

# HELLAM TOWNSHIP PLANNING COMMISSION MEETING Minutes of April, 27, 2023

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The meeting was called to order at 6:00 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 Fred Owens, Rick Cooper, John Eifert, Christopher Altland, Michael Shillott and Susan Enrico (alternate). Other attendees included Rachel Vega, Zoning Officer; Corina Mann Township Manager; Nedette Otterbein, Supervisor and Bill Conaway, Supervisor.

## **Approval of Minutes**

The Planning Commission reviewed draft minutes from the April 13, 2023 meeting. Upon a motion by Mr. Shillott, seconded by Mr. Eifert, the Planning Commission approved the minutes as presented. Motion carried unanimously.

## **Ongoing Business**

The Planning Commission began discussing draft three of the short-term rental ordinance by addressing enforceability. A few people in attendance attended the PSATS Conference which had two classes on short-term rentals (STR). Ms. Vega stated that in her class, if a complaint is received, the zoning officer can issue a Notice of Violation then the burden of proof falls on the property owner to prove they were not in violation. It was also mentioned in this class that a purpose statement should be in the ordinance to add clarity to the reason behind the ordinance. Mr. Eifert asked who would be contacted if there are complaints. Ms. Vega suggested when the units are registered a spreadsheet could be kept that would list the names of people to contact in case of an emergency. This spreadsheet could be shared with the Police Department for after hours complaints. Mrs. Enrico stated that the class she attended mentioned that homeowners' associations can regulate STRs. Many of the homeowners' associations are inactive. Accomac Shores does not want to discourage STRs.

Some Commissioners questioned the reasoning behind not allowing STRs in the Residential Zone. Several members present utilized STRs in residential zones. There was never an issue with parking. The Commissioners agreed to add STRs to the Residential Zone. A provision would be added that all STRs shall provide one off street parking space. This would be a way to connect Hallam Borough and Wrightsville Borough to Hellam Township during the joint comprehensive planning process.

The Planning Commission next discussed the idea of glamping or residential camping. Initially Ms. Vega thought glamping should be included under camping in the Zoning Ordinance however, upon further review, the two uses don't seem to fit together. It was suggested that we add glamping into the STR ordinance. Many Commissioners would like to see 100-foot setbacks and not allowing RVs as a glamping unit or STR. Other Commissioners suggested adding that each unit have a fire extinguisher, only one STR/glamping unit be allowed per property, the duration would be limited to 30 days, limit the size to 399 sf so as not to confuse with a tiny home and allow only in the rear yard. There was a discussion led by Mr. Shillott that limiting STRs on the river would be prohibitive as most people would want to stay on the river. Mr. Owens suggested those property owners obtain a variance. Ms. Vega added that many of these properties are in the floodplain. Structures and glamping units are not permitted in the floodplain without property approvals/floodproofing and engineering. Mr. Winand commented that he would prefer to be in the woods rather than next to other residents. Mr. Eifert suggested we limit the structure to a tent or cabin so we don't end up with other, potentially unsafe structures, like tree houses.

Mr. Fitzpatrick from Hallam Borough stated that he enjoyed this conversation. Hallam Borough is currently trying to work through STRs. There was a discussion about STRs being subject to UCC approval because they are a change in use. Ms. Vega responded that STRs are only regulated for taxing. Currently the Pennsylvania courts have not decided if this is a commercial use or a use typical of a family dwelling. If a house is constructed for use as a livable unit for a typical family, then there would be no use change and no UCC review/approval. If the courts do decide that this is a commercial use then STRs would need to be reviewed/approved for accessibility, fire, etc.

The conversation ended with a brief discussion of having a stand-alone ordinance or including STRs in the Zoning Ordinance. According to Solicitor Leber, if the provisions are contained in the Zoning Ordinance they would fall under permitting guidelines and be subject to the overall enforcement of the Zoning Ordinance. If the STR ordinance is a stand-alone ordinance the Township could require licensing and other enforcement options. Mrs. Mann prefers the stand-alone ordinance option as we are not allowed to make a profit off of permitting fees but can make a profit off of licensing fees. Ms. Vega agreed to draft two separate ordinances to address this.

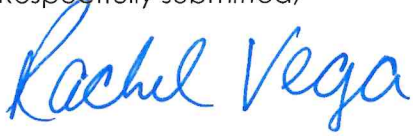
**Correspondence/Reports**

None

The next meeting is scheduled for May 11, 2023. The Planning Commission will continue to discuss and review the short-term rental ordinance.

Meeting adjourned at 7:44 PM.

Respectfully submitted,

A handwritten signature in blue ink that reads "Rachel Vega". The signature is written in a cursive, flowing style.

Rachel Vega, Zoning Officer