

BOROUGH OF GETTYSBURG
59 EAST HIGH STREET, GETTYSBURG, PA 17325
COUNCIL WORK SESSION MINUTES
APRIL 23, 2018

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

Others present include: Carly Marshall, Comprehensive Planner, Adams County Office of Planning and Development; Robin Fitzpatrick, President, Adams Economic Alliance; Deb Adamik, President, Main Street Gettysburg; Gary Shaffer and Peggy Gustafson HARB Members; Dominic Picarelli, Planning Commission Member; Acting Superintendent Chris Stein, Winona Peterson and Zach Bolitho, representing the National Park Service (NPS); Paul Witt, Best Western Gettysburg Hotel, 301 Steinwehr Avenue; Michael Cogliano, Board Chair ACEDC; Bernie Washabaugh, Candidate for Congress and Virginia Washabaugh; Patricia Anschuetz, representing the Gettysburg Farmers Market; Monica Oss, Open Minds, Lincoln Square; Mike Tallent, 811 Johns Avenue; Harry Stokes, 22 Mummasburg Street; Bob Krummerich, 125 West Broadway; Darlene Brown, 40 South Street; Becka Fissel, Gettysburg Parking Enforcement Officer. Representing the press was Jim Hale with the *Gettysburg Times*.

President Susan Naugle announced an executive session of the Borough Council was conducted immediately following the adjournment of the April 9, 2018 Borough Council meeting consistent with sections 708(a)(1), 708(a)(2) and 708(a)(5) of the Sunshine Act.

President Susan Naugle announced an executive session of the Borough Council will be conducted immediately following the adjournment of this work session consistent with sections 708(a)(1) and 708(a)(5) of the Sunshine Act for the following purposes: (1) to discuss matters involving the employment, the qualification for employment, the terms and conditions of employment of Borough employees to include the staffing of the Public Works Department and the Planning, Zoning and Historic Preservation Department; and (2) to review and discuss items of Borough business which, if conducted in public, would either violate a lawful privilege or lead to the disclosure of confidential information.

Public Comments:

Acting NPS Superintendent Chris Stein said that they support the balance of development and conservation on the proposed building at the Gettysburg Site (former REDDI property). He said that their concerns are about taller buildings, stating the extra height would affect the neighboring properties. Mr. Stein said that it would also ruin the streetscape that features the

Lincoln Train Station. He said that the NPS consulted with the Pennsylvania State Historic Preservation Office and they agree with their concerns.

Bob Krummerich, 125 West Broadway (former Council President), said that he hoped that the former Council would have been able to resolve the height restrictions. It has been an issue for over 10-years, and pointed out that the height is important for economic development. Mr. Krummerich gave a background stating that the Borough was near bankruptcy, reduced its workforce, and it still continues with rising costs and expensive federal mandates. He pointed out that the Borough has many tax exempt properties because they are owned by nonprofit organizations. Mr. Krummerich also noted that the Civil War Trust continues to acquire property in the Borough, which is also eroding the tax base. It's important for the Borough to increase the tax base for the residents that are faced with higher taxes.

Harry Stokes, 22 Mummasburg Street (former Council member), said that assumptions are being made by building up with the proposed height limits and doesn't feel the height is needed. He said that the right kind of economic growth is what's needed for the Borough. Mr. Stokes said that he doesn't feel this is in the best interest of the Borough, and said the best development would be owner-occupied housing. Mr. Stokes suggested the LERTA be reexamined again very carefully before any final decisions are made.

Paul Witt, Best Western Gettysburg Hotel, 301 Steinwehr Avenue, said that he is opposed to the residential permit parking along Johns Avenue. He said that the hotel property lies along Johns Avenue, and presented pictures of the street showing few vehicles park on street. Mr. Witt said that it's unnecessary for the Borough to waste money on making this change. He noted that his hotel has sufficient parking for his guest and staff.

Mike Tallent, 811 Johns Avenue, said that he and his neighbors presented Council with a petition to place residential permit parking in the 800 block of Johns Avenue. He said that the residents need protection against the employees of nearby businesses parking, and also noted that tourist season hasn't begun yet increasing the parking needs.

Patricia Anschuetz, Gettysburg Farmers Market, asked Council to consider reducing the fee from \$1.50 to \$1 per hour the same as the previous year for their use of parking spaces on Lincoln Square during the weekly farmers market. Council members agreed to take this in to consideration and place on its May agenda.

Old Business:

PBS 2016-27 Verizon Small Cell Sites – Manager Gable reported that documents have been completed and that Verizon has begun installation. The first to be installed is at Chambersburg and Washington Street. Mr. Gable said that Verizon will pay the Borough \$3,000 per year per cell site, and another \$300 for the electrical costs.

PBS 2017-2 Rezoning – ROR District – Planning Director Becky LaBarre reported that the planning commission has acted on this and are awaiting a reply from the Adams County Office of Planning and Development.

Councilman Strauss gave a detailed report regarding the proposed Zoning Ordinance change (See attached).

After some discussion President Naugle asked HARB Chairman Gary Shaffer to prepare written comments and present to Council with their recommendations.

PBS 2018-2 RPP Petition – Johns Avenue – Parking Manager Miller reported that he reviewed the petition to confirm that all signatures on the petition were property owners.

Councilman Schindel pointed out that it doesn't guarantee parking for residents on Johns Avenue because anyone can park there with limited time.

Mike Tallent said that the residents realize others can park along street, but their concern is with the overnight parking and business employees parking.

Discussion ensued with some Councilors stating that they don't see the need for RPP, and that the parking problems may have occurred during the hotel construction period. Manager Gable noted that the RPP may encourage a parking facility by the businesses in the area.

President Naugle asked that the RPP be placed on the May agenda to authorize the solicitor to prepare and advertise to amend the ordinance adding Johns Avenue.

New Business:

Farmer's Market Request for Parking Relief – Parking Manager Miller reported that the farmers market submitted a request for relief on the rental fee for parking spaces on Lincoln Square. The request was to keep it \$1.00 per meter the same rate as last year.

Councilman Heyser asked not to invoice the farmers market for the bank quadrant during the construction period since they won't be able to use those spaces.

President Naugle asked that this be placed on the May agenda to accept the relief in parking rates for the farmers market.

MS4 Opposition Resolution – President Naugle said that she is attending the PA State Association of Boroughs Conference in June. She will see what they have to report in regards to the MS4.

PBS 2018-3 Vacation Rentals/Tourist Homes – Planning Director LaBarre requested Council review and enact an ordinance regulating these types of rental properties throughout town. She said that they are seeking voluntary compliance at this time for these rentals. Ms. Labarre said

that PA Municipal Code Alliance could review the Uniform Construction Code regarding properties that the Borough is already aware of for safety concerns. She noted that the Adams County Office of Planning and Development is also sharing information regarding this.

Manager Gable said that Council should decide if they want the Planning Department to move forward regarding short term rental properties. President Naugle asked that this be placed on the May agenda to authorize drafting amendments to the Zoning Ordinance.

Public Comments:

Gary Shaffer, Chairman HARB said that they will prepare written comments and present to Council with their recommendations. He said that he doesn't believe the height of the proposed development on the Gettysburg Site is preserving the character of the area.

Peggy Gustafson, HARB Member said that she agrees with Gary Shaffer's comments.

Harry Stokes, 22 Mummasburg Street, addressed his concerns that the Borough could possibly jeopardize its federal Certified Local Government (CLG) grant standing. He said that the CLG Grant status was adopted in 1968, and that the Borough and Main Street Gettysburg have secured grants over the years.

Moved, Ms. Lawson seconded Mr. Schindel to adjourn the meeting at 10:10 PM to an executive session. President Naugle dismissed the executive session at 11:35 PM.

Respectfully submitted,

A handwritten signature in cursive script, reading "Sara L. Stull".

Sara L. Stull
Borough Secretary

**Borough of Gettysburg
Council Workshop Meeting
Monday April 23, 2018 - 7 PM**

**Old Business
PBS 2017-2 Rezoning - ROR District**

Charles T. Strauss Comments

Planning Commission Vote, 3-2, last Monday evening.

A considerable amount of time has gone into drafting this revision of Chapter 27, our Zoning Ordinance. Special credit to the manager's working team, Robin Fitzpatrick from the IDA (the owner of 3 parcels), the County of Adams Planning Office, Becky LaBarre and Karen Mesher in our Planning Department, and the Planning Commission.

Let me walk through the revisions:

1. adding definitions to Part 2.
2. making the standard maximum height 48 feet in R-1, R-1A, R-2, Elm Street, RO, Tourist Commercial, General Commercial, 48 in Industrial (with option of Zoning Hearing Board to permit 60 feet), 48 in ROR with option of Borough Council in "conditional use" to permit 84 feet + 12 feet of mechanicals = 96 feet; 50 feet in Old Town; 60 feet in Institutional-1 and Health Care.
3. Part 8A includes the most revisions, here is where we stipulate use, dimensional standards (p 5), and minimum and maximum height - 24 and 48 respectively.
4. Part 15 is where the conditional use is stipulated (p 6) as it relates:
 1. to the meeting of incentives: 1) internal parking; 2) relocated transit center; 3) public green space; 4) Gettysburg Inner Loop
 2. "fit harmoniously" and "respect and improve local character" - 4 additional criteria
 3. step-backs.

Reasons for the 3-2 vote from the 3 include (from what I heard at the Planning meeting):

1. Creative solutions to encourage more development.
2. The parcel has been vacant for a long time, and developers need the allowances that have been provided for in this revision to make the economics work for them.

And now I'd like to turn to my own thinking on this - my thinking in some ways has evolved over the last year or so of involvement with this - worked on it in manager's team and on Planning - listened to resident comments, researched dimensional standards in literature on planning of community's of our size, and talked to as many people as I could, including a few developers from outside of Gettysburg:

1) this is a decision we can't walk back; we can't unring the bell; we can't make a 7 or 8 story building disappear ($84/12 = 7$), and it is possible to make an 8th floor if you do 10 foot stories after floor 1, which the ordinance stipulates must be 12 feet. so it's important that we continue to discuss this carefully. and ideally, we search out examples of this kind of development in towns similar to Gettysburg. and we need to listen - to the business community and developers, to the County, and also to our HARB, to the National Park, and to residents who live in the Stratton Street neighborhood, among others.

2) a lot has been discussed related to how the 84-foot number has been calculated. this frequently circles the math that the hotel is 60 feet high at the Square and that there is a 20-24 foot decline by the time you get down the hill on Carlisle to the Gettysburg Station parcel - and so, an 84 foot building would not be visible from the Square. this makes some sense but the houses on Stratton St. are 2-story residential homes - 26 to 36 feet; to these homeowners, it doesn't matter what the decline from the Square is; those who reside on Stratton will notice a change in their residential neighborhood even with setbacks and stepbacks; there is another argument that potential developers need this additional rentable space so they can make a reasonable ROI - even with the LERTA tax abatement, additional buildable space is required for the reasonable ROI. I am not sure, however, if this equation (and I think we could use more data or number-crunching for this explanation to make sense to me) takes into consideration the new parking standards, which will permit more buildable space. in the end, we would all be a lot better off in making this decision if we could rely on a strong, independent feasibility study - which would run, I am told, around 25K. if that is impossible, we must recognize that we are making this decision without important information.

3) a building above 5 stories (60 feet) is considered a high-rise and will not fit well within Gettysburg: <https://www.smartcitiesdive.com/ex/sustainablecitiescollective/7-reasons-why-high-rises-kill-livability/561536/>. it could potentially threaten the designation of our historic district, which is governed by Secretary of Interior Standards. but i am eager to hear how our Borough Manager, Planning Director, and Solicitor would respond to the NPS letter and hope to receive a response in writing.

4) the language of "conditional use" is vague and could be used by a lawyer against the Borough should the Borough restrict an applicant's request for additional height.

5) we have devoted considerable time and energy on this particular set of parcels and have prepared a LERTA, changed parking standards, and are willing to work hard with IDA to market this - what would the harm be to market this aggressively once we finish the LERTA and change the parking standards?

I'm grateful for the enthusiasm around this project - and around other economic development projects in the Borough (we have a particularly committed group serving on Planning right now and I hope that no Council member interprets careful attention to all of these considerations as stalling or disorganization; rather, it's the opposite) and I have hope that we can see our way through this without sacrificing the Borough's distinctive character or our plans for growing our tax base.