

TOWNSHIP OF DERRY
ZONING HEARING BOARD MEETING MINUTES
February 17, 2021

CALL TO ORDER

The Wednesday, February 17, 2021 Derry Township Zoning Hearing Board meeting, which was conducted via video conference (Zoom Webinar) due to COVID-19, was called to order at 6:05 p.m. by Chairman Steve Seidl.

ROLL CALL

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

Board members absent: Secretary Dean Morgan; Member Lindsay Drew

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*): Randy Wright, Hanover Engineering; Kevin Hollenbush

APPROVAL OF MINUTES

On a motion made by Vice Chairwoman Ballard, seconded by Chairman Seidl, and a unanimous vote, the January 20, 2021 minutes were approved as written.

OLD BUSINESS

A. Adoption of Decision in the Case of Krupal and Neelam Desai (2020-16)
Property location: 285 Dunham Drive, Hummelstown

Chairman Seidl read the terms of the Decision into the record as follows:

- “1. *The applicants’ request for a special exception pursuant to §225-502.9.A regarding an accessory dwelling unit is GRANTED.*
2. *The occupancy of the accessory dwelling unit shall be limited in accordance §225-502.9.A.5 and 6 of the Ordinance.*
3. *The property owners shall be required to modify the existing on-site sewage disposal system, or to install a new on-site sewage disposal system, to accommodate additional sewage flow from the accessory dwelling unit, unless the applicants can demonstrate that the existing on-site sewage disposal system is adequate to accommodate the additional flows from the accessory dwelling unit.*

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4. *The property owners shall execute a recordable agreement with the Township, assignable to the property owners' heirs and successors, which shall be recorded in the Dauphin County Courthouse. This agreement shall clarify that the future use of the accessory dwelling unit shall not be for any nonconforming use, residential or otherwise, if the use specifically authorized by the Township Zoning Hearing Board ceases to exist, and that the property owners and the Township agree that no variance will be granted by the Township Zoning Hearing Board to allow the use of the accessory dwelling unit for other nonconforming purposes in the future. Such agreement shall be drafted and recorded at the applicants' expense.*
5. *The applicant 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.*
6. *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 applicant has not, within the 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 applicant shall be required to comply with the then existing terms of the Zoning Ordinance.*
7. *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 made by Vice Chairwoman Ballard, seconded by Member Angello, and a vote of 3-0, the Decision was adopted as written and Chairman Seidl was authorized to execute the Decision on behalf of the Board.

B. Adoption of Decision in the Case of The McNaughton Company (2020-18)
Property location: Lucy Avenue, Hummelstown

Chairman Seidl stated that the applicant has submitted a written request for a continuance.

On a motion made by Member Angello, seconded by Vice Chairwoman Ballard, and a unanimous vote, the Board granted the applicant's request for a continuance to the March 17, 2021 meeting.

NEW BUSINESS

A. Hearing in the Case of Kevin and Heather Hollenbush (2021-01)
Property location: 2054 Church Road, Hummelstown

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Chairman Seidl stated that the applicants have submitted a written request for a continuance.

On a motion made by Vice Chairwoman Ballard, seconded by Member Angello, and a unanimous vote, the Board granted the applicants' request for a continuance to the March 17, 2021 meeting.

The meeting was adjourned at 6:20 p.m.

Submitted by:

Dean Morgan, Secretary