

Jim Thorpe Planning Commission
October, 17, 2017

Meeting called to order: 6:32

Roll Call: Joe Micko, Dr. Clem McGinley, Lou Hall, Nancy Porambo, Joanne Klitsch, Maureen Sterner, Borough Manager

Missing: Jolene Evans

Visitors present: Matthew Boggs, Entech, Andrew Roberts, Jake Arner, Michael Rifkin, Mike Kafkalis

Approval of Minutes: Joe motioned, John seconded. All in favor, motion carried.

Hearing of Visitors

VRBO/Air B&B – Michael Rifkin. Communities try to manage them. Recognize not trying to restrict. Challenge: Multitude of unregistered businesses actually drain resources. Not all paying sales and lodging tax. Things like safety requirement on buildings, egress, fire safety, not subject to that under present guidelines. For historic district, parking. Businesses are mandating these things. PA has guidelines for short-term rentals. We expect these things. We will be consistent.

Lou, we already are on this and are trying to address the issues and once we hear back from our attorneys, we can apply the same standards as other communities. What would enforcement be, Lou, the same as the B&B's if they didn't comply.

John, short-term rentals, let's just classify them all. Maureen, no. We don't want to hurt the B&B's, they go through zoning. We don't want to convert a B&B to a VRBO. John, everyone then, should follow the same rules.

John, we need to know they're short-term rentals. We have to figure out how do we handle parking? If they're not in the system, we need to register them. We need to know who's in those dwellings downtown.

Michael, we are already on the books here in town. Some of the long-term, established properties can have a standard compliance rule. One of the major problems is parking, residents are up in arms. Maureen asked where did Michael find the state's guidelines on this issue, Michael presented her with a copy. It came from the hotel tax? They give a definition of short-term rentals.

John said our terminology has to be changed so there is a better definition. We don't want people working around it. Maureen said Monroe County has challenges. They tried to come in and shut down the VRBO's, the judge made the decision that it didn't fall under zoning. The township lost because they only rented on weekends. Air B&B and VRBO's have large pockets. They offer a flat fee for taxation, we'll send you a check every month. What % of gross sales, typically, it's not enough.

Doyle Heffley is sponsoring legislation on sales for VRBO's and B&B's. Doyle is on the side of managing it. We expect it to happen very quickly.

Jake Arner – storm water ordinance mentioned. He just wondered what the progress was and if it's available. Maureen can mail it to him. It's just enforcement. She had it in as a misdemeanor. It has to be a summary offense. Nothing else is being changed.

Jake has a deposit on the lot, his concern is having them meet the law. Storm water was already designed and approved by JT and the conservation for the lot.

Kuhn Reverse Sub-Division – Mike Kafkalis took an 18 acre lot and split it. Created 1974. Rosemary Kuhn bought in 1974 from NE Land Company. They're taking the rest of Rosemary's land, each son is getting half. The property line is new. It's a sub-division and a reverse sub-division. Maureen, there are four parcels going into two lots. Both lots had 100 foot, then added 25 ft. The four lots cut out prior, done prior to zoning or any ordinance. Predates any ordinance and are grandfathered in now.

Maureen said it falls under major sub-division. For the future, we should have it labeled correctly. Lou, it should be listed as a major sub-division. The terminology has to be changed. It doesn't affect our decision. The engineer had a few things of concern, it had to do with run-off or to not the flood plane. Maureen questions, for records, should they be requesting waivers for each of these sections. Has Planning ever dealt with this, Lou, yes. We've had waivers from the Saldo. Lou, it won't require zoning. No other comments from the PC. Maureen, we can give conditional approval upon receipt of the engineers letter. Mike requested two waivers, minor to major sub-division and all lots have septic systems or wells. He is addressing the letter.

The engineers letter states, C2 zone, we know that, special exception is needed, it had business and commercial use since 1974. Maureen, no expansion, there is no issue here. Set-backs, Michael showed on drawing, if any additions, they can use those guidelines. Entech Matt, they typically show the set-backs. Mike, they added an affidavit for both to the plan that this is being done and they agree to that. The plans identified FEMA flood information. In no. 5, they are asking for a waiver for the contours. It shows the lay-out of the property, Robertson creek property down below. They have two creeks and come back together near flood plane. CC recorder of deeds block was added to plans. No. 9 asked for a waiver, Maureen said none needed there. Lou, are these the revised plans, Mike, yes. These need to go to Maureen to Council. They need them marked "major sub-division" and also the one waiver on topographic contours. Also need a signature after the ownership.

John makes a motion that we give conditional approval based on the markings, indicated above, the waiver on topographic contours and the signatures. Joanne seconded, all in favor, motion passed. Mike will also attend the next Council meeting.

Kalavoda Minor Sub-Division – John Shupp had another meeting and could not be here. Entech Matthew reviewed and had only one comment. Matthew stated on the notes on the minimal building set-backs, footage noted, side-yards need to be 50 ft. or they need to make one 25' and one 30'. We are not sure who owns the second lot. We want to be clear as to who owns the properties. The notes need to be revised and there needs to be revision as far as the set-back. No other comments from PC. A recommendation was made for conditional approval upon making corrections listed by the CC Planning Commission and correction of set-backs. John made the motion, Clem seconded. All in favor. Motion passed.

JT Market - Todd Mason made some revisions on the Market plan for the distributor/liquor store, they will have to move the sewer line. His engineer and Entech Matt are going over everything. He can come to the November meeting. They found a retaining wall around the hill. There was a nice, rock face and they didn't want to put up a retaining wall. Entech had no problem, but we needed documentation. We don't want the liability to be put on the Borough. The responsibility would fall on the developer.

Leisureland Readdressing – Lou can help. Joanne, Lou, Joanne, Kyle. We will look at this after the holiday.

Downtown Permit Parking – Clem, we did all we can at this point. He sent summary of meetings to Lou. He revised the list of properties. Mr. Rifkin addressed there are a number of VRBO's not on the list. On West Broadway, those properties listed as residential. There are 45 properties that are questionable. Someone owns them, most live out of area. Are they rentals, residences? He went through copies. There are 22 known B&B's, not all are registered. Maureen, registered, known B&B's. Clem, those known to be B&B's and many others are known. Many are not on the tax-roles. Ten are apartments, not classified as B&B's. Eighty-eight properties are residential. Lou, we will have to do something about VRB's and have them apply for a permit. We can establish them as such. Nanovic will have to be involved in determining requirements, we can establish what we have and address parking.

Lou and Clem will ask for a meeting with Nanovic. Maureen, we need to have them register for permit parking and that's how we will know who they are. Michael, some of the communities have mandated a short-term registry. There is a fine and if they're not on the list, you are fined per day. If we need to do a modification, they we do so. Andrew stated that all should have as many parking spots as they need to. Everyone who as a 30 day lease or owns the property, they can have stickers. Clem explained what the tentative plan was. Temporary placards can be established. This is more work for downtown. We can have timed parking, permit-parking only. We have to first find out who we're dealing with.

Borough Park Planning – Joe, he was hoping to find an outfit that does installation and sells equipment. The one he found didn't seem to help. He wanted to ask those who put in these things, if they would give a cost for replacement. Maureen said the playground equipment is not that old. Joe said he tried to contact someone who is in rehab and see how to make it more handicapped accessible. They will discuss at the next budget meeting this week, the cost of removing trees in order to put in new trees. Lou, can we make a recommendation from PC to Council to provide some funds for improvements. Joanne, she would like to suggest that the buildings we rent out, we need to get rid of the equipment. John, the building committee is sub-standard, bathroom is vandalized.

Downtown Parking Study - County Chambers, Pocono Vacation Bureau are contributing and we are putting in \$5,000. John said we will be talking about this soon and will discuss how they deal with parking. John and Clem are on the committee, the railroad people will be guests, JT Tourism representatives will also be there. John will have an update for the next meeting.

Railroad Communications Tower – Nanovic is checking on this. Doesn't look like there will be any changes.

Motion to adjourn – 7:50 p.m.