

**TOWNSHIP OF DERRY  
ZONING HEARING BOARD MEETING MINUTES  
October 16, 2019**

**CALL TO ORDER**

The October 16, 2019 meeting of the Township of Derry Zoning Hearing Board was called to order at 6:00 p.m. by Vice Chairman Matthew Luttrell in the Meeting Room of the Derry Township Municipal Complex, 600 Clearwater Road, Hershey, PA, 17033.

**ROLL CALL**

Board members in attendance: Vice Chairman Matthew Luttrell; Secretary Sandra Ballard; Member Dean Morgan

Board members absent: Chairman Steve Moniak; Member Lindsay Drew

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: Barb Krasuski, 153 S. Hanover Street; Kevin Walker, 1166 Sand Hill Road

**APPROVAL OF MINUTES**

On a motion by Vice Chairman Luttrell, seconded by Secretary Ballard, and a unanimous vote, the September 18, 2019 minutes were approved as written.

**OLD BUSINESS**

**A. Adoption of Decision in the Case of Kevin E. Walker (2019-13)  
Property location: 1166 Sand Hill Road, Hershey**

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

**B. Continuance in the Case of Todd Houck (2019-14)  
Property location: 1089 Derry Woods Drive, Hummelstown**

This property, located in the R-1 zoning district, is improved with a single-family detached dwelling. The applicant is proposing to install a generator. Relief is sought from the minimum front yard setback requirement for an accessory use.

Todd Houck was sworn in and gave testimony. Mr. Houck stated that the owner of the subject property would like to place an emergency-use generator on the side of the dwelling. The placement selected was due to the vicinity of the gas line and in order to be away from the adjacent neighbors. To further shield the generator, Mr. Houck is proposing to install a fence with a gate for access.

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Mr. Houck added that the generator that was selected is a model that is one of the quietest on the market. The generator will run for approximately 15 minutes a week during a test cycle. While the generator will be placed on the side of the house facing the street, the addition of the fence and existing mature landscaping should completely shield the unit from view.

No other person offered testimony.

Vice Chairman Luttrell 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.

**NEW BUSINESS**

**A. Hearing in the Case of Barbara Krasuski and Peter F. Swan (2019-15)**  
**Property location: 153 South Hanover Street, Hummelstown**

This property, located in the R-2 zoning district, is improved with a single-family detached dwelling. The applicants are proposing to construct a 168-square-foot three-season room on an existing concrete pad. Relief is sought from restrictions related to expansion of a nonconforming structure.

Barbara Krasuski was sworn in and gave testimony. Ms. Krasuski stated that due to a sinkhole on her property, the dwelling was repositioned on the property, creating an 8-foot by 22-foot patio area with existing walls on three sides. Ms. Krasuski is proposing to construct a fourth wall and cover the patio with a roof. Due to the location of the existing patio area, it is not visible from the street. The project will expand the floor area by 12.25%.

Ms. Krasuski added that she has shared her plans with her neighbors and there are no objections.

No other person offered testimony.

Vice Chairman Luttrell 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 Margaret J. Anderson (2019-16)**  
**Property location: 201 School Plaza, Hershey, PA**

This property, located in the Hershey Mixed Use zoning district, is improved with one half of a duplex dwelling. The applicant is proposing to install a fence. Relief is sought from the maximum height of a fence panel located within 10 feet of a street right-of-way line.

Margaret J. Anderson was sworn in and gave testimony. Ms. Anderson stated that currently there is a 7-foot tall evergreen hedgerow. She would like to remove the vegetation and install a 6-foot-tall white vinyl privacy fence. Ms. Anderson added that she shared her plans with her neighbors and there are no objections.

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No other person offered testimony.

Vice Chairman Luttrell 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 6:45 p.m.

**DELIBERATIONS**

The Board met to deliberate in the cases of Todd Houck (2019-14), Barbara Krasuski and Peter F. Swan (2019-15), and Margaret J. Anderson (2019-16), and directed the Solicitor to prepare the draft decisions on each case for formal action at the November 2019 meeting.

Submitted by:

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Sandra Ballard, Secretary