

**TOWNSHIP OF DERRY  
ZONING HEARING BOARD MEETING MINUTES  
February 27, 2019**

**CALL TO ORDER**

The February 27, 2019 meeting of the Township of Derry Zoning Hearing Board was called to order at 6:00 p.m. by Chairman Steve Moniak in the Meeting Room of the Derry Township Municipal Complex, 600 Clearwater Road, Hershey, PA, 17033.

**ROLL CALL**

Board members in attendance: Chairman Steve Moniak; Secretary Sandra Ballard; Member Lindsay Drew

Board members absent: Vice Chairman Matthew Luttrell; Member Philip Wood

Also Present: Megan Huff, Solicitor to the Board; Chuck Emerick, Director of Community Development; Maria O'Donnell, Court Reporter; Tracy Telesha, Stenographer

Public Registering Attendance: Greg Richards, 101 Nye Road, Hershey; John Hrabovsky, Travel Champs; Jay and Carol Carr, 10 Ridgeview Road, Hummelstown; William Green, 644 Waltonville Road

**APPROVAL OF MINUTES**

On a motion by Secretary Ballard, seconded by Member Drew, and a unanimous vote, the January 16, 2019 minutes were approved as written.

**OLD BUSINESS**

**A. Adoption of Decision in the Case of Carol Carr (2018-16)  
Property location: 10 Ridgeview Road, Hummelstown**

On a motion made by Member Drew, seconded by Secretary Ballard, and a unanimous vote, the decision was adopted as written.

**B. Adoption of Decision in the Case of Diocese of Harrisburg, St. Joan of Arc Catholic Church (2018-17)  
Property location: 359 West Areba Avenue, Hershey**

On a motion made by Member Drew, seconded by Secretary Ballard, and a unanimous vote, the decision was adopted as written.

**C. Adoption of Decision in the Case of Hrabovsky Enterprises, LLC, and Joe Sgrignioli, dba Travel Champs (2018-18)  
Property location: 1028 East Governor Road, Hershey**

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On a motion made by Secretary Ballard, seconded by Member Drew, and a unanimous vote, the decision was adopted as written.

**NEW BUSINESS**

**A. Hearing in the Case of Gregory K. Richards and Tracy M. Richards (2019-01)**  
**Property location: 101 Nye Road, Hershey**

This property, located in the Conservation zoning district, is improved with a single-family dwelling. The applicants are proposing to construct a detached garage. Relief is sought from the minimum side yard setback requirement for an accessory use.

Gregory Richards was sworn in and gave testimony. Mr. Richards is proposing to construct a detached 2-car garage with additional storage space on the second floor. The proposed garage will be positioned on the west side of the existing home due to a steep slope on the east side. The garage will be placed at the end of an existing driveway on a level area. The proposed garage will come within 8 feet of the side property line, and the applicants are requesting 4 feet of relief. In addition, the applicants are requesting 3 feet of relief for the height of the proposed garage to allow useable second floor storage space.

Mr. Richards stated that the property surrounding his home is owned by Hershey Trust Company and is undeveloped. He has no direct adjacent neighbors. Mr. Richards further added that the proposed garage would match the materials and design of the current house.

Chairman Moniak questioned the height of the present dwelling. Mr. Richards replied that at its highest, it is 40 feet.

Member Drew asked if the garage could be positioned so that relief is not needed. Mr. Richards stated that due to the slopes on the property, the proposed location is the most level area for the garage. It is also Mr. Richards' intention to cover some of the existing impervious driveway with the proposed garage.

Chairman Moniak informed Mr. Richards 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 6:30 p.m.

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**DELIBERATIONS**

The Board met to deliberate in the case of Gregory K. Richards and Tracy M. Richards (2019-01) and directed the Solicitor to prepare the draft decision on the case for formal action at the March 2019 meeting.

Submitted by:

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Sandra Ballard, Secretary