

TOWNSHIP OF DERRY
BOARD OF SUPERVISORS PUBLIC HEARING MINUTES
MAY 24, 2022 6:30 PM

CALL TO ORDER

Chairman Abruzzo called the May 24, 2022 Public Hearing of the Township of Derry Board of Supervisors to order at 6:30 p.m. in the meeting room of the Township of Derry Municipal Complex, 600 Clearwater Road, Hershey, PA.

IN ATTENDANCE:

SUPERVISORS

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

ALSO PRESENT:

Patrick Armstrong, Township Solicitor
Chuck Emerick Director of Community Development
Maria O'Donnell, Stenographer
Julie Echterling, Recording Secretary

PUBLIC IN ATTENDANCE:

Tracy Brown, 319 Park Avenue, Hershey, Jeff Gelbaugh, P.O. Box 85, Hershey

INTRODUCTION:

Chairman Abruzzo stated this is a Public Hearing regarding Conditional Use Application No. 2022-05 for 524 Park Avenue, as filed by Jose M. Manjon, M.D.

Solicitor Armstrong stated this hearing is for a conditional use application for a property located at 524 Park Avenue, Parcel Number 24-010-007. He noted the property is located in the Hershey Mixed Use zoning district. He stated the proposed use is for food catering and this hearing has been advertised. He asked if anyone would like to claim party status and explained party status. No one requested party status. He entered the following Township exhibits into the record:

1. Township Exhibit 1=the Conditional Use Application
2. Township Exhibit 2=Copy of the Public Notice
3. Township Exhibit 3=List of abutting neighbors
4. Township Exhibit 4=Photographs showing the property posted
5. Township Exhibit 5=Proof of Publication

He asked Dr. Manjon if there were any objections to the exhibits being admitted and Dr. Manjon said no. Solicitor Armstrong asked if he had any additional evidence to enter and Dr. Manjon said no.

Mr. Emerick stated Food Catering is only allowed in this zoning district by conditional use. He noted there are requirements under food catering and general requirements under 225-501.K that need to be met for the conditional use. He also noted his report includes additional suggested conditions to be met if the application is approved.

Mrs. O'Donnell swore in Dr. Manjon. Dr. Manjon stated he is a physician for the past 36 years and currently works for UPMC. He and his wife own a restaurant in Harrisburg. He spoke of bringing Cuban cuisine to the area and his successful empanadas. He spoke about how they are made and the meats used for them. He has an opportunity to put a food truck at Hershey Park for the next three years to make his empanadas and a few other items. He found a location across from the park to make his food for sale at Hershey Park. This location will allow him to serve Hershey Park and also cater to other businesses in the area. He showed the location of the property on the map. He showed where deliveries would be made from

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the back alley. He plans to buy a machine which is the size of the conference table to assist in the making of his products. There would be 2-3 employees at the home making the food. There would be no odors as the food is primarily made at the Harrisburg restaurant, frozen, and delivered to the Hershey address. Mr. Emerick wanted to clarify that the food truck would be located in Hershey Park and not the Park Avenue address and Dr. Manjon agreed.

Chairman Abruzzo asked the hours of operation. Dr. Manjon stated it would be primarily during 9 a.m. to 5 p.m. and would be six days a week. Deliveries would be made during working hours. Chairwoman Nutt asked about the surrounding area and what was around the property. Mrs. O'Donnell swore in neighbor Mr. Jeff Gelbaugh. Mr. Gelbaugh owns the properties neighboring Dr. Manjon. He provided the history of the properties which were only used once a year for special events. He also provided the background of the sale of the buildings. Supervisor Wyckoff asked the current use of the building. Dr. Manjon stated it is a residential home. Mr. Emerick stated the building permits were originally for an office and then went to a residential home.

Vice Chairwoman asked if there would be a construction of the home. Dr. Manjon stated there are no changes planned for the outside. They will add to the kitchen and spoke of the ample storage available on the property. She asked when there would be deliveries and if there would be any in the middle of the night. Dr. Manjon stated it would be during regular hours and no middle of the night deliveries. He spoke about the noise of the street including the sounds from the roller coaster. Solicitor Armstrong stated initially they will be putting the food together and not cooking. Dr. Manjon stated as they grow, he will be getting the required permits and does not expect it to impact the utilities as it will be like a regular residential home.

Mr. Emerick spoke about the Board's discretion to add conditions to the approval. They can add cooking, or no cooking is allowed and if any of the conditions change, he would need to come to the Board for approval of the changes. Vice Chairwoman Nutt asked if there were any other businesses around the property. Dr. Manjon stated there are including the Park Avenue Bar, Red Robin, Dunkin Donuts, the outlets, and a new bakery. He spoke about the cooking that could be done at the home for his products. He again stated there would not be odors or a mess and there would be two or at the most four people working at the home.

Solicitor Armstrong asked about deliveries. Dr. Manjon stated it would involve a small box truck and would be 1-2 times a week. Solicitor Armstrong asked about renovations and if all the food prepared at the home would be consumed elsewhere. Dr. Manjon stated he has no plans for renovations and all the food would be consumed offsite. He noted they may have someone stop and pick up an order, but they will not be operating like a restaurant. Solicitor Armstrong asked about the screening buffer. Mr. Emerick showed the Board the current pictures of the property and said the screening is not bad. Mr. Gelbaugh stated he had no objections to this use and believes it is a good fit.

PUBLIC COMMENT:

Mrs. Tracy Brown, 319 Park Ave Hershey, asked about the refuse for the property and securing it correctly because of the neighborhood issue they have. Dr. Manjon stated they would use the current containers and secure their refuse. If needed, they would obtain a small dumpster to hold their refuse.

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ADJOURNMENT:

Chairman Abruzzo closed the hearing at 6:56 p.m.

SUBMITTED BY:

Carter E. Wyckoff
Township Secretary