

**DERRY TOWNSHIP SPECIAL WORKSHOP MEETING
BLOSSOM HILL DEVELOPMENT PLAN**

The Derry Township Board of Supervisors held a Special Workshop Meeting, Monday, April 5, 2021 at 4:00 p.m., Derry Township Municipal Building, 73 Reserve Lane, Lewistown.

Present:	Chairman	Ronald E. Napikoski, Jr.
	Vice-Chairman	Donald R. Warntz, II
	Supervisor	John T. Sipe
	Manager	Kelly J. Shutes
	Solicitor	Jeffrey L. Snook

R. Napikoski called the meeting to order at 4:00 p.m.

The purpose of the Meeting was to discuss the Blossom Hill Land Development Plan, including stormwater issues and zoning issues and any other business that may come before the Board.

VISITORS:

Devon Warner, Berks Homes and Matt Harlow, ELA Group, were present to discuss stormwater issues with the Board.

Matt Harlow presented a stormwater plan devised to alleviate problems in the development caused by the incorrectly constructed stormwater swale between Cambridge Lane and Exeter Lane in the rear of those properties. The plan involves piping in the open space beside 30 Cambridge to a concrete yard inlet located near the back of the Cambridge Lane properties. Mr. Harlow noted that the plan was designed to provide the least impact to the majority of the existing homeowners.

Attorney Snook noted that any easements including the grading that was not specified as a stormwater easement should be put on the plan so as to make it clear that structures cannot be placed in the easements.

PUBLIC COMMENT:

Property Owners from the Blossom Hill Development, P. Ron Fitzgerald and John Bradley attended the meeting to voice their concerns with the stormwater issues throughout the Development. They noted that they are not happy with the newest corrective plan that Berks Homes/ELA Group presented at this meeting. They said that this plan does not address the volume of flow coming from properties above them and they do not believe it will alleviate ponding in their backyards. They hold that if the swale had been constructed to the plan the water would go to the easement. Mr. Fitzgerald also noted that the Blossom Hill HOA is permitting structures to be built in the stormwater easement and that the Property Manager is not equipped to handle the building requests. As a final request, Mr. Fitzgerald and Mr. Bradley want the stormwater plan built per the originally recorded plans.

OTHER ISSUES:

Discussion was held regarding a swimming pool and fence that were constructed across a property line. The pool owner is Ryan Fetzer, at 30 Exeter Lane. A pipe is also proposed in the stormwater easement behind Lot # 47, owned by Ryan Fetzer. This pipe is to divert stormwater away from the Fetzer swimming pool that was inadvertently constructed in the stormwater easement and to allow for flow from upstream stormwater swales. The proposal to pipe the stormwater in this area will cost approximately

\$20,000.00 dollars. Mr. Fetzer has only proposed to pay \$1,000 of the costs. Berks Homes has agreed to pay half the costs of this construction. It is hoped that some legal remedy or cooperation will resolve the financial issue.

The other issue with this property is that the pool fence and concrete walk extend over the property line and encroaches on Lot # 55 which is currently under contract to be sold. Mr. Fetzer is willing to cut back the encroaching structures. This would cure the encroachment issue, but Mr. Fetzer would still have to file for a zoning variance with the Township due to the fact that the pool is not within the proper setbacks for his property.

Discussion was held on possible solutions to the stormwater issues previously noted and involving the stormwater swale that was constructed in the wrong place between Exeter and Cambridge Lanes. Mr. Harlow will develop a couple more models to correct problems, noting that other plans may impact more properties.

Devon Warner requested the Township offer an opinion on the stormwater issues discussed at this meeting. The Board will conduct an executive session to discuss the legalities on these matters and render an opinion following that session.

There being no further business, J. Sipe made a motion to adjourn at 5:30 p.m. Mr. Warntz seconded the motion. Motion carried 3 – 0.

DERRY TOWNSHIP BOARD OF SUPERVISORS

Kelly J. Shutes,
Township Manager