

**TOWNSHIP OF DERRY  
ZONING HEARING BOARD MEETING MINUTES  
January 18, 2012**

**CALL TO ORDER**

The January 18, 2012 meeting of the Township of Derry Zoning Hearing Board was called to order at 6:00 p.m. by Chairman Angello in the Meeting Room of the Derry Township Municipal Complex, 600 Clearwater Road, Hershey, PA 17033.

**ROLL CALL**

Board members in attendance: Chairman Michael Angello; Vice Chairman Matthew Davies; Member William Tafuto, Member Rick Hammer; Member Philip Wood

Board members absent: none

Also Present: Anthony Nestico, Solicitor to the Board; Charles Emerick, Acting Director of Community Development; Pam Packer, Court Reporter; Tracy Telesha, Stenographer

Public Registering Attendance: Barbara & Jeff Rex, 2008 Raleigh Road, Hummelstown; Ron Eaton, 1182 Jill Drive, Hummelstown; Glen Bollinger, Bollinger Builders; Andrew Allessie, 1349 Harding Avenue; Linda Eaton, 1182 Jill Drive, Hummelstown; Cindy Wallett, 1670 MacIntosh Way, Hummelstown; Kerrie Wolfe, 236 Cedar Avenue; Tori Marchese, 1230 E. Chocolate Avenue; Tanya Shaw, 1230 E. Chocolate Avenue; James Enders, 4428 Pinewood Court, Harrisburg; Andrew Enders, 1120 E. Chocolate Avenue; Jinene Mahon, 329 W. Caracas Avenue; Jim Snyder, 2000 Linglestown Road, Harrisburg; Patti Husic, 4320 Linglestown Road, Harrisburg; Bob Welsh, Hershey

**APPROVAL OF MINUTES**

On a motion by Member Hammer, seconded by Member Tafuto, and a unanimous vote, the December 21, 2011 minutes were approved.

**REORGANIZATION**

On a motion by Member Davies, seconded by Member Hammer, and a unanimous vote, the below reorganization was approved:

Chairman Bill Tafuto  
Vice Chairman Rick Hammer  
Secretary Matt Davies

**OLD BUSINESS**

**A. Adoption of Decision in the Case of Ty J. Kreamer (2011-24)**

**TOWNSHIP OF DERRY  
ZONING HEARING BOARD MEETING MINUTES  
January 18, 2012**

**Property location: 240 Clark Road, Hershey**

- B. Adoption of Decision in the Case of David A. Quillen (2011-33)  
Property location: 1126 Sand Hill Road, Hershey**
- C. Adoption of Decision in the Case of Pam and Steve Nelson (2011-55)  
Property location: 1204 Julianne Drive, Hershey**
- D. Adoption of Decision in the Case of Heather Weiss (2011-56)  
Property location: 515 Randall Circle, Hummelstown**
- E. Adoption of Decision in the Case of Joseph and Melanie Bellissimo (2011-57)  
Property location: 642 Cocoa Avenue, Hershey**

Continued by the applicant.

- F. Adoption of Decision in the Case of Barbara Krasuski (2011-58)  
Property location: 153 S. Hanover Street, Hummelstown**
- G. Adoption of Decision in the Case of Tom Benjamin, Lititz Sign Co. (2011-59)  
Property location: 46 Outlet Square, Hershey**

On a motion by Secretary Davies, seconded by Vice Chairman Hammer, and a majority vote, the decisions for items a-d and f-g were adopted by consent agenda.

**NEW BUSINESS**

- A. Hearing in the Case of Jeffrey and Barbara Rex (2011-60)  
Property location: 2008 Raleigh Road, Hummelstown**

This property, located in the Village Residential zoning district, is presently improved with a single family dwelling. The applicants are proposing to place an above-ground pool on the property.

Relief is sought as follows:

- a. A Variance from Article 8, Section 225-36.D(2)(b) regarding rear yard setback

Jeffrey Rex was sworn in and gave testimony. Mr. Rex stated that he would like to install a 21-foot-diameter above-ground pool on his property. Mr. Rex's lot is small and in order to place the pool and retain some use of his yard, the pool will be located 14

**TOWNSHIP OF DERRY  
ZONING HEARING BOARD MEETING MINUTES  
January 18, 2012**

feet from the rear property line and 22 feet from the side property line. A 16-foot by 10-foot deck will be constructed to allow access to the pool.

No other persons provided testimony at this hearing.

Chairman Tafuto 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. Hearing in the Case of Dan and Ann Panchik (2011-61)  
Property location: 950 Front Street, Hershey**

This property, located in the Village Residential zoning district, is presently improved with a single family dwelling. The applicants are proposing to install a storage shed on the property.

Relief is sought as follows:

- a. A Variance from Article 8, Section 225-36.D(2)(b) regarding rear yard setback

Dan Panchik was sworn in and gave testimony. Mr. Panchik stated that his garage is only large enough to contain his two vehicles and he wishes to place a prefabricated shed on his property to store his riding mower and other items. Due to an existing fence, mature trees and a sloped yard, Mr. Panchik would like to place a shed in line with the adjacent neighbor's garage. The 10-foot by 17-foot shed would be placed within 12 feet of the rear and 15 feet of the side property lines.

No other persons provided testimony at this hearing.

Chairman Tafuto 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.

**C. Hearing in the Case of William and Jean Bruggemeier (2011-62)  
Property location: 165 West Governor Road, Hershey**

This property, located in the Village Residential zoning district, is presently improved with a single family dwelling. The applicants are proposing to construct a two-car attached garage.

Relief is sought as follows:

- a. A Variance from Article 8, Section 225-36.D(2)(c) & (b) regarding side and rear yard setback

**TOWNSHIP OF DERRY**  
**ZONING HEARING BOARD MEETING MINUTES**  
**January 18, 2012**

- b. A Variance from Article 8, Section 225-36.F regarding lot coverage greater than 30%

Bill Bruggemeier and builder Glenn Bollinger were sworn in and gave testimony. Mr. Bruggemeier stated that he would like to convert the existing attached garage into a kitchen and build a new 24-foot by 28-foot 2-car detached garage. Due to the small size of the lot, the new garage will need to be placed 13 feet from the rear property line and 11 feet from the side property line. The existing driveway will be removed and replaced with another leading to the new garage. The improvements will raise the impervious cover to 32%, requiring 2% of relief.

No other persons provided testimony at this hearing.

Chairman Tafuto 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.

**D. Hearing in the Case of Centric Bank (2011-63)**  
**Property location: 1201 Governor Road, Hershey**

This property, located in the Neighborhood Commercial zoning district, is presently improved with a commercial office building. The applicant is proposing to raze the existing structure and construct a new bank building.

Relief is sought as follows:

- a. A Variance from Article 34, Section 225-52.C.(1)(3) regarding encroachment in required yard area for parking spaces
- b. A Variance from Article 12, Section 225-52.E regarding maximum impervious cover of 60 percent
- c. A Variance from Article 27, Section 225-129.B.(1).(g) regarding window signs
- d. A Variance from Article 27, Section 225-129.B.(1).(i) regarding information sign

Chairman Tafuto recused himself from this hearing.

Jim Snyder was sworn in and gave testimony. Centric Bank is proposing to construct a bank branch on this property. Mr. Snyder stated that due to the small lot size and the right of way dedication for Lucy Avenue, the impervious cover of the bank and parking area will be 63.8%, requiring 3.8% relief.

**TOWNSHIP OF DERRY**  
**ZONING HEARING BOARD MEETING MINUTES**  
**January 18, 2012**

Mr. Snyder also stated that the proposed building will contain a stained glass window which is used in their branches as a branding device. One window will be 4 feet in diameter and the two other windows are each 3 feet in diameter.

Mr. Snyder is requesting a larger information sign in order to properly identify the ATM and drive-thru facilities for safe and efficient circulation. The sign will be 1'8" high by 4'1" wide with a total height of approximately 4 feet.

**PUBLIC COMMENT**

Andrew Enders was sworn in and gave testimony. Mr. Enders stated that he is a Centric Bank customer and is excited about the bank's first branch in the Township. Mr. Enders believes the bank's strong community involvement will benefit the Township.

Cindy Wallet was sworn in and gave testimony. Ms. Wallet stated that she is an employee of the PA Bankers Association as well as a Township resident. She supports the bank's entrance into the Township.

Bob Welsh was sworn in and gave testimony. Mr. Welsh stated that he owns the adjacent property at 128 Lucy Avenue. Mr. Welsh is concerned about the increase in impervious cover and storm water runoff.

No other persons provided testimony at this hearing.

Vice Chairman Hammer 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.

**E. Hearing in the Case of Kerrie L. Wolfe (2011-64)**  
**Property location: 236 Cedar Avenue, Hershey**

This property, located in the Village Residential zoning district, is presently improved with a single family dwelling. The applicant is proposing to enlarge the dwelling, including an attached two-car garage and enlarge a patio area.

Relief is sought as follows:

- a. A Variance from Article 3, Section 225-10 regarding expansion of a non-conforming structure
- b. A Variance from Article 8, Section 225-36.F regarding expansion of impervious cover

**TOWNSHIP OF DERRY**  
**ZONING HEARING BOARD MEETING MINUTES**  
**January 18, 2012**

- c. A Special Exception from Section 225-10.B(6) regarding lateral expansion of a non-conforming structure

Kerrie Wolfe was sworn in and gave testimony. Ms. Wolfe is proposing to remove an existing screened porch and replace it with a different porch, mud room, and 2-car garage. The mud room will be 131 square feet and the garage will be 257 square feet for a total of 48.03% floor area increase. Ms. Wolfe stated that she will be removing an existing shed and reducing the driveway to minimize the impervious cover impact on the property.

No other persons provided testimony at this hearing.

Chairman Tafuto 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.

**F. Hearing in the Case of Andrew Alessie (2011-65)**  
**Property location: 1349 Harding Avenue, Hershey**

This property, located in the Village Residential zoning district, is presently improved with a single family dwelling. The applicant is proposing to place a basketball area on his property.

Relief is sought as follows:

- a. A Variance from Article 8, Section 225-36.D(2)(c) regarding side yard setback

Andrew Alessie was sworn in and gave testimony. Mr. Alessie stated he would like to install a 30-foot by 9-foot concrete area for a basketball hoop to allow a safe place for his young daughter to practice. Due to mature trees on his lot, the only place on his property suitable is within four feet of the side property line. Mr. Alessie stated that he has spoken with his neighbor and has received his approval on the plans.

No other persons provided testimony at this hearing.

Chairman Tafuto informed the applicant that the Board has 45 days to render a decision and if the applicant is aggrieved in any way, he has 30 days to appeal the decision.

**G. Hearing in the Case of Victoria Marchese (2011-66)**  
**Property location: 1230 E. Chocolate Avenue, Hershey**

**TOWNSHIP OF DERRY**  
**ZONING HEARING BOARD MEETING MINUTES**  
**January 18, 2012**

This property, located in the Neighborhood Commercial zoning district, is presently improved with a single family dwelling. The applicant is seeking to convert the dwelling into a group child care facility.

Relief is sought as follows:

- a. A Variance from Article 7, Section 225-52.C(2) & (3) regarding side and rear yard setback
- b. A Variance from Article 28, Section 225-132 regarding parking design

Victoria Marchese and Tanya Shaw were sworn in and gave testimony. Ms. Marchese stated that she would like to keep the house and 20-foot by 23-foot garage, expand the driveway, and add three parallel parking spaces on the side of the property plus a handicapped accessible space. The existing sidewalk would be expanded to connect the parking area. In addition, a small "drop-off" area of 7 feet, 10 inches by 18 feet, 10 inches with a triangular exit will be located at the end of the driveway. The total proposed impervious area would be 5,441 square feet for a total of 44.42%.

Ms. Shaw explained that the daycare will service infants through elementary age from 6:30 a.m. until 6:30 p.m. Five to six staff members will care for up to 33 children.

Ms. Marchese stated that for safety an exterior set of stairs would be installed to the west discharging towards Route 422 rather than into the enclosed fenced area in case of emergency evacuation.

Vice Chairman Hammer questioned if the driveway will extend to the side property line. Ms. Marchese replied that it would. The driveway will be accessed from the alley and exit onto Route 422.

No other persons provided testimony at this hearing.

Chairman Tafuto informed the applicant that the Board has 45 days to render a decision and if the applicant is aggrieved in any way, she has 30 days to appeal the decision.

Hearings closed at 7:25 p.m.

**TOWNSHIP OF DERRY  
ZONING HEARING BOARD MEETING MINUTES  
January 18, 2012**

**DELIBERATIONS**

The Board met to deliberate in the cases of Jeffrey and Barbara Rex (2011-60), Dan and Ann Panchik (2011-61), William and Jean Bruggemeier (2011-62), Centric Bank (2011-63), Kerrie L. Wolfe (2011-64), Andrew Alessie (2011-65), Victoria Marchese (2011-66) and directed the Solicitor to prepare the draft decisions on each case for formal action at the February, 2012 meeting.

---

---

---

---

---