

COOLBAUGH TOWNSHIP BOARD OF SUPERVISORS
SHORT TERM RENTAL ORDINANCE WORK SESSION MINUTES
April 29, 2023

The work session was called to order by Chairman William Weimer at 2:00pm at the Pocono Mountain Public Library located at 5500 Municipal Drive, Tobyhanna, PA.

Board Members present:

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

Board Members absent:

Cara Rogan

Staff present:

Patrick Armstrong, Solicitor, Meredith Thompson, Business Manager, Tomas Keane, Director of Codes and Zoning, and Clinton Oddy, Code Enforcement Officer

1. Public Comment

- Chairman Weimer announced the following:
 - Per Resolution 11-2018 Establishing a Code of Ethics and Conduct, public comment may be limited to three minutes.
 - The Board of Supervisors is reviewing and accepting comment on the Short Term Rental Ordinance in an effort to address new health and safety concerns, specifically regarding the frequency of on lot septic inspection/pumping and the restriction of holding tanks.
 - The Board of Supervisors does not intend to change or address the occupancy limits currently in the Short Term Rental Ordinance.
 - Coolbaugh Township's Short Term Rental Ordinance is separate from the ordinances enacted in Tobyhanna Township.
 - Service Request Forms are available for residents with concerns or complaints regarding specific properties.
- Peter Waterkotte, Arrowhead Lake, read a statement addressing the Township's concerns with failing septic systems and requested there be no changes to STR occupancy limit for properties on public sewer. His statement requested an increase in fines and enforcement of the existing ordinance.
- An Arrowhead Lake Resident thanked the Board of Supervisors for reviewing the STR ordinance and addressing the issues with STR septic tanks.
- Joelle Waterkotte, Arrowhead Lake, asked the Board if public sewer systems are an option elsewhere in the Municipality, being advised by Chairman Weimer that the current Act 537 is being reviewed. J. Waterkotte asked if the proposed ordinance changes affect STRs currently on public sewers. Solicitor Armstrong responded that the proposed ordinance addresses on lot septic systems.
- An APCP Resident asked if the Board would be addressing concerns with failing septic

and sewer systems in long term rentals and permanent residences. T. Keane explained the current requirements for all properties with on lot septic systems. Supervisors Ruiz-Smith explained that sections of APCP are on community sewer with gravity flows.

- Miriam Coughlin, Arrowhead Lake Resident asked how the proposed annual inspecting/pumping requirement would interact with Arrowhead Lake's three year requirement, being advised that the Township's enforced frequency would apply to STR properties.
- Janeen Schoeneman, APCP Welcome Center Manager thanked the Township and Code Enforcement Officer, Clinton Oddy, for their STR enforcement as the number of STR properties has increased over the past years. She detailed instances where property owners were violating the STR permit requirement in the community.
- Peter Waterkotte, Arrowhead Lake Resident commented on high instances of e coli contamination and lake closures in communities and stated that annual septic inspections/pumping should be required to protect the water tables.
- Jim Wells, SLCA Resident stated that most STR owners voluntarily inspect/pump septic systems annually as a precaution. He asked if the STR inspection process would change based on occupancy. T. Keane explained that it will be the same inspection process with higher frequency.
- An APCP Resident commented on the high volume of STRs and concerns about the availability of haulers / septic companies in the area.
- Joelle Waterkotte, Arrowhead Lake Resident commented that ground absorption changes over time.
- An Arrowhead Lake Resident asked if on lot septic inspections are required when the property is sold, being advised by Solicitor Armstrong that this discussion is related to the STR permit process only.

2. Discussion on Short Term Rental Ordinance

- Chairman Weimer requested input from those in attendance regarding the pumping frequency requirement.
 - A Riverside Estates Resident stated he is an STR property owner that has his property inspected/pumped annually as a precaution.
 - Peter Waterkotte, Arrowhead Lake Resident stated that septic systems may function correctly for 30 years and that perc testing should be required for resale.
 - An Arrowhead Lake Resident stated that he is in favor of the annual inspection/pumping requirement.
 - Donna Slagle, Realtor, stated that the on lot septic requirements should be the same for STRS, long term rentals, and regular residential properties.
 - Ricky Cortez, Arrowhead Lake Resident recommended the Township coordinate with the Pocono Mountain Visitor's Bureau for statistical information related to STRs.

- Chairman Weimer stated that the overall consensus is that on lot septic inspections/pumping for short term rentals should be required annually.
- Joelle Waterkotte, Arrowhead Lake Resident asked if there will be a delay in permitting based on the volume of properties. Chairman Weimer stated that there is a vacant position in the Codes and Zoning department at the Township. T. Keane explained that on lot septic inspections are performed by third party contractors and not the Township.
- Chairman Weimer stated the Board of Supervisors is not in favor of allowing properties with failing septic tanks that may require a holding tank to operate as short term rentals.
 - Joelle Waterkotte, Arrowhead Lake Resident asked what happens to properties with failing septic systems. Solicitor Armstrong stated that all requests for holding tanks are subject to approval and conditions by the Board of Supervisors. The update to the STR ordinance would prohibit properties requiring a holding tank from approval of an STR permit.
- Chairman Weimer stated that the Board of Supervisors is also considering minor changes to the Short Term Rental ordinance, including changing the word "license" to "permit" and adding a rolling calendar date for the permit expiration, as opposed to the firm date in the original ordinance.

3. Adjournment

There being no further business, a motion was made by Chairman Weimer and second by Supervisor Colgan to adjourn at 2:59pm.

Submitted by: _____
Meredith Thompson, Business Manager

Witnessed by: _____
William Weimer, Chairman

Date: _____