

**MOUNT POCONO BOROUGH COUNCIL  
CONDITIONAL USE HEARING MINUTES  
MONDAY, OCTOBER 3, 2016  
6:00 P.M.**

President K. Davis opened the Conditional Use Hearing at 6:00 P.M. with the following members present: Vice President J. Woehrle, Council Members F. O'Boyle, D. Casole, K. Transue and M. Oser. Mayor F. Courtright, Solicitor J. Fareri and Borough Secretary/ Treasurer L. Noonan were also present. Councilmember C. Williams arrived at 6:45 P.M.

Solicitor J. Fareri stated that the purpose for tonight's Conditional Use Hearing was the for the approval of the Conditional Use Application of Ezok Resyek, LLC for approval of a property for short term rental. The property is located at 219 Nittany Court in a C-2 Zone. Applicant seeks conditional use approval for four (4) short-term rental apartments. The property is a 3,300-square foot former day care facility, bearing Monroe County PIN: 10-6355-08-89-7014.

Solicitor J. Fareri marked several items as Borough exhibits: the applicant's application was marked as Borough Exhibit #1; the Mount Borough Planning Commission recommendation was marked as Borough Exhibit #2; proof of advertisement was marked as Borough Exhibit #3; notice of the Mount Pocono Zoning Officer posting the property and copies of the letters sent to property owners was marked as Borough Exhibit #4; and Mount Pocono Municipal Authority verification of EDUs was marked as Borough Exhibit #5. The minutes should note that Mr. Val Kleyman was present on behalf of the applicant as well as Mr. Thomas Shepstone on behalf of his client.

Mr. Shepstone gave a presentation on behalf of Mr. Val Kleyman who reviewed the property and the plans including diagrams of the property, noting there were four (4) units with four (4) separate entrances each unit has two (2) bedrooms with a maximum occupancy per unit being six (6). Mr. Kleyman noted that he advertises his property on several websites such as: Home Away and Flip Key. He also noted he has contractors and cleaners and people who monitor the units by phone. Mr. Kleyman advised that he is doing business as Grand Leisure Travel.

No one appeared as a supporter or a protestor on this matter.

Councilmember F. O'Boyle questioned the entrance to the two (2) rear units and if they were below grade. Discussion regarding the parking for these units and the decks for the units.

Councilmember D. Casole questioned if the lower unit bedrooms had windows. Mr. Kleyman stated they do not. Councilmember D. Casole felt that they should have windows and questioned if windows were needed per the Sate Wide Building Code. Mr. Kleyman stated that if Bureau Veritas states windows are required he will install windows.

Borough Solicitor J. Fareri stated that the Borough must render a decision within forty-five (45) days. Solicitor J. Fareri advised Borough Council that it does comply and the applicant is entitled to have it approved as a short-term rental. He noted that all applicable Ordinances including the noise Ordinance must comply with Chapter 154, he needs to designate a local contact person with a response time within one (1) hour, the application for a license for each of the units, and comply with all regulations of on premise parking with parking plan. He also noted that that he must make the proper posting within each unit as required in the Ordinance and that the units must be inspected by the Borough and an Occupancy Permit must be obtained by Bureau Veritas and the Borough of Mount Pocono. It was noted that if Bureau Veritas requires windows be installed in the bedrooms they must be installed.

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Councilmember M. Oser moved to approve the short-term rental at the property located at 219 Nittany Court with conditions as outlined by the Borough Solicitor. Councilmember F. O'Boyle seconded. Motion carried unanimously.

There being no further business before Borough Council, Vice President J. Woehrle moved to adjourn. Councilman M. Oser seconded. Motion carried unanimously.

Respectfully submitted,

Lori Noonan, Borough Secretary