg noted that there are massive parking lots immediately adjacent to the subject property and the notion of shared parking between SwimHershey and Penn State Health and not overbuilding impervious cover is worth discussing. He stated that discussions with DTMA and Pennsylvania American Water have begun. Additionally, the applicant just received the stormwater

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infiltration testing results today. There are really good infiltration rates on some of the proposed basins and okay rates on what would be considered pre-treatment areas, so the applicant is confident that there will be good results.

Member Wilson referenced the comment Mr. Hackenburg made about possibly sharing parking with Penn State Health and asked if it is known whether sufficient capacity exists. Mr. Hackenburg clarified that the idea of shared parking is a ‘big picture’ consideration and is not intended for phase one of the project. There are no agreements with Penn State Health, and SwimHershey would not broach the matter with them until more details are finalized.

**OTHER BUSINESS**

None.

**ADJOURNMENT**

On a motion made by Member Wilson, the meeting was adjourned at 7:10 p.m.

Respectfully submitted,

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Michael J. Guntrum  
Planning Commission Secretary

Submitted by:

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