

**TOWNSHIP OF DERRY**  
**BOARD OF SUPERVISORS PUBLIC HEARING MINUTES**  
**January 25, 2022 5:30PM**

**CALL TO ORDER**

Vice Chairwoman Nutt called the January 25, 2022 Public Hearing of the Township of Derry Board of Supervisors to order at 5:45 p.m. in the meeting room of the Township of Derry Municipal Complex, 600 Clearwater Road, Hershey, PA. She advised that all public meetings are recorded for providing accurate notes. A roll call was performed.

**IN ATTENDANCE:**

**SUPERVISORS**

Natalie L. Nutt, Vice Chairwoman  
Carter E. Wyckoff, Secretary  
Richard D. Zmuda  
Michael P. Corado  
*E. Christopher Abruzzo, Chairman-Absent*

**ALSO PRESENT:**

Christopher Christman, Township Manager  
Patrick Armstrong, Township Solicitor  
Chuck Emerick Director of Community Development  
Tammy Baker, Stenographer  
Julie Echterling, Recording Secretary

**PUBLIC IN ATTENDANCE:**

George Biven (PSP), David Narkiewicz (DGS), Daniel Hess (resident), Kyle Fink (Langan), Chris Hager (Langan)

**INTRODUCTION:**

Vice Chairwoman Nutt stated this a Public hearing regarding Ordinance No. 2021-08, amending Chapter 225 (Zoning) of the Code of the Township of Derry by amending the Official Zoning Map of Derry Township by changing the zoning classification of a portion of the land identified as Dauphin County Tax Parcel No. 24-004-013, located north of Hersheypark Drive and south of Police Academy Drive, from Conservation to Planned Campus North (initiated by Zoning Ordinance Amendment Petition No. 2021-01, as filed by the Commonwealth of Pennsylvania).

Solicitor Armstrong provided the background for this Commonwealth owned property. Currently, the property is in two zoning areas. They petitioned to change the zoning of the property from Conservation to all Planned Campus North. The Board authorized advertising for this hearing. Late last week, they were notified by the paper that the advertising for this hearing was only done once versus the required two times. He stated that they will need to advertise and have another public hearing. The advertising could be done for a February 22 public hearing. He noted they would like to submit their land development plan assuming that there is approval for this rezoning and asking Staff to start the review process of the plan. Supervisor Zmuda asked what would happen at the second hearing on February 22. Solicitor Armstrong stated it would be an opportunity for resident comments and to wrap up the hearing. Mr. Emerick noted that there will be three public hearings that night and that they would start at 5:30 p.m.

Mr. Emerick showed the land on the map. He spoke about the tax parcel and how they were setup and zoned initially. He stated the subject land is also presently located in the Limited Sign Overlay; however, if the zoning change is enacted, it will be placed in the General Sign Overlay. He noted the request is to rezone approximately 42.5 acres of the land from Conservation zoning district to Planned Campus North zoning district. He stated the proposed zoning is consistent with the 2015 Comprehensive Plan. He stated the rezoning process requires the applicant to provide certain supporting information as part of their application.

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The following paragraphs note each of the requirements and how the applicant addressed them:

1. Statement of existing and proposed base and overlay zoning districts. The applicant did this with their application.
2. Conceptual Site Development Plan. A portion of the main building will extend beyond the present zoning line, which creates an issue related to the permitted height of the building if the zoning is not modified. Additionally, the stable areas and pasture areas are located on the lands presently zoned Conservation.
3. Topographic survey. The applicant has provided contours at 1-foot intervals for the areas proposed to be developed based on 2021 aerial mapping.
4. Site conditions report. The applicant provided the following reports:
  - a. Preliminary Geotechnical Engineering Study-. This study includes a review of available historical site information, the results of the subsurface exploration performed, a description of key geotechnical risks and considerations for site development, and preliminary geotechnical recommendations for design.
  - b. Environmental Site Assessment- The report disclosed that a tank release of fuel oil no. 2 impacted soil and groundwater on the PSP Academy property in June 1990. It also mentions that the site was developed as orchards from at least the 1930s until the late 1950s (see Figure 7). It notes that soil in agricultural areas may have elevated concentrations of pesticides, herbicides, or other agricultural chemicals due to its historic agricultural use.
  - c. Floodplain — It is noted that there is not a FEMA regulated floodplain on the property.
  - d. Soils mapping — The applicant provided detailed soils information based on the National Resource Conservation Service's (NRCS) Web Soil Survey for the subject area.
5. Estimated infrastructure demands (sanitary sewer and potable water) in gallons per day. The applicant notes in their narrative that there is no anticipated change in water or sewer demand. According to information recently received from Langan, the final expansion over the entire property may result in fewer EDUs than today's demand. This would be accomplished by the removal of the Applehurst office building.
6. Off-street parking projections (number of parking spaces) available on site. The land development plan will address parking requirements for the entire property. It is not anticipated that the subject zoning change will result in a deficit of parking on the site.
7. A summary of anticipated impacts on adjoining lots including but not limited to noise, vibration, night-time lighting, service area locations and visibility, hours of operation. The preliminary Traffic Assessment included with the application notes "We understand that the proposed improvements to the PSP Academy are not anticipated to increase the site generated trips for the overall campus. The upgraded facility will continue to maintain the present cadet enrollment, capacity, and generate similar daily and peak hour vehicular traffic volumes as the existing facility." It is not anticipated that the zoning change would change any of the uses of the property.

He noted the Planning Commissions (Dauphin & Derry Township) are recommending approval of the rezoning. Solicitor Armstrong emphasized the purpose of the hearing is about the rezoning versus the land development plan.

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Attorney David Narkiewicz, Commonwealth Counsel, said this rezoning should have been done when all the property was bought. He spoke about the zoning of the campus and the need to have the property in one zoning district. He noted with two different zoning districts trying to build a building would be difficult. He noted the green area on the map would be stables and horses and they have no intent of building on it. He said, however, if they want to build on it, they will have to come to the Board of Supervisors for approval with a land development plan. He noted that they are planning on filing a land development plan by February 1 and asked that Staff be able to start their review. Solicitor Armstrong noted the rezoning they need to consider and the permitted uses for that zoning. Attorney David Narkiewicz noted that they were going to spend \$250 million for this new Police Academy. He spoke about only 1% of the applicants are accepted into the Academy, how they're highly trained, how they will have the state of art training, and that they would also be able to train other officers. Solicitor Armstrong noted that they could close this hearing with a hearing on February 22 and can instruct Staff to start to review the land development plan assuming that this ordinance has passed.

**PUBLIC COMMENT:**

Mr. Daniel Hess, 1040 Swatara Road, stated his property is 200 yards from where the proposed supply building is located. He showed the Board on the map his property. He was here to find out what it was about. He asked if they would be building a bunker to muffle the sound from when they set off explosives. He stated he is 600 yards and said there is nothing between them and the detonating. He would hope that they would put a bunker as part of the plan. As a former law enforcement officer and trainer he spoke about the sound and the lay of the land and how it impacts his life as a neighbor. Solicitor Armstrong noted that this hearing was not for the land development and asked him if he opposed the rezoning of the property. Mr. Hess answered no. Solicitor Armstrong suggested that he contact the PSP and talk to them after the hearing. Mr. Hess has stated he has no problem with the PSP or their development of the land.

**ADJOURNMENT:**

Attorney David Narkiewicz asked that they start the review process of their land development plan as the next Planning Commission is March 1 and they hope that the ordinance would be adopted on February 22, which would allow their land development plan to go through. Solicitor noted that the public hearing was closed. The consensus of the Board is that the Staff could start to review the land development plan with the understanding that the public hearing would be February 22 and they would need approval to move forward.

The public hearing closed at 6:18 p.m.

**SUBMITTED BY:**

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Carter E. Wyckoff  
Township Secretary