



## **TOWNSHIP OF DERRY**

### **Board of Supervisors Public Hearing Minutes Tuesday, March 25, 2025**

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#### **CALL TO ORDER**

Chairwoman Nutt called the March 25, 2025, Public Hearing of the Township of Derry Board of Supervisors to order at 6:04 p.m. in the meeting room of the Township of Derry Municipal Complex, 600 Clearwater Road, Hershey, PA. She advised that all public meetings are recorded for providing accurate notes. A roll call was performed.

#### **ROLL CALL**

##### **SUPERVISORS PRESENT:**

Natalie L. Nutt, Chairwoman  
Richard D. Zmuda, Supervisor  
Dominic V. Giovanniello, Supervisor

##### **ALSO PRESENT:**

Zachary Jackson, Township Manager  
Patrick Armstrong, Township Solicitor  
Chuck Emerick, Director of Community Development  
Lynn Dawson, Recording Secretary  
Maria O'Donnell, Stenographer

##### **ABSENT:**

Carter E. Wyckoff, Vice Chairman  
Michael P. Corado, Secretary

#### **Public in Attendance:**

Melvin King

#### **NEW BUSINESS**

**Public hearing regarding Conditional Use Application No. 2025-01, as filed by Melvin King regarding establishing a Short-Term Rental use on the property located at 7 Lucy Avenue**

#### **INTRODUCTION**

Chairwoman Nutt introduced the hearing and requested that Solicitor Armstrong and Mr. Emerick update the Board of Supervisors.

Solicitor Armstrong confirmed the advertised public hearing was open for a conditional use application (No. 2025-01), being a short-term rental within the Township, for the property at 7 Lucy Avenue, parcel number 24-031-042. Solicitor Armstrong asked the audience if anyone needed to request party status, and confirmed no one requested party status, beyond the applicant, Melvin King.

Solicitor Armstrong marked the following exhibits:

- Township 1: copy of the January 16, 2025 conditional use application
- Township 2: copy of the January 27, 2025 correspondence with Mr. King granting Derry Township a time extension to hold the hearing
- Township 3: copy of the proof of publication of the hearing
- Township 4: copy of the list of abutting property owners that were provided notice of the hearing

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- Township 5: two photographs showing the property was properly posted for advertising the hearing
- Township 6: copy of the notice of the public hearing

Solicitor Armstrong asked the applicant, Melvin King, if he had any objections to exhibits of Township 1 - 6. Mr. King responded he did not have any objection. Solicitor Armstrong admitted the exhibits as record.

Mr. Emerick stated the property is located within the Township general commercial zoning district, with the location currently under construction, scheduled to be completed by March 28, 2025. The ordinance requires two parking spaces for the first bedroom and one parking space for each additional bedroom. Therefore, four parking spaces are required on the lot. Short-term rentals are limited to two individuals (excluding children under the age of three) per bedroom by the definition of 'short-term rental' in the zoning ordinance. The home will be limited to six guests over the age of three. The application was presented to the Planning Commission on March 4, 2025, where it was recommended that the application be approved.

Melvin King was sworn in by stenographer, Maria O'Donnell.

Mr. King presented background of the property as well as compliance with the Township requirements and zoning ordinance. Mr. King will manage the property himself and currently owns the neighboring property, 11 Lucy Avenue.

It is not necessary to take any action at this hearing; however, Zoning Ordinance regulations require that the Board render a written decision within 45 days after the last hearing before the Board is concluded, unless an extension of time is granted by the applicant. If the hearing is closed on March 25, 2025, a decision will need to be rendered no later than May 9, 2025, keeping in mind that your closest regular meeting to that date is April 22, 2025. Staff and legal counsel will prepare a written decision to approve or deny the application as the Board directs.

Solicitor Armstrong confirmed that the Board of Supervisors did not have any further questions or comments and closed the hearing. Solicitor Armstrong noted that the Board has 45 days to issue a written decision.

### **VISITOR/PUBLIC COMMENTS**

No comments

### **ADJOURNMENT**

Solicitor Armstrong closed the hearing at 6:15 p.m.

### **SUBMITTED BY:**

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Michael P. Corado, Secretary