

**DERRY TOWNSHIP
ZONING HEARING BOARD MEETING MINUTES
February 19, 2025**

CALL TO ORDER

The Wednesday, February 19, 2025, Derry Township Zoning Hearing Board meeting was called to order at 6:00 p.m. by Chairman Tom Dedonatis in the Meeting Room of the Derry Township Municipal Complex, 600 Clearwater Road, Hershey, PA.

ROLL CALL

Board members in attendance: Chairman Tom DeDonatis; Vice Chairman Bill Tafuto; Secretary Mike Angello

Board members absent: None

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

Public registering attendance: Scott Rothrock, 1038 Mae Street; Phil Guarno, 102 West Chocolate Avenue; Matt Kinney, Pennoni

APPROVAL OF MINUTES

On a motion made by Secretary Angello, seconded by Vice Chairman Tafuto, and a unanimous vote, the January 15, 2025, minutes were approved as written.

OLD BUSINESS

**A. Continuance in the Case of Scott Rothrock (2024-25)
Property location: 1038 Mae Street, Hummelstown**

The property is located in the General Commercial zoning district. It is improved with a single-family detached dwelling. The applicant desires to place a new carport on the side of the dwelling. Relief is sought from side and front yard setback requirements.

Scott Rothrock of 1038 Mae Street was sworn in. Mr. Rothrock described the carport he would like to construct to house his Corvette and motorcycle. Mr. Rothrock does not currently have a place to store them.

In response to a question from Secretary Angello, Mr. Rothrock advised the board that he removed the makeshift carport as he was requested to do at the December meeting.

In response to a question from Chairman DeDonatis, Mr. Rothrock stated the distance from the existing dwelling to the side property line is approximately 16 feet and the distance from the dwelling to the front property line is approximately 60 feet.

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In response to a question from Secretary Angello, Mr. Rothrock confirmed he did not speak to his neighbor about the project because they do not get along, but that his neighbor would not be happy about the project.

No one else offered testimony.

Chairman DeDonatis 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.

NEW BUSINESS

**A. Hearing in the Case of Philip Guarno (2025-01)
Property location: 102 West Chocolate Avenue, Hershey**

The property is located in the Hershey Mixed Use and Downtown Core O9.2 Overlay zoning districts. It is improved with a multi-use commercial building. The applicant seeks to add a new dining patio with 24 seats to the property. Relief is sought from maximum impervious coverage, minimum lot vegetative coverage, and off-street parking requirements.

Phil Guarno of 740 Stauffers Church Road was sworn in. Mr. Guarno explained when he bought the property the entire rear section was all grass. Mr. Guarno planted a garden and some trees that block the back of the property from the neighbors. The next improvement made to the rear of the property was to add red river stone around the garden. At that time Mr. Guarno said he did not realize that the stone would be considered impervious coverage. The outdoor seating he is requesting would be used seasonally for overflow from the restaurant. Mr. Guarno said he would like to place pavers in place of the red stone to make it look nicer and to be safer for people to walk on. Mr. Guarno noted that the increase in impervious coverage would be 703 square feet. Mr. Guarno is proposing adding 6 tables, which would add an additional 24 seats. Four parking spaces would be required, and Mr. Guarno is asking for relief from that requirement due to all the available parking in the downtown area.

Chuck Emerick confirmed that gravel used for vehicle or pedestrian traffic is considered impervious coverage. A Stormwater Management Plan would be triggered for any new impervious coverage over 600 square feet. Mr. Guarno amended his request to 600 square feet of new impervious coverage in order to avoid having to do a Stormwater Management Plan.

No one else offered testimony.

Chairman DeDonatis 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.

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B. Hearing in the SSN Hershey, LLC (2025-02)

Property locations: 84 Sipe Avenue and 79 Lucy Avenue, Hummelstown

The properties are located in the General Commercial zoning district. The property at 84 Sipe Avenue is currently improved with a hotel and associated parking, and the property at 79 Lucy Avenue is currently vacant. The applicant desires to combine the two parcels and construct a new commercial/retail building and associated parking on the property. The applicant seeks a time extension of one year for relief previously granted under Petition 2023-20 regarding minimum width of a maneuvering aisle for parking, maximum impervious coverage, and minimum vegetative coverage.

Matt Kinney was sworn in. Mr. Kinney is requesting an extension on a previously filed petition due to internal deadlines that got pushed back. The land development plan was submitted, however the zoning relief previously granted expires February 25, 2025.

In response to a question from Chairman DeDonatis, Mr. Emerick confirmed the Land Development Plan was submitted and has been recommended for approval by the Planning Commission. Mr. Emerick also noted that the case would need to be voted on tonight due to the relief expiring before the March meeting.

No one else offered testimony.

On a motion made by Vice Chairman Tafuto, seconded by Secretary Angello, and a unanimous vote, the extension was granted.

OTHER BUSINESS

None

ADJOURNMENT

On a motion made by Vice Chairman Tafuto, seconded by Secretary Angello, and a unanimous vote, the meeting was adjourned at 6:51 p.m.

DELIBERATION

The Board met to deliberate in the cases of Scott Rothrock (2024-25) and Philip Guarno (2025-01) and directed the Solicitor to prepare the draft decisions on the cases for formal action at the March 2025 meeting.

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Submitted by:

Mike Angello, Secretary