



PLANNING COMMISSION MEETING MINUTES

Tuesday, January 16, 2024 at 7:00pm | Borough Council Chambers

Members Present: Charles Strauss, Martin Jolin, Nicholas Redman, John Rice, Sarah Kipp

Staff Members: John Whitmore, Planning Director; Mr. Clabaugh, Borough Engineer; Mr. Boyer, Planning Commission Solicitor; Charles Gable, Borough Manager.

Members of the Public: Sue Cipperly, 314 N. Stratton; Shelley Knouse, 28 Chambersburg; Dorthy Puhl, Adams County Library; Mary Sue Cline, Adams County Library; Susan Whaley, Adams County Library; Stacey Rice, At Home In Adams Co.; Brandt Ensor, Adam's County Library; Brian Hodges, 137 Ridge Avenue; Richard Thrasher, Adams County Library; Sharon Monahan, 114 West Broadway; Scott English, Gettysburg Academy.

Convene Meeting: Planning Commission Solicitor Mr. Boyer called to order the Monday, January 16, 2024 meeting of the Gettysburg Borough Planning Commission at 7:01 p.m., and opened reorganization proceedings.

Reorganization: Ms. Kipp made a motion to nominate Mr. Strauss as the Planning Commission Chair. The motion was seconded by Mr. Jolin and passed unanimously. At the direction of the Solicitor, Ms. Kipp made a motion to close nominations and elect Mr. Strauss as the Planning Commission Chair by acclamation. The motion was seconded by Mr. Rice and passed unanimously. After this vote, Mr. Strauss chaired the remainder of the meeting.

Mr. Strauss asked for nominations for Vice-Chair. Ms. Kipp made a motion to nominate Mr. Redman as Vice-Chair. The nomination was seconded by Mr. Jolin and passed unanimously. There being no other nominations, Charles Stauss called for a motion to approve Mr. Redman as Vice-Chair by acclamation. Mr. Rice made a motion to approve Mr. Redman as Vice-Chair and was seconded by Ms. Kipp. The motion passed unanimously.

Mr. Strauss asked for nominations for Secretary. Mr. Rice made a motion to accept Ms. Kipp as the Secretary and to close nominations. The motion was seconded by Mr. Jolin and approved unanimously.

Review and Approve Agenda: Ms. Kipp made a motion to approve the agenda. Mr. Rice provided a second, and the motion carried 5-0.

Review and Approve Minutes: Ms. Kipp made a motion to approve the minutes for the Monday, November 20, 2023 meeting. Mr. Rice provided a second, and the motion carried 5-0.

Public Comment Restricted to Items on the Planning Commission Meeting Agenda: Richard Thrasher, appearing on behalf of the Adams County Library System, discussed ongoing negotiations between the Library and the Lutheran Theological Seminary regarding the anticipated relocation of the

library to the Seminary property, as well as approvals required for the property transfer. Per Mr. Thrasher, the current purchase agreement between the Library and the Seminary contains a contingency that proper zoning approvals be in place for the use of the property as a library, which is not possible given the existing Zoning Ordinance. Mr. Thrasher noted that some portions of the property under contract for purchase by the library are located in Cumberland Township and that a library is permitted in Cumberland Township's zoning district, and further noted that the Seminary property presently contains a library. On behalf of the Library, Mr. Thrasher indicated that the Library would like to have guidance from the Borough on how best to allow for the library to operate on the property in question, and requested that a text amendment to the Borough's zoning ordinance be granted.

Sue Cipperly spoke in support of the Commercial Outdoor Recreation land use requiring special exception associated with ZHB-230006 – 533 Steinwehr Avenue.

Scott English provided the following to the Planning Commission and asked that staff provide the exact wording in the minutes, as presented below:

“Scott English, 66-68 W. High St, business owner. Planning Commission meeting, January 16, 2024

Borough Re-Zoning Initiative

Used as a shining example throughout the State of Pennsylvania since 2008, Gettysburg's existing Elm Street Zoning District (currently an “overlay” district) is instrumental in keeping with sustainable, mixed-use and live/work municipal planning and must continue to exist as a defined zoning district in the Borough's revised zoning ordinance(s). Anything short of that will require additional burdens on the property owner and the Borough through the costly variance / special exception processes. When I first met with the Borough's previous planning director in 2019, she indicated on multiple occasions that she wanted to remove the underlying zoning districts and make the existing Elm Street District a stand-alone zoning district in that area, as multiple layers were confusing to both Council and the public. Unfortunately, the previous director confirmed in the November Planning Commission meeting that it was her intention to remove the Elm Street zoning district.

Gettysburg's existing Elm Street Zoning district not only follows the Borough coordinated and adopted 2019 Adams County Comprehensive Use Plan developed in partnership with both Cumberland and Straban townships, but it also reflects those areas historically mixed use over the past two hundred years. Hankey Brothers grocery store, Calvin's barber shop, the Mexican restaurant on the corner of High and Washington Streets, H&H Pontiac car dealership and on and on. Gettysburg's Elm Street existing program must remain as a distinct zoning district to facilitate a path forward through which ALL residents may participate in the future economic development and opportunities of our municipality. Data shows that many communities across the country are pursuing mixed-use zoning to encourage public transportation and pedestrian and bike travel, reducing a neighborhood's carbon footprint. By limiting car usage and street congestion, mixed-use communities can minimize air pollution and promote energy conservation. The most recent is Baltimore County, Maryland.

Elm Street zoning district must remain in the zoning ordinance, or the Elm Street program itself will be non-existent – without the Elm Street zoning district, the public / private partnership that has worked for the past 15 years to inclusively provide a path forward through equitably affordable business opportunities in an historically diverse neighborhood ceases to exist. Removing it stifles opportunities for those that may not have the resources required to apply for zoning variances and/or special exceptions.

The Elm Street zoning district needs to be specifically designated in the ordinance and as a layer on the new zoning map. “

After Scott’s comments the Commission began discussion items on the Tabled Old Business portion of the agenda.

SLD-230001 - 0 Hanover Street: Mr. Clabaugh indicated that no updates have been submitted for the 0 Hanover Street Plan to date and that an extension will be necessary in March 2024. Mr. Rice made a motion to table the plan until the February meeting. Nick Redman provided a second and the motion carried 5-0.

SLD-230003 – Library Subdivision at Lutheran Seminary: Mr. Clabaugh noted the specific topic on the agenda pertained to a subdivision of the parcel and not the use of land under the zoning ordinance. Per Mr. Clabaugh, while the current draft of the proposed new zoning ordinance does identify “library” as a land use in the Institutional District, the ability for the applicant to develop the site is not guaranteed at this time. Mr. Clabaugh noted that Mr. Thrasher was requesting that approval of the previously-submitted subdivision plan be delayed until such time that the Library may be able to complete all aspects of the property transfer, and further indicated that some minor revisions to the subdivision plan were necessary, with these revisions being previously communicated to the applicant. The Planning Commission, the Planning Director, the Borough Engineer and members of the Adams County Library System discussed issues warranting the text amendment and best practices to ensure public debate.

After discussion with the Planning Commission Solicitor regarding which motions were required for this application, Mr. Rice made a motion to accept the applicant’s granting of a time extension for consideration of the subdivision plan through April 16, 2024. Mr. Jolin provided a second and the motion carried 5-0. Mr. Jolin then made a motion to table further consideration of the subdivision plan until the February 2024 Planning Commission meeting. Mr. Rice provided a second and the motion carried 5-0.

After tabling the item, the planning commission discussed potential text amendment scenarios to allow for the library land use. Mr. Jolin made a motion to recommend to Borough Council that the zoning ordinance be amended to allow libraries in the Institutional District as a permitted use, noting that libraries are a permitted land-use in the neighboring Cumberland Township institutional district (in which the portions of the property lying outside of the borough municipal limits are located). Mr. Jolin further noted that there is already a library present on the site under consideration by the Adams County Library System, and that proceeding with this recommendation at this time would expedite the planning zoning process for this project. The motion was seconded by Mr. Rice. During discussion, Mr. Clabaugh and Mr. Boyer noted that the recommendation of a text amendment to the zoning ordinance did not appear on the agenda and that taking official action in regards to this matter would not be appropriate or advisable at this time. Following discussion, a vote on the motion was called. Mr. Jolin and Mr. Rice voted aye

and Mr. Strauss, Ms. Kipp, and Mr. Redman voted nay. The Chair of the Planning Commission noted that a majority of the Planning Commission appeared to be in favor of the Library's requested text amendment and requested that staff bring this item to the attention of Borough Council to allow Borough Council to consider beginning the text amendment process. The Chair of the Planning Commission also requested that this topic be included on the Planning Commission's February agenda, at which time a formal recommendation could potentially be made.

ZHB-230005 – 202 Carlisle Street: The application was discussed by the Commission regarding the request for a special exception for a conversion apartment land-use in the RO, Residential Office zone, and variances related to a 5-foot side yard setback requirement and roofing requirements for exterior stairways. Commissioners Redman, Kipp, and Jolin voiced support for increased housing opportunities and that the apartment conversion land-use preserves the structure as opposed to new multi-family dwelling construction which may not have the same architectural features as compared to the older housing stock. Ms. Kipp made a motion to recommend approval of the special exception on those grounds, seconded by Mr. Rice, and approved unanimously. Martin Jolin moved to recommend approval of the 5-foot side yard setback variance as the hardship was not created by the applicant. The motion was seconded by Mr. Rice and approved unanimously.

After discussion regarding the roof requirement for exterior stairways, no recommendation was made by the Planning Commission.

ZHB-230006 – 533 Steinwehr Avenue: John Whitmore provided a general outline of the project. Mr. Redman noted that he was in favor of the project as the use would not negatively affect neighboring residents and provides an appropriate tourism based commercial land use, with Mr. Rice and Ms. Kipp in agreement. Mr. Redman made a motion to recommend approval of the special exception with Mr. Rice providing a second. The motion passed unanimously.

2023-2024 Rezoning: John Whitmore presented timeline updates to the draft zoning ordinance. There was considerable discussion relating the ongoing zoning updates and the need for meaningful public participation and feedback. Mr. Clabaugh discussed changes to the Elm Street overlay whereby current drafts of the ordinance seek to place the overlay district's land development practices and architectural design standards into traditional zones. Mr. Strauss indicated a preference for another town hall style meeting and for members of the public to provide comment on the draft document once it is ready for distribution.

Sue Cipperly commented that there are other ways to incentivize development than height including LERTA and provided written comments regarding previously disseminated draft material. In particular building height, imaging issues, prior land-use decisions regarding building height, and potential parking issues and congestion related to increased building density.

Announcements:

Next Planning Commission meeting is scheduled for Tuesday, February 20, 2024, at 7:00 PM in Borough Council Chambers.

Additional Comments from Planning Commissioners: Mr. Redman asked that staff seek information on the availability of having the alternate member position filled for the Planning Commission. Ms. Kipp indicated that she would be unable to attend the February meeting.

Public Comment: Sharon Monahan addressed the Commission regarding the prior zoning ordinance town hall and issues with the format of the meeting. In particular, there was concern regarding the productive nature of the meeting and the desire for the community to have a method to provide meaningful comment and establish better understanding of the ordinance. This was echoed by Scott English as well the need for another constructive discussion based town hall meeting.

Charles Gable addressed issues with the current LERTA and the need to coordinate with other public entities including the school district to ensure that future LERTA designations are practical and will result in redevelopment as opposed to being untenable.

Adjournment: Mr. Rice made a motion to adjourn the meeting at 9:14 pm. Mr. Jolin provided a second, and the motion carried 4-0.