

**TOWNSHIP OF DERRY  
ZONING HEARING BOARD MEETING MINUTES  
December 18, 2019**

**CALL TO ORDER**

The December 18, 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; Vice Chairman Matthew Luttrell; Secretary Sandra Ballard; Member Dean Morgan; Member Lindsay Drew

Board members absent: None

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

Public registering attendance: William B. Duncan, 146 West Granada Avenue, Hershey

**APPROVAL OF MINUTES**

On a motion by Vice Chairman Luttrell, seconded by Secretary Ballard, and a unanimous vote, the November 20, 2019 minutes were approved as written.

**OLD BUSINESS**

None

**NEW BUSINESS**

**A. Hearing in the Case of William B. Duncan and Caitlin M. Duncan (2019-17)  
Property location: 146 West Granada Avenue, Hershey**

This property, located in the Hershey Mixed Use zoning district, is improved with a single-family dwelling. The applicants have expanded an existing patio at the rear of the dwelling. Relief was sought from the minimum side yard setback requirement.

William Duncan was sworn in and gave testimony. Mr. Duncan recently replaced an existing patio that was deteriorating with a new patio. The patio comes within 40 inches of the property line. Mr. Duncan added that eight square feet of the new patio is non-conforming. Mr. Duncan clarified that his lot is very narrow, along with many others in his neighborhood. Similar non-conformities exist in the neighborhood. When replacing the patio, Mr. Duncan removed an old sidewalk that adjoined the adjacent property in order to return it to green space.

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Mr. Duncan did the majority of the work himself and the non-conformity was discovered during inspection. Mr. Duncan stated that he used existing sidewalks to determine the width of the patio.

Chairman Moniak questioned whether any neighbors objected to the project. Mr. Duncan stated that the only comments he has received have been favorable. He submitted letters signed by adjacent and nearby neighbors showing their support for the project.

No other person offered testimony.

Chairman Moniak 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 6:30 p.m.

**DELIBERATIONS**

The Board met to deliberate in the case of William B. Duncan and Caitlin M. Duncan (2019-17) and directed the Solicitor to prepare the draft decision on the case for formal action at the January 2020 meeting.

Submitted by:

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Sandra Ballard, Secretary