

**DERRY TOWNSHIP
ZONING HEARING BOARD MEETING MINUTES
October 15, 2024**

CALL TO ORDER

The Tuesday, October 15, 2024, Derry Township Zoning Hearing Board meeting was called to order at 6:00 p.m. by Chairman Steve Seidl in the Meeting Room of the Derry Township Municipal Complex, 600 Clearwater Road, Hershey, PA.

ROLL CALL

Board members in attendance: Chairman Steve Seidl; Vice Chairman Tom DeDonatis; Secretary Mike Angello; Member Bill Tafuto; Member Joe Nocera

Board members absent: None

Also present: Megan Huff, Solicitor to the Board; David Habig, Assistant Director of Community Development; Maria O'Donnell, Court Reporter; Valerie Wood, Community Development Secretary

Public registering attendance: David Epler, 818 Fishburn Road; Susan Epler, 818 Fishburn Road; Isaac Epler, 818 Fishburn Road; Carly Hinkley, 123 Peach Avenue; Aaron Hinkley, 123 Peach Avenue; Wendy R. Wulffleff, 810 Fishburn Road

APPROVAL OF MINUTES

On a motion made by Chairman Seidl, seconded by Vice Chairman DeDonatis, and a unanimous vote, the September 18, 2024, minutes were approved as written.

OLD BUSINESS

**A. Adoption of Decision in the Case of David Macrina (2024-20)
Property location: Parcel East of Sand Hill Road, Hershey**

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

1. *The applicant's request for a variance from §225-401.2.1.B, regarding construction on areas with slopes in excess of 20% is GRANTED. The applicant may construct the single-family residence while disturbing no more than the area depicted in yellow in the applicant's sketch plan submitted to the Board at the hearing of this matter, except as otherwise permitted by the Ordinance.*

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

**DERRY TOWNSHIP
ZONING HEARING BOARD MEETING MINUTES
October 15, 2024**

NEW BUSINESS

**A. Hearing in the Case of Wendy R. Wulffleff (2024-21)
Property location: 810 Fishburn Road, Hershey**

The property is located in the Hershey Mixed Use zoning district. It is improved with a single-family detached dwelling. The applicant desires to use the property as a Bed and Breakfast Home. Relief is sought as a special exception for the establishment of a Bed and Breakfast Home.

Wendy R. Wulffleff of 810 Fishburn Road was sworn in. Ms. Wulffleff explained that she wants to use her residence as a Bed and Breakfast Home. She explained that the property is in a residential and commercial corridor with commercial vendors in the same neighborhood. The Bed and Breakfast Home would not overburden the public utilities and meets all the requirements of the Zoning Ordinance. Ms. Wulffleff stated that the existing house contains four bedrooms. The garage and large driveway on the property will accommodate the required parking spaces for the Bed and Breakfast Home.

In response to a question from Chairman Seidl, Ms. Wulffleff explained the current layout of the dwelling and stated that she will not be adding any additional bedrooms. She will be staying in the basement when the dwelling is rented out.

In response to a question from Secretary Angello, Ms. Wulffleff said she will be leaving out a continental breakfast in the kitchen for the guests but will not allow the guests to use the kitchen to cook their own food.

In response to a question from Vice Chairman DeDonatis, David Habig explained that stacked parking is permitted but suggested that a condition be included in the Decision that the whole house is rented at one time instead of individual bedrooms. This will help prevent multiple vehicles shuffling around on a busy road. The applicant will also be required to line the parking spaces as part of the zoning permit process. Ms. Wulffleff explained where the parking spaces will be on the property and how to maneuver around them. Mr. Habig confirmed that the Township will require 9-foot by 18-foot parking spaces, which will be verified during the zoning permit process.

In response to a question from Secretary Angello, Mr. Habig read the Zoning Ordinance definition of a Bed and Breakfast Home and the Special Exception requirement that only breakfast can be served by the proprietor to overnight guests of the facility. Mr. Habig confirmed that guests of the facility should not be able to cook their own meals.

In response to a question from Member Nocera, Ms. Wulffleff stated that the home will be available year-round for rentals.

**DERRY TOWNSHIP
ZONING HEARING BOARD MEETING MINUTES
October 15, 2024**

Public Comment:

Susan Epler, owner of the property at 818 Fishburn Road, was sworn in. Ms. Epler explained that she has concerns about parking. She stated that years ago people used her property for parking and she spoke with Ms. Wulffleff, telling her that is not allowed. Ms. Epler said that more recently, Ms. Wulffleff drives over the grass to use the neighboring driveway instead of using her own driveway and Ms. Epler does not want her property being used as an exit. The second thing she is worried about is pets. Ms. Epler said that Ms. Wulffleff's animals come over to her property and defecate on it. Ms. Epler stated that she disposes of the waste but she does not want to have additional animals running on her property.

In response to Ms. Epler's testimony, Ms. Wulffleff said the previous owner had allowed her to park on the property for after-church meals on Sundays. These gatherings have not happened since Ms. Wulffleff's husband passed away. Ms. Wulffleff stated that she will try to control her dogs better and that she is not opposed to having a condition of no pets included in the Decision.

No one else 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.

OTHER BUSINESS

None.

ADJOURNMENT

On a motion made by Chairman Seidl, seconded by Vice Chairman DeDonatis, and a unanimous vote, the meeting was adjourned at 6:37 p.m.

DELIBERATION

The Board met to deliberate in the case of Wendy R. Wulffleff (2024-21) and directed the Solicitor to prepare the draft decision on the case for formal action at the November 2024 meeting.

Submitted by:

Mike Angello, Secretary