

**TOWNSHIP OF DERRY
BOARD OF SUPERVISORS**

PUBLIC HEARING

Tuesday, March 11, 2014
600 Clearwater Road, Hershey, Pennsylvania 17033

CALL TO ORDER

The March 11, 2014 Public Hearing of the Township of Derry Board of Supervisors was called to order at 6:45 p.m. by John W. Foley, Chairman.

ROLL CALL

Supervisors Present:

Sandy A. Ballard
Justin C. Engle, Secretary
John W. Foley, Chairman
Marc A. Moyer, Vice-Chairman
Matthew A. Weir

Also Present:

Charles E. Emerick, Director of Community Development
Jill E. Henry, Assistant Township Manager
James N. Negley, Township Manager/Township Treasurer
Jon Yost, Solicitor
Brenda Van Deursen, Recorder

Public Present: George Porter, George Porter, Jr., Dale Holte, Anne Newman, Dee Myrray, William S. Elvira Ebling, Valerie Rowe, Jay Robertson, Jason White, Bob Johnston, Chris Shelly

NEW BUSINESS:

The purpose of this hearing is to receive public comment regarding Zoning Petition No. 2013-02 to amend the Zoning Map and the request to amend the Comprehensive Plan as filed by Derry Presbyterian Church.

Charles Emerick, Director of Community Development – The petitioner requests that the zoning classification of 8 parcels of land, located north of East Derry Road, west of Miller Street, and south of the Norfolk Southern railroad tracks, be changed from Village Residential and Economic Development to Neighborhood Commercial. It contains about 1.7 acres of land. Many of the uses within the area are already commercial in nature and this will allow them to better alter their existence and not have them as non-conforming uses. Prior to the 1993 zoning much of this property was zoned in a commercial, but in 1993 portions became economic development along the northside of Third Street and portions became Village residential. Derry Presbyterian Church brought this forward mainly because they have one of the residential units and they need to find a place for Love Inc.'s offices. If they put that as the only use in the residential property it would cause them to seek a use variance. The Township should not grant use variances so it makes sense to change the zoning to be more appropriate to the surrounding uses. The petitioner also requests that the Comprehensive Plan Future Land Use Plan be amended so that there

is consistency between the Comprehensive Plan Future Land Use Plan and the Derry Township Zoning Map.

Discussion:

George Porter, representing the Derry Presbyterian Church – The Church’s intention is to house Love, Inc. which is a charitable organization supported by 10 of the churches in the Township. Everybody who reviewed this plan has been on board with it.

Supervisor Ballard asked if the Village residential folks were contacted as part of it. Mr. Emerick said when zoning districts are changed they are required to notify adjacent parcels which they did. For a zoning hearing, they will notify adjoining 300 feet up and down the road and 100 feet out around.

George Porter said they contacted the land owners in the area of the proposed change. One of the landowners asked if the rezoning will trigger a reassessment. The only way that rezoning will trigger a reassessment is if the use also changes. The residents will not get reassessed because they will continue on with a residential use. When Derry Presbyterian Church changes a residential building to a commercial building, the use changes and the property will get reassessed.

Supervisor Ballard suggested notifying the houses on either side of the property. Mr. Emerick said the property was posted on each side and they also ran a large block ad in The Sun two consecutive weeks. Supervisor Ballard also suggested the Church send a letter to the people within a half block. Mr. Porter will present that to the church.

Motion: A motion made by Supervisor Engle and seconded by Supervisor Ballard to have Mr. Emerick proceed with the public notification, is hereby approved. *The motion carried, 5-yes 0-no.*

PUBLIC COMMENT

No public comment.

ADJOURNMENT

Supervisor Moyer moved to adjourn the meeting at 6:50 p.m. Supervisor Ballard seconded. *The motion carried, 5-yes 0-no.*

SUBMITTED BY:

Justin C. Engle
Township Secretary

Brenda Van Deursen
Recording Secretary