

**DERRY TOWNSHIP PLANNING COMMISSION**  
**MEETING MINUTES**  
**August 6, 2024**

**CALL TO ORDER**

The Tuesday, August 6, 2024, 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; Sean Guay, Secretary; Tom Wilson; Glenn Rowe

Commission Members Absent: None

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

Public Registering Attendance: Randy Wright, Hanover Engineering; Mike Nortrup, *The Sun*; Chad Zimmerman, Dawood Engineering; Garrett Gallia, Chris Brown – HE&R; Erin Mariano, Hershey Trust Company; Karla Farrell, Capital Construction Management; Sam Al-Saadi, Hershey Islamic Center; Ray Brace, SwimHershey; Jake Krieger, Mark Hackenburg – RGS Associates; Craig Mellott, TPD; Todd Lindsley, Lisa Sicle – LDC Fundraising; Erik Hume, Saxton & Stump; Holly Evans, Evans Engineering, Inc.; Glen Sponaugle

**APPROVAL OF MINUTES**

On a motion made by Member Rowe, seconded by Vice Chairman Guntrum, and a unanimous vote, the Planning Commission approved the minutes from the June 4, 2024 meeting, as written.

**OLD BUSINESS**

- A. Review and recommendation of the Preliminary/Final Subdivision Plan for Crystal A Drive – Tract A, Plat 1386**

Chairman Tunnell announced that Plat 1386 will be reviewed as Item C under New Business.

**NEW BUSINESS**

- A. Review and recommendation of the Preliminary/Final Subdivision Plan for Sponaugle Property, Plat 1390**

Chuck Emerick explained that this plan proposes to subdivide a 60.18-acre parcel of land, located in the Conservation zoning district and the Airport Safety Zone Overlay, into two lots. The proposed subdivision would create one vacant lot containing 10.00 acres (Lot 4), with the residual

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lot containing 50.18 acres (Lot 3) and an existing dwelling and other accessory improvements. Lots 1, 2, 3 and 4 share a common driveway. Lots 1, 2, and 3 were created under Plat 770 (the Preliminary/Final Subdivision Plan for Sponaugle Farm), which was recorded on September 19, 1995. Prior to submission of Plat 1390, the applicant received relief from the Derry Township Zoning Hearing Board for minimum lot width in order to create Lot 4. At this time there is no development proposed on Lot 4; however, during the Zoning Hearing Board hearing, the owner stated that the intention is to build a new single-family dwelling on the property at some point in the future. Since no new development is proposed under Plat 1390, stormwater and traffic concerns do not exist.

Mr. Emerick summarized the waivers that the applicant has requested from the Subdivision and Land Development Ordinance and noted that the applicant should also request waivers from Section 185-22.D.(3) regarding street right-of-way width and Section 185-22.E.(5) regarding curbing along Eby Road. The applicant should withdraw the request for a waiver from Section 185-12 regarding preliminary plan processing because it is not necessary.

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

Randy Wright, Hanover Engineering, commented that the applicant is in agreement with the comments that were presented as well as Mr. Emerick's suggestions regarding the waivers.

**MOTION ON WAIVERS**

On a motion made by Member Wilson, seconded by Secretary Guay, 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:

- a. Waivers from Sections 185-12.D.(2) and 185-13.E.(3) to allow plan scales smaller than 1" = 50'.
- b. Waiver from Section 185-12.D.(3).(a).[9] regarding showing existing features within 200 feet of the subject property.
- c. Waiver from Section 185-12.D.(3).(a).[35] regarding providing contours within 200 feet of the subject property.
- d. Waiver from Section 185-22.D.(3) regarding street cartway width.
- e. Waiver from Section 185-31 regarding shade trees.
- f. Waiver from Section 185-34.A.(1) regarding sidewalk along Eby Road, subject to the applicant offering the fee in lieu of sidewalk installation, which fee shall be calculated by the applicant in accordance with Section 185-34.A.(4).(b).

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- g. Waiver from Section 185-22.E.(5) regarding curbing along Eby Road.
- h. Waiver from Section 185-22.D.(3) regarding street right-of-way width.

MOTION ON PLAT 1390

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 1390 be approved, subject to the following being satisfactorily addressed:

- a. The comments in Item 3 of the July 29, 2024 Township staff report.
- b. The comments in the July 22, 2024 HRG letter.
- c. Comments 2, 3, and 5 in the July 22, 2024 Dauphin County Planning Commission Review Report.

**B. Review and recommendation of the Preliminary/Final Land Development Plan for Hershey Islamic Center, Plat 1391**

Chuck Emerick explained that this plan represents the development of an approximately 9.5422-acre tract of land fronting on Stoverdale Road and follows the withdrawal of Plat 1387. The site is in the Conservation zoning district. The vacant lot being developed was shown as Lot 2 on Plat 1101 (the Preliminary/Final Subdivision Plan for Stoverdale/Middletown Road Property), which was recorded on August 22, 2006. Plat 1391 proposes the construction of a 47,944-square-foot building that comprises three major functions. One portion of the building is a three-story, K-5 elementary school serving 210 students, which is connected to a large multi-purpose building, which is connected to a 300-seat worship center.

Mr. Emerick suggested that the plan be tabled to allow for further revisions to be made because some of the outstanding items are significant. It appears that the proposed impervious cover exceeds the maximum allowed by 400 square feet. The proposed access driveway has the potential to be flooded with more than a foot of water during a 100-year storm event due to the stream that runs along Stoverdale Road, so the applicant either needs to find a second means of ingress/egress to the site, which would likely be a connection to the private road that runs behind Sheetz and Stoverdale Commons, or possibly relocate the stream and create a bridge in a manner that the driveway would not be inundated during the 100-year storm event.

Chad Zimmerman, Dawood Engineering, represented the applicant. He noted that there are constraints on the site, in particular the stream along Stoverdale Road. The applicant is in contact with the owner of the Sheetz/Stoverdale Commons property to try to get a second access to the Islamic Center site. There are some issues with the potential box culvert proposed at the intersection to hopefully not top the driveway because that is a difficult area.

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Vice Chairman Guntrum inquired if additional traffic from the Hershey West End development was included in the Islamic Center traffic impact study when looking at the impact of the new development. Mr. Zimmerman said he is pretty sure it was. There are potential impacts to the Middletown Road/Wood Road intersection, which is currently failing.

Member Rowe recommended that the applicant coordinate their project with PennDOT's Middletown Road project.

Vice Chairman Guntrum asked if the cartway width of Stoverdale Road is adequate to support the traffic that will be generated by this development. Mr. Emerick responded that he believes it is acceptable.

Vice Chairman Guntrum commented that the subject property is close to a long-established sportsmen's club, and he wanted to make the applicant aware of its existence and the noise that comes from the property.

*MOTION TO TABLE PLAT 1391*

On a motion made by Member Wilson, seconded by Member Rowe, and a unanimous vote, the Planning Commission tabled taking action on Plat 1391.

**C. Review and recommendation of the Preliminary/Final Subdivision Plan for Crystal A Drive – Tract A, Plat 1386**

Chuck Emerick Plat 1386 is being processed to further subdivide Tract A, which was created by Plats 1283 and 1319. Plat 1386 proposes to create two tracts (lots). The subject property is 52.33 acres and is bound by Sand Beach Road to the west, Kieffer Road and lands owned by Robert and Amber Cramer to the north, the Pennsylvania State Police Academy campus to the east and south, and PennState Health lands and Tract C to the south. The property is located within the Planned Campus North zoning district and North Master Plan Approval Area Overlay. Plat 1386 proposes to subdivide Tract A into two separate parcels. Tract A1 will be 8.04 acres in area and will contain the 17,100-square-foot Global Customer Insights Center building owned by The Hershey Company. Tract A1 will maintain frontage along Sand Beach Road with access provided by Crystal A Drive, a private road. Tract A2 will be 44.29 acres and is presently vacant land, with the exception of the site's nature trail. Tract A2 will contain frontage along Sand Hill Road and Kieffer Road.

No new development or improvements are proposed for either of the tracts represented on the plan. Any future improvements would require the filing of a separate land development plan for review by the Township. The Township Official Map indicates sidewalk and pedestrian trail improvements along Hersheypark Drive and future on-road bicycle paths along Sand Beach Road.

Mr. Emerick summarized the waivers and deferments that the applicant has requested from the Subdivision and Land Development Ordinance.

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Mr. Emerick and Ryan Cummings, HRG, Inc., summarized their review comments.

Vice Chairman Guntrum had questions and concerns about the safety of pedestrian traffic traveling from the proposed SwimHershey site to Hersheypark Drive and crossing Hersheypark Drive.

Holly Evans, Evans Engineering, stated that her firm is only handling the subdivision aspect of the project, not the land development aspect. She stated that for the most part the applicant does not have any issues with the comments that were presented by Mr. Emerick and HRG, Inc. Ms. Evans asked for confirmation that the Township is only looking for additional right-of-way dedication on Kieffer Road since Sand Beach Road is a PennDOT road. Mr. Emerick responded that there might be a small segment on Sand Beach Road that does not meet the Township's minimum standards and confirmed that the Township takes the right-of-way of State roads.

Regarding Mr. Emerick's comment that the applicant needs to provide street trees in the gaps along the Sand Beach Road frontage of Tract A1, Ms. Evans explained that The Hershey Company cannot put a tree inside the area where there is PennDOT right-of-way for a future street because it is not land that they own. The Hershey Company would prefer that improvements such as this be required as part of the SwimHershey land development plan so they are not in conflict. Mr. Emerick noted that Tract A1 is not part of the SwimHershey land development plan but agreed that it might not be possible to put a tree in the PennDOT right-of-way due to isolation distances.

Ms. Evans stated that any easement the SwimHershey project requires of Tract A1 is not something that is part of this subdivision plan and would have to be part of the land development plan. Mr. Emerick stated that his concern in creating Tract A2 on the subdivision plan is ensuring that Tract A2 is served by public sewer. That is why he is requesting the easement. Mark Hackenburg, RGS Associates, represented the land development plan and said that The Hershey Company is a signatory to the SwimHershey project. They will own the real estate. The representation of sewer easements and subsequent easements across that property are appropriately represented on the land development plan. The SwimHershey project's street widening is going to impact the trees that are there now. SwimHershey will replant the frontage of the property as required. Mr. Emerick reiterated that the subdivision plan creates Tract A2 and therefore needs to show that Tract A2 is served by public sewer.

In response to a question from Member Rowe, Ms. Evans and Mr. Emerick stated that they do not think the driveway leading from the stub on Tract A1 will ever be built, knowing there is already a building there and access from Crystal A Drive.

Regarding HRG, Inc.'s comment that the applicant needs to install monuments and markers or provide financial security, Ms. Evans stated that currently the property is fully monumented. Any new monuments that are required will be indicated on the subdivision plan as "to be set" until the plan is conditionally approved. The monuments will be set prior to recording, or the applicant will provide financial security.

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Ms. Evans noted that the applicant is requesting a deferment of sidewalk installation on Sand Beach Road along Tract A1 until such time as Tract C is developed so that all sidewalk can be installed at one time and run continuously. Deferment agreements already exist for Tracts A, B, and C as the result of previous subdivision plans. The applicant is asking that the existing deferment be carried along until Tract C is developed. Vice Chairman Guntrum commented that he agrees with not piecemealing the installation of sidewalk; however, with the amount of traffic in this area, it seems like it is only a matter of time until a pedestrian gets hurt.

Chairman Tunnell commented that since there is already a deferment agreement for Tract C, the Township could call that deferment agreement to have the sidewalk installed. Ms. Evans responded that it would not make sense to install a five-foot-wide sidewalk right along Sand Beach Road when it might be better to install an eight-foot-wide asphalt walking path, depending on the development of Tract C.

Mr. Emerick suggested that the Planning Commission table taking action on the subdivision plan (Plat 1386) until after the land development plan (Plat 1392) is reviewed.

**MOTION TO TABLE PLAT 1386**

On a motion made by Member Wilson, seconded by Member Rowe, and a unanimous vote, the Planning Commission tabled taking action on Plat 1386 until after Plat 1392 is reviewed.

**D. Review and recommendation of the Preliminary/Final Land Development Plan for SwimHershey, Plat 1392**

Chuck Emerick explained that this plan represents the development of an approximately 44.29-acre tract of land fronting Sand Beach Road and Kieffer Road and accessed by Crystal A Drive, a private road. The site is in the Planned Campus North zoning district. Plat 1386, once approved, will subdivide 8.04 acres to contain The Hershey Company's existing Global Customer Insights Center (GCIC) building, resulting in the vacant tract on the north side of Crystal A Drive proposed for development by Plat 1392. This plan proposes the construction of a 34,565-square-foot structure (47,495 square feet of floor area) to contain a 50-meter pool. Access to the SwimHershey site is proposed to be via a private access drive from Crystal A Drive. The applicant has proposed two emergency access connections to the property. The connection from the eastern side of the proposed parking area to Crystal A Drive providing access on and through the PennState Health property provides the best emergency connection. There is also a connection proposed from the site's driveway to Sand Beach Road; however, this connection is situated 250 feet +/- from the site's driveway connection to Crystal A Drive, offering much less safety than the proposed connection to and through PennState Health's property. Prior to this submission, the applicant processed a sketch plan (Plat 1378) through the Township. That sketch plan indicated a future entry pavilion and warm-up/warm down pool building. Neither of those facilities are shown on this preliminary/final plan.

Mr. Emerick stated that transportation impact study submitted with the plan considers the full buildout scenario discussed during the sketch plan stage and studied numerous intersections. At full

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buildout, the facility is projected to generate 86 new trips during the weekday AM peak hour, 196 new trips during the weekday PM peak hour, and 185 new trips during the Saturday midday peak hour. The study noted that all of the intersections studied will operate at a LOS D or better in the 2041 projected conditions with implementation of all recommended roadway improvements.

Mr. Emerick summarized the waivers and deferments that the applicant has requested from the Subdivision and Land Development Ordinance.

Mr. Emerick; Ryan Cummings and Eric Kaufman, HRG, Inc.; and Diane Myers-Krug, Dauphin County Planning Commission representative, summarized their review comments. Mr. Emerick also summarized DTMA's review comments.

Mark Hackenburg of RGS Associates represented the plan. Regarding the applicant's request for waivers and deferments of sidewalk installation and the concern that there is potential for a lot of pedestrian traffic from the SwimHershey complex, Mr. Hackenburg stated that most walk studies suggest the walk distance of about one-quarter of a mile is a comfortable distance to meet a desirable location. There are some studies that indicate one-half of a mile is a reasonable distance. All of the factors that go into suitable walk studies and walk distances have to do with health and wellness, destination and purpose, and grade and terrain conditions. There is a 173-foot grade difference between the top elevation of this project and the intersection of Hersheypark Drive and Sand Beach Road. These are people who are coming to the complex for a specific event at a meet. If a swimmer does not place in their event, the family will typically leave after the event and will not hang around for the rest of the events. The applicant is concerned about creating an unsafe condition by adding sidewalks, as there are no sidewalks along Hersheypark Drive. The distance to get from the SwimHershey site to Tanger Outlets is three-quarters of a mile. The applicant does not think there is a reason to create an unsafe condition and force people across Hersheypark Drive when the venue is not geared toward those types of destination interactions.

Mr. Hackenburg noted that generally speaking, the applicant is accepting of the comments that were presented by Township staff and other review agencies.

Member Wilson commented that he would be remiss if he did not voice his concerns about pedestrian traffic going down Sand Beach Road. Per Google Maps, it is four-tenths of a mile and mostly flat terrain from Crystal A Drive to Wendy's on Hersheypark Drive.

Vice Chairman Guntrum asked the applicant to consider the fact that there will be kids not actively involved in the swim meet who will be looking for something to do. The applicant should propose a way to handle that situation as part of their development as opposed to letting it happen organically and dealing with the consequences later. Mr. Hackenburg asked if the Township wants to create an unsafe condition for pedestrians in an area where there is insufficient pedestrian infrastructure.

In response to a comment from Chairman Tunnell, Mr. Hackenburg stated that part of the challenge with the existing walking path is it is located on property that is currently on the market.

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Encumbering that piece of real estate (Tract C on Plat 1386) is one of The Hershey Company's concerns. SwimHershey will be a phased project, and the first phase will not create the largest of the facilities. The applicant will have to return to the Township for approval of the second phase at some point in the future. That will give them an opportunity to understand the amount of vehicular and pedestrian traffic generated by the first phase. Perhaps there is a middle ground that is related to the phasing of the project. Vice Chairman Guntrum noted that Tract C is already encumbered by a sidewalk deferment agreement.

Member Rowe agreed with the notion of a cohesive plan for pedestrian movement, and people are likely envisioning curbing and sidewalk along Sand Beach Road; however, he does not see that happening unless there is something substantial that goes into Tract C. He asked if there is a temporary means of accommodating pedestrians by connecting to the existing walking path until Tract C is developed.

Craig Mellott of Traffic Planning & Design commented that the applicant does not want to create an unsafe condition. His hesitancy is not the path down Sand Beach Road, it is the Hersheypark Drive/Sand Beach Road intersection. There are pedestrian crosswalks; however, there is a difference between crossing Chocolate Avenue in downtown Hershey, where there is a lower speed limit, and crossing Hersheypark Drive with numerous lanes and a higher speed limit. Mr. Mellott stated that the applicant recognizes the issues, and it sounds like they need to discuss that matter further with Township staff and HRG.

Member Wilson suggested that the plan be tabled to allow the applicant to work with Township staff and HRG to come up with an acceptable solution. Mr. Hackenburg agreed and noted that The Hershey Company needs to weigh in on the matter. Mr. Hackenburg also agreed to a 60-day extension of time for the Board of Supervisors to act on the plan.

*MOTION TO TABLE PLAT 1392*

On a motion made by Member Wilson, seconded by Vice Chairman Guntrum, and a unanimous vote, the Planning Commission tabled taking action on Plat 1392 to allow the applicant time to work with Township staff and HRG to come up with an acceptable solution.

**C. Review and recommendation of the Preliminary/Final Subdivision Plan for Crystal A Drive – Tract A, Plat 1386 [continued from earlier in the meeting]**

*MOTION TO TABLE PLAT 1386*

On a motion made by Secretary Guay, seconded by Member Rowe, and a unanimous vote, the Planning Commission tabled taking action on Plat 1386 so that its review timeline can continue to run concurrently with the SwimHershey land development plan.

**E. Review and recommendation of the Final Land Development Plan for Hershey Hotel at Hershey West End – Phase F, Plat 1393**



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Chuck Emerick explained that Plat 1393 represents the third final plan after the January 22, 2019 approval of Conditional Use Application No. 2018-01 for the Hershey West End Master Plan approval, as revised by Conditional Use Application No. 2022-01. Hershey Entertainment and Resorts Company is the developer and the applicant, and Hershey Trust Company is the owner for the development proposed on the final plan for Phase F. Phase F proposes the construction of a 130-room, 4-story, 76,614-square-foot hotel. Although the Board of Supervisors recently adopted an ordinance amending Section 225-501.58 of the Zoning Ordinance (related to Master Plans), this plan is vested in the prior Zoning and Stormwater Management regulations due to the Master Plan approval. Some of the streets and infrastructure surrounding Phase F were approved under Plat 1330, the Final Lot Consolidation and Land Development Plan, Hershey West End – Streets and Infrastructure Phase, which was recorded on November 9, 2021. Construction of the Streets and Infrastructure Phase of the development is substantially complete.

Mr. Emerick summarized the waivers that the applicant has requested from the Subdivision and Land Development Ordinance.

Mr. Emerick and Ryan Cummings, HRG, Inc., summarized their review comments. Mr. Emerick also summarized DTMA's review comments.

Vice Chairman Guntrum asked for an explanation of what was proposed in the original Master Plan (*Conditional Use Application No. 2018-01*) and what is now being proposed. Mr. Emerick replied that was for the residential section of the development and in that case, the developer was moving types of buildings around. At that point the developer provided a revised Master Plan (*Conditional Use Application No. 2022-01*) per the Board of Supervisors' request. Mr. Emerick summarized some of the major differences between the original Master Plan and the revised Master Plan.

Chris Brown of Hershey Entertainment & Resorts represented the project and gave a brief overview. He stated that the applicant believes the proposal has remained consistent with what the Planning Commission and Board of Supervisors expect to see.

Regarding stormwater management, Vice Chairman Guntrum commented that he noticed some work has been done on the basin to the west and it looks like there is a possible infiltration issue with the basin to the east. He asked how the stormwater from Phase F will interface with that. Mr. Brown stated that the bulk of stormwater management was done as a common element throughout the entire development. All Hershey Entertainment & Resorts is responsible for in Phase F is the conveyance. Regarding infiltration, the basin to the east is still actively a sediment basin until the final project is done and then it will be converted.

Chairman Tunnell inquired about how shared parking functions. For example, if Englewood has a huge event, can the overflow of vehicles park in the hotel lot? Mr. Emerick said yes. The shared parking over the entire development allows users to not designate their parking as private. What the Township looks at in shared parking is each use and peak hour usage, and a hotel is probably the biggest culprit of that. He added that more parking is proposed for the hotel than what is required.

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*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:

- a. Waiver from Section 185-13.E.(3) to allow some sheets of the proposed project site to be depicted at a scale of less than 1" = 50'.
- b. Waiver from Section 185-13.E.(4).(a).[9] to allow less than 50 feet of surrounding property features to be shown for the proposed project site.
- c. Waiver from Section 185-13.E.(4).(a).[36] to allow less than 50 feet of surrounding property features to be shown for the proposed project site.
- d. Waivers from Sections 185-13.E.(4).(a).[19], [20], and [21] regarding showing profiles of the existing utilities in Research Boulevard (also known as West End Avenue) and adjacent uses except as necessary for tie-in information for connections.

*MOTION ON PLAT 1393*

On a motion made by Member Wilson, seconded by Secretary Guay, and a unanimous vote, the Planning Commission made a recommendation to the Board of Supervisors that Plat 1393 be approved, subject to the following being satisfactorily addressed:

- a. The comments in Item 3 of the July 17, 2024 Township staff report.
- b. The comments in the July 29, 2024 HRG letter.
- c. The comments in the July 31, 2024 Derry Township Municipal Authority letter.

**F. Review of DEP Sewage Facilities Planning Module Component 4A for Hershey West End**

Chuck Emerick explained that Hershey West End proposes the development of residential and commercial buildings requiring 634 EDUs of sewage capacity. This is proposed to be served by extension(s) of the existing collection system known as the West End Trunk. This flow will be intercepted by the Bullfrog Valley/Highmeadow trunk line leading to the Highmeadow Pump Station and ultimately treated by the Clearwater Sewage Treatment Plant. Upgrading the Highmeadow Pump Station is planned, in part, to accommodate the expected and existing flow. As a result, DEP required the processing of a Planning Module to amend the Township's 537 Plan. Component 4A of the Planning Module requires review and comment, if any, from the Township Planning Commission.

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The Planning Commission did not have any comments on Component 4A of the Planning Module.

**OTHER BUSINESS**

None.

**ADJOURNMENT**

On a motion made by Member Wilson, seconded by Secretary Guay, and a unanimous vote, the meeting was adjourned at 8:15 p.m.

Respectfully submitted,

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Sean Guay  
Planning Commission Secretary

Submitted by:

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