

TOWNSHIP OF DERRY
ZONING HEARING BOARD MEETING MINUTES
September 16, 2020

CALL TO ORDER

The Wednesday, September 16, 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. *(Note: Vice Chairwoman Ballard ran the meeting because Chairman Seidl was having Internet connection difficulties.)*

ROLL CALL

Board members in attendance *(via video conference)*: Chairman Steve Seidl; Vice Chairwoman Sandy Ballard; Member Lindsay Drew; Member Michael Angello

Board member absent: Secretary Dean Morgan

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)*: None

APPROVAL OF MINUTES

On a motion made by Member Angello, seconded by Vice Chairwoman Ballard, and a majority vote, the August 19, 2020 meeting minutes were approved as written. Member Drew abstained from voting because she was not in attendance at the August meeting.

OLD BUSINESS

A. Adoption of Decision in the Case of Charles and Betty Kovacs (2020-07)
Property location: 747 Olde Trail Road, Hummelstown

Chuck Emerick read the terms of the Decision into the record as follows:

1. *The applicants' request for a variance from §225-304, Table 7, regarding maximum impervious coverage on the property, is GRANTED. The applicants may increase maximum impervious coverage by 300 square feet to 33.09%.*
2. *The applicants shall construct the improvements in strict compliance with the plans and specifications submitted to the Board during the hearing of this matter, provided, however, that if the improvements that are the subject of this hearing, as finally constructed, require less relief than granted by the Board herein, no additional relief from this Board shall be required.*
3. *Except as extended by applicable law, the relief granted herein shall be valid for one (1) year from the date hereof. In the event the applicants have not, within the*

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time period provided herein, commenced operations, applied for a building permit relative to the improvements where permits are necessary, or constructed the improvements not requiring permits, the relief granted herein shall be deemed to have expired, and the applicants shall be required to comply with the then existing terms of the Zoning Ordinance.

4. *Any violation of any condition imposed herein shall be a violation of the Township Zoning Ordinance and shall be enforced as provided in the Ordinance.*

On a motion by Member Angello, seconded by Vice Chairwoman Ballard, and a majority vote, the Decision was adopted as written. Member Drew abstained from voting because she was not present for the hearing in this matter.

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

B. Adoption of Decision in the Case of Hershey Trust Company, Trustee for Milton Hershey School (2020-08)
Property location: 100 Mansion Road East, Hershey

Chuck Emerick read the terms of the Decision into the record as follows:

1. *The applicant's request for a variance from §225-315, regarding permitted uses, is GRANTED. The applicant may establish a museum at the property as represented during the hearing of this matter.*
2. *The applicant's request for a variance from §225-315, regarding permitted uses, is GRANTED. The applicant may establish a mixed use building at the property consisting of a business office and museum as represented during the hearing of this matter.*
3. *Any change in the use of the property as represented during the hearing of this matter shall require further zoning relief.*
4. *The applicant's request for a variance from §225-402.5, regarding the required number of off-street parking spaces, is GRANTED. The applicant shall provide at least 39 off-street required parking spaces for the uses permitted by this decision.*
5. *Any violation of any condition imposed herein shall be a violation of the Township Zoning Ordinance and shall be enforced as provided in the Ordinance.*

On a motion by Member Angello, seconded by Vice Chairwoman Ballard, and a majority vote, the Decision was adopted as written. Member Drew abstained from voting because she was not present for the hearing in this matter.

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

NEW BUSINESS

A. Hearing in the Case of Robert J. and Diane T. Cerminara (2020-09)
Property location: 1014 Fairdell Drive, Hummelstown

Chuck Emerick explained that *The Sun* inadvertently failed to run the second Notice of Hearing advertisement for this case, as required by the Pennsylvania Municipalities Planning Code. The Township has obtained an extension of time from the applicants for the Zoning Hearing Board to conduct the hearing at their October 21, 2020 meeting.

ADJOURNMENT

The meeting adjourned at 6:18 p.m.

Submitted by:

Dean Morgan, Secretary