



TOWNSHIP OF DERRY

Board of Supervisors Meeting Minutes
Tuesday, March 26, 2024

EXECUTIVE SESSION

CALL TO ORDER

Vice Chairwoman Nutt called the March 26, 2024 Regular Meeting of the Township of Derry Board of Supervisors to order at 7:06 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. She announced there was a public hearing at 6:00 p.m. and a short Executive Session where a legal issue was discussed. Chairman Abruzzo was absent with excuse. After the Pledge of Allegiance, a roll call was performed.

ROLL CALL

SUPERVISORS PRESENT:

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

ABSENT:

E. Christopher Abruzzo

ALSO PRESENT:

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

Public in Attendance:

Charles Suhr, Pablo Medeiros, Holly Evans, Kyra Gerber, Rick Gamble, Tracy Brown

VISITOR/PUBLIC COMMENTS

There were no public comments offered.

CONSENT CALENDAR

Adoption of the Board of Supervisors Meeting Minutes for the March 12, 2024 6:30 PM Public Hearing.

Adoption of the Board of Supervisors Meeting Minutes for the March 12, 2024 7:00 PM Regular Meeting.

Release of the performance security provided for the Preliminary/Final Land Development Plan for Milton Hershey School Central Operations Facility Expansion for Paint and Sign Shop, Plat 1351.

Board of Supervisors Meeting Minutes – March 26, 2024

Authorize the release of performance security in the amount of \$82,773.00, which was provided in the form of Travelers Casualty and Surety Company of America Bond No. 107628813 for the Preliminary/Final Land Development Plan for Milton Hershey School Central Operations Facility Expansion for Paint and Sign Shop, Plat 1351.

Approval of Accounts Payable of \$756,022.72 and Payroll of \$358,984.93

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

NEW BUSINESS

Authorizing the advertisement of an ordinance reconveying the property located at 10 West Chocolate Avenue, UPI No. 24-016-022, to the Hershey Trust Company (“HTC”):

Solicitor Armstrong spoke about the conveyance of the property located at 10 West Chocolate Ave. to the Hershey Trust Company. The property will be used for the Chocolatetown Square. He noted Dauphin County Court has approved the conveyance, however an ordinance is required for the transfer.

Vice Chairwoman Nutt made a motion to authorize the advertisement of an ordinance for the reconveyance of a portion of the property located at 10 West Chocolate Avenue to the Hershey Trust Company for \$60,000.00 pursuant to the Second-Class Township Code and the February 20, 2024, Court Order. Supervisor Corado seconded the motion. **Motion carried 4-0.**

Request by the East Shore YMCA to hold the Troeg’s Hop Dash on Saturday, October 5, 2024, at 9:00 am:

Supervisor Corado made a motion that the request to hold the Troeg’s Hop Dash 5K run, on Saturday, October 5, 2024, starting at 9:00 a.m., be hereby approved. Supervisor Zmuda seconded the motion. **Motion carried 4-0.**

Resolution 2024-12 - Authorizing the Township of Derry to enter into a Street Light Services Agreement with PPL, Inc. for the purpose of upgrading street lights in the Cocoa Townes Subdivision:

Mr. Christman stated the Cocoa Townes HOA requested their street lights be upgraded to LEDs and change out the luminaries for the lights. PPL can provide the requested updates but it must be approved by the Township as owner of the lights. The HOA has agreed and accepts responsibility for the increased costs in their annual streetlight assessment.

Supervisor Corado made a motion to approve Resolution 2024 - 12 - Authorizing the Township Manager to execute a Street Light Services Agreement with PPL, Inc. for the purpose of upgrading street lights in the Cocoa Townes Subdivision. Secretary Wyckoff seconded the motion. **Motion carried 4-0.**

Final Land Development and Stormwater Management Site Plan for Hershey Square Proposed Outparcel Development, Plat 1353:

Mr. Emerick stated Plat 1353 is for an expansion of the Hershey Square Shopping Center for a 7,500 foot freestanding commercial building. He spoke about the traffic study that would generate 1,791 average weekday trips. The study indicated there would be 129 new weekday trips for AM peak hours, 78 new weekday trips during PM hours and 247 Saturday peak hours. He outlined the proposed improvements that the applicant is willing to do as part of the traffic study. These

Board of Supervisors Meeting Minutes – March 26, 2024

improvements included changes to Hersheypark Drive and Walton Ave/Mae Street, Mae Street and West Driveway, and West Driveway and Hotel Driveway. He noted that the overall intersection level of service would remain at a LOS D after the improvement. He went over the stormwater management plan for the project. They received relief from the Zoning Hearing Board. He noted that in the HRG notes, they mentioned it may be appropriate for the applicant to ask for a waiver from Section 185-43.J(7) for maintaining traffic flow at an acceptable and safe level of service.

Mr. Charles Suhr, Attorney for Applicant, stated they have the comments back from their PennDOT HOP and they are minimal and no more design work is necessary. He noted that they would request a waiver from Section 185-43-J(7). The project is doing some of the improvements needed for the intersection but not all of them.

Vice Chairwoman Nutt asked what the proposed improvements were. Ms. Holly Evans, Evans Engineering, went over the improvements on the map. She spoke of the staggering and timing of the left hand turns at the intersection and having to make sure they do not block signs at the intersection. Supervisor Wyckoff asked if that could be enforced. Chief Warner explained that it could not because it is on private property. Supervisor Corado asked about the Starbucks and drive through and what would happen if they wanted to make it larger. They stated there is a 10-year lease for the other spaces so they could not expand. Supervisor Zmuda asked why the intersection was still failing with all the improvements. Mr. Craig Greese, Grove Traffic, spoke about the traffic at the intersection and noted an additional traffic light in the area is not allowed. The stop sign at the bottom of the hill will help with traffic flow. The current flow is failing now without any improvements. Discussion ensued. Vice Chairwoman Nutt stated the Board would not be taking a vote on this plan tonight. They are waiting for the full Board to vote.

Consideration of authorizing a map amendment to the Zoning Ordinance related to properties at 858 and 890 Old West Chocolate Avenue (Tax Map Parcel Numbers 24-008-015, 24-008-024, and 24-008-025):

Mr. Emerick spoke about a request the Township received from Tana Properties requesting their property be rezoned to include the Downtown Core 9.1 Overlay. He discussed the location and surrounding properties and noted that it was inappropriately zoned. He showed the Board the location of the properties and stated it makes sense to rezone the properties.

Vice Chairwoman Nutt made a motion authorizing staff to proceed with the proposed Zoning Ordinance amendment related to map amendments for Tax Map Parcel Numbers 24-008-015, 24-008-024, and 24-008-025 to be forwarded to the Dauphin County and Township Planning Commissions for review and comment, once completed by staff and reviewed by Pat Armstrong, and further authorizes it to be advertised for a public hearing and for adoption.

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

Financial security for the Stormwater Management Plan for 1675 Sand Hill Road, S-2023-018:

Supervisor Zmuda made a motion to accept a cash financial security in the amount of \$11,987.00 and enter into the Agreement to Provide Financial Security between Susan J. Newkam and the Township for the Stormwater Management Plan for 1675 Sand Hill Road, S-2023-018. Secretary Wyckoff seconded the motion. **Motion carried 4-0.**

Financial security for the Stormwater Management Plan for 664 Meadow Rose Court, S-2024-001:

Vice Chairwoman Nutt made a motion to accept a cash financial security in the amount of \$11,592.00

Board of Supervisors Meeting Minutes – March 26, 2024

and enter into the Agreement to Provide Financial Security between Kevin M. Cockroft and Marilou S. Espiritu-Cockroft and the Township for the Stormwater Management Plan for 664 Meadow Rose Court, S-2024-001. Supervisor Corado seconded the motion. **Motion carried 4-0.**

Financial security for the Stormwater Management Plan for 610 Hilltop Road, S-2024-002:

Secretary Wyckoff made a motion to accept a cash financial security in the amount of \$29,338.00 and enter into the Agreement to Provide Financial Security between Jonathan Tomasko and Cora Estelle Tomasko and the Township for the Stormwater Management Plan for 610 Hilltop Road, S-2024-002. Supervisor Zmuda seconded the motion. **Motion carried 4-0.**

Financial security for the Stormwater Management Plan for 2288 Jo Ann Avenue, S-2024-003:

Vice Chairwoman Nutt made a motion to accept a cash financial security in the amount of \$18,378.00 and enter into the Agreement to Provide Financial Security between Glen and Patricia Foster and the Township for the Stormwater Management Plan for 2288 Jo Ann Avenue, S-2024-003. Supervisor Corado seconded the motion. **Motion carried 4-0.**

SUPERVISOR BOARD/COMMITTEE REPORTS

Supervisor Zmuda spoke about the transportation meeting. They discussed the upcoming Hershey events and traffic as the park opens this weekend, and the Ridge Road project starting this spring. Supervisor Corado provided the update for the DTMA meeting he and Supervisor Wyckoff attended. They were provided project updates and noted that DTMA's electric bill was less than a \$1 last month instead of the \$30,000 plus per month bill they used to pay.

DEPARTMENTAL REPORTS

Library

Mrs. Jacobine spoke about the community outreach they will be doing including gatherings, happy hour and other events in April.

Parks & Recreation

Mr. Jackson thanked the vendors and volunteers that assisted at the rainy Easter Egg hunt. The Fishing Derby is scheduled for Saturday, May 4.

Township Manager

Mr. Christman spoke about the progress on the Keystone Grant for the Library. He spoke about attending the PELRAS conference and thanked the Board. They learned a lot about labor items at this conference. He stated PSATS is in town for April 14-17 and encouraged them to attend.

VISITOR/PUBLIC COMMENTS

Ms. Tracy Brown, 319 Park Ave., questioned how long a car length is for the proposed new Starbucks. She spoke about how long some cars can take with their special orders versus a drive through at McDonalds. She is concerned about the stacking because they have the same issues at the Starbucks in the outlets. Mr. Emerick stated there is a lot more room for the stacking of the cars at this proposed location compared with the outlets.

ADJOURNMENT

Supervisor Corado made a motion to adjourn the meeting to executive session to discuss a real estate issue at 8:21 p.m. Secretary Wyckoff seconded the motion. **Motion carried 4-0.**

Board of Supervisors Meeting Minutes – March 26, 2024

SUBMITTED BY:

Carter E. Wyckoff, Township Secretary