

## THE TOBYHANNA TOWNSHIP BOARD OF SUPERVISORS

## PUBLIC HEARING

- - -

IN RE: Short-Term Rental Ordinance  
Number 569

- - -

PRESENT: JOHN KERRICK, Chairman  
DAVID CARBONE, Vice-Chair  
BRENDON J.E. CARROLL, Treasurer  
RACHEL SCHICKLING, Member  
JOSEPH COLYER, Member

JAMES M. TRESSLER, ESQ., Solicitor

ROBERT BARTAL, Township Manager

AUTUMN CANFIELD, Assistant Manager

CRYSTAL BUTLER, Township Secretary

DATE: Tuesday, June 28, 2022

TIME: 6:00 p.m. - 7:42 p.m.

PLACE: Pocono Mountain West High School  
181 Panther Lane  
Pocono Summit, PA 18364

- - -

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\*\* Court reporter not in possession of exhibits.

1 MR. KERRICK: I would like to call  
2 the special meeting of Board of Supervisors  
3 Tobyhanna Township to order, June 28th, 2022,  
4 with the Pledge of Allegiance, please.

5 (Pledge of Allegiance was recited.)

6 MR. KERRICK: First item of  
7 business, I would like a motion to open  
8 the public hearing.

9 UNIDENTIFIED AUDIENCE MEMBER:  
10 Can't hear.

11 UNIDENTIFIED AUDIENCE MEMBER: Tell  
12 him to talk in the microphone.

13 MR. KERRICK: First item of  
14 business, I would like a motion to open  
15 the public hearing.

16 MR. CARROLL: Make a motion to open  
17 the public hearing, Mr. Chairman.

18 MR. COLYER: Second.

19 MR. KERRICK: Motion and second.

20 Questions or comments from the  
21 board?

22 UNIDENTIFIED AUDIENCE MEMBER:  
23 Can't hear you.

24 MR. KERRICK: Come a little closer.

25 Questions or comments from the

1 board?

2 Seeing none, I'll call the vote.

3 Ms. Schickling?

4 MS. SCHICKLING: I vote in favor.

5 MR. KERRICK: Mr. Colyer?

6 MR. COLYER: I vote in favor.

7 MR. KERRICK: Mr. Carroll?

8 MR. CARROLL: I vote in favor.

9 MR. KERRICK: Mr. Carbone?

10 MR. CARBONE: I vote in favor.

11 MR. KERRICK: I vote in favor.

12 Motion carried.

13 I would like to turn it over to our  
14 solicitor.

15 MR. TRESSLER: Good evening. My  
16 name is Jim Tressler, and I am counsel for  
17 the township. Chairman of the board is  
18 Mr. John Kerrick, and the other members on  
19 the board are Dave Carbone, Brendon  
20 Carroll, Rachel Schickling, and Joseph  
21 Colyer.

22 The record will reflect that there  
23 is a quorum present and we are ready to  
24 proceed.

25 I want to address some procedural

1 matters before going into the presentation  
2 of testimony and evidence this evening.  
3 These requirements are from the  
4 Municipalities Planning Code and also for  
5 order and decorum as we make a  
6 stenographic record of these proceedings.

7 By history, under the current  
8 Tobyhanna Township Zoning Ordinance,  
9 short-term rentals are prohibited in the  
10 township.

11 Now you will note on the agenda  
12 that two ordinances are set for hearings  
13 this evening. The first hearing concerns  
14 the standalone short-term rental  
15 regulatory ordinance, Number 569. This  
16 ordinance regulates short-term rentals.  
17 That is the STR -- short-term rental --  
18 ordinance that is of primary consideration  
19 this evening. I want you to be aware that  
20 Ordinance Number 570, which may be subject  
21 to a public hearing later this evening as  
22 well, centers on a zoning ordinance  
23 amendment permitting short-term rentals in  
24 designated zoning districts in the  
25 township.

1           If the STR ordinance does not pass  
2           this evening, should the board exercise  
3           its discretion and decide on it this  
4           evening, there will be no need for a  
5           second hearing or consideration by the  
6           board of Ordinance Number 570.

7           Conversely, if the STR ordinance does  
8           pass, a second hearing will be held this  
9           evening relative to the zoning ordinance  
10          amendment.

11          As to both ordinances, the  
12          effective date will be 90 days after  
13          passage.

14          Some housekeeping items as well.  
15          We will mark as Board Exhibit -- Tobyhanna  
16          Township Proposed STR Ordinance as Exhibit  
17          1. Specifically, the proposed general  
18          powers ordinance, Number 569, addresses an  
19          ordinance of the Township of Tobyhanna,  
20          County of Monroe, Commonwealth of  
21          Pennsylvania, related to the use and  
22          regulation of short-term rental -- again,  
23          STR -- units within the township and  
24          establishing application and permit  
25          standards and procedures, providing for

1 administration and enforcement including  
2 penalties, and other matters pertaining  
3 thereto.

4 I'm going to mark as Exhibit 2 the  
5 notice placed by the township and  
6 published in the Pocono Record on  
7 June 13th, 2022, and June 20th, 2022,  
8 advertising the hearing on the STR  
9 ordinance which allows for STRs and sets  
10 the hearing for today's location and time.

11 We are aware of the Monroe County  
12 Planning Commission comments on the STR  
13 ordinance. We will mark the March 4th,  
14 2021, MCPC letter part of this record as  
15 Exhibit 3.

16 All should be aware that the STR  
17 issues have been looked at by an STR  
18 committee of the board of supervisors for  
19 a considerable period of time from May  
20 through November 2021. The board thanks  
21 all who served -- supervisors,  
22 nonsupervisors, and members of the  
23 community at large -- for their time,  
24 efforts, and talents relative to this  
25 issue.



1                   On March 4th, 2021, Tobyhanna  
2                   Township Planning Commission held a public  
3                   meeting on the STR ordinance.

4                   The board will also take notice of  
5                   the citizen letters, e-mails, website  
6                   comments, and those on the specific e-mail  
7                   address on the STR issue created by the  
8                   township. And these letters, e-mails, and  
9                   comments have all been reviewed and  
10                  considered by the board of supervisors.

11                  An informational special public  
12                  hearing was held by the board of  
13                  supervisors on March 23rd, 2022, at the  
14                  Kalahari Resort and Convention Center,  
15                  following proper notice, in which the  
16                  board listened to comments from many  
17                  individuals on the STR issue.

18                  The record should reflect that this  
19                  hearing is being conducted in a timely  
20                  manner following proper and appropriate  
21                  notice.

22                  All are advised that if there is an  
23                  objection on the issue of notice, that one  
24                  should articulate the said objection or  
25                  objections to the notice during these

1 proceedings as well as a rationale in  
2 support of their objection.

3 Now we are ready to proceed with  
4 the hearing, and I want to note, with  
5 regard to the presentation of testimony  
6 and evidence, that it is important for all  
7 present to realize that we will do this in  
8 a very orderly and focused manner on the  
9 issue before this board.

10 Given the formality of tonight's  
11 meeting, there should be no applause, no  
12 cheering or other comments made out loud  
13 by anybody in the audience. We do this  
14 for two reasons: First, to make sure that  
15 there is an orderly presentation of the  
16 evidence and that there is relevant  
17 evidence only; second, we do so as we are  
18 making a stenographic recording of these  
19 proceedings which may be subject to  
20 judicial review at a later date in the  
21 Court of Common Pleas of Monroe County.

22 Our court reporter, as skilled as  
23 she is, cannot take down more than one  
24 person speaking at a time. Please afford  
25 our stenographer the courtesy of limiting

1 crosstalk and talking over someone else  
2 during this proceeding.

3 We are going to request that all  
4 parties who testify this evening identify  
5 themselves by name and township residence  
6 and their status on the record, and we  
7 will limit the presentation to two  
8 minutes. And the board retains the  
9 discretion to preclude repetitive or  
10 redundant testimony.

11 The record will note the presence  
12 of the township manager, Mr. Robert  
13 Bartal, and assistant manager Ms. Autumn  
14 Canfield, who are available should any  
15 members of the board have questions of  
16 them.

17 Does anyone -- any member of the  
18 public want to be heard on this ordinance?

19 UNIDENTIFIED AUDIENCE MEMBER: Yes.

20 UNIDENTIFIED AUDIENCE MEMBER: Yes.

21 UNIDENTIFIED AUDIENCE MEMBER: Yes.

22 MR. TRESSLER: Let the record  
23 reflect that there are several individuals  
24 that do want to speak.

25 Please note again that all speakers

1 are limited to two minutes. There is no  
2 passing or yielding of time to another  
3 person permitted. One person, two  
4 minutes, and that will be it.

5 When it's your turn to address the  
6 board, we ask that you identify yourself  
7 by name and your residence status. You  
8 are strongly urged to indicate if you are  
9 speaking in favor of or against the STR  
10 ordinance or speaking as an interested  
11 party.

12 Mr. Chairman, at this time, we are  
13 ready to proceed.

14 MS. BUTLER: If I could just make  
15 one point of record. For the  
16 publications, the dates actually  
17 advertised were June 10th, 2022, and June  
18 17th, 2022, as those previous dates were  
19 not available to publish with the Pocono  
20 Record.

21 MR. TRESSLER: Thank you for the  
22 clarification.

23 Any questions on the notice of  
24 advertisement?

25 The record should so reflect the

1 amended notices as set forth by the  
2 township secretary.

3 So, Mr. Chairman, we are ready to  
4 proceed.

5 MR. KERRICK: Crystal?

6 MS. BUTLER: Robert Kidwell.

7 MR. KIDWELL: Good evening. My  
8 name is Robert Kidwell. Good evening,  
9 members of the board and Attorney  
10 Tressler. I represent a group referred to  
11 as Tobyhanna For All, a group of property  
12 owners in Tobyhanna Township who are in  
13 support of a fair and reasonable STR  
14 ordinance.

15 I strongly urge you to reconsider  
16 passage of the STR ordinance as currently  
17 drafted, as there are several provisions  
18 that I do not believe will withstand legal  
19 challenge. By way of example, Section 2(H)  
20 provides camps, cabins, and cottages that  
21 predate the township zoning ordinance are  
22 exempt from this chapter; however, the  
23 terms "cabin" and "cottage" are not  
24 defined in the STR ordinance or the zoning  
25 ordinance. This creates an ambiguity as

1 to which STRs that predate the township  
2 zoning ordinance can be maintained without  
3 a license. Section 2(H), in my  
4 estimation, will no doubt entangle the  
5 township in future litigation unless  
6 amended.

7 Section 8(Q) of the proposed  
8 ordinance provides all STRs will comply  
9 with all applicable zoning and building  
10 codes as well as all requirements of  
11 lawful agencies. Again, in my estimation,  
12 this section is ambiguous, since there is  
13 no express reference to what building  
14 codes would be applicable. One would  
15 naturally think it would be the IRC, since  
16 single-family dwellings are constructed  
17 and occupied under the IRC; however, at  
18 prior meetings, township officials pointed  
19 to the IBC in support of the maximum  
20 occupancy limitation of ten. Again, this  
21 is the type of ambiguity that could lead  
22 to costly and time-consuming litigation --

23 MS. BUTLER: 30 seconds.

24 MR. KIDWELL: -- in the future.

25 Finally, Section 8(A) speaks to

1 occupancy, and I question what support you  
2 have to provide the more restrictive  
3 occupancy language than the  
4 two-per-bedroom-plus-four language found  
5 in the Monroe County model ordinance. If  
6 the maximum occupancy of ten is based on  
7 language in the IBC, then I believe you're  
8 committing an error of law because I don't  
9 believe that's the appropriate building  
10 code. If the occupancy limitation has no  
11 bearing to the IBC, then it would appear  
12 to be arbitrary in nature and consequently  
13 not bear a rational or reasonable  
14 relationship --

15 MS. BUTLER: Time.

16 MR. KIDWELL: -- to the health,  
17 safety, or welfare of the community.

18 I do have a binder of documentation  
19 I would like to submit.

20 MR. KERRICK: You represent -- you  
21 represent the group? Do you have some  
22 more testimony?

23 MR. KIDWELL: I have no additional  
24 testimony. All I have is additional  
25 documentation that I would like to admit

1 into the record as a --

2 MR. KERRICK: Okay. I just was  
3 going to give you a little more time, but  
4 if you don't need it, that's fine.

5 MR. KIDWELL: No, I think there  
6 will be others who will speak and  
7 hopefully not provide any kind of  
8 redundant --

9 MR. KERRICK: Thank you.

10 MR. KIDWELL: -- testimony. But I  
11 would just admit this documentation into  
12 the record.

13 Thank you.

14 MR. TRESSLER: We would like to  
15 mark this as Exhibit -- I'm going to use  
16 your last name -- Exhibit --

17 MR. KIDWELL: Kidwell 1 would be  
18 great.

19 MR. TRESSLER: -- Kidwell 1. Is  
20 that okay?

21 MR. KIDWELL: Very good, Attorney  
22 Tressler. Thank you.

23 MR. TRESSLER: So Exhibit Kidwell 1.

24 MR. KIDWELL: Thank you.

25 MR. TRESSLER: Is this the only



1 copy, Mr. Kidwell?

2 MR. KIDWELL: I have additional  
3 copies.

4 MR. TRESSLER: Because I'm going to  
5 need to give one to the court reporter and  
6 then probably one to remain here with the  
7 supervisors.

8 MR. KIDWELL: No problem. I have  
9 four additional copies.

10 MS. BUTLER: Thank you, sir.

11 MR. KIDWELL: Thank you.

12 MR. TRESSLER: Thank you.

13 MS. BUTLER: Ariel Horn.

14 MR. HORN: Thanks for having us at  
15 this meeting. Appreciate taking the time.  
16 And I know it's a polarized topic, and  
17 we're all humans and we care.

18 MS. BUTLER: Before I start your  
19 time, though, you're going to need to be  
20 as close to the mic as possible so it  
21 catches -- there you go. I appreciate  
22 that. Thank you.

23 MR. HORN: Okay. Ariel Horn. I am  
24 an owner and a short-term renter.

25 I think we're all here because

1 we're frustrated on --

2 MR. KERRICK: One second.

3 Does he have to be sworn in?

4 THE COURT REPORTER: That's up to  
5 you guys.

6 MR. TRESSLER: Since this would be  
7 testimony and possibly used at a later  
8 date, would the court reporter please  
9 swear the speaker in?

10 MR. CARBONE: Could we do everybody  
11 at one shot, or do we have to do  
12 individual -- whoever is going to speak,  
13 have them stand up --

14 THE COURT REPORTER: Yeah, you  
15 could do -- is that how you want to do it?

16 MR. KERRICK: That's how we did it  
17 last time.

18 THE COURT REPORTER: Okay.

19 MR. TRESSLER: If we could have  
20 everybody that would like to speak please  
21 stand up, and the court reporter will  
22 swear everybody in.

23 - - -

24 (Speakers were sworn en masse.)

25 - - -

1 MR. TRESSLER: Let the record  
2 reflect that the court reporter has sworn  
3 in those that want to speak. To the  
4 extent that anybody that didn't stand and  
5 is ultimately going to speak and whose  
6 name doesn't appear in the list, we will  
7 have to swear you in as well.

8 So, again, sorry -- your time has  
9 not started.

10 MS. BUTLER: I'm starting it fresh  
11 over again. Why don't you start over  
12 again, too.

13 MR. HORN: Thank you. Thanks a  
14 lot.

15 Again, Ariel Horn. I'm an owner  
16 and a short-term renter. And I've put  
17 hundreds, if not thousands, of hours into  
18 supporting Lake Naomi as a member. My  
19 picture has been featured in their  
20 calendar. We spend major holidays here.  
21 We care. We're all here because we care  
22 deeply.

23 We're frustrated -- I am frustrated  
24 because I know we're capable of creating  
25 reasonable rules, but there doesn't seem

1 to be an interest in hearing about any  
2 form of compromise, and that's  
3 disappointing.

4 We're frustrated -- I am frustrated  
5 because I know that we're capable of  
6 encouraging economic sustainability  
7 without running the risk of overstepping  
8 and wasting time on -- on ordinances that  
9 have holes.

10 I am frustrated because I know  
11 we're capable of working together, but I  
12 can't help but feel like we're being  
13 silenced, and I personally want to get  
14 involved more and I feel like I don't know  
15 how.

16 I'm frustrated because the heart of  
17 this township has always been tourism, and  
18 we all know that it is the force that  
19 governs us, but there seems to be little  
20 care or acknowledgment for the STR  
21 restrictions here even though there's  
22 sufficient evidence to support that there  
23 are holes here.

24 I'm frustrated because I see us  
25 close to potentially making a major

1 mistake in timing. We're in a tricky bear  
2 market, and combining potential real  
3 estate downturn with the restrictions here  
4 could kick off an unnecessarily negative  
5 series of outcomes that will hurt us all.

6 So, with that, I ask you this  
7 question: Why now?

8 MS. BUTLER: 30 seconds.

9 MR. HORN: Why this way?

10 So did you ever contact Monroe  
11 County Planning Commission to discuss  
12 whether your proposed ten-person occupancy  
13 maximum was appropriate? Or, alternatively,  
14 did you ever contact the Monroe County  
15 Planning Commission to express concern  
16 that the model ordinance should contain a  
17 ten-person occupancy limit?

18 The ordinance fundamentally  
19 undercuts the best interest and values of  
20 Monroe County, flies in the face of  
21 precedent of neighboring townships.  
22 It's horrible for local business and  
23 reckless in the light of an oncoming shaky  
24 market.

25 We urge this board to reconsider

1 the scope --

2 MS. BUTLER: Time.

3 MR. HORN: -- scale, and timing of  
4 the ordinance to allow it to be  
5 reasonable, enforceable --

6 MS. BUTLER: That's your time.  
7 Thank you.

8 MR. HORN: -- and justifiable --  
9 thank you very much.

10 MS. BUTLER: Michael Camino.

11 MR. CAMINO: I have a submission  
12 for the board. I'll just --

13 MS. BUTLER: So that would be  
14 Camino 1?

15 MR. CAMINO: Camino 1, yes.

16 MR. TRESSLER: I'm going to --  
17 Exhibit -- I'm going to go in numerical --  
18 Exhibit Camino, and then we'll just put 2.

19 MS. BUTLER: Okay.

20 MR. TRESSLER: Do you have any  
21 others, sir, or just --

22 MR. CAMINO: That's all. Well,  
23 copy I provided the court reporter, and  
24 copy to yourself.

25 MS. BUTLER: Are we ready?

1 MR. CAMINO: So I submit before you  
2 this evening written copies of  
3 documentation which details both the  
4 improper, unconstitutional ordinance  
5 before you tonight. This board has  
6 ignored all reasonable data and reports to  
7 no one except for closed-door meetings.

8 You heard from a licensed State of  
9 Pennsylvania building code expert both in  
10 writing and in person. You heard from the  
11 State of Pennsylvania septic officer. You  
12 heard from 320 people on March 23rd. I  
13 had to do a Right-to-Know request. You  
14 received 247 e-mails, 230 were in  
15 opposition of this ordinance.

16 In November 2021, your own  
17 short-term rental committee that you spoke  
18 of gave recommendations you have ignored  
19 and changed. A township septic officer  
20 even supported this ordinance, the  
21 adjustments, on the March 23rd meeting.  
22 And, finally, on June 8th, a State of  
23 Pennsylvania judge told this board you are  
24 violating state law with the illegal  
25 meetings you have held. You're not

1 listening to residents and voters such as  
2 myself, family men. So who is this board  
3 listening to?

4 You cannot vote on this ordinance  
5 tonight. Your hands are not clean as  
6 currently there's open litigation against  
7 this board and this township under a  
8 Right-to-Know request that you're  
9 appealing.

10 So the question then before you is,  
11 until your appeal is either granted or  
12 denied by a judge, can you really even  
13 vote on this? So what are you trying to  
14 hide? Try to pass this legislation  
15 tonight and you're making the appeal  
16 process way too easy for us.

17 So did you also take into  
18 consideration that Slice of Life where  
19 you're pulling your --

20 MR. BUTLER: 30 seconds.

21 MR. CAMINO: -- authority from only  
22 applies to purely transient rentals and  
23 not 75 percent of the people behind you?

24 I'd also actually like to thank  
25 this board for one thing. There's



1 adjustments you made that state that any  
2 home can -- made prior to 1995 -- or 1997  
3 zoning ordinance, that predates this  
4 ordinance, are exempt. My house was built  
5 in 1974, so thank you for exempting my  
6 house from your ordinance.

7 MS. BUTLER: Ricky Cortez.

8 MR. CARROLL: Mr. Camino, excuse  
9 me, are you a resident of Tobyhanna  
10 Township?

11 MR. CAMINO: I am a resident.

12 MR. CARROLL: And you get your mail  
13 and you vote in Tobyhanna Township.

14 MR. CAMINO: I do vote. I'm a  
15 registered Republican, sir.

16 MR. CARROLL: Okay. Just being  
17 clear -- that was one of the guidelines --

18 MR. CAMINO: I'm also -- just so  
19 you're aware, come February, I will be  
20 also running for board of supervisors  
21 because I feel that this board is not  
22 representing my interests as a resident --

23 MS. SCHICKLING: This isn't a  
24 political --

25 MS. BUTLER: We are going to move

1 on with Mr. Cortez's two minutes. Thank  
2 you.

3 MR. CAMINO: You're welcome.

4 MS. BUTLER: Whenever you're ready,  
5 Mr. Cortez.

6 MR. CORTEZ: Efrain Ricky Cortez.

7 MR. TRESSLER: Mr. Cortez, just,  
8 again, with the ground rules, could you  
9 please state your address as well, where  
10 you reside?

11 MR. CORTEZ: Sure. 212 Long View  
12 Lane, Mr. Tressler.

13 The board of supervisors has a  
14 fiduciary duty to justify why they're  
15 going against the short-term rental  
16 committee's recommendation of two per  
17 bedroom plus four. What, if any, support  
18 do you have to provide more restrictive  
19 occupancy language than found in the  
20 Monroe County ordinance and followed by  
21 Coolbaugh, Jackson, Tunkhannock, Middle  
22 Smithfield, and many other townships? And  
23 do you believe the STR ordinance with  
24 two-per-bedroom-plus-four language in such  
25 as the aforementioned townships are

1           invalid since that language can result in  
2           occupancies greater than ten?

3           MR. CARBONE:  You're using your  
4           time up.  Keep going.

5           MR. CORTEZ:  It's a hearing, so is  
6           there any response that can be had from  
7           the board, or --

8           MR. CARBONE:  We ask the questions.

9           MR. KERRICK:  We ask the questions.  
10          We don't answer your questions.

11          MS. SCHICKLING:  We ask the  
12          questions.  I'm sorry.

13          MR. CORTEZ:  Yet another one-sided  
14          conversation.

15          I will submit the --

16          MR. KERRICK:  That's the way the  
17          hearing works, sir.

18          MR. CORTEZ:  -- information that we  
19          had in support of being comfortable with  
20          the two per bedroom plus four for the  
21          record.  And I know in addition is that  
22          VRBR's [ph] governmental manager has been  
23          trying to reach the township to make sure  
24          that they comply on their end, too.  So  
25          I'm handing in something for VRBO's

1 platform because they have an issue with  
2 the way that it's written in order to be  
3 able to perform what you need them to  
4 perform. It makes the line -- the  
5 platforms liable and violates the federal  
6 --

7 MS. BUTLER: 30 seconds.

8 MR. CORTEZ: It violates the  
9 Federal Communication Decency Act. And I  
10 have the information from Tracie Robinson  
11 from -- the regional, governmental and  
12 corporate affairs manager for Expedia  
13 Group as well to submit.

14 MR. TRESSLER: Are these exhibits,  
15 sir?

16 MR. CORTEZ: They are. They are  
17 exhibits.

18 MR. TRESSLER: I'm going to mark  
19 these as Exhibit 3 Cortez.

20 MS. BUTLER: Should it be one? Is  
21 it one document?

22 MR. TRESSLER: Well, Exhibit 3  
23 Cortez, and there is a -- there's several  
24 documents: BOS meeting 3/9/22; something  
25 -- average Airbnb occupancy rates;

1 something marked Page 5, it says "public  
2 code"; and then something that's marked  
3 Page 1 of 2, but there is no Page 2, that  
4 says "Monroe County Ordinances"; and then  
5 lastly a June 28th, 2022, e-mail from  
6 Tracie Robinson addressed to Ricky Cortez.

7 And, again, I'm going to mark all  
8 of these as Exhibit 3 Cortez.

9 MR. CORTEZ: Thank you.

10 MS. BUTLER: Heidi Pickard.

11 MS. PICKARD: Good evening. Heidi  
12 Pickard, 3149 Hemlock Hill Road.

13 MR. TRESSLER: Can you please put  
14 the mic up a little bit and talk into it  
15 so everybody can hear you?

16 MS. PICKARD: Heidi Pickard,  
17 3149 Hemlock Hill Road. Township  
18 resident. Also served on the Tobyhanna  
19 Township short-term rental committee and  
20 the Pocono Mountain Association of  
21 Realtors short-term rental committee. And  
22 I've worked at Lake Naomi Real Estate for  
23 the past 38 years, and worked with the  
24 county draft and the township draft, which  
25 all had recommended the two per bedroom

1 plus four.

2 In the mid to late '60s, my family  
3 rented a lake home in Lake Naomi. We  
4 rented with another family with whom my  
5 father worked. Our numbers totaled four  
6 adults and eight children. We did this  
7 for a couple of years until we bought a  
8 resale home in the community, and our  
9 friends purchased land and built a  
10 three-bedroom-one-bath home for their  
11 family, which consisted of two adults and  
12 six children, which they used successfully  
13 without any septic issues for over five  
14 decades.

15 Limiting the occupancy to two per  
16 bedroom severely harms the families coming  
17 to the Poconos for vacation. These  
18 families have their kids in bed at a  
19 decent hour and aren't a party. They  
20 usually consist of the grandparents,  
21 parents, and their kids. These are the  
22 families that you will not be allowing to  
23 come to Tobyhanna Township to rent. They  
24 are not causing the problems and will be  
25 the victims of this ordinance and forced

1 to vacation elsewhere.

2 The majority of the renters we have  
3 seen over the past 30 to 40 years in our  
4 business of facilitating rentals are  
5 families that are good stewards of the  
6 homes that they rent and the largest  
7 source of buyers --

8 MS. BUTLER: 30 seconds.

9 MS. PICKARD: -- of new buyers in  
10 the area. Many of them often rent to  
11 offset the costs of our extremely high  
12 property taxes and membership dues.

13 I strongly urge you to disallow  
14 children in your occupancy cap or make  
15 accommodations for families supplying an  
16 increase over the two per bedroom to plus  
17 four children. They make accommodations  
18 at Penn Forest for children separate.

19 With the aforementioned comments,  
20 we are encouraged by your interest in  
21 creating a reasonable ordinance --  
22 ordinance to regulate short-term rentals  
23 --

24 MS. BUTLER: Time.

25 MS. PICKARD: -- and believe it is

1 long overdue and accomplishes the  
2 objective of (indiscernible) --

3 MS. BUTLER: Time. Thank you.

4 MS. PICKARD: -- (indiscernible).  
5 Thank you.

6 MS. BUTLER: Heather McCarron. I'm  
7 so sorry.

8 MS. MCCARRON: That's okay. It's  
9 an easy one.

10 So my name is Heather McCarron. I  
11 own 1005 Maple Drive in Locust Lake  
12 Village.

13 First came to the Poconos 30-plus  
14 years ago when my then-fiance and  
15 now-husband's family rented a home in the  
16 community in which we now own a home. It  
17 was the '80s. Life was different. We  
18 were younger, thinner. Social media and  
19 the internet didn't exist. In the '90s,  
20 we tried to join forces with a family  
21 member to buy a Pocono home and rent it  
22 out and use it for pleasure. The  
23 financials didn't work.

24 Fast forward to the 2000s. With  
25 the advent of Airbnb, VRBO, and other



1 websites, the financials finally worked.  
2 After years of doing long-term urban  
3 rentals, we were able to try a short-term  
4 rental. For the last four and a half  
5 years, we've been renting our home in  
6 Locust Lake Village, like hundreds of  
7 other Tobyhanna owners. Each weekend we  
8 have guests from all over staying with us,  
9 like the Puerto Rican family that brought  
10 their small daughters to the Poconos to  
11 see it snow for the first time, or the  
12 eight men that stayed at our house last  
13 weekend because they were (indiscernible).  
14 There are so many other stories.

15 Our own family has used the house.  
16 Our house is a small house. When we  
17 bought it, we paid less than the previous  
18 owners had paid. Let me say that a  
19 different way so you understand it. The  
20 owners -- we paid less than the owners  
21 that we bought it from. They took a loss  
22 on the house. Property values had  
23 plummeted. We put sweat equity into the  
24 property. In addition, we spent thousands  
25 of dollars with local businesses. Our

1 house was updated for the first time since  
2 it was built in 1969. Our recent guests  
3 describe our house --

4 MS. BUTLER: 30 seconds.

5 MS. McCARRON: -- as country charm  
6 meets modern cozy. This is the best  
7 description. Each week my husband and I  
8 ready the house for guests.

9 Property values have finally risen  
10 in the Poconos. This house is a large  
11 part of retirement savings. I can feel  
12 the home values plummeting. Are the  
13 owners' fees included in the short-term  
14 rental ordinance designed to finally break  
15 owners like my husband and I if we have  
16 one bad guest?

17 MS. BUTLER: Brian Tinneny.

18 MR. TINNENY: Yes. I'm Brian  
19 Tinneny. I own an STR at 1005 Maple Drive  
20 in Locust Lake Village.

21 Why is the board unreasonably  
22 restricting our property --

23 MR. TRESSLER: Excuse me, sir. I  
24 don't think people can hear you. If you  
25 can speak into the mic. I'm sorry.

1 MR. TINNENY: Why is the board  
2 unreasonably restricting our property  
3 rights? Why do you specifically reject  
4 Monroe County's model ordinance, the  
5 two-per-bedroom-plus-four model? This is  
6 used by so many of the adjoining townships  
7 within the county.

8 You're making a point to exceed the  
9 construction and building codes that are  
10 applicable. Why? Whether one is an STR  
11 owner of a large house, more than one  
12 house, or even one small house, like  
13 ours -- which is used as a rental and for  
14 our own family purposes -- this will  
15 negatively impact all of us, and it will  
16 -- also will negatively impact the  
17 community.

18 Again, why are you not listening?  
19 An earlier speaker said it best: There is  
20 no compromise.

21 Why are you unreasonably  
22 restricting our property rights?

23 Please reconsider.

24 MS. BUTLER: Joe Crandall.

25 MR. CRANDALL: Joe Crandall,

1 full-time resident Tobyhanna Township,  
2 living in Pocono Pines.

3 As a 50-year-plus full-time  
4 resident of Tobyhanna Township, and on  
5 behalf of the majority of the full-time  
6 residents and non-STR homeowners in  
7 Tobyhanna Township, I ask you to pass the  
8 proposed STR ordinance at the end of  
9 today's public meeting. You have my  
10 reasons for requesting passage of this  
11 ordinance; however, I would like you to  
12 consider that more than 85 percent of the  
13 STR business owners -- and that's what  
14 they are -- in the township are not  
15 residents of the township. Also, be aware  
16 of the fact that more than 50 percent of  
17 the STR business owners aren't even  
18 residents of Pennsylvania. For example,  
19 on my home's block, the full-time STR  
20 business across from me is owned by people  
21 from Virginia, and on my block there are  
22 six more STR businesses owned by people  
23 and LLCs from Philadelphia, New York, New  
24 Jersey, and Utah. In fact, the Utah  
25 owners have never even been to that house.

1           The STR business owners who are  
2           opposed to this ordinance (indiscernible)  
3           regulations will be determined detrimental  
4           to the economy of Tobyhanna Township. I  
5           find this hard to believe. As in the past  
6           few years, at least six restaurants; one  
7           hotel, falling apart; convenient store gas  
8           station, also in disrepair; one bank; and  
9           even a tiki bar, have closed. How did STR  
10          businesses help them? Other than making  
11          money, what do the STR business owners  
12          care about --

13                   MS. BUTLER: 30 seconds.

14                   MR. CRANDALL: -- Tobyhanna  
15          Township? They don't pay the 1 percent  
16          earned income tax and contribute nothing  
17          that would benefit the township such as  
18          community volunteers for youth and senior  
19          programs.

20                   Please pass this short-term rental  
21          ordinance, Number 569, and Zoning  
22          Ordinance Number 570 today. Thank you.

23                   MS. BUTLER: John Holahan.

24                   MR. HOLAHAN: You know, it's a  
25          whole lot easier standing on this side of

1 the table. So I figured I would let you  
2 all kind of think about that a little bit.

3 I don't have a whole lot to say  
4 other than a Holahan loves the sound of  
5 their own voice, and this is why I'm up  
6 speaking.

7 But what I would like you to do is  
8 understand that we have -- the short-term  
9 rental committee have been working for  
10 just over a year on this ordinance. I  
11 think you folks have pretty much got it  
12 down there. There's some tweaking to do  
13 with it. But I -- I support the passage  
14 of the STR ordinance.

15 Now, in discussions with the --  
16 Attorney Coleman, he said this was  
17 malleable enough that we can amend any  
18 shortcomings in this ordinance by  
19 resolution. So what I would like to be  
20 able to do is get you all to give a  
21 commitment on passing the STR ordinance  
22 and then entertaining resolutions to make  
23 up the difference.

24 I would also ask you to take -- I  
25 don't think you have enough bandwidth;

1           you've got enough things to do. I don't  
2           think you have enough bandwidth to handle  
3           all this. You should reach out, grab some  
4           of the people from the community, like you  
5           did with short-term rental ordinance, and  
6           say, "What do we need to do in resolutions  
7           to get this thing straightened out?" But  
8           pass this one tonight.

9                     Thank you.

10                    MS. BUTLER: Ed Tutrone.

11                    MR. TUTRONE: Ed Tutrone, Tobyhanna  
12           Township resident, Pocono Lake.

13                    I'm not against the short-term  
14           rental ordinance. I think there needs to  
15           be rules and regulations. My thing that  
16           I've been -- that I believe, it needs to  
17           be fair across the board.

18                    And one of the things in here that  
19           was added to Section 2, under the scope,  
20           letter (H), was camps, cabins, and  
21           cottages that predate the zoning.

22                    I know the chairman of the board,  
23           Mr. Kerrick, has a cottage on Airbnb and  
24           VRBO that he has financial gain and  
25           interest with himself and his family, and

1           that -- if that's exempt -- it's two  
2           bedroom but yet sleeps nine.

3                     And those older cottages probably  
4           have older septics. So if we're looking  
5           at the septics on these newer buildings,  
6           how come we're not looking at them on the  
7           cottages? And how come they're exempt?  
8           That should not be in there. It should be  
9           fair across the board with everybody.

10                    If you're going to limit occupancy  
11           to bedrooms, two per bedroom, it should  
12           only sleep four. It advertises nine, on  
13           VRBO and Airbnb. And I would like to  
14           submit that to the hearing as an exhibit.

15                    MS. BUTLER: I paused your time for  
16           a minute.

17                    MR. TUTRONE: And one last comment.  
18           I would like to say thank you to everybody  
19           that had put time into this, good, bad, or  
20           indifferent, because I know it's a lot of  
21           time, and I appreciate it, negative,  
22           positive, whatever. But thanks to  
23           everybody for their work.

24                    MR. TRESSLER: Mr. -- is it  
25           Dutrone?



1 MR. TUTRONE: Tutrone.

2 T-u-t-r-o-n-e.

3 MR. TRESSLER: I'm going to mark  
4 this as Exhibit 4 Tutrone.

5 MR. TUTRONE: Thank you.

6 MS. BUTLER: Nancy Dressel.

7 MS. DRESSEL: Hi. My name is Nancy  
8 Dressel, and I am a full-time resident of  
9 Pocono Pines, and I reside at 5212  
10 Woodland Avenue. I happen to be president  
11 of the homeowners association, Pocono  
12 Pines Community Association, and, as such,  
13 I would like to express my personal  
14 support of this ordinance, as well as the  
15 board of PPCA.

16 Of special concern to me was the  
17 propensity of STRs overtaxing existing  
18 septic systems. A number of communities  
19 in this region, as well as the tourist  
20 attractions, depend on our creeks and  
21 waterways; and without clean water, we  
22 would lose tourists, we would lose  
23 business, and we would lose value to our  
24 communities.

25 I thank you very much for your work

1 on this ordinance, and we fully support  
2 it.

3 MS. BUTLER: Wendy Manley.

4 MS. MANLEY: Hi. Wendy Ney Manley,  
5 220 Split Rock, Pocono Pines. Also a  
6 member of PPCA but don't think the board  
7 necessarily speaks for me.

8 Sat on the small rent- -- the task  
9 force for short-term rentals. Very torn.  
10 We need something. I want to support  
11 this, but at the same time there are some  
12 problems. I could be persuaded to support  
13 it if I believed, as Mr. Holahan has  
14 indicated, there would be an opportunity  
15 to remedy a lot of the open-ended issues,  
16 but it would need to happen quickly for  
17 me. Either way, the document's  
18 incomplete.

19 The recommendations of the  
20 short-term task force have been put aside  
21 in many instances. There have been no  
22 public -- there has been no public  
23 discourse where the township and board of  
24 supervisors are actually engaged in a  
25 conversation with the public rather than a

1 one-way dialogue with the exception of the  
2 workshops that took on -- took place early  
3 on about three years ago.

4 The capping of the ten is  
5 arbitrary, it's not based on the IBC, and  
6 it's a nonissue for Bureau Veritas and  
7 other municipalities in the rest of the  
8 state. Not sure why it's a problem here.  
9 Where in your definitions of "transient"  
10 are the words "profit-making use"  
11 reflected? Found that curious.

12 Under what conditions must someone  
13 be on site within 30 minutes? Is it any  
14 infraction? Is it a certain level of  
15 infraction? Is any STR offense subject to  
16 an arbitrary \$1,000 fine made at the  
17 discretion of the township? Is there any  
18 way to obtain a waiver for the ten cap?

19 MS. BUTLER: 30 seconds.

20 MS. MANLEY: Language has been  
21 added to the documents such that Airbnb  
22 and VRBO may not be able to comply. Has  
23 anyone reached out to them to get the  
24 language approved since their overtures to  
25 assist were shut down? What's the purpose

1 of adding the cottage/cabin language?  
2 What's the percentage of the township is  
3 now contemplating to limit the number of  
4 STRs? Will the board of supervisors  
5 handle infractions and future tweaks to  
6 the ordinance? Do we want our supervisors  
7 handling enforcement? According to  
8 municipal code, monies raised through the  
9 STR --

10 MS. BUTLER: Time.

11 MS. MANLEY: -- license

12 (indiscernible) --

13 MS. BUTLER: That's your time.

14 Thank you.

15 MS. MANLEY: -- (indiscernible) --

16 okay. I have more, but --

17 MS. BUTLER: We're going to move

18 on. Thank you.

19 MS. MANLEY: Gotcha. Thank you.

20 MS. BUTLER: Jim Mannix? I

21 apologize.

22 MR. MANNIX: It's Mannix. I'm

23 going to decline.

24 MS. BUTLER: Mannix.

25 MR. MANNIX: Mannix, M-a-n-n-i-x.

1 I'm going to decline.

2 MS. BUTLER: You're not going to  
3 make a comment?

4 MR. MANNIX: That's correct.

5 MS. BUTLER: Okay.

6 Rae Trisciuzzi.

7 MS. TRISCIUZZI: I'm not used to  
8 talking to a lot of people, so bear with  
9 me.

10 My name is Rae Trisciuzzi. I live  
11 on Robin Lane in Pocono Lake. I have an  
12 Airbnb next to me that's listed as holding  
13 up to 30 people.

14 UNIDENTIFIED AUDIENCE MEMBER:

15 Can't hear you.

16 MS. TRISCIUZZI: It holds up to 30  
17 people. It's outrageous. They target  
18 practice in the back. They're coming up  
19 from New Jersey and New York, because I  
20 see the license plates.

21 A couple of weeks ago, they had a  
22 bus the size of a school bus painted white  
23 full of kids. My grandson comes home from  
24 work -- they live down the road -- he's in  
25 the garage with his brother having a

1 cigarette and a beer at 11:00 at night and  
2 there's a lot of noise outside. He goes  
3 and opens the door. There's about five or  
4 six of these guys out there with beer and  
5 a flashlight walking up and down, and he  
6 asks them what they're doing there. And  
7 they said, "We want to say hello to the  
8 neighbors." And then he tells them  
9 they're doing prom, they're celebrating  
10 prom, which tells me they're 18, 19 years  
11 old, walking up and down that road with  
12 beer and flashlight.

13 Fireworks every night. And it's  
14 like 2:00 in the morning. There is a lot  
15 of elderly people living on that road, and  
16 there are people that get up in the  
17 morning to go to work, and we don't need  
18 this. 30 people. And, I mean, just --

19 MS. BUTLER: 30 seconds.

20 MS. TRISCIUZZI: There are at least  
21 12 cars in the driveway, and then we see  
22 this bus. I mean, it's every weekend.  
23 Now they came yesterday and the guy pulls  
24 up the car and he's taking a leak right  
25 outside on my road. It's ridiculous.

1 Thank you.

2 MS. BUTLER: Yes, ma'am.

3 Marty Nicoll.

4 MR. NICOLL: Hi. Marty Nicoll. I  
5 own a short-term property in Emerald  
6 Lakes, 196 Beaver Dam Road, and reside in  
7 East Stroudsburg. I also own and manage a  
8 property management company. And I'm  
9 certainly in support of fair and  
10 reasonable short-term rental, you know,  
11 ordinances, but not to support this one  
12 unless it gets changed.

13 A couple of things in terms of  
14 being positive. There's certainly value  
15 to the township and residents by  
16 short-term rentals. Property values are  
17 up; equity is up; and it's really putting  
18 money in residents' pockets. We get  
19 additional funds that you take from  
20 short-term rental owners that are not  
21 charged to residents to help defer a lot  
22 of the costs. The Pocono Township  
23 economies are lifted by literally millions  
24 of dollars coming in, and we were not as  
25 affected by the COVID recession because of

1 that compared to the rest of the state and  
2 the rest of the country.

3 There is an occasional bad  
4 neighbor, which does happen, but think  
5 about whether you would rather have an  
6 occasional bad neighbor or somebody  
7 permanently living next to you who doesn't  
8 take care of their property with mean dogs  
9 and scary. Short-term rental properties  
10 are generally well kept, really well  
11 maintained.

12 Two things I would ask you to  
13 reconsider. The septic testing in Section  
14 7. It says -- I agree there is a health  
15 issue for our water supply in lakes. I'm  
16 part of Emerald Lakes, and there's  
17 bacteria in the lake that keeps closing  
18 the beach. So the guidelines for septic  
19 should be applied to all properties in the  
20 township, not just short-term rentals.  
21 There is more of the residential  
22 properties than there are STRs. Just make  
23 it fair and equal. We should all get it  
24 tested and all make sure that there's  
25 quality, you know, sewer systems in terms



1 of that.

2 MS. BUTLER: 30 seconds.

3 MR. NICOLL: And then the last  
4 thing is the Section 8 limit to ten.  
5 Obviously, it has been approached by many  
6 people, which is, you know, why are we  
7 doing something different than the county  
8 and the rest of the country -- the rest of  
9 the state? And my comment is, please have  
10 an ordinance that makes sense. Right?  
11 Because otherwise you'll give us no choice  
12 but to literally use the court system to  
13 correct it. Please do the right thing.

14 MS. BUTLER: Wei Zhou.

15 MR. ZHOU: Good evening. My name  
16 is Wei Zhou. Property address,  
17 1680 Clover Road. I am not a full-time  
18 resident in Tobyhanna Township.

19 I just want to express my concern  
20 on Item 2(H). I found two ambiguities  
21 about this item. First, there is no clear  
22 definition of "camp," "cabin," "cottage."  
23 I'm trying to look through the zoning  
24 ordinance. There is no such definitions.  
25 I've looked at the Oxford Dictionary

1           stating it's a wood frame house besides a  
2           lake. And this is the first ambiguity.  
3           Second ambiguity is, it says "predated  
4           zoning ordinance," and there is no, like,  
5           clear year defined here. Is it 1995? Is  
6           it 1977? We don't know.

7                         With all that ambiguity -- like, I  
8           believe a lot of short-term rental owners  
9           here own a wood frame house that's built  
10          before 1995. We have a question. Should  
11          we -- should we apply for a permit? We  
12          don't know. We have no idea. Should we  
13          really need -- are we exempt from this  
14          ordinance or not? We have no idea.

15                        So with this two ambiguity, I'm  
16          hoping that at least make some  
17          clarifications before you guys voting this  
18          ordinance.

19                        Thank you very much.

20                        MS. BUTLER: Alexandria Chardhury  
21          [ph]. I'm so sorry.

22                        MS. CHADHURY: Hello. Can you hear  
23          me? Can you hear me? My name is  
24          Alexandria Chadhury. I'm at 202 Overland.

25                        So, basically, I'm just a little

1 bit confused on how this all works. I  
2 thought that this meeting was going to be  
3 something where we could ask questions and  
4 find out more information, and I just  
5 don't understand at what point are we  
6 going to get our questions answered. I  
7 feel like we -- we keep coming to these  
8 meetings, and we're trying to get a little  
9 bit more information. Just what do we do  
10 now? How do we move forward? Are we a  
11 cabin? Are we a cottage? What are the  
12 fines? What permit fees? What are they  
13 based on? How much are they? I can't  
14 find any of this information in the  
15 ordinance as is.

16 And at this point, we're getting to  
17 a point where it's like, okay, you want to  
18 vote on it today. How are we supposed to  
19 move forward if we don't have these  
20 answers to these questions?

21 We're also still trying to figure  
22 out, if single-family dwellings were  
23 constructed under IRC, then why are we  
24 talking about IBC in this ordinance? And  
25 when we had submitted, in the past, the

1 opinions of Shawn McGlynn, were those  
2 reviewed? Were they taken into  
3 consideration when drafting this  
4 ordinance?

5 There are so many questions, and  
6 I'm just a little confused. At what point  
7 are they going to get answered?

8 No answer? Okay.

9 MS. BUTLER: Donner Bermudez.

10 MR. BERMUDEZ: Good evening,  
11 everyone. I usually don't speak or  
12 anything. My name is Donner Bermudez.  
13 I'm a small business owner. I own a  
14 veteran-owned construction business.

15 My question is, if the ten-person  
16 occupancy maximum is based on septic  
17 concerns, please provide the citations, a  
18 specific authority, that supports that  
19 number.

20 I just would like to know, because  
21 a lot of the properties that I manage or I  
22 fix up for these fine folks of the owners  
23 of the STR -- they employ me. They employ  
24 my veterans.

25 It does affect me in a certain way

1           where the house next door to the STR is a  
2           resident that has 15 people living in a  
3           house of -- a three bedroom, so why would  
4           that be different for a family of ten in a  
5           five-bedroom Airbnb? It's just something  
6           that I analyzed. If a person that has a  
7           15-person family in a three-bedroom can  
8           live there without septic issues, one of  
9           my property owners can rent a house for  
10          three people but it's an issue? So I'm  
11          just -- I would just like to know that,  
12          honestly.

13                       MS. BUTLER: Jill Siegel.

14                       MS. SIEGEL: Hi. My name is Jill  
15           Siegel, and I live on Long View Drive in  
16           Pocono Pines, and I am a full-time  
17           resident here and I vote here.

18                       And I would like a point of  
19           clarification before I make my very simple  
20           comment, which is just a thank you.

21                       Should people who -- be stating  
22           where their primary residence is or a home  
23           that they happen to own in the township?  
24           Because we're getting residences that are  
25           homes in the township and not primary

1 residences as what they're giving you,  
2 many of them, that I know personally, ones  
3 I don't know personally. Who knows. So  
4 that's a question that I have. You know?  
5 So we don't really know where they live,  
6 and we don't really know where they vote.

7 The other thing is, the attorney  
8 who is representing a group of STR owners,  
9 we should have all that information on  
10 those owners as well -- where is their  
11 primary residence, where do they vote --  
12 rather than him just representing them and  
13 us not knowing.

14 I agree with Mr. Tutrone regarding  
15 Section 2(H) on cabins, camps, and  
16 cottages. I believe there should be no  
17 exclusions at all to this ordinance. It  
18 applies -- it should apply to everyone.  
19 And the older that a structure is, the  
20 older the septic system most likely is,  
21 and the chances of there being a failure  
22 is that much greater.

23 MS. BUTLER: 30 seconds.

24 MS. SIEGEL: So I believe there  
25 should be absolutely no exceptions to

1 camps, cabins, or tents.

2 I thank you for this ordinance, I  
3 appreciate all the work you put into it,  
4 and I hope you pass it tonight.

5 MS. BUTLER: Karl Diesel.

6 MR. DIESEL: Good evening. Karl  
7 Diesel, 880 Haldeman Road, STR vacation  
8 owner.

9 Latest headline. Americans scaling  
10 back on vacation and travel plans.

11 Our short-term rental community has  
12 exposed every fact and statistic  
13 supporting our position for a fair and  
14 equitable ordinance.

15 The Monroe County sample ordinance,  
16 STR committee report, and surrounding  
17 townships' ordinances all support and  
18 mirror our requests for a competitive  
19 ordinance. It is clear that the draft  
20 presented is severe and punitive to the  
21 Tobyhanna STR community and beyond.

22 Mr. Kerrick has asked for new  
23 information since nothing they have heard  
24 or seen has changed their minds on the  
25 proposed draft.

1           In fact, the new elephant in the  
2           room is rampant inflation, stagflation, a  
3           long term recession on the horizon.  
4           Actually, that's here now.

5           With all costs of living  
6           skyrocketing, and no end in sight, we ask  
7           you to consider the following:

8           This proposed ordinance is not  
9           competitive and will hurt home values for  
10          everyone that owns a home here, whether  
11          you're a resident or not. Okay?

12          Future fees to stay and play at the  
13          large resorts will most likely increase  
14          and price many of their customers out of  
15          the Pocono vacation market.

16          STR offers a family friendly,  
17          reasonable stay-and-play alternative and  
18          helps bring people to our region,  
19          supporting the local businesses and  
20          entertainment zones.

21          A four-person-per-day cut,  
22          reduction in stay, at our 800 STRs is  
23          3,280 less people on any given day who may  
24          not even --

25                   MS. BUTLER: 30 seconds.



1 MR. DIESEL: -- come to the Poconos  
2 as they are faced with spiraling costs for  
3 gas, food, and beyond. Recessions can  
4 last for several years, and a recovery of  
5 any kind will not be enhanced by the  
6 current ordinance regulations.

7 The excessive fines and limited  
8 occupancy restrictions will hasten the  
9 demise of the valuable short-term rental  
10 community and will quickly return the area  
11 to the sad state of affairs the region was  
12 before the STR boom rescued it from  
13 foreclosures, crimes, high school taxes  
14 and blight. Income for HOAs, Monroe  
15 County Hotel Tax and the PA Sales tax will  
16 be dramatically reduced.

17 It is not too late to make these  
18 simple changes I have repeatedly asked  
19 for.

20 MS. BUTLER: That's your time.

21 MR. DIESEL: Thanks for your  
22 consideration.

23 MS. BUTLER: Thank you.

24 MR. DIESEL: Please choose wisely.

25 MS. BUTLER: Mr. Diesel, that's

1 your time.

2 MR. DIESEL: All of our --

3 MS. BUTLER: Thank you.

4 MR. DIESEL: -- futures depend on  
5 it.

6 MR. TRESSLER: At this point,  
7 again, we -- remember, we asked at the  
8 beginning there be no clapping or  
9 cheering. This is a formal hearing. It  
10 makes it very difficult for the court  
11 reporter to take everything down. So,  
12 again, please refrain from any clapping or  
13 extraneous noises after a person is  
14 speaking.

15 MS. BUTLER: Margolata [ph]  
16 Maciejewska. I'm so sorry again.

17 MS. MACIEJEWSKA: Hi. My name is  
18 Malgorzata Maciejewska. This time I'm  
19 better prepared than last time, if you  
20 remember me.

21 When I came to the United States  
22 20 years ago, I -- sorry. -- I came for  
23 American dream. I'm sorry. I worked  
24 tirelessly for many years until finally I  
25 was able to move to Poconos and purchase a

1 house, to a short-rental house. Then I  
2 purchased another. And I ran those  
3 short-rental houses for last ten years.  
4 And I always abide the Monroe County  
5 rules. Now you, few people, wants to take  
6 away from us. The new ordinance that you  
7 propose is going to kill my business and  
8 many others that have mortgages.

9 We hire -- I'm sorry. We hire many  
10 local workers to manage our houses --  
11 housekeepers, maintenance guys, lawn  
12 mowers. They going to lose their jobs if  
13 we aren't able to rent with lower  
14 occupancy. Renting houses for 12 people  
15 makes easier for people to pay the cost;  
16 they can all chip in. But for  
17 three-bedroom house allowing only six  
18 people, it makes harder for guests to  
19 afford the rentals, especially right now  
20 with the economy.

21 You are claiming there is a problem  
22 in Tobyhanna Township with short-term  
23 rentals -- garbage, noise, etc. I  
24 understand all of you -- like, they  
25 complaining. But I think the problem is

1 because of you. Other townships made  
2 their short-term rental rules years ago  
3 and don't -- they don't have that problem  
4 you have. Not having rules encourage --

5 MS. BUTLER: 30 seconds.

6 MS. MACIEJEWSKA: -- people to rent  
7 above their limits, like 30 people. They  
8 rent for adults unsupervised and for over  
9 20 people per house. Presenting rules  
10 like other townships rather than reducing  
11 the amount of people in short-term would  
12 be a better solution.

13 Thank you.

14 MS. BUTLER: It just says "Monika"?

15 Going once -- okay, we're -- oh, is  
16 that -- okay. I need your last name for  
17 the record, too.

18 MS. EVTIMOVA: Sure. Monika  
19 Evtimova, 324 Cedar Drive, full-time  
20 resident and STR owner --

21 MS. BUTLER: Do you mind -- before  
22 I want to start your time, can you spell  
23 your last name?

24 MS. EVTIMOVA: E-v-t-i-m-o-v-a.

25 MS. BUTLER: All right. I'm ready

1 when you are.

2 MS. EVTIMOVA: Okay. Last time, I  
3 was crying. This time, I'm trying my best  
4 not to, because I'm getting very  
5 emotional.

6 I came to this area because I love  
7 nature, peace, and quiet. I never -- I  
8 rarely have any issues with my -- with my  
9 renters. We have our rules we have been  
10 doing for years.

11 I have great relationship with our  
12 neighbors. We always try to help. We  
13 have been around all the time. We keep  
14 maintaining our house and always help her  
15 with whatever she needs. When my husband  
16 is there, he's cutting her lawn, and we  
17 always -- they had the driveway flooded  
18 and taken out; we were the ones that were  
19 there to dig out everything and try to  
20 help her.

21 And not everyone in this township  
22 is here -- like, not every STR owner is  
23 here to, like, ruin the nature and all  
24 that. We love the nature, and that's what  
25 we came here for. It's not for, like,

1 making -- ruin anyone's life. It's just  
2 to enjoy it as a -- like everybody else  
3 has.

4 I think this ordinance is  
5 premature, and it's not fair, because  
6 there are full-time residents, as the  
7 gentleman said, that are breaking the laws  
8 all the time, and they're going to -- with  
9 this ordinance, it's just going to be a  
10 punch for the STR owners. The small  
11 families, the families that love the  
12 nature, you're going to cut them off with  
13 this ordinance. It could be fair  
14 (indiscernible) --

15 MS. BUTLER: 30 seconds.

16 MS. EVTIMOVA: And I would  
17 appreciate some reasoning behind all those  
18 restrictions.

19 I also believe that the other  
20 townships that they pass their ordinance,  
21 they don't have these problems anymore,  
22 and the reason that -- why we have those  
23 problems were just because there was no  
24 ordinance. I would appreciate if you  
25 think -- re-think about it. Start with

1 something, and then, like, be more  
2 restrictive if there is need to be,  
3 because I feel that more of the STR owners  
4 --

5 MS. BUTLER: Time.

6 MS. EVTIMOVA: -- are more  
7 respectful than what you think.

8 Thank you.

9 MS. BUTLER: Ruslan Kolyuzhko.

10 I am going to need you to swear in  
11 because you were not a part of our initial  
12 swearing in.

13 - - -

14 (Ruslan Kolyuzhko was duly sworn.)

15 - - -

16 MS. BUTLER: And then I would just  
17 ask to spell your last name for the  
18 record, too.

19 MR. KOLYUZHKO: Sure.

20 K-o-l-y-z-h-k-o.

21 MS. BUTLER: And I'm ready.

22 MR. KOLYUZHKO: My name is Ruslan  
23 Kolyuzhko, 187 Arbor Drive, Long Pond.

24 A lot of us in this room who are  
25 STR owners feel that the ordinance that's

1 passed here is a little improper and, as  
2 the lady told, premature, just because it  
3 feels -- I'm just telling my own opinion,  
4 the opinion of some people who sit here --  
5 that this has been pre-decided months ago  
6 and this is just a formality. We're here  
7 for you to put checkmarks in your legal  
8 document that you held this hearings.

9 Because we don't understand -- and, again,  
10 explain us how it was different. But we  
11 do not understand what happened to all of  
12 the feedback that we provided from the  
13 industry professionals that clearly showed  
14 flaws, improper definitions, and legal  
15 problems in this ordinance. So we keep  
16 passing you documents from Shawn McGlynn,  
17 who is well known in the Poconos. You  
18 guys need to know that Shawn does not like  
19 STR, but he still work with that because  
20 this is the right information he gave us,  
21 because he feels this is wrong what you're  
22 passing here.

23 Septic professionals, (indiscernible),  
24 we gave you so much input and we gave --  
25 we have no answers to any questions.



1 Nothing has been changing. You're just  
2 trying to pass ordinance. That's how it  
3 feels. I'm sorry if it's a little  
4 offensive, but this is how it feels to  
5 people in this room.

6 So we're asking you to please  
7 reconsider some of the points, talk to us,  
8 give us some feedback. Don't just blindly  
9 vote because this is -- we are ready to go  
10 far.

11 Thank you.

12 MS. BUTLER: That was the last name  
13 we had on our in-person list.

14 MR. TRESSLER: Anyone else want to  
15 be added to the list to speak?

16 Anybody on the Zoom, the call-in?

17 MS. CANFIELD: We do have one  
18 raised hand for an "AR." I don't know if  
19 I see them, though.

20 MS. BUTLER: Anthony Rallo.

21 Anthony, can you unmute yourself?

22 MR. RALLO: I've unmuted myself.  
23 Can you hear me? I thought that you could  
24 not take microphone, so I -- I put it in  
25 the message chat what I would like to

1 say --

2 MS. BUTLER: Okay.

3 MR. RALLO: -- but I'm happy to say  
4 it. I'm happy to say it if you would like  
5 me to.

6 MS. CANFIELD: Please do.

7 MS. BUTLER: Well, so hold on a  
8 second, Anthony. I'm going to have our  
9 stenographer swear you in.

10 MR. RALLO: Okay.

11 - - -

12 (Anthony Rallo was duly sworn.)

13 - - -

14 MS. BUTLER: The only problem,  
15 Anthony, is that we don't have a mic to be  
16 able to provide you. So if you could put  
17 on your best voice, and hopefully  
18 everybody can hear you. You can start  
19 whenever you're ready.

20 MR. RALLO: That's great. If you  
21 need to --

22 MS. BUTLER: Hold on, Anthony. I  
23 have an idea. Hopefully this doesn't  
24 create any feedback and we might be able  
25 to do this.

1 All right, Anthony. Are you ready?

2 MR. RALLO: Yeah. Tell me if this  
3 is working okay.

4 MS. BUTLER: Is that going to be  
5 good enough for everybody?

6 All right, Anthony. Give it a go.

7 MR. RALLO: All right. Thank you.

8 So I am against the existing  
9 proposed ordinance. As the Tobyhanna  
10 Township Planning Commission stated  
11 appropriately in 2021, the Poconos was  
12 built on short-term rentals. I've asked  
13 previously, the Tobyhanna Township  
14 meetings, why is the current proposed  
15 ordinance limiting occupants per bedroom  
16 and maximum occupants without any  
17 exception or accommodation for children?  
18 I'm concerned about this discrimination,  
19 particularly because the Monroe model  
20 ordinance allows a two-per-bedroom-plus-four  
21 total with no arbitrary caps.

22 We welcome families traveling with  
23 children and have set up our home to  
24 accommodate this. Allowing families to  
25 rent our home in the vacation resort we

1 purchased our home would not be possible  
2 based on the existing language. Did you  
3 ever contact Monroe County Planning  
4 Commission to discuss whether the proposed  
5 ten-person occupancy max was appropriate?

6 We are in favor of a reasonable,  
7 enforceable, and justifiable ordinance,  
8 but the proposed is not this. We  
9 respectfully ask that the board of  
10 supervisors delay the vote so that there  
11 will be time for you to revisit the  
12 unreasonable occupancy clauses that have  
13 been -- that have been added and not  
14 changed since.

15 Thank you very much.

16 MS. BUTLER: Thank you, Anthony.

17 Was there any other raised hands?

18 MS. CANFIELD: That was the only  
19 raised hand. I don't know if that means  
20 no one else wants to speak.

21 Zain, it looks like.

22 MR. TRESSLER: Anybody else? Any  
23 comments on the Zoom?

24 MS. CANFIELD: Zain, it looks --

25 MR. SAEED: I would like to make a

1 comment. I don't know if you can hear me.

2 MS. BUTLER: Okay, Zain, are you --  
3 I need you to state your full name for the  
4 record.

5 MR. SAEED: Okay. Zain Saeed.

6 MS. BUTLER: Spell the last name,  
7 please.

8 MR. SAEED: S-a-e-e-d.

9 MS. BUTLER: And then I'm going to  
10 need you to take your --

11 MS. CANFIELD: Oath.

12 MS. BUTLER: -- oath.

13 - - -

14 (Zain Saeed was duly sworn.)

15 - - -

16 MS. BUTLER: Okay. Are you ready?

17 MR. SAEED: Yes, I am ready.

18 MS. BUTLER: Go ahead.

19 MR. SAEED: Once again, I just want  
20 to thank you for giving me the opportunity  
21 to talk.

22 I'm completely against the current  
23 proposal. I felt like none of our input  
24 was properly taken into consideration and  
25 there weren't even discussion done. We

1           were informed that there would be a  
2           discussion, there would be answers to many  
3           of our questions that we've asked, and we  
4           mainly have not gotten any answers. We  
5           asked how some of the septic rules were  
6           made, or even the occupancy, and we're  
7           getting runaround for different codes,  
8           building codes that do not exist or have  
9           not been specified to us. We also feel  
10          that lot of our input that a lot of people  
11          worked hard on giving you numbers and  
12          figures and the impacts that they will  
13          bring wasn't brought in.

14                 And I understand there needs to be  
15          ordinance, but I would like there to be a  
16          dialogue at the same time. I feel like  
17          there was no changes made into the  
18          ordinance that was previously drafted and  
19          just added more restrictions on top of  
20          that without having a discussion with us  
21          and really cooperating with the rest of  
22          the -- the people that this will be  
23          affecting.

24                 I would really like to see if we  
25          could delay this vote and really open the

1 discussion and have some feedback that's  
2 not just one-sided where we're just asking  
3 for input and it's just going on deaf  
4 ears. So I would really appreciate if you  
5 can really make --

6 MS. BUTLER: 30 seconds.

7 MR. SAEED: -- the right choice,  
8 involving everyone in this process.

9 Thank you.

10 MR. TRESSLER: Anyone else have any  
11 comments from the Zoom call?

12 Hearing none, we're going to recess  
13 for ten minutes and then we will be back.  
14 It is right now 7:08, so we'll be back at  
15 20 after 7.

16 (A brief recess was taken.)

17 MR. TRESSLER: It's 7:20. If  
18 everybody could go back to their seats, we  
19 will reconvene.

20 MS. BUTLER: Please take your seats  
21 as quickly as possible.

22 MR. TRESSLER: Everybody please  
23 take their seats.

24 At this time, it would be  
25 appropriate for -- at this point, we were

1 going to have some supervisor discussion,  
2 or open it up to supervisor dialogue;  
3 however, I've just been notified that  
4 there are members virtually attending the  
5 meeting that still have some more  
6 comments. So in order for everyone to get  
7 their two minutes, we will try to move  
8 through those individuals as we have done  
9 before.

10 Each person should announce his or  
11 her name, the spelling of their name,  
12 their address. And then the court  
13 reporter will swear that person in. And  
14 then you will have the two minutes  
15 virtually to make your presentation.

16 MS. BUTLER: Sarim [ph]?

17 MS. AHMED: Hello. So the name is  
18 actually Tooba Ahmed. I can spell that  
19 for you.

20 MS. BUTLER: Yes, please.

21 MS. AHMED: It's Tooba, like the  
22 instrument, but it's T-o-o-b-a. Last name  
23 is Ahmed, A-h-m-e-d.

24 MS. BUTLER: And I'm going to need  
25 you to go ahead and get ready to have your



1 oath administered.

2 MS. AHMED: Sure.

3 - - -

4 (Tooba Ahmed was duly sworn.)

5 - - -

6 MS. BUTLER: Okay. And give me one  
7 second.

8 All right. Your two minutes starts  
9 now.

10 MS. AHMED: Hello. So not too long  
11 ago, the Poconos were one of the hippest  
12 destinations east of the Mississippi.  
13 What began as one of America's honeymoon,  
14 or post-honeymoon, destinations of choice,  
15 more elaborate and family-friendly resorts  
16 started opening in the '40s and the '50s.  
17 The first commercial ski area, Big  
18 Boulder, was established in 1946 and after  
19 not too long, the Pocono resorts were  
20 swinging pan-seasonal vacation  
21 destinations, welcoming guests of all  
22 social strata.

23 So my confusion is, is while you  
24 guys have an attorney on your end and all  
25 the support of the legalities and all of



1 with a comfortable retirement -- which is  
2 what us business owners are trying to  
3 do -- is not being -- is not being  
4 respected. If there are issues that  
5 individual homeowners, residents have with  
6 us as business owners, that is a dialogue,  
7 and that is ordinances that we could --  
8 that definitely make sense to visit. But  
9 then when you have public safety that's  
10 more concerned about the height of your  
11 grass and the -- and aren't concerned  
12 about anything else other than things like  
13 that (indiscernible) --

14 MS. BUTLER: That's your time.

15 MS. AHMED: -- (indiscernible) what  
16 is the help that we're getting?

17 MS. BUTLER: That's -- that's your  
18 time. Thank you.

19 MR. TRESSLER: Do we have anybody  
20 else virtually?

21 MS. BUTLER: Maria?

22 MS. QUINONES: Hi. Yes. Maria  
23 Quinones. That's Q-u-i-n-o-n-e-s, as in  
24 Sam.

25 MS. BUTLER: All right. You're

1 going to need to take your oath. Are you  
2 ready?

3 MS. QUINONES: I am.

4 - - -

5 (Maria Quinones was duly sworn.)

6 - - -

7 MS. BUTLER: All right. Your two  
8 minutes starts now.

9 MS. QUINONES: The board of  
10 supervisors seemingly has been cooperative  
11 beyond measure in working with Kalahari to  
12 allow an additional 2,000 rooms, a  
13 Margaritaville, the country cottage resort  
14 project -- which I'm sure I botched up the  
15 name -- but clearly this supports the  
16 notion that the importance of tourism is  
17 recognized and that families are welcome  
18 to the Poconos.

19 This two-per-bedroom notion is  
20 limiting us owners who actually have  
21 smaller homes but still want to  
22 accommodate families. This is not going  
23 to help with the intent, which, as I  
24 understand it, is to curtail the party  
25 houses.

1 I have a three-bedroom home.

2 Allowing a child or a set of children to  
3 accompany their parents and uncles is not  
4 going to disturb my neighbors. I have a  
5 neighborly relationship with our neighbors  
6 here.

7 I do want to ask a formal question,  
8 and that's whether the BOS agrees that  
9 limiting the occupancy of a single-family  
10 home to an arbitrary number of individuals  
11 is not consistent with the intent of the  
12 Pennsylvania UCC and building codes. This  
13 can be unnecessarily burdensome to  
14 property owners without providing any  
15 reduction in the life/safety risk to  
16 occupants.

17 I do want to request that the board  
18 either extend this to not include children  
19 or just delay the vote entirely until --

20 MS. BUTLER: 30 seconds.

21 MS. QUINONES: -- we can come up  
22 with something more fair that everyone  
23 will benefit from, because we are looking  
24 to work within our communities. We're  
25 looking to make sure that people are happy

1 here and that we -- residents aren't  
2 disturbed, because they also disturb my  
3 renters when we have unruly people.

4 So we all want the same thing here.  
5 I implore us all to work together and come  
6 up with something fair and something that  
7 doesn't seem like a tremendous amount of  
8 bias for these larger corporations that  
9 already (indiscernible) --

10 MS. BUTLER: That's your time.

11 MS. QUINONES: Thank you.

12 MS. BUTLER: George K?

13 MR. KHALAF: Yep. Speaking. Right  
14 here.

15 MS. BUTLER: Please spell your last  
16 name for the record.

17 MR. KHALAF: K-h-a-l-a-f.

18 MS. BUTLER: All right. And then  
19 I'm going to need you to go ahead and take  
20 an oath.

21 - - -

22 (George Khalaf was duly sworn.)

23 - - -

24 MS. BUTLER: All right. Your two  
25 minutes starts now.

1 MR. KHALAF: My wife and I  
2 purchased property in -- at 1402 Bungalow  
3 Road. We are a family of four, and we --  
4 I wanted to reenforce two points that have  
5 been made through these proceedings.

6 The first is that the vast --  
7 almost all the renters coming are other  
8 families with children who abide by our  
9 house rules, go to bed early, use the  
10 facilities with respect, and respect the  
11 community that they're -- that they're  
12 coming to visit. The restriction of two  
13 people per bedroom seems arbitrary and  
14 would actually discriminate against the  
15 very families that respect the community  
16 and that -- that are attracted to the --  
17 to the area.

18 The second point I would like to  
19 make is, I listened in on the proceedings  
20 a few months ago. Several really sort of  
21 important questions were raised. I  
22 haven't heard any answers or legitimate  
23 responses to any of the questions.

24 Again, during this hearing, I'm  
25 hearing many of the similar questions that

1           seem very reasonable, and, again, there  
2           are absolutely no responses to those  
3           questions, which leads me with the  
4           uncomfortable feeling that this just feels  
5           like --

6                     MS. BUTLER: 30 seconds.

7                     MR. KHALAF: This just feels like  
8           people going through the motions with  
9           decisions already being made rather than  
10          an honest and constructive dialogue and a  
11          back-and-forth and responses to legitimate  
12          questions and concerns that to this moment  
13          have not been -- have not -- I haven't  
14          heard any reasonable response to any of  
15          the legitimate questions being raised.

16                    So for these reasons I would  
17          recommend strongly that (indiscernible) --

18                    MS. BUTLER: That's your time.

19                    MR. KHALAF: -- (indiscernible).

20          Thank you.

21                    MS. BUTLER: And that was the last  
22          person who had raised their hand to speak.

23                    MR. TRESSLER: So I think everybody  
24          has had their chance to speak both in  
25          person here and those that have logged in



1           virtually. So at this time I think it  
2           would be appropriate for the supervisors  
3           to engage in any type of discussion that  
4           they may have or questions, etc.

5                        So, with that, I turn it over to  
6           the board.

7                        MR. KERRICK: Any members? Go  
8           ahead.

9                        MR. CARROLL: Good evening, and  
10          thank you, everybody, for coming. Like  
11          many have said, thank you, everybody, for  
12          your time and participation in this very  
13          laborious process that we've worked very  
14          hard with as a group and individually in  
15          our efforts to what we perceive as a fair  
16          and reasonable ordinance.

17                       I would like to address -- we have  
18          occupancy issues, we have septic issues,  
19          fine issues seem to be the largest. I'm  
20          going to speak for myself. I have a long  
21          background in the construction business.  
22          I have a degree in construction  
23          management. I'm around septic and  
24          building my whole life and carrying on  
25          fourth generation construction and

1 understand, and some people disagree. In  
2 that aspect, with regard to building  
3 codes, Tobyhanna Township has adopted both  
4 the IRC and the IBC building codes. Not  
5 many other townships have. Okay? The --  
6 as soon as we change our position on  
7 occupancy in the house above ten, there  
8 are commercial regulations that are  
9 required and would violate our codes.

10 You guys have your experts; we have  
11 our experts. That's how we came to an  
12 opinion. Most homes are three bedrooms,  
13 one-and-a-half to two-bath homes,  
14 historically from the late 1960s until  
15 now. Yes, I'm sure there's certain homes  
16 that were permitted and built in  
17 accordance with the new zoning and  
18 building codes that have come along since  
19 the early/mid 2000s. Some have not.

20 Many of you -- randomly, I've  
21 looked at certain homes that are assessed  
22 for three bedrooms, one and a half, two  
23 baths, you're advertising in your VRBOs of  
24 five bedrooms, two baths, three baths, no  
25 permits. Your assessed value is based on

1           that.

2                        These septic systems that were built in  
3           the late '60s, early '70s, into the '80s,  
4           are an old way. A lot of you come from  
5           areas that have central water and central  
6           sewer. Very few communities in our  
7           community do. They're old septic systems and  
8           cesspools and things that maybe work for a  
9           family on a summer vacation or in a cabin  
10          or -- or other issues. But when we put 20  
11          people in a home that's not -- we're going  
12          to have problems. I've seen it. I've  
13          lived next to it. You know, somebody has  
14          that occupancy level, 20 people coming in  
15          over the weekend and using the septic  
16          that's designed for 200 gallons a day per  
17          person is not going to handle it. And  
18          then the lake gets polluted and nobody can  
19          swim in the lake, and then the neighbor's  
20          well gets -- he has a problem. That's one  
21          of the things.

22                       There's many factors that we've  
23          considered. We've -- I've read e-mails --  
24          please -- I -- again, it's perception, I  
25          really personally feel disappointed that

1           you guys don't feel that you've been  
2           heard, because we've had -- we've read  
3           every e-mail, we've listened, we've had  
4           these meetings. I feel -- it doesn't  
5           matter what I feel. It's what I believe.  
6           We've worked with a group of well-rounded  
7           people that have very -- vast experience.  
8           We have reached out to experts, talked to  
9           our staff.

10                        I've lived here my whole life so  
11           far. You know? A lot of us on our board  
12           did. We know this area. We've been here.  
13           We understand economic viability of -- of  
14           tourism. We've -- you know, people are --  
15           you know, I think everybody in this room  
16           has a valid comment whether one way or  
17           another. I certainly understand. I made  
18           my living in the second-home business and  
19           resort business. I understand how that  
20           affects people, how the economy affects  
21           that, you know.

22                        We've taken in individually -- we  
23           spend time speaking -- endless amounts of  
24           time -- although it's perceived that we  
25           have closed-door meetings -- we speak

1 individually -- because we can't meet as a  
2 group; we know the law, we understand the  
3 law, and we abide by the law. That -- and  
4 we're very serious about that.

5 So, Mr. Camino, I'm sorry this --  
6 you disagree with that, and that's okay.

7 MR. CAMINO: You're trying --

8 MR. CARROLL: You can --

9 MR. CAMINO: -- to end-run around

10 --

11 MR. CARROLL: -- agree to disagree.

12 MR. CAMINO: -- the law you just  
13 admitted to. Thank you.

14 MR. CARROLL: Excuse me?

15 MR. CAMINO: You just admitted  
16 you're trying to do an end-run around the  
17 Right-to-Know law.

18 MR. CARROLL: I did not.

19 MR. CAMINO: Thank you.

20 MR. CARROLL: I did not say that at  
21 all.

22 (Simultaneous speakers.)

23 MS. BUTLER: This is making it very  
24 difficult for the stenographer.

25 MR. TRESSLER: Yeah, one person at

1 a time. Right now Mr. Carroll has the floor.

2 MR. CARROLL: I think in the -- I  
3 think in the occupancy and the septic, I  
4 believe that the way the ordinance is is  
5 balanced -- fair and balanced as it can  
6 be. Is it perfect? No, nothing is  
7 perfect. But we've also spent two, two  
8 and a half years, several thousands of  
9 dollars of taxpayer money and attorneys  
10 and consultants and our time, to help  
11 provide this business. The short-term  
12 rental group is 10, 12, 15 percent maybe  
13 of the 85 -- 8300 residents that we have  
14 in the township. I have to look at all of  
15 them. That's our job is to provide the  
16 safety, health, and wellbeing for the  
17 entire township, not individually -- you  
18 know, some other townships -- I'm not  
19 concerned with other townships in Monroe  
20 County and the way that they have -- you  
21 know, I'm not going to speak against their  
22 ordinance, but we care about us and what  
23 we do and these decisions that I feel that  
24 are in this ordinance that we've given the  
25 community and listened to input and given

1           our time and tried to make everybody a  
2           part of that. Sure, everybody is not  
3           going to agree, and I understand that, and  
4           that's a challenging part of this job.  
5           But for the most part, I think we can  
6           agree that, you know -- you say we don't  
7           compromise; I say you don't compromise.  
8           Okay, where are we? We can have the  
9           discussion. I'm confident in the  
10          decisions I've made as a member of this  
11          board to move forward.

12                   As far as the fines, the fines are  
13                   meant to be punitive. If everybody is  
14                   doing the right thing like you guys say  
15                   you are, the fines won't be an issue.  
16                   This fine isn't to line our pockets or the  
17                   township's pockets, you know -- we have to  
18                   -- we have the administration. And I  
19                   don't think the taxpayer that does not  
20                   rent their home should bear the burden of  
21                   us trying to do this.

22                   Let me digress to the beginning.  
23                   We are here because the Supreme Court of  
24                   the State of Pennsylvania in the Slice of  
25                   Life case said short-term rentals are

1 illegal in residential zones. That's why  
2 we're here. So we have done all this  
3 where we could have sat here and did it  
4 easy and save two years of time and said  
5 we either come up with what we've done or  
6 we have nothing. That's what -- that's  
7 how simple this is. And our job would  
8 have certainly been a lot easier and we  
9 would have spent more time at home with  
10 our families and all the things that we  
11 do. You know? Our job here is to work in  
12 the best interest, safety, health, and  
13 wellbeing of the community. I personally,  
14 I'm not going to speak for the rest of my  
15 board, but I believe that's what we've  
16 done to help manage this process, which  
17 needs to be managed. It needs to be  
18 managed. You know, the historic vacation  
19 homes of the Poconos did not start off  
20 renting a home off your telephone. It was  
21 going to a real estate agent, going to a  
22 property manager, going to a local cabin  
23 owner, going to those people that live  
24 there and have that face to face, person  
25 to person. And we don't have that anymore.



1                   So, yes, this needs to be done.

2                   The state --

3                   UNIDENTIFIED AUDIENCE MEMBER: But  
4                   you do have that.

5                   MR. CARROLL: -- the Commonwealth  
6                   Court of Pennsylvania said we have to do  
7                   it, that's why we've been here. That's  
8                   why we've worked thanklessly --  
9                   thanklessly on this for many, many years  
10                  now. And we thank everybody for their  
11                  time. I think we're about as good as it  
12                  can get for where we are today, and I'm,  
13                  you know, proud to be a part of the  
14                  decision. I appreciate everybody's time,  
15                  and we try to sit and see both sides of  
16                  everything. You know? Yeah, will it may  
17                  be amended? Mr. Holahan brings up a good  
18                  point. Nothing is perfect. You know?  
19                  You know, if we find that we've -- we've,  
20                  you know, not thought about everything --  
21                  and nobody can think about everything, and  
22                  that's just the way life is. But in the  
23                  end, we care about Tobyhanna Township, not  
24                  Monroe County, not -- not Coolbaugh  
25                  Township, any other township. Nothing

1           against them. We have certain things, and  
2           we ask different questions than everybody  
3           else did, and I think that should be good,  
4           and I would hope that you guys see that we  
5           did our due diligence and our homework to  
6           come to where we are today. Thank you.

7                   MR. KERRICK: Anyone else?

8                   MS. SCHICKLING: First, I thank you  
9           guys all for being here this evening, and  
10          I do thank the short-term rental committee  
11          who did put a great -- a great start for  
12          -- and they really did a good job in -- in  
13          this ordinance. They left a few things  
14          that they had problems with or they  
15          couldn't be -- you know, with the  
16          occupancy, they didn't have that figured  
17          out.

18                   We did -- you know, I think we did  
19          compromise. We -- at first they wanted  
20          week rentals, and you all argued about  
21          that. Every last one of you have argued  
22          that you didn't want a seven-day rental.  
23          We compromised. But now that you got  
24          that, you forgot about it. That's how I  
25          feel. I've had people call me, "We have"

1 -- "We're surrounded by six short-term  
2 rentals. We can't sleep at night." There  
3 is a quality of life. People did not come  
4 to reside in a residential area to be --  
5 to have this influx of commercial  
6 business. And that's what you are; you  
7 are a commercial business. You didn't pay  
8 commercial taxes. You've gotten a lot.  
9 We're trying to make this so it's good for  
10 all, not good for just you, and we're  
11 trying to make it fair. And I'm sorry  
12 that you guys have to attack us like that,  
13 but that's how we see it.

14 So I can say that we -- you know,  
15 we also talked to business owners.  
16 There's business owners that think that  
17 seven days would be great because they say  
18 that the weekend rentals really don't come  
19 out to their business. They stay and they  
20 party at their house. There is a lot of  
21 restaurants that have told us that they  
22 would like a seven-day rental. But we  
23 kept -- we're trying to do what we feel is  
24 best for all, and we would appreciate if  
25 you guys would at least, you know, give us

1 a little bit of slack on -- that's all I  
2 have to say.

3 MR. TRESSLER: So at this time,  
4 Mr. Chairman, it would be appropriate to  
5 entertain a motion to close the public  
6 hearing at this time.

7 MR. KERRICK: Entertain a motion to  
8 close the public hearing --

9 MR. CARROLL: I'll make the motion  
10 to --

11 MR. KERRICK: -- on Ordinance 569.

12 MR. COLYER: I'll second it.

13 MR. KERRICK: Brendon Carroll?

14 MR. CARROLL: Yes. And Joe.

15 MR. KERRICK: Questions or comments  
16 from the board on the motion?

17 Call the vote.

18 Ms. Schickling?

19 MS. SCHICKLING: I vote in favor.

20 MR. KERRICK: Mr. Colyer?

21 MR. COLYER: I vote in favor.

22 MR. KERRICK: Mr. Carroll?

23 MR. CARROLL: I vote in favor.

24 MR. KERRICK: Mr. Carbone?

25 MR. CARBONE: I vote in favor.

1 MR. KERRICK: I vote in favor.

2 Hearing is closed.

3 MR. TRESSLER: At this time,  
4 Mr. Chairman, the board's options are to  
5 approve the ordinance or to reject it, and  
6 a motion would be appropriate relative to  
7 the short-term rental ordinance.

8 MR. KERRICK: It's up to the board.

9 MR. CARROLL: I'll make the motion,  
10 Mr. Chairman, to approve Ordinance Number  
11 569, short-term rental ordinance.

12 MR. COLYER: I'll second.

13 MR. KERRICK: Motion and second.

14 Questions or comments from the  
15 board on the motion?

16 Seeing none, I'll call the vote.

17 Ms. Schickling?

18 MS. SCHICKLING: I vote in favor.

19 MR. KERRICK: Mr. Colyer?

20 MR. COLYER: I vote in favor.

21 MR. KERRICK: Mr. Carroll?

22 MR. CARROLL: I vote in favor.

23 MR. KERRICK: Mr. Carbone?

24 MR. CARBONE: I vote in favor.

25 MR. KERRICK: And I will abstain.

1 I reached out to the ethics commission and  
2 hope to have a response, but I do not have  
3 a response, so I will abstain.

4 Motion carried.

5 - - -

6 (Time noted: 7:42 p.m.)

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THE TOBYHANNA TOWNSHIP BOARD OF SUPERVISORS  
PUBLIC HEARING

- - -

IN RE: Zoning Ordinance Amendment  
Number 570

- - -

PRESENT: JOHN KERRICK, Chairman  
DAVID CARBONE, Vice-Chair  
BRENDON J.E. CARROLL, Treasurer  
RACHEL SCHICKLING, Member  
JOSEPH COLYER, Member

JAMES M. TRESSLER, ESQ., Solicitor

ROBERT BARTAL, Township Manager

AUTUMN CANFIELD, Assistant Manager

CRYSTAL BUTLER, Township Secretary

DATE: Tuesday, June 28, 2022

TIME: 7:42 p.m. - 7:56 p.m.

PLACE: Pocono Mountain West High School  
181 Panther Lane  
Pocono Summit, PA 18364

- - -

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\*\* Court Reporter not in possession of exhibits



1 MR. TRESSLER: At this time, I  
2 would like to call the hearing of the  
3 board to order. Again, as we know, my  
4 name is Jim Tressler. I'm counsel for the  
5 township. Mr. Kerrick, and the other  
6 members of the board are Dave Carbone,  
7 Brendon Carroll, Rachel Schickling, and  
8 Jason Colyer.

9 The record will reflect --

10 MR. COLYER: Joseph.

11 MR. TRESSLER: I'm sorry. Joseph  
12 Colyer. I apologize.

13 The record will reflect that there  
14 is a quorum present and we are ready to  
15 proceed.

16 I want to address the procedural  
17 matters, which are, really, the same  
18 ground rules we set forth before. These  
19 requirements are from the Municipalities  
20 Planning Code and also for order and  
21 decorum as we make a stenographic record  
22 of these proceedings.

23 As you are aware, standalone  
24 short-term rental ordinance was just  
25 passed. The board will now consider

1 Ordinance Number 570, which is the zoning  
2 ordinance amendment permitting short-term  
3 rentals in designated zoning districts  
4 within the township.

5 As to both ordinances, the  
6 effective date will be 90 days after  
7 passage.

8 We will mark, similar as to the  
9 first hearing, Board Exhibit -- the  
10 Tobyhanna Township proposed zoning  
11 ordinance amendment as Exhibit 1.  
12 Specifically, the proposed general powers  
13 ordinance, Number 570, addresses the  
14 zoning change allowing STRs per the STR  
15 ordinance.

16 I'm going to mark as Exhibit 2 the  
17 notice placed by the township and  
18 published on the Pocono Record --

19 MS. BUTLER: On June 10th and  
20 June 17th of 2022.

21 MR. TRESSLER: So June 10th, 2022,  
22 and June 17th, 2022, advertising the  
23 hearing on the zoning ordinance amendment  
24 which allows for STR ordinance and set the  
25 hearing for today's date, location, and

1 time.

2 We are aware of the Monroe County  
3 Planning Commission comments on the  
4 ordinance, which we will mark as MCPC  
5 letter, part of the record as Exhibit 3.

6 Tobyhanna Township Planning  
7 Commission held a public meeting on the  
8 zoning ordinance amendment.

9 The record should reflect that this  
10 hearing is being conducted in a timely  
11 manner following appropriate notice.

12 All are advised that if there is an  
13 objection to the issue of notice, that one  
14 should articulate said objections to the  
15 notice during these proceedings as well as  
16 a rationale in support of his or her  
17 objection.

18 Now we are ready to proceed with  
19 the hearing. And similar to the earlier  
20 ground rules, I want to note that with  
21 regard to the presentation of testimony  
22 and evidence, it is important for all  
23 present to realize that we will do this in  
24 an orderly and focused manner on the issue  
25 before this board. We, again, do this for

1 two reasons: First, to make sure that  
2 there is an orderly presentation of the  
3 evidence and that there is relevant  
4 evidence only; second, we do so as we are  
5 making a stenographic record of these  
6 proceedings which may be subject to  
7 judicial review at a later date in the  
8 Court of Common Pleas of Monroe County.

9 Our court reporter cannot take down  
10 more than one person speaking at a time,  
11 and I commend everybody for our earlier  
12 hearing for the most part obeying that  
13 order to make life easier for our court  
14 reporter.

15 Please afford our stenographer the  
16 courtesy of limiting crosstalk during  
17 these proceedings. One person at a time  
18 only.

19 As with the earlier hearing, we're  
20 going to request that all parties who  
21 testify this evening identify themselves  
22 by name and the township residence status  
23 on the record, and we will limit the  
24 presentation to two minutes. And the  
25 board retains the discretion to preclude

1 repetitive or redundant testimony.

2 Does any member of the public want  
3 to be heard regarding the zoning ordinance  
4 amendment?

5 There are no hands showing anyone  
6 that wants to participate here in person.

7 Is there anyone that wants to  
8 participate via the Zoom conference?

9 At this point, there are no  
10 speakers either here in person or by Zoom  
11 that have any questions regarding the  
12 zoning ordinance amendment.

13 I'm sorry, there is a question.  
14 I'm sorry.

15 MR. CAMINO: May I speak?

16 MS. BUTLER: We do need to open the  
17 hearing first, though.

18 MR. TRESSLER: We need to open the  
19 hearing. I'm sorry. So we'll need a  
20 motion --

21 MR. KERRICK: Make a motion --  
22 entertain a motion we open the hearing.

23 MR. CARROLL: I'll make that  
24 motion, Mr. Chairman.

25 MR. COLYER: I'll second.

1 MR. KERRICK: Motion and second.  
2 Questions or comments from the  
3 board?

4 Seeing none, I'll call the vote.  
5 Ms. Schickling?

6 MS. SCHICKLING: I vote in favor.

7 MR. KERRICK: Mr. Colyer?

8 MR. COLYER: I vote in favor.

9 MR. KERRICK: Mr. Carroll?

10 MR. CARROLL: I vote in favor.

11 MR. KERRICK: Mr. Carbone?

12 MR. CARBONE: I vote in favor.

13 MR. KERRICK: I vote in favor.

14 Motion carried.

15 MR. TRESSLER: And then for  
16 clarification, the dialogue that we put on  
17 the record will become part of the record  
18 of the hearing that was just formally  
19 called to order. There were no comments  
20 or questions when we initially asked.

21 Now that the meeting has been  
22 opened, are there any comments that need  
23 to be made?

24 I see one from Mr. Carbone. Would  
25 you approach the mic?

1 MS. BUTLER: Mr. Camino.

2 MR. TRESSLER: I'm sorry.

3 MR. CAMINO: Camino.

4 MS. BUTLER: You will need to do an  
5 oath again, sir.

6 - - -

7 (Michael Camino was duly sworn.)

8 - - -

9 MS. BUTLER: And that this comment  
10 is of the zoning ordinance amendment.

11 MR. CAMINO: Specifically zoning  
12 ordinance.

13 MS. BUTLER: Yes, sir. Hold on.  
14 Give me one --

15 Go ahead.

16 MR. CAMINO: Regarding the zoning  
17 ordinance amendment, can you help me  
18 clarify one item? Are you referencing a  
19 change to -- since we've adopted both the  
20 IBC and IRC, are you -- this change  
21 relating to our interpretation, or your  
22 interpretation, of the IBC to allow  
23 short-term rentals in a single-family  
24 home, or are you interpreting this as a  
25 change to the IBC to allow short-term

1 rentals in a single-family residence?  
2 Which zoning code are you modifying, the  
3 IBC that you've adopted or the IRC that  
4 you've adopted?

5 Thank you.

6 MS. BUTLER: I would just like for  
7 a point of record, so that you understand,  
8 that the zoning ordinance is separate from  
9 the UCC, IRC, IBC. Completely separate.

10 MR. CAMINO: I understand that.  
11 But in order to make a zoning amendment --  
12 zoning amendment applies to an existing  
13 law that the township has adopted. So I'm  
14 asking the question, which amendment are  
15 they -- which law are they amending?  
16 Which ordinance? Because they've adopted  
17 both of them.

18 MS. BUTLER: So the zoning  
19 ordinance is separate from the UCC. So  
20 the UCC is a code written by the people  
21 who do building codes, right?

22 MR. CAMINO: Yes.

23 MS. BUTLER: Zoning ordinances are  
24 written as township ordinances in the  
25 zoning codes. They're not based off of



1 UCC.

2 MR. CAMINO: I understand that.

3 MS. BUTLER: Okay. So I'm not sure  
4 why you're asking about building codes  
5 when we're talking about zoning ordinance  
6 amendments.

7 MR. CAMINO: Thank you for your  
8 time.

9 MS. BUTLER: Thanks.

10 MR. TRESSLER: Any other questions?  
11 There is one.

12 If you'd approach the mic, please.

13 MS. MANLEY: I'm not sure it's  
14 appropriate, but I'll ask.

15 Do I need to do anything? Swear  
16 anything?

17 MS. BUTLER: Yes, you will, because  
18 this is a new hearing.

19 - - -

20 (Wendy Ney Manley was duly sworn.)

21 - - -

22 MS. BUTLER: All right. Are you  
23 ready?

24 MS. MANLEY: Yes. Just a quick  
25 question, and that's why I'm not sure if

1 this is the proper time to do it.

2 Now that you've approved the  
3 ordinances and you've had comments from  
4 the audience and you've been getting them  
5 all along, and although you've defended  
6 the ordinance as it is written --  
7 incidentally, Ms. Schickling, I'd love to  
8 chat with you because your observation  
9 that everyone wants seven days, six  
10 nights, or eight days, seven nights, is  
11 contrary to what's happening across the  
12 country. People want shorter stays. But  
13 I'm happy to chat with you about that  
14 independently.

15 My question is this. There is a  
16 lot of issues still unresolved. What is  
17 the board's intention about addressing  
18 those issues, and what is the next step  
19 after this has been approved? Are you  
20 going to put it into play the way it is,  
21 or are we going to see some revisions to  
22 this ordinance based on the questions that  
23 have been raised?

24 MR. TRESSLER: Any other comments?

25 Is there a comment on Zoom?

1 We're going to -- that will be  
2 addressed.

3 MS. MANLEY: Okay. Tonight, right?

4 MR. TRESSLER: Yes. Thank you.

5 MR. ZHOU: This is Wei Zhou.

6 MS. BUTLER: Yep. And then we're  
7 going to have to do --

8 - - -

9 (Wei Zhou was duly sworn.)

10 - - -

11 MR. ZHOU: So passing this  
12 ordinance draft is within my expectation  
13 today. If you can still remember the  
14 question that I asked, the ambiguity about  
15 the definition of "cabin," "cottage,"  
16 "camp" --

17 MS. BUTLER: This is for the zoning  
18 ordinance --

19 MR. TRESSLER: This is the zoning  
20 --

21 MS. BUTLER: -- amendment.

22 MR. TRESSLER: -- hearing to amend  
23 the ordinance.

24 MR. ZHOU: But I don't know whether  
25 I -- whether I'm within the scope of this

1 ordinance, so I'm just asking if you guys  
2 could provide any type of clarifications  
3 before you enforce this ordinance. That's  
4 all I want to say. Thank you.

5 MR. TRESSLER: Is there a question  
6 virtually, or are we done with questions?

7 MS. CANFIELD: I don't see any.

8 MR. TRESSLER: Okay. So at this  
9 time we're done with questions. I think  
10 it would be appropriate for the  
11 supervisors that might want to address --

12 MR. CARROLL: The hearing that we  
13 have now on the tentative approval of  
14 Ordinance Number 570 is just to modify the  
15 language and definitions of the current  
16 zoning that exists now to maximize and  
17 define the short-term rentals in  
18 accordance with the ordinance that was  
19 just passed. That's it. Nothing else.  
20 Nothing about building codes. It's  
21 changing the language in the definitions  
22 only to follow up with what we've just  
23 done. Is that clear?

24 UNIDENTIFIED AUDIENCE MEMBER: Yes.

25 MR. TRESSLER: Any further

1 discussion amongst the members of the  
2 board?

3 MR. KERRICK: Entertain a motion to  
4 close the hearing.

5 MR. CARROLL: I'll make that  
6 motion, Mr. Chairman.

7 MR. KERRICK: Second?

8 MS. SCHICKLING: I'll second.

9 MR. KERRICK: Motion and second.

10 Questions or comments from the  
11 board on the motion?

12 Seeing none, I'll call the vote.

13 Ms. Schickling?

14 MS. SCHICKLING: I vote in favor.

15 MR. KERRICK: Mr. Colyer?

16 MR. COLYER: I vote in favor.

17 MR. KERRICK: Mr. Carroll?

18 MR. CARROLL: I vote in favor.

19 MR. KERRICK: Mr. Carbone?

20 MR. CARBONE: I vote in favor.

21 MR. KERRICK: And I will abstain.

22 MR. TRESSLER: Mr. Chairman, the

23 board's options at this time are to

24 approve the ordinance or to reject it.

25 And a motion would be appropriate relative

1 to the zoning ordinance amendment.

2 MR. COLYER: I'll make the motion  
3 to approve the ordinance.

4 MR. CARROLL: I'll second it.

5 MR. KERRICK: Motion and second.

6 Questions or comments from the  
7 board?

8 Seeing none, I'll call the vote.

9 Ms. Schickling?

10 MS. SCHICKLING: I vote in favor.

11 MR. KERRICK: Mr. Colyer?

12 MR. COLYER: I vote in favor.

13 MR. KERRICK: Mr. Carroll?

14 MR. CARROLL: I vote in favor.

15 MR. KERRICK: Mr. Carbone?

16 MR. CARBONE: I vote in favor.

17 MR. KERRICK: And I will abstain.

18 MR. TRESSLER: Nothing else on the  
19 agenda. That would conclude tonight's  
20 meeting.

21 MR. KERRICK: Before we adjourn, I  
22 would like to -- the board to think about  
23 a committee between now and our next  
24 meeting. We have a lot of things on our  
25 plate. We could use some help to finish

1           those resolutions and things that have to  
2           be finished.

3                     Anything else?

4                     MR. CARROLL: I would be in favor  
5           of that.

6                     MR. KERRICK: Thank you for  
7           attending.

8                     MS. SCHICKLING: So, Wendy, did  
9           that address -- did you hear that?

10                    MR. KERRICK: Wendy, did you hear  
11           that?

12                    Where is she?

13                    MS. MANLEY: We're forming a  
14           committee?

15                    MR. KERRICK: I suggested that we  
16           talk about it, look into it. We have a  
17           lot of things on our plate. It would be  
18           helpful to have a committee of a member or  
19           two and the committee, like we had before.

20                    MS. MANLEY: Sounds like a great  
21           idea.

22                    MR. KERRICK: Thank you.

23                    MR. CAMINO: Are you --

24                    MR. KERRICK: We're adjourned.

25                    MR. CAMINO: -- taking volunteers

1 for said committee?

2 MR. KERRICK: I'm sorry?

3 MR. CAMINO: Are you taking  
4 volunteers for said committee?

5 MR. KERRICK: Put your name in.  
6 Sure.

7 MR. CAMINO: How? How would you  
8 like me to put my name in?

9 MR. KERRICK: Send an e-mail.

10 MR. CARROLL: Submit a letter of  
11 interest to Mr. Bartal.

12 MR. CAMINO: Can you identify the  
13 process for us before we close out this  
14 meeting? What's the --

15 MS. BUTLER: Can we adjourn so that  
16 the stenographer doesn't have to write  
17 that down?

18 MR. KERRICK: We're adjourned.

19 - - -

20 (Time noted: 7:56 p.m.)

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## C E R T I F I C A T E

I HEREBY CERTIFY that the proceedings and evidence are contained fully and accurately in the notes of testimony taken by me in the proceedings of the above cause and that this is a true and correct transcript thereof to the best of my ability.

  
\_\_\_\_\_  
Carrie A. Kaufman  
Registered Professional Reporter  
Notary Public