

TOWNSHIP OF DERRY
ZONING HEARING BOARD MEETING MINUTES
May 20, 2020

CALL TO ORDER

The Wednesday, May 20, 2020 Derry Township Zoning Hearing Board meeting, which was conducted via video conference (Zoom Webinar) due to COVID-19, was called to order at 6:00 p.m. by Vice Chairwoman Sandy Ballard.

ROLL CALL

Board members in attendance (*via video conference*): Vice Chairwoman Sandy Ballard; Secretary Dean Morgan; Member Steve Seidl; Member Lindsay Drew

Note: Member Steve Moniak resigned effective April 15, 2020; the vacancy has not yet been filled.

Board members absent: None

Also present (*via video conference*): Megan Huff, Solicitor to the Board; Chuck Emerick, Director of Community Development; David Habig, Assistant Director of Community Development; Maria O'Donnell, Court Reporter; Tracy Telesha, Stenographer

Public attendance (*via video conference*): Mark Hackenburg, RGS Associates; Dave Getz, Wix, Wenger & Weidner; Brandon Johnson, Monarch Development; Jonathan Crist; Ken Gall, Hershey Trust Company

APPROVAL OF MINUTES

On a motion by Member Drew, seconded by Vice Chairwoman Ballard, and a unanimous vote, the April 15, 2020 minutes were approved as written.

OLD BUSINESS

A. Adoption of Decision in the Case of David Stein (2020-03)
Property location: 515 Rear West Chocolate Avenue, Hershey

On a motion by Member Seidl, seconded by Member Drew, and a unanimous vote, the Decision was adopted as written.

On a motion by Member Drew, seconded by Member Seidl, and a unanimous vote, Vice Chairwoman Ballard was authorized to execute the Decision on behalf of the Board.

NEW BUSINESS

A. Hearing in the case of Cacao Way, LLC (2020-05)
Property location: 50 Northeast Drive, Hershey

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This property, located in the Hershey Mixed Use and Compact Development Overlay zoning districts, is improved with a building formerly used as a lodging facility. The applicant is proposing to demolish the existing building and construct a new building containing multifamily apartment units and associated amenities. The applicant was granted relief by the Zoning Hearing Board on June 19, 2019 regarding minimum parking lot landscaping requirements and the location of access areas for fire apparatus. The applicant is now requesting an extension of time for the relief granted regarding the location of access areas for fire apparatus until April 14, 2022. The relief for the minimum parking lot landscaping requirements is no longer necessary.

Mark Hackenburg, RGS Associates, and Dave Getz, attorney with Wix, Wenger and Weidner, were sworn in and gave testimony.

Mr. Hackenburg stated that the applicant is requesting an extension on the expiration date to allow time to finish planning, but he expects construction will begin well before 2022. Mr. Hackenburg also added that the Hershey Volunteer Fire Company submitted a letter of approval for the plan.

Member Drew asked if any of the access points changed. Mr. Getz replied that there have been no changes in access and the new plan has only lowered the building and eliminated the underground parking.

Mr. Getz asked that the testimony from the June 19, 2019 hearing be incorporated in today's hearing.

No other person offered testimony.

Vice Chairwoman Ballard 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.

The hearings closed at 6:35 p.m.

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DELIBERATIONS

The Board met to deliberate in the case of Cacao Way, LLC (2020-05) and directed the Solicitor to prepare the draft decision on the case for formal action at the June 2020 meeting.

Submitted by:

Dean Morgan, Secretary