

**TOWNSHIP OF DERRY
BOARD OF SUPERVISORS
PUBLIC HEARING
Tuesday, August 28, 2018, 6:00 PM**

CALL TO ORDER

The Tuesday, August 28, 2018 Derry Township Board of Supervisors public hearing was called to order at 6:05 p.m. by Chairman Marc Moyer in the meeting room of the Administration Building in the Derry Township Municipal Complex, 600 Clearwater Road, Hershey, PA.

ROLL CALL

Supervisors Present:

Marc A. Moyer, Chairman
Matthew A. Weir, Vice Chairman
Justin C. Engle, Secretary
Susan M. Cort
Richard D. Zmuda

Supervisors Absent:

None.

Also Present:

Brandon Williams, Assistant Director of Community Development
Chuck Emerick, Director of Community Development
James N. Negley, Township Manager
Jon A. Yost, Township Solicitor
Jill Henry, Assistant Township Manager
Lauren Zumbrun, Economic Development Manager
Jenelle Stumpf, Community Development Secretary (*stenographer*)

Public Registering Attendance: Charlene A. Graham, 1249 Peggy Drive, Hummelstown; Jan and Marianne Faust, 112 Oak Lane, Hershey; Kyle D'Angelo, 1251 Swatara Road, Hershey; Cecil McQuain, 308 Laurel Drive, Hershey; Teresa and Ted Mortensen, 46 East Areba Avenue, Hershey; Michelle and Mike Marino, 58 East Areba Avenue, Hershey; Phil Friedrich, 440 West Chocolate Avenue; Karen Johnson, 1210 Fishburn Road, Hershey; Kevin and Rachelle O'Brien, 142 West Caracas Avenue; Lou and Lorrie Bushman, 32 Maple Avenue; Leann Easterwood, 160 Maple Avenue; Carolyn Stoner, Hershey Medical Center; Jen Buchanan, 220 Cedar Avenue; Katie Canavan, 204 Maple Avenue; Heath Donald, 1147 East Caracas Avenue; Andrea Prats, 203 Maple Avenue; Jim and Denise Gainer, 107 North Lingle Avenue; Karl and Kelly Karpa, 33 East Areba Avenue; Steph Shaw, 218 Elm Avenue; Colette Nelson, 306 Bahia Avenue; Rodney Sonderman, 356 Red Oak Lane; Gordon R. Skillman; Beth and Mike Correll; Chris Reed; Dean and Jan Koppenhaver; Angela Jean Drinkwitz; Lou Paoletti; Ann Graham; Dave Holl; Sandie Pharmer; Bruce Wolbrette; Michael and Rachel Mark; Rich Gamble; Evan Diacou; Brenda Bermay; Melissa Weigle; Jack Storm

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NEW BUSINESS

- A. Public hearing regarding proposed Ordinance No. 706, which would amend Chapter 225 (Zoning) of the Code of the Township of Derry to make revisions regarding the use of properties within the Township as vacation homes, bed and breakfast homes, and boarding homes**

Brandon Williams, Assistant Director of Community Development, explained that the Derry Township Planning Commission and the Dauphin County Planning Commission have reviewed the ordinance and made recommendations to approve as drafted. However, in the days leading up to this hearing staff heard numerous comments from the public, with some in favor of and others opposed to short-term rental uses. Rather than recommend action on the amendment as presented, staff would prefer to continue with this hearing and then discuss whether changes are necessary to Ordinance No. 706 before recommending an action by the Board. If changes are made to the ordinance, staff can present the changes to the Township and County Planning Commissions and then schedule another hearing before the Board of Supervisors to review and discuss those changes.

Mr. Williams stated that the Township adopted regulations for short-term rentals under the 2017 Zoning Ordinance, which allowed for two types of short-term rentals: ‘bed and breakfast homes’ (owner-occupied) and ‘specialty homes’ (non-owner-occupied). Under current regulations, the owner-occupied bed and breakfast homes are permitted by special exception in all areas of the Palmdale Mixed Use and Hershey Mixed Use zoning districts. The non-owner-occupied specialty homes are only permitted by conditional use in the four overlay districts of the Palmdale Mixed Use and Hershey Mixed Use areas. Ordinance No. 706 proposes changes to allow both the non-owner-occupied and owner-occupied short-term rentals by-right and the owner-occupied short-term rentals by special exception in certain areas of the Township; however, both uses would still be subject to performance standards to address the maximum number of occupants permitted in the dwelling, minimum off-street parking requirements, and the limiting of outdoor activities after certain hours. Where residential areas are in closer proximity to each other, the special exception process would require approval by the Zoning Hearing Board who can place conditions on any approval to ensure the use easily blends with the character of the existing neighborhood. The Zoning Hearing Board can also consider conditions to specifically address any concerns of the neighboring residents that are expressed during the hearing.

Mr. Williams added that other changes proposed include how the non-owner-occupied dwellings are referenced in the Zoning Ordinance. These uses are currently identified as ‘specialty home’, which is not a common term used in zoning or building codes. Therefore, it is proposed to change the term to ‘vacation home’ so it is easier to identify in the regulations. Additionally, the definitions for ‘bed and breakfast home’ and ‘vacation home’ will be amended to specifically

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state that these defined uses are intended to regulate short-term rentals that are listed on websites, such as Airbnb.

Supervisor Cort commented that this is something communities everywhere are wrestling with because the concept of rentals such as Airbnbs was not an option several years ago. She asked Mr. Williams to talk about the background of how staff developed the proposed ordinance. Mr. Williams responded that staff has done a lot of research regarding the pros and cons of the uses and has also reviewed other municipalities' regulations. It appears as though most municipalities are trying to promote the bed and breakfast-style use because it requires owner occupancy, and that is what is proposed in Ordinance No. 706. The ordinance also proposes to limit vacation homes to the downtown area where commercial uses are more prevalent, since vacation homes do not have to be owner occupied. Supervisor Cort asked if there are restrictions on where the vacation home owner must reside. Mr. Williams stated there are no restrictions; however, the proposed ordinance would require the owner to post contact information in a discreet location on the property so that the Township code enforcement officer can contact them regarding compliance issues, if needed. Supervisor Cort noted there are certain areas where this would be permitted but it would be problematic because of parking (as an example) and inquired how the Township would address that. Mr. Williams answered that part of the performance standards is the requirement for off-street parking to make sure on-street parking is not reduced, because these uses tend to bring more parking demands.

Chairman Moyer asked what sort of administrative changes would be needed on the part of the Township in terms of enforcement and inspections if Ordinance No. 706 were to be adopted. Chuck Emerick, Director of Community Development, responded that there was discussion of having an annual registration fee for these types of uses to ensure that they are being operated properly. That would result in property inspections which would likely cause a need for additional staff members. Currently the size of the Community Development department will not allow for these specific types of inspections in addition to the established workload. The registration fees would generate revenue to offset the costs of inspections and administrative support.

Supervisor Zmuda stated that numerous surrounding communities have these registration fees but if Derry Township is going to do that and hire a dedicated inspector, the program needs to be revenue neutral. Chairman Moyer added that the Board does not want to facilitate this type of venture at the expense of existing residents.

Vice Chairman Weir commented that the parking requirements are going to limit these uses on smaller lots.

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PUBLIC COMMENT

Kelly Karpa, 33 East Areba Avenue, commented that when she hears the term ‘bed and breakfast’, she thinks of something that is very different than what is being considered at this hearing. She thinks of an upscale facility with thematic rooms where guests are served breakfast. What she is hearing is that basically, any owner-occupied dwelling could be called a bed and breakfast and no breakfast has to be served. Ms. Karpa is opposed to the proposed amendments because of the two dwellings on East Areba Avenue that are already operating as this type of designation and have caused nothing but problems for many of the people in the neighborhood. The homes on East Areba Avenue are only 7 feet from the property line. Every day the Karpas see different people entering and exiting the short-term rental properties. The idea that these dwellings are owner-occupied is a huge misnomer because the owners of the short-term rental at 41 East Areba Avenue do not live there. Ms. Karpa presented copies of information (*included as an attachment to the minutes*) on the property at 41 East Areba Avenue regarding photographs of who resides at the property, texts between the supposed owner and Ms. Karpa’s son in which the owner stated that he lives at the Milton Hershey School with his parents, copies of the Airbnb advertisement which clearly indicates that the entire second floor of this dwelling is being rented out and that the owner is living there (the first floor is rented to a more permanent tenant), and a statement from Ms. Karpa’s son about an unfavorable encounter he had last summer with guests of the short-term rental on the neighboring property. Ms. Karpa noted that since the August 15, 2018 Zoning Hearing Board hearing for the short-term rental at 41 East Areba Avenue, the owner has parked a large pickup truck with a trailer on the street to indicate that he is in residence at the property; however, the truck has not moved so clearly the owner is not living there. On-street parking is only permitted on one side of East Areba Avenue and there is not enough parking for residents because of the spaces that are being taken up by guests of the short-term rental properties. Ms. Karpa asked the Board to consider that other communities in the country are making it more difficult to operate these transient vacation rentals because the use takes properties off the market that people need to rent. For example, students at the Medical Center are having difficulty finding housing. Ms. Karpa also encouraged the Board to look at what is going on in State College – the local municipality is purchasing properties through the Homestead Investment Program and reselling them with a deed restriction that prevents the properties from becoming rentals because of the way in which the rental properties have negatively impacted those neighborhoods. Ms. Karpa stated that her property value has declined since the short-term rental properties have been operating in her neighborhood. She asked the Board to consider how neighborhoods will be affected if short-term rentals are allowed. She also suggested strengthening the definition of ‘bed and breakfast home’ so that the use is more of an upscale and classy location and not something that anyone can do to earn a quick buck.

In response to an inquiry from Secretary Engle, Mr. Emerick explained that a bed and breakfast home is only allowed by special exception in the area that Ms. Karpa is talking about. The two short-term rentals on her street are operating illegally if they were not granted relief by the Zoning Hearing Board. In Mr. Emerick’s opinion, the biggest test for these uses when seeking

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approval for a special exception, especially in Ms. Karpa's neighborhood, is meeting the parking requirements. Mr. Emerick added it is worth noting that per an article Ms. Karpa provided from *Realtor Magazine*, it is possible that in the future real estate agents could be required to disclose to a seller the existence of a nearby short-term rental property.

Secretary Engle commented his concern is that if the applicant meets all of the special exception criteria, the use can be granted even if it is not desired.

Supervisor Zmuda asked if it would be a violation of Ordinance No. 706 when the number of occupants in a short-term rental exceeds the maximum. Mr. Emerick answered yes.

Teresa Mortensen, 46 East Areba Avenue, stated that she moved into her house 20 years ago and has always known her neighbors. She does not want bed and breakfast homes or vacation homes in her neighborhood because she wants to be able to know who her neighbors are and she wants there to be enough on-street parking for the residents and their guests. Ms. Mortensen asked how it is possible to properly vet the guests who stay at the short-term rentals since personal information is needed to perform a thorough background check. She also asked how the Township can determine how many short-term rental properties are allowed in one neighborhood. There is no way Township staff can check up on the renters on a weekly basis. Ms. Mortensen also stated that short-term rentals are considered businesses now so they need to be ADA compliant.

Angela Drinkwitz, 1343 Harding Avenue, commented that she would like to be able to use her property as a non-owner-occupied short-term rental while she is on assignment for her job; however, she will soon be retired and would like to be able to return to her home. Ms. Drinkwitz thinks it would be a good idea to have a permitting process for short-term rentals but she is concerned about the Township having a dedicated inspector for these properties. She asked what the inspections would entail and if they would open the Township to liability if something is not noted. Regarding the parking requirements proposed by Ordinance No. 706, Ms. Drinkwitz does not think it is fair that she would have to provide off-street parking for her guests when there is an abundance of on-street parking where she lives. The parking requirements should be based on the area. Regarding Ms. Karpa's comment that rental housing needs to be available for people who need it, such as medical students, Ms. Drinkwitz stated that she has a four-bedroom house, and a medical student is not going to want to rent that. She asked the Board to look at the differences in the various neighborhoods when considering the proposed amending ordinance.

Jim Gainer stated that he owns a property on North Lingle Avenue and has been considering using it as a vacation home. He agrees with Ms. Drinkwitz that the Township needs to look at each location separately instead of applying blanket regulations. He noted that in Section 8 of Ordinance No. 706, item 10 talks about noise disturbance and outdoor activities not being permitted between the hours of 10:00 p.m. and 8:00 a.m. Mr. Gainer inquired why the Township is restricting outdoor activities for vacation homes if they are trying to blend this type of use into

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existing residential neighborhoods. Additionally, the types of outdoor activities should be clarified. Mr. Emerick responded that if the Township does not receive complaints about parking for a short-term rental, then they receive complaints about the noise from outdoor activities in the evening because typically the renters are not on schedules that require them to get up early in the morning. Mr. Gainer inquired about the criteria for the requirement of a zoning and/or building permit (*per Section 8, item 11 of Ordinance No. 706*). Mr. Williams stated that a zoning permit is required for the change in use but the determination for a building permit would be made at the time the use is proposed based on whether or not alterations are being made to the structure. Mr. Gainer commented that he would be supportive of the Township requiring registration fees and inspections for short-term rentals; however, if the Township goes that route and collects the money, the rules need to be enforced so that situations like East Areba Avenue do not happen.

Rachelle O'Brien, 142 West Caracas Avenue, stated that she loves Hershey and does not want it to resemble a beach town where there are transients in every house. She is in support of regulating short-term rentals. Ms. O'Brien is looking into using her property as a short-term rental and she sees the benefit of such uses for Hershey because there are not enough places for people to stay and those tourism dollars keep our town going. Ms. O'Brien believes an unfavorable long-term renter can bring just as many problems to a neighborhood as an unfavorable short-term renter. The uses need to be regulated and inspected.

Leann Easterwood, 160 Maple Avenue, thinks short-term rentals should not be permitted at all in the Village of Hershey because it is such a unique area.

Marianne Faust, 112 Oak Lane, asked if detached structures, such as a garage with living space on the second floor, could be used as a short-term rental. Mr. Williams responded that he would have to look into that. Ms. Faust noted that when there is an influx of significant transient population into a neighborhood, there needs to be a discussion about safety, privacy, and noise. It is an intrusion into residential and family life.

Kyle D'Angelo, 1251 Swatara Road, encouraged the Board to look at the economic benefit of short-term rentals. He is opposed to Ordinance No. 706 because to try use an ordinance to regulate these uses is not appropriate. He sees the Zoning Ordinance as a tool for future development, not as a means to regulate rental properties. It would be much more effective to regulate the uses through a permitting process.

Rodney Sonderman, 356 Red Oak Lane, stated that he is against Ordinance No. 706 from a public safety point of view. He does not think that single family dwellings should be treated as miniature hotels. Secretary Engle asked Mr. Sonderman's opinion on including life safety issues as part of the inspection process. Mr. Sonderman replied that if life safety issues were included in the regulations to improve the safety of such properties, he would no longer be in opposition

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to the ordinance. Supervisor Zmuda agreed that this would be a beneficial addition to the proposed regulations.

Luke Skillman, 910 Poplar Avenue, commended his fellow citizens for speaking out and stated that he is neither an advocate nor a detractor for Ordinance No. 706. Regarding §225-422.A.5 under Section 8, which states “*The exterior of the vacation home shall maintain a residential appearance*”, Mr. Skillman inquired about the criteria for the residential appearance. Regarding §225-422.A.6 under Section 8, which states “*Special events and public functions such as concerts, conferences, or weddings are prohibited on the lot of a vacation home*”, Mr. Skillman asked what is considered a ‘special event.’ He suggested a thorough review of Ordinance No. 706 for the purposes of clarity and specificity. Mr. Skillman thinks the Board needs to be cautious of ‘predatory ownership’ where a wealthy owner who does not live in the area buys numerous properties and turns them into rental properties. To prevent that, Mr. Skillman suggested that the Board consider requiring performance bonds in addition to inspection of the properties because if the owner has a financial stake in the matter, they will be very attentive to the rules and regulations of the Township.

Chairman Moyer noted that this is the first draft of the proposed ordinance. There will likely be revisions regarding clarity and specificity and another hearing before the Board of Supervisors.

Dean Koppenhaver, 42 East Areba Avenue, commented that he is directly impacted by the illegal bed and breakfast home that is being operated at 41 East Areba Avenue. He is bothered by the fact that he feels like an outsider in his own neighborhood. Even though off-street parking is provided at 41 East Areba Avenue, they are small spaces and large vehicles have to park on the street. Mr. Koppenhaver asked the Board to think about the fact that the overlay system showing where the uses are proposed to be permitted is an illumination of affordable housing. These neighborhoods are working class families. The Board is doing the Township and the residents an injustice by taking that away.

Cecil McQuain, 308 Laurel Drive, stated that every time there is an opportunity to discuss ordinances and the challenges in the Township, we are weighed with two options: one where we have a right and one where we have a right taken away, and we have to balance that. There are legitimate concerns about crowded areas on East Areba Avenue but there are other areas where people are trying to make an honest effort. It is important to recognize that the Hershey Trust Company made this town a transient location many years ago. Mr. McQuain encouraged the Board to look at all of the uses and all of the areas and not take away someone’s privacy or someone’s rights.

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ADJOURNMENT

On a motion by Secretary Engle seconded by Supervisor Zmuda, and a unanimous vote, the hearing adjourned at 7:15 p.m.

SUBMITTED BY:

Justin C. Engle
Township Secretary



Jenelle E. Stumpf
Community Development Secretary
(*stenographer*)

8-28-18

If I understand the proposed changes to Ordinance No 706 correctly, the township's designation of "Bed and Breakfast" is dramatically different from what most of us consider a "Bed and Breakfast." Unlike the up-scale B&B establishments that I have stayed at – in various locations throughout the country- which have involved homes filled with antiques or "thematic" rooms, at which a scheduled sit-down, fancy breakfasts were served to guests each morning (often in shifts), prepared by the owner and/or other kitchen helpers, the Derry Township designation of "B&B" is nothing more than an "owner-occupied-ish" transient overnight, short-term vacation rental. There is no requirement for the Township's "Bed and Breakfasts" to even serve breakfast! So, why not call these properties what they really are?.... They are nothing more than "owner-occupied-ish short term vacation rentals."

Furthermore, it appears likely that these "owner-occupied-ish" short-term rentals will be effectively permitted in the entire downtown "village" area of Hershey, as far west as Briarcrest. From my understanding, essentially, every property in Hershey that has an alley behind their house can easily qualify as meeting the "B&B" definition.

I am extraordinarily opposed to this! I have experience with the house immediately adjacent to mine operating as a transient short term rental, as well as a property two doors away operating in this manner. Moreover, another home eleven houses away has also expressed interest in becoming an Airbnb for "retirement income."

Our homes are only 7 feet from the property line. My kitchen directly overlooks the back yards of these two properties. Each day that they are rented, I look directly into the neighboring yard and watch new car loads of people unloading, usually with out-of-state license plates, dragging suitcases into the properties. I have no idea who my neighbors are from one day to the next.

The idea that these "B&B" properties are always "owner-occupied", especially in the cases where there are two units side-by-side or up-and-down stairs is also remarkably false.

Two weeks ago, during a hearing regarding a variance request hearing for the property at 41 East Areba, I demonstrated that although an individual may be listed on the title as an "owner", there is no guarantee that the owner truly lives there. This was demonstrated by months' worth of photographs regarding the automobiles that are truly parked at the property, texts between the supposed "owner" and one of my family members in which the "owner" indicated that he lived at Milton Hershey School, and copies of the Airbnb advertisement in which the "Entire Apartment" with "Two Bedrooms" (all the bedrooms) was listed as being available for rent.

Interestingly, in this particular example, since the hearing, one of the "owners" listed on the property has now parked his very large F150 truck, complete with an empty trailer attached, on East Areba Ave from Friday Aug17th, 2018 through Monday, Aug 20th and again Friday, Aug 24 through the present, presumably in attempt to demonstrate "occupancy". However, I have both photographic and video evidence that of two car-loads of people, 7 individuals in all, unloading and "moving in" to the 2 bedroom property on Saturday morning, Aug 18th. (Which, by the way, is more than the "approved" occupancy of the Vacation Rental.) In addition, there were other renters occupying the apartment on the weekend of Aug 25th – all while the truck & trailer are parked on the street, with the owners nowhere in sight. Furthermore, using the police "chalk" method to document vehicle movement, the truck doesn't move at all when it is parked on the street for days at a time...ostensibly, it is only parked there in attempt to mislead the neighbors and township about owner occupancy.

In addition, at the hearing two weeks ago, my son testified about a situation involving the home directly next door to us, in which 20-something males who had stayed the previous night as Airbnb renters approached my son, in our yard, asking for his help in obtaining drugs. Although we had tried to notify the homeowners about this situation, they were gone for several weeks on the west coast and were unable to be reached. My son is away at college currently, but has provided the statement that he read from when he testified on Aug 15, 2018.

The home directly next door to us is no longer operating as an Airbnb, but still advertises on a site called RYFO.org (Rock Your Face Off) -- a website dedicated to hosting traveling musicians. The musicians are sleeping in their basement, which lacks proper easements; in the event of a fire in the upstairs kitchen, the basement inhabitants would have no way of escape. These bands often come with large touring vans/equipment, taking up parking places for the residents of our street. It is not uncommon that when my parents or brother come to visit for an afternoon, or if my children's friends stop by, that they need to park all the way at either end of the street (e.g. the old "bus garage" parking area" or the DTSD District Office parking lot), due to lack of available parking on East Areba Avenue. On our block of East Areba, parking is only permitted on one side of the street (heading east), thus if there is any street in the entire downtown village district that cannot handle extra vehicles, it is definitely our block.

The transient vacation rentals have drastically decreased our property values over the past 2 years. In the summer of 2016, I was being recruited by a medical school in South Carolina. I had met with realtors. I knew exactly what our property was worth. As it turns out, I had successful negotiations with my employer locally and we didn't relocate. However, since that time, while other properties in Derry Township have been increasing in value, my home has lost \$90,000.

We have seen first handed that the "owners" don't always truly live in these buildings, despite their name being listed on the titles. We have experience potential health/safety risks due to the nature of the transient renters. We have seen these transient rentals diminish the nature of the neighborhood -- especially evident through decreased property values. These rentals cause parking problems for the permanent residents.

My daughter, a senior in high school recently reflected on the changes that have occurred on our street since she was younger. She cannot be here tonight because she is doubled-booked with required school activities, but she wrote a statement and she asked me to read it on her behalf. *"When I was little, there were a bunch of kids from different families up and down the block. We would play in the back alley and run through the yards to different houses. We knew our neighbors. We had yearly block parties. If I was growing up now, I would never be permitted to do that. We have no idea who are neighbors are, because they change every day. I am scared to come home alone after dark now because I never know how far away I need to park and I have no idea who is even living on our street from day to day."*

Other communities around the country (and world) are actually making it MORE difficult to have transient vacation rentals by placing limits on the number of days/year that a property can operate as a vacation rental because it takes properties "off the market" for individuals who actually RELY on rental housing (<https://www.theinvisibletourist.com/why-you-shouldnt-use-airbnb-issues-you-didnt-know/>). There are 600 MD students, 600 residents and fellows, 150 RN students, at any time -- not to mention countless others who train here in Hershey who RELY on affordable rentals while completing their education and investing in our local healthcare system. There is not adequate on-campus housing to even come close to meeting those needs. These individuals RELY on affordable housing in the community, while also investing in and living in our community. Why does the township support taking

housing effectively away from these individuals, for the benefit of a few property owners? In other places across the nation, including as close as State College, the local municipality is actually purchasing homes through the Homestead Investment Program and reselling them with a restrictive covenant on the deed that prevents the houses from becoming rentals (<https://why.org/articles/state-college-hopes-to-fight-the-tide-of-student-rentals-with-new-homestead-investment-program/>) because of ways in which rental properties have negatively impacted local neighborhoods and communities.

PHOTOS. Much more photographic documentation is available from the documents submitted at the Variance Hearing for 41 E Areba Ave on Aug 15th, 2018, but is not included here currently.

PARKING

Given that we have two different Airbnb-type of arrangements operating next door to each other, it is often difficult to know which of the homes these particular transients were staying at. Nonetheless, you can see how parking is a huge problem for the home owners who live on this street. Our block of Areba Ave is the only street in town for which parking is only permitted on one side of the street. As a result, having these extra cars with trailers, large touring vehicles, and cars parked illegally -- facing the wrong direction -- creates undue hardship on the entire neighborhood when we want to come home in the evenings and park our own cars.

< Home Erika, Sarah, D... >



at auction.

JUL 15, 7:14 AM

1/1/2020

Our Airbnb tenants make their own parking

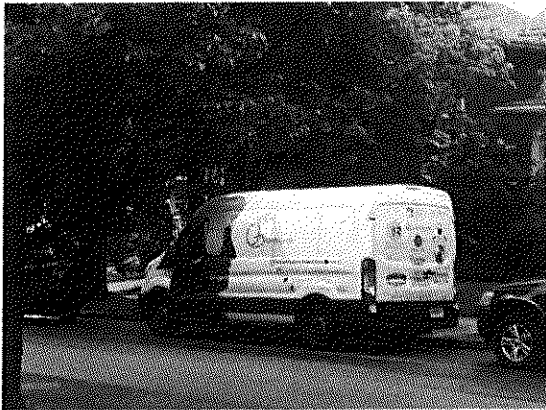


1/1/20

Get out of here!! I'm on my way home from work. Thanks for the heads up



Erika



< Home Dean, Erika, S... >



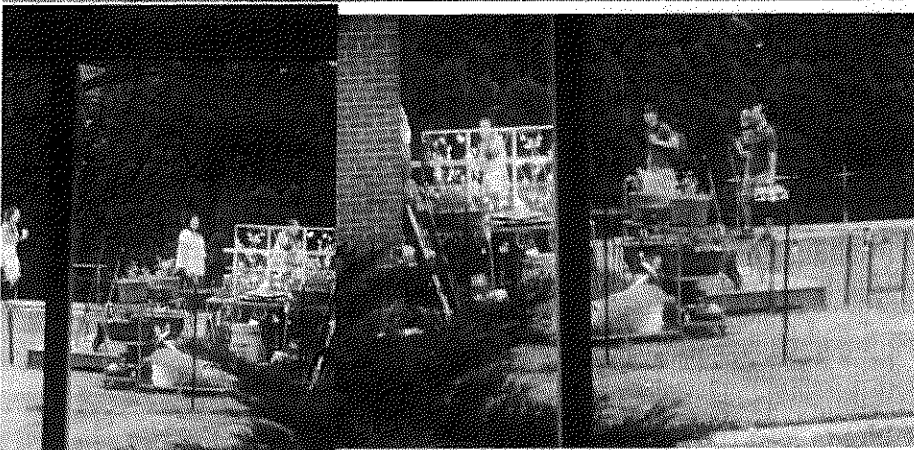
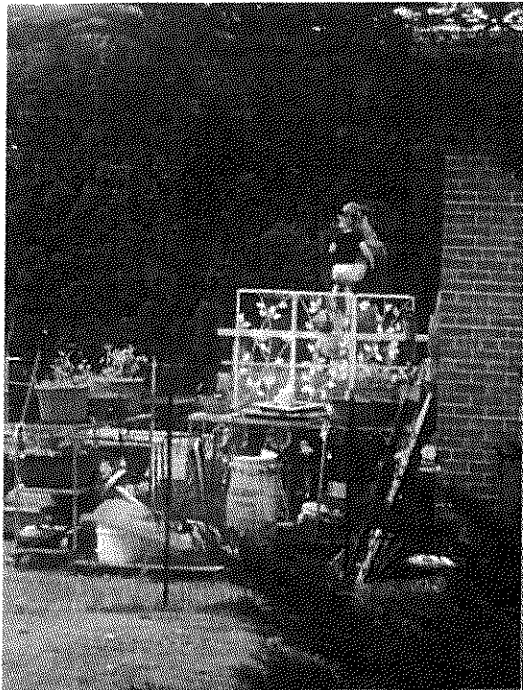
That would explain the group of five British guys and their tour van and uhaul parked in front of my house two nights ago. Took of three car spots easily.

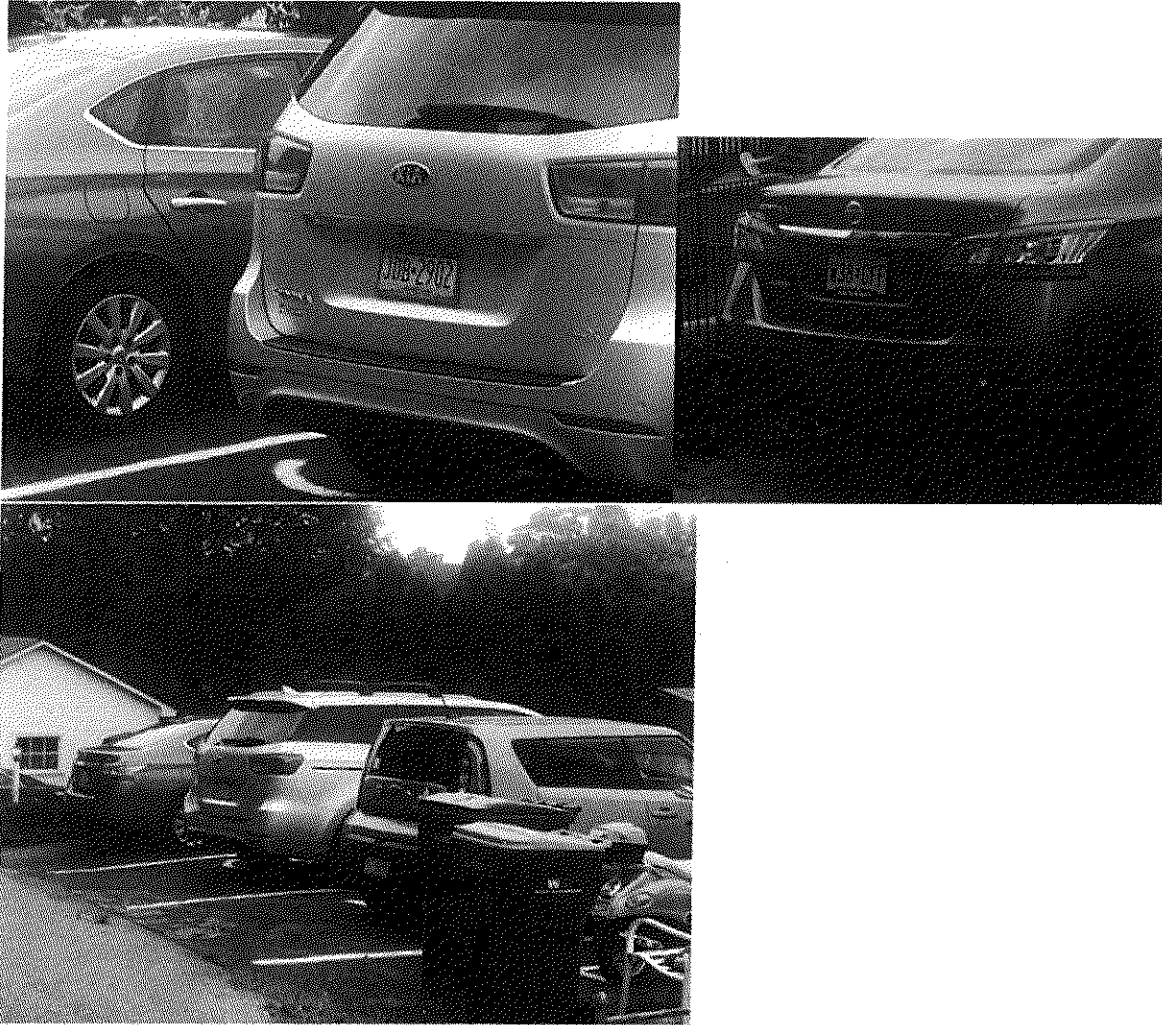


We simply don't have the parking capacity on our block to accommodate extra vehicles , especially not ones that are parking the wrong direction, on the wrong side of the street, touring buses, & vans with u-haul trailers.

And, the additional Parking issues created by an individual who wants us to think that he is living here, despite seven transient renters moving into the property at 41 E Areba during the time his truck is parked out front, taking up space, needlessly...at the exact same time that seven transient renters are moving into the "bed and breakfast" (these photos are from the weekend of Aug 18-19, 2018.

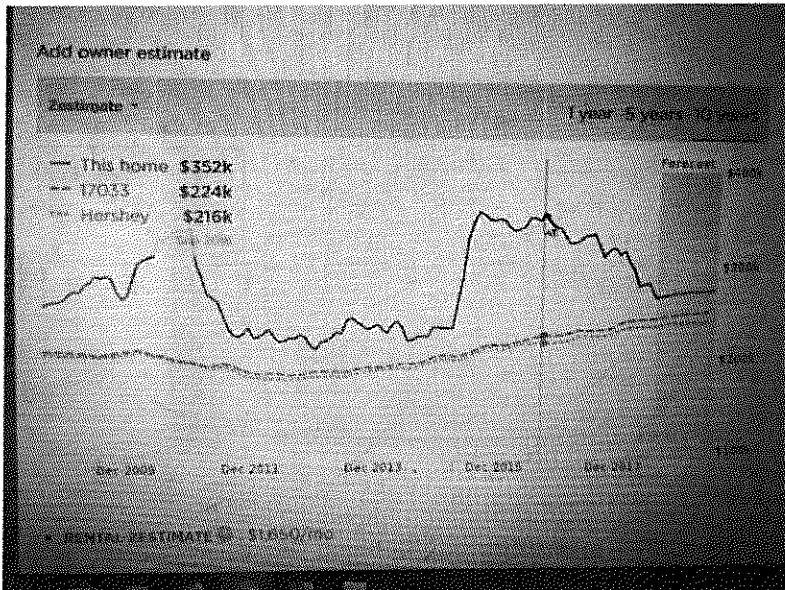






PROPERTY VALUES

According to one on-line website that lists property values, our home has decreased in value by nearly \$100,000 in less than 2 years (corresponding to the time that these Airbnb and related rentals on our street started operating; meanwhile, other homes in Hershey have been increasing in value).



I have attached an article from Realtor Magazine <https://magazine.realtor/news-and-commentary/commentary/article/2015/12/airbnb-crashing-neighborhood> (article copied/pasted at end), that discusses the detrimental effects these transient rental facilities have on nearby homeowners, realtors, and entire communities that rely on apartment housing.

Airbnbs are detrimental to the economy. No one wants to live next door to a cheap motel, which is essentially what these properties are.

Furthermore, short-term rentals take homes/apartments “out of the market” for those who need regular rental housing, which drives up housing costs for everyone. There is a reason that major cities like **San Francisco** (<https://www.mashvisor.com/blog/airbnb-san-francisco-laws-2018/>), **New York City** (<https://www.theinvisibletourist.com/why-you-shouldnt-use-airbnb-issues-you-didnt-know/>) and many others are **capping the number of days per year** that a given property can be used as a short-term rental and reasons why cities like **Barcelona** and **Berlin** also have implemented not only stringent laws but hefty fines of 60,000-100,000 Euros to property owners who are in violation.

As Barbara Nichols stated in her Article, Airbnb Is Crashing the Neighborhood, **“I did not buy in a transient motel zone and do not believe... a few property owners should be allowed to negatively impact my home’s value, peace and quiet, and safety.”**

Please do not allow “owner occupied” Vacation Rentals (e.g. “Bed and Breakfasts”) in the residential areas as currently proposed. Or, strengthen the definition of “Bed and Breakfast” to REQUIRE that a classy breakfast actually be served by...and make sure that the owners have the appropriate insurance necessary to serve a meal and be protected by liability. Please keep the downtown area “classy” and not turn it into a cheap, beach-like motel district.

Realtor Magazine <https://magazine.realtor/news-and-commentary/commentary/article/2015/12/airbnb-crashing-neighborhood>

Airbnb Is Crashing the Neighborhood

by [Barbara Nichols](#)

There's a good reason every city has zoning laws. They separate various types of buildings and building uses for the mutual benefit of everyone, so people don't have to live next to a factory or a motel. Most cities also have laws related to the minimum rental period for a single-family house or a multifamily dwelling. In Los Angeles, for example, a residential rental of less than 30 days — called a “short-term rental” — is currently prohibited.

Internet companies such as Airbnb and VRBO pay no mind to such ordinances. They've swamped the market in California and elsewhere with thousands of STR listings, making the rules difficult or impossible to enforce. These rental sites appeal to home owners who need additional income. Then the companies use those owners as examples to coax cities into making STRs legal. Even though there's clear demand on the part of home owners, that doesn't justify the many problems STRs cause for the larger community.

Usually, there's no problem with people renting a room in their home, as long as the lease is longer than 30 days and the home owner is present to monitor the renter's activities. The owner has an opportunity to check the potential renter's credit, employment, and references. However, STR websites are calling this type of pre-existing rental the “shared economy” to sell their quite different concept to cities.

These websites claim that home owners should have the right to do whatever they want with their property — but that's a fallacy. When someone has purchased in a single-family or multifamily zone, they have accepted the rules of that zoning. They do not have the right to turn their home into a motel (transient zoning), a restaurant, or a factory to the detriment of everyone else in that zone.

STRs are having a dangerous effect on our housing stock. In L.A., a city desperate for more affordable housing, 11 units of long-term rental housing are being lost daily to STR conversions, according to a report from the [Los Angeles Alliance for a New Economy](#). The report says people are converting rent-controlled units into commercial STR operations, and long-term rent-control tenants are being evicted. The loss of these units in the long-term rental market has driven up total housing costs for L.A. renters by more than \$464 million in the last year. (Read more in this Los Angeles Times article, [“Rental sites like Airbnb aren't as innocuous as they pretend.”](#))

The trend for STRs is away from “shared spaces,” where owners are present. Individuals are now purchasing single-family or multifamily units to turn them into STRs — creating a business — to the considerable detriment of their neighbors. **Some short-term renters turn these locations into party houses, creating noise, traffic, and a public nuisance. In such instances, neighbors who need a night's sleep to work the next day or who have school-age children are disturbed.** In my neighborhood, a home owner leased her property for a year to someone she believed was occupying it, only to learn he listed it on one of the STR sites as a “commercial party house.” Some 500 people being charged \$125 apiece crammed narrow, winding canyon roads by illegally parking and throwing trash everywhere. When the property owner was alerted, she was shocked and started eviction proceedings.

STRs pose big risks for the home owners who are leasing their properties: Home insurance typically covers only owner-occupied or long-term rental homes. Damage to an STR likely isn't covered. Airbnb seems to have addressed this problem with its [“host guarantee”](#) that offers up to \$1 million for property damage caused by short-term renters, but owners should read the fine print: Airbnb itself says its policy “should not be considered as a replacement or stand-in for homeowners or renters insurance.” Most notably, it doesn't cover liability at all. The fine print also suggests that property owners try to settle with the guest first. If no settlement can be reached, they have to document the damage and submit to a possible inspection. Airbnb won't cover “reasonable wear and tear” —

whatever that means — and limits compensation for high-value items such as jewelry and artwork. So, really, how much can a host expect to be protected?

The negative impact of STRs goes far beyond the immediate neighborhoods they're in. Every region has environmental challenges, and short-term renters who are unfamiliar — or unconcerned — with those challenges could pose a big threat. California is in the midst of a severe drought. Imagine if a short-term renter who knew nothing of the threat — or didn't care — threw a cigarette butt over a balcony onto dry brush?

Worst of all, the growth of short-term rentals has pitted neighbor against neighbor, with neighborhood organizations joining forces to fight STRs. Some cities are calling for stricter STR regulations or outright bans, but who will pay for enforcement of these rules? In fairness, STR websites and their customers should pay the bill. Local taxpayers would prefer to see their tax revenue used for better schools, roads, and public transit.

Those who support STRs speak of the financial help it has provided and the interesting visitors they have met. STR hosts say they provide lower-cost accommodations than conventional motels and hotels. **Well, hotels and motels pay taxes and employ millions of people. They are required to meet public-safety laws, including fire exits, sprinklers, and habitability. Unregulated STRs are not currently subject to these provisions, and many “hosts” would like to keep it that way.**

The real estate industry is caught in the middle of a fight between those who oppose STRs and the property owners and companies promoting them. But practitioners selling real estate should keep this in mind: **A single-family home or condo unit next door to a short-term rental — where the occupants change every few days — will take longer to sell and bring in lower offers. You never know who your neighbors could be, and that's a classic situation of property stigma.**

In the future, real estate agents could be required to disclose to a seller or long-term renter the existence of a nearby STR. The California Association of REALTORS® may soon ask its Forms Committee to add a question to the Seller's Property Questionnaire: “Is your home across from or next door to a short-term rental?” If agents fail to disclose nearby STRs they know about, they could open themselves up to a lawsuit by unhappy clients who end up living next door to one.

The real estate industry needs to take a stand to protect residential zoning laws against STRs. Without this protection, property values will decline and cause neighborhood stress and disruption. Real estate agents will have another obstacle to overcome in marketing properties and could expose themselves to liability. Saving our communities and protecting our property values is the mission of our industry. I have worked hard as a real estate broker to pay for my home of 29 years. I did not buy in a transient motel zone and do not believe that the profit motives of these short-term rental companies and a few property owners should be allowed to negatively impact my home's value, peace and quiet, and safety.

On the morning of June 24, 2017, I was doing yard work with my dad in our back yard when two men in their 20s left the Airbnb-type rental next door to us.

They were slurring their words, their eyes were bloodshot, they reeked of pot.

When I was behind our garage, one of them came over to me and asked me if I could help them "score more stuff."

I said, "Nah, man." I immediately walked back into the house and told my mom because it made me feel uncomfortable as it seemed like they were asking me to help them get drugs.

The men in the car drove away.

Kyle Karpa

Documentation submitted by Kelly
Karpa, 33 E. Areba Ave., at the 8/28/18
Board of Supervisors public hearing

Variance hearing mid Aug 2018

I have confidence that the Board of Supervisors and the Zoning Committee will fully consider the impact of this AirBnb at 41 E Areba, as well as a precedent previously established in this regard, such as the denial of the variance request submitted by Joy Daniels in 2010 for a property at 310 Cocoa Ave, with was right around the corner from Areba Ave.

I would encourage you to consider how would you feel if this were happening next door to you? Or in your neighborhood? The decisions you make regarding this, just may come back to haunt you in the future.

I would like to first point out the ways in which this property has not met the criteria stated in Ordinance 225-501.13 pertaining to Bed and Breakfast Homes. Subsequently, I would like to follow that by pointing out how the Specific Criteria for Special Exemption Uses 225.502 are also not being met.

I'll summarize and then go into more detail:

1. According to wording in the Variance for Bed and Breakfast Homes, it is clear that the **variance was written with actual "Bed and Breakfasts" in mind rather than Airbnbs. They are NOT the same thing.**
2. **The owner does NOT reside at the residence as we have been told by the Burnhams**
3. **There are health and safety issues which our family has already had to deal with, on account of Airbnb-type rentals on our street**
4. **This has diminished the character of the neighborhood**
5. **It prevents the homeowners from actually being able to park on their own street,**
6. **These "cheap motel"-like facilities negatively impact property values.**

I will go into more detail regarding each of these points:

First, according to §225-501.13. Bed and Breakfast Home. (R-1 zoning district),

[A. To maintain consistency between established and proposed development, parking on the lot shall not be located between the front building facade and front lot line.

B. No more than 5 bedrooms may be available or used for such use in any building.

C. Signage shall be limited on the lot to one ground sign or one wall or projecting sign meeting the dimensional requirements of the applicable sign overlay district.

D. Meal service shall be limited to breakfast only to overnight guests of the facility.

E. All off-street parking spaces shall be provided on the lot. The number of off-street parking and loading spaces shall be provided as defined by this Chapter. All parking spaces and driveways shall be surfaced with bituminous, brick, concrete or stone block paving material.

F. The owner and/or manager of the facility shall reside therein.

G. An overnight guest shall not occupy the facility for more than fourteen (14) consecutive nights in a thirty (30)-day period.]

MEAL SERVICE Stipulation:

It is apparent that the initial intent of this ordinance, as evidenced by item D "Meal Service Shall Be Limited To Breakfast Only" under 225-5-1.13 was not created with AirBnBs in mind. The intent of allowing Bed and Breakfast Homes was to permit more traditional Bed and Breakfasts, where guests are welcomed in to someone's home and served. The term Bed and Breakfast is: "is a small lodging establishment that offers overnight accommodation and breakfast." As we are all aware, in general, Bed and Breakfast facilities tend to be up-scale and draw a completely different type of clientele than an AirBnB apartment rental that has a key-drop arrangement and low-end motel

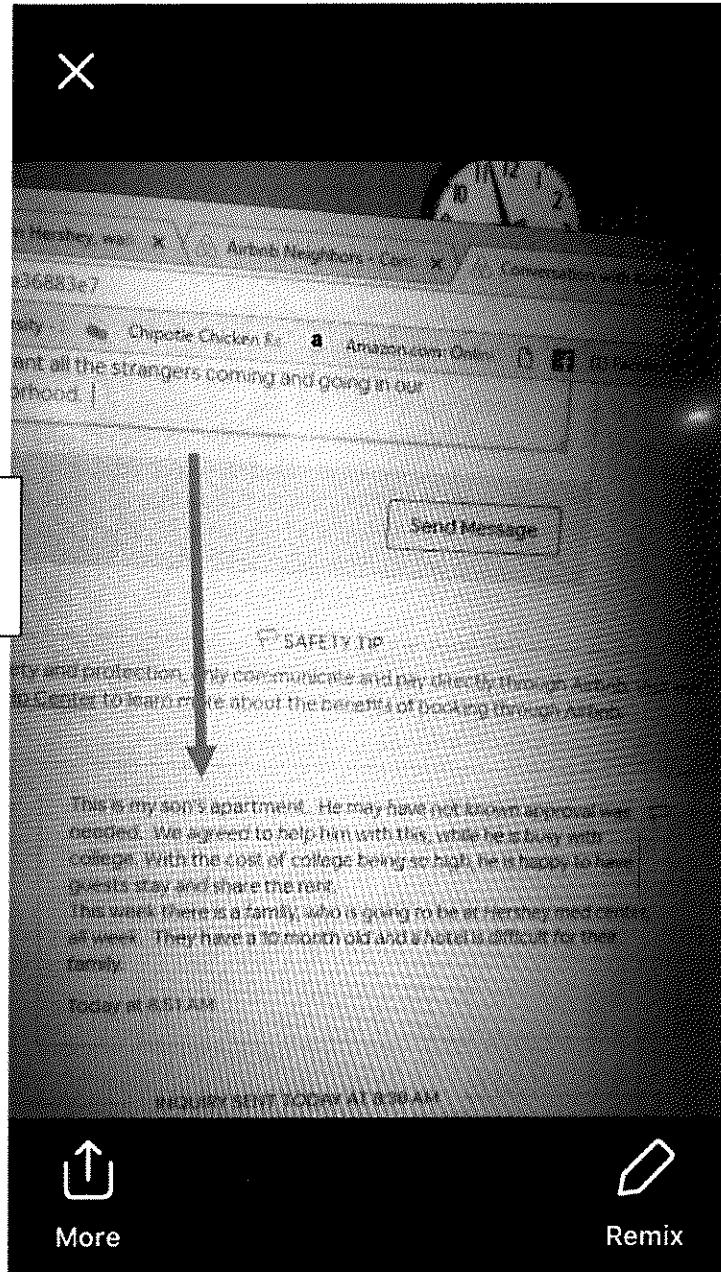
pricing (\$65/night). Given the wording of the ordinance, it would seem that there was a completely different intent in mind when this was established, than the transient, impersonal rentals that are currently springing up in residential areas throughout the village of Hershey.

OWNER SHALL RESIDE WITHIN

Stipulation:

Secondly, with regard to this ordinance, criterion F, the **“owner of the facility shall reside therein”** has never been met. On May 22, 2018, Kathy Burnham claimed in an email exchange with Teresa Mortensen “this is my son’s apartment”.

Email exchange occurred May 22, 2018. It was not the “son’s apartment” in May.

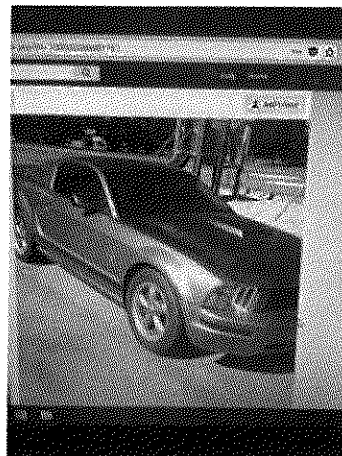
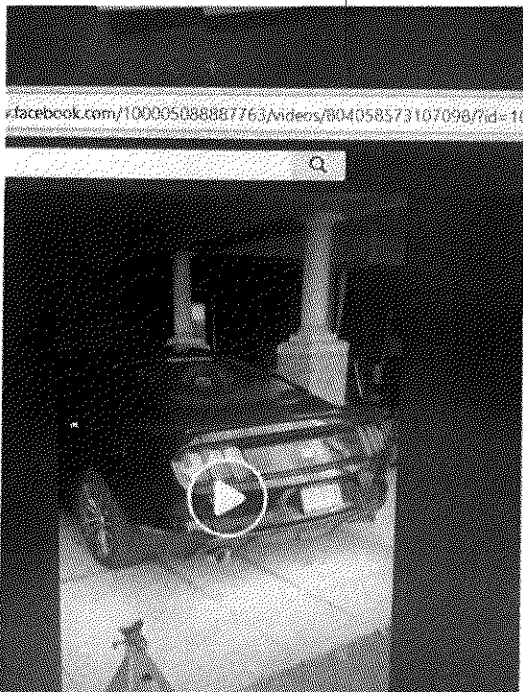


- A. That was simply not true on May 22, and the neighbors knew it since her son had just graduated from high school. According to Dauphin County records, Kathy and Dan Burnham purchased the house from Jeff and Susan Black on Dec 24, 2012. It was only ~3 weeks ago, on July 11, 2018, that the property was sold to Dawson Burnham in the amount of \$1.

Tax Year 2018 *	Property ID 24-023-045-000-0000	Images (Can Add)
Township DEERY TWP	Property Use R11 - APTS 4 OR LESS UNITS	
Neighborhood 24007 - CENTRAL HERSEY	Site Address 41 E AREBA AVE	
Owner Name and Address [Show Details] BURNHAM, DANIEL F 41 E AREBA AVE HERSEY, PA 17033	Mailing Name and Address BURNHAM, DANIEL F 41 E AREBA AVE HERSEY, PA 17033	

Year	Document #	Sale Type	Sale Date	Sold By	Sold To	Price
2018	20180017027	2 Family/GM	07/11/2018	BURNHAM DANIEL F BURNHAM KATHERINE L	BURNHAM DANIEL F BURNHAM DAWSON D BURNHAM KATHERINE L	\$1
2013	10120030160	0 Yard	12/24/2012	BLACK JEFFREY S BLACK SUSAN C	BURNHAM DANIEL F BURNHAM KATHERINE L	\$104,000
2003	0612500117	0 Yard	12/15/2003	SIMPSON STERL R	BLACK JEFFREY S & BLACK SUSAN C	\$100,000
1998	0127600147	1 Share Sale	12/04/1998	SIMPSON STERL R	SIMPSON STERL R	\$54,000
1988	0200000145	Source Cannot be Determined	06/10/1988		PALZA WILLIAM V	\$1

- B. As for whether the new home-owner lives at the residence, the Burnhams are Milton Hershey Houseparents so they do not live there. On his Facebook page, he clearly owns a very distinct car that he is quite proud of (Pictures of postings; you can see Milton Hershey School in the background.) and the neighbors have been quite aware that his car has not been at 41 E Areba Ave.

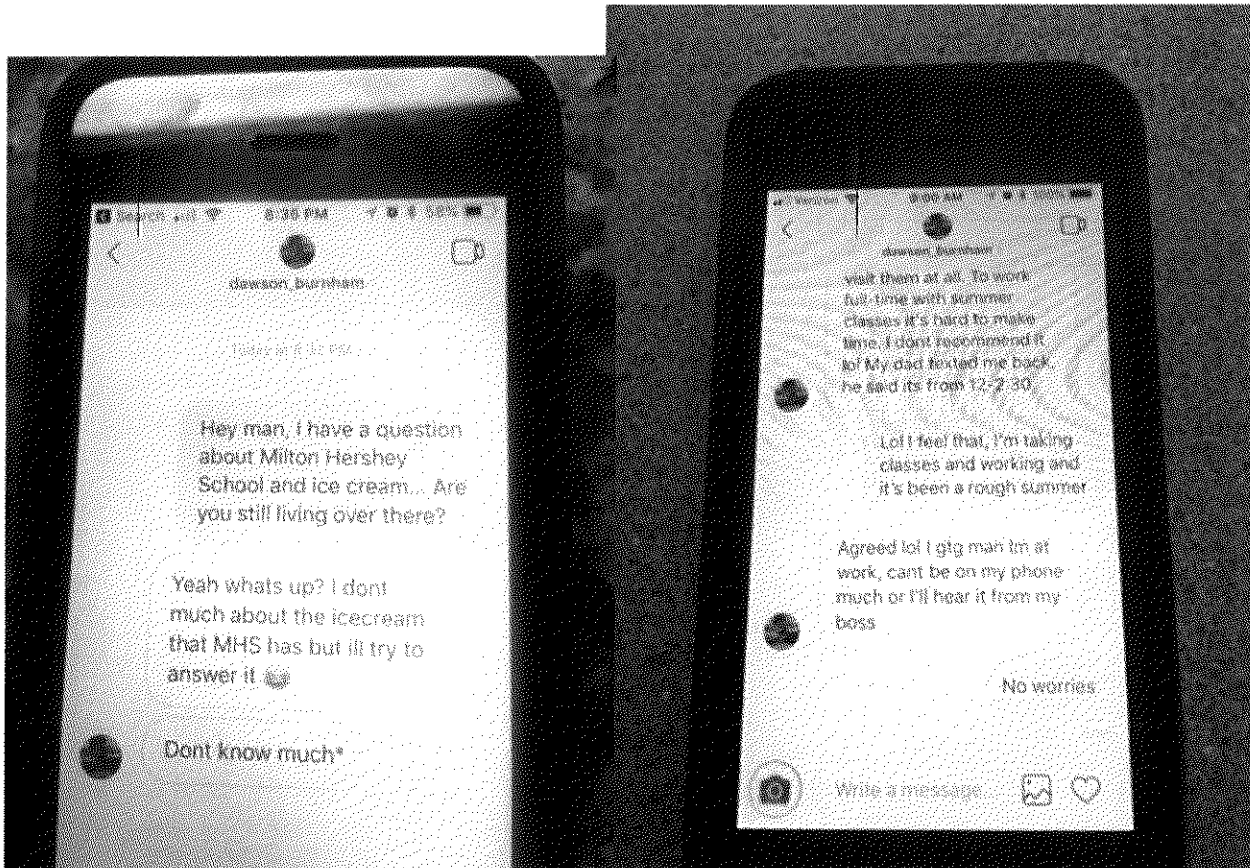


Kathy Burnham told Teresa that Dawson lives in the apartment on the second floor. When Teresa indicated that she had never seen him here, Kathy indicated that Dawson parks out back. Since June, several neighbors have been taking photographs on a regular basis, at numerous times throughout the day (first thing in the morning, mid-day, after work, bedtime, etc.), both in front of the home on 41 E Areba Ave as well as in the parking area behind the home to document that we have never seen the car here. I have included *a handful* of the pictures from behind the house. MANY, MANY more pictures are available upon request, and they can be date-stamped, too, if needed. Other neighbors have been taking photos on front of the street (available upon request). You will notice that these photos have been taken at all times of the day. Dawson's car has never been parked behind 41 E Areba, so there is definitely not an Owner living on the premises.





C. Furthermore, last week, knowing that the Dawsons had a connection to Milton Hershey School, I asked my son to reach out to Dawson to ask him if/when the Spartan Creamery was open this summer. As it turns out, my son began with a question to Dawson that asked him if he still lived at Milton Hershey School, to which Dawson replied, "Yeah". In addition to the ice cream information, he also mentioned to my son that he doesn't have time for anything since he is working and going to school full time.

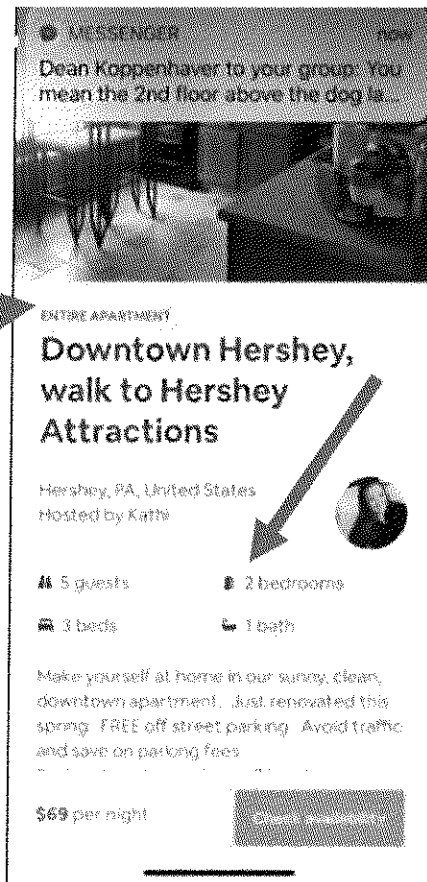


D. There has also been communication between Kathi Burnham and Teresa in which Kathi asserted that Dawson lived in the upstairs apartment and only rented out a single room. Again, this simply cannot be true since (a) he never comes to the 41 E Areba Ave property, (b) he admits that he lives at Milton Hershey School, and, (c) the assertion that he is living WITH the renters is simply not consistent with the advertisement under which they are renting the property which states:

“Entire Apartment” and “3 beds, 2 bedrooms, 1 bath”.

Besides the two bedrooms, a kitchen (seen in the advertisement) and 1 bath, a there is no additional space for another room for Dawson to be sleeping in; every house on the street has the same size upstairs and there are only 3 rooms and a bathroom.

There has been an ongoing pattern of dishonesty and deceit surrounding this property regarding ownership, who lives there, and even the amount of space that is being rented. If there is not truthfulness and honesty **during the process of trying to obtain the variance**, how can we neighbors or the Township Supervisors, or the Zoning Board Committee, believe that they will be trustworthy in upholding the variance criteria later.



In addition, I would like to speak to section 225-502. The Specific Criteria for Special Exception Uses of the Derry Township Zoning Ordinance.

3. Health and Safety

Criteria B1 specifies that the use “will not adversely affect the **health or safety** of the residents in the neighborhood or district in which the use is located.”

Every day, there is a different car, with another out-of-state-license plate. Our homes are only 7 feet from the property line of neighboring residences. I no longer feel safe coming home alone after dark, nor do I feel comfortable sitting in my own back yard because I never know who my neighbors are and who is in the alley.

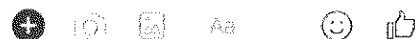
Home Dean, Erika, S...

strange renters parked out front everyday and people leaving with suitcases every morning.



06/24/2017, 12:13 PM

What if anything is the township doing about the airbnb? Kyle said that this morning, one of last night's renters came over to him in our back yard and was clearly under the influence of drugs, blood shot eyes, slurring his words, reeking of pot, and asked Kyle if he knew where he "could score".



A. I brought my son along to speak about the SAFETY aspect of transient renters, based on a previous precedent that another transient, short-term rental property set for our family's position with regard to these types of cheap motel- type arrangements. There is another home in-between my house at 33 E Areba and this home at 41 E Areba that rents out rooms through a site called RYFO.org. This site is specific for touring bands. The letters stand for "Rock Your Face Off." Last summer, my 18 year old was doing yard work behind our home with my husband on the morning of June 24, 2017, when he was approached in by the previous night's renters (four males, aged mid 20s had just left the apartment; two of them were still there, and one approached him). They seemingly had attended the Luke Bryan concert in Hershey the night before based upon us hearing them come in loudly the previous night. These renters were apparently still under the influence of alcohol (slurred speech, blood shot eyes) and smelled of marijuana had asked my son if he knew where they could get drugs. I have a screen shot that I sent to the neighbors from that day:

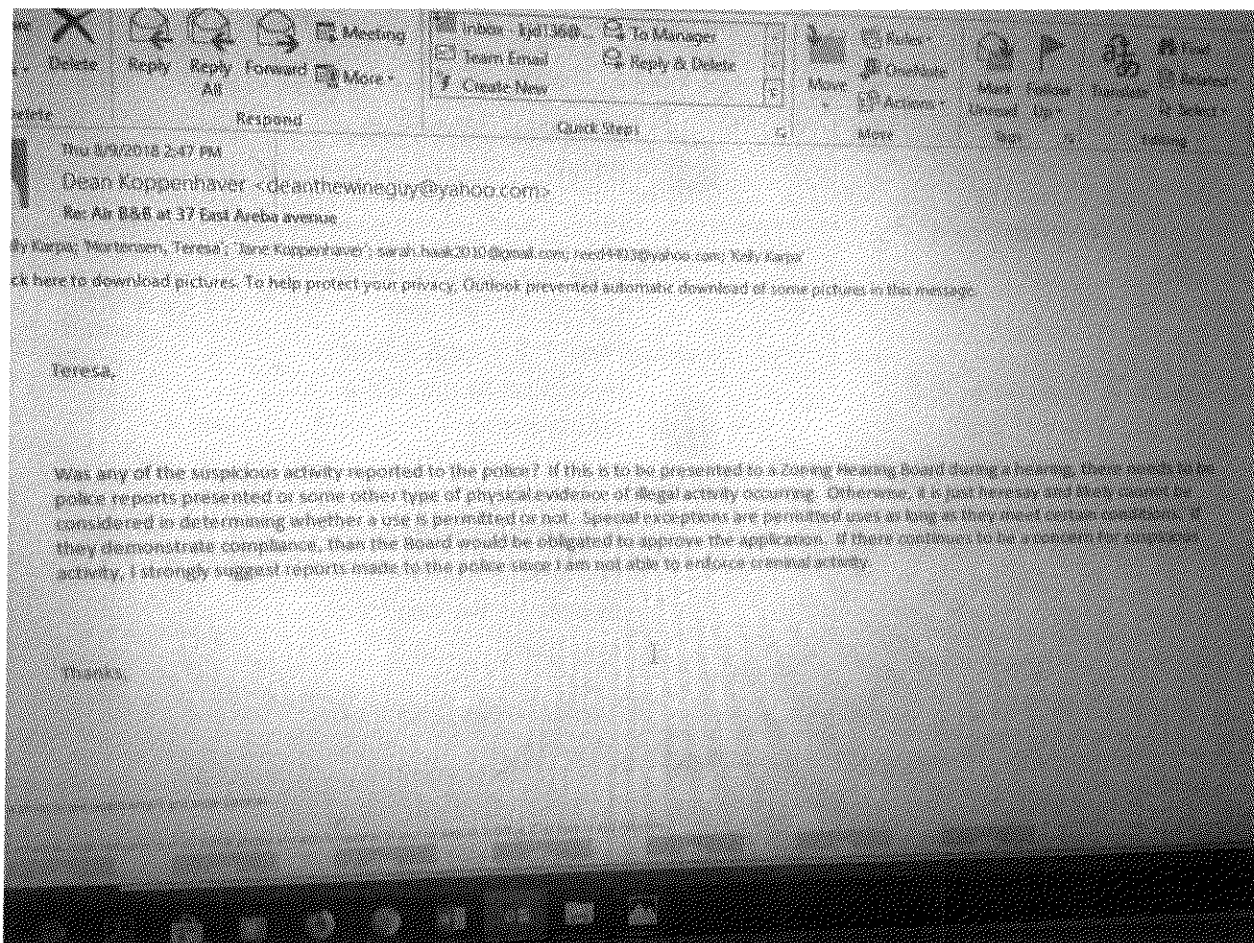
This type of interaction between neighbors and the transient renters definitely **does not promote the "health or safety"** of residents in the village of Hershey.

In this situation, I tried to report it to the owners of the property. No one was home when I first attempted to contact them. Later that day, as soon as I noticed that someone had entered the home, I went over to the house and was met by a "friend" who had stopped by to change the sheets for the owners. The owners were away and had a "friend" helping them manage the Airbnb while they were out of town (California, Oregon, Washington, and Alaska). I asked the "Friend" to let the owners know that I had concerns about their renters from the previous night, but the home owners never contacted me.

There is no guarantee that the home owners are even HOME when transient individuals are renting these properties.

Interestingly, when this interaction was reported to Brandon Williams at the Derry Township offices, it was dismissed as "hearsay" unless "there was a police report filed (see email screen shot below." I've brought my son along to verify as a witness that this interaction did take place so that it is part of an "official record".

Of course, there was no police report filed. It is absurd to even suggest that such a document be filed. It hadn't even occurred to my husband or I to file a police report. The individuals had already left the property at that point. Yet, its certainly not **"safe or healthy"** for the neighborhood to have this caliber of transient individuals coming and going each day. My son is here and can relay the account as a first hand witness, if that is needed to "put it on the record".



- B. Neighbors have seen Probation and Parole Officers coming to the 41 E Areba residence multiple times as identified by that designation on the backs of their jackets. As neighbors, we are already apprehensive about the goings-on at this residence since we don't know the reason for these visits to the permanent renter at the residence. We feel much less safe knowing that there is absolutely no screening process at all regarding those renting the Airbnb upstairs.

< Home Teresa, Erika, ... >



And yes, I saw the probation officers as well...

Sarah

I did not see that! I will call as well if it will help. I don't want that next door to me. It's a safety issue



Teresa

It would be great if we can get as many people as we can to complain



Ted saw the probation officer too

Dean



< Home Teresa, Erika, ... >



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Ted saw the probation officer too

Dean

Unfortunately Sarah,



< Home Teresa, Erika, ... >

ted saw the probation officer too

Unfortunately Sarah, unless someone falsely reported that 2nd floor apt as their permanent address, I think they were there to visit Suzanne or her roommate (daughter?). They were female officers with probation and parole on their backs. Ted saw them once and I saw them no long there after.



MAY 22, 2017 AM



A home owner who doesn't live at the site, who is a 19 year old teenager who "doesn't have time for anything since he is working and going to school full time", is hardly in a position to manage an Airbnb with any sort of "problem" tenants of the sort that may involve illegal substances.

C. PARKING

In **Section 225-502 B3** of the Derry Township Ordinances also states that the "use will not be detrimental to the use or development of, or change the essential character of, the neighborhood or district in which the use is proposed. The Township Board of Supervisors shall consider, at minimum, the impact of the noise, dust, light, odor, and adequacy of parking."

Given that we have two different Airbnb-type of arrangements operating next door to each other, one that has requested this hearing and the other of which continues to operate despite being made aware of the necessity of a variance a year ago, it is difficult to know which of the homes these particular transients were staying at. Nonetheless, you can see how parking is a huge problem for the home owners who live on this street. Our block of Areba Ave is the only street in town for which parking is only permitted on one side of the street. As a result, having these extra cars with trailers, large touring vehicles, and cars parked illegally -- facing the wrong direction -- creates undue hardship on the entire neighborhood when we want to come home in the evenings and park our own cars.

< Home Erika, Sarah, D... >



at auction.

Our Airbnb tenants make their own parking



Get out of here!! I'm on my way home from work. Thanks for the heads up



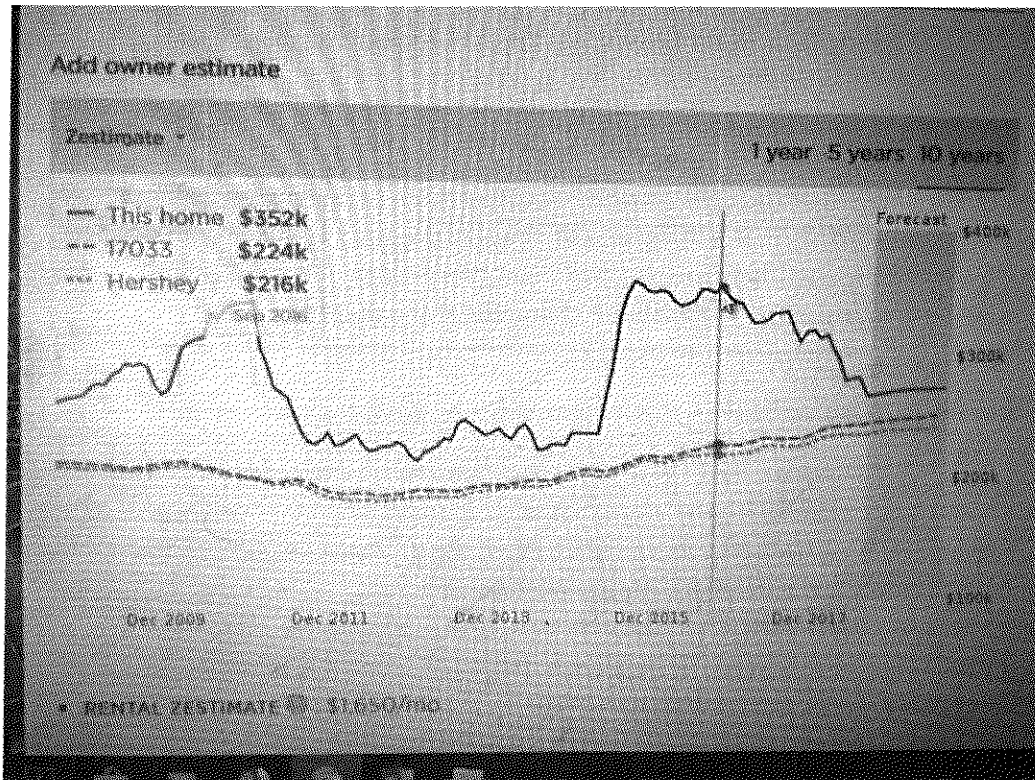
< Home Dean, Erika, S... >

That would explain the group of five British guys and their tour van and uhaul parked in front of my house two nights ago. Took of three car spots easily.



We simply don't have the parking capacity on our block to accommodate extra vehicles, especially not ones that are parking the wrong direction, on the wrong side of the street, touring buses, & vans with u-haul trailers.

F. PROPERTY VALUES



According to one on-line website that lists property values, our home has decreased in value by nearly \$100,000 in less than 2 years (corresponding to the time that these Airbnb and related rentals on our street started operating; meanwhile, other homes in Hershey have been increasing in value).

I have attached an article from Realtor Magazine <https://magazine.realtor/news-and-commentary/commentary/article/2015/12/airbnb-crashing-neighborhood> (article copied/pasted at end), that discusses the detrimental effects these transient rental facilities have on nearby homeowners, realtors, and entire communities that rely on apartment housing.

Airbnbs are detrimental to the economy. No one wants to live next door to a cheap motel, which is essentially what these properties are.

Furthermore, short-term rentals take homes/apartments "out of the market" for those who need regular rental housing, which drives up housing costs for everyone. There is a reason that major cities like **San Francisco** (<https://www.mashvisor.com/blog/airbnb-san-francisco-laws-2018/>), **New York City** (<https://www.theinvisibletourist.com/why-you-shouldnt-use-airbnb-issues-you-didnt-know/>) and many others are **capping the number of days per year** that a given property can be used as a short-term rental and reasons why cities like **Barcelona** and **Berlin** also have implemented not only stringent laws but hefty fines of 60,000-100,000 Euros to property owners who are in violation.

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It is unclear why the township continues to allow Airbnb-type of rentals to continue to operate even after they have been brought to the attention of township personnel. In the case of 37 E Areba and 41 E Areba, the Airbnbs have been permitted to continue operating for 4-6 months and 'honor existing bookings'. Why? If a person is in violation, that individual should not be permitted to continue breaking the rules and profiting from it. The Township needs to take a long hard look at the enforcement aspect of the ordinances.

Prior Precedent

In 2010, Joy Daniels attempted to have her property, right around the corner from us, at 310 Cocoa Avenue granted a variance for operation as an Airbnb. However, the Township denied this variance. Therefore, a precedence has already been set by the township to prohibit these types of properties in the village of Hershey when it may be **unsafe** and/or **diminish the character** of the neighborhood, and/or negatively impact parking.

Thank you, again, for the opportunity to share why I think it is inappropriate to grant the variance to 41 E Areba. In summary:

1. This request does not appear to be in line with the ideas that were in mind when the variance for Bed and Breakfasts was developed by the Township (**given that the variance pertains to the serving of meals which is definitely not part of the Airbnb experience**).
2. **This request does not meet the criteria that a homeowner live on-site**, despite the many attempts to be deceitful and pretend that this criterion was established months ago (per email exchanges with the former homeowner in May 2018).
Furthermore,
3. Having transient individuals in the neighborhood has already been demonstrated to have potential **unsafe implications** for my family because of substance use and drug-seeking behaviors.
4. These rentals **diminish the character** of my neighborhood
5. These rental have a **negative impact on our property values**.
6. These rentals **prevent homeowners from parking at their own home**

As Barbara Nichols stated in her Article, Airbnb Is Crashing the Neighborhood, **"I did not buy in a transient motel zone and do not believe... a few property owners should be allowed to negatively impact my home's value, peace and quiet, and safety."**

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by [Barbara Nichols](#)

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The negative impact of STRs goes far beyond the immediate neighborhoods they're in. Every region has environmental challenges, and short-term renters who are unfamiliar — or unconcerned — with those challenges could pose a big threat. California is in the midst of a severe drought. Imagine if a short-term renter who knew nothing of the threat — or didn't care — threw a cigarette butt over a balcony onto dry brush?

Worst of all, the growth of short-term rentals has pitted neighbor against neighbor, with neighborhood organizations joining forces to fight STRs. Some cities are calling for stricter STR regulations or outright bans, but who will pay for enforcement of these rules? In fairness, STR websites and their customers should pay the bill. Local taxpayers would prefer to see their tax revenue used for better schools, roads, and public transit.

Those who support STRs speak of the financial help it has provided and the interesting visitors they have met. STR hosts say they provide lower-cost accommodations than conventional motels and hotels. **Well, hotels and motels pay taxes and employ millions of people. They are required to meet public-safety laws, including fire exits, sprinklers, and habitability. Unregulated STRs are not currently subject to these provisions, and many "hosts" would like to keep it that way.**

The real estate industry is caught in the middle of a fight between those who oppose STRs and the property owners and companies promoting them. But practitioners selling real estate should keep this in mind: **A single-family home or condo unit next door to a short-term rental — where the occupants change every few days — will take longer to sell and bring in lower offers. You never know who your neighbors could be, and that's a classic situation of property stigma.**

In the future, real estate agents could be required to disclose to a seller or long-term renter the existence of a nearby STR. The California Association of REALTORS® may soon ask its Forms Committee to add a question to the Seller's Property Questionnaire: "Is your home across from or next door to a short-term rental?" If agents fail to disclose nearby STRs they know about, they could open themselves up to a lawsuit by unhappy clients who end up living next door to one.

The real estate industry needs to take a stand to protect residential zoning laws against STRs. Without this protection, property values will decline and cause neighborhood stress and disruption. Real estate agents will have another obstacle to overcome in marketing properties and could expose themselves to liability. Saving our communities and protecting our property values is the mission of our industry. I have worked hard as a real estate broker to pay for my home of 29 years. I did not buy in a transient motel zone and do not believe that the profit motives of these short-term rental companies and a few property owners should be allowed to negatively impact my home's value, peace and quiet, and safety.

PLEASE SIGN IN

Derry Township Board of Supervisors
Public Hearing re: Ord. 706
August 28, 2018
6:00 p.m.

<u>Name</u>	<u>Address or Company</u>
<u>Charlene A. Graham</u>	<u>1249 Poppy Dr. Hummelstown, PA</u>
<u>Dawnine Jans</u>	<u>162 Oak Lane/Hershey</u>
<u>[Signature]</u>	<u>112 OAK LANE HERSHHEY</u>
<u>Kyle DiAngelo</u>	<u>1251 SWATAARA RD HERSHHEY PA</u>
<u>Cecil McQuain</u>	<u>308 Laurel Dr Hershey PA</u>
<u>Terese Merten</u>	<u>46 E Arabe Ave Hershey</u>
<u>[Signature]</u>	<u>46 E. Arabe Ave, Hershey PA</u>
<u>Michelle Marino</u>	<u>58 E. Arabe Ave HSY</u>
<u>MIKE MARINO</u>	<u>58 E. Arabe Ave HSY</u>
<u>PHIL FRIEDRICH</u>	<u>440 W ELLWOOD AVE</u>
<u>KAREN JOHNSON</u>	<u>1210 FISHBURN RD, HSY</u>
<u>Kevin + Rachelle O'Brien</u>	<u>142 W Caracas Ave</u>
<u>Lou & LORRIE BUSHMAN</u>	<u>32 MAPLE AVENUE</u>
<u>Cathy Easterwood</u>	<u>160 Maple</u>
<u>Carolyn Stoner</u>	<u>Hershey Medical Ctr</u>

NAME

ADDRESS

Jen Buchanan

220 Cedar Ave

Kate Canavan

204 Maple Ave

Heath Donald

1147 E Caracas Ave

Andrea Pratt

203 maple ave

JIM + DENISE GAINER

107 N. LINGLE

KARL + KELLY KARRA

33 EAST ARENSA AVS.

Steph Shaw

218 Elm Ave

COUZETTE NELSON

306 Bahia Ave

Rodney Sonderman

357 Red Oak Ln

**Board of Supervisors Meeting
Attendance**

6:00 PM Hearing

Meeting of Aug. 28, 2018

PLEASE PRINT

1. Charlene S. Graham	21. Bruce Wolbrette
2. Dorianne Faust	22. Andrew Grommo
3. JAN FAUST	23. Michael Mark
4. GORDON R. KILMAN	24. Rachel Mark
5. Jim Gunn	25. Rich Comble
6. Kelly Kampa	26. EVAN DIACOU
7. Steph Slaw	27. Brenda Bernay
8. Beth Correll	28. MELISSA WEIGLE
9. Mike Correll	29. Jack Storm
10. Chris Reed	30. [Redacted]
11. Dean Keppenhafer	31. J. Felder
12. Jan Keppenhafer	32. Becky Wills
13. Rodney Sonderman	33. Kate Sargent
14. Angela Jean Donkowitz	34. Sam Peter
15. Lou Faisolt	35. Kristopher
16. Ann Graham	36. Candis Chubb
17. Dore/Dore Holl	37. Garrett Gallin
18. Heather Gentry	38. Rev James Stange
19. J. Andie Parmes	39. Marty Atabley
20. Maura Fulze	40. Lou & Lorraine Dora

from mtg.