

HELLAM TOWNSHIP

PLANNING COMMISSION MEETING

Minutes of February 23, 2023

The meeting was called to order at 6:01 PM by Chairman Devin Winand. The meeting was held at the Hellam Township Municipal Building. Chairman Winand led the Pledge of Allegiance. Other members present were, John Eifert, Jay Kokiko, Susan Enrico (alternate), Steve Fetrow (alternate) and Michael Shillott. Christopher Altland joined at 6:15 P.M. Other attendees included Rachel Vega, Zoning Officer and Corina Mann, Township Manager.

Approval of Minutes

The Planning Commission reviewed draft minutes from the February 9, 2023 meeting. Upon a motion by Mr. Shillott, seconded by Mr. Eifert, the Planning Commission approved the minutes as submitted. Motion carried 6-0.

New Business

2022 Annual Report and Goals

The Planning Commissioners reviewed the draft annual report and goals for 2022. Mr. Shillott asked to have an additional goal added. He wanted to add that the Planning Commission will continue to work on the stormwater project. Upon a motion by Mr. Shillott, seconded by Mr. Kokiko, the Planning Commission approved the 2022 annual report and goals with the above-mentioned addition. Motion carried 6-0.

Hellam Township Vision Statement

Mr. Winand commented that he received emailed comments regarding the vision statement from some of the Commissioners. He suggested that other boards and committees such as the EAC also submit their vision. He recommended using simple bullet points based on what each person as an individual resident thinks is important for the Township. There was a discussion on the process for integrating the vision of all the municipalities because we need to look at the area as a region and not just the Township, Wrightsville Borough and Hallam Borough individually.

Ongoing Business

Short-term Rentals (STR) and Accessory Dwelling Units (ADU): Mr. Fetrow presented the Commissioners with a memo outlining the research and discussion he and Mr. Winand had regarding STRs and ADUs. Mr. Fetrow feels STRs are an important asset to the community because with all the anticipated eco-tourism people will need a place to stay. Currently the Township does not have any hotels or traditional Bed and Breakfasts. There are motels in the area but they are usually occupied by longer term renters. Mr. Winand added that they are also a great resource to help families in emergency situations. For example, when we had a hard freeze and everyone's pipes were freezing, they needed a place to stay. If someone has a fire, they need a place to stay. It is convenient if they can stay in Hellam Township so their kids can continue getting on the bus and going to school. Due to the anticipated need for STRs, Mr. Winand and Mr. Fetrow do not think there should be a residency requirement to operate one.

Mr. Winand discussed item "F" in the draft ordinance which prohibits outdoor sleeping. He feels it would be good to allow kids to sleep outside in a tent if they would like to. There was some concern about allowing this in more densely populated areas. The neighbors may not like the noise or potential campfires. It was suggested that a setback be put in place to limit the distance of the tent from adjoining property lines and also prohibiting tents in the front yard. It should also be temporary. No permanent tent structures should be allowed and they should not be rented out separately from the dwelling.

Mr. Winand addressed item "D" which requires the property owner to own the property for six months prior to using it as an STR. He does not feel this is necessary however Mr. Shillott and Mr. Fetrow feel it would be a good idea as it would give the property owner a chance to get vested in the neighborhood.

Item "E" was discussed, prohibiting on-street parking. Although most properties in the Township have a sufficient

driveway and parking area, some properties do not have a driveway and street parking is necessary. It was agreed that renters should not be allowed to park in the yard but should be allowed to park in the street if necessary. Ms. Vega suggested removing the use from the Residential Zone since this is the most densely populated area. This would cut back on the on-street parking. This would also address the issue of tent camping in densely populated areas.

It was agreed that the quiet hours in item "H" should be changed to 10 PM to 8 AM.

Item "I" was discussed regarding houses being constructed in compliance with the current Uniform Construction Code. It was agreed that this is probably to address safety issues however how do you address this for older homes. It may be unreasonable to expect a property owner to rip out their stairs so they meet current width and depth requirements. Safety issues can be addressed by adopting the International Property Maintenance Code or just adding safety items to the report. Ms. Vega shared that Jefferson Borough adopted a rental registration ordinance and the International Property Maintenance Code. The rental units are registered annually with a periodic inspection. The Council has allowed leniency for some items in the International Property Maintenance Code because it would be too burdensome to correct, such as stair width and depth or ceiling height. Ms. Vega has an inspection checklist created for key safety items to look for in these inspections that she will share with the Commissioners. There was a discussion on who would be liable if a guest is injured in an STR if the Township is conducting inspections. It was agreed that Solicitor Leber should be consulted on this matter.

It was suggested that sleeping in common areas should be permitted in item "J". The thought was people can sleep on a roll away bed or sleeper sofa. This could be a safety issue for egress if there is a fire. Additionally, there is no way to regulate where people sleep.

Item "M" was discussed regarding the requirement to display the STR registration on the inside of the front door. If the STR being rented out is only a room or allows access from some other door the renter may not see the license. The language should be changed to having the registration "visibly displayed." Additionally, a floor plan showing the layout of the house and how to escape in the event of a fire should be placed visibly. This plan should also contain the locations of the fire extinguishers.

The Commissioners feel that item "N" should include smoke detectors and carbon monoxide detectors in all occupied rooms not just the bedrooms. This would not include the kitchen.

Item "P" requires an inspection if a tenant files a health and safety complaint with the Township. The Commissioners feel a fee should be charged for these inspections.

Discussing item "Q" brought up the question, can the Township collect a tax on these units? Currently York County collects 5% and Pennsylvania collects 6%. Hellam Township should also be able to collect a tax since we are doing the majority of the work. This use could also require additional police, fire and ambulance services. Mrs. Mann will look into the Township's ability to collect a tax on STRs. Ms. Vega suggested using a registration fee. It could be \$500 per year.

The Commissioners agreed that additional language should be added to the ordinance. Once issue to address is, property owners that do not live locally. If a tenant has an issue and contacts the property owner, they should be able to respond within one hour. If they are not able, the property owner needs to designate a local person or management company who can respond appropriately. The issue of establishing penalties and enforcement of the ordinance was discussed. Ms. Vega said since this ordinance would be part of the Zoning Ordinance these items are already addressed within the Zoning Ordinance for a violation of any part of the Zoning Ordinance. The Commissioners are also concerned with investors buying multiple dwellings in a row to use as STRs. They would like the density to be limited to 15% out of 10 houses in a row or one house in a row of three. Ms. Vega will figure out a way to limit the density of STRs.

Lastly, accessory dwelling units (ADU) were discussed. It was agreed that a property owner cannot build an ADU to use as an STR. An ADU is for occupancy by immediate family members and cannot be rented out. The issue is, what happens when that family member moves out or dies. The property owner should still be able to use the

unit. Ms. Vega suggested having the conversion of an ADU to an STR be a conditional use. It was agreed that once a property owner receives conditional use approval for an ADU it cannot be converted to an STR for five years.

Correspondence/Reports

Mr. Fetrow announced that volunteers are needed for a tree planting project on Ore Bank Road on April 1, 2023.

The next meeting is scheduled for March 9, 2023. Ms. Vega says there will be two variance requests on that agenda.

Meeting adjourned at 7:42 PM.

Respectfully submitted,

A handwritten signature in blue ink that reads "Rachel Vega". The signature is fluid and cursive, with the first name "Rachel" and the last name "Vega" clearly distinguishable.

Rachel Vega, Zoning Officer