

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

CALL TO ORDER

The Wednesday, March 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 6:00 p.m. by Chairman Steve Seidl.

ROLL CALL

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

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*): Randy Wright, Hanover Engineering; Kevin Hollenbush; Joel McNaughton, The McNaughton Company; John Minken

APPROVAL OF MINUTES

On a motion made by Vice Chairwoman Ballard, seconded by Member Angello, and a majority vote, the February 17, 2021 minutes were approved as written. Secretary Morgan and Member Drew abstained from voting because they were not present at the February meeting.

OLD BUSINESS

A. Continued Hearing in the Case of The McNaughton Company (2020-18)
Property location: Lucy Avenue, Hummelstown

This property, located in the General Commercial zoning district, is currently unimproved. The applicant is proposing to construct a single-family detached dwelling on the property. Relief is sought from minimum lot width and minimum side setbacks.

Joel McNaughton, The McNaughton Company, was sworn in and gave testimony. Mr. McNaughton stated that the lot is 50 feet wide by 150 feet deep. He is proposing a 28-foot by 50.83-foot two-story dwelling with an integrated two-car garage. Mr. McNaughton requested to have the testimony from the January 2021 hearing incorporated into this hearing.

Vice Chairwoman Ballard questioned whether it would be possible to construct a 20-foot-wide home. Mr. McNaughton replied that while it is possible, it is not practical for a single-family home.

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

Secretary Morgan asked if it is feasible to have on-street parking on Lucy Avenue. Mr. McNaughton replied that the street is narrow and on-street parking would hinder safety for drivers and pedestrians.

No other person offered testimony.

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

This property, located in the Conservation zoning district, is currently unimproved and wooded. The applicants are proposing to construct a single-family detached dwelling on the property. Relief is sought from minimum side setbacks and disturbance of sensitive environmental areas.

Kevin Hollenbush and Randy Wright, Hanover Engineering, were sworn in and gave testimony.

Mr. Wright stated that this property is 2.7 acres and features a power line easement, is heavily wooded, and has slopes over 20%. The location of the proposed dwelling is on top of the ridge, which is a flatter area. The only other flat area is bisected by the power line easement. Mr. Wright stated that the stormwater runoff would be managed by a basin located near Church Road discharging into a creek.

Vice Chairwoman Ballard questioned whether a smaller house could be built. Mr. Wright replied that a smaller house could be built; however, it would cause the same amount of land disturbance.

Member Angello questioned whether the applicants are familiar with the home currently under construction nearby. Mr. Wright agreed that he is familiar and believes the house is similar in size to the one the applicants are planning. The area is similar in that for every ten feet measured horizontally there is a two-foot change vertically.

Solicitor Huff asked if the applicants are planning a walkout basement. Mr. Wright stated that too much excavation would be required.

Member Drew asked whether the sale of the lot was contingent on the Zoning Hearing Board approving the requested variances. Mr. Wright agreed that it was the case. Member Drew disclosed that she was contacted by the seller's realtor on behalf of the buyer and Member Drew informed the realtor that she was unable to discuss the specifics of the property.

Chairman Seidl asked whether a front-entry garage or different placement of the dwelling was considered to lessen the encroachment into the side yard setback. Mr. Wright replied that the

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

layout was based on access and the slope of the property and that a side-entry garage allows the driveway to be as level as possible. Mr. Wright added that the northeast side will be 15 feet from the property line and the southwest side will be 38 feet from the property line, which requires relief from the side setbacks of 35 feet and 12 feet, respectively.

PUBLIC COMMENT

John Minken, adjacent neighbor, stated that he has concerns about stormwater runoff. He believes it may funnel into his backyard and would like to review the stormwater management plans.

Mr. Wright replied that a very detailed stormwater management plan would need to be approved prior to any construction. Mr. Hollenbush added that the stormwater would be funneled towards the front of the house and would discharge into a basin near Church Road.

Mr. Wright further elaborated that the detention areas will store the water which will then seep back into the ground. Mr. Wright and Mr. Hollenbush are both open to keeping Mr. Minken informed of the process.

No other person offered testimony.

Chairman Seidl informed the applicants that the Board has 45 days to render a decision and if the applicants are aggrieved in any way, they have 30 days to appeal the decision.

Hearings closed at 7:25 p.m.

DELIBERATIONS

The Board met to deliberate in the cases of The McNaughton Company (2020-18) and Kevin and Heather Hollenbush (2021-01) and directed the Solicitor to prepare the draft decisions on each case for formal action at the April 2021 meeting.

Submitted by:

Dean Morgan, Secretary