

TOWNSHIP OF DERRY
BOARD OF SUPERVISORS PUBLIC HEARING MINUTES
APRIL 13, 2021 6 PM

CALL TO ORDER

To ensure public safety during the COVID-19 crisis, the April 13, 2021 public hearing was held by audio and video conferencing via a Zoom Virtual Webinar and shown live on YouTube on the Derry Township YouTube page.

Chairman Abruzzo called the April 13, 2021 Public Hearing of the Township of Derry Board of Supervisors to order at 6:02 p.m. via video conferencing with a Zoom Virtual Webinar through the on-line Meeting Room. He advised that all public meetings are recorded for providing accurate notes. After the Pledge of Allegiance, a roll call was performed.

IN ATTENDANCE:

SUPERVISORS

E. Christopher Abruzzo, Chairman
Natalie L. Nutt, Vice Chairwoman
Carter E. Wyckoff, Secretary
Richard D. Zmuda
Susan M. Cort

ALSO PRESENT:

Christopher Christman, Township Manager
William Oetinger, Township Solicitor
Chuck Emerick, Director of Community Development
David Habig, Assistant Director of Community Development
Brian Blahusch, IT Manager
Maria O'Donnell, Stenographer
Julie Echterling, Recorder

PUBLIC IN ATTENDANCE:

Mr. Charles Courtney, Mr. David Buffington, and Ms. Michelle Buck.

INTRODUCTION:

Chairman Abruzzo stated this hearing is regarding proposed Ordinance No. 2021-04, which would amend Chapter 225 (Zoning) of the Code of the Township of Derry to allow for the limited disturbance of steep slopes.

Solicitor Oetinger stated this is a Public hearing for Ordinance 2021-04. This was previously presented as a private Zoning Amendment Petition No. 2020-01 in February 2021. The Board requested some safeguards and referred it to the Planning Commission and Staff for review. He stated the Ordinance before the Board tonight encompasses changes and input from Staff, Solicitor, Applicant Michele Buck, and her team.

Mr. Emerick stated Ordinance No. 2021-04 seeks to modify the language of the Zoning Ordinance related to the identification, treatment, and development of natural steep slope areas within the Township. This amendment will, in some cases, solve issues where the steep slope "pockets" are more of a nuisance than a true "environmental feature" by requiring regulated steep slope areas to contain at least 200 square feet (about the size of a single parking space).

He stated the amendment proposes that "...the lesser of 10% or 6,000 square feet of non-manmade slopes that are greater than 20% slope and less than 50% slope existing on each residential lot containing a single-family detached dwelling as of the date of enactment of this Zoning Ordinance shall be permitted to be disturbed for accessory residential use(s) only." The proposed amendment includes requirements to ensure

TOWNSHIP OF DERRY
BOARD OF SUPERVISORS PUBLIC HEARING MINUTES
APRIL 13, 2021 6 PM

that areas of steep slopes that are permitted to be disturbed for residential structures are appropriately stabilized and that any stormwater management concerns are addressed. Prior to the issuance of a zoning or building permit, it requires a detailed topographical survey and plan of the steep slope area carrying a professional seal and a geotechnical report prepared by a registered professional certifying “the proposed disturbance will not create or exacerbate unsafe conditions.”

In addition, he stated “An Erosion and Sedimentation Control Plan prepared and proposed by a registered Professional Engineer in Pennsylvania providing for means and measures necessary to stabilize the disturbed slope during construction and thereafter in perpetuity.” Also “A registered Professional Engineer shall evaluate the proposed changes in landcover.”

He noted the proposed changes treat any disturbances in a cumulative fashion and requires that the Township be reimbursed for all costs associated with the review of the required information. The amendment includes a provision that any trees removed that are greater than 18 inches in diameter are to be replaced with 2-inch diameter trees at a ratio of 1:1. Additionally, the current regulations also require a buffer to the Jonathan Eshenour Memorial Trail.

The Derry Township Planning Commission, at their meeting on April 6, 2021, recommended that Ordinance No. 2021-04 be adopted as written. The Dauphin County Planning Commission, at their meeting on April 5, 2021, took action to support Ordinance No. 2021-04 as written.

He stated no action was required tonight as it will be an item for action at the regular Board meeting.

PUBLIC COMMENT:

There was no public comment offered.

ADJOURNMENT:

Supervisor Cort made a motion to adjourn the public hearing at 6:13 p.m. Supervisor Zmuda seconded the motion. **Motion carried 5-0.**

SUBMITTED BY:

Carter E. Wyckoff
Township Secretary