

**TOWNSHIP OF DERRY  
BOARD OF SUPERVISORS**

**PUBLIC HEARING**

**Tuesday, May 28, 2013**

600 Clearwater Road, Hershey, Pennsylvania 17033

**CALL TO ORDER**

The May 28, 2013 Public Hearing of the Township of Derry Board of Supervisors was called to order at 6:30 p.m. by Chairman E. Christopher Abruzzo.

**ROLL CALL**

*Supervisors Present:*

E. Christopher Abruzzo, Chairman - *present*  
Sandy A. Ballard - *present*  
Kelly C. Fedeli, Vice-Chairman - *present*  
John Foley, Jr. - *present*  
Marc A. Moyer, Secretary - *absent*

**Also Present:**

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

**Public Present:** Joe Burget, Jr., Jeff Reitz, George Porter, Todd Pagliarulo, Rob Cramer

**NEW BUSINESS:**

The purpose of the hearing is to receive public comment regarding a request to vacate a portion of Hockersville Road as filed by Burget & Associates, Inc. on behalf of Tana Properties, LLC.

**Charles Emerick –Director of Community Development** – This request involves a non-public, unopened section of Hockersville Road that crosses the southern portion of lands currently owned by Tana Properties, LLC, at 810 West Chocolate Avenue (former Curry Mill site). This road has been abandoned by PennDOT. Mr. Emerick explained that when a road is abandoned it reverts to the Township and when it is vacated it reverts to the adjacent property owners. Joe Burget from Burget & Associates has done some extensive research to try and find out who has the title to this road. PennDOT tells him it is not them and Mr. Emerick cannot find any record that it belongs to the Township. It is a 45 foot right-of-way that is still carried in the deed and has not been traveled on for many years.

Mr. Emerick contacted the utilities and with the exception of PPL that has a small service line everybody else is requesting easement or it is outside of that area. This request is supporting the Curry Mill Land Development Plan for the restaurant. The reason they need this land is that it will provide them with space for a loading dock and dumpster.

Supervisor Ballard asked why we would give away a property right without getting some kind of payment for it. Mr. Emerick said we never exercised an ownership right in this particular piece of property. We really do not have any real value in this property. Solicitor Yost added that if an appraiser looked at this area they probably would not be able to put a value on it because you can't use it for anything.

Supervisor Ballard asked if there is a way to retain some kind of property right in case in the future it could be used to cross the railroad track. It was noted there are only a small number of north/south corridors. Solicitor Yost said it is pretty unrealistic. We would need more of their land if in the future if we were to go through there. Supervisor Foley point out it is only a total of 960 square feet.

Vice-Chairman Fedeli said with respect to the email from Matt Weir, this piece of property has not been used for so many years. If we were to use it as a thru way in the future that would mean a disruption to Swatara Station and to that community. We now have an opportunity to expand our tax base by this new business.

**PUBLIC COMMENT:** No one came forward.

**ADJOURNMENT**

Chairman Abruzzo adjourned the Public Hearing at 6:45 p.m.

SUBMITTED BY:

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Marc A. Moyer  
Township Secretary

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Brenda Van Deursen  
Recording Secretary