



## TOWNSHIP OF DERRY

Board of Supervisors Public Hearing Minutes  
Tuesday, September 24, 2024

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### CALL TO ORDER

Chairman Abruzzo called the September 24, 2024, 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. He advised that all public meetings are recorded for providing accurate minutes. A roll call was performed.

### ROLL CALL

#### SUPERVISORS PRESENT:

E. Christopher Abruzzo, Chairman  
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  
David Habig, Assistant Director of Community  
Development  
Lynn Dawson, Recording Secretary  
Maria O'Donnell, Stenographer

#### ABSENT:

#### Public in Attendance:

Piotr Switalski, Jeffrey Fertig

### NEW BUSINESS

**Public hearing regarding Conditional Use Application No. 2024-05, as filed by Jeffrey A. Fertig regarding establishing a Short-Term Rental use on the property located at 74 Sipe Avenue.**

### INTRODUCTION

Chairman Abruzzo introduced the hearing and requested Solicitor Armstrong and David Habig to update the Board of Supervisors.

Solicitor Armstrong confirmed the public hearing was open for a conditional use application, being a short-term rental within the Township, for 74 Sipe Avenue, parcel number 24-031-059. Solicitor Armstrong asked the audience if anyone needed to request party status, and confirmed no one requested party status, aside of the applicant.

Solicitor Armstrong marked the following exhibits:

- Board 1: copy of the conditional use application from the applicant
- Board 2: copy of the proof of publication associated with the public notice
- Board 3: photograph depicting the public notice that was posted on the property

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Board 4: copy of the list of abutting properties that were given notice of the hearing

Board 5: copy of the correspondence dated September 11, 2024, regarding the Derry Township Planning Commission review and recommendation

Solicitor Armstrong asked the applicant, Jeffrey Fertig, if he had any objections to exhibits of Board 1 - 5. Mr. Fertig responded he did not have any objection. Solicitor Armstrong admitted the exhibits as record.

Jeffrey Fertig was sworn in by stenographer, Maria O'Donnell.

Solicitor Armstrong asked Mr. Fertig if he wanted to present any evidence or testimony to the Board relating to the application. Mr. Fertig responded he did not, but confirmed he was all set to move forward and thanked those involved for the assistance. Mr. Fertig shared the property was approximately 1,000 square feet, with three bedrooms and one bathroom, and was 0.38 of an acre of total property. The neighboring hotel recently installed a fence along a portion of the property. Supervisor Nutt asked who would be involved with property management and outside maintenance. Mr. Fertig stated that he would at this point because he lives within 15 minutes of the property. Mr. Fertig shared he has owned the property for approximately two years and resided in the home himself. He also added that he will be taking care of the parking space markings in the immediate future.

Solicitor Armstrong confirmed Mr. Fertig was aware of the requirements within the zoning ordinance section 225-501.20, as well as the guidelines of the conditional use agreement. Mr. Fertig stated he will abide by all requirements.

Solicitor Armstrong discussed the requirement of four parking spaces for the property. Mr. Fertig acknowledged he would mark the spaces. Mr. Habig stated he did not have anything to add for the hearing.

It is not necessary to take any action at this hearing; however, Zoning Ordinance regulations require that the Board render a written decision within 45 days after the last hearing before the Board is concluded, unless an extension of time is granted by the applicant. If the hearing is closed on September 24, 2024, a decision will need to be rendered no later than November 8, 2024, keeping in mind that your closest regular meeting to that date is October 22, 2024. Staff and legal counsel will prepare a written decision to approve or deny the application as the Board directs.

Solicitor Armstrong confirmed that the Board of Supervisors did not have any further questions or comments and closed the hearing. Solicitor Armstrong noted that the Board has 45 days to issue a written decision.

### **VISITOR/PUBLIC COMMENTS**

No comments

### **ADJOURNMENT**

Chairman Abruzzo closed the hearing at 6:42 p.m.

### **SUBMITTED BY:**

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Carter E. Wyckoff, Township Secretary