

DERRY TOWNSHIP PLANNING COMMISSION
MEETING MINUTES
April 1, 2025

CALL TO ORDER

The Tuesday, April 1, 2025, Derry Township Planning Commission meeting was called to order at 6:00 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; Mike Guntrum, Vice Chairman; Tom Wilson

Commission Members Absent: Sean Guay, Secretary; Don Santostefano

Township Staff and Review Agency Representatives Present: Chuck Emerick, Director of Community Development; David Habig, Assistant Director of Community Development; Jenelle Stumpf, Planning/Zoning Coordinator; Ryan Cummings, HRG, Inc.; Diane Myers-Krug, Dauphin County Planning Commission Representative

Public Registering Attendance: Nancy and Sam McCorkel, 2091 Church Road, Hummelstown; Mark Jones, Hartech Engineering; Chris Brown, Hershey Entertainment & Resorts Company; Tim Arntz, Light-Heigel & Associates; Erin Mariano, Jerel Hopkins – Hershey Trust Company; Craig Mellott, TPD; Craig Smith, RGS Associates; Kyle McCorkel, Prime Home Real Estate; Tracy Brown

APPROVAL OF MINUTES

On a motion made by Member Wilson, seconded by Vice Chairman Guntrum, and a unanimous vote, the Planning Commission approved the minutes from the March 4, 2025 meeting, as written.

OLD BUSINESS

A. Report on the Board of Supervisors' action regarding Conditional Use Application No. 2024-06, as filed by Chocolate, LP, for 1143 East Chocolate Avenue

Chuck Emerick reported that the Board approved the Conditional Use request, with conditions.

B. Report on the Board of Supervisors' action regarding the Preliminary/Final Land Development Plan for Milton Hershey School Essential Employee Dwellings, Main Campus - Phase 2, Plat 1397

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

DERRY TOWNSHIP PLANNING COMMISSION
MEETING MINUTES
April 1, 2025

NEW BUSINESS

A. Review and recommendation of the Preliminary/Final Subdivision Plan for McCorkel Property, Plat 1402

David Habig explained that this plan proposes to subdivide two parcels into four parcels for Samuel S. McCorkel and Nancy J. McCorkel. The tracts have frontage on both McCorkel Road and Church Road and are located in the Conservation zoning district. The existing two lots total 50.441 acres, and the proposed subdivision would create four lots containing 4.188 acres (Lot 1), 4.933 acres (Lot 2), 11.375 acres (Lot 3), and 29.945 acres (Lot 4). There is a proposed shared access for Lots 3 and 4 from Church Road. At this time there is no development shown on the new lots; however, during the Zoning Hearing Board hearing for this property, the owners stated that the intention is to build a new single-family dwelling on Lots 1, 2, and 3 at some point in the future.

The properties were the subject of Zoning Hearing Board Case No. 2024-19. The Zoning Hearing Board granted a variance for the minimum lot width and minimum lot depth for Lots 3 and 4 to be less than the required 200 feet. Since no new development is proposed under this plan, stormwater and traffic concerns do not exist. Stormwater management design will be required for future development at the time of permitting.

Mr. Habig summarized the waivers that the applicants have requested from the Subdivision and Land Development Ordinance and noted an additional waiver that the applicants should request. Mark Jones of Hartech Engineering represented the applicants and requested the additional waiver.

Mr. Habig; Ryan Cummings, HRG, Inc.; and Diane Myers-Krug, Dauphin County Planning Commission representative, summarized their review comments.

In response to a question from Member Wilson, Mr. Habig stated that the property has access to public sewer service.

Vice Chairman Guntrum inquired if public water service is available. Mr. Jones responded that two of the lots will be serviced by public water from McCorkel Road, and the other two lots will be serviced by private wells.

Vice Chairman Guntrum asked if there is a hydrant on McCorkel Road. Mr. Habig stated that there is a hydrant at the intersection of Laurie Avenue and McCorkel Road.

In response to a question from Chairman Tunnell, Mr. Jones stated that the applicants do not have any issues with the review comments.

MOTION ON WAIVERS

On a motion made by Member Wilson, seconded by Vice Chairman Guntrum, and a unanimous vote, the Planning Commission made a recommendation to the Board of Supervisors that the following waivers from the Subdivision and Land Development Ordinance be granted:

DERRY TOWNSHIP PLANNING COMMISSION
MEETING MINUTES
April 1, 2025

- a. Waivers from Sections 185-12.D.(3).(a).[21] and 185-13.E.(4).(a).[19] regarding providing profiles for existing stormwater sewer facilities.
- b. Waivers from Sections 185-12.D.(3).(a).[22] and 185-13.E.(4).(a).[20] regarding providing profiles for existing sanitary sewer facilities.
- c. Waivers from Sections 185-12.D.(3).(a).[23] and 185-13.E.(4).(a).[21] regarding providing profiles for gas and water system facilities.
- d. Waivers from Sections 185-12.D.(2) and 185-13.E.(3) regarding plan scale.
- e. Waiver from Section 185-34.A.(1) regarding sidewalks along McCorkel Road and Church Road, subject to the applicants offering to pay the fee in lieu of sidewalk installation, which fee shall be calculated by the applicants in accordance with Section 185-34.A.(4).(b).
- f. Waivers from Sections 185-22.D.(2) and 185-22.E regarding cartway widths and curbs.
- g. Waiver from Section 185-31 regarding street shade trees.
- h. Waiver from Section 185-36.B.(1) regarding fire hydrant location for Lots 3 and 4.

MOTION ON PLAT 1402

On a motion made by Member Wilson, seconded by Vice Chairman Guntrum, and a unanimous vote, the Planning Commission made a recommendation to the Board of Supervisors that Plat 1402 be approved, subject to the following being satisfactorily addressed:

- a. The comments in Item 3 of the March 24, 2025 Township staff report.
- b. The comments in the March 24, 2025 HRG letter.
- c. Comments 2 and 3 in the March 25, 2025 Dauphin County Planning Commission Review Report.

B. Review and recommendation of the Preliminary/Final Subdivision Plan for Hershey Trust Company, as Trustee, and Hershey Entertainment & Resorts Company, Plat 1400

Chuck Emerick explained that Plat 1400 is being processed to subdivide Area A from Lot 7A (lands of Hershey Trust Company) and add it to Lot 6A (lands of Hershey Entertainment & Resorts Company) for potential future development. Lot 6A is located within the Commercial Recreation zoning district, contains the Hersheypark Camping Resort, and is served by public sewer and water facilities. Area A is undeveloped land and is also located within the Commercial Recreation zoning district. The remainder of Lot 7A is located within the Planned Campus North zoning district and

DERRY TOWNSHIP PLANNING COMMISSION
MEETING MINUTES
April 1, 2025

contains the “orchard” barn, the Vista School, and Camp Milton. All lots have frontage on Hersheypark Drive and are adjacent to the Swatara Creek. Pennsy Supply Road, a private driveway, transects existing Lot 7A and will be adjacent to the northern side of final Lot 6A. Lot 7A is also adjacent to Clearwater Road. No new lots are proposed as part of this plan and no new development or improvements are proposed for any of the lots represented on the plan.

Mr. Emerick summarized the waivers and deferments that the applicants have requested from the Subdivision and Land Development Ordinance and noted additional waivers that the applicants should request. Tim Arntz of Light-Heigel & Associates represented the applicants and requested the additional waivers.

Mr. Emerick; Ryan Cummings, HRG, Inc.; and Diane Myers-Krug, Dauphin County Planning Commission representative, summarized their review comments.

MOTION ON WAIVERS AND DEFERMENTS

On a motion made by Vice Chairman Guntrum, seconded by Member Wilson, and a unanimous vote, the Planning Commission made a recommendation to the Board of Supervisors that waivers and deferments from the Subdivision and Land Development Ordinance be granted as follows:

- a. Waivers from Sections 185-12.D.(2) and 185-13.E.(3) regarding plan scale.
- b. Waivers from Sections 185-12.D.(3).(a).[7] and 185-13.E.(4).(a).[7] regarding metes and bounds description.
- c. Waivers from Sections 185-12.D.(3).(a).[8] and 185-13.E.(4).(a).[8] regarding the survey for Lot 7A being tied to North American datum.
- d. Waivers from Sections 185-12.D.(3).(a).[9] and 185-13.E.(4).(a).[9] regarding existing features within 200 feet and 50 feet, respectively, of the property lines of Lot 7A.
- e. Waivers from Sections 185-12.D.(3).(a).[21] and 185-13.E.(4).(a).[19] regarding providing stormwater profiles.
- f. Waivers from Sections 185-12.D.(3).(a).[22] and 185-13.E.(4).(a).[20] regarding providing sanitary sewer profiles.
- g. Waivers from Sections 185-12.D.(3).(a).[23] and 185-13.E.(4).(a).[21] regarding providing gas and water systems profiles.
- h. Waiver from Section 185-13.E.(4).(a).[22] regarding providing a soil erosion and sediment control plan.

DERRY TOWNSHIP PLANNING COMMISSION
MEETING MINUTES
April 1, 2025

- i. Waivers from Sections 185-12.D.(3).(a).[30] and 185-13.E.(4).(a).[29] regarding location of traffic signs for Lot 7A.
- j. Waivers from Sections 185-12.D.(3).(a).[39] and 185-28.A.(1) regarding providing a statement from utilities stating conditions of easements and rights-of-way.
- k. Waivers from Sections 185-12.D.(3).(a).[46] and 185-13.E.(4).(a).[41] regarding providing street shade trees.
- l. Waivers from Sections 185-12.D.(3).(a).[51] and 185-13.E.(4).(a).[49] regarding providing monuments and markers.
- m. Waiver from Section 185-26 regarding providing a stormwater management plan; however, the applicant shall request the proper section reference of 185-26.
- n. Deferment from Section 185-34.A.(1) regarding sidewalk installation along the Hersheypark Drive frontage, subject to and conditional on the property owners agreeing to and executing a Declaration of Covenants, in a manner and form acceptable to the Township, to be recorded against the property, that would allow the Township to require the installation of sidewalks along Hersheypark Drive in the future if deemed necessary.
- o. Waiver from Section 185-49.A regarding providing a wetlands determination.
- p. Waivers from Sections 185-12.D.(4).(g) and 185-36 regarding providing fire hydrant flow data.

MOTION ON PLAT 1400

On a motion made by Vice Chairman Guntrum, seconded by Member Wilson, and a unanimous vote, the Planning Commission made a recommendation to the Board of Supervisors that Plat 1400 be approved, subject to the following being satisfactorily addressed:

- a. The comments in Item 3 of the March 5, 2025 Township staff report.
- b. The comments in the March 24, 2025 HRG, Inc. Subdivision & Land Development Review Letter #1.
- c. The comments in the March 24, 2025 HRG, Inc. Plan and Legal Description Review #1.
- d. Comment 2 in the March 20, 2025 Dauphin County Planning Commission Review Report.

DERRY TOWNSHIP PLANNING COMMISSION
MEETING MINUTES
April 1, 2025

C. Review and recommendation of the Preliminary/Final Subdivision Plan for Lingle Avenue Tract, Plat 1401

Chuck Emerick explained that Plat 1401 is being processed to subdivide Area A from Lot 1 (lands of Hershey Entertainment & Resorts Company) and add it to Lot 2 (lands of Hershey Entertainment & Resorts Company) for potential future development of final Lot 1. Existing Lot 2 is located within the Commercial Golf zoning district, contains the Hershey Country Club, and is served by public sewer and water facilities. Area A is undeveloped land and is located within the Palmdale Mixed Use zoning district and the Palmdale Future Development Area Overlay. The remainder of Lot 1 is also located within the Palmdale Mixed Use zoning district and the Palmdale Future Development Area Overlay and is undeveloped land. Final Lot 1 has frontage on Lingle Avenue and North 4th Street and could extend Howard Avenue, Palm Street, and possibly Roosevelt Avenue into the property. Final Lot 2 has frontage on East Chocolate Avenue and East Derry Road and possibly could extend McKinley Avenue into the property. No new lots are proposed as part of this plan and no new development or improvements are proposed for any of the lots represented on the plan.

Mr. Emerick summarized the waivers and deferments that the applicant has requested from the Subdivision and Land Development Ordinance and noted additional waivers that the applicants should request. Tim Arntz of Light-Heigel & Associates represented the applicant and requested the additional waivers.

Mr. Emerick summarized his review comments.

Member Wilson asked for input from the applicant regarding the following review comment from Chuck Emerick: *“Consider providing an easement for the future extension of Roosevelt Avenue into the undeveloped lands. As an alternative, the proposed property line could be shifted 30 feet in either direction to allow for a 60-foot right-of-way.”* Mr. Arntz explained that currently there is no plan to utilize an entrance at that location because it is at the edge of the proposed tract. The tract area has been agreed upon, so the applicant does not want to move the property line without it really being necessary. A few of the other roads in that area are wider and would be much better suited for access to the site. A note could be provided on the subdivision plan that if it is decided to utilize Roosevelt Avenue in the future, an easement could be provided as part of the land development plan process.

Chris Brown of Hershey Entertainment & Resorts Company reiterated Mr. Arntz’s comments and stated that providing an easement as part of the subdivision plan would be premature in the planning process. Mr. Emerick noted that the Township’s planning documents encourage extensions of existing roadways and interconnection in neighborhoods.

Chairman Tunnell asked if there would be an issue with using that road if the subdivided property is sold and the owner of the retained property does not want to give up any right-of-way. Mr. Brown responded that it is a complicated answer because so much depends on how the

DERRY TOWNSHIP PLANNING COMMISSION
MEETING MINUTES
April 1, 2025

development plan would take shape. He appreciates the long-range planning but there are other roads into proposed Lot 1.

Mr. Emerick commented that even if it was an easement 200 feet into the property, that could be enough to legitimately continue the road. To not do so at this time would be bad planning. Mr. Brown stated that he cannot agree to an easement without discussing the matter internally. It would be easier to have that internal conversation and then adjust the lot line instead of providing an easement.

MOTION ON WAIVERS AND DEFERMENTS

On a motion made by Member Wilson, seconded by Vice Chairman Guntrum, and a unanimous vote, the Planning Commission made a recommendation to the Board of Supervisors that the following waivers and deferments from the Subdivision and Land Development Ordinance be granted:

- a. Waivers from Sections 185-12.D.(2) and 185-13.E.(3) regarding plan scale.
- b. Waivers from Sections 185-12.D.(3).(a).[7] and 185-13.E.(4).(a).[7] regarding metes and bounds description.
- c. Waivers from Sections 185-12.D.(3).(a).[8] and 185-13.E.(4).(a).[8] regarding the survey for Lot 2 being tied to North American datum.
- d. Waivers from Sections 185-12.D.(3).(a).[21] and 185-13.E.(4).(a).[19] regarding providing stormwater profiles.
- e. Waivers from Sections 185-12.D.(3).(a).[22] and 185-13.E.(4).(a).[20] regarding providing sanitary sewer profiles.
- f. Waivers from Sections 185-12.D.(3).(a).[23] and 185-13.E.(4).(a).[21] regarding providing gas and water systems profiles.
- g. Waiver from Section 185-13.E.(4).(a).[22] regarding providing a soil erosion and sediment control plan.
- h. Waivers from Sections 185-12.D.(3).(a).[30] and 185-13.E.(4).(a).[29] regarding location of traffic signs for Lot 2.
- i. Waivers from Sections 185-12.D.(3).(a).[39] and 185-28.A.(1) regarding providing a statement from utilities stating conditions of easements and rights-of-way.
- j. Waivers from Sections 185-12.D.(3).(a).[46] and 185-13.E.(4).(a).[41] regarding providing street shade trees.

DERRY TOWNSHIP PLANNING COMMISSION
MEETING MINUTES
April 1, 2025

- k. Waivers from Sections 185-12.D.(3).(a).[51] and 185-13.E.(4).(a).[49] regarding providing monuments and markers, except as required to monument the proposed property line.
- l. Waiver from Section 185-26 regarding providing a stormwater management plan; however, the applicant shall request the proper section reference of 185-26.
- m. Deferment from Section 185-34.A regarding sidewalk installation as related to the Lingle Avenue, East Derry Road, East Chocolate Avenue, Mansion Road, and Howard Street frontages, subject to and conditional on the property owner agreeing to and executing a Declaration of Covenants, in a manner and form acceptable to the Township, to be recorded against the property, that would allow the Township to require the installation of sidewalk along Lingle Avenue, East Derry Road, East Chocolate Avenue, Mansion Road, and Howard Street frontages in the future if deemed necessary.
- n. Waiver from Section 185-49.A regarding providing a wetlands determination.
- o. Waivers from Sections 185-12.D.(4).(g) and 185-36 regarding providing fire hydrant flow data.

MOTION ON PLAT 1401

On a motion made by Member Wilson, seconded by Vice Chairman Guntrum, and a unanimous vote, the Planning Commission made a recommendation to the Board of Supervisors that Plat 1401 be approved, subject to the following being satisfactorily addressed:

- a. The comments in Item 3 of the March 14, 2025 Township staff report, excluding comment 3.b.xx and specifically calling attention to comment xxviii and the fact that the applicant has indicated they would be willing to adjust the property lines accordingly in order to accommodate a future right-of-way extending from Roosevelt Avenue.
- b. The comments in the March 21, 2025 HRG, Inc. Subdivision & Land Development Review Letter #1.
- c. Comments 3, 4, and 5 in the March 26, 2025 Dauphin County Planning Commission Review Report.

D. Review and recommendation of Conditional Use Application No. 2025-03, as filed by Hershey Entertainment & Resorts Company regarding establishing a Dwellings for Employees and Students use at 267, 337, and 339 West Chocolate Avenue

Chuck Emerick explained that this application has been filed by Hershey Entertainment & Resorts Company (HE&R), seeking authorization for the establishment of a Dwellings for Employees and

DERRY TOWNSHIP PLANNING COMMISSION
MEETING MINUTES
April 1, 2025

Students use in accordance with Section 225-501.56 of the Zoning Ordinance. This application supersedes Conditional Use Application No. 2023-01, filed by Hershey Lumberyard, LLC, which was approved by the Board of Supervisors on October 10, 2023. The lands proposed for this use are comprised of five tracts. Four of the tracts are owned by Hershey Trust Company (HTC) and one of the tracts is owned by HE&R. All of the subject lands are located in the Downtown Core 9.1 Overlay of the Hershey Mixed Use zoning district. The tracts are generally located north of West Chocolate Avenue and west and north of the Hershey Plaza apartments and are generally known as the Lumberyard Tract, the Powerhouse Tract, Leonard's Plumbing Tract, and the Lucy's restaurant tract. The five tracts, once combined, will contain a total gross area of 5.600 acres. The Dwellings for Employees and Students use is defined as "*Units constructed for the purposes of housing employees and/or students of an associated business or institution*" and is a use that is permitted by Conditional Use approval in the Downtown Core 9.1 Overlay of the Hershey Mixed Use zoning district. Although the current applicant, HE&R, was not the applicant for Conditional Use Application No. 2023-01, they were involved and associated with the application. This new application differs from the prior approved application in a few ways, as follows:

- Addition of the Leonard's Plumbing Tract to the project, adding 0.615 acres for a total area of 5.600 acres.
- Reduction of 16 dwelling units, although the final number of beds remains the same.
- Removal of one of the units without cooking facilities.
- The square footage of the building has been reduced by 13,007 square feet.
- The parking has been reduced by 27 spaces to a total of 118 parking spaces.
- Modification to the façade of the building.
- The location of the parking areas and stormwater management facilities have been modified.

Mr. Emerick went over his review comments. Ryan Cummings, HRG, Inc., summarized the roadway modifications that are proposed in conjunction with the project.

Chris Brown with Hershey Entertainment & Resorts Company stated that they are agreeable to all of the review comments. He added that the reason why the building got smaller is because all of the units are now three-bedroom units. That is how HE&R was able to eliminate 16 units and retain the 522-bed count. It made more sense to have the units be consistent, and they can be stacked more efficiently. It is easier to convert a three-bedroom unit into a two-bedroom unit with an office than it is to convert a two-bedroom unit into a three-bedroom unit. Regarding the architecture, Mr. Brown explained that the previous version was more of an industrial look. There are many authentic industrial buildings in downtown Hershey, and they are not as tall as or have as much

DERRY TOWNSHIP PLANNING COMMISSION
MEETING MINUTES
April 1, 2025

mass as the proposed building. The new architectural approach is to break the building into smaller masses to better blend it in with the neighborhood.

In response to a question from Vice Chairman Guntrum, Mr. Brown said they are continuing to work with the surrounding landowners and have made them aware of the changes.

MOTION ON CONDITIONAL USE APPLICATION NO. 2025-03

On a motion made by Vice Chairman Guntrum, seconded by Member Wilson, and a unanimous vote, the Planning Commission made a recommendation to the Board of Supervisors that the Conditional Use represented by Application No. 2025-03 be granted, subject to the applicant adequately addressing the comments noted in Item 2 of the March 24, 2025 Township staff report.

OTHER BUSINESS

None.

ADJOURNMENT

On a motion made by Member Wilson, seconded by Vice Chairman Guntrum, and a unanimous vote, the meeting was adjourned at 6:50 p.m.

Respectfully submitted,

Planning Commission Secretary

Submitted by:

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