



TOWNSHIP OF DERRY

Board of Supervisors Meeting Minutes

Tuesday, April 8, 2025

CALL TO ORDER

Chairwoman Nutt called the April 8, 2025, Regular Meeting of the Township of Derry Board of Supervisors to order at 7:01 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 minutes. An Executive Session was held before the meeting where legal issues were discussed. 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
Dominic V. Giovanniello

ALSO PRESENT:

Zachary Jackson, Township Manager
Patrick Armstrong, Township Solicitor
Garth Warner, Chief of Police Department
Chuck Emerick, Director of Community Development
Alison Jacobine, Director of Hershey Public Library
Amy Walker, Director of Parks & Recreation
Greg Watts, Assistant Director of Public Works
Becky Sweigart, Public Outreach Coordinator
Lynn Dawson, Recording Secretary
Eric Stump, HRG Engineer

ABSENT:

Public in Attendance:

Steven Bennett, Chris Brown, Dave Fisher, Tracy Brown

VISITOR/PUBLIC COMMENTS

There were no public comments offered.

CONSENT CALENDAR

Adoption of the Board of Supervisors Meeting Minutes for the March 25, 2025 6:00 PM Public Hearing.

Adoption of the Board of Supervisors Meeting Minutes for the March 25, 2025 6:30 PM Public Hearing.

Adoption of the Board of Supervisors Meeting Minutes for the March 25, 2025 7:00 PM Public Hearing and Regular Meeting.

Reduction of the performance security provided for the Preliminary/Final Stormwater Management and Land Development for Project Milton, Plat 1362.

The Board of Supervisors authorizes the release of \$3,703,386.00 from the performance security provided as Travelers Casualty and Surety Company of America Bond No. 107710159 for the Preliminary/Final Stormwater Management and Land Development for Project Milton, Plat 1362,

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resulting in a new balance of \$464,616.00.

Approval of April 8, 2025 Accounts Payable of \$651,480.07 and March 28, 2025 Payroll of \$388,494.85.

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

NEW BUSINESS

Consideration to authorize the advertisement for the sale of Township owned property.

Mr. Watts stated that the Public Works department has several pieces of equipment and inventory that has exceeded its life expectancy or has been replaced. It is recommended that the listed items be advertised for sale through an online public action since they no longer serve a useful purpose for the Township:

- Equipment No. 9710, 1997, Toro Aerothatch 83 Seeder, has reached its life expectancy. No need to replace at this time, currently using a LandPride Overseeder purchased in 2007.
- Equipment No. 088, 2008, Bobcat Toolcat 5600T, has reached its life expectancy. Replaced with a new Bobcat purchased in March 2025.
- Equipment No. 028, 2002, GMC Dump Truck, has reached its life expectancy. A Western Star 47X Stainless Steel Dump Body Truck has been budgeted to replace this equipment in 2025.
- Two 30 ft flagpoles. These flagpoles were salvaged from the old Recreation Center.

Mr. Watts also requested consideration to allow the Public Works department to include additional equipment as discovered. Chairwoman Nutt confirmed if any items would be determined to have a use elsewhere within the Township, they can be removed from the potential sale listing.

Supervisors Giovaniello made a motion that the Board of Supervisors authorizes advertisement for the sale of Township owned property by way of an online public auction. Supervisor Zmuda seconded the motion. **Motion carried 5-0.**

The Preliminary/Final Land Development Plan for SSN Hershey Retail, Plat 1399.

Mr. Emerick stated this plan represents the joining of two tracts of land totaling approximately 2.56 acres, fronting on West Chocolate Avenue and Lucy Avenue. The land is located in the General Commercial zoning district and presently contains the 120 room Spark Hotel. The plan proposes the construction of a one story, 4,500 square foot retail facility and associated parking. Access to the site is proposed by way of a private driveway from Lucy Avenue which is connected to the parking area of the Spark Hotel, allowing access to Sipe Avenue. The proposed use is considered “Small-Scale Retail”, which is a permitted use in the General Commercial zoning district.

The project will be served by public sewer and water facilities. Stormwater management facilities are proposed to utilize a single subsurface infiltration bed and porous pavement.

A traffic study was not provided with the submission. The consultant notes in their project narrative that “The additional traffic associated with this project is considered to be de minus in nature given the amount of existing parking and size of the proposed building therefore a traffic study was not performed.” Mr. Emerick and Mr. Stump agree as long as the proposed use is retail.

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The Derry Township Zoning Hearing Board addressed parts of this proposal under Case No. 2023-20. The applicant received relief to allow certain existing parking space and maneuvering aisles to be 16.5 feet wide. The applicant also received relief to allow 78% impervious coverage over the combined lots and to be required only 22% vegetative coverage. Mr. Emerick reviewed the waivers and deferments requested by the applicant.

Mr. Emerick recommended approval of Plat 1399, conditional upon the 19 items listed within the application review, with the recommendation that the waivers and deferments be granted.

Chairwoman Nutt expressed her concern relating to the approval request, with the Board of Supervisors not knowing the specific retail proposed for the space. It was noted the decision would be needed by May 27, 2025.

Matthew Kinney, Pennoni Associates, confirmed the application is for a retail space and stated his client does not have a tenant confirmed for the potential space. The retail space would be for a single tenant and would not be subdivided.

The Board of Supervisors discussed parking and traffic study requirements with Mr. Emerick and Mr. Stump.

The Board of Supervisors requested to have additional detail from the applicant by the May 13, 2025, Board of Supervisors meeting.

Chairwoman Nutt made a motion to TABLE the decision, Supervisor Wyckoff seconded the motion.
Motion carried 5-0.

Consideration of approval of an exemption from the Development and Financial Security Agreement with Hershey Entertainment & Resorts Company and Hershey Trust Company for the Final Land Development Plan for Hershey Hotel at Hershey West End – Phase F, Plat 1393.

Mr. Emerick noted the Board of Supervisors had conditionally approved Plat 1393 on October 8, 2024, with the plan representing the further development of Hershey West End with a hotel (construction currently underway). Hershey Entertainment & Resorts Company (HE&R) is requesting an exemption from Plat 1393's Development and Financial Security Agreement regarding the restriction that no construction work or related activities shall take place after 7:00 p.m. or before 6:00 a.m. on any day of the week, as noted in Item 4.x of the Agreement. Specifically, they are requesting to perform mat slab pours on April 22, 2025, and on April 30, 2025, from 1:00 a.m. to 5:00 p.m., weather permitting. They note in their request that this will minimize traffic impacts to the surrounding area.

Mr. Emerick is recommending the surrounding dates of the request also be approved, due to potential weather delays/concerns. Supervisor Zmuda shared his concern of the proximity to U-Gro, with Chris Brown, Hershey Entertainment & Resorts, noting they had this concern for the businesses in the area and due to these concerns, they have requested the typical non-business hours to perform the work needed.

Supervisor Wyckoff made a motion that the Board of Supervisors authorizes an exemption from the Development and Financial Security Agreement with Hershey Entertainment & Resorts Company and Hershey Trust Company for the Final Land Development Plan for Hershey Hotel at Hershey West

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End – Phase F, Plat 1393, to allow “mat slab” pours from 1:00 a.m. to 5:00 p.m. on two days, which are presently planned for Tuesday, April 22, 2025, and Wednesday, April 30, 2025, weather permitting. Supervisor Giovanniello seconded the motion. **Motion carried 5-0.**

Request to close State Route 743 from State Route 422 to Caracas Avenue and the eastbound right straight-through and right turn lanes of State Route 422 from Linden Road to State Route 743 for the Memorial Day ceremonies at the Court of Honor at Chocolatetown Square Park on Monday, May 26, 2025, at 10:00 a.m.

Chief Warner stated this request is needed in order to facilitate safety for the guests, attendees and participants of the Memorial Day Ceremony at the east side of Chocolatetown Park because it will be necessary to limit motor vehicle traffic around the site of the event. It is proposed that Route 743 from Route 422 to Caracas Avenue be closed and the eastbound right straight-through and right turn lanes of Route 422 from Linden Road to State Route 743 be closed off. The left straight-through and left turn lanes of Route 422 will remain open for eastbound traffic. The closure will take effect at 9:30 a.m. and remain until the end of the event and the clearing of pedestrians from the roadway (approximately 12:00 p.m.).

Chairwoman Nutt made a motion that the request to close State Route 743 from State Route 422 to Caracas Avenue and the eastbound right straight-through and right turn lanes of State Route 422 from Linden Road to State Route 743 for the Memorial Day ceremonies at the Court of Honor at Chocolatetown Square Park on Monday, May 26, 2025, at 10:00 a.m., be hereby approved. Supervisor Zmuda seconded the motion. **Motion carried 5-0.**

SUPERVISOR BOARD/COMMITTEE REPORTS

Supervisor Zmuda congratulated Hershey High School's basketball player, Cam Sweeney, on being awarded PennLive's basketball Player of the Year.

DEPARTMENTAL REPORTS

Public Works

Mr. Watts shared that PennDOT has completed milling operations on Governor Road and Cocoa Avenue, with milling starting on Fishburn Road.

Library

Ms. Jacobine shared the following upcoming events:

- April 10, 2025, at 6:00 p.m. - Fear of Commitment Book Group at Cassel Vineyards
- April 12, 2025, at 11:00 a.m. - Life is a Work of Art
- April 12, 2025, at 2:00 p.m. - Patrick Kerksen Trio
- April 14 (2:00 p.m.) and April 15 (6:30 p.m.), 2025 - documentary screening of "Free For All: The Public Library"

Parks & Recreation

Ms. Walker provided an update for the Saturday, April 12, 2025, annual Easter Egg Hunt, held at Shank Park, beginning at 10 a.m. Rain date would be Sunday, April 13, 2025, if needed.

VISITOR/PUBLIC COMMENTS

There were no public comments offered.

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ADJOURNMENT

Supervisor Zmuda made a motion to adjourn the meeting at 7:38 p.m. Supervisor Wyckoff seconded the motion. **Motion carried 5-0.**

SUBMITTED BY:

Michael P. Corado, Secretary