



TOWNSHIP OF DERRY
Board of Supervisors Meeting Minutes
Tuesday, April 9, 2024

EXECUTIVE SESSION 6:00 PM

CALL TO ORDER

Chairman Abruzzo called the April 9, 2024 Regular Meeting of the Township of Derry Board of Supervisors to order at 7:00 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. An Executive Session was held before the meeting where legal and land use matters were discussed. After the Pledge of Allegiance, a roll call was performed.

ROLL CALL

SUPERVISORS PRESENT:

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

ALSO PRESENT:

Christopher S. Christman, Township Manager
Peter Nelson, Township Solicitor
Garth Warner, Chief of Police Department
Chuck Emerick, Director of Community Development
Tom Clark, Director of Public Works
Zachary Jackson, Director of Parks & Recreation
Alison Jacobine, Director of Hershey Public Library
Becky Sweigart, Public Outreach Coordinator
David Sassaman, Hershey Volunteer Fire Department
Julie Echterling, Recording Secretary
Eric Stump, HRG Engineer

Public in Attendance:

Mark Hackenburg, David Fisher, Zane Geist, Matt Masek, Rich Gamble, Tracy Brown

VISITOR/PUBLIC COMMENTS

Mr. Rich Gamble, 39 Hockersville Rd, asked when an update would be provided for the entertainment tax. Mr. Christman stated when he provides the quarterly updates, which could be the next meeting.

CONSENT CALENDAR

Adoption of the Board of Supervisors Meeting Minutes for the March 26, 2024 6:00 PM Public Hearing.

Adoption of the Board of Supervisors Meeting Minutes for the March 26, 2024 7:00 PM Regular Meeting.

Approval of April 9, 2024 Accounts Payable of \$386,005.86 and March 28, 2024 Payroll of \$243,452.02.

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Secretary Wyckoff made a motion to approve all items on the Consent Calendar. Supervisor Corado seconded the motion. **Motion carried 5-0.**

NEW BUSINESS

Ordinance 2024-03- amendment to Ordinance 2022-05 to include funding for public improvements to Chocolatetown Park:

Mr. Christman spoke about the project for making improvements to Chocolatetown Park. He noted that in the 2022 capital financing, there was an issuance of \$3 million. To date, there is \$1 million available after paying for fire trucks. He asked the Board to amend the eligible uses for the capital financing to include this project. He spoke about having this as a public instead of a private venture and that a public venture would be better for the project and Township.

Chairman Abruzzo spoke at length about the project and building a memorial for the Veterans. He spoke about this becoming a Township project and the advantages of having control of it. He noted it would not be dedicated on Memorial Day but they are hoping for Veteran's Day. At the next meeting they will have renderings to show the park to the public. Discussion ensued.

Supervisor Corado made a motion to adopt Ordinance 2024 - 03 - An amendment to Ordinance 2022-05 to include funding for public improvements to Chocolatetown Park. Supervisor Zmuda seconded the motion. **Motion carried 5-0.**

Proclamation for the observance of Arbor Day on April 26, 2024 in Derry Township:

Vice Chairwoman Nutt made a motion to proclaim the last Friday in April, that being April 26, 2024, the official day for observance of Arbor Day in Derry Township. Secretary Wyckoff seconded the motion. **Motion carried 5-0.**

Adoption of Decision for Conditional Use Application No. 2023-04, as filed by Suresh Patel, regarding establishing a Short-Term Rental use on the property located at 54 Ethel Avenue:

Mr. Emerick stated there was a hearing held on the Short-Term Rental use request for this Conditional Use application in February. He noted there were reasonable and ordinary conditions attached to the decision. The Derry Township Planning Commission recommended granting the application in their January meeting.

Supervisor Zmuda made a motion that the Decision for Conditional Use Application No. 2023-04 is hereby adopted. Vice Chairwoman Nutt seconded the motion. **Motion carried 4-0-1 (abstained: Chairman Abruzzo).** Chairman Abruzzo abstained because he was not present at the hearing for this Application.

Adoption of Decision for Conditional Use Application No. 2024-02, as filed by Melvin King, regarding establishing a Short-Term Rental use on the property located at 11 Lucy Avenue:

Mr. Emerick stated there was a hearing held on the Short-Term Rental use request for this Conditional Use application in March. He noted there were reasonable and ordinary conditions attached to the decision. The Derry Township Planning Commission recommended granting the application in their March meeting.

Vice Chairwoman Nutt made a motion that the Decision for Conditional Use Application No. 2024-02 is hereby adopted. Supervisor Zmuda seconded the motion. **Motion carried 4-0-1 (abstained: Secretary Wyckoff).** Supervisor Wyckoff abstained because he was not present at the hearing for this

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Application.

Consideration of time extension for conditional approval of the Preliminary/Final Subdivision and Land Development Plan for Hershey Hills Preserve and Estates, Plat 1373:

Mr. Emerick spoke about the approval of the plan which was granted in 2021. The plan was provided zoning relief. There was a time extension provided in 2023 until April 2024. He noted two of the conditions have been addressed. They are asking for an extension until August 31, 2024. Mr. Zane Geist stated they have had a delay with their DEP permit.

Vice Chairwoman Nutt made a motion that the approval of the Preliminary/Final Subdivision and Land Development Plan for Hershey Hills Preserve and Estates, Plat 1373, is extended to August 31, 2024, subject to compliance with items 1 through 24 in the *Department Head Recommendation* section of this agenda item. Supervisor Corado seconded the motion. **Motion carried 5-0.**

Time extension for conditional approval of the Preliminary/Final Land Development Plan for Cocoa Packs, Plat 1379:

Supervisor Zmuda made a motion that the approval of the Preliminary/Final Land Development Plan for Cocoa Packs, Plat 1379, is extended to July 23, 2024, subject to compliance with items 1 through 16 in the *Department Head Recommendation* section of this agenda item. Vice Chairwoman Nutt seconded the motion. **Motion carried 5-0.**

Authorization for a civic banner to be located in the grass area adjacent to The Hershey Company Technical Center building along Route 422, as well as at the east entrance of The Hershey Company's office building at 19 East Chocolate Avenue:

Secretary Wyckoff made a motion that the *21st Annual Hershey Miracle 5K Race* banner is authorized to be placed in the grass area adjacent to The Hershey Company Technical Center building along Route 422, as well as at the east entrance of the 19 East Chocolate Avenue office building. Supervisor Corado seconded the motion. **Motion carried 5-0.**

SUPERVISOR BOARD/COMMITTEE REPORTS

Supervisor Zmuda spoke about the Greater Hershey Transportation study and traffic circles for the Township. He requested that the Board have a public workshop to discuss traffic circles as a possible remedy for some trouble spots in the Township. HRG could provide comments of pros and cons as there is state grant money that could be available to help with these. Chairman Abruzzo directed Staff to pick dates for this two-hour public workshop. Vice Chairwoman Nutt asked that the School District and the Hershey entities get invited.

DEPARTMENTAL REPORTS

Library

Mrs. Jacobine stated they had 170 attendees at their last event.

Community Development

Mr. Emerick scheduled a public hearing for a rezoning on May 28 at 6:30 p.m. He spoke of the adult Easter egg hunt that took place downtown and the Kiss Hershey Back event on April 20.

Township Manager

Mr. Christman stated PSATS Convention is next week and it is a great event to attend.

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VISITOR/PUBLIC COMMENTS

There were no public comments provided.

ADJOURNMENT

Supervisor Zmuda made a motion to adjourn the meeting at 7:52 p.m. Supervisor Corado seconded the motion. **Motion carried 5-0.**

SUBMITTED BY:

Carter E. Wyckoff, Township Secretary