

**TOWNSHIP OF DERRY
ZONING HEARING BOARD MEETING MINUTES
April 18, 2012**

CALL TO ORDER

The April 18, 2012 meeting of the Township of Derry Zoning Hearing Board was called to order at 6:00 p.m. by Chairman Tafuto in the Meeting Room of the Derry Township Municipal Complex, 600 Clearwater Road, Hershey, PA 17033.

ROLL CALL

Board members in attendance: Chairman William Tafuto; Vice Chairman Rick Hammer; Secretary Matthew Davies; Member Michael Angello

Board members absent: Member Philip Wood

Also Present: Anthony Nestico, Solicitor to the Board; Charles Emerick, Director of Community Development; Pam Sullivan, Court Reporter; Tracy Telesha, Stenographer

Public registering attendance: Paul Thompson; John Schniepp, Schniepp Design & Drafting; Ryan Zimmerman, 1250 Shopes Church Road, Hummelstown

APPROVAL OF MINUTES

On a motion by Secretary Davies, seconded by Vice Chairman Hammer, and a unanimous vote, the March 21, 2011 minutes were approved.

OLD BUSINESS

- A. Adoption of Decision in the Case of Joseph and Melanie Bellissimo (2011-57)
Property location: 39 Elm Avenue, Hershey**
- B. Adoption of Decision in the Case of Jay and Debbie Johnson (2012-03)
Property location: 525 Linden Road, Hershey**
- C. Adoption of Decision in the Case of Tanger Outlet Center (2012-04)
Property location: 46 Outlet Square, Hershey**

On a motion by Vice Chairman Hammer seconded by Member Angello, and a majority vote, the decisions for items a-c were adopted by consent agenda.

NEW BUSINESS

- A. Hearing in the Case of Ryan and Ashleigh Zimmerman (2012-05)
Property location: 1250 Shopes Church Road, Hummelstown**

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This property, located in the Agricultural/Conservation zoning district, is presently improved with a single family dwelling, barn, out-buildings, pond and tree farm. The applicant is proposing to construct an addition to the existing dwelling.

Relief is sought as follows:

- a. A Variance from Article 5, Section 225-25.I.(1) regarding maximum height

Ryan Zimmerman was sworn in and gave testimony. Mr. Zimmerman stated that he would like to add on to the existing 200 year-old brownstone home on his property for use as his residence. Mr. Zimmerman wishes to maintain the historic aspects of the two-story, exposed basement dwelling. As the current home is built into a slope, to maintain the aesthetics the proposed addition would reach a maximum height of 39 feet, requiring 4 feet of relief.

Mr. Emerick clarified that the highest part of the home as it exists now from the exposed basement to roof peak is 43.69 feet.

No other persons provided testimony at this hearing.

Chairman Tafuto informed the applicant that the Board has 45 days to render a decision and if the applicant is aggrieved in any way, they have 30 days to appeal the decision.

B. Hearing in the Case of Melvin Blumberg (2012-06)
Property location: 637 Fishburn Road, Hershey

This property, located in the Village Residential zoning district, is presently improved with an office building. The applicant is proposing to replace the office use with a barber shop.

Relief is sought as follows:

- a. A Special Exception from Section 225-11 regarding substitution of a non-conforming use for another non-conforming use

Melvin Blumberg and John Smith, property owner, were sworn in and gave testimony.

Mr. Blumberg stated that he would like to convert the now vacant building which was most recently an insurance/financial services office into a barber shop for his son to operate.

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Vice Chairman Hammer questioned how many parking spaces are presently available. Mr. Blumberg replied that the site contains 9 spaces.

Chairman Tafuto asked how many barbers would be on site and what the proposed hours of operation are. Mr. Blumberg replied that to begin, only one barber would be present with the possibility of two barbers as the business grows. The hours would be 9am – 6pm Monday through Friday, 9am – 1pm on Saturday, and no hours on Sunday.

Member Angello questioned if the space above the proposed barber shop would be rental space. Mr. Blumberg stated that there are no current plans to use that space.

Mr. Smith added that in the past he has had a verbal agreement with the adjacent neighbor to allow use of 7 additional parking spaces in exchange for snow removal services.

No other persons provided testimony at this hearing.

Chairman Tafuto informed the applicant that the Board has 45 days to render a decision and if the applicant is aggrieved in any way, they have 30 days to appeal the decision.

Hearings closed at 6:40 p.m.

DELIBERATIONS

The Board met to deliberate in the cases of Ryan and Ashleigh Zimmerman (2012-05) and Melvin Blumberg (2012-06) and directed the Solicitor to prepare the draft decisions on each case for formal action at the May, 2012 meeting.
