



TOWNSHIP OF DERRY
Board of Supervisors Meeting Minutes
Tuesday, March 12, 2024

CALL TO ORDER

Chairman Abruzzo called the March 12, 2024 Regular Meeting of the Township of Derry Board of Supervisors to order at 7:02 p.m. in the meeting room of the Township of Derry Municipal Complex, 600 Clearwater Road, Hershey, PA. He advised that all public meetings are recorded for providing accurate notes. He announced there was a public hearing at 6:30 p.m. After the Pledge of Allegiance, a roll call was performed. Supervisor Wyckoff was absent with excuse. Supervisor Corado attended the meeting by phone.

ROLL CALL

SUPERVISORS PRESENT:

E. Christopher Abruzzo
Natalie L. Nutt
Michael P. Corado
Richard D. Zmuda

ABSENT:

Carter E. Wyckoff

ALSO PRESENT:

Patrick Armstrong, Township Solicitor
Chuck Emerick, Director of Community Development
Tom Clark, Director of Public Works
David Sassaman, Hershey Volunteer Fire Department
Alison Jacobine, Director of Hershey Public Library
Zachary Jackson, Director of Parks & Recreation
Julie Echterling, Recording Secretary
Becky Sweigart, Public Outreach Coordinator
Eric Stump, HRG Engineer

Public in Attendance:

Ken Gall, Zac Sivertsen, Craig Smith, Mike Callahan, Craig Mellott, Allison Hanna, Melanie Boehmer, Rich Gamble, Troy Baker, Carson Smith, Sara Smith, Tracy Brown

VISITOR/PUBLIC COMMENTS

Mr. Rich Gamble asked for the progress on the talks with the school district and HE&R with the Township on the entertainment taxes. He stated the needs of the community are growing and everyone should pay their fair share.

CONSENT CALENDAR

Adoption of the Board of Supervisors Meeting Minutes for the February 27, 2024 6:00 PM Public Hearing.

Adoption of the Board of Supervisors Meeting Minutes for the February 27, 2024 6:30 PM Public Hearing.

Adoption of the Board of Supervisors Meeting Minutes for the February 27, 2024 7:00 PM Regular Meeting.

Approval of March 12, 2024 Accounts Payable of \$428,507.21 and March 1, 2024 Payroll of \$373,822.53.

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Vice Chairwoman Nutt made a motion to approve all items on the Consent Calendar. Supervisor Zmuda seconded the motion. **Motion carried 4-0.**

NEW BUSINESS

Adoption of Decision for Conditional Use Application No. 2023-02, as filed by Htin Linn Aung of SkyBridge General Services, LLC, regarding establishing a Short-Term Rental use on the property located at 911 Mae Street:

Mr. Emerick stated Htin Linn Aung, on behalf of Skybridge General Services, LLC, filed a Conditional Use Application to establish a Short-Term Rental use at 911 Mae Street, Hummelstown. The hearing initially started on January 23, 2024, and was concluded on February 13, 2024. The Derry Township Planning Commission, at their December meeting recommended that the Conditional Use authorization be granted, with conditions.

Supervisor Zmuda made a motion that the Decision for Conditional Use Application No. 2023-02 is hereby adopted. Vice Chairwoman Nutt seconded the motion. **Motion carried 4-0.**

Preliminary/Final Lot Consolidation and Land Development Plan for Hershey Lumber Company, Plat 1381:

Mr. Emerick stated this plan, filed by Hershey Lumberyard, LLC, establishes Dwellings for Employees and Students. The lands proposed for this use are comprised of four tracts, owned by Hershey Trust Company and located in the Downtown Core 9.1 Overlay of the Hershey Mixed Use zoning district. The four tracts, once combined, will contain a total gross area of 4.985 acres. The Traffic Impact Study for the site anticipated that the project will generate 32 new weekday AM peak hours trips and 81 new weekday PM peak hour trips as well as 66 new Saturday midday peak hour trips, although TPD notes that due to the project's associated multimodal accommodations, traffic generated by the site is expected to be significantly less than the ITE projections. The study also recommends several improvements. Mr. Emerick highlighted the prohibiting of a left turn from L Street weekdays from 3 p.m.-6 p.m., and a few of the other improvements outlined in his memo. He spoke of the challenge the developer was having with moving all the utilities under ground. He showed the Board on Google Earth the location of the poles, while the applicant discussed which ones would be able to go underground per PP&L. There were no unusual waivers requested and there are 25 conditions he outlined for the plan's approval. The Planning Commission recommended approval of this plan, with conditions, at their December meeting.

Chairman Abruzzo asked if their concerns were addressed with the conditions and Mr. Emerick said yes including the conditions attached to the Conditional Use Decision. Solicitor Armstrong asked the developer if they were willing to pay for the cost of the ordinance for the traffic changes necessary. The developer agreed. He asked the Developer questions about the lots and communication with the owners, which the developer answered. Chairman Abruzzo suggested the residents of the Plaza be made aware of the construction schedule. Solicitor Armstrong spoke of additional conditions that should be made with the motion. Discussion ensued.

Chairman Abruzzo made a motion that the waivers are granted from the Stormwater Management Ordinance (Chapter 174) and the Subdivision and Land Development Ordinance (Chapter 185) as noted in the *Explanation* section of this agenda item for the Preliminary/Final Lot Consolidation and Land Development Plan for Hershey Lumber Company, Plat 1381. Supervisor Zmuda seconded the

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motion. **Motion carried 4-0.**

Chairman Abruzzo made a motion that the Preliminary/Final Lot Consolidation and Land Development Plan for Hershey Lumber Company, Plat 1381, is approved, subject to compliance with items 1 through 25 in the *Department Head Recommendation* section of this agenda item, in addition complying with the latest review letter from HRG, and further conditional upon the applicant complying with all the recommendations associated with the traffic impact study and traffic improvements provided. Further, subject to the applicant reimbursing the Township for the costs associated with any ordinances necessary for the implementation for the proposed recommendations of a traffic impact study, and acknowledge the Township is agreeable to a partial adjustment to the requirements in the conditional use decision with respect to bury the utilities in a manner and form that is acceptable to the Township Engineer as presented in the latest plan submitted to the Township, and is subject to the applicant complying to all the conditions in the Conditional Use Decision. Supervisor Corado seconded the motion. **Motion carried 4-0.**

Proposed construction of a new principal structure (Dwellings for Employees and Students) and associated improvements at 339 West Chocolate Avenue, Hershey, within the Downtown Core Overlay zoning district:

Mr. Emerick discussed the time extension that was given the new construction for the dwelling for employees and students. He wanted the plan to be approved prior to the Board taking action on the design aspects. The Downtown Core Design Board made their recommendations at their November meeting.

Vice Chairwoman Nutt made a motion regarding the design standards for the construction of a new principal building – That the Board of Supervisors approves the design of the new structure as depicted on DCDB Application No. 484 and submitted to Derry Township on November 9, 2023, conditioned on the following:

- A. The applicant shall construct the improvements in general compliance with the plans and specifications presented with DCDB Application No. 484 and the testimony provided during the March 12, 2024 public meeting of the Board of Supervisors. However, if the improvements, as finally approved and permitted, require modifications not contrary to the plans and specifications due to design changes, approvals, permits, land development, subdivision, or site plan approvals that may be required in accordance with all applicable Federal, State, County, and Township laws, regulations and/or requirements, no additional action by the Board of Supervisors shall be required.
- B. The granting of approval of DCDB Application No. 484 shall not relieve the applicant from filing for and receiving any approval, permit, land development, subdivision, or site plan that may be required in accordance with all applicable Federal, State, County, and Township laws, regulations and/or requirements or from otherwise complying with all applicable laws, regulations and/or requirements.
- C. The approval of DCDB Application No. 484 shall expire if a land development plan is not recorded in the Dauphin County Recorder of Deeds office within 24 months from the date of the grant of approval.

Supervisor Zmuda seconded the motion. **Motion carried 4-0.**

The Preliminary/Final Land Development Plan for MHS Family Center, Plat 1382:

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Mr. Emerick stated the plan for the MHS Family Center is for a 7,585-square-foot addition to the Highland Student Home located at 737 Meadow Lane. The Highland Student Home will be converted into a Family Center accommodating 8 employees and providing 11 visiting rooms and a 1,150-square-foot conference space. The Family Center will be accessed via an existing driveway from Meadow Lane. This project will have a nominal impact on traffic in the area. Stormwater management will be handled on site by directing flow to an existing basin that has capacity to accommodate the new coverage and will be served by public sanitary sewer and public water facilities. The proposal includes acceptable parking counts that will be provided via new parking spaces to the north of the building and an existing parking lot to the south of the building. He noted there were not any unusual waivers or conditions for the plan.

Supervisor Zmuda made a motion that the waivers and deferments are granted from the Subdivision and Land Development Ordinance (Chapter 185) as noted in the *Explanation* section of this agenda item for the Preliminary/Final Land Development Plan for MHS Family Center, Plat 1382. Supervisor Corado seconded the motion. **Motion carried 4-0.**

Vice Chairwoman Nutt made a motion that the Preliminary/Final Land Development Plan for MHS Family Center, Plat 1382, is approved, subject to compliance with items 1 through 18 in the *Department Head Recommendation* section of this agenda item. Supervisor Zmuda seconded the motion. **Motion carried 4-0.**

7th annual 2024 Troegs Bikes & Beers bike event Saturday, April 27, 2024, starting at 8:00 am:

Vice Chairwoman Nutt made a motion that the request to conduct the 2024 7th annual Troegs Bike & Beers Bike Event on Saturday, April 27, 2024, starting at 8:00 a.m., over various Township roadways on a route approved by the Derry Township Police Department be hereby approved. Supervisor Zmuda seconded the motion. **Motion carried 4-0.**

SUPERVISOR BOARD/COMMITTEE REPORTS

Chairman Abruzzo stated at the next meeting there would be an update on the Veteran's Memorial Park. There is a lot of work being done and they hope to break ground in the next 60 days. Specifics of the plan will be discussed at the next meeting.

DEPARTMENTAL REPORTS

Hershey Volunteer Fire Department

Mr. Sassaman stated they had 79 calls for February. They are currently doing their yearly Hazmat training.

Public Works

Mr. Clark introduced Mr. Greg Watts, Assistant Public Works Director to the Board. He stated they are working on cleaning up branches and trees in the right of way, as well as getting parks ready for opening.

Library

Mrs. Jacobine spoke about an author speaking at the Library this Saturday.

Parks & Recreation

Mr. Jackson stated they are working on stuffing 10,000 eggs for the March 23 Easter Egg Hunt.

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VISITOR/PUBLIC COMMENTS

Mr. Rich Gamble spoke about the alleys with the Hershey Lumber project. He expressed concern with right in and right out as people will go to other alleys to make a left. Those alleys have less site distance than the other streets. Chairman Abruzzo spoke about the traffic study completed. They looked at the alleys and how using the alleys further down the road could make it safer to make a left.

ADJOURNMENT

Supervisor Zmuda made a motion to adjourn the meeting at 8:08 p.m. Vice Chairwoman Nutt seconded the motion. **Motion carried 4-0.**

SUBMITTED BY:

Carter E. Wyckoff, Township Secretary