



## TOWNSHIP OF DERRY

Board of Supervisors Public Hearing Minutes  
Tuesday, March 12, 2024

---

### CALL TO ORDER

Chairman Abruzzo called the March 12, 2024 Public Hearing of the Township of Derry Board of Supervisors to order at 6:34 p.m. in the meeting room of the Township of Derry Municipal Complex, 600 Clearwater Road, Hershey, PA. He advised that all public meetings are recorded for providing accurate notes. A role call was performed. Supervisor Wyckoff was absent with excuse and Supervisor Corado attended the meeting by phone.

### ROLL CALL

#### SUPERVISORS PRESENT:

E. Christopher Abruzzo, Chairman  
Natalie L. Nutt, Vice Chairwoman  
Michael P. Corado, Supervisor  
Richard D. Zmuda, Supervisor

#### ALSO PRESENT:

Patrick Armstrong, Township Solicitor  
Chuck Emerick, Director of Community Development  
Julie Echterling, Recording Secretary  
Becky Sweigart, Public Outreach Coordinator  
Maria O'Donnell, Stenographer

#### ABSENT:

Carter E. Wyckoff, Secretary

#### Public in Attendance:

Kane Smeltz, 15 Lucy Ave., Melvin and Emily King

### NEW BUSINESS

**Public hearing regarding Conditional Use Application No. 2024-02, as filed by Melvin King regarding establishing a Short-Term Rental use on the property located at 11 Lucy Avenue.**

### INTRODUCTION

Mr. Emerick stated the Conditional Use application is for 11 Lucy Avenue in Hummelstown. The property is located in the General Commercial Zoning District. The owner of the home is Melvin King. The property contains a 2,694 square-foot, five bedroom single-family dwelling permitted in 2023. At the December meeting of the Planning Commission, they recommended that the application be approved with conditions. The Shade Tree Commission did not have a quorum at their January meeting, so an official action was not taken. He noted that the waivers were not unusual requests.

Solicitor Armstrong noted that the meeting has been advertised and that the property in application is located at 11 Lucy Avenue, tax parcel 24-031-045. He explained what party status was and asked if anyone would request it. Mr. Kane Smeltz, owner of 15 Lucy Avenue in Hummelstown, asked to have party status as the neighbor of the property of the applicant. Mr. King and the Board had no objections and he was granted party status. Solicitor Armstrong entered the following exhibits into the record.

## **Board of Supervisors Public Hearing Minutes – March 12, 2024**

1. Board Exhibit #1=Conditional Use Application Dated 1/25/2024.
2. Board Exhibit #2=Notice of Public Hearing
3. Board Exhibit #3=Proof of Publication
4. Board Exhibit #4=Photo of the property posted
5. Board Exhibit #5=List of abutting properties

He asked if there were any objections to these exhibits and there were none.

Mr. Melvin King and Mrs. Emily King were sworn in by Ms. O'Donnell. He described the home as a two-story, 5 bedroom home that has been completely renovated. They tore down the house and rebuilt it. They will provide 6 parking spaces and will have a maximum of 10 people allowed to stay at the home at one time. He noted they are at least 25 feet from their neighbors, will not allow parties, their phone number will be posted, they will manage the property, and will follow all the regulations.

Chairman Abruzzo asked if they would have one renter at a time or rent out the bedrooms to different people. Mr. King stated it would be one renter at a time. He noted they have two other short-term rentals in Elizabethtown. He has reviewed the requirements for a short-term rental and will comply with the Township requirements. Vice Chairwoman Nutt asked him to confirm that they would not have special events. Mr. King stated that they would not allow them.

Mr. Kane Smeltz asked if there were any requirements for proximity to the rental and his property. He was concerned that he lives next door and may want to turn his home into a short-term rental and asked about the proximity. Mr. Emerick explained the 25 foot requirement and showed the properties on the screen. There is 25 feet between his home and the rental next door. Mr. Smeltz had no additional questions.

### **VISITOR/PUBLIC COMMENTS**

There were no public comments offered.

### **ADJOURNMENT**

Solicitor Armstrong stated they would close the hearing. He stated the Board had 45 days to provide a decision and it would be provided in writing. The hearing closed at 6:55 p.m.

### **SUBMITTED BY:**

---

Carter E. Wyckoff, Township Secretary