

# TOWNSHIP OF DERRY BOARD OF SUPERVISORS

## PUBLIC HEARING

Tuesday, September 28, 2010

600 Clearwater Road, Hershey, Pennsylvania 17033

### **CALL TO ORDER**

The September 28, 2010 Public Hearing of the Township of Derry Board of Supervisors was called to order at 6:40 p.m. by Chairman E. Christopher Abruzzo.

### **ROLL CALL**

E. Christopher Abruzzo, Chairman  
Sandy A. Ballard  
Kelly C. Fedeli, Secretary  
Marc A. Moyer  
Todd Pagliarulo

*Absent:* Kelly C. Fedeli

### **Also Present:**

Charles W. Emerick - Assistant Director of Community Development  
James N. Negley – Township Manager  
Edward L. Small – Director of Community Development  
Jon A. Yost - Township Solicitor  
Brenda Van Deursen - Recorder

**Public Present:** Carolyn Akers

### **NEW BUSINESS:**

#### **Public Hearing regarding Zoning Petition No. 2010-01 as filed by the Pennsylvania State University.**

The petitioner requests that the zoning classification of a 6.66-acre tract of land be changed from a Suburban Residential zoning classification to a Medical Campus zoning classification. The tract of land is located south of and adjacent to the Hershey Medical Center property, east of Appenzell Drive.

#### Edward Small - Director of Community Development

The plan subdivided an initial parcel area of 9.5 acres entirely owned by the Winters and it created 2.8 acres for the Winters' house and 6.66 acres of left over area. The University has three parcels of land. The first one encompasses most of the buildings and it was the gifted parcel from the Hershey Estates. Parcel #2 wraps around the lower end. Parcel #3 includes most of the campus housing. The zoning hearing board, in more than one proceeding, allowed parcels 1, 2, and 3 on the campus to be analyzed as though they were one because without consent from a judge they were not allowed to combine all three parcels into one description. This was because parcel #1 was a request and parcels #2 and #3 were simple purchases by the University.

The entire campus is zoned as Medical Campus (MC). The purpose of the application is to propose that this amendment take place so that every one of their holdings is going to be zoned MC. The area on the future land use map showed a partial arc which we presumed was an attempt to indicate all the lands of the University were intended to be zoned MC. There is no area on this description that meets the 200' setback from all boundaries. In fact, the 200' actually overlaps from opposite sides. There is no chance that a building permit could be issued for anything in this area.

The Tri-County Planning Commission raised the issue that there are some uses in the permitted use list which may not be very compatible with nearby residential dwellings. They were thinking it was an idea that ought to be reconsidered. But in the end they decided that since there is no chance of any building construction in this area it will become useful to the University to counterbalance future activities down below. It will be open space when vegetative cover is calculated and it will be more area of net developable calculations when floor area needs to be calculated for future projects.

Carolyn Akers, Project Director for the Master Plan Projects, Medical Center was available for any questions. No questions were asked.

The Board gave direction for Mr. Small to move forward in preparing the documents for adoption.

**Public Comment**

No one came forward.

**ADJOURNMENT**

Supervisor Ballard moved to adjourn the meeting at 6:55 p.m. Supervisor Pagliarulo seconded. ***The motion carried, 4-0.***

SUBMITTED BY:

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Kelly C. Fedeli  
Township Secretary

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Brenda Van Deursen  
Recording Secretary