



## TOWNSHIP OF DERRY

### Board of Supervisors Reorganization Meeting Minutes

Tuesday, October 8, 2024

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#### CALL TO ORDER

Vice Chairwoman Nutt called the October 8, 2024, Regular Meeting of the Township of Derry Board of Supervisors to order at 7:02 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. An Executive Session was held before the meeting where land and legal issues were discussed. After the Pledge of Allegiance, a roll call was performed.

#### ROLL CALL

##### SUPERVISORS PRESENT:

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

##### ALSO PRESENT:

Christopher S. Christman, Township Manager  
Peter Nelson, Township Solicitor  
Zachary Jackson, Assistant Township Manager  
Garth Warner, Chief of Police Department  
Chuck Emerick, Director of Community Development  
Greg Watts, Assistant Director of Public Works  
Alison Jacobine, Director of Hershey Public Library  
Amy Walker, Director of Parks & Recreation  
David Sassaman, Hershey Volunteer Fire Company  
Becky Sweigart, Public Outreach Coordinator  
Lynn Dawson, Recording Secretary  
Eric Stump, HRG Engineer

##### ABSENT:

#### Public in Attendance:

Chris Brown, Bill Fredericks, Ron Giovanniello, Ken Gall, Geoffrey Crout, Garrett Gallia, Marybeth Lavery, Kate Toczek

#### VISITOR/PUBLIC COMMENTS

There were no public comments offered.

#### REORGANIZATION

#### RESOLUTION

##### A. Election of the Chairman, Vice-Chairman, and Secretary (Resolution No. 2024-21)

Supervisor Wyckoff offered a nomination to appoint Vice Chairwoman Nutt to the position of Chairwoman. Supervisor Corado seconded the nomination.

Supervisor Nutt offered a nomination to appoint Supervisor Wyckoff to the position of Vice-Chairman. Supervisor Giovanniello seconded the nomination.

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Supervisor Nutt offered a nomination to appoint Supervisor Corado to the position of Secretary. Supervisor Wyckoff seconded the nomination.

For the officer appointments, **Motion was carried 5-0.**

### **BOARD OF SUPERVISORS APPOINTMENTS**

**A. Appointment of One (1) Member of the Board of Supervisors to the Industrial and Commercial Development Authority for an Unexpired Three-Year Term (2024-2026). (Unexpired term of Chris Abruzzo)**

Chairwoman Nutt made a motion to appoint Supervisor Giovanniello as a member of the Board of Supervisors to the Industrial and Commercial Development Authority. Supervisor Corado seconded the motion. **Motion carried 5-0.**

**B. Appointment of One (1) Member of the Board of Supervisors to the Board of Library Directors for an Unexpired Three-Year Term (2022-2024). (Unexpired term of Chris Abruzzo)**

Chairwoman Nutt made a motion to appoint Supervisor Giovanniello as a member of the Board of Library Directors. Supervisor Corado seconded the motion. **Motion carried 5-0.**

**C. Appointment of One (1) Member of the Board of Supervisors to the Library Endowment Trust for an Unexpired One-Year Term (2024). (Unexpired term of Chris Abruzzo)**

Chairwoman Nutt made a motion to appoint Supervisor Giovanniello as a member of the Library Endowment Trust. Supervisor Corado seconded the motion. **Motion carried 5-0.**

### **CONSENT CALENDAR**

**Adoption of the Board of Supervisors Meeting Minutes for the September 24, 2024 6:00 PM Public Hearing.**

**Adoption of the Board of Supervisors Meeting Minutes for the September 24, 2024 6:30 PM Public Hearing.**

**Adoption of the Board of Supervisors Meeting Minutes for the September 24, 2024 7:00 PM Regular Meeting.**

**Adoption of the Board of Supervisors Meeting Minutes for the September 24, 2024 8:00 PM Special Meeting.**

**Release of the financial security provided for the Final Stormwater Management Plan for 525 Hockersville Road, S-2020-024.**

The Board of Supervisors authorizes the release of financial security in the amount of \$7,178.00, which had been provided as cash for the Final Stormwater Management Plan for 525 Hockersville Road, S-2020-024.

**Approval of October 8, 2024 Accounts Payable of \$1,120,134.10 and September 27, 2024 Payroll of \$371,427.62.**

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

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### **NEW BUSINESS**

#### **Consideration for adoption Ordinance 2024 - 05 and 2024 - 06 amending Chapter 168, Solid Waste and Chapter 78, Burning, Outdoor.**

Mr. Christman opened with background detail that the Board of Supervisors authorized at the September 24, 2024 meeting, the advertisement of the two ordinances. Under the direction of PA Department of Environmental Protection (DEP), Derry Township was requested to amend two chapters within the Code of Ordinances of Derry Township. Specifically, Chapter 168, Solid Waste to include a definition for leaf waste and Chapter 78, Burning, Outdoor, to add a definition of leaf waste and adding leaf waste to the list of prohibited materials that could be burned. Mr. Christman stated these recommendations are from PA DEP, which allow the Township to keep the ordinance consistent with Act 101 to meet eligibility requirements for all recycling performance grants (Section 902 Grants). In closing, he noted that by having the information advertised, the proposed ordinances can be adopted by the Board at this meeting.

Chairwoman Nutt questioned if this is a consistent process across other townships within the state, with Mr. Christman confirming.

Supervisor Zmuda made a motion that the Board of Supervisors adopt Ordinances 2024-05 and 2024-06 amending the Code of Ordinances of the Township of Derry specifically Chapter 168, Solid Waste and Chapter 78, Burning, Outdoor respectively. Supervisor Corado seconded the motion. **Motion carried 5-0.**

#### **The Final Land Development Plan for Hershey Hotel at Hershey West End – Phase F, Plat 1393.**

Mr. Emerick stated plat 1393 represents the third final plan after the January 22, 2019, approval of conditional use for the Hershey West End master plan approval, with Hershey Entertainment and Resorts Company being both the developer and the applicant, and Hershey Trust Company as the owner for the development proposed. Phase F proposes the construction of a 130-room, 4-story, 76,614-square-foot hotel. He noted that although the Board of Supervisors recently adopted an ordinance amending the master plan requirements, this plan is vested in the prior ordinance. The original and revised master plans depicted a 140-room hotel and a 24,075-square-foot accessory convention center, with the current plan being less impactful in every category.

Mr. Emerick further explained that the entire West End project will be served by public water and sanitary sewer facilities, needing roughly 223,273 gallons per day (GPD) or 1,019 EDUs. Noting Derry Township Municipal Authority (DTMA) and Pennsylvania American Water have indicated that adequate capacity exists to serve the development and it is understood that an off-site sewer pump station (Highmeadow) upgrade will be necessary during the project build-out. He shared that Pennsylvania American Water modeled the distribution network and determined that both suitable distribution capacity and available fire flow greater than 1,500 gallons per minute (GPM) were anticipated to be available to serve the project; however, actual operating system flow tests should be completed to verify the modeling. The property is currently subject to a Declaration of Condominium based on prior development and improvements that already exist on the site. The property will remain one lot for all zoning and land development purposes and all common elements shall be maintained by the Condominium Association.

In closing, Mr. Emerick discussed that the streets, as well as public utilities, will be offered for public dedication and therefore will be controlled by the Township or the agency overseeing the public utility

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through deeds of dedication and/or deeds of easement. Within the master plan process, certain requirements of the zoning ordinance and subdivision and land development ordinance are made flexible to enable ingenuity and creativity in the layout and design. He explained this was done since master plan development areas are to be a homogenous neighborhood, building their own character while respecting some basic design and planning requirements.

Chris Brown, Manager for Planning and Design, Hershey Entertainment & Resorts, was present to share details of the project as well as answer any questions or concerns from the Supervisors. Mr. Brown provided an overview of the proposed project, sharing details of the interior layout, as well as exterior building materials planned, landscaping (both new and plans for existing landscaping), hardscaping, off-street parking, parking lots, dark sky certified lighting, and the location of the planned shuttle stop on West End Avenue. Mr. Brown confirmed the property will not have an onsite restaurant or bar but will be applying for a liquor license in the future. Garrett Gallia, Hershey Entertainment & Resorts, confirmed the hotel will not be named 'West End Hotel' as this naming was used as a temporary placeholder for the design renderings.

### **Suggested Motion 1 of 2 – WAIVERS:**

Supervisor Zmuda made a motion that waivers are granted from the Subdivision and Land Development Ordinance (Chapter 185) as noted in the *Explanation* section of this agenda item for the Final Land Development Plan for Hershey Hotel at Hershey West End – Phase F, Plat 1393. Supervisor Corado seconded the motion. **Motion carried 5-0.**

### **Suggested Motion 2 of 2 - PLAN:**

Chairwoman Nutt made a motion that the Final Land Development Plan for Hershey Hotel at Hershey West End – Phase F, Plat 1393, is approved, subject to compliance with items 1 through 10 in the *Department Head Recommendation* section of this agenda item. Supervisor Zmuda seconded the motion. **Motion carried 5-0.**

### **Acceptance of financial security for the Stormwater Management Plan for 140 Elm Avenue, S-2024-010.**

Mr. Emerick discussed the stormwater management facility system for a dwelling addition and driveway at 140 Elm Avenue, with the applicant and property owner noted as Caylene L. Rippon. He noted HRG, Inc. reviewed the cost estimate prepared by the applicant's engineer and recommended that financial security in the amount of \$40,800.00 be provided, which the applicant has completed along with entering into the Township's standard agreement to provide financial security to guarantee completion of improvements required by a stormwater management site plan and report.

Supervisor Corado made a motion that the Board of Supervisors accepts cash financial security in the amount of \$40,800.00 and enters into the Agreement to Provide Financial Security between Caylene L. Rippon and the Township for the Stormwater Management Plan for 140 Elm Avenue, S-2024-010. Supervisor Giovanniello seconded the motion. **Motion carried 5-0.**

## **SUPERVISOR BOARD/COMMITTEE REPORTS**

The Supervisors welcomed newly appointed Supervisor Giovanniello to the Board of Supervisors.

Supervisor Corado shared an update from a recent Derry Township Municipal Authority (DTMA) meeting stating the stormwater/sewer project is scheduled to progress to Park Boulevard in early November 2024. He also noted the sewer project along Ridge Road is slated for late November 2024

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through January 2025.

### **DEPARTMENTAL REPORTS**

#### **Hershey Volunteer Fire Department**

Mr. Sassaman noted 80 calls for the month and shared the recent 'Soup Cook-Off' was a great success. Mr. Sassaman alerted all of the upcoming Antique Auto Show and the Fire Department will be onsite for each day of the event.

#### **Public Works**

Mr. Watts noted Public Works is continuing with grass cutting and starting the leaf collection throughout the Township (dates of leaf collection pick up is listed on the Township website).

#### **Library**

Ms. Jacobine welcomed Supervisor Giovanniello to the two library boards. She shared the library had a successful Chocolatetown Book Festival, with 53 authors signing and selling their books. The library will be holding a Teen Advisory Board on October 15, 2024, at 3 p.m., and a 'Paint a Pumpkin' contest throughout the month.

#### **Parks & Recreation**

Ms. Walker shared an update on the Halloween Parade, scheduled for October 24, 2024. She also noted upcoming Glo Pound classes, scheduled for October 28 and 29, 2024, with a special theme for the month of October.

#### **Community Development**

Mr. Emerick shared a reminder for the October 12, 2024, Choctoberfest event in downtown Hershey.

#### **Township Manager**

Mr. Christman shared that Supervisor Giovanniello will be visiting the various departments/locations of the Township on Friday, October 25, 2024.

### **VISITOR/PUBLIC COMMENTS**

No comments.

### **ADJOURNMENT**

Supervisor Zmuda made a motion to adjourn the meeting at 7:47 p.m. Chairwoman Nutt seconded the motion. **Motion carried 5-0.**

### **SUBMITTED BY:**

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Michael P. Corado, Secretary