

**BOROUGH OF GETTYSBURG**  
**59 EAST HIGH STREET, GETTYSBURG, PA 17325**  
**COUNCIL PUBLIC HEARING MINUTES**  
**AUGUST 13, 2018**

President Susan Naugle called the meeting to order at 6:00 PM with the following Councilors present: Vice President Jacob Schindel, Mr. Wesley Heyser, Mr. Christopher Berger, Mr. Charles Strauss and Mr. John Lawver. Ms. Patricia Lawson was present via telephone. Staff present included: Mayor Theodore Streeter; Borough Manager Charles Gable; Borough Secretary Sara Stull; Borough Solicitor Harold Eastman, Puhl Eastman & Thrasher; Planning Director Becky LaBarre; Parking Manager Richard Miller; Finance Director, Nickie James; Interim Public Works Director Robert Harbaugh and Chad Clabaugh, Borough Engineer, C. S. Davidson, Inc.

Others present include: Deb Adamik, President, Main Street Gettysburg; Robin Fitzpatrick, President, Adams Economic Alliance; Gary Shaffer, Chairman HARB 26 North 4<sup>th</sup> Street; Evan Keyser, Shaffer Design, 29 West Broadway; Peggy Gustafson, HARB Member, 429 Carlisle Street; Sarah Kipp, Planning Commission Member, 126 Baltimore Street; Dominic Picarelli, Planning Commission Member; Mike Shestok, 264 Baltimore Street; Nancy Kramer, 12 Wade Avenue; Mike Tallent, 811 Johns Avenue; John Rice, Planning Commission Member, 60 West Broadway; Michael Birkner, former Council President 66 East Broadway; Rodger and Christine Goodacre, 105 East Broadway; Sue Cipperly, 314 North Stratton Street; Charles Huber, 120 North Stratton Street; Charles Frederickson, New York; and Becka Fissel, Borough Parking Enforcement Officer. Representing the press was Jim Hale with the *Gettysburg Times*.

President Susan Naugle announced the purpose of the public hearing is to receive public comment on proposed zoning text amendments to Chapter 27 of the Code of Ordinances of the Borough of Gettysburg, for the purposes of revising the Residential Office Redevelopment (ROR) District relative to certain dimensional requirements, revising building height requirements, providing for increased building height by special exception, and amending part 2 of the zoning ordinance by adding definitions.

Planning Director Becky LaBarre gave a review of the proposed zoning text amendments stating that it includes the nearly two-acre vacant area at the Gettysburg Station property between Carlisle and Stratton streets north of the Racehorse Alley Parking Garage, and some adjoining sites. Ms. LaBarre said that it doesn't extend to the entire Historic District or entire Borough.

**Public Comment:**

**Mike Shestok, 264 Baltimore Street** said that he is in support of the proposed amendments, but noted his concern is that the Gettysburg Area School District has not approved the LERTA yet.

**Gary Shaffer, Chairman HARB** presented his comments and pictures to Borough Council (see attached). He expressed his concern of "out of scale" buildings that would impact the Historic District negatively. He urged Council not to impose an urban model that would lead to structures looming over the residential area along Stratton Street.

**Charles Huber, 120 North Stratton Street** urged Council to find more information out about the specific plans from the potential developer before making any decisions on the building heights.

**Michael Birkner, former Council President, 66 East Broadway** agreed with Mr. Shaffer and Mr. Huber and said that flexibility will be important in negotiations. The developer will push as far as he



can, but it's the Borough's job to check on that push. Mr. Birkner's concern is that the proposal may be "a bridge too far" and urged Council to hold on voting.

**Peggy Gustafson HARB Member, 429 Carlisle Street** feels that this is not in the best interest of the Borough stating that the building is too large, and would run counter to the Borough's charming character.

---

**Sue Cipperly, 314 North Stratton Street** presented Council with her comments and pictures stating her concerns with the building height (see attached). She said that allowing homes to be dwarfed by the adjacent tall building isn't the right thing to do especially for the residents of the area.

**Sarah Kipp, Planning Commission Member, 126 Baltimore Street** said that the proposed heights are not appropriate or desirable for Gettysburg. She said that Council should be careful about doing anything that would damage the tourism industry. Ms. Kipp asked Council to wait for the developer to offer his plans for the property before making any changes.

**Rodger Goodacre, 105 East Broadway** expressed his concern with the height and noted that Council is negotiation with themselves and not with the developer. He said that Council needs to make it clear what the size means to the proposed area.

**Christine Goodacre, 105 East Broadway** expressed her concerns stating that large buildings would run counter to the vision of a healthy vibrant community.

**John Rice, Planning Commission Member, 60 West Broadway** said that he voted with the majority in April, but said that all the opinions expressed make a difference to him. He said that he is open to relying on the variance process to assist a developer in finding an economically feasible use for the site. Mr. Rice noted that the Transit Center would be costly to move and doesn't think that a developer will want to move it.

**Charles Frederickson, New York** is visiting his friend Sue Cipperly, said that maybe the "cart is ahead of the horse" since the developer hasn't presented any building plans yet.

Planning Director Becky LaBarre reported that the Planning Commission discussed the proposed changes at their July meeting and made their recommendations. She noted that this process has been discussed for approximately two years.

President Susan Naugle adjourned the public hearing at 6:50 PM.

Respectfully submitted,

Sara L. Stull  
Borough Secretary





## Opposition to the ROR Zoning Height Change

Date: August 8, 2018

**TO:**

Ms. Susan Naugle, President  
Gettysburg Borough Council  
59 East High Street  
Gettysburg, PA 17301

**Re:**

Summary of Opposition to the  
Proposed ROR District Zoning Height Increase  
Gettysburg Historic District  
Gettysburg Borough, Adams County

Dear Ms. Naugle:

As requested, I am providing a written summary of the key concerns that I have presented in opposition to the excessive increase in height proposed for the ROR Zoning District. I have presented this information previously in several public forums. However, I have added some graphic information to support my previous presentations. With the council clearly indicating a willingness to seriously consider the proposed zoning, I have done significant additional research to determine the potential impact of the new zoning. Because of that research, my opposition has only grown more intense.

I am particularly concerned about the “model” images that have been presented in support of the proposal. In my professional opinion, they are somewhat deceptive. The models have basically used the existing hotel and the urban core of the square as the basis of comparison. However, the most impacted areas along Carlisle and North Stratton Streets are residential scale neighborhoods, of pedestrian scale and detail, consisting of two story homes, most with front porches.

Both the zoning and the historic district ordinances have been developed over time to protect our community, to preserve our vital and significant place in American history, to protect the quality of life in our neighborhoods, and help create and support vibrant business activity in various zoning districts. We have, in fact codified these standards to make those protections and goals enforceable. We have periodically evaluated and revised the ordinances to adjust to demographic and economic changes. The ordinance revisions, both zoning and historic district, in the late 1990’s were largely undertaken to try and protect our residential neighborhoods and more town centered residential streets. The proposed zoning change for the increased heights undermines the very protections that were put in place as a result of largely negative changes impacting those very neighborhoods. To speculatively make this kind of change is very short-sighted and a danger to the quality of life of the neighborhood to the north of the site.

It would also be short-sighted to oppose developing the site with a higher density project. It is critical to the success to allow an increased density, but that should NOT be achieved through higher buildings, which have the potential for major detrimental impact. These increased building heights should not be written into the zoning ordinance as a right or special exception. If the right development is proposed that will require special consideration or even variances, let the developer work with the Borough and request it. The respective Borough Boards and agents can make the exceptions or issue the variances for the right reasons, as was done on the Gettysburg Hotel and the Kennie’s Market buildings.



I reviewed the ordinances of several other municipalities to ascertain how they were handling significant development interest and the presence of important historic districts. As noted above, my research solidified and increased my opposition to this proposal.

#### Frederick, Maryland

The comparable Residential Office Zone in Frederick has a maximum building height of forty feet (40'). The Downtown Office Commercial Zone has several limits dependent on use, with the maximum height allowable being seventy-five feet (75'), twenty feet less than the proposed maximum height for the ROR zone. In fact, Frederick allows a maximum height of ninety feet in only three industrial zones and only if they are at least 600 feet from a residential zoning district and the downtown office commercial zone.

#### Annapolis, Maryland

The height restrictions in place for Annapolis are more limiting than Frederick. Their ordinance is very specific that the standards are:

“designed to ensure the preservation of buildings, structures and neighborhoods” and effect construction “which would disrupt the existing scale and architectural character of the neighborhood.” However, the ordinance is also very specific in noting the ordinance was developed with a goal of: “Encouraging new construction or alterations that are compatible with the existing scale and character of surrounding properties.”

I also reviewed the zoning ordinances for the city of York and found that the height limits for the Urban Mixed Residential Commercial and Neighborhood Districts, which are immediately adjacent to the downtown core, have height limits of thirty-five feet (35'). Their ordinance also states that new construction “must match or be compatible with the height of adjoining structures.” The York ordinance also goes farther and stipulates that their ordinance is designed to “Promote, protect and facilitate: 5. Provision of adequate light and air to provide a healthy community;” and in accordance with that states that where provision allows an increase in building height, “the location of any proposed building with an increased building height shall not reasonably deprive any other building or any portion of any adjacent lot or building of light or air...”

The ordinances I reviewed, every one for cities larger than Gettysburg but also with significant development needs and historic districts, were very protective of the features that determine the character of those historic districts, the community, the quality of life in the neighborhoods, the streetscapes, the scale, etc. I strongly suggest that the excessive height proposed for these parcels in Gettysburg does not do that and in fact is very detrimental to the character of our nationally important historic district and the North Stratton Street residential neighborhood as well as the Carlisle Street, modest scale, mixed use community.

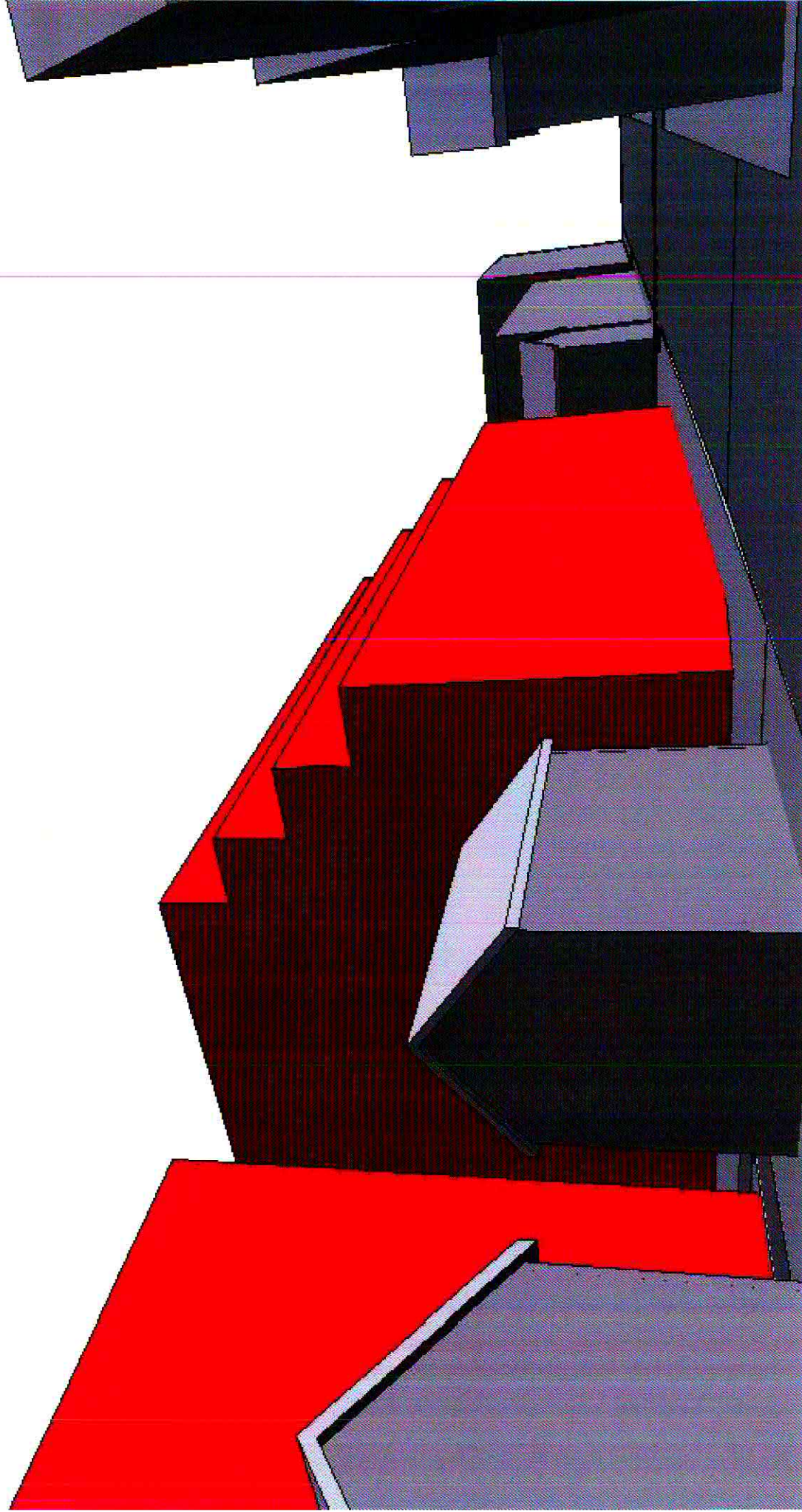
The Historic District Ordinance is written to protect a district. That district is comprised of a few hundred properties. Some properties are developed with significant buildings of architectural note. Some are developed with particularly plain or ordinary structures that in themselves may not seem worthy of protecting. However, it is the character of the district that is being preserved through the ordinance. Individual buildings have different standing, but each is significant in contributing to the character of the district. Buildings of the height allowed in this ordinance would most definitely impact the character of our town, and specifically the residential scale neighborhood to the north of the site. My research has convinced me the contribution would be detrimental.

I strongly request that you reject the maximum heights as being proposed in this amendment.

Respectfully,

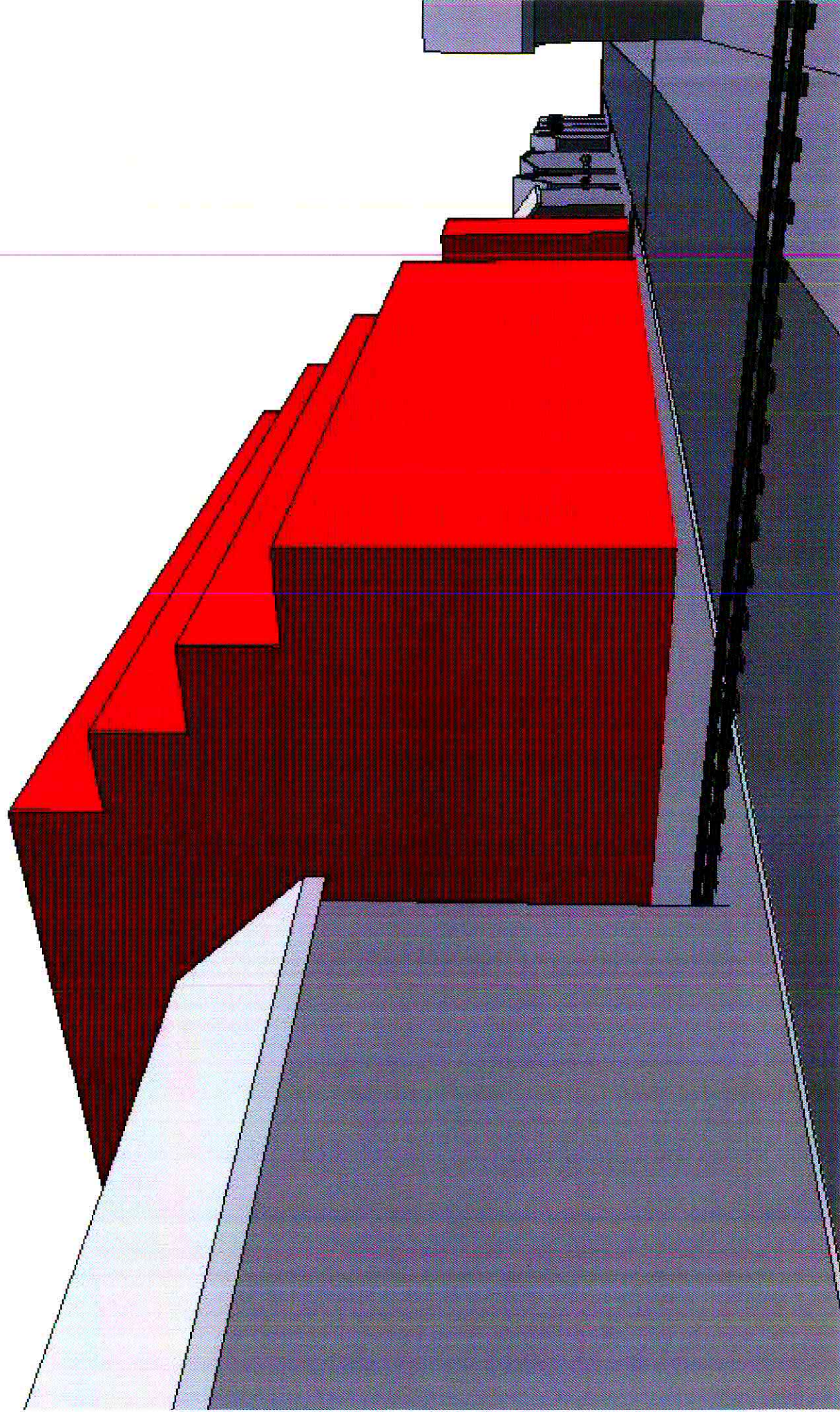
Gary W. Shaffer, R.A.  
Chairman, Gettysburg Borough HARB





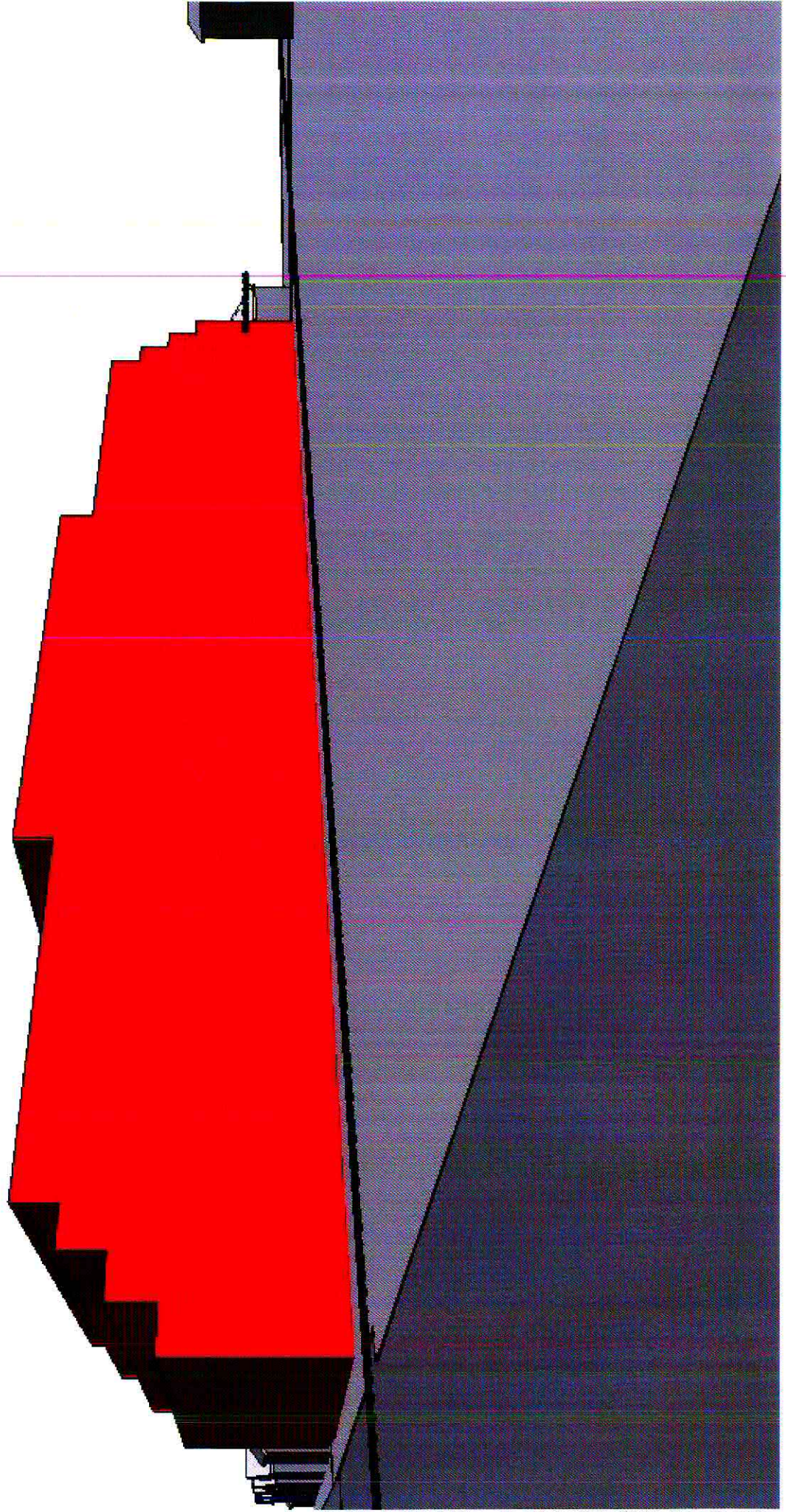
Massing Model looking south along Carlisle Street. New Structure replacing bus station.





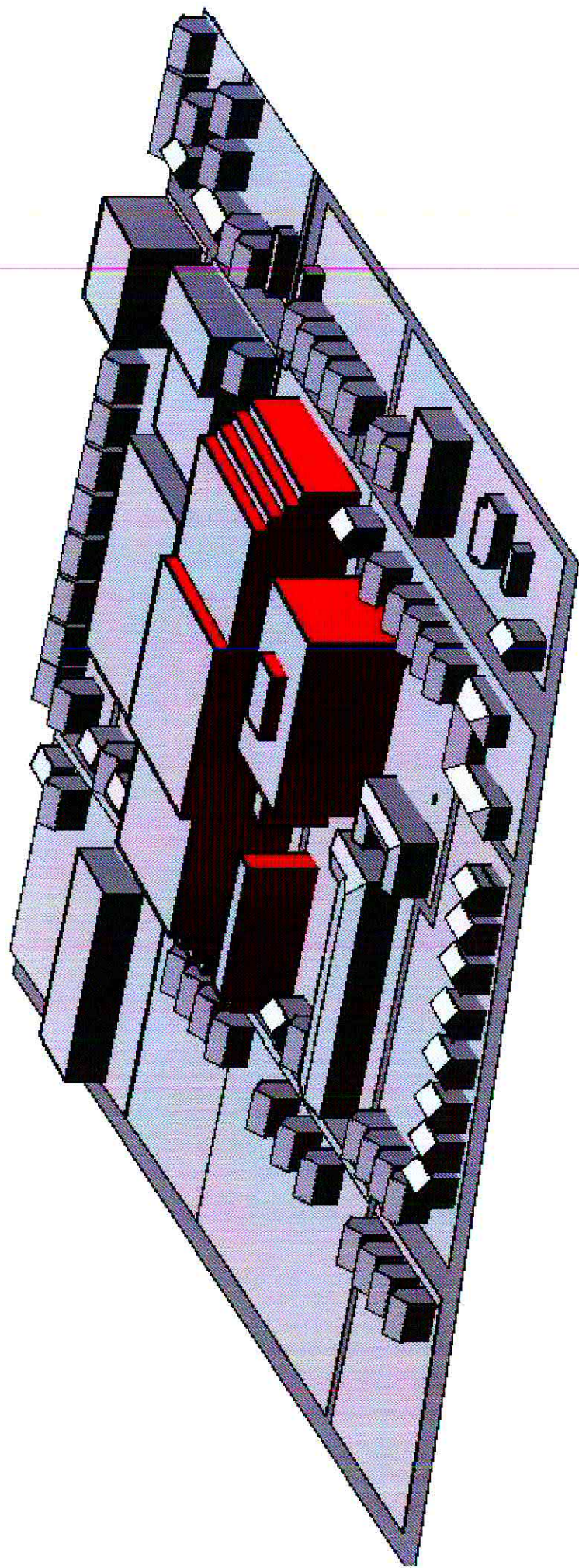
Massing Model looking north along North Stratton Street.





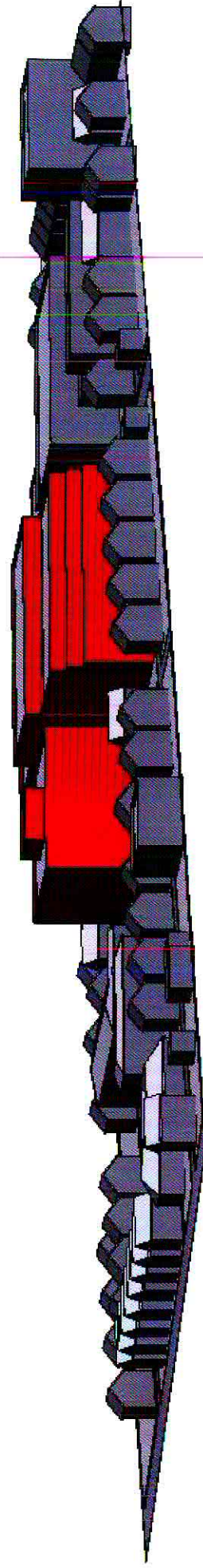
Massing Model looking north along Carlisle Street (Hotel Annex Omitted.)





Overall Massing Model, Aerial View from Northwest.





Streetscape Massing Along Carlisle Street, View from West.





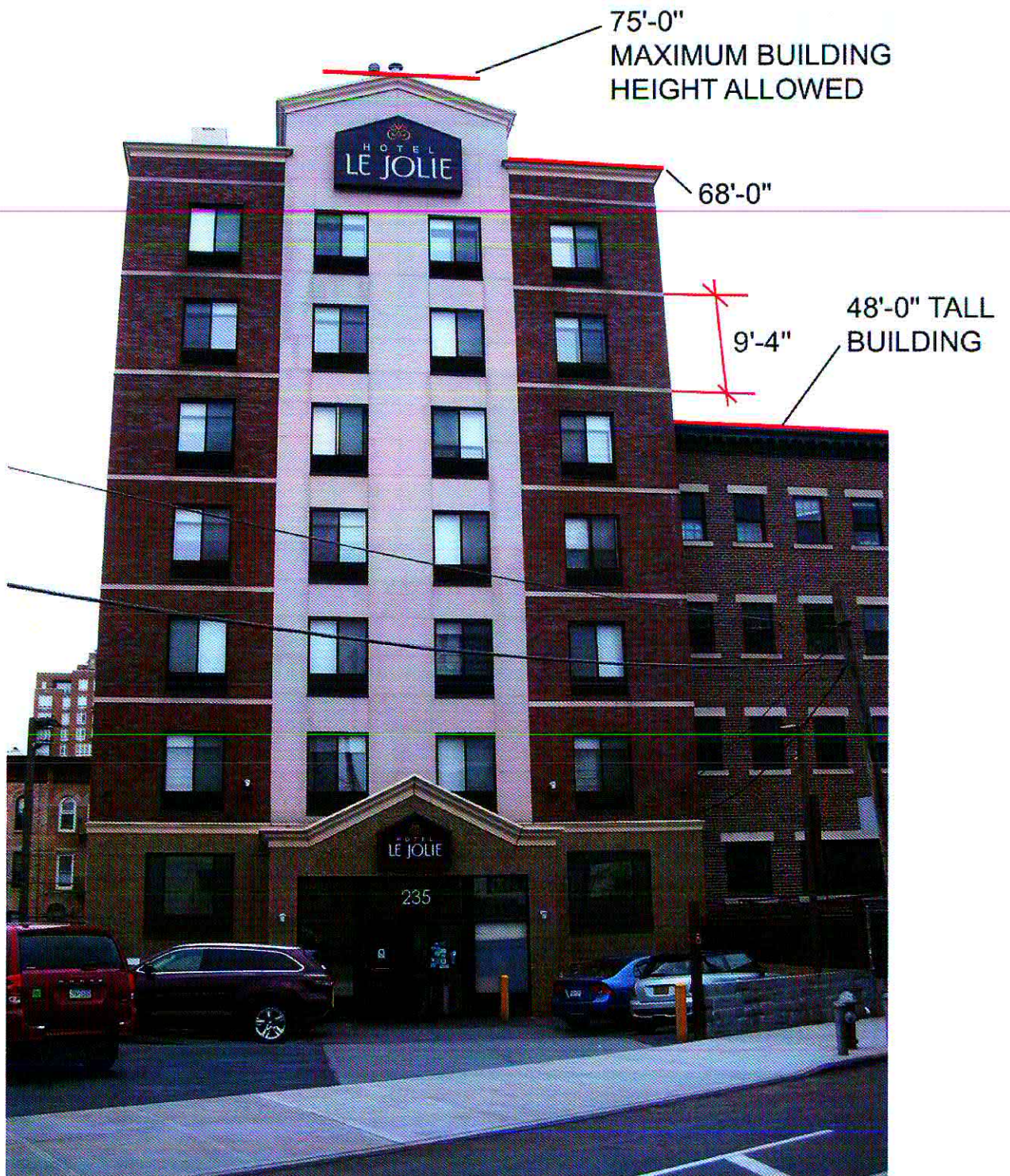
NORTH STRATTON STREET LOOKING SOUTH. NEW BUILDING IN COMPLIANCE WITH PROPOSED ZONING. 18 FEET SOUTH OF HUBER RESIDENCE AT 120 NORTH STRATTON STREET.





A MANHATTAN, NEW YORK CITY MIXED USE BUILDING: SIMILAR IN SIZE TO THE PROPOSED STRUCTURES ALLOWED BY ZONING ORDINANCE; RETAIL ON FIRST FLOOR, OFFICES ON SECOND FLOOR; RESIDENTIAL ABOVE. (BUILDING DOES NOT STEP BACK AT 48 FEET ON STREET AS REQUIRED BY ORDINANCE)





HOTEL BUILDING, BROOKLYN, NEW YORK CITY. (MAXIMUM  
HEIGHT ALLOWED BY ZONING)  
BUILDING SETBACK FROM STREET AVOIDS "STEPPING" STREET  
ELEVATION BACK.



Public Comment regarding ROR Residential Office Redevelopment District Amendments

Susan Cipperly – August 13, 2018

---

Ordinance Sections

**27-1526.2 Build-to line** would need to be amended if the height is changed to 48 in all the proposed sections, since it references building height of 45 feet.

**27-1903. Minimum Requirements (for the Streetscape enhancement overlay district.)**

F. No Building shall be constructed to be more than two stories taller than any of the adjoining buildings.

*How can a building be 84 feet tall, but not more than two stories taller than any of the adjoining buildings? I believe this would include buildings on adjacent properties, not just those on the same site. The entire site and surrounding areas lie within the overlay district.*

**27-1524 W. Mixed-use building extended height.**

**(1)(A)(i)**

*This paragraph discusses potential relocation areas on Stratton Street or Water Street for the Transit Station “If the existing transit center services operation and use is to be re-located...” and provides an incentive of 12 feet in height for “Relocation of Transit Services and Public Restrooms”*

*I believe that the borough should support leaving the transit station where it is, perhaps adding language that the current transit station location is the optimum location (for riders, access to the business area, public restrooms, etc.) There has been a history developers wanting to make the transit site a commercial address, but it is definitely an asset to the community as its current use.*

*The Lincoln Train Station was situated where it is for the same reasons – proximity to the center of town. To give a 12-foot height incentive makes it look like the Borough agrees that there is a better use for the property and the location of a transportation facility where people have to walk further to use it is acceptable.*

**Neighborhood Impacts:**

*I have stated concerns at previous meetings regarding the impacts of allowing height increases up to 84 feet plus mechanicals in an area adjacent to residential structures. While the focus has been on the site closest to the parking garage area, the zone also extends behind the residential structures on the east side of North Stratton – currently the SCCAP building location. The impacts of any of the height allowances would also apply to this part of the zone. The discussions to date have not considered the potential for development on the entire zoning district involved.*



***Impacts on historical character of the town.***

***The style and character – including height – of buildings in the borough contribute to the visitor experience and believability that a major event happened on these streets, not just out on the Park Service properties. I have seen examples of stepped buildings, and I agree that it could work on this site, but I do not believe the height should be more than 60 feet. For some reason, the Gettysburg Hotel keeps being used as a point of reference – that the 84-foot tall building would be no more visible than the hotel because it is 20 feet lower due to being downhill. Viewed from Stratton or Carlisle Streets, it would be extremely visible and out of sync with the neighborhood. The potential impacts on the historic Lincoln Train Station have been mentioned by the Park Service and others. Please note below a photo of Ford's Theatre in Washington, D.C. dwarfed by the adjoining structure, and the house where Lincoln died has suffered the same fate, across the street. I believe that Gettysburg is at a potential tipping point in its history, given this controversy and others that are currently ongoing. I strongly encourage the Borough Council to step back from approval of any height greater than 60 feet within the historic district area.***



