

COOLBAUGH TOWNSHIP BOARD OF SUPERVISORS
PUBLIC HEARING MINUTES
August 18, 2020

The public hearing was called to order by Chairman William Weimer at 6:07pm.

Board Members present:

William Weimer, Anthony Lamantia, Lynn Kelly, Alma I. Ruiz-Smith and Clare Colgan

Board Members absent:

None

Staff present:

Patrick Armstrong, Solicitor, Erin Masker, Township Secretary, Tomas Keane, Director of Codes and Zoning and Thomas Rohan, Code Enforcement/ Zoning Officer

Staff absent:

None

Mr. Weimer stated that in order to insure the public safety and social distancing during the COVID-19 crisis, this public hearing is being held outside on the parking lot of the Coolbaugh Township Municipal Building, 5520 Municipal Drive, Tobyhanna, PA 18466, to receive public comment and to consider and possibly adopt an ordinance amending the Code of Ordinances of Coolbaugh Township, by adding a new Chapter 324, Short Term Rentals, establishing, implementing and adding certain requirements and regulations for short term rental properties within the Township. The public will be given an opportunity to comment and are asked to please state your name and city or community that you reside in. This public hearing is being recorded to aid in the preparation of the minutes.

Public Hearing: Comments on Ordinance #141-2020: An Ordinance of the Township of Coolbaugh, Monroe County, Pennsylvania, Adding a New Chapter 324 to the Code of the Township of Coolbaugh Entitled "Short-Term Rentals", to Provide for the Licensing and Regulation of Short-Term Rentals Within Coolbaugh Township, Monroe County, Pennsylvania; Defining Certain Terms Used Herein; Establishing Application and License Procedures; Establishing Standards for Short-Term Rentals ; Providing for Inspections; Providing for Enforcement Responsibility; Establishing and Providing for Violations and Penalties ; Declaring Violations to be a Public Nuisance; and, Providing Appeal Procedures.

Solicitor Armstrong reviewed the ordinance stating that this ordinance has been in front of the Board for the past five or six months with minor revisions being made throughout. Solicitor Armstrong reviewed some of the definitions as well as the fact that the ordinance will require licensing, permitting and inspections annually by the Code Enforcement Officer/ Zoning Officer. Solicitor Armstrong stated that the proposed ordinance was advertised according to the MPC and second class township code.

Solicitor Armstrong called for comments from the Board of Supervisors and Ms. Ruiz-Smith asked that the public bear in mind that the Supervisors represent them and that they want to do what is in the best interest of the community. She stated that although many may not be in favor of short term rentals, this ordinance will put into place rules and guidelines that need to be followed and stating this will keep properties that are purchased for short term rentals from becoming derelict properties and will allow them to produce tax revenue for the Township.

With no further comments being heard from the Board, Solicitor Armstrong called for comments from the public.

- Rita Roque (AHL) thanked the Board for taking the time to work on this ordinance stating that it addresses many of her comments, but stated that she is still concerned with the enforcement of the ordinance, suggesting that someone within each community be certified to assist with the enforcement.
- Dan Marra (AHL) stated that he is a father of six and is concerned about the health and safety of his children stating that there is overcrowding in the community, speeding and garbage from short term rentals. He stated that there are more visitors staying in short term rentals than the house and septic are able to handle and is concerned that many communities are now filled with these businesses.
- Lorraine Krauss (SLCA) asked if a bedroom would be identified as a room requiring a closet and stated that there needs to be rules and enforcement on fireworks as they have in Pocono Township. Mr. Weimer responded that there is a minimum square footage requirement to constitute a room being considered a bedroom.
- Karen Holm (PSLE) stated that no business wants to be regulated and pay taxes, but stated that due to the noise, garbage and environmental impact from short term rentals, these should be held to the same standards of fees and taxes as a regular business. She stated that the ordinance sets forth the guidelines for owners and tenants and would like this ordinance adopted.
- Rob Holm (PSLE) stated that this ordinance is overdue and asked for clarification on day guests in section 324-10 and asked if the number of guests exceeds that number allowed in the residence would that owner be in violation, being advised by Solicitor Armstrong that they would.
- Dave Osika stated that he is surrounded by short term rentals and that they affect his quality of life, He stated that there are new guests every few days and that they are never sure if they are going to be good neighbors or a problem. He stated that he is concerned with them knowing the rules of the community as well as having to make sure that they do not come on his property. He stated that there is no density requirement and without that they can essentially take over the community. He would like to see a requirement on a maximum number of rentals per community, stating that they continue to grow and are ruining the community.
- Barbara Patterson (AHL) stated that the ordinance is very well thought out and stated that the definition of violation and rental need to be defined. She asked about the process for reporting a problem property asking if the enforcement officer will be available at all hours of the day as these issues are ongoing throughout the night. She is concerned with the requirement to know the owners name and address to report an issue as many homes are owned by companies. The environmental impact is also a major concern stating that there are issues with septic systems, noise and cars all the time. She thanked the Board for adding motor homes in the ordinance as they have been an issue in the past as well. Solicitor Armstrong stated that a complaint can be made in a timely manner, after the fact by phone, email or stopping by the office, stating the enforcement officer will investigate and take the proper action based on the findings. Solicitor Armstrong stated that the owners are still required to follow all zoning and building code requirements to comply as a residential dwelling so if there is something that is not listed within this ordinance, it is still required through another ordinance or the building code. This is a standalone ordinance to capture this specific use. He stated that if there is a crime being committed at any time on any property, call the police.

- Miriam Coughlin (AHL) asked if there is a limit on how many times an individual can rent their home, stating that during COVID 19 properties are having guests check out at 11am and new guests arriving for 3pm to check in, stating that even hotels have 48 hours in between sanitizing and the next check in. She stated that the community bylaws say no businesses, but these are businesses and all rules should apply.
- Tom Filla (AHL) congratulated the Board on the ordinance stating that he would like them to consider all the questions and comments before making a decision. He stated that the quality of life is affected for those that are near short term rentals which should be considered. He questioned the revenue that would be produced by this ordinance to purchase firetrucks and road improvements asking that the Board does not sell the community short as they have something to offer. He also requested that short term rentals be called off during the pandemic as people are traveling into the communities from hotspots including Philadelphia, New York and New Jersey. He asked for clarification on the room listed in section 324-10 that must be 120 sq. ft. stating this could be a room for additional bunk beds and more people. Solicitor Armstrong stated that this would be a required room in addition to the bedrooms which would not be used for sleeping.
- Mike Peterson (SLE) thanked the Board for their work on the ordinance and asked that they keep in mind the environmental impacts from short term rentals. He stated that there are many lakefront properties and he hopes that the lakes will not be ruined.
- Jerry Spano (PS) cautioned against population centers, stating that people can be bringing in the COVID 19 from anywhere and that this should not be addressed in the ordinance as it can be contracted from anywhere. He also stated that if a community has security they should be handling the issues and that the responsibility should not fall on the Township.
- Heidi Pickard (Pocono Mountain Realtors Assn) stated that the realtors association is thankful to the Board for the ordinance and stated that if it was in affect sooner, some of the issues that have been faced throughout the past year could have been avoided. She stated that there are usually a few problem houses and the rest are good, stating that Middle Smithfield is doing a good job enforcing them. She stated that the Board of Realtors would like to meet with the homeowner associations for a zoom meeting on October 8, 2020 at 10am to discuss ways that they can help with amending bylaws and assist with short term rentals within their communities.
- Jo Lawley (SLCA) stated that she has been in the Poconos for five years and thinks that this ordinance is great. She asked about the revenue generated from this ordinance being advised by Solicitor Armstrong that it is not a revenue generating ordinance as the Township will be hiring an enforcement officer to enforce the rules set forth. She stated that the security in her community has changed and there is a now lack of protection, also stating her concerns about the amount of cars and the amount of bedrooms that homes are advertised as versus the amount on the record at the county. She thanked the Board for stepping up to protect the residents. Ms. Kelly stated that if a home is advertised as having more bedrooms than reported to the assessment office; once the inspection is completed the assessment office will be notified of the discrepancy.
- Miriam Coughlin (AHL) asked about the requirement for septic pumping at short term rentals stating that they have higher use than regular homes and that they should be required to pump more frequently. Ms. Kelly stated that there is a Township ordinance that requires pumping and inspection and if at any time the system is pumped and inspected it requires more frequent attention it will be required. Ms. Ruiz-Smith stated that the

SEO and DEP will be brought in on any problem properties and they can face additional fines and penalties when not in compliance.

With no further comments being heard, Solicitor Armstrong closed the hearing at 7:00pm, stating that Ordinance #141-2020 is on this evenings meeting agenda for consideration by the Board of Supervisors at which point they can take action on it if they choose.

Submitted by: _____
Erin Masker, Township Secretary

Witnessed by: _____
William Weimer, Chairman

Date: _____