

TOBYHANNA TOWNSHIP BOARD OF SUPERVISORS
SPECIAL MEETING
MARCH 23, 2022

The March Special Meeting of the Tobyhanna Township Board of Supervisors (“Board”) was held on March 23, 2022, at the Kalahari Conference Center in the African Ballroom located at 250 Kalahari Boulevard in Pocono Manor, PA.

John Kerrick, David Carbone, Brendon Carroll, Rachel Schickling, and Joseph Colyer are present. Also present is Solicitor Harry Coleman, Robert Barta, Manager, Autumn Canfield, Assistant Manager, Todd Meltsch, Building Code Officer, William Burton, Building Code Officer, and Jonathan Shupp, Sewage Enforcement Officer.

1. John Kerrick calls the meeting to order at 5:15PM, a quorum is present.
2. The Pledge of Allegiance is recited.
3. Announcements: John Kerrick states the purpose of this meeting is to gain public input relative to the Short Term Rental Ordinance. He states no decisions have been made on the ordinance. He reviews the most frequent comments and concerns received from the public. He continues stating public comment will be limited to two minutes.
4. Short Term Rental Discussion: John Kerrick introduces Bureau Veritas Building Code Officials to make their statement. Todd Meltsch with Bureau Veritas states they have looked into the definition for use groups as provided by the ICC and short-term rental is transient in nature. William Burton, with Bureau Veritas, states based on the finding of the 2018 IBC that short-term rentals are primarily transient in nature. He reviews the R3 and R1 definition in regards to the proposed 10-person maximum. Jonathan Shupp, Sewage Enforcement Officer, states he will need to evaluate each unit. He reviews DEP standards for the number of bedrooms.
5. Board of Supervisors Report/Comment: No comments.
6. Public Comment:
 - a. Donna Osmon reviews sections of the ordinance in which she has concerns.
 - b. Nancy Dressel expresses concerns septic overloads.
 - c. Dave Oska expresses concerns on high overturn and high occupancies of short-term rentals.
 - d. Ricky Cortez reviews capacity of Septics and believes the number of renter should be 2 per bedroom plus 4.
 - e. Aaron Stowers states the proposed ordinance will impact businesses serving short term rental owners.

- f. Tia Fritz reviews statistics on short-term rentals' impact on local economies summarizing positive impacts are overstated.
- g. Jill Siegal expresses concerns on over taxed Septics, proper egress, and quality of life.
- h. Christy Fitzpatrick states she would like more explanation on children in regards to the number of renters and response time as proposed.
- i. Mike Camino discusses surrounding township's ordinances in regards to building codes.
- j. Steve Callum believes the proposed ordinance will push out responsible short-term rental owners. He reviews sections of the IRC and IBC.
- k. Theodore Walski yields time to Mike Camino. Mike Camino discusses septic requirement difference between commercial and residential.
- l. Ariel Horn reviews Department of Labor and Industry standards for sprinkler systems.
- m. David Fonseca expresses concerns of being unable to comply with the draft ordinance.
- n. Dan Warakomski express concerns about the proposed capacity of two per bedroom with ten max and septic tank sizes.
- o. Monica Genova states there are good STR owners that want to weed out the bad owners with a fair ordinance.
- p. Gayle Humphrey states she does not agree with the person in charge sections of the ordinance.
- q. CJ Clover objects to the two per bedroom section of the ordinance.
- r. Ruslan Kolyuzhko express concerns about the two per bedroom section of the ordinance.
- s. Joseph Laschrnski states he has never received a complaint as a STR owner.
- t. Scott Rankin states single-family dwellings fall under the International Residential Codes and not the International Building Codes.
- u. Joe Crandall express concerns about STR homes overloading their septic systems and urges the Board to pass the ordinance.
- v. Raymond Lewis states there are codes to enforce nuisances like trash and noise and passing a STR ordinance should be straightforward.
- w. Ralph Lopez states if the ordinance passes it will destroy his cleaning company.
- x. Anthony Rallo wants a reasonable ordinance and expresses concerns on the bedroom maximums.

- y. William Zhou states Bill Burton is partially interpreting the building codes and recommends a 16 guest maximum. He expresses concerns on the 90 day waiting period for a second permit and believes current owners should be grandfathered.
- z. Kori Lambert expresses concerns about the bedroom maximums and believes the Board should adopt the Monroe County model ordinance maximum.
- aa. Devin Marks states the Poconos have a deep history in short term vacation renting and express concerns for the 10 person maximum.
- bb. Malgorata Majieska believes the bedroom maximum will kill her business.
- cc. Bruce Freedman states he has put more money in to his rental home than normal homeowners and believes the nuisance argument is a false narrative.
- dd. Denise Wash believes the more the community is against STRs the more they would rather be somewhere else.
- ee. Wendy Ney Manley wants to know the next steps for the ordinance. She also states she does not agree with the ten maximum.
- ff. Timothy Manley reviews statistics for water usage. He believes overloading of the septic systems is a problem for year around owners and not STRs.
- gg. Ofer Bili reviews building codes.
- hh. Karen Deichman believes STRs are getting undue attention of pre existing problems in the township and states things are not being enforced in an equitable fashion.
- ii. Cari Jacobs expresses concerns about the two per bedroom and it should be reconsidered.
- jj. Tammy Livziey questions legality of short-term rentals in a single-family residentially zoned area. She reviews the PA Supreme Court ruling on transient uses of houses.
- kk. Jay Livziey speaks against large group rentals that are not multigenerational family gatherings.
- ll. Vincent Howard expresses concern that the ordinance will cause economic disaster.
- mm. Eliane Longhi express concerns about the maximum and wants a fair ordinance.
- nn. Robert Kidwell represents Tobyhanna For All and states there are issues with the maximum occupancy. He highlights his prior correspondence to the Board.
- oo. Kristina Bekhert states STRs benefit the local economy and wants a fair ordinance.
- pp. Jeremiah Nall states having a 10-person maximum is a form of familial discrimination.
- qq. Iris Ontano wants to have more than 10 person maximum.

- rr. Kevin Korejko believes in life safety devices for the STRs but does not agree with the 10-person maximum.
- ss. Dianna Fritz agrees with the ordinance and hopes the Board does not make any changes.
- tt. Kevin Korejko Jr. reviews the differences between the International Residential Codes and the International Building Codes and is in favor of reasonable regulations.
- uu. Tom Corhran believes the fines in the ordinance are excessive. He states the area is a vacation resort area.
- vv. Maria Quinones is in favor of a fair ordinance but believes there should be two per bedroom, and more than 10 people and children should not count.
- ww. Marty Nicoll asks about the violation process and the 30-minute response time.
- xx. Karl Diesel asks about nuisance STRs and states that information has not been provided. He expresses concerns on the maximum.
- yy. Paige Tremblay states the ordinance would negatively affect her clients for her cleaning business.
- zz. Juliet Dunham agrees with the ordinance as drafted.
- aaa. Catherine Zylinski discuss septic systems for full time owners verses rentals and wants to work the community to work together.
- bbb. Jim Hess agrees with the ordinance as drafted and asks the Board to stick to it.
- ccc. Xavier Ramerz believes the ordinance is strict. He states responsible STR owners keep up their properties.
- ddd. Tom Gisonola agrees there is room for STRs but needs to be controlled by regulation for quality of life.
- eee. Justin Spall wants the Board to reconsider the maximum occupancy.
- fff. Mike Wojciehouski recommends a special assessment tax for STRs over ten person maximums.
- ggg. Mary Berkely believes the ordinance is a good thing to have but some of the comments tonight are relevant.
- hhh. Janet and Ernest Graves expresses concerns in the response times and the fines.
- iii. Anne Hersh agrees with the ordinance and believes these standards are reasonable.
- jjj. Kelsey Wo express concerns about the 90 day time frame for the second permit.

kkk. Jay Ross states he is in favor of certain regulations and express concerns about neighbor's false complaining.

lll. Alison Kahil express concern about the maximum capacity for family rentals and welcomes reasonable regulations.

mmm. Moria Sedwick explains her response time for her rentals and believes other renters can do the same.

nnn. Ronald Hersh believes STRs should not be allowed in residential areas.

ooo. Sandra Brassy states she is for short term rentals and believes the maximum occupancy shouldn't be enforced.

ppp. Ned Wheeler believes the use of short term rentals in residential areas should be illegal.

qqq. Anna Bali is for short term rentals and have had wonderful hosts and believes there are problems with full time residents too.

rrr. Hugo (no last name) states he does not mind the short term rentals but should have longer minimum stays.

7. Adjournment: The meeting adjourns at 7:40PM

Minutes recorded by Crystal Butler



Crystal Butler
Township Secretary