



## TOWNSHIP OF DERRY

Board of Supervisors Public Hearing Minutes  
Tuesday, March 26, 2024

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### CALL TO ORDER

Vice Chairwoman Nutt called the March 26, 2024 Public Hearing of the Township of Derry Board of Supervisors to order at 6:06 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. Chairman Abruzzo was absent with excuse. A roll call was performed.

### ROLL CALL

#### SUPERVISORS PRESENT:

Natalie L. Nutt, Vice Chairwoman  
Carter E. Wyckoff, Secretary  
Michael P. Corado, Supervisor  
Richard D. Zmuda, Supervisor

#### ALSO PRESENT:

Christopher S. Christman, Township Manager  
Patrick Armstrong, Township Solicitor  
Chuck Emerick, Director of Community Development  
Julie Echterling, Recording Secretary  
Becky Sweigart, Public Outreach Coordinator  
Eric Stump, HRG Engineer  
Maria O'Donnell, Stenographer

#### ABSENT:

E. Christopher Abruzzo, Chairman

#### Public in Attendance:

Michael Bruce, Hockersville LLC, James Horn

### NEW BUSINESS

#### **Public hearing regarding Conditional Use Application No. 2024-01, as filed by Hockersville LLC, regarding establishing single-family attached dwellings (townhouses) on the property located at 228 and 238 Hockersville Road.**

Solicitor Armstrong stated the public hearing has been advertised and is open. The public hearing is for a Conditional Use Application filed by Hockersville LLC establishing a single family dwelling at the property located at 228 and 238 Hockersville Rd, tax parcels 24-034-031 and 24-034-032. They are proposing building four townhouses. He asked if anyone was interested in party status. No one requested party status. He entered the following Board exhibits into the record:

1. January 22, 2024 correspondence from Elsa Associates signed by Mr. Bruce
2. Conditional Use Application received 1/22/2024.
3. January 24 letter from Michael Bruce granting a time extension until April 30, 2024
4. Notice of public hearing
5. Proof of publication
6. Photos of property being posted
7. Copy of the listing of the abutting properties that received notice of the hearing
8. Plan set with application
9. Conditional use application narrative submitted with the application

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10. Copy of the survey plan submitted with the application
11. Memorandum and sales agreement with the applicant
12. Copy of the March 4, 2024 HRG letter with review comments

Solicitor Armstrong asked if there were any objections to the exhibits and there were none provided. Mr. Emerick noted that the applicant has received zoning relief from the Zoning Hearing Board. He discussed the relief the applicant was granted.

Mr. Michael Bruce, Elsa Associates Civil Engineer, was sworn in by Stenographer Maria O'Donnell. Mr. Bruce provided his background as a civil engineer and his licensing in several states. He stated they have an agreement to purchase, pending this approval. He spoke about the relief they were provided by the Zoning Hearing Board. He believes this plan is in line with the comprehensive plan. He showed the Board the plan on the screen and went over the access and location. He asked them to consider granting the request with two stipulations. One is that he not be required to improve the site distance because the tree in question is not located on the property and he cannot make a neighbor change their property. The second stipulation is that they not request the right of way dedication for Third Avenue because of the variance granted by the Zoning Hearing Board.

Solicitor Armstrong stated that the applicant does not ask for stipulations to the decision. He noted his requested stipulations could be asked for as waivers in the SALDO. Chairwoman Nutt asked about Third Avenue width with the new zoning requirements and if a fire truck would be able to get through it. Mr. Bruce said that they fall under the old zoning requirements and spoke about the two variances received. She asked how the residents of the townhomes would access the townhouses. Mr. Bruce showed on the map how they would access the property. Supervisor Zmuda asked about Third Avenue becoming one way for a portion of it. Mr. Emerick said the Board could request that it be one way permanently. Mr. Zmuda asked if it could be evaluated. Mr. Emerick spoke about Hockersville Road and the crosswalk and showed the board the location.

Solicitor Armstrong asked Mr. Bruce specific questions. The townhouses are proposed to be two stories about 2000 square feet each with two lots being consolidated into one. Solicitor Armstrong spoke about the requirements for driveways and noted the conditions in the HRG letters specifically #7 through #10. Mr. Bruce spoke about those conditions and the stipulations he spoke about prior. Solicitor Armstrong said there is a potential to have just three units, which would allow for widening. Mr. Bruce spoke about the zoning variance they received and how they need four townhomes for their project. Mr. Bruce noted he had no objections to Third Avenue becoming one way. He noted the items he needed to be able to move forward with this project. Solicitor Armstrong noted that the Board has 45 days to provide a decision in writing.

### **VISITOR/PUBLIC COMMENTS**

Mr. James Horn, 242 Hockersville Rd, asked about the alley and how would two cars get through the alley at one time. He spoke about his concerns with this area and traffic. Mr. Bruce said they are not planning to use the alley. Mr. Horne spoke about accidents on Areba and Hockersville Roads. He is concerned with the traffic, safety issues and cars using his property as a cut through.

### **ADJOURNMENT**

Vice Chairwoman Nutt closed the hearing at 6:50 p.m.

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**SUBMITTED BY:**

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Carter E. Wyckoff, Township Secretary