

**PLANNING COMMISSION
BELLEFONTE BOROUGH
MEETING MINUTES**

August 12, 2019 – 5 p.m.

236 West Lamb Street, Bellefonte, PA 16823

www.bellefonte.net

CALL TO ORDER:

The August 12, 2019 meeting of the Bellefonte Borough Planning Commission was called to order by Chair Robert Dannaker, at the Bellefonte Borough Municipal Building at 5:00 p.m.

PLEDGE OF ALLEGIANCE:

MEMBERS PRESENT: Robert Dannaker, Chair
James Mills, Secretary
Mark Edwards
Dallas Gallo

ABSENT: Nathan Day

STAFF MEMBERS: Shannon Wright, Zoning Administrator

GUESTS: Don Holderman
Joanne Tosti-Vasey

APPROVAL OF THE MINUTES:

The April 8, 2019 meeting minutes were presented for approval.

Mr. Gallo moved to approve the minutes of the April 8, 2019 Planning Commission meeting.
Mr. Mills seconded the motion.
Motion carried.

LAND DEVELOPMENT ACTIVITY:

Gamble Mill Lot Addition

There appeared to be an error on the total number of acres on the plan. This will be checked. It is difficult to see the existing Borough lines on the plan. Mr. Holderman gave a brief history of the parcel. The IDA is currently the owner of the property. One of the prior buyers wanted some of the additional land to the right of the building. The deeds were confusing, and Nittany Engineering and Wayne Engle worked on the plan. The idea was to clean it up and give the parcel to any potential buyer because it was in the best interest of the Borough to get the Gamble Mill out of bankruptcy and back on the tax roll.

Seda-COG has some sections of the right of way. It was clarified that Seda-COG owned the parking lot. The new sidewalk was discussed. The sidewalk will remain. There is an agreement with Waterfront Associates that it needs to remain some capacity. The developer received a multi-modal grant to put the road back in as well. This will be part of the development. Lamb and High Street will be connected.

The equipment in the millrace was discussed. The existence of a right of way on paper at Dunlap was discussed and Mr. Dannaker offered that everything seemed to have been done with a handshake and may not be held to in perpetuity.

The plan at hand, as explained by Mr. Gallo will not show all the details of a land development plan. The intent of the plan is to show a change of hands without putting all of the land development details onto the plan.

Mr. Holderman stated that if changes needs to be made to the replot plan, they can be suggested. The property itself, already owned some of the road, so Ms. Wright explained that the Borough is not “giving” them anything that they did not already own. There is a 12-inch water line which would give the Borough an easement for utility, per Mr. Holderman, regardless what they would want to do with the road.

(talking amongst members)

Ms. Tosti-Vasey stated that she recalled when the surveyor came in the actual lines were drawn where they were supposed to be, and not actually where the road was. The vacated roadway was discussed and the procedure for turning it back over to the Borough. A note was on the plan that indicated that was a “realignment” of Dunlap Street.

Mr. Edwards moved to approve the plan, conditioned upon reconciliation of the numbers as discussed.

Mr. Gallo seconded the motion.

Motion carried.

(Mr. Holderman departed the meeting at this point)

PLANNING AND ZONING ISSUES: None.

OLD BUSINESS:

Height – Waterfront Business District – Request Withdrawn

The developer withdrew this request.

Short Term Rentals (Airbnb's)

PC addressed the issue of short-term rentals. The Lancaster County Planning Commission short term rental regulations were presented to PC members for review. The regulations are very well thought out and give good definitions. The Borough at present, does not have definitions for the various types of rentals. Ms. Wright would like to see that added. She is currently stuck with the current definition for “rental permit” with no variations, short term, long term, etc. Bed and breakfast rentals must be owner occupied. The short-term rental scenario, the owners usually vacate.

Ownership on the premises was discussed. Mr. Gallo does not like the idea of non-owner-occupied short terms rentals in the neighbors. People take care of their homes and live in them and would not be happy to see non-owner-occupied rentals for the weekend, getting all partied up and had no owner present.

One of the options requires a “manager” being around during a certain time a certain instance from the home. There are limitations on persons occupying the rentals and additional occupants during the daytime hours. Complaint to the police would regulate the violations. This can also be regulated by parking restrictions.

Currently, Centre Region Code monitors the Borough rental units and they do have occupancy limits based on bedrooms, square footage of house, etc. Ms. Wright does not know if Code would be able to enforce it on this level.

Ms. Wright indicated that the Borough could require owner occupied rentals, if it is going to be a short term stay in a neighborhood. She also offered that short term rentals in commercial may be considered differently. PC discussed the Gamble Mill, and if it would be owner occupied or be allowed to not be owner occupied. The mill has proposed short term rentals on the upper floors.

B&Bs are broken down to establishments with 5 or less guestrooms, 9 or more, etc. Mr. Gallo offered that the Borough needs to create a different ordinance other than the B&B. If they are going to permitted, they need to have regulations.

Mr. Dannaker offered that the B&B regulations discuss breakfast and no other meals. A short-term rental that has several rooms and serve a meal would be considered a B&B. The definition of the hotel compared to what the Gamble Mill proposes to do was discussed. The hotel use at the waterfront area is a permitted use.

Parking was discussed briefly relative to B&Bs. Football rentals will be happening soon in the Borough and is more of an issue than some people realize, per Mr. Gallo.

Ms. Wright stated that certain regulations could be created for certain zoning districts, i.e. permitted in R-2 but not in R-1, etc. At present, they are allowed anywhere by default. Council can take this issue up under the zoning section of the agenda, and they can be told that PC would like to have Council's thoughts on what direction they would like PC to take, per Ms. Tosti-Vasey.

Ms. Wright suggested at least drafting something initial up, as far as definitions, and thoughts of what PC would like to do. The sample draft at that the table picked up points that could be addressed, per Mr. Dannaker.

Ms. Wright preferred having the same rental permit no matter if the rental is short term or long term because that is established. Safety issues would need to be addressed per Mr. Gallo.

Taxes were discussed. Airbnb is required to submit taxes in Centre County. Money collected from the customer includes taxes and is remitted to the County per Mr. Dannaker. If you rent from another short-term rental site, that may not happen.

A work session will be scheduled after a draft/model ordinance is crafted. For the September meeting, each member will compile ideas and bring them back to the table.

Incinerators/Crematoriums

Council wanted PC's opinion on the allowance of crematoriums in the Borough. Ms. Tosti-Vasey stated that there was concern about the noxious emissions. Council would like to make sure that any future crematoriums come into the Borough, they are placed in the heavy industrial areas. Council is looking to update the air pollution ordinance as well.

The complaint about fire pits at the last Borough Council meeting was discussed briefly. The ordinance needs to be updated to protect the residents well being in the Borough from contaminants that may be put into the air, i.e. fire pits, crematoriums.

The definition of crematoriums will be added to the incinerator section of the ordinance. A future funeral home may still exist or come into the Borough, but the crematorium area of their business would have to be located in the industrial area. There are some

regulations in place relative to crematorium but there are some items that are not regulated, i.e. mercury.

Ms. Wright discussed a full ordinance review. The last update was done via committee, per Mr. Gallo. There were several meetings that took place to accomplish this. He does not remember exactly who was involved in the re-write.

Discussion was held on how to tackle the ordinance re-write. Mr. Gallo believed that something needs to be addressed sooner than later with regard to the Airbnb short term rental situation due to the nature and size of the issue in in the Borough. Resident as well as Bed and Breakfast owners are not happy with the short-term rentals in the Borough.

NEW BUSINESS:

The status of the PC member listing was discussed. The ABC application process was discussed. The addition of alternates was discussed.

INFORMATION ITEMS:

Nothing presented.

ADJOURNMENT:

Mr. Gallo moved to adjourn the August 12, 2019 Planning Commission Meeting.

Mr. Mills seconded the motion.

Motion carried.

Meeting adjourned at 6:23pm.