

PENN FOREST TOWNSHIP
BOARD OF SUPERVISORS
2010 STATE ROUTE 903
JIM THORPE, PA 18229

PUBLIC HEARING MEETING MINUTES

MONDAY, APRIL 5, 2021- 6:30 p.m.

The public hearing of the Penn Forest Township Board of Supervisors is being held at Penn Forest Township Municipal Building, 2010 State Route 903, Jim Thorpe, PA.

PLEDGE OF ALLEGIANCE:

Chairman Roger Meckes asked that all in attendance stand and recite the "Pledge of Allegiance".

CALL TO ORDER:

Supervisor Roger Meckes called the meeting to order at 6:35 pm; Roll Call by Township Secretary.

Members: Roger Meckes, Chairman
Christian Bartulovich, Vice-Chairman
Judith Knappenberger, Supervisor (by phone)
Scott Lignore, Supervisor
Tom Cross, Supervisor

Solicitor: Thomas S. Nanovic---Solicitor
Office Staff: Dana Vitale---Twp. Secretary

A. DISCUSS, INFORM AND OBTAIN PUBLIC COMMENTS ON PROPOSED AMENDMENTS TO THE PENN FOREST TOWNSHIP ZONING ORDINANCE

B. PUBLIC QUESTIONS & COMMENTS

Attorney Nanovic stated that this is the hearing required Municipality & Planning Code. This is an opportunity for the public to make any comments on the proposed amendments to the Zoning Ordinance.

LARRY DUSABLON- Read the purpose of Zoning process. PFT has a Zoning Ordinance and in spite of that people choose to ignore the plan and development unimproved business and in a zone meant for residence. People are operating businesses for profit. Rather than fixed the problem PFT is considering changing the ordinance to reward the law breakers. Would you reward a kennel who had barking dogs all night long with a Zoning change? This is a dangerous precedent that PFT is considering. I urge the Supervisor's to go back to drawing board and figure out a way to solve this problem without punishing the people who have followed the law and rewarded the people who have discarded it.

JOHN FONTAINE- asked why there is not a stenographer at this hearing. Attorney Nanovic answered it is not requirement.

PEG DUSABLON- I don't feel that short-term rentals should be allowed. Just because they exist now doesn't mean that it is right. They may have started years ago when Mom & Pops had houses and they couldn't afford it. If some purchases a property and they have trouble paying for it shouldn't impact your neighbors in residential zones. Where not talking about 2, 3, 4, bedroom homes were talking massive homes that are being built specifically to rent they are being owned by LLC and their investment properties are intended to be rented. I don't believe it's a responsibility to enforce township supervisors to enable and support investments opportunities for property owners in residential areas. Allowing this changed in use with no means to regulate that at this point isn't in the best interest of the majority of Homeowners. No one's getting the message so anyway basically same thing, where he was saying that short term rentals are a business and the township needs to treat them as a business and keep them out of natural areas.

PATRICK HOOD- I would like to make a comment. Everybody's entitled to their opinion and everybody could be for or against things but to specifically call out people saying that its everybody's in this for the money, and it you can't afford a house up there too bad, that's just pure ignorance on certain people who can live up there and certain people who can afford some people can't afford. I rent my home for my family and I, to be able to go up there, you know throughout the course of the year to enjoy ourselves we're not doing it to make a profit. I'm not saying that people aren't because I know they're there, and I know for a fact that they are. Problem houses that people are constantly complaining about the same houses over and over again for those who don't care, who don't have rules in place, I mean I specifically make any of my rentals they have to sign, aside from them agreeing to the rules and regulations of the HOA but, my own house rules to protect myself to more or less protect my neighbors the community on things that they're not allowed to do and they must agree to that or else I don't rent to them so I'm doing everything in my power to make it an enjoyable for them, but to not have any problems so to make comments basically to say that well everybody is generalized and just making money and they shouldn't be allowed to do that, that's just ignorant, I mean people should be able to do it.

SUPERVISOR BARTULOVICH- Tonight is simply whether or not we're going to allow this as a something in a residential zone permitted by right in all districts it has nothing to do with the short term rental rules and regulations in and of themselves that's a separate issue, right now it's just about whether or not to permit or not permit short term rentals in residential, commercial and industrial districts.

JOHN FONTAINE- Let's talk about the Air B&B, they were originally set out to be and what they have evolved into. Originally was home sharing that they could come in somebody's home and feel what it would be like to be a member of that community, that's what it was designed for, today it's evolved into many hotels. We have properties that are built that are unoccupied and are being used as hotels. Hotels have no business in a residential neighborhood none whatsoever. I want to give the board some legal definition with respect to transients and neighborhood. The Transients generally means something that is temporary. The term is often used in relation to occupancy of a property for rent to others, such as hotels and other places of lodging. A neighborhood means the neighborhood in which the party resides which includes where he moves and circulates and transacts his business and attends church stores mills and mixing generally people. So when people purchase a property and they move into the neighborhood I believe

people expect to have a neighbor next door, not a transient running roughshod. There's a lot of safety issues involved, and we have to look at that and I had one about 300 feet of my property where there was such a disturbance that my neighbor took a shotgun and had to handle it. We had a neighbor that is not occupied property uses it solely for a hotel and the transients the he had occupying and at that time went over to a next door neighbor, a very elderly couple, glaring in the windows, running through their property and startled them in such a degree that the sound came up to the neighbor across the street. You don't have any enforcement provisions over this when they get out of control. You don't have any enforcement power in other words the incident has occurred when you going to do file a report. People who come in here have no respect for the Community they do what they want and there is no repercussion. I believe looking at it; it would violate the Pennsylvania Municipality Code section 105 and 604. I am unalterably opposed to it. I think it would not only violate our Ordinance for several reasons, and it would also violate Pennsylvania Municipalities Planning which overarches what you can do with your Ordinance.

VENTURA SANCHEZ- I have a concern, my concern is the public playgrounds where everybody goes to play basketball, walk around and play baseball.

SUPERVISOR BARTULOVICH- This is in relation specifically to the Zoning Ordinance that's up for debate right now, if we're going to talk about that let's wait for the actual meeting to start. Does anybody have any comment on the Public Hearing regarding the Zoning Ordinance amendment for short term rentals?

KIM BURGESS- Can you restate what the Ordinance is going to be?

SUPERVISOR BARTULOVICH -stated to permit short term rentals in all Zoning districts. That doesn't mean not regulated in a few weeks it just means to allow them in the Zoning Ordinance.

KIM BURGESS- Excellent, thank you because I'm definitely for that, as someone who follows the rules we want to continue that.

RON KERWOOD- Real quick has it been determined that you need to then regulate them, is that the reason that we're having a short term rental referendum on whether we're including or not?

SUPERVISOR BARTULOVICH – This is all this is whether or not they're being included in Zoning. It has nothing to do with actual regulation after the fact, right now; it's a use other than specified or something like that. It doesn't exist in the Zoning Ordinance at all we're simply doing is providing for it somewhere it doesn't exist at all. In order to regulate it we have to put it in the book.

RON WOYTOWICH- I think the biggest problem. I mean, I think you know when proper management of the properties it's done right they can coexist with regular rentals. The problem is you've got 10 or 15% of the people that don't care about how the rentals are managed. So, I think what you guys are doing getting an Ordinance and places great enforcement to be the hard part, I think, for it and having an HOA with rental properties, we have one problem out of 27 that we have in our community.

ROSE STEWART- I think we do need short term rentals because we need it for the economy, give a great boost to our economy. I live in Towamensing Trails and we do

have several houses that are a problem over and over, but basically I've been coming here for over 30 years and it's not really been a problem till recently, so we do need to have short term rentals to keep things going.

PEG DUABLON- Based on what Rose was saying. I don't know who is making money off STR there is no great boom for PFT.

CHRIS MANGOLD- It's really a safety issue as well. The house across the street from me has fireworks all night. I ask the supervisor how you would like to live next to bed & breakfast. I don't think anyone is against properties being rented out but they certainly need to be regulated. There was a property in Towamensing Trails where there was 40 individuals have rented a single home. Other township has done this successfully without disregarding the property owners.

JOHN FONTAINE- There operating as a business and it needs to be zoned in a Commercial District. Our property owners didn't sign up for this. Just put it in a Commercial District and you won't hear a peep out of me.

MICHAEL GALANTINO- Is there any consideration in the proposed Ordinance or the discussion about the ordinance as to how you're going to deal with pre-existing non-conforming uses for short term rentals?

ATTORNEY NANOVIC- stated no not for conforming use there is nothing in the zoning amendments that address non-conforming use.

MICHAEL GALANTINO- I would suggest looking at the legality of that, because if somebody purchased their property for Short term rentals. And I'm not one of those people, but if somebody is using the property if they purchase it as a rental and have been using it that way legally up until now and Zoning Ordinances passed to make that outside of Zoning Ordinances or non-conforming use.

SUPERVISOR BARTULOVICH- which would be understandable, but right now nobody is operating legally because everybody would have to apply for a special exception, given that it's not mentioned at all in the existing zoning ordinance and that's what we are trying to address with this.

EILEEN RUGH-We live full time in TT and we have no problem with short term rentals. The POs or HOAs they don't have enough faith and restrictions that they can enforce. We're looking for guidance from the township and the county. We know you guys are working towards that and that's what we want, more stock or better restrictions. Something can be enforceable.

JIM MADAX- Thank you all for your time I appreciate your time and volunteering. I live in TT full time and I was listening to I believe her name was Rose talking about that we need short term rentals. Because they bring to the economy. But they also bring problems. I would like to know what she's referring to I'm very confused that we need short term rentals with the problems they bring to bring to the economy. I don't understand what she said at all.

SUPERVISOR BARTULOVICH- Were not going to debate each other. The Zoom room is recorded if there's any question about what any specific individual sad we'll be able to review it at any point you guys see fit after it's uploaded.

BEING NO FURTHER BUSINESS, MEETING WAS ADJOURNED AT 7:12 P.M.

MOTION made by Supervisor Meckes, Second by Supervisor Lignore to adjourn the meeting.

ROLL CALL: JK-Yes; SL-Yes; RM-Yes; TC-Yes; CB-Yes **MOTION PASS**

**DANA VITALE
SECRETARY
PENN FOREST TOWNSHIP**

**ROGER MECKES
CHAIRMAN, BOARD OF SUPERVISORS
PENN FOREST TOWNSHIP**