

**DERRY TOWNSHIP PLANNING COMMISSION
MEETING MINUTES
October 3, 2023**

CALL TO ORDER

The Tuesday, October 3, 2023, Derry Township Planning Commission meeting was called to order at 6:08 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: Mike Guntrum, Secretary; Don Santostefano; Tom Wilson

Commission Members Absent: Glenn Rowe, Chairman; Matt Tunnell, Vice Chairman

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

Public Registering Attendance: Marc Kurowski, Jen Lee – K&W; Rich Olszewski, Christine Drexler – Cocoa Packs; Erin Mariano, Hershey Trust Company; Rich Gamble, 39 Hockersville Road; Mark Hackenburg, RGS Associates

APPROVAL OF MINUTES

On a motion made by Secretary Guntrum, seconded by Member Santostefano, and a unanimous vote, the Planning Commission approved the minutes from the August 1, 2023, meeting, as written.

OLD BUSINESS

None.

NEW BUSINESS

A. Review and recommendation of the Preliminary/Final Land Development Plan for Cocoa Packs, Plat 1379

Chuck Emerick explained that Plat 1379 represents the development of an approximately 35-acre tract of land fronting on East Main Street and Route 322. The land is owned by Hershey Trust Company and is located in the Planned Campus West zoning district and the Active-Adult Community Overlay (O14) and is also subject to the Community Heritage Buffer. The site is also bordered by the corporate boundary between Hummelstown Borough and Derry Township. The plan proposes the construction of a one-story, 19,604-square-foot “retail” facility for Cocoa Packs on a 2.91-acre condominium tract (Unit A) and the creation of a 1.30-acre undeclared condominium tract. Access to the site is proposed to be by way of a private common access drive having a minimum width of 28 feet. The Cocoa Packs building and grounds will have multiple related facilities to serve their clients.

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Mr. Emerick summarized the deferments that the applicant has requested from the Subdivision and Land Development Ordinance and noted that the applicant should also request waivers from Sections 185-12.D.(2) and 185-13.E.(3) regarding plan scale for all sheets depicting a scale smaller than 1" = 50'. Mark Hackenburg of RGS Associates requested the additional waivers.

Mr. Emerick; Ryan Cummings, HRG, Inc.; and Diane Myers-Krug, Dauphin County Planning Commission representative, summarized their review comments. Mr. Emerick also referenced DTMA's comments.

Member Santostefano asked if it is possible that the private common access drive could become a public street if the site continues to be developed. Mr. Emerick responded that it is not shown as meeting public street standards so the Township would not accept it unless it was constructed to meet standards. Member Santostefano asked if a revised land development plan would have to be approved by the Planning Commission and Board of Supervisors. Mr. Emerick answered that he thinks a revised land development plan would be required. Mr. Hackenburg added that the plan currently does not show the access drives as public streets. If they were ever dedicated, they would have to be reconstructed to public standards. Hershey Trust Company is not anticipating widening and offering the streets for dedication. The unknown character of what the rest of the land might yield and its limited uses are the reasons driving the thought process. Unless or until additional uses are constructed on the site, we likely will not see the streets proposed for dedication any time soon.

In response to a question from Member Santostefano, Mr. Hackenburg explained that a lighting plan is now included in the plan set, and the lighting styles are intended to complement what exists in the Hershey West End project.

Member Wilson inquired about how traffic impacts and parking requirements would be affected if the proposed Cocoa Packs facility was sold in the future and there was a change of use. Mr. Emerick stated that since this is not a Conditional Use, he does not know of any restrictions that could be put on the future development of the property beyond what is already restricted by the Zoning Ordinance. At a minimum, a change of use zoning permit would be required to account for any parking differences.

Member Wilson asked if HRG's traffic engineers have assessed and are comfortable with Traffic Planning and Design's (TPD's) trip generations. Mr. Hackenburg responded that they have updated and upgraded the traffic analysis based on some misinterpretations from TPD's perspective on the initial review. Even with the upgrade, the peak of Cocoa Pack's use generally occurs around mid-day. There is some PM peak hour traffic, but it does not exceed the Township's requirements for having to file a traffic impact study. TPD has reconciled their data to the extent that Mr. Hackenburg thinks TPD and HRG are on the same page at this point.

Regarding HRG's comment that the proposed mid-block crosswalk should have signage, Mr. Hackenburg noted that TPD is of the opinion that a mid-block crosswalk should not be marked with signage because it could create an unsafe condition; however, the applicant will comply with the Township's preference. Member Wilson commented that his personal opinion is that the crosswalk should comply with PennDOT's standards. Mr. Emerick added that since it is an access drive to the

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hotel and what is essentially a private road, it is not going to feel like a mid-block crossing, it is going to feel like a regular intersection.

Mr. Hackenburg stated that the applicant will send a courtesy copy of the land development plan to Hummelstown Borough's planning staff, who will look at it and respond in writing with any questions or concerns. Christine Drexler, President of Cocoa Packs, noted that she has reached out to the Lower Dauphin community and talked to the superintendents.

Ms. Myers-Krug asked if delivery trucks traveling to the site will be given specific directions on what route to use through Hummelstown Borough or from Hersheypark Drive. Rich Olszewski, Facilities Director for Cocoa Packs, responded that they could be coming from either direction on East Main Street, but it will be a low volume of delivery vehicles. Cocoa Packs is expecting only one or two tractor trailers per week and possibly one smaller vehicle, such as a box truck, per day.

In response to a question from Member Wilson, Mr. Hackenburg stated that the applicant is comfortable addressing the review comments that have been presented.

MOTION ON DEFERMENTS/WAIVERS

On a motion made by Member Santostefano, seconded by Secretary Guntrum, and a unanimous vote, the Planning Commission made a recommendation to the Board of Supervisors that the following deferments and waivers from the Subdivision and Land Development Ordinance be granted:

- a. Deferment from Section 185-22.D.(3) regarding street right-of-way and cartway width along East Main Street, east of the proposed driveway, subject to and conditional on the property owner agreeing to and executing a Declaration of Covenants, in a manner and form acceptable to the Township, to be recorded against the property, that would allow the Township to require the additional right-of-way and widening along East Main Street in the future if deemed necessary.
- b. Deferment from Section 185-22.E.(5) regarding curbs along East Main Street, east of the proposed driveway, subject to and conditional on the property owner agreeing to and executing a Declaration of Covenants, in a manner and form acceptable to the Township, to be recorded against the property, that would allow the Township to require curbs along East Main Street in the future if deemed necessary.
- c. Deferment from Section 185-34.A regarding sidewalks along East Main Street, east of the proposed driveway, subject to and conditional on the property owner agreeing to and executing a Declaration of Covenants, in a manner and form acceptable to the Township, to be recorded against the property, that would allow the Township to require sidewalks along East Main Street in the future if deemed necessary.
- d. Deferment from Section 185-31 regarding shade trees along East Main Street, east of the proposed driveway, subject to and conditional on the property owner agreeing to and executing a Declaration of Covenants, in a manner and form acceptable to the Township,

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to be recorded against the property, that would allow the Township to require street trees along East Main Street in the future if deemed necessary.

- e. Waivers from Sections 185-12.D.(2) and 185-13.E.(3) regarding plan scale for all sheets depicting a scale smaller than 1" = 50'.

MOTION ON PLAT 1379

On a motion made by Secretary Guntrum, seconded by Member Santostefano, and a unanimous vote, the Planning Commission made a recommendation to the Board of Supervisors that Plat 1379 be approved, subject to the following being satisfactorily addressed:

- a. The comments in Item 3 of the August 29, 2023 Township staff report.
- b. The comments in the September 6, 2023 HRG, Inc. letter.
- c. The comments in the September 5, 2023 DTMA letter.
- d. Comments 3, 4, and 5 in the August 22, 2023 Dauphin County Planning Commission Review Report.
- e. Compliance with comments or recommendations from the Derry Township Shade Tree Commission, if any.

B. Review and recommendation of the Preliminary/Final Land Development Plan for The Villas at The Hotel Hershey, Plat 1380

David Habig explained that this 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 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 20 cottages. All improvements have been completed, except for 10 of the cottage buildings, which were noted in 2008 to not be built until 2017. Much of the planning for these cottages was completed under Plat 1139; however, the Township has since revised the Stormwater Management regulations, requiring a revised stormwater management design. According to the plan, one central stormwater management basin is proposed. The 10 cottages that were not built were proposed to be served by two small cul-de-sacs, whereas the present plan proposes a loop road. Two other changes that are worth noting between the old land development plan and the new plan are that the new land development plan proposes three six-bedroom cottages in place of the three four-bedroom cottages that were previously proposed. This plan now also proposes a small mechanical/housekeeping building in the area of the cottages. The site is in the Commercial Recreation zoning district and is generally located north of the main hotel building. The development proposes to disturb approximately eight acres of the 226-acre site. A traffic evaluation was done under Plat 1139 and since this 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.

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Mr. Habig summarized the waivers that the applicant has requested from the Subdivision and Land Development Ordinance. He noted that the requested waiver from Section 185-12.A, regarding Preliminary Plan processing, is not necessary and should be withdrawn. Jennifer Lee of K&W Engineers (representing the applicant) withdrew the waiver request.

Mr. Habig; Ryan Cummings, HRG, Inc.; and Diane Myers-Krug, Dauphin County Planning Commission representative, summarized their plan review comments. Mr. Habig also referenced DTMA's comments.

In response to a question from Member Santostefano regarding the applicant's request for a waiver from the requirement for sidewalk installation, Mr. Emerick explained that the options are to grant a deferment of installation, thinking that it may be necessary at some point in the future, or waive installation because it is not expected there will ever be a need for sidewalk at that location. In this case, Mr. Emerick does not anticipate anyone ever re-grading Boathouse Road on the Hotel side to enable the installation of sidewalk. When a full waiver of sidewalk installation is granted, the applicant is required to provide a fee in lieu of installation, and those funds are put towards the installation of sidewalk in locations of the Township where it is needed.

Member Santostefano commented that the access drive that serves the existing cottages is pervious pavement and asked if the extension of the access drive is also proposed to be pervious pavement. Ms. Lee responded that the extension will be regular asphalt pavement because of maintenance concerns with porous pavement on steep slopes.

In response to a question from Member Wilson, Ms. Lee stated that the applicant will address the review comments that were presented.

MOTION ON WAIVERS

On a motion made by Secretary Guntrum, seconded by Member Santostefano, and a unanimous vote, the Planning Commission made a recommendation to the Board of Supervisors that the following waivers from the Subdivision and Land Development Ordinance be granted:

- a. Waiver from Section 174-17.C.(2) regarding the requirement for a minimum pipe size of 15 inches.
- b. Waivers from Sections 185-12.D.(3).(a).[9] and 185-13.E.(4).(a).[9] regarding providing the location of all physical features within 200 feet and 50 feet (respectively) of the portion of the site not affected by the proposed project.
- c. Waivers from Sections 185-12.D.(3).(a).[10] and 185-13.E.(4).(a).[10] regarding providing the location of sensitive features within the portion of the site boundary not affected by the proposed project.
- d. Waivers from Sections 185-12.D.(3).(a).[21], 185-12.D.(3).(a).[22], 185-12.D.(3).(a).[23], 185-13.E.(4).(a).[19], 185-13.E.(4).(a).[20], and 185-13.E.(4).(a).[21]

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regarding providing plans and profiles of existing, unaffected stormwater sewer conveyance systems, sanitary sewer systems, and gas and water systems.

- e. Waivers from Sections 185-12.D.(3).(a).[35] and 185-13.E.(4).(a).[36] regarding providing two-foot contours within 200 feet and 50 feet (respectively) of the portion of the site that will not be affected by the proposed project.
- f. Waivers from Sections 185-12.D.(3).(a).[37] and 185-13.E.(4).(a).[38] regarding providing the location of easements, right of ways, and covenants throughout the portion of the site that will not be affected by the proposed project.
- g. Waivers from Sections 185-12.D.(3).(a).[40] and 185-13.E.(4).(a).[43] regarding providing existing street names, rights-of-ways, and cartway widths within or adjacent to the portion of the site that will not be affected by the proposed project.
- h. Waiver from Section 185-34.A.(1) regarding sidewalk installation for 3,420.1 feet of frontage on Boathouse Road and 304.95 feet of frontage on Front Street, subject to the applicant paying the fee in lieu of sidewalk installation, which fee shall be calculated by the applicant in accordance with Section 185-34.A.(4).(b).

MOTION ON PLAT 1380

On a motion made by Member Santostefano, seconded by Secretary Guntrum, and a unanimous vote, the Planning Commission made a recommendation to the Board of Supervisors that Plat 1380 be approved, subject to the following being satisfactorily addressed:

- a. The comments in Item 3 of the September 27, 2023, Township staff report.
- b. The comments in the September 25, 2023, HRG letter.
- c. The comments in the September 26, 2023, DTMA letter.

C. Review of DEP Sewage Facilities Planning Module Component 4A for the Preliminary/Final Subdivision/Land Development Plan for Hershey Hills Preserve and Estates at Stauffers Church Road, Plat 1373

Mr. Emerick reminded the Planning Commission that Plat 1373 proposes the subdivision of land and construction of seven single-family detached dwellings. The land that is proposed for development is located on the south side of Stauffers Church Road, approximately 1,200 feet east of the Stauffers Church Road/Felty Mill Road intersection. The property is traversed by the Dauphin County/Lebanon County line, with a portion of the property being located in South Londonderry Township, Lebanon County. The tract contains 37.05 acres of land. All lots will be served by private wells and on-lot sanitary sewer facilities. The on-lot sanitary sewer facilities require the processing of a Planning Module as an amendment to the Township's 537 Plan. Component 4A of the Planning Module requires

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review and comment (if any) from the Township Planning Commission. Mr. Emerick noted that no changes have been made to Plat 1373 since the Commission reviewed it in May 2023.

The Planning Commission did not have any comments on Component 4A of the Planning Module.

OTHER BUSINESS

None.

ADJOURNMENT

On a motion made by Member Santostefano, seconded by Secretary Guntrum, and a unanimous vote, the meeting was adjourned at 6:59 p.m.

Respectfully submitted,

Michael J. Guntrum
Planning Commission Secretary

Submitted by:

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