



Planning Commission (PC) Meeting Minutes  
Wednesday, September 4, 2019

Commissioners in attendance: Sean Rafferty, Vice Chair; Paul Cardell, Rob Miller, John Hess, Mickey Bailey, and Matt Murphy. Commissioner absent: Gary Summers.  
Consultants in attendance: Kristin Camp, PC Solicitor; Craig Kologie, AICP, Zoning Official.

1. **Call to Order:** Rafferty called the meeting to order at 7:35 p.m.
2. **Public Comment Non-Agenda Items:** no public comment on non-agenda items.
3. **Ordinance discussion:**
  - a. **Regulating Short-term Rentals** - Camp reviewed the particulars of the PA Supreme Court Decision *Slice of Life* that was issued earlier this year. The current iteration of proposed amendments to the Township Code provide for differentiation between short-term and long-term rentals. Commissioners discussed the current Code provisions for area and bulk requirement for accessory use, including minimum lot width. Equally important, PC discussed designating a zoning district such as the C1/Neighborhood Commercial for transient or short-term lodging to allow for such use. Rafferty asked how other municipalities are dealing with short-term rentals or Airbnb activity in residential districts. Camp reviewed a few scenarios where this is difficult on a local level given the percentage of homeowners who have registered their properties as Airbnb rentals. To address concerns raised by homeowners who are concerned that an Airbnb rental is a neighborhood intrusion, the municipality may require that the dwelling have access to public water and sewer. On-site well and septic would preclude the property from Airbnb registration. Other policy measures could include setting a specific number of required off-street parking spaces and limiting the number of consecutive days for the rental to 7 with 90 days as the annual limit. Miller and Rafferty expressed concern that the task of the PC is to include proposed language that will address the scenario of a landowner/investor who purchases a dwelling for the sole purpose of short-term rental. Does the proposed language address this scenario or will the Board of Supervisors draft policy requirements that are enforceable or reasonable to address neighborhood concerns. Rafferty questioned, as with other ordinance amendments, does the Township have the ability and resources to enforce provisions of a short-term rental that includes a 7-day limit? He also questioned if submission of the guest registry is a privacy violation, and can such a registry ever be confirmed as to the number and the names of the guests. Murphy commented that generally speaking, there is always the notion that a neighbor may very well contact the Township accordingly. Miller agreed that the discussion to allow the usage is largely a bookkeeping and policy-making decision on the part of the Township as inspections and fees to cover the cost of those inspections will be required. Hess commented that the Township should provide for the short-term rental in a responsible manner rather than attempt to legislate prohibiting it. MOTION: Miller moved, Rafferty seconded, to recommend submitting the proposed amendments to Chapter 250 as discussed to the Board of Supervisors for Solicitor review and subsequent adoption; motion carried.

- b. Home Occupation Section 250-89.A - Camp reviewed Sections of the current Township Code as well as the current draft for major and minor home occupations, noting minor occupations allowed by right and major occupations that require conditional use. PC asked if there are current concerns regarding the provisions generally. Kologie noted a recent zoning concern regarding a landscape business that was the subject of a neighbor's complaint. The landscaper, a young adult, lives in the home and provides landscaping services off-site on a part-time basis. Kologie determined that the part-time landscaping was a non-impact home-based business in as much as the home was not used for staging and the work itself was performed elsewhere - landscape work. The home-based work in the residence was limited to bookkeeping. The Commissioners agreed during the discussion that home-based businesses are occurring throughout the Township. Kologie noted the difficulty some municipalities face when they attempt to legislate home-based businesses. In one particular example, a municipality obtained a business list from a PA agency entity site and found 80 businesses within the municipality and the reviewer was only up to the letter "G". Miller suggested other home occupations that might be similar to landscaping are services by painters and plumbers who complete the work off-site but use the home as an office and may provide a staging area for employees. Hess commented that such activity is no impact, however, should there be consideration or concern if the occupation includes storage of chemical materials or equipment and supplies? Rafferty added that reasonable standards should provide for parking of business vehicles and stringent requirements to operate the business should be addressed by conditional use. Bailey commented that if the parcel has significant acreage, perhaps the home-based business is exempt from any requirements. Commissioners agreed to relist the proposed ordinance amendments for the October meeting to allow time to address discussion points that include: (i) business owners who store supplies on the parcel or use it for employee staging; (ii) non-impact businesses or "work from home" scenarios; (iii) professional services that may need to provide parking; and (iv) home-based occupations where the occupation is performed off-site, such as landscaping, painting, etc.
- c. Act 167 Stormwater Management Update - Camp reviewed the model amendment per the County-wide Act 167 stormwater ordinance, to amend the definition and exception for certain high tunnel facilities. Murphy noted that there may be one high tunnel in the Township and that he was approached by a landowner who was considering installing a high tunnel to extend the growing season. Commissioners agreed that there will be other changes forthcoming per the Act 167 update and it is best to review the changes as one submission.
4. **Approval of Meeting Minutes:** Cardell moved, Rafferty seconded, to approve the Meeting Minutes dated June 6, 2019, as amended; motion carried. Secretary noted for the record that the PC did not meet in July and August.
5. **Other Business:** Secretary distributed print-versions of Township Code Supplement #9 received from General Code. Kologie provided an update on zoning hearing board applications as follows: 1090 Parkersville Road will be heard this month with the Applicant having presented the landscape plan to the Board of Supervisors; and, 604 West Creek Road was listed on the August 26<sup>th</sup> Board agenda to also present a landscape plan, but the Applicant did not appear.
6. **Adjournment:** At 8:25 p.m., Miller moved, Rafferty seconded, to adjourn the meeting; motion carried.

  
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Susan Simone, Administrative Secretary

  
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Sean Rafferty, Vice Chairman