

# TOWNSHIP OF DERRY BOARD OF SUPERVISORS

## PUBLIC HEARING

Tuesday, October 12, 2010

600 Clearwater Road, Hershey, Pennsylvania 17033

### **CALL TO ORDER**

The October 12, 2010 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- All Present**

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

### **Also Present:**

Edward L. Small – Director of Community Development  
Jon A. Yost - Township Solicitor  
Brenda Van Deursen - Recorder

**Public Present:** Matt Weir, Anne Searer, Ken Gall, Joe Burget, Jr., Tim Anderson

### **NEW BUSINESS:**

**Public Hearing regarding Conditional Use Request No. 2010-01 for Glenview Building and Conditional Use Request No. 2010-02 for Vian Building as filed by the Hershey Trust Company, Trustee for Milton Hershey School.**

Edward Small - Director of Community Development

There are common elements between the two petitions; therefore, the hearings are held simultaneously. The Hershey Trust Company has filed with the Township, the request for conditional use under Section 225-110 dealing with the subject "Unique Buildings." There is a mechanism by which the Board is able to grant a conditional use within a narrow band of allowances to make it possible for the buildings to be viable in a more orderly fashion if they have lost their use and are no longer necessary for the purpose that they were originally built and used for. The "unique building" mechanism has been used by the Trust in the past for certain units that were formerly residence units for the school. The Conditional Use Requests are for Glenview at 10 Boathouse Road and Vian at 1880 Fishburn Road. Both buildings are out of service for use as residence houses for students of the school. The purpose for these buildings is to convert them to apartment style units to use for employees of the school for a short time. A distinction between the two is that the Glenview Building is proposed for 4 apartment style units and the Vian Building for 6 apartment style units.

Glenview has 7,120 square feet and Vian has 7,532 square feet. Both buildings satisfy the standard of in excess of 5,000 square feet of usable floor area. The proposed

buildings are required to comply with all height, coverage, area, and yard requirements of the zoning district in which it is located. Glenview is located in an Agricultural/Conservation district and Vian is located in a Village Residential district. The multi-family residential district chart accompanies each application because in both cases the uses proposed will be permitted uses in the multi-family residential.

The applicant is required to submit a sketch plan to show the location of the building, the access to public roads, proposed and existing parking, and other information which may be requested by the Township. All the construction will take place inside and use existing footprints of the building with potentially some minor change for protection from weather for vehicles. Any problems related to parking site dimensions will be corrected.

At the Planning Commission meeting, it was asked and offered that the expansion of these uses would not take place without further Township permission and all other regulations are met. There is a distinction in utility service. Glenview has an onsite sewage system and Vian is served by public sewer. The Derry Township Planning Commission met and considered both applications in the meeting of September 7<sup>th</sup> and recommended the conditional use be considered for approval.

**Discussion:** Tim Anderson, Pepper Hamilton representing the Hershey Trust Company and Ken Gall, Director of Real Estate, was present for questions. Mr. Anderson stated that they did offer to limit the conditional use to the footprint of the building, excluding porches and covered entrances, which they might have to change some.

Supervisor Ballard mentioned the Brownstone Building and another building that is now used for commercial uses and taxes are collected for those properties. If these two buildings are used for open market rentals and no longer for a non-charitable purpose, we should receive tax revenue for them. Mr. Anderson agreed.

**Public Comment**

No one came forward.

Chairman Abruzzo directed Mr. Small to prepare this for an agenda item for a future Board of Supervisor's meeting.

**ADJOURNMENT**

Chairman Abruzzo moved to adjourn the meeting at 6:45 p.m. Supervisor Moyer seconded. ***The motion carried, 5-0.***

SUBMITTED BY:

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Marc A. Moyer  
Township Secretary

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Brenda Van Deursen  
Recording Secretary