

**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 6:45 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 Conditional Use Request No. 2013-01 as filed by C&G Squadron, LLC, to create a for-profit recreational facility in a portion of the building located at 26 Northeast Drive.

**Charles Emerick –Director of Community Development** – This Conditional Use Request is filed under Section 225-67 of the Zoning Ordinance which addresses uses similar to those otherwise permitted, i.e., public parks, playgrounds, and recreations facilities not operated for private profit.

Mr. Emerick said the not for profit recreational uses are permitted in all 19 of the Township’s zoning districts, but he cannot find where it permits for-profit recreational facilities. Other facilities that exist such as Curves (Neighborhood Commercial district) or Gold’s Gym (General Commercial district) were probably permitted as personal service establishments. Personal service establishments are not permitted in this zoning district (Economic Development). The

subject property is well-screened from any adjacent residential area and not visible from public roadway. It is not anticipated that this use would generate water or sewer usage in excess of other by-right permitted uses. The facility is proposed to be a CrossFit gym where programming is done in classes. The applicant anticipates 10-12 persons per class and two employees per shift. They are leasing 6,100 square feet of floor area and anticipate the need for 15 parking spaces. Because of the high vacancy in this commercial center there is ample parking that exists, but Mr. Emerick suggests an evaluation be done as each of the empty spaces is leased. The Board is required to render a written decision within 45 days of the close of this hearing, which would be July 12.

Supervisor Ballard asked if you can go behind the building and connect to an alley. Mr. Emerick said it goes to the area of the Hershey Nursery. They were leasing part of that building and occupying other property to the right.

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

**ADJOURNMENT**

Chairman Abruzzo closed the Public Hearing at 6:50 p.m. ***Motion carried, 4-0.***

SUBMITTED BY:

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James Negley  
Assistant Township Secretary

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Brenda Van Deursen  
Recording Secretary