

**PLANNING COMMISSION  
BELLEFONTE BOROUGH  
MEETING MINUTES  
December 9, 2019 – 5 p.m.  
236 West Lamb Street, Bellefonte, PA 16823  
[www.bellefonte.net](http://www.bellefonte.net)**

**CALL TO ORDER:**

The December 9, 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  
Dallas Gallo  
Chris Morelli

**STAFF MEMBERS:** Shannon Wright, Zoning Administrator  
Ralph Stewart, Borough Manager  
Don Holderman, Assistant Borough Manager

**GUESTS:** Joanne Tosti-Vasey  
Ted Conklin

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**APPROVAL OF THE MINUTES:**

The minutes were presented for approval.

**Mr. Gallo moved to approve the minutes of the November 12, 2019 Planning Commission meeting.  
Mr. Mills seconded the motion.**

The way Dunlap Street was discussed in the minutes was questioned. After consideration, it was deemed acceptable.

**Motion carried.**

**LAND DEVELOPMENT ACTIVITIES:**

None.

**OLD BUSINESS:**

**Zoning Amendments re: Waterfront Development – Approved by Council**

Council approved the zoning amendments proposed by the developer of the waterfront. There were a few minor changes from what PC saw at their meeting. The definitions were added that the County suggested and one more intent was added from the regional master plan for the waterfront district.

Council removed the 90% impervious language and a sentence was added that stated that pervious pavers shall not be counted towards impervious coverage surfaces and shall not be used in such calculation of impervious surfaces. This was acceptable to the developer.

**Short Term Rental Regulations**

Ms. Wright made the edits requested by Planning Commission. She added the insurance requirements and everything else remained consistent with discussions.

Nuisance properties would apply to all rentals and short terms rental regulations would apply to short term rentals. Another topic discussed was the rental housing code and that covered a lot of items that govern rentals. Anything being rented needed to be inspected and permitted.

Mr. Stewart attended a realtor meeting recently. State College Borough and other local Municipalities are hiring Host Compliance to track the short-term rentals. They have systems in place that can track the homes that are being advertised as short terms rentals. This will be used for enforcement. Ms. Wright discussed the potential to share the use of Host Compliance or another like organization, since the unreported short-term rentals are affecting the entire region.

Mr. Dannaker inquired if the draft was acceptable to move forward to Council for review and approval. Ms. Wright discussed the fee and separate application that would go directly to the Borough so that the Borough would have an application and Code would have an application. This could be added to general recommendation for Council review.

Mr. Stewart stated that fee resolutions could be done at any time. The short term have varying fees between \$20.00 and \$25.00. Some require annual fees others require only for new application or change of ownership.

Ms. Wright discussed the definition of hotels and bed and breakfasts briefly. There are no insurance requirements on the long-term rentals. College Township is the only municipality that requires proof of insurance. The insurance is a good measure, per Mr. Stewart. It helps to assure that the properties will be taken care of in the event that something happens to the property during a rental period. Mr. Dannaker concurred.

The definition of an inn was discussed as compared to a bed and breakfast. The B&B would be in a residential district, per Mr. Stewart. The Code permitting process was discussed. Mr.

Stewart stated that Code is using the individual municipal codes for each municipality. A permit for a normal rental unit are virtually identical. There are a few different nuances. The Airbnb type of rental is a new issue and all of the municipalities are trying to make sure that something is on the books to cover it. Ms. Tosti-Vasey researched definitions for inns and B&B and offered that they should be individually defined.

Centre Region Code's involvement in short term rental enforcement and permitting was discussed. Code has a separate fee and that covers their inspections. The fee that the Borough would charge, if they decide to do that, would cover the Borough review of the application. Ms. Wright suggested having a Borough fee for all rentals, not just short-term rentals.

Other fees in the Borough were discussed, like land development fees and the payment of fees to the Borough and others for reviews of those plans. Mr. Morelli suggested including the fee with a separate application for long term rentals. There are administrative duties involved with long terms rentals as well. At present the only fees that are paid right now go to Code. Reviewing rental permits is one of the more time-consuming items that is done in the zoning office, per Ms. Wright. It would make sense to take a fee for this task.

Ms. Wright can get sample applications from other municipalities to compare and craft the Borough's own application. The application could have check boxes but be ultimately the same for short- and long-term rentals. The additional requirement for proof of insurance would be added to that Borough application.

Code requires an application for increase or decrease in units, change of ownership and a new rental permit. This is renewed annually with Centre Region Code. The Borough fee used to be an annual fee, per Mr. Gallo. Right now, the annual fee is being paid to Centre Region Code. Monitoring the time for submission of fees would be covered with Centre Region Code. If the fee is just to the Borough, Ms. Wright believed that Code would accept it and send it along to the Borough.

Mr. Stewart suggested checking with the other municipalities to make sure that the Borough is not over charging or under charging the fees and any fees incorporated are fair.

Planning Commission preferred to have everything together for recommendation prior to moving it to Council.

### **County Planning Review Process**

Planning Commission discussed the County's review process of plans and the thoroughness of their reviews. Mr. Dannaker wanted PC to see how far they go into the Borough zoning regulations and call out things that may be missed.

The waterfront closing is scheduled for December 19, 2019 per Mr. Stewart. The zoning amendments were recommended for approval at the last PC meeting as well the preliminary land development plan. That has all been approved by Council. The stormwater review process was discussed.

Stewart concurred that the County does do an excellent job in reviewing plans for the Borough.

**NEW BUSINESS:** *(this topic was discussed at the top of the agenda)*

**Waterfront Business District Section Update Request**

Information was provided to PC members regarding requested changes to the district. Mr. Conklin appeared before Council a few weeks ago inquiring about some of the language in the Waterfront Business District section of the Borough ordinance. Stewart stated that a meeting was held with the Conklins and reviewed the current language that is in the ordinance. There are some things that need to be clarified or were omitted from previous amendments.

From 1992-2007, it was the Central Business District and there was no Waterfront Business District. The previous CBD had Inns as a permitted use. The Conklins inquired about Bed and Breakfasts. In the commercial district there are a few homes that are in the business district which could be converted into an inn. Inns were left out of the waterfront business district when that change over occurred.

Another example, the old business district did not allow for first floor living quarters. This was allowed if the building was exclusively used for a residential use, not commercial or office use. Some of the townhouses in the business district were converted back to residential or stay residential, per Mr. Stewart. The waterfront business district ordinance has no mention of this change.

One amendment that was suggested was to add the residential use paragraph back into the central business and waterfront business districts as they both lost the paragraph from the old ordinance.

Mr. Dannaker suggested adding “inn” as a use and then make a definition for inn. Bed and breakfast is already defined. First floor living was not typically allowed on the first floor of a structure. A structure as a residence, that already existed, may be converted to full residential or stay residential. If the Conklins wanted to change to a B and B and then down the road wanted to go back to using their home as residential, it would be permitted with the addition of the new paragraph.

Mr. Gallo discussed a blanket coverage that any residential use would be permitted in commercial and business district as they are scattered through the Borough. The home would have had to be originally constructed to be used as a residential structure.

Mr. Stewart stated that something will be drafted and brought back to the next PC meeting for review and recommendation.

Outstanding PC items were discussed briefly, i.e. incinerators in the industrial zone, e-scooters.

Mr. Conklin stated that he would appreciate the language being clear because at present the residential uses are non-conforming. He would like to see the ability to transition from one use to another. He specifically inquired about single family residentials to duplexes. His home was originally a duplex and was converted to a single-family home.

Ms. Wright offered that the only regulation for duplexes applies in each district. Something should be added for a duplex in general. Also, language regarding to conformity to R-2 standards for setbacks, etc. could be added. She added that an example would be installation of a shed. Setbacks

are not addressed in the waterfront business district right now. She also added that residential district use regulations are different depending on which district they are located in. Addressing any new structures within old structures at the waterfront business district needed to be reviewed.

Non-conformities were discussed. Mr. Stewart stated that residential on a first floor, is not permitted and would have to be brought through the zoning hearing board. This does not fit into the theme of the waterfront business district.

HARB regulations were discussed briefly. Discussion was held if all of the structures in the waterfront business district were under HARB jurisdiction. The Conklin property was determined not to be in the HARB review area. The HARB ordinance calls out the boundary and that structure is not within that boundary, per Ms. Wright.

**ADJOURNMENT:**

**Mr. Gallo moved to adjourn the December 9, 2019 Planning Commission Meeting.**

**Mr. Morelli seconded the motion.**

**Motion carried.**

Meeting adjourned at 6:18 p.m.