

BELLEFONTE BOROUGH PLANNING COMMISSION MEETING MINUTES

August 10, 2020 – 5 p.m.
236 West Lamb Street, Bellefonte, PA 16823
www.bellefonte.net

CALL TO ORDER:

The August 10, 2020 meeting of the Bellefonte Borough Planning Commission was called to order by Chair Robert Dannaker at 5:00 p.m. **This meeting was held virtually due to Covid-19 restrictions.**

PLEDGE OF ALLEGIANCE:

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

STAFF MEMBERS: Ralph Stewart, Borough Manager

APPROVAL OF THE MINUTES:

Mr. Gallo moved to approve the July 13, 2020 minutes.

Mr. Mills seconded the motion.

Motion carried.

LAND DEVELOPMENT ACTIVITIES: Nothing Presented.

OLD BUSINESS:

Short Term Rentals Regulations

Email regarding a Short-Term Rental

An email was received on short term rentals. Mr. Stewart stated that in 2019 the topic was reviewed. There was a draft ordinance prepared. The rental housing codes would be amended to include short term rentals. Nothing was enacted or changed, and PC had not met due to Covid-19. There were a number of outstanding items, including short term rentals.

The home discussed in the email has a rental permit. That is what is required at the Borough. All rentals need a rental permit and be inspected to be legal. There are some sample ordinances in the packet.

A resident spoke about his issues with the property in question – a permitted unit being used as a short-term rental. He believes it is operated more like a hotel than a short-term rental. It is not owner occupied. Every 2-5 days, since June there is a high turnover of new guests. This leads to noise issues as they are just here for vacation. Parties, screaming, foul language have taken place. The owner is not local to Bellefonte Borough. With the high turnover of guests, they do not know who is in the neighborhood. He does not believe that this is the intention of a residential neighborhood. There is also concern about the growing trend of renting out backyards and pools on an hourly basis.

Mr. Stewart stated that other complaints may have been vetted through the police directly, but he was not aware of any major complaints. Borough Council had concerns about quality of life in the Borough, noise, etc. Council wished to have PC recommend some amendments.

Mr. Gallo offered that due to people not wanting to be around other people during this time, the rental of whole homes may have increased. He discussed the draft from last year. The draft was included in the packet.

A limit of 30 nights was discussed and the property owner actually residing in the home at least 6 months out of the year. Limiting the days for rentals also may help with preventing the home from becoming an investment property. A property purchased under a commercial intent would be subject to building and property code. Mr. Stewart stated that the zoning districts may be limited.

The violation system was also discussed. Mr. Edwards thought that the restrictions may be too lenient. Mr. Morelli discussed trying to come up with a scenario that fits both sides of the spectrum and does not swing too much to one area. Suspension of permits was discussed.

Mr. Gallo discussed the rentals and sees it as a big problem. With different people coming in and out of residential areas, is not acceptable, especially during the pandemic. If someone owns the home, they should be living there. He talked about seeing many out of state licenses coming in and out renting the homes and then they are gone. Inspections were discussed. Mr. Morelli offered that the same health risk and transient visitors also pertains to Bed and Breakfasts. Mr. Gallo stated that with a B & B the owners are on site.

With Covid-19 and unemployment, Mr. Morelli was not sure that he would deny anyone from trying to make some money. If things became a nuisance, he would personally take care of that through due process. Enforcement was discussed.

Commercial versus residential use was discussed. Mr. Dannaker discussed tying the property owner with the Borough by making a requirement of Borough residency for permitting a short-term rental. Having them invested in the community may help. This can be written in the ordinance. Enforcement was again discussed. Owner occupied rentals were discussed. Football weekend versus renting the homes out as a destination were two separate things. Mr. Morelli would like to see owner occupied for a significant portion of the year limited to max 30

days. In incidences of bad behavior, the owner would be coming home to complaints from the neighbors.

Mr. Stewart discussed enforcement and that in addition to inspections, Centre Region Code is contracted to address complaints. Criminal complaints can be addressed to the police department.

The nuisance property section of the draft was discussed. The point system was discussed regarding citations being issued. Mr. Dannaker inquired how one would find out if the police responded to party or noise at a home. Mr. Stewart stated that many times a warning is issued. He will look into this more to see what scales are in place with the police and complaints, and how they are enforced.

Grandfathering was discussed. Mr. Stewart stated that the ordinance would not apply through the current rental period, but the homeowner would need to reapply after expiration and comply with a new ordinance, if enacted. He gave an example with second story rentals and sprinklers or second means of egress. This question would need to have a legal opinion.

Reduction of the number of points was discussed. Mr. Morelli was in favor of three strikes and you are out type of enforcement. Mr. Gallo added that if they do not meet other standards such as cleanliness, their permits can be suspended. Mr. Morelli stated that there needs something built into the ordinance that is enforceable.

Comments and recommended changes will be forwarded to Mr. Stewart and will be brought back to the next PC meeting for a recommendation to Council.

Bellefonte Borough Short-Term Rental Draft
Akron Borough Short Term Rental Ordinance
College Township Short Term Rental Ordinance
Gettysburg Vol Compliance

NEW BUSINESS:

Review of Property Maintenance Code

Mr. Stewart would like to hold this topic right now, as any amendments made to short term rentals will be incorporated into the Property Maintenance Code. There is no action required.

OTHER:

The waterfront property was discussed briefly. There may be some funding available for a partnership for the garage area of the project between the developer and the Borough. There has been no activity otherwise. With the cancellation of the football season, hotels are not on the front burner at this time. The Gamble Mill is moving forward.

Porch junk was discussed and enforcement of that issue. Mr. Stewart stated that Code has been enforcing this.

A stop sign request process was discussed briefly. Mr. Morelli had concerns for the children riding bikes in the streets. He will forward an email to Mr. Stewart to get the request to Council and the streets committee.

The car wash project is still waiting for their HOP from PennDOT.

ADJOURNMENT:

Mr. Gallo moved to adjourn the August 10, 2020 Planning Commission Meeting.

Mr. Morelli seconded the motion.

Motion carried.

Meeting adjourned at 5:54 p.m.