

BOROUGH OF GETTYSBURG
59 EAST HIGH STREET, GETTYSBURG, PA 17325
COUNCIL WORK SESSION MINUTES
APRIL 22, 2019

President Susan Naugle called the meeting to order at 7:00 PM with the following Councilors present: Vice President Jacob Schindel, Mr. Wesley Heyser, Mr. Charles Strauss, and Ms. Patricia Lawson. Mr. Christopher Berger and Mr. John Lawver were absent. Staff present included: Mayor Theodore Streeter, Borough Manager Charles Gable, Borough Secretary Sara Stull, Borough Solicitor Harold Eastman, Police Chief Robert Glenney, Planning Director Becky LaBarre, Finance Director Nickie James, Interim Parking Manager Becka Fissel, Public Works Director Robert Harbaugh, and Chad Clabaugh, Borough Engineer, C. S. Davidson, Inc.

Others present include: Andrew Merkel, Assistant Director, Adams County Office of Planning and Development, Mike Shestok, 264 Baltimore Street; Wendy Allen, Lincoln Into Art Gallery, 329 Baltimore Street; Nancie Gudmasted, Shriver House, 309 Baltimore Street; Brian Duncan, The Brickhouse Inn, 452 Baltimore Street; Jeffrey Zimmerman, 217 Baltimore Street; Rebecca Brown, 334 Baltimore Street; Tim and Becky Woodward, Polish Pottery, 102 Baltimore Street; Kurt and Nancy Kramer, 12 Wade Avenue; Sue Cipperly, 314 North Stratton Street; and Marcia Wilson, Adams County Democratic Committee, 52 Chambersburg Street. Representing the press was Jim Hale with the *Gettysburg Times*, and filming by Community Media-ACCTV.

President Naugle announced that Team 26, a group of bicyclists from Newtown, Connecticut will be passing through Gettysburg on April 30th. They plan to arrive at the Gettysburg United Lutheran Seminary at 2:00 PM. Team 26 refers to the 26 children and educators killed at Sandy Hook Elementary School in December of 2012.

President Naugle announced that Councilmans Heyser and Berger will be hosting a Town Hall Meeting on May 9th at the Gettysburg Fire Department. There will be a “meet and greet” at 6:30 PM for new Police Chief Robert Glenney with the meeting beginning at 7:00 PM.

President Naugle announced that an executive session of the Borough Council was conducted immediately following the adjournment of the April 8, 2019 monthly general business meeting consistent with section 708(a)(1), section 708(a)(3) and section 708(a)(4) of the Sunshine Act.

President Naugle announced that an executive session of the Borough Council will be conducted immediately following the adjournment of this evening's work session consistent with section 708(a)(1), section 708(a)(3) and section 708(a)(4) of the Sunshine Act for the following purposes: (1) to discuss matters involving the employment of employees and/or former employees of the Borough; (2) to receive information and discuss the possible purchase or lease of real property by the Borough; and (3) to consult with its solicitor and other professional advisors regarding information and strategy in connection with litigation filed in the Adams County Court of Common Pleas to Docket No. 19-S-206 captioned Linda Atiyeh, et al., Plaintiffs v. Borough of Gettysburg, et al., Defendants.

Public Comment

Mike Shestok, 264 Baltimore Street expressed his concern in regard to the state proposal to reduce the restrictions on large trucks. He said that there must be “some middle ground between Penn DOT’s desire to move freight traffic and the quality of life in Gettysburg.”

Brian Duncan, co-owner of the Brickhouse Inn, 452 Baltimore Street said that for Historic Gettysburg to be “so polluted by traffic noise is a little short of a national disgrace.” He said that many of their visitors complain of the loud truck noise and being woken up by it.

Nancie Gudmasted, owner of the Shriver House, 309 Baltimore Street said that “walls have cracked” because of the shaking by the heavy trucks, and windows have cracked at a neighboring property.” Mrs. Gudmasted said that it’s sometimes difficult to make conversation, and that it interferes with sleep.

Jeffrey Zimmerman, 217 Baltimore Street said that the truck noise continues all night long and that he would like to have trucks banned from the downtown area.

Wendy Allen, Lincoln Into Art Gallery, 329 Baltimore Street said that she is opposed to the large trucks flying through town which “accentuates the noise” and is unsafe.

Marcia Wilson, Adams County Democratic Committee, 52 Chambersburg Street expressed her concerns, and asked Council for advice as to what residents can do to improve the situation. She noted that she has seen many “near misses” and fears that one day she may “observe a dreadful accident involving a truck and pedestrian.”

Tim and Becky Woodward, owners of the Polish Pottery, 102 Baltimore Street expressed their concerns with large trucks in Gettysburg. Mr. Woodward said that he has witnessed trucks trying to make turns from Baltimore to Middle Street, making the vehicles back up so that they can make the turn. He also pointed out the curbs and wheelchair ramps are getting damaged by the large trucks running over them. Mrs. Woodward said that the vibrations and fumes from the trucks are damaging the historic buildings.

Sue Cipperly, 314 North Stratton Street expressed her concerns regarding short term rentals and presented Council with a summary of her concerns (see attached).

New Business

Penn DOT Letter Regarding Truck Restrictions

Andrew Merkel, Assistant Director, Adams County Office of Planning and Development gave a brief summary of Penn DOT’s proposed changes to reduce truck restrictions. He said that the recent letter received by the Borough cites the 2018 state legislation bringing Pennsylvania in line with the federal truck-width standard, which increased from 90 to 102 inches. The letter states that “we understand this is a sensitive issue, and some borough residents may have misgivings about lifting the restrictions,” so they are asking for input on the preliminary findings within 30 days.

After Council discussion, Councilwoman Patricia Lawson offered to facilitate formation of a local group to address truck-related issues. She said that it's time to "marshal a campaign in the court of public opinion nationally." She can be reached at 717-758-3298 or plawson@gettysburgpa.gov.

Chief Glenny said that he will research to see when the existing truck restriction signs were put in place, and by what legal action. He noted that the restrictions may be "grandfathered-in." Chief Glenny said that the Borough may opt to revive its Truck Enforcement Unit.

Council President Naugle said that a letter would be drafted to Penn DOT for consideration at the next Council meeting on May 13th. She said that the letter will be "strong in conveying our dismay."

Legislative Forum

Council President Naugle announced that state representatives will meet with the members of the Adams County Council of Governments on April 25th at 6:00 PM to discuss legislative initiatives.

PSAB Conference – Voting Delegates

Council President Naugle announced that the PA Association of Boroughs Conference will be held at the Hershey Lodge June 9-12. If anyone is interested in attending should notify Borough Secretary Sara Stull.

CDBG Curb Ramp BID Contracts Verification

Manager Gable reported that the 2019 CDBG Curb Ramp Replacements Bids were approved for Pro Concrete at the April Council meeting. The Adams County Planning Department will complete the final review and approve to proceed.

Bridge Work (2019) Update

Borough Engineer Clabaugh reported that the 2019 Bridge Maintenance Program is ready for Council to authorize advertisement to proceed. Council asked that a motion be placed on the May agenda for approval.

PBS 2019-6 FY2018 General Fund Surplus

Finance Director James reported that the Borough's preliminary audit finding for 2018 indicates there will be approximately \$136,000 surplus. Council should review and direct staff what to do with the surplus. Manger Gable noted that the Borough has specific needs, such as updating all computers. He said that staff will have a formal recommendation at the May Council Work Session for Council's consideration.

PBS 2019-8 Sustainable Pennsylvania Community Certification

Finance Director James reported that an application was submitted for the Sustainable Pennsylvania Community Certification. She said that this is a voluntary performance recognition program to help municipalities achieve their sustainability goals to save money, conserve resources,

and encourage innovation. Manager Gable said that it could take a year to get through the certification process. The certifications are Platinum, Gold, Silver, Bronze, or Associate Level. Manager Gable noted that at this point the Borough shows a Gold Status, but it still needs further review before completion.

Electrical Boxes on Steinwehr Avenue

Manager Gable reported that the electrical boxes on Steinwehr Avenue have been completely covered and look great. He said that the Steinwehr BID paid for this out of their tax assessment.

Recycling Grant

Planning Director LaBarre reported that waste haulers are required to submit their tonnage each year to the municipalities. The Borough then submits the recycling grant for the tonnage. Ms. LaBarre said that the Borough was awarded \$9,593 for the 2017 submission.

South Central Community Actions Program (SCCAP)

Council President Naugle announced that the funding was reduced dramatically for programs at SCCAP. She said that the shelter is now closed during the day and only open at night, and that the WIC Program may also be reduced. Ms. Naugle said that a public meeting is scheduled at the main office in Chambersburg on May 1st and encouraged anyone to attend.

Old Business

DCNR Grant Application

Council President Naugle announced that the Pennsylvania Department of Conservation and Natural Resources grant application for approximately \$180,500 for design and engineering services has been completed. She said that it would be used for the potential extension of the Gettysburg Inner Loop bicycle-pedestrian trail along Racehorse Alley. The grant would require a 50-percent match, which officials hope will come from another grant. Ms. Naugle said that Council will need to authorize submission of the DCED application which requires a resolution and \$100 application fee due on May 31st. Council members authorized Manager Gable to proceed and place on the May agenda for approval.

Broadway Construction Update

Borough Engineer Clabaugh gave a brief update on the Broadway Island construction project due to begin in August and completed prior to end 2019. He said that North Broadway will keep the island/center plots, and that East Broadway residents have opted not to add the center islands. Mr. Clabaugh said that there are curb options that Council will need to review and choose what they prefer. The total cost of the project is estimated at \$800,000, by which the Gettysburg Municipal Authority (GMA) and the Gettysburg Stormwater Authority (GBSWA) will reimburse a portion, approximately \$100,000. A property owners meeting is scheduled for May 7th at 7:00 PM in Borough Council Chambers. Council members authorized Manger Gable to place the item on the May agenda for approval to advertise.

PBS 2018-1 MS4 Funding – Illicit Discharge Ordinance

Manager Gable reported that authorization is needed for Solicitor Eastman to prepare and advertise the Illicit Discharge Ordinance. The ordinance should be in place before the Gettysburg Storm Water Authority (GBSWA) begins to conduct business. He noted that the MS4 invoices will be mailed in July, so the ordinance should be enacted prior to that time.

PBS 2019-4 Loading and Unloading Zones – Update on Deployment/Timing

Interim Parking Manager Fissel reported that the 20-minute loading/unloading signs have been placed and are in effect at specific spaces on Lincoln Square, Baltimore, York, Carlisle and Chambersburg Streets.

PBS 2019-1 LPP (Local Privilege Permits) Policies – Policy Directives from Council

Interim Parking Manager Fissel announced that the Local Privilege Permit (LPP) will begin on May 1st, and the fee is \$35 per month. She said that one hundred spaces have been chosen, and that stickers have been placed on meters to identify spaces available for the parking option. Ms. Fissel said that people have already begun inquiring about the LPP Program and that one permit has been sold.

PBS 2018-3 Short Term Rentals – Zoning Districts

Planning Director LaBarre said that she spoke recently at the Destination Gettysburg meeting regarding short term rentals, noting it was well attended by many property owners, real estate agents, etc. She spoke about code requirements and the application process. Mrs. LaBarre placed the information on the Borough's Website with explanations of the different types of housing, and the timeline for owners to complete to comply with regulations.

Mrs. LaBarre said that the Zoning District information will be on the May Council Work Session agenda for review. Council will need to authorize Solicitor Eastman to prepare and advertise the ordinance at the June Council meeting.

There was no public comment at this time.

The meeting was adjourned to an executive session at 9:45 PM. Council President Naugle dismissed the meeting at 10:10 PM.

Respectfully submitted,

Sara L. Stull
Borough Secretary

SHORT TERM RENTALS – OVERVIEW Prepared by Susan Cipperly - April 2019

Traditional Lodging Options

- Hotel, motel, inn
- Bed and Breakfast
- Boarding house

What do they have in common?

- Short term stay in most cases
- On-site manager or owner
- Inspections, regulations, sometimes lodging tax
- Rent to complete strangers

Newer Concepts

- Short term rentals or “vacation rentals” in private homes or apartments, or in buildings that are not approved hotels, motels, inns, boarding houses.

Common characteristics

- Marketing and reservations via social media sites such as AirBnB, HomeAway, TripAdvisor, Craigslist, Zillow
- Rent to complete strangers
- Often no owner or manager present to provide supervision, so no one responsible for renters’ behavior or safety
- No health and safety inspections

Public Concerns

Neighborhood Character –

- Transient use in a non-commercial setting can lead to commercialization of residential districts
- Reduction of neighborhood cohesion due to transient population
- Possible negative impact on property values

Safety

- Increased number of strangers on random, short-term basis.
- In apartment buildings, security concerns in general, and in common areas.

Noise and annoyances

- Late night activity, litter, property damage, parking overload
- Party houses

Other Issues

- Fraudulent listings
- Unfair competition with hotels, bed & breakfasts, and legal short-term rentals
- Unregulated competition with legal/licensed businesses can reduce number of service jobs.
- Building, health, safety, fire, and ADA requirements that apply to hotels and licensed accommodations – safety of the visitors.
- Short-term rentals remove units from long-term housing stock, and can increase rents on remaining long-term rentals
- No public notice that this activity is proposed or taking place.
- Hostility between neighbors.

Bottom Line – Short term transient rentals

- It can be like having a mini-hotel in the neighborhood
- Property owner benefits financially
- In a case where the owner lives on-site, this can be a good thing, helping to afford housing cost in higher cost areas.
- For neighborhood, it can be a dis-benefit
- Some type of controls are needed

Ways to control short-term rentals

Zoning – Allow as a use or accessory use, but with conditional use approval by Planning Commission or special exception by Board of Appeals, with specified requirements to be met, such as:

- Proof of liability insurance
- Show there is adequate **on-site** parking that meets Code requirements
- Show there is on-site manager or owner present during rental period
- Limit number of rooms rented, percent of building rented on a short-term basis.