JIM THORPE BOROUGH ZONING HEARING BOARD MEETING MINUTES

January 26, 2023 Jim Thorpe Memorial Hall

Call to Order

Time: _____6:32 pm_____

The was a delay to start because of hearing one 1112 Broadview Drive.
The solicitors, representing ZHB, JT borough and applicant discussed members and delay for some time. Kurt Jackson had been a member of HOA and was recusing himself leaving 4 members to vote. A tie would be loss for applicant and so a lot of back and forth about a continuance, a new date ETC.

Pledge of Allegiance
Roll Call of Board Members and Officials

	Present Y/N
James Igoe, Secretary	____No_____
Kurt Jackson, Member	____Yes_____
Roxanne Long, Chairperson	____Yes_____
Eli Skrimcovsky, Vice-Chairperson	____Yes____
Michael Huber, Member	____Yes_____
Andrew Roberts, Alternate Member	____Yes____

Approval of Minutes and Agenda

1. Request approval of the minutes from the meeting held on November 17, 2022.
   Approved unanimously

Reorganization:
Motion Kurt Jackson President -Unanimous
Motion Eli Skrimcovsky Vice Chair - Unanimous
Motion James Igoe Secretary -Unanimous

**Attorney Matthew Schnell, Zoning Officer Alexis Wilkinson was present to answer questions. JT Borough Solicitor Jim Nanovic was present until the end of the first hearing.

First (1st) Hearing- ***This has been continued three times. The first continuance is from October 2022, the second is from November 2022 and the third is from December 2022***

Names: Brian Sargent and Mandy Kane (property manager)
Property Address: 1112 Broadview Drive Jim Thorpe, PA 18229
Purpose: The applicant is requesting a variance to allow a Short-Term Rental (STR). In addition to the original variance request, the applicant also seeks (1) A vested right by and through its operation as a permitted use of a short-term rental, being operated and used prior to the effective date of 500-50-.2(C), on or before 3/11/21. (2) Variance by estoppel and/or vested rights theory. (3) Reserving additional right to amend the application further. The property is located in the R-1 Zoning District.

Attorney Schnell Explained to Audience this will be continued.

The Continuance Hearing was announced for March 8, 2023 @ 6:30 pm. Attorney Ettinger waived the MPC timeframe since further continuance would occur outside of the prescribed 60 days.

Audience expresses unhappiness about this.
Three Audience member asked questions,
1 first unknown
2 Police Chief Joe Shatz
Spoke to manager and zoning officer, why can't this STR be closed
3 John Mcquire,
Questioning why Michael Huber is not recusing himself.
Attorney Schnell tells audience that the ZHB has no say in enforcement.

Brief recess to clear room.

_____

6:42 PM back in session

Second (2nd) Hearing-

165-167 W Broadway
Brian Seitz

Seeking special Exception for 5 STR.

Attorney Schnell Enters exhibits. 1-3

Back and forth on original denial letter about parking space sizes, this has been solved
According to zoning officer

Brian Seitz
Wood working first floor, retail second floor. Has received conditional use from borough
Rear door must be fire exit only.

Kurt clarifies parking requirement meet long term and short term rentals.
Square footage, 1000' per. 2 Bedrooms each.
Any changed made for in/out for cars, need for PENNDOT HOP, answer no.

Andrew asks if there is any outdoor space available for guests.
Answer no outdoor except sidewalk
Asks if all 5 units could be rented together, 20 people show and create a party.
You are in Tamaqua? No live in Nesqehoning.
So you could be here if needed.

Audience
James Dougher Property Owner 169 Adjacent Lived there 9 years.
Will miss neighbors. Would like a denial, asked for 5 long term variance.
Approved that, now want 5 STR in R4. 500-17 high residential density.
Creates transient. 171 also owned by James and is STR, max 6.
Adults only, spends time w/ guests. No parties.
165 would be largest STR w/ no manager on site.

Max guests 4 per unit but 4 guest, 40 people. Mini hotel.
3' away from house.

Curtis - Would James object to 5 long term, answer – no.

Schnell- Would James want some smaller number of STR, Answer no.

John Mcquire Size of parking spaces? 10 cars?
ADA parking required?
Answer From Seitz, new drawings show correct size and can accommodate ADA
Answer from Alexis, sizes amended and correct.

Ken Hoffman, Lives 131 W Broadway, STR 155 W Broadway
B&B
Owner 9 years, full time 2 years. Concerned for Sietz No outdoor space
Smoking cigarettes, by my window, loitering in church parking lot.
Across from my B&B no manager, too many cars too many people
Full time would be great - no STR
20 people up/down street. If on site OK but no one on site.
155 W broadway has rear yard for visitors.
5 long term rentals would be OK. Would like no STR.

Jim Weston 104 W Broadway
Has no STR, concerned about parking, no on site manager.
Extra cars. Manager, should be on site.

Alexis Wilkinson Email from Neighbor, James Kuhnert 168 W Broadway
Concerned about parking, can str guests get permits?
Kurt – James, can Seitz apply for STR parking? Answer no.
As long term rental he could Answer yes

Schnell – Seitz
Any way to address parking? You are providing 10
Any way to prevent excess parking?
Seitz will meet requirement.

Recess for Executive session
Andrew Roberts Motion, El Skrimcovsky Second.

Back out of executive session reconvened 8:02

Motion made by Eli Skrimcovsky. Motion to Approve all 5 units with the condition that the Max. Occupancy of 8 persons consists of no more than 4 adults & 4 children

Kurt Jackson, Member	____No_____
Roxanne Long, Chairperson	____Yes_____
Eli Skrimcovsky, Vice-Chairperson	____Yes____
Michael Huber, Member	____Yes_____
Andrew Roberts, Alternate Member	____No _____

Motion to adjourn 8:08 pm..