

**Borough of Edinboro
Public Hearing Minutes
Ordinances 627 & 628
September 11, 2023**

OPENING:

Mayor Gast called the hearing regarding ordinances 627 and 628 to order at 6:00 PM.

ROLL CALL: Council members present were Jim Kiley, Amanda Frantz-Mamani, Mark Eisert, Aaron Gast, and Mary Ann Horne. Absent were Pat Davis and Spencer Larson.

Other officials present were Solicitor Tim Wachter (arrived partway through hearing) and Jason Spangenberg. Citizens present were ML Smith, Kathy Amidon, Rebecca Dickson, Walt Dickson, Curtis Hals, Nancy Crawford, John Boylan, Mary Ann Mook, George Gast, David Mussett, Mike Caro, Gina Mussett, Sharon Larimer, Rick Larimer, Chris Houser, Dan Schaaf, Dawn Schaaf, Linda Moore, Rebecca Westgate, Barry Westgate, Kitty Tarbell, Buck Tarbell, Jim Houser, Carol Johnson, Brian Johnson, Jason Brown, Jessica Brown, Tom Moore, Scott Loop, John Stachowiak, Laurie McKernan, Tim McKernan, MJ Campbell, Ray Overholt, and Mary Schenck.

DISCUSSION:

Manager Spangenberg stated that ordinance 627 would create regulations for the operation of short-term rentals, while ordinance 628 would establish the zoning districts in which short-term rentals would be permitted to operate. As drafted, ordinance 628 would allow short-term rentals in zones C-1, C-2, RLB, R-3, and R-4.

Rebecca Dickson, 301 Washington Street. Ms. Dickson discussed a few items from ordinance 627 that she stated should be edited or removed, including the requirement that parking spaces for short-term rentals be improved to a mud-free condition, the restriction on hours for burning a fire, and noise restrictions. She expressed a concern about the need to include language for grandfathering existing short-term rentals, and a concern about the Borough office not being able to provide numbers of short-term rentals without some research. She requested that Council consider a full review of the ordinance for various edits. Manager Spangenberg noted that all comments for edits are welcome, as that is the purpose for the hearing, and he said that the Borough's new software program should allow easier tracking of data compared to the previous, outdated system.

Gina Mussett, 305 Lakeside Drive. Ms. Mussett expressed a concern about a short-term rental that she owns not being permitted according to ordinance 628, and she said that she agreed with all previous comments. She noted that the need for more short-term lodging in Edinboro was a part of the Placemaking report prepared for the ECED in the last few years. Manager Spangenberg replied that it would not be a problem to include language in the ordinance to clarify that her short-term rental in question would be grandfathered, and he agreed with the need for short-term rentals and the importance of tourism in Edinboro.

George Gast, 210 Elm Street. Mr. Gast stated his agreeance with the statements made by the previous speakers. He discussed the short-term rental that he owns, with no complaints made about his tenants, and he believes the ordinance as written would be discriminatory toward short-term renters. He reiterated the importance of tourism. Mr. Gast suggested that short-term rentals be incorporated into the existing rental ordinance.

Solicitor Wachter discussed the legal basis for these ordinances: the courts have made it clear that short-term and long-term rentals are different due to the transient nature of short-term rentals, and due to a PA Supreme Court ruling in recent years, the Borough is required to pass an ordinance setting zoning districts for short-term rentals in order to allow them to remain.

Informal discussion followed. Mark Eisert stated that the Ordinance Review Committee would meet soon to discuss potential edits, and he invited all in attendance to give their input.

ADJOURNMENT:

Mayor Gast moved for adjournment, and the hearing was adjourned at 6:40 PM.

ATTEST:



Manager Jason Spangenberg



Mayor Aaron Gast