

**TOWNSHIP OF DERRY
BOARD OF SUPERVISORS**

PUBLIC HEARING

Tuesday, January 26, 2010

600 Clearwater Road, Hershey, Pennsylvania 17033

CALL TO ORDER

The January 26, 2010 Public Hearing of the Township of Derry Board of Supervisors was called to order at 6:30 p.m. by Chairman, Michael H. W. Pries regarding Conditional Use Request No. 2009-01 as filed by Colleen A. Steckbeck.

ROLL CALL

Supervisors Present:

E. Christopher Abruzzo, Vice-Chairman
Sandy A. Ballard
Kelly C. Fedeli, Secretary
Marc A. Moyer
Michael H. W. Pries, Chairman

Also Present:

James N. Negley - Township Manager/Township Treasurer
Edward L. Small - Director of Community Development
Charles Emerick - Assistant Director of Community Development
Jon A. Yost - Township Solicitor
Brenda Van Deursen – Recording Secretary

Public Present:

Julie A. Clingan

Press Present: None

Chairman Pries advised that all public meetings are recorded for providing accurate minutes.

NEW BUSINESS:

A. Public hearing regarding Conditional Use Request No. 2009-01 as filed by Colleen A. Steckbeck.

1. Introduction

Edward L. Small - Director of Community Development

This purpose of the hearing is to receive public comment on Conditional Use Request No. 2009-01. The applicant has owned the single family dwelling property located at 515 East Main Street since June 1999. This property is served with public water and on-site sewer. The proposal is for a use of personal service establishment with facilities for a beauty salon and a spa.

The floor plan indicates stations for manicures, pedicures, shampooing, and hairstyling. This use is approvable in the Business Office district as a conditional use and its grouped along with restaurants, retail stores without fuel sales, and barbershops.

It appears that the point of uses grouped together are asking for the Board to see they are useful for the employees who work in the Business Office district. However, there are very few employees working in this district because there is a church, three homes, and the home and building in question.

In further research, Mr. Small found in the Comprehensive Plan a description of the Business Office district and why it was created. It seems to be created as a buffer between residential uses and the heavier and more intensive commercial uses in a way that it was a good fit and provides a middle zone. It also encourages commercial development in the future to be a campus effect using an integrated style of development.

The Planning Commission met in December 2009 and recommended that the use be granted with the condition that the request is tied explicitly to the current footprint of the structure and to the size of the floor plan as it was presented. The proposed use does meet the standards of Section 225-117 of the Zoning regulations.

No action is required this evening. At some point, the staff would need direction on how the decision should be written and what special conditions the Board would like to attach to it.

Mr. Small checked the Pennsylvania Code Title 25 onsite sewage systems and projected flows from various uses. One operator beauty shop is projected by DEP to have a flow of a daily rate of 200 gallons. That would allow a two operator shop to match exactly the design expected from a three bedroom home.

Supervisor Fedeli wondered if this would exceed the projection by DEP since this plan is for more than a beauty shop. Mr. Small deferred to the applicant.

Julie A. Clingan, 485 E. Main Street, Hummelstown – Ms. Clingan said she is not going to be doing any type of hydrotherapy room. There will be massage, facials, manicures, and pedicures. Instead of using a water hookup for pedicures, she will use a basin with hot water poured in. There is no sewage hookup at the location. It is located approximately a full acre in between Ms. Clingan's current property and the property at 515 E. Main Street. Even though she is a Derry Township resident, she is hooked into Hummelstown sewer.

Supervisor Fedeli asked if there was public water. Ms. Clingan said there was.

Chairman Pries asked if she had any plans for the future to utilize her current location in addition to her new location. Ms. Clingan said she would be moving her business out of 485 E. Main to the new location. She mentioned that

originally the property was agricultural conservation and the Church wanted to do additions to their building and that is how the Business Office zoning came about.

Supervisor Moyer asked if she envisions any problems accommodating water flow and sewage with a larger business operation and increase in clientele. Ms. Clingan said they have owned the property for 11 years and have never had any sewer issues. Compared to what she is using currently it is not close to what DEP is saying.

Supervisor Moyer asked if there was an estimate of the number of customers that she envisions seeing per day, number of vehicles, etc. Ms. Clingan said she has a pretty substantial clientele and her hope is that people will encompass the services while they are there...a one stop shop. Therefore, one client could get many different services done.

Ms. Clingan said she had a Chapter 34 evaluation done by an engineer and also a parking blue print. Mr. Small said she took the extra step to comply with the building code.

Supervisor Moyer asked if the parking requirements fit within the existing footprint requirements. Mr. Small said parking will have to be added; however, there is a large front yard available so it would be possible to meet the front yard setback and put parking in the front of the building.

Motion: A motion made by Vice-Chairman Abruzzo and seconded by Supervisor Fedeli to direct Mr. Small to begin the necessary paperwork for the Board's approval at an upcoming meeting. ***The motion carried, 5-0.***

ADJOURNMENT:

The public hearing adjourned at 7:00 p.m.

SUBMITTED BY:

Kelly C. Fedeli
Township Secretary

Brenda Van Deursen
Recording Secretary