

**DERRY TOWNSHIP PLANNING COMMISSION  
MEETING MINUTES  
May 7, 2024**

**CALL TO ORDER**

The Tuesday, May 7, 2024, Derry Township Planning Commission meeting was called to order at 6:02 p.m. in the main meeting room of the Derry Township Municipal Complex, Administration Building, 600 Clearwater Road, Hershey, PA, by Chairman Matt Tunnell.

**ROLL CALL**

Commission Members Present: Matt Tunnell, Chairman; Sean Guay, Secretary; Glenn Rowe

Commission Members Absent: Mike Guntrum, Vice Chairman; Tom Wilson

Township Staff and Review Agency Representatives Present: Chuck Emerick, Director of Community Development; Jenelle Stumpf, Planning/Zoning Coordinator; Diane Myers-Krug, Dauphin County Planning Commission representative

Public Registering Attendance: Kenny Hinebaugh, The Hershey Company; Josh Hoffman, Pennoni

**APPROVAL OF MINUTES**

On a motion made by Member Rowe, seconded by Secretary Guay, and a unanimous vote, the Planning Commission approved the minutes from the March 5, 2024 meeting, as written.

**OLD BUSINESS**

- A. Report on the Board of Supervisors' action regarding adoption of a Decision for Conditional Use Application No. 2023-02, as filed by SkyBridge General Services, LLC, regarding establishing a Short-Term Rental use on the property located at 911 Mae Street**

Chuck Emerick reported that the Board of Supervisors adopted a Decision to grant the Conditional Use request, with conditions.

- B. Report on the Board of Supervisors' action regarding the Preliminary/Final Lot Consolidation and Land Development Plan for Hershey Lumber Company, Plat 1381**

Chuck Emerick reported that the Board of Supervisors approved the plan, with conditions.

- C. Report on the Board of Supervisors' action regarding the Preliminary/Final Land Development Plan for MHS Family Center, Plat 1382**

Chuck Emerick reported that the Board of Supervisors approved the plan, with conditions.

**DERRY TOWNSHIP PLANNING COMMISSION**  
**MEETING MINUTES**  
**May 7, 2024**

- D. Report on the Board of Supervisors' action regarding adoption of a 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**

Chuck Emerick reported that the Board of Supervisors adopted a Decision to grant the Conditional Use request, with conditions.

- E. Report on the Board of Supervisors' action regarding adoption of a 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**

Chuck Emerick reported that the Board of Supervisors adopted a Decision to grant the Conditional Use request, with conditions.

- F. Report on the Board of Supervisors' action regarding adoption of a Decision for Conditional Use Application No. 2024-01, as filed by Hockersville, LLC, regarding establishing single-family attached dwellings (townhouses) on the property located at 228 and 238 Hockersville Road**

Chuck Emerick reported that the Board of Supervisors adopted a Decision to grant the Conditional Use request, with conditions.

**NEW BUSINESS**

- A. Review and recommendation of the Preliminary/Final Land Development Plan for Creekview Lawn and Landscapes, Plat 1384**

This plan was withdrawn by the applicant prior to the meeting.

- B. Review and recommendation of waivers from filing a land development plan, as requested by The Hershey Company regarding a locker room expansion at Hershey West Plant**

Chuck Emerick explained that The Hershey Company's West Plant is located along the northern side of Old West Chocolate Avenue, in the Industrial zoning district. This finished goods facility was first planned by Plat 616, which was recorded on November 3, 1990. The original facility and the land that it occupies have been revised and reconfigured by Plats 657, 769, 954, 1184, 1199, 1205, 1273, 1281, and 1355. Plat 1355 was recorded on January 25, 2023. The present project proposes to add a two-story locker room/office expansion which will have a footprint of approximately 2,605 square feet and a floor area of approximately 5,210 square feet and constitutes an approximate expansion of 0.4% of the existing facility. This expansion will be constructed over existing impervious area, and will not increase employees, traffic, or sewage need. The expansion is being done primarily to accommodate the male/female ratios of the workforce. Nevertheless, this activity is technically defined as "land development" in the Township's Subdivision and Land

**DERRY TOWNSHIP PLANNING COMMISSION**  
**MEETING MINUTES**  
**May 7, 2024**

Development Ordinance, which notes in part that a land development is “...*The improvement of one lot or two or more contiguous lots, tracts, or parcels of land for any purpose involving: ... The addition of 2,500 square feet of floor area to a nonresidential building...*”. Since this improvement would add approximately 5,210 square feet of floor area, technically this is a land development. As previously noted, this proposal will not increase employees, traffic, or sewage needs. All in all, there is nothing to be gained from the processing of a land development plan for this project. Due to all of these facts, The Hershey Company has requested waivers from Article III, Sections 185-5.A and 185-5.B of the Ordinance from processing a land development plan. Mr. Emerick stated that Township staff is supportive of the waiver requests.

**MOTION ON WAIVERS FROM PROCESSING A LAND DEVELOPMENT PLAN**

On a motion made by Secretary Guay, seconded by Member Rowe, and a unanimous vote, the Planning Commission made a recommendation to the Board of Supervisors that waivers be granted from Article III, Sections 185-5.A and 185-5.B of the Subdivision and Land Development Ordinance regarding the processing of a land development plan for the Hershey West Plant locker room expansion.

**C. Final Land Development Plan for Hershey Hotel at Hershey West End – Phase F, Plat 1385**

On a motion made by Member Rowe, seconded by Secretary Guay, and a unanimous vote, the Planning Commission tabled taking action on Plat 1385 until the June 2024 meeting.

**D. Review and recommendation of Ordinance No. 2024-02, amending Chapter 225 (Zoning) of the Code of Ordinances of Derry Township by changing the zoning classification of the properties addressed as 858 Old West Chocolate Avenue and 890 Old West Chocolate Avenue**

Chuck Emerick stated that on March 26, 2024, the Board of Supervisors authorized Township staff to process 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). The proposed Zoning Map amendment originated from a Petition for Amendment to the Zoning Ordinance from Jeffrey Esch McCombie, Esq., on behalf of the applicant, Tana Properties, LLC, requesting that their property identified as Dauphin County Tax Parcel Numbers 24-008-015 and 24-008-024, generally known as 858 Old West Chocolate Avenue, be rezoned to include the Downtown Core 9.1 Overlay. The subject parcels are presently within the Hershey Mixed Use base zoning district. The purpose of Tana’s request stems from the desire to improve a portion of the property with a food service without drive-through use, which is not permitted in the base zoning district but would be permitted within the Downtown Core 9.1 Overlay. Their proposed zoning modification is consistent with the zoning of their adjacent property containing The Mill restaurant.

Mr. Emerick noted that in analyzing the zoning in this area of the Township, staff has discovered that the adjacent property located at 890 Old West Chocolate Avenue (Tax Map Parcel Number 24-008-025) is inappropriately zoned. In 2019 that property, containing an industrial use (First Davis

**DERRY TOWNSHIP PLANNING COMMISSION**  
**MEETING MINUTES**  
**May 7, 2024**

Corporation), was inadvertently zoned Hershey Mixed Use instead of Industrial. In order to address the request from Tana and to correct the zoning of the First Davis property, the Township is pursuing the rezoning of all three properties.

Diane Myers-Krug, Dauphin County Planning Commission representative, stated that the Commission supports Ordinance No. 2024-02.

*MOTION ON ORDINANCE NO. 2024-02*

On a motion made by Member Rowe, seconded by Secretary Guay, and a unanimous vote, the Planning Commission made a recommendation to the Board of Supervisors that Ordinance No. 2024-02 be adopted as written.

**OTHER BUSINESS**

None.

**ADJOURNMENT**

On a motion made by Member Rowe, seconded by Secretary Guay, and a unanimous vote, the meeting was adjourned at 6:14 p.m.

Respectfully submitted,

---

Sean Guay  
Planning Commission Secretary

Submitted by:

---

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