

**BOROUGH OF GETTYSBURG
TROXELL COUNCIL CHAMBERS
59 EAST HIGH STREET, GETTYSBURG, PA 17325
COUNCIL WORK SESSION MEETING MINUTES
JUNE 27, 2022**

President Wesley Heyser called the meeting to order at 7:00 PM with the following **Councilors present:** Vice President Matthew Moon, Mrs. Judith Butterfield, Mr. Chad Carr, and Mr. Christopher Berger. Ms. Patricia Lawson was present via telecommunications. Mr. John Lawver was absent. **Staff present included:** Mayor Rita Frealing; Borough Manager Charles Gable; Assistant Borough Manager/Secretary Sara Stull; Police Chief Robert Glenney; Director of Historic & Environmental Preservation Debra English; Planning Director Carly Marshall; Planning Management Assistant Karen Mesher; Parking Manager Rebecca Fissel; Finance Assistant Tammy Murdorf; Public Works Director Rob Harbaugh; and Chad Clabaugh, Borough Engineer, C. S. Davidson, Inc. Borough Solicitor Harold Eastman, Barley Snyder were absent.

Others present included: Jill Sellers, President of Main Street Gettysburg; Jennifer CruverKibi, CPA Partner, MaherDuessel, Harrisburg; R. Clem Malot, Building Code Official, PA Municipal Code Alliance (PMCA); Scott English, owner 66-68 West High Street; Susan Cipperly, 314 North Stratton Street; and Amanda Day, 142 West High Street. Representing the press was Jim Hale with the *Gettysburg Times*; and filming by *Community Media-ACCTV*.

Announcements

President Heyser announced an executive session of the Borough Council of the Borough of Gettysburg was conducted immediately following the adjournment of the June 13, 2022 business meeting of the Gettysburg Borough Council consistent with section 708(a)(1), section 708(a)(2), and section 708(a)(5) of the Sunshine Act.

Public Comment – Restricted to Old Business and New Agenda Items (not tabled items).

Amanda Day, 142 West High Street expressed concern with the zoning text amendment for a special exception request for 66-68 West High Street in the Elm Street District. She feels this would not benefit the community, but only the English's who are the owners of the property. Ms. Day asked if this is a conflict of interest since an owner of the property works for the Borough. She submitted a petition to Council with people that are opposed to this request (see attached).

Susan Cipperly, 314 N. Stratton Street read a prepared statement regarding her concerns with the proposed text amendment for 66-68 West High Street that would allow tents and portable toilets. She noted that this would include other properties in the district. She also read a portion from an article written by former Main Street Gettysburg Executive Director Deb Adamik regarding the Olde Getty Place Elm Street Program. The second item

of concern is regarding the undoing of a zoning map change that changed R-1 areas along Highland Avenue and John Street to tourist Commercial (see attached).

Special Presentation

Jennifer CruverKibi, CPA Partner MaherDuessel Accounting Firm – Present Annual Audited Financial Statements for the year ending December 31, 2021

Jennifer CruverKibi, CPA Partner MaherDuessel presented Council with the Annual Audited Financial Statements for the year ending December 31, 2021 (see attached). Ms. CruverKibi reported an “unmodified opinion,” the highest possible rating prepared in accordance with Generally Accepted Accounting Principles. She gave a presentation summarizing the financial statements. Ms. CruverKibi also gave a brief summary of the management letter which discloses any findings and recommendations for Borough Council. The audit information presented is located on the Borough Website at www.gettysburgpa.gov.

New Business

Portable Toilet Ordinance

Planning Director Marshall said that all municipalities in Pennsylvania are to have a Sewage Enforcement Officer to make sure that the portable toilets are properly maintained and inspected. The approximate cost for a permit and inspection annually is \$250. To become compliant with the state we would need to appoint a certified Sewage Enforcement Officer for the Borough. Asked if Council wants to consider adding a section to Chapter 18 regulating the placement of portable toilets along with the state requirements.

Planning Director Marshall noted that she received comments from Mark Guise, Utilities Manager for Gettysburg Municipal Authority (GMA) that portable toilets should not be used as permanent or secondary sanitary facilities on existing developed lots. The use should be for temporary use such as private events, construction projects and emergencies with limited time frames. The location of the toilet should not be placed near storm water inlets, streams or wetlands.

President Heyser said that we want to make sure that we are in compliance with the state regulations. He noted the pictures he received from Scott English of portable toilets throughout town that we weren't aware of at some establishments.

Clem Malot, PMCA Building Code Official said that the Pennsylvania Uniform Construction Code does not have any allowance for portable toilets except for construction sites. He pointed out that the building code requires establishments to provide restrooms facilities no matter the size or number of people at the facility. He agreed with the recommendation of Borough staff and noted that it has been a state law where permitting is required.

After some discussion President Heyser said that Council can continue this topic at the July meeting to consider what would be suitable for temporary, seasonal, special events etc. for the use of portable toilets.

Box Alarm Change Request

President Heyser said that he received a letter from Larry Weikert, Fire Chief for Gettysburg Fire Department (GFD) requesting change to the fire department emergency response to building fires within the limits of the Borough of Gettysburg. The change would require approval by the Borough and he would recommend the change. The Municipal Box Alarm Card Form will be placed on the July Council agenda for approval.

Waste Hauler Contract

President Heyser said that with everyone disappointed in the services of Waste Management Garbage Hauler, Council will discuss with Solicitor Eastman about what steps the Borough can take regarding the contract that they haven't fulfilled. He pointed how the many complaints received from Borough residents that are dissatisfied with their service and noted that the "Big Bellies" containers have not yet been placed on Lincoln Square and Steinwehr Avenue.

Councilman Carr noted that we can point out the many opportunities that the garbage hauler had to correct the issues, but hasn't since its inception on April 1, 2022.

Amend Waste Ordinance to Prohibit Theft of Services

Planning Director Marshall reported that there has been issues with residents placing garbage in street and business cans and asked if Council would consider placing standards in the ordinance prohibiting theft of services.

Councilwoman Butterfield asked if neighbors who want to share the expense of garbage pickup would it be allowed. Manager Gable pointed out that the Waste Hauler Contract requires each resident to have their own garbage service.

After some discussion President Heyser asked Borough Staff and Borough Solicitor to draft an amendment to the Waste Ordinance in Chapter 20 of the Borough Ordinances.

2022 Budget Amendment to support Police Overtime

President Heyser said that he received a memorandum from Mayor Frealing regarding police overtime due to an officer who has been out on extended leave. He noted that Chief Glenny must offer overtime to full-time police officers before asking part-time officers to fill the position.

Manager Gable said that the request from the chief is for \$68,425 to support the overtime budget. He noted that the American Rescue Plan Act (ARPA) funds can be used for salaries. The funds could be reallocated from the Capital Projects Account to the police department overtime.

Councilman Moon asked for clarification regarding the officer who is off that bid for the night shift as per the police contract states each year, and asked if he is allowed to work daytime or must he remain on nighttime during his light duty period.

Chief Glenn responded that we could have him work dayshift which is what the officer has been scheduled during his light duty capacity. During this time the officer is not allowed to meet or work with the public due to his doctors and workers compensation requirements and the risk of reinjuring himself.

Councilman Moon asked for clarification regarding overtime paid to officers each pay due to their eleven and one-half hour shifts.

Chief Glenn responded that the last half hour of each pay period is overtime pay noting that the officers work eleven and one-half hours for seven days in the pay period which totals eighty and one-half hours.

President Heyser asked that the budget adjustment be placed on the July Council agenda for consideration and approval.

Zoning Map Amendment – remove certain areas from Tourist Commercial (TC)

Planning Director Marshall explained that zoning revisions are proposed for the Tourist Commercial (TC) District to include Johns Avenue, Highland Avenue and 6th Street in the area of Hanover Street, and that a petition from residents requesting the amendment was received (see attached).

Council agreed to proceed with the Planning Commission to review and comment and asked that a motion be placed on the July agenda to proceed with the draft revisions to the proposed ordinance.

Old Business

Scott English, 66-68 West High Street Zoning Text Amendment Request

President Heyser said that Council had a significant discussion in May, but there are a few items that are outstanding. He said that portable toilets may possibly be addressed through the ordinance. Other items are that there was no consensus about a permitted use, special exception, or not permitted in the Elm Street Overlay, and there was no consensus about the 100 person limit whether or not that would include staff. He noted that

Councilwoman Lawson and Councilman Lawver didn't feel that the number of people should include the staff.

President Heyser noted that the Elm Street Overlay criteria supersedes the Zoning District criteria. He said that at a previous meeting Councilman Moon and Councilman Berger were both opposed to the special exception, and Councilwoman Lawson and Councilman Lawver were supportive of the special exception. President Heyser said that he is now leaning towards not permitting it. He has concerns with the neighborhood and how the Elm Street District was laid out and articulated, and doesn't feel that this was in the vision that they had planned.

Councilman Carr said that letters from the public were received in support of the project at 66-68 West High Street, and also from the Olde Getty Place and Elm Street members including Darlene Brown, Jean Green and Stephanie McIlwee who ran the program. He pointed out for public transparency the word interpretation must be thought about when reading documents noting a portion of the July 17, 2018 *Gettysburg Times* article by Deb Adamik was read during the public comment period (see attached). Councilman Carr read the following portion of the article which was not included in the public comment period:

"The Pennsylvania Downtown Center (PDC), the Pennsylvania State's administrator for both Main Street and Elm Street Programs, provides the following explanation of Elm Street Programs on their website:

Inspired by the widespread, positive impact that the Pennsylvania Main Street program has had in revitalizing the commonwealth's downtowns and urban corridors, in 2004 Representative Robert Freeman's proposed the Elm Street Program, a similar, integrated approach to revitalization of Pennsylvania's older residential areas bordering Main Streets and central business districts." His reason was..."Too many of the nation's urban neighborhoods have fallen into disrepair. Disinvestment, outmigration and aftershocks of urban renewal have left many of these history-rich communities battling for survival. In these "core communities," Pennsylvania has a major untapped asset, and with help from an Elm Street program, these historic, authentic and unique neighborhoods can once again thrive, supporting the downtowns and commercial districts that they surround. When looking at the goals for the Olde Getty Place neighborhood: increasing community pride and sense of place, creating a positive image of the neighborhood, improving police-resident relationships, educating the public about the historic importance of the neighborhood, and allowing the residents to revitalize the physical aspects of the neighborhood through façade and sidewalk improvements, you can see common community values shared by the sister organizations and how important it is for the two small organizations to work together".

Councilman Carr went on to say that the Elm Street Project talked about improving the neighborhood and noted that this is an historical building that could educate people. He

pointed out that there has been many comments received from both for and against the project, and that he is leaning towards the approval of a special exception.

Mayor Frealing said that there are many historic sites in this area that she hasn't heard anyone talk about which includes the Menchey Pottery Shop, the oldest black church in Gettysburg, and the John Hopkins House that the Gettysburg College purchased for their black janitor. She said that as the Mayor she has stayed neutral about this project.

Councilwoman Lawson said that she spoke at previous meetings about this property location has some of the oldest streets in Gettysburg with many historic buildings. As stewards of the Borough and as elected officials we were asked to look at this property from a visionary standpoint as to how this property would look if the special exception would be approved. She pointed out that she spoke about tourist visiting and staying at local establishments and could envision people walking throughout town to attend an event could see the historic buildings and the rich history in this part of town.

Councilwoman Butterfield pointed out that Councilman Carr mentioned Stephanie McIlwee wrote a letter of support and said that Darlene Brown who oversaw the grant writing for the Elm Street Program is in support of this project. She said that she is leaning towards approval of the special exception

Councilwoman Lawson asked if the Zoning Hearing Board reviewed the plans.

President Heyser said that the Planning Commission reviewed it a few times but would need to review the notes. There has been modifications made several times which has caused it to be difficult to track. The outline presented to Council tonight by the Planning Director noted on page two that the Planning Commission reviewed the document on April 18, 2022 which was permitted by special exception (see attached).

Councilwoman Lawson said that it is a disservice to include the number of staff with the total number of people allowed for an event stating that it would depend on the event and catering needs. She said that not all events require the same service

Councilman Berger and Councilman Moon both feel that one hundred people would be too many and are both opposed to it.

Councilwoman Butterfield said that it does not necessarily mean that one hundred people would be there at every event stating that is the maximum amount allowed.

After the discussion **President Heyser** asked that Borough Staff to draft the document for one hundred people total to include staff and to allow two events per month on a Friday, Saturday or Sunday. A motion should be placed on the July Council agenda for the draft Zoning Text Amendment.

President Heyser explained that there is no conflict of interest with Debra English working for the Borough of Gettysburg regarding 66-68 West High Street property. Her husband Scott English purchased the family home from his siblings.

Public Comment (open to items not on the agenda)

Susan Cipperly, 314 N. Stratton Street, asked for clarification regarding special exceptions which her impression was for an event allowed every day of the week from 9:00 AM to 10:00 PM with no limits of the number held daily, and then only two events allowed per month with a one hundred person limit which is in addition to the daily events.

President Heyser said that the outdoor component is what was discussed tonight to allow for two monthly events.

Scott English, 1210 Pumping Station Road, owner of 66-68 West High Street said that his family has owned the property for ninety years and if his father were still alive he would not be dealing with this situation. He pointed out that his parents were very involved with the Elm Street overlay District which has been around for a long time. The house was built as an institution and the history of the community needs to be shared with the public. Mr. English said that he is planning to discuss with commercial real estate people about putting a restaurant in the house which is allowed in this neighborhood. He said just as Ms. Cipperly is frustrated he as well with the delays and time in getting anything resolved.

President Heyser adjourned the meeting to an executive session at 9:40 PM.

Respectfully submitted,

Sara L. Stull
Borough Secretary

"I live in/near the Elm Street
is a good idea for the neighborbort

Umanda Ray presented to Council on June 21, 2009

Name/ signature	Address
1 Amanda Day	142 W High St. 17325
2 Kathleen E Murphy	141 Bay Alley 17325
3 John Day	142 W. High 17325
4 Cheryl Barry	144 W. High St. - Gettys, 7325
5 Karen Bostler	238 S. Freeman
6 Susan Flou	146 W. High St.
7 Dennis Herr	146 W. High st
8 Patrick Simpson	152 W. High St
9 Eric Gull	138 W. High St
10 Mark L. Snepker	218 S. FRANKLIN St

"I live in/near the Elm Street Overlay area, and do not think
is a good idea for the neighborhood"

Name/ signature	Address	Phone
1 Jennifer Tuler	212 S. Franklin St	
2 Douglas Roketich	212 S Franklin St	
3 Kerry Math	140 west high st.	
4 [Signature]	214 S Franklin St.	
5 Veronica Samson	208 S Franklin St	
6 [Signature]	143 W. High St	
7 [Signature]	155 S. High St	
8 [Signature]	"	
9 [Signature]	139 S. Wacker	
10 Rev. Michael A. Hunsley	269 S. Washington St.	

"I live in/near the Elm Street Overlay area, and do not
 is a good idea for the neighborhood"

PH	Address	Name/ Signature
	133 Page Alley, 1A 1B 1C 1D	Sumatra Graham
	133 Page Alley, 1A 1B 1C 1D	James Marsh III
	139 A - Page Alley	James Beecher

Public Comment – Susan Cipperly Borough Council Workshop 6/27/2022

On tonight's agenda are topics related to issues that have been ongoing for quite a while. I sent you two documents that I hope you took the time to read:

First, a letter to the editor that I wrote regarding tents and portable toilets, and how now is the time to set up some rules for portable toilets, and how the combination of tents in front yards and portajohns sprinkled throughout various districts would not be a good look for Gettysburg. This issue is not just about one property.

Second, an article written by Deb Adamik, Manager of the Main Street Program for 14 years. In July 2018, she wrote about the difference between the Main Street Program and the Olde Getty Place Elm Street Program. She quoted the State program purpose for each, and then stated:

"MSG (Main St Gettysburg) preserves the towns' historic assets and stimulates economic growth." The difference is that Main Street programs focus more on the commercial downtown areas versus **Elm Street's residential**.

"...the goals for the Olde Getty Place neighborhood:

- increasing community pride and sense of place,
- creating a positive image of the neighborhood,
- improving police-resident relationships,
- educating the public about the historic importance of the neighborhood, and
- allowing the residents to revitalize the physical aspects of the neighborhood through façade and sidewalk improvements..."

Assertions have been made during this process that the Elm Street Program is about economic development. I would rather take Deb Adamik's word for what the program is about than accept those assertions as facts.

Another agenda item involves undoing a zoning map change that changed R-1 areas along Highland Avenue and John Street to Tourist Commercial. This is a good example of not thinking things through at the time, and what the future impacts could be. Now that neighborhood is being faced with commercial uses amidst a residential area. I support that change, and hope you can see the similarity with the Elm Street situation.

MaherDuesel



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Borough of Gettysburg

Borough Council

June 27th, 2022

Borough of Gettysburg

- **Communication to those Charged with Governance Letter**
 - Our responsibilities under Generally Accepted Auditing Standards
 - Significant accounting policies
 - Note 1 to the Financial Statements
 - Conversion from accrual to modified cash basis of accounting in 2021
 - Accounting estimates
 - Disclosures
 - No difficulties encountered in performing the audit
 - Corrected and uncorrected misstatements
 - Material adjustments during the audit
 - No disagreement with management
 - Management representations
 - Management consultations with other independent accountants
 - Issues discussed prior to retention
 - Other matters

Borough of Gettysburg

- Results of audit
 - Adverse Opinion on Aggregate Discretely Presented Component Units
 - Report excludes Gettysburg Municipal Authority due to different basis of accounting
 - Unmodified opinion on remaining opinion units, prepared in accordance with modified cash basis of accounting
 - Basis of Accounting
 - Financial statements are prepared on the modified cash basis of accounting, which is a different basis of than accounting principles generally accepted in the United States of America.
 - Change in Accounting Principle
 - Borough switched from accrual to the modified cash basis of accounting in 2021.
 - Supplementary and Other Information

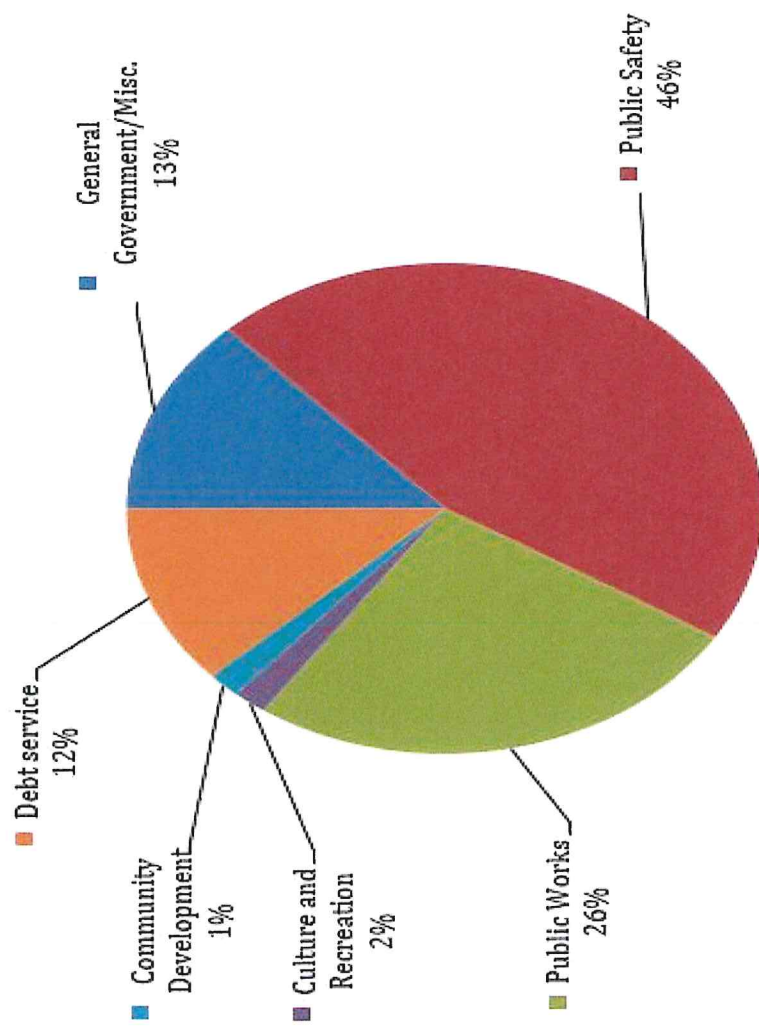
Borough of Gettysburg

- Financial highlights – Governmental Activities
 - Assets and Deferred Outflows
 - 2021 - \$20.1 million
 - 2020 - \$19.6 million
 - Liabilities
 - 2021 - \$4.8 million
 - 2020 - \$6.9 million
 - Revenues
 - 2021 - \$8.0 million
 - 2020 - \$5.4 million
 - Expenditures
 - 2021 - \$5.2 million
 - 2020 - \$5.4 million
 - Change in Net Position
 - 2021 - \$2.9 million
 - 2020 - \$0.025 million

Borough of Gettysburg

- Financial highlights –
Governmental Funds
 - Governmental funds unassigned fund balance is \$1,978,995 at 12/31/21 (37% of total fund balance)
 - General Fund change in fund balance was \$1.1M in 2021

- Breakdown of Governmental Funds Cost for 2021:



Borough of Gettysburg

- Footnotes
 - Note 1
 - Reporting entity/component units
 - Major funds
 - Modified cash basis of accounting
 - Note 4 – Capital assets
 - Note 5 – Long-term debt
 - Note 6 – Pension Plans
 - Note 8 – Commitments
 - Note 9 – Change in Basis of Accounting

Borough of Gettysburg

- Management letter
 - Material Weakness
 - Improving financial reporting
 - Other Matters
 - Reconciling parking enforcement revenue (repeat)
 - Borough prepared capital asset documentation (repeat)

Questions? Contact Us!



Jennifer CruverKibi, CPA

Partner

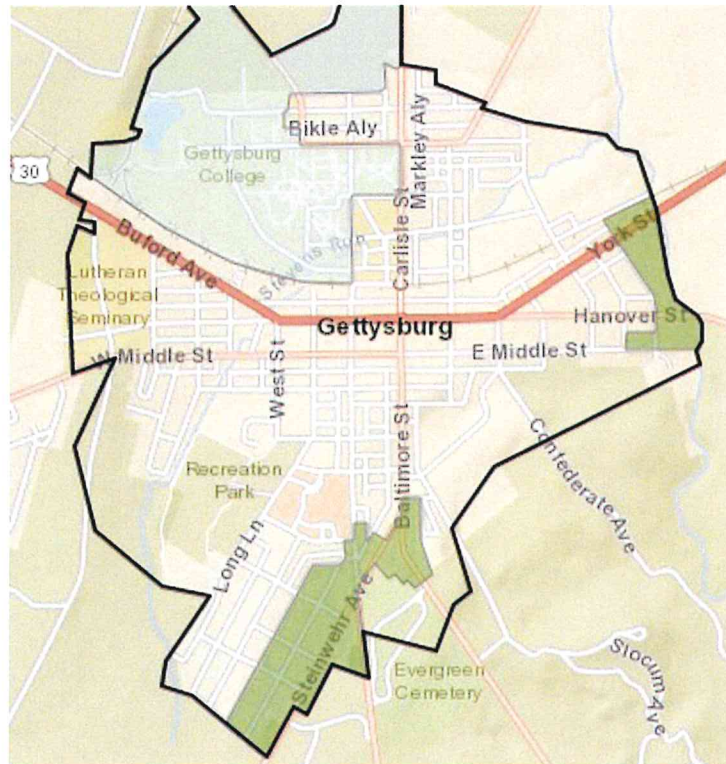
717.232.1230

jcruverkibi@md-cpas.com

MaherDuessel

Pittsburgh | Harrisburg | Butler | State College | Erie | Lancaster
www.md-cpas.com

Proposed Tourist Commercial (TC) Zoning Revisions 2022



THE STATED PURPOSE OF GETTYSBURG'S TC DISTRICT IS:

27-901— “The purpose of this Part is to provide for and encourage the location of retail business establishments serving the tourist and visitor trade. “

THERE ARE 23 NON-RESIDENTIAL LISTED USES PERMITTED IN THE TC DISTRICT.

EXAMPLE NONRESIDENTIAL USES
PERMITTED BY-RIGHT IN THE TC
DISTRICT:

- **Auto Service Station**
- **Convenience Store**
- **Financial Institution**
- **Hotel**
- **Museum**
- **Restaurant**
- **Retail Store**
- **Inn**
- **Vacation Rental**

NON-RESIDENTIAL USES PERMITTED BY SPECIAL
EXCEPTION IN THE TC DISTRICT:

- **Conversion Apartments**
- **Outdoor Commercial Recreation/
Entertainment Facility**
- **Uses permitted by-right in TC that have
Drive-thru facilities**
- **Parking lots/parking decks**
- **Uses which, in the opinion of the Zoning
Hearing Board, are of the same general
character as those permitted by-right in the
TC District and which will not be detrimental
to the intended purpose of the district.**

EXISTING ZONING:

TC - TOURIST COMMERCIAL

PROPOSED ZONING:

R1 - LOW DENSITY RESIDENTIAL

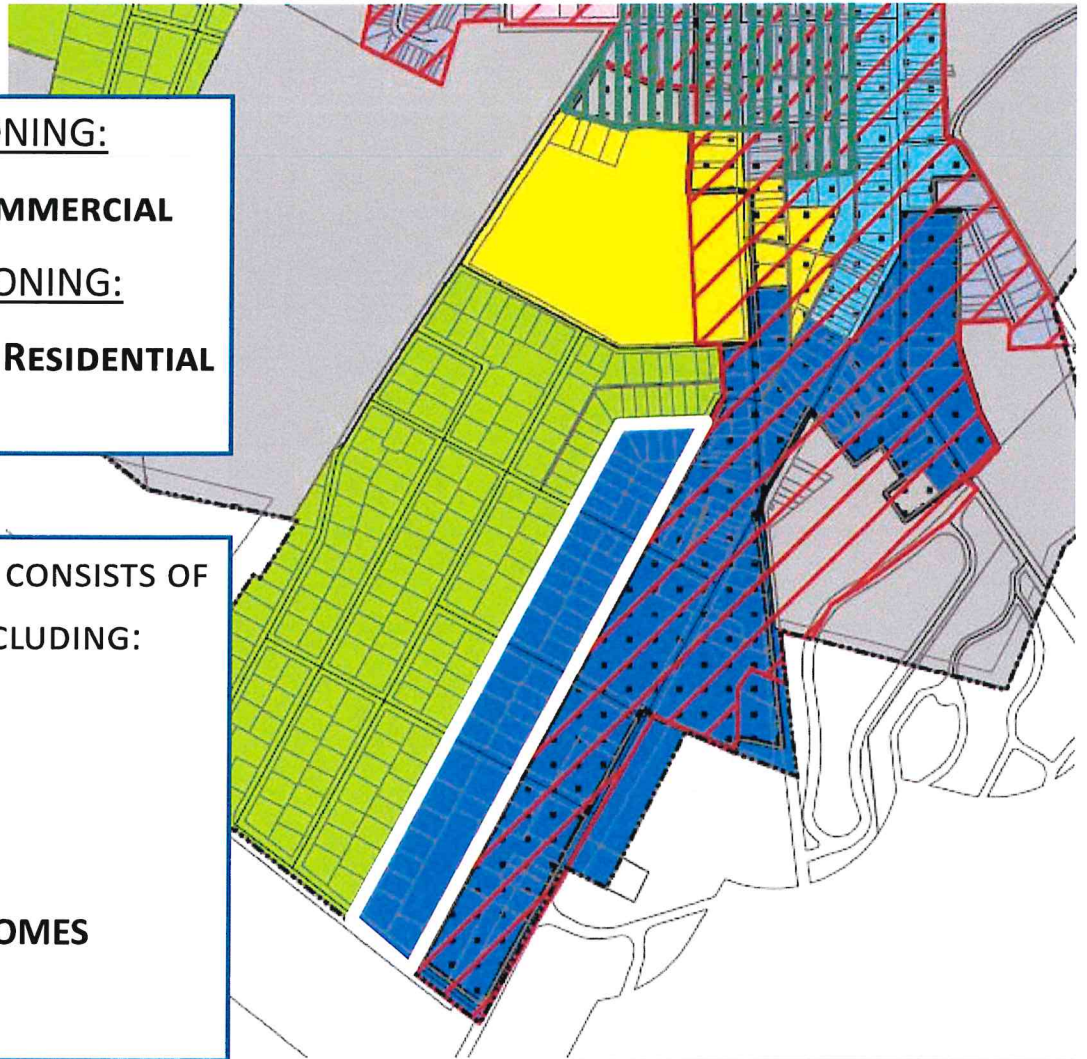
COLT PARK TC AREA CONSISTS OF
45 PARCELS, INCLUDING:

3 VACANT LOTS

1 COMMERCIAL

Vacation Rental

41 RESIDENTIAL HOMES



EXISTING ZONING:

TC TOURIST COMMERCIAL

PROPOSED ZONING:

GC GENERAL COMMERCIAL

YORK STREET TC AREA CONSISTS OF
8 PARCELS, INCLUDING:

4 COMMERCIAL

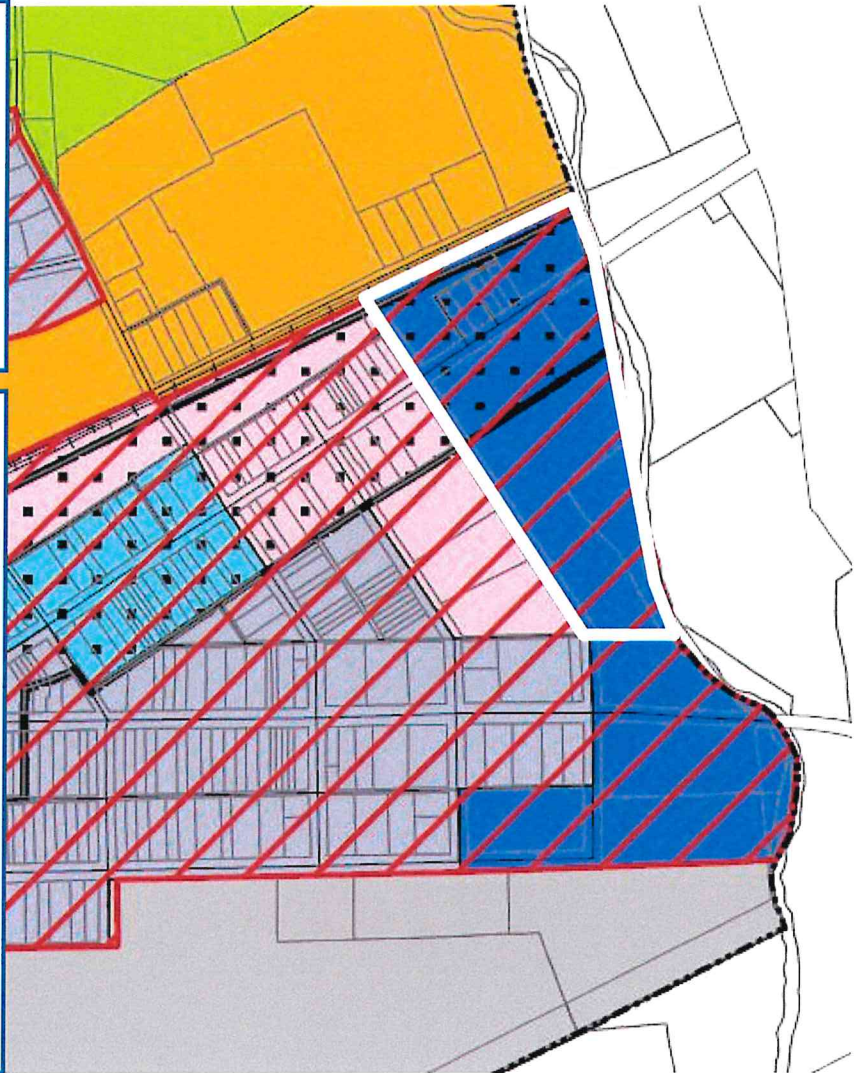
Vacant Commercial Bld.

President Inn & Suites

Schmuck's Lumber

K&W Tire

4 RESIDENTIAL



EXISTING ZONING:

TC - TOURIST COMMERCIAL

PROPOSED ZONING:

**R2 - MODERATE DENSITY
RESIDENTIAL**

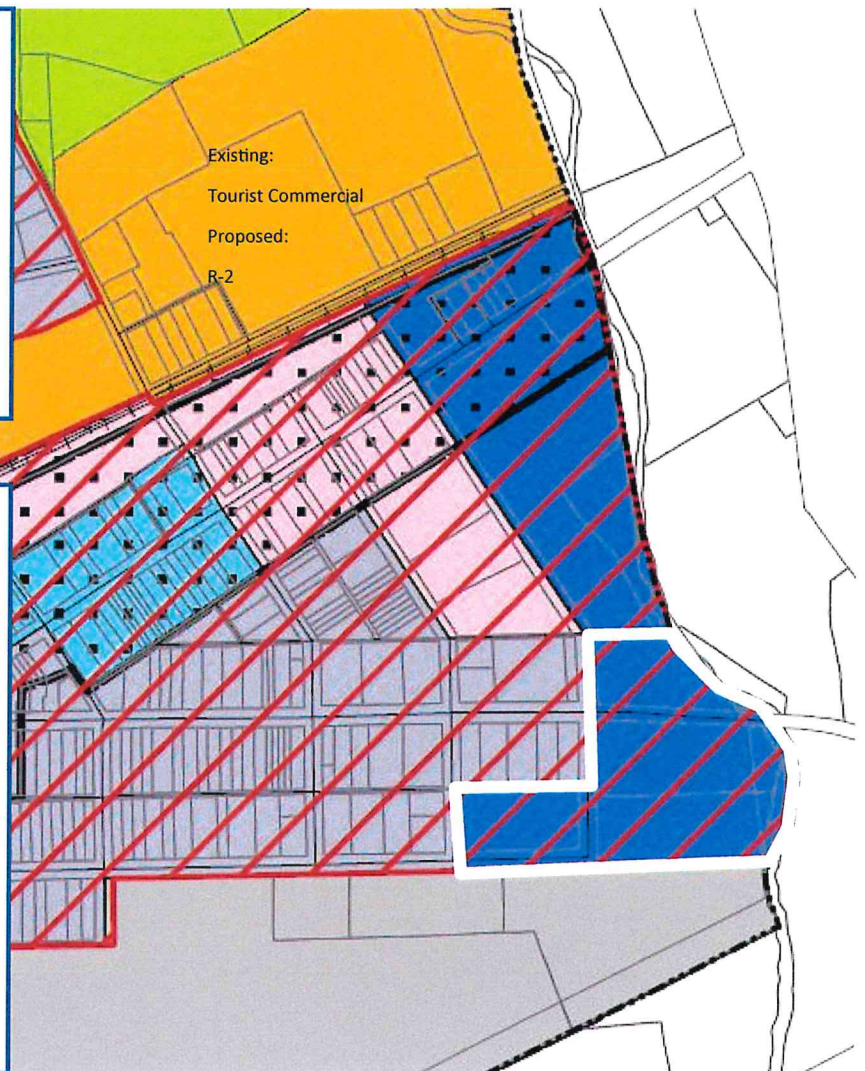
6TH STREET TC AREA CONSISTS OF
3 PARCELS, INCLUDING:

1 RESIDENTIAL

1 VACANT

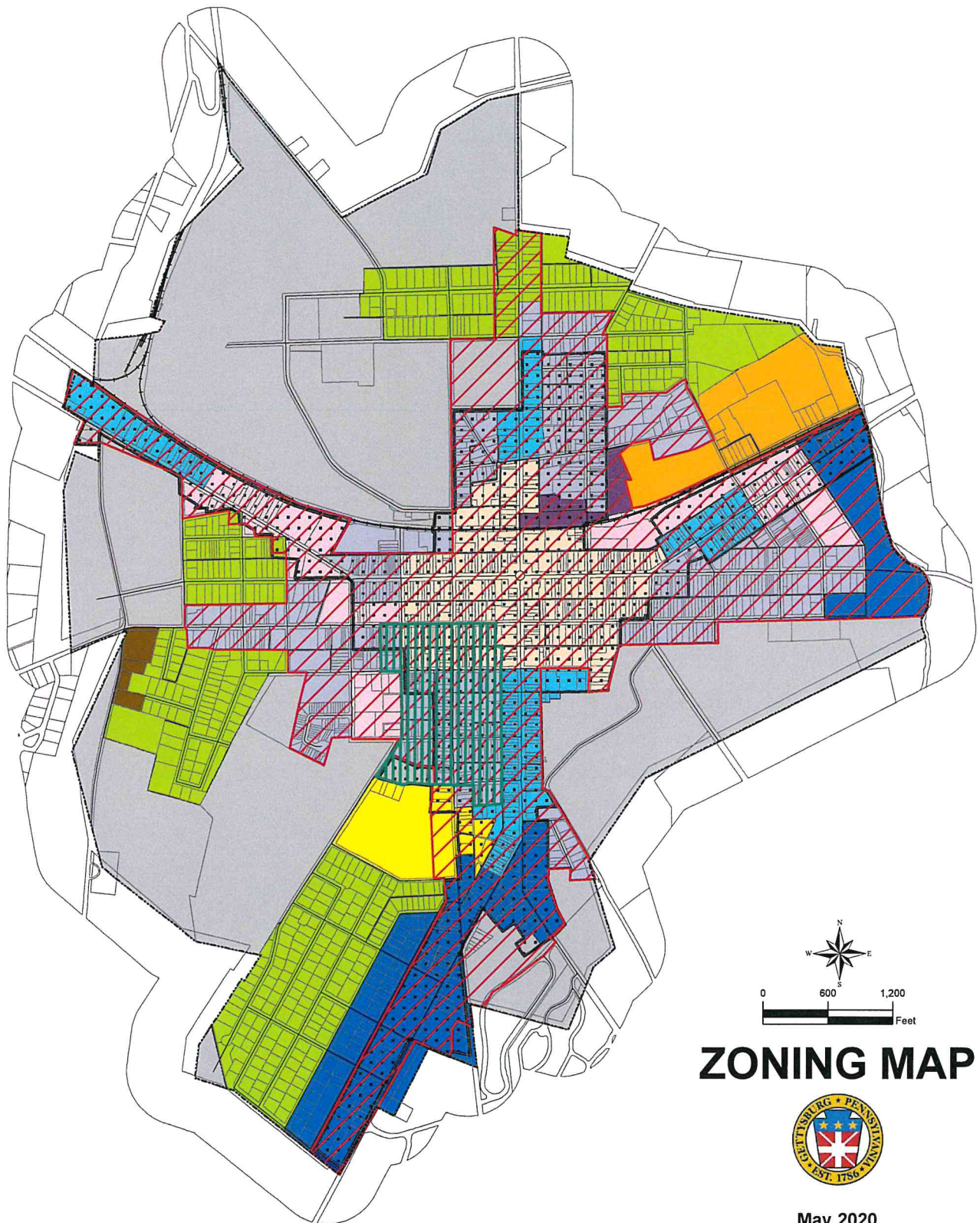
1 NONPROFIT

American Legion



NEXT STEPS:

- . Notify affected property owners via mail that their zoning is proposed to change and provide information for all scheduled meetings and hearings that it will be discussed.**
- . Planning Commission Recommendations 7/18/2022**
- . Draft Map Amendment**
- . Hearing**
- . Adoption**



ZONING MAP



May 2020

GETTYSBURG BOROUGH
ADAMS COUNTY, PENNSYLVANIA

Prepared By:



Legend

	Elm Street Overlay District		OT-Old Town
	Borough Boundary		R-1-Low Density Residential
	Streetscape Enhancement Overlay District		R-1A-Preservation Residential District
	Historic District		R-2-Moderate Density Residential
	GC-General Commercial		RO-Residential Office
	HC-Health Care		ROR-Residential Office Redevelopment
	I-Institutional		TC-Tourist Commercial
	IND-Industrial		

BASE MAP SOURCE: ADAMS COUNTY GIS/MAPPING DEPARTMENT AND PLANNING DEPARTMENT. BOROUGH BOUNDARY DOES NOT NECESSARILY MATCH PREVIOUS MAPS OR DESCRIPTIONS OF THE BOROUGH'S BOUNDARY. NO SURVEYS WERE PERFORMED TO VERIFY LOCATIONS.

Presented to Council 6/27/22

Petition to the Gettysburg Borough Council & Zoning Commission related to the zoning boundary designation for Highland Ave. in Ward 3, Colt Park, Gettysburg, PA

WE, THE UNDERSIGNED, HEREBY PETITION the Gettysburg Borough Council to amend the TC Tourist Commercial District Zone to exclude all of Highland Ave. and convert it to a R-1 Low Density Residential District.

WE STATE OR BELIEVE:

1. That the petitioners are residents of Gettysburg, PA, Adams County;
2. That Highland Ave. is a part of a residential neighborhood in Ward 3, Colt Park;
3. That Commercial Land Uses within a residential district directly impacts the overall quality of life;
4. That Vacation Rentals, specifically, inflate housing costs and risk peaceful enjoyment in our neighborhood.

Signature	Name	Legal Address	Date
Brandon Stone	Brandon Stone	358 Park St	6/10/2022
Valerie Stone	Valerie Stone	358 Park St	6/10/2022
John D. Butterfield	John D. Butterfield	999 Sunset Ave.	12 Jun 2022
Wacton C. Jones	WACTON C. JONES	966 SUNSET AVE.	6/13/22
Pam Jones	PAM JONES	966 SUNSET AVE.	6/13/22
Kelly A. Alsecker	KELLY A. ALSECKER	979 SUNSET AVE	6/13/22
Amy Anderson	Amy Anderson	982 Sunset Ave	6/13/22
Kristi Anderson	KRISTIN ANDERSON	982 SUNSET AVE	6/13/22
Marian Schultz	MARIAN SCHULTZ	993 Sunset Ave	6/14/22
G Radcliffe Schultz	G Radcliffe Schultz	993 Sunset Ave.	6/14/22
Naiad L. Chun	NAIAD L. CHUN	950 Sunset Ave	6/15/22
Michael D. Kennedy	MICHAEL D. KENNEDY	950 SUNSET AVE	6/15/22
Parren Etclair	PARREN ETCLAIR	961 SUNSET AVE	6/15/22
Kathryn St. Clair	KATHRYN ST. CLAIR	961 Sunset Ave	6/15/22
Daniel Vermilya	Daniel Vermilya	907 Sunset Ave	6/15/22
Alison Vermilya	Alison Vermilya	907 Sunset Ave	6/15/22

- OVER -

(1)

Graham B. Weaver	Graham B. Weaver	721 Sunset	6/20/22
Robert DeFayette	ROBERT DEFAYETTE	100 KING ST	6/20/22
Helena DeFayette	ROB HELEN DEFAYETTE	100 KING ST	6/20/22

Note: There are 8 additional signatures
on a sheet to be turned in at a
later date.

Sister Organizations Working Together for the Community
Main Street Gettysburg --Deb Adamik--7.11.18

The question of "What is the difference between Main Street Gettysburg and Olde Getty Place (an Elm Street Program) is asked often. The answer includes locations and targeted focus – residential and commercial.

The Pennsylvania Downtown Center (PDC), the Pennsylvania State's administrator for both Main Street and Elm Street Programs, provides the following explanation of Elm Street Programs on their website:

"Inspired by the widespread, positive impact that the Pennsylvania Main Street program has had in revitalizing the commonwealth's downtowns and urban corridors, in 2004 Representative Robert Freeman's proposed the Elm Street Program, a similar, integrated approach to revitalization of Pennsylvania's older residential areas bordering Main Streets and central business districts." His reason was..."Too many of the nation's urban neighborhoods have fallen into disrepair. Disinvestment, outmigration and aftershocks of urban renewal have left many of these history-rich communities battling for survival. In these "core communities," Pennsylvania has a major untapped asset, and with help from an Elm Street program, these historic, authentic and unique neighborhoods can once again thrive, supporting the downtowns and commercial districts that they surround."

The Olde Getty Place Elm Street area of Gettysburg, one of the most historic areas in Gettysburg, has been successful at improving their community and continues to work towards this opportunity.

The MSG and Olde Getty Place districts, are adjacent to each other and it is important that they work together for the betterment of the broader community. Main Street Gettysburg's mission is similar; "To work with community partners for the preservation, revitalization and improvement of the Historic District of Gettysburg. MSG preserves the towns' historic assets and stimulates economic growth." The difference is that Main Street programs focus more on the commercial downtown areas versus Elm Street's residential, however both organizations seek to improve the livability of the community.

For example, currently, MSG is working on an \$11 million project, the Baltimore Street Economic Development Historic Pathway Revitalization Project, that directly connects with the lateral streets of Olde Getty Place. The plan includes slowing traffic, wider and safer sidewalks and improved school crossings that directly impacts the residents of Olde Getty Place. In addition, supporting Olde Getty Place's future initiatives to revitalize Breckenridge Street is also in MSG's Ten Year Economic Revitalization Plan. This helps to strengthen any revitalization grant requests that either MSG or Olde Getty Place seek.

When looking at the goals for the Olde Getty Place neighborhood: increasing community pride and sense of place, creating a positive image of the neighborhood, improving police-resident relationships, educating the public about the historic importance of the neighborhood, and allowing the residents to revitalize the physical aspects of the neighborhood through façade and sidewalk improvements, you can see common community values shared by the sister organizations and how important it is for the two small organizations to work together.

On Tuesday evening, August 7, from 5:00 until 8:00, MSG will have a table at Olde Getty Place's National Night Out community event on Breckenridge Street. Everyone is invited to come and have fun with the family. Help us all make Gettysburg the best place to live, work and play.



Gettysburg

HISTORIC CROSSROADS

Gettysburg Planning Department

59 East High Street

Gettysburg, PA 17325

www.gettysburgpa.gov

To: Gettysburg Borough Council

From: Carly Marshall, Borough Planning Director

Date: June 23, 2022

RE: ZTA-220001 English
Special Events Use & Maximum floor area for nonresidential uses in the Elm Street Overlay District where it overlays the R-2 District

This document combines the original Zoning Text Amendment request made by Scott English, all request revisions, with related applicant comment. It includes Planning Commission Recommendations in **bold orange**, and it includes the preliminary consensus decisions made by Council in **bold blue**. Items included in a shaded box are the items that Council has yet to reach consensus on.

A. BACKGROUND

1. December 19, 2021	Applicant Original Request
2. January 18, 2022	Planning Commission Preliminary Review
3. January 24, 2022	Applicant Request Revision 1 reflecting P.C. recommendations
4. February 14, 2022	Borough Council acceptance of English ZTA-220001
5. February 23, 2022	Applicant Request Revision 2
6. February 28, 2022	Council Work Session application review
7. March 24, 2022	Staff alternatives (only included here on open items)
8. March 25, 2022	Applicant Request Revision 3
9. March 28, 2022	Council Work Session application review
10. April 14, 2022	Applicant Request Revision 4
11. April 18, 2022	Planning Commission Review of updated language
12. April 25, 2022	Applicant Request Revision 5
13. April 25, 2022	Council Work Session application review
14. May 23, 2022	Council Work Session application review

B. APPLICATION DETAIL

1. §27.5A05.1 Nonresidential uses shall be limited to a maximum floor area of 2,000 square feet when overlaying the R-2 District.

12/19/2021, 1/24/22, and 2/23/22 Applicant Request

This application requests the limit be "increased to facilitate events on properties with sufficient indoor and outdoor space."

3/28/22 Borough Council Consensus

Status Quo – no revisions to this section and require those with conflicts to follow the Variance process.

2. **Zoning Text amendment proposing the addition of Special Events Venue as a use, defined, and permitted by-right or by Special Exception in several zoning districts, with additional standards specific to this use.**

a) DEFINITION

2/9/22, 2/28/22, and 4/14/22 Applicant Request:

Special Events Venue: A primary or accessory use, the primary function of which is the hosting of community gatherings, educational events, historically interpretive functions, family weddings, art shows, parties, bridal showers, culturally significant assemblies, and other similar events where large groups of people are gathered, generally involving food, drink, and music.

5/23/2022 Borough Council consensus:

Events Venue: The commercial use of a building, part of a building, or land for assembly for the purpose of meetings, cultural or celebratory gatherings, family gatherings, artistic and educational functions, and similar gatherings as a principal use, excluding sporting events, functions that are solely outdoor music performances or concerts, and uses that meet the definition of Commercial Auditorium or Places of Worship.

b) PROPOSED DISTRICTS

*P = permitted by right, SE = permitted by Special Exception

1/24/2022, 2/23/2022 Applicant request, which combined 12/19/2021 Original applicant request with 1/18/22 Planning Commission Recommendations:

Use	GC	HC	I	IND	OT	R1	R1A	R2	RO	ROR	TC	ESO
Events Venue	P		P	P	P		SE		SE	SE	P	SE

2/23/2022 Applicant request, removed use as a permitted use in the Institutional District.

Use	GC	HC	I	IND	OT	R1	R1A	R2	RO	ROR	TC	ESO
Events Venue	P			P	P		SE		SE	SE	P	SE

3/24/22 Staff Alternatives and 4/18/2022 Planning Commission Recommendation:

Use	GC	HC	I	IND	OT	R1	R1A	R2	RO	ROR	TC	ESO
Events Venue	P			P	SE		SE		SE		SE	SE

4/14/2022, 4/25/2022 Applicant request (no preference between original requests and alternative, but changing Elm Street Overlay to a by-right district).

Use	GC	HC	I	IND	OT	R1	R1A	R2	RO	ROR	TC	ESO
Events Venue	P			P	P or SE		SE		SE	None or SE	P or SE	P

5/23/2022 Borough Council Workshop – Consensus in blue, no consensus highlighted yellow.

Use	GC	HC	I	IND	OT	R1	R1A	R2	RO	ROR	TC	ESO
Events Venue	P				P		SE		SE	SE	P	SE

Applicant Comments (4/25/2022):

"We would like to revisit the request for a permitted use; if we meet the zoning requirements and follow all in place ordinances this would allow us to move forward with this approval. The zoning Hearing for a SE would delay our ability to operate this summer as that will be scheduled after Council motion which is several months down the road looking at close to a year long review process. With the lot restrictions and other parameters set in place it would be difficult for this to be utilized in areas not permitted by right."

Applicant Comments (5/9/2022):

Our request for Permitted Use would fit with the Elm Street Program design, in line with already permitted uses in this overlay district and recommended as a Permitted Use right by the Council's Solicitor.

Applicant Comments (6/23/2022):

I am requesting that the following be specified as alternative language and/or as applicant requests in the subject ZTA draft to Council discussion for the June 27, 2022 workshop meeting...

- **Permitted Use by Right in the ESO. (as suggested by the Borough Solicitor)**

c) LOT REQUIREMENTS**Minimum Parcel Size**

12/19/2021, 1/24/2022, 2/23/2022 Applicant Request:

.50 ac

4/18/2022 - Planning Commission provided no recommendations.

5/23/2022 Borough Council consensus:

.50 acres if there is an outdoor component to the venue.

d) ACCESSORY STRUCTURES & TENTS**Accessory and Temporary Structures Front Setback**

12/19/2021 Applicant Request:

20 feet when adjacent to a residential use district.

1/24/2022 Applicant Request with 1/18/2022 Planning Commission Recommendations:

15 or 10 feet with screening when adjacent to a residential use district.

4/14/2022, 4/25/2022 Applicant Request:

Defer to setbacks in the underlying zoning district (10' in the case of the English property).

Applicant Comments (4/14/2022):

"[The alternative] is an unreasonable request as this is a very unique, a corner property with a 5,000sq ft building which is totally out of character with the neighborhood. The house was built far back from the building line and should not become a hinderance to the property and enjoy the same requirements as the R2 ESO zoning setbacks allow.

*The ordinance setback for the R2 district set in place is a 10 ft setback at building line. This unique building is why we are here in the first place. The front setback should be consistent with the code in this zoning district which is 10ft at the build line. That is a reasonable distance for a temporary tent for a special event. The purpose is to showcase and celebrate the historic structure which is the purpose of this request. If we place the tent at the current house location all of the mature large trees will need to be **removed** to make room for the tent which provides natural screening. Tents are temporary, and the purpose is to showcase this historic structure and hold events to showcase the building and share its rich heritage and history."*

Applicant Comments (4/25/2022):

"Placing a tent at the house façade or behind is an unreasonable request, if that is the case ALL trees on the property will need to be removed which provides screening to facilitate location of the tent behind the house line. The standard 'build to line' in this zoning district should be utilized which is 10 feet in the R2/ESO. These tents are temporary and not left up for extended periods of time. The purpose is for these events is to SHOWCASE this historic structure and allow the public to enjoy its character."

Applicant Comments (5/9/2022):

"To place a restriction site specific to our property to locate the tent at the existing house line is an unreasonable hardship as that is site specific to our property. The tent location should be across the board to the "build to" line - which would be fair and consistent for all within this zoning overlay district and a reasonable and fair consideration, consistent with current code building line requirements. "

4/18/2022 Planning Commission Recommendations:

15', or 10' with screening when adjacent to a residential district or use.

Planning Commission Considerations (4/18/2022):

To make the ordinance adaptable to facilitate the use.

5/23/2022 Borough Council consensus:

10 feet with screening to the tent itself (not the guidelines or ropes) when adjacent to a residential use or district.

Accessory and Temporary Structures Side Setbacks

12/19/2021 Applicant Request:

20 feet when adjacent to a residential use district.

1/24/2022, 4/14/2022 Applicant Request with 1/18/22 Planning Commission Recommendations:

15' or 10' with screening when adjacent to a residential district or use.

Applicant Comments (4/14/2022):

- *"Having a 10-15 foot buffer is reasonable as suggested and agreed by Council with the 10' setback with additional screening. We are putting up a stockade fence at our cost to ensure the neighbor's privacy.*
- *This lot is large enough to provide adequate buffers, if additional setbacks are required the large mature trees on the parcel will need to be REMOVED to allow for the tent and those large trees provide many benefits to the community, and direct neighbor screening this use (adjacent residential)."*

Applicant Considerations (4/25/2022):

"A reasonable distance as approved by the Planning Commission and Council is 15' or 10' with screening. We are erecting a privacy fence with additional plantings to help alleviate noise and privacy for the adjacent neighbor at our expense."

3/28/2022 Borough Council consensus

20' if adjacent to a residential use.

4/18/2022 Planning Commission Recommendations:

15', or 10' with screening when adjacent to a residential district or use.

Planning Commission Considerations (4/18/2022):

To make the ordinance adaptable to facilitate the use. Fences are permitted on the property line.

5/23/2022 Borough Council consensus:

10 feet with screening when adjacent to a residential use or district.

Tent Limits

12/19/2021, 1/24/2022, 2/23/2022 Applicant Request:

None stated.

3/25/2022 Applicant Request:

Maximum tent size of 35'x40'

Applicant Comments (3/25/2022):

- *"Our initial request through the Planning Commission and to the Borough Council specified a maximum number of 150 guests requiring a tent size of 40'x60', and as was depicted [on an image] in our original package submittal.*
- *In response to community and Borough Council input, we have reduced the maximum number of guests from 150 to 100 which would require a minimum tent size of 35'x40'.*
- *In the draft text amendment a 20'x20' tent was noted as an alternative – for a size perspective this would fit two parked cars. This would be an unreasonable size restriction for our requested use.*
- *With our lowered guest number of 100 and tent size 35'x40' would satisfy any larger events which we limited to no more than two times per month. For example the council chamber is roughly 35'x45' in size.*
- *Working with Council & public input we limited the maximum number of guests to 100 as well as the maximum number of events to two events per month to reduce the concerns of larger events every weekend.*

- *Along with other commercial and institutional buildings that make up the majority of our block within the Elm Street Overlay (ESO) district; and the size and character of the Gettysburg Academy building measuring 30'x60', a tent size of 35'x40' would not be out of character.*
- *A tent size of 35'x40' to facilitate 100 people is not out of character with the property's existing structure and fits nicely on the almost acre lot. Along with the other business and institutional buildings that characterize our mostly non-residential High St. block, in the mixed-use ESO district, the considerations noted that the consistent scale of existing residences of 20' to 30' in width is more common within the R2 district outside of the ESO District.*
- *Restaurants are permitted within the ESO District and many restaurants within the Borough limits have taken advantage of outdoor dining due to Covid and were not limited on tent size."*

4/14/2022 Applicant Request:

Maximum tent size of 30'x30', except for up to twice per month tent of 40'x60' limited to Fridays, Saturdays, and Sundays.

Applicant Comments (4/14/2022):

- *"[A 20'x20' tent size restriction] is an unreasonable request as a 20x20 tent would be smaller than an average size 2-car garage. Also noted as unreasonable by Council on 5/14/2022 business meeting...*
- *The existing structure is not a common building in size and relation to existing houses in the R2 district. The majority of the buildings on this block exceed the size with several buildings larger than our structure (institution structures) with mixed uses which is why it was overlayed with the Elm Street District for MIXED business uses. (This is a very unique block of mixed business use as intended for the ESO District.) Located across from OT zoning. The standard tent size should be 30x30 (900 sq ft) outside of the 2x per month tent 40x60 maximum (2400 sq ft).*
- *A 30x30 tent is a reasonable size for the size structures on this block located within the Elm Street Overlay district as a standard tent size vs the 20x20.*

4/18/2022 Planning Commission Recommendations:

No limit to tent size.

Planning Commission Considerations (4/18/2022):

To make the ordinance adaptable to facilitate the use. If the tent fits on the property and it fits within the setbacks size shouldn't be restricted. Tent size is based on attendance

4/25/2022 Applicant Request:

No tent size limits

Applicant Comments (4/25/2022):

Tent limits should facilitate the number of maximum guests for allowed events as the ordinance limits. Alternative language notes a maximum of a 20x20 which can barely fit two parked cars and is an unreasonable size to facilitate 100 guests. Planning Commission recommended no tent size restriction – should be based on number of allowed guests.

5/23/2022 Borough Council consensus:

No limit to tent size.

Applicant Comments (6/23/2022):

I am requesting that the following be specified as alternative language and/or as applicant requests in the subject ZTA draft to Council discussion for the June 27, 2022 workshop meeting...

- **Let the site dictate the Tent Size and Guest Number using existing ordinance setbacks. (as recommended by the Planning Commission)**

Tents shall be removed the next normal business day after an event.

Planning Commission Considerations (4/18/2022):

Safety, stormwater, and maintaining grass/green area.

Applicant Comments (4/14/2022):

The tent shall be removed the next business day the tent company is available to break down and pick up. 24 hrs may be unreasonable as we are not their only customer. The tent shall be removed after the event and not left on site.

Portable Restrooms

12/19/2021, 1/24/2022, 2/23/2022 Applicant Request:

None stated.

3/24/2022 Alternative(s) proposed by staff, and 4/18/2022 Planning Commission

Recommendation:

Any portable restrooms shall be completely hidden from view beyond the property line.

3/25/2022 Applicant Request:

Any portable restrooms shall be screened from public view

4/14/2022 Applicant Request:

Screening should be provided to the best of the facility's ability. Portable restroom use shall be temporary for seasonal use from April through October and removed from the property outside of those months.

Applicant Comments (4/14/2022):

- *"There are public port a pots located all over town many located within the right of way; West Street (no screening), South Street (no screening) the Brown House – the Borough's new Welcome House (no screening) and the Tattered Flag which doesn't have an indoor restroom – with a unscreened PERMANENT port a pot for all their patrons. There is a permanent handicap port a pot at 9 Steinwehr Avenue – with NO screening. These port a pots are left out all year round, none providing screening, not even the Borough owned location. All located within the Historic District.*
- *Screening should be provided to the best of the facilities ability. Natural vegetation would be the best screening barrier in a location with the least visibility view from the major roadways. Leaving a port a pot on site for the tourist months would be less invasive than removing it weekly. Other businesses as noted above leave them on site 24/7 – 365. We would place them in the landscaped area screened from High and Washington Street from April through September.*
- *The adjacent neighbor has concerns about handicap accessibility to restrooms and noise this would allow for a handicap restroom to remain on site. Remaining on site will reduce the noise of idling trucks picking up and dropping off every weekend (as other businesses within the*

historic district are not required to do) Idling truck noise was another of the neighbor's concern – this will eliminate noise on weekends and provide a handicap accessible restroom April – October and be removed from the property outside of those months. If used outside of those set months, it would be for a specific event and removed after that event."

Applicant Comments (4/25/2022):

"The porta pot for handicap accessible guests will need to be in an accessible location appropriate to the tent location. As noted by the neighbor, she voiced concerns for handicap accessible restrooms. The porta pot will be utilized for the seasonal summer tourist season and screened from both Washington and High Street. This temporary location for the summer will allow better screening, and less truck noise if dropped off for summer seasonal use. If dropped off each weekend it will generate more noise and truck traffic which was another concern of the neighbor. This will limit the noise provide temporary handicap restrooms and allow us the opportunity to better screen it. Outside the tourist months (April through Oct) they will be removed and placed on a needed basis and removed after those events."

Planning Commission Considerations (4/18/2022):

If this is someone's business and this is the way they are providing restrooms it is not unreasonable to request screening. Borough ordinances require dumpsters to be screened, this is consistent with other standards businesses must follow.

There was some discussion on whether to limit the number of portable restrooms per business, but Planning Commission made no recommendation.

4/18/2022 Planning Commission Recommendation:

Portable restrooms should be no closer to a property line shared by a residential use than 15'.

Dumpsters & Waste Containers

12/19/2021, 1/24/2022, 2/23/2022 Applicant Request:

Not stated.

3/28/2022 Borough Council consensus

Dumpsters and waste containers shall be suitably screened from view.

e) OPERATIONAL REQUIREMENTS

Outdoor uses

3/28/2022 Borough Council consensus

Any outdoor event venue activity shall be an accessory to an indoor special events venue.

Hours of operation

12/19/2021 Applicant Request:

Events would be held between 7AM – 10PM to include set up and clean up.

1/24/2022 Applicant Request:

Events would be held between 9AM – 10PM to include set up and clean up.

Applicant Comment (2/23/2022):

A complainant noted the hours from 7AM to 10PM the proposed hours are 9AM to 10 PM.

4/18/2022 Planning Commission Recommendation:

Planning Commission provided no recommendation.

4/25/2022 Borough Council consensus

All outdoor activities must cease by 9:00 PM Sunday through Thursday and 10:00 PM on Friday and Saturday, including set up and clean up.

Employee Presence

12/19/2021, 1/24/2022, 2/23/2022 Applicant Request:

Not stated.

4/25/2022 Borough Council consensus and 4/18/2022 Planning Commission Recommendation.

There shall be employee presence during all times in which there is client or customer presence, during all loading and setup activities, and throughout all events.

Maximum Attendance for outdoor events

12/19/2021 Applicant Request:

150 people

1/24/2022 Applicant Request:

100 people

3/24/2022 Applicant Request:

100 people, excluding staff

4/25/2022 Borough Council consensus

Maximum attendance for outdoor events shall be 100 people.

Applicant Comments (5/9/2022):

"To limit the guest size to 100 including event staff is an unreasonable limitation. The event staff will be provided by the renter as well as the Gettysburg Academy who will be keeping the event in compliance and should not be limited in the guest number designation. With an event booked out 1-2 years how are you to place a number on staffing? The event minimum should be 100 excluding event staff, or maybe place the number back to the original request of 150 to include staff? "

Event Frequency

2/23/2022 Applicant Request:

Events over 75 people would be limited to 2x a month at a maximum, and scheduled on a Friday, Saturday, or Sunday.

4/14/2022 Applicant Request:

Events of a maximum of 100 people would be held on Friday, Saturday or Sundays. Tuesday – Thursday maximum event number of 75 guests.

Applicant Comments 4/14/2022:

- "Standard tent size outside for all other events would be 30'x30' (900 sq ft) if needed. Large events without tents would be limited to weekends (Friday-Sunday) no to exceed 100 people.
- [Outdoor events with greater than 75 people in attendance are limited to twice a month at a maximum] this was supposed to be tent erecting not guest numbers. There should be no limit on the number of guests not to exceed 100 Friday-Sunday.
- Alternative: Large events without tents would be limited to weekends (Friday-Sunday) for the maximum of 100 people. Small events 75 people or less during the week (Monday-Thursdays)."

4/18/2022 Planning Commission Recommendation:

Outdoor events with greater than 75 people in attendance are limited to twice a month at maximum and may be no more than three consecutive days.

Planning Commission Considerations (4/18/2022):

Not all events happen on the weekend.

4/25/2022 Borough Council consensus:

Outdoor events with a maximum of 100 people in attendance are limited to twice a month at most, and may only be held on Fridays, Saturdays, or Sundays.

Staff Consideration 5/20/2022:

Is this intended to be a maximum (1-100 people, or all events), or events with the maximum (only events with 100 people). If the former, we could simplify to 'all outdoor events.' If the latter, staff recommends removing altogether – too specific/limited to achieve intent.

Noise

12/19/2021, 1/24/2022, 2/23/2022 Applicant Request:

All events shall be gauged with current zoning text for noise control.

4/18/2022 Planning Commission Recommendation:

No music shall be played outdoors after 8:00 pm on Sunday through Thursday and after 10:00 pm on Friday and Saturday.

4/25/2022 Borough Council consensus:

No operating, playing or permitting the operation or playing of any radio or audio equipment (including from a vehicle), sound amplifier, television, musical instrument, or similar device which produces, reproduces or amplifies sound shall be played outdoors after 8:00 pm on Sunday through Thursday and after 9:00 pm on Friday and Saturday.

Lighting

12/19/2021 Applicant Request:

At no time during the event shall the lighting levels exceed 10-foot candles at the property boundary and shall produce no glare on adjacent property or roadways.

1/24/2022 Applicant Request with 1/18/2022 Planning Commission Recommendation:

At no time during the event shall lighting levels at the property boundary produce glare beyond property boundaries. Lighting will be used to illuminate walkways and for safety of pedestrian traffic.

4/25/2022 Borough Council consensus and 4/18/2022 Planning Commission Recommendation:
Defer to existing glare standards in the zoning ordinance.

f) PARKING REQUIREMENTS

Minimum Parking

12/19/2021, 1/24/2022, 2/23/2022 Applicant Request:

N/A

4/18/2022 Planning Commission Recommendation:

No recommendation made.

4/25/2022 Borough Council consensus:

No parking requirements.

Standing Vehicles

12/19/2021, 1/24/2022, 2/23/2022 Applicant Request:

N/A

5/23/2022 Council Consensus:

Any vehicles used to transport or shuttle attendees may only make temporary stops on the public Right of Way to load and unload passengers. Parking of transport and shuttle vehicles on the alley, street, or in street parking spaces dedicated for the Residential Parking Program shall be prohibited.

Applicant Comment 4/14/2022

At no time have we suggest or will allow shuttle busses to idle other than loading and unloading passengers.

g) ANNUAL MANAGEMENT PLAN

12/19/2021, 1/24/2022 Applicant Request with 4/14/2022 revision:

In addition to the above requirements, the applicant shall submit a management plan annually for review and approval by the Borough Zoning Officer. The plan shall include the following:

1. Hours of operation and maximum attendance
2. Proposed parking location, layout, surface material and demonstrate ADA compliance for on-site parking.
3. Location and proposed use of off-site properties for parking or other support facilities.
Copy(s) of all off-site parking agreements and transport plan for shuttle service to off-site parking areas.
4. Provisions for security, sanitation, refuse disposal and emergency care.
5. Off-site and on-site management measures and procedures, including directional signage.
6. Noise and lighting control measures
7. Certificate of Insurance

The Event Management Plan may be renewed annually by the Zoning Officer upon receipt of a report from the Code Enforcement Officer that activities at the special event venue site have been conducted in compliance with the conditions attached to the permit and all other relevant provisions of the Gettysburg Code of Ordinances. Said renewal may be denied due to the applicant's non-compliance with the conditions of zoning or other local ordinances. ~~Operation of the Special Event Venue site may be suspended if unresolved issues have not been corrected by the property owner.~~

Applicant Considerations (4/14/2022):

[Site layout with locations for temporary structures, loading areas, restrooms, refuse, and all other appurtenances applicable to outdoor activities held on site] is unreasonable as the events and layout may change for the type of activity or use. We will follow all setbacks and parameters as set forth by approved setbacks, and ordinance approval.

[Operation of the Special Event Venue site may be suspended for a period of up to 12 months per suspension if unresolved issues have not been corrected by the property owner] is an unreasonable as events are booked a year in advance for weddings and special events.

There are always going to be issues that may arise during public events, just as they do with parades, demonstrations, protests, and other events held in town. We don't cancel parades if there is disorderly conduct, that individual is dealt with, and the Borough doesn't ban parades. If the Gettysburg Representative does due diligence to correct the issue as its happening, document the occurrences and take corrective there should be no repercussions.

***OVER 60** people living directly next to this property signed a petition in FAVOR of this events venue. The neighbors noted they would prefer an events venue over apartments or more rental office space. Some asked if jobs would be available, other offered to volunteer at events."*

5/23/2022 Council Consensus and 4/18/2022 Planning Commission Recommendation:

In addition to the above requirements, the applicant shall submit a management plan annually for review and approval by the Borough Zoning Officer. The plan shall include the following:

- 1. Hours of operation and maximum attendance**
- 2. Site layout with locations for temporary structures, loading areas, restrooms, refuse, and all other appurtenances applicable to outdoor activities held at the site.**
- 3. Location and proposed use of off-site properties for parking or other support facilities. Copy(s) of all off-site parking agreements and transport plan for shuttle service to off-site parking areas.**
- 4. Provisions for security, sanitation, refuse disposal and emergency care.**
- 5. Off-site and on-site management measures and procedures**
- 6. Noise and lighting control measures**

The Event Management Plan shall be renewed annually by the Zoning Officer upon receipt of confirmation from the Code Enforcement Officer and the Gettysburg Police Department that activities at the event venue site have not been in violation of relevant provisions of the Gettysburg Code of Ordinances. Said renewal may be denied due to the applicant's non-compliance with the conditions of zoning or other local ordinances. Operation of the Special Event Venue site may be suspended for a period of up to 12 months per suspension if unresolved issues have not been corrected by the property owner.

h) ADDITIONAL REVIEWS / APPROVALS

12/18/2021, 1/24/2022 Applicant Request **with 1/18/2022 Planning Commission**

Recommendations:

1. Review of the event management plan shall be submitted for review to the local fire department
2. **Approval by GMA**

3/24/2022 Staff Alternative **with 4/18/2022 Planning Commission Recommendation:**

1. The initial event management plan shall be submitted to the local fire department for review and comment.
2. The initial zoning application shall be submitted to Gettysburg Municipal Authority for review regarding water and sewer capacity at the site.

Staff Considerations (3/24/2022):

Comment from GMA and the fire department on the original application should be sufficient.