

East Manchester Township  
 PLANNING COMMISSION MINUTES  
 June 25, 2019

At a regular meeting held at the Township Building, the following members were present: Blaine Rentzel, Robert Nace, Edward Hewitt, Mike McCowan, and Mike Scarborough. Also present: Engineer Laymon Mortorff, Zoning Officer Kristie Masemer, Recording Secretary, and two citizens.

Chairman McCowan called the meeting to order at 7:00 p.m.

### Minutes

One correction to the May 2019 minutes: Page 1, last paragraph, Codorus Quarry plan, the sentence reads that “no vehicles may turn left from the site” and it should read that no “trucks” may turn left from the site. So noted.

**Motion by Rentzel, second by Hewitt, to approve the minutes of the meeting of May 2019, as amended above. All members voted aye; motion carried.**

### Plans

A. 15 Marianne Drive, Land Development Plan

Scott DeBell, PE, Site Design Concepts, was present on this plan, which is Revision 5, dated 6/14/19. Mr. DeBell explained that the plan proposes the construction of a 24,000 square-foot building to be used for light manufacturing, with parking and truck access. Only a small corner of this plan is in East Manchester Township. There are, of course, stormwater management measures proposed as required. The stormwater drains to the low point now, and the applicant plans to use the inlet at end of Ivy Drive; the site’s stormwater will tie into that storm sewer.

Gordon L. Brown’s letter dated June 13, 2019, was reviewed. Comment 4 was discussed briefly, noting that the dumpster might have to stay in the proposed location because of the shape of the lot. The existing trees at the rear property will stay in place and shield the dumpster. The dumpster location isn’t in EMT, so any complaints will be filed with Manchester Township. So noted.

The only outstanding comment: 3B, erosion and sedimentation plan approval (Section 208-34.c.9). Mr. Rentzel asked about the cemetery nearby – it’s not on this property.

Waiver requested:

Section 208-21.A, preliminary plan – **Motion by Rentzel, second by Scarborough, to recommend approval of the waiver request as presented. All members voted aye; motion carried.**

**Motion by Scarborough, second by Nace, to recommend approval of the Land Development Plan for 15 Marianne Drive subject to the satisfactory resolution of Item 3B from the GLB letter referred to above. All members voted aye; motion carried.**

B. Review of Proposed Amendment to Zoning Ordinance by creating Chapter 165, Rentals, Short-Term

This amendment would address Airbnb establishments and similar properties, to give guidance to the Zoning Officer, etc. Municipalities with similar ordinances were referenced.

This use would be permitted by Special Exception in the Agricultural and Conservation Districts only. In other districts, a Variance would be required.

The Airbnb business is essentially permitting guests to stay in someone's home for fewer than 30 calendar days, sharing the living space with the property owner's family or renting the full dwelling unit.

Currently there's an Airbnb operating in Asbury, and the neighbors have complained about the people in and out, parties, etc. The whole house is rented out. With adoption of this Ordinance Amendment, this property would need to obtain a Variance in order to continue their operation. It was noted that short-term rentals are not bed and breakfasts.

Are there too many restrictions included in this Amendment? Mrs. Masemer explained that the language was expanded due to the Township attorney's advice, which was based on a court case involving an Airbnb situation in which the municipality lost. Discussion was held. There are cases where people are doing this now and no one would ever know, as there are no problems with the renters and/or neighbors. There can be trouble, though, which is what drove the amendment in the first place. Mr. Scarborough noted that residents in a development might not appreciate their neighbors operating Airbnb establishments, all around them. Concerning the one currently operating in the Township, do the owners live in the house? Or is it just a short-term rental property? Short-term rental. Effectively, the owners have removed the stability out of the neighborhood, as Mr. Scarborough had pointed out as a negative effect of this type of business arrangement. Short-term rentals in a residential subdivision could be a huge problem. Mr. McCowan noted that some municipalities forbid this sort of thing entirely. There is also a license application to be filed as well.

There has to be a common ground between too restrictive and nothing at all. We need something, but perhaps not quite as restrictive as proposed.

Would there be a fee to do this? Yes, a \$25 yearly fee, as in an occupancy permit. Is the number of people permitted to be renters in any given location too high?

The Planning Commission recommends the least invasive method to permit someone to use his or her property in a certain way. It was noted that the Board of Supervisors authorized the Planning Commission and YCPC to review this amendment.

**Additional New Business**

Possible items for the July meeting:

Codorus Quarry site, Subdivision Plan--TABLED TO JULY 2019

Codorus Quarry site, Land Development Plan TABLED TO JULY 2019

Dallmeyer might submit a plan for the July PC meeting. This is still uncertain.

95 Fourth Street, Saginaw, is on July's Agenda.

Ordinance amendment discussion/review in July.

Possible item for the August meeting:

Hillwood Enterprises, LP; submitted by Snyder, Secary, and Associates, LLC.

No questions or comments from the remaining audience member.

**Motion by Nace, second by Scarborough, to adjourn. All members voted aye; motion carried. The meeting adjourned at 7:55 p.m.**

Respectfully submitted,

Julie B. Maher, Recording Secretary