

**TOWNSHIP OF DERRY  
BOARD OF SUPERVISORS**

**PUBLIC HEARING  
Tuesday, April 14, 2015  
600 Clearwater Road, Hershey, Pennsylvania 17033**

**CALL TO ORDER**

The April 14, 2015 Public Hearing of the Township of Derry Board of Supervisors was called to order at 6:00 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 Emerick, Director of Community Development  
Jill E. Henry, Assistant Township Manager  
Brandon Williams, Assistant Director of Community Development  
Jon Yost, Solicitor  
Brenda Van Deursen, Recording Secretary

***Public Present:*** Anne Newman, Juliet Wardron

**NEW BUSINESS:**

**The purpose of this presentation is to receive public comment regarding the proposed Ordinance No. 665, amending Chapter 225 (Zoning) of the Code of the Township of Derry regarding the designation, duties, and procedures of the Design Review Board.**

**Charles Emerick** – During the approval of recent developments along Chocolate Avenue there was a request to simplify the process and obtain Design Review Board approvals for most projects in a simpler manner. The result is to utilize the Design Review Board as an Advisory Board to the Board of Supervisors. This proposed ordinance is meant to accomplish these goals.

In summary, the ordinance changes the name “Design Review Board” to “Design Advisory Board.” It renames a “Certificate of Appropriateness” to a “Recommendation of Appropriateness.” It notes that the Recommendation of Appropriateness will be considered final by the Design Advisory Board if the applicant accepts the determination in writing within five (5) days. If it is not accepted, the application will go to the Board of Supervisors

within 20 days, at which time, if the applicant is not present then the Board of Supervisors will uphold the determination of the Design Advisory Board.

It will require final action by the Board of Supervisors for activities proposed that involve any new construction or the demolition of more than 50% of the visible area of the building or structure. In those cases, the Design Advisory Board will act as an advisory board making recommendations on the project prior to it coming before the Board of Supervisors.

It will also provide for the Board of Supervisors to appoint one or more non-voting members to provide technical guidance. When the ordinance was originally created, membership was to include one member who was a registered architect and at least two other members who had professional training or equivalent experience in either architectural history or planning. This requirement through the years was seldom met and was removed from the ordinance in 2012. This proposed ordinance will allow the Board to provide some technical guidance to the Advisory Board.

Other minor changes included changing the Board name throughout the ordinance and the sign regulations.

The Derry Township Planning Commission and the Dauphin County Planning Commission both are recommending it be adopted. During the Planning Commission meeting, it was suggested that a future amendment might include seats on the Board by residents along Chocolate Avenue. Mr. Emerick thought that was a good recommendation.

Mr. Emerick suggested that the 20 days be 20 business days which will allow more time for both the Board and the applicant. He believes this is a minor change to the ordinance and Solicitor Yost agreed.

**Discussion:**

Supervisor Weir asked why residents are left out of the committee. Mr. Emerick said the ordinance was written in 1995, and he is not sure why the residents were left out then. He understands one of the reasons for even having the Chocolate Avenue Preservation Overlay District and the Design Review Board was that signs were out of control. Supervisor Weir asked how difficult it would be to include residents after this is passed. Mr. Emerick replied that it would be easy.

Supervisor Engle referred to #7 of the Ordinance *"In addition to the above voting members, the Board of Supervisors may appoint one or more non-voting members to provide technical oversight to the Board."* The Board has the opportunity to potentially put a planner or someone on the Board. In any main street program, there is a design component and that design committee does have residents on it and will be working closely to be in touch with the Design Board.

Mr. Emerick added that the reason he isn't pushing for that tonight is because the rest of this section will get refined as we finish through the comprehensive plan and go into the zoning ordinance.

**PUBLIC COMMENT:**

No one came forward.

**ADJOURNMENT**

Vice-Chairman Moyer moved to adjourn the meeting at 6:10 p.m. Supervisor Ballard seconded. *The motion carried, 5-yes 0-no.*

SUBMITTED BY:

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Justin C. Engle  
Township Secretary

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Brenda Van Deursen  
Recording Secretary