

November 14, 2007
Public Hearing
Zoning Ordinance Amendments

Borough Council President Ted Streeter called to order the Public Hearing regarding proposed Zoning Ordinance Amendments at 4:02 pm Wednesday, November 14, 2007. Council members present were Dick Peterson, John Murphy, Holly Giles, Michael Birkner, Bill Monahan and Caroline Smith; Harry Eastman, Borough Solicitor; Tom Comitta, Thomas Comitta Associates; and Merry Bush, Borough Planner. Absent were Robert Miller and Jamie Fleet; the latter of the two has resigned his position on the Council. Others present were Peter North, Jim Biesecker and Daniel Konstalid, Gettysburg College; Dave Sites, Realty Leasing & Management; Robert Wagner, Roselawn Development Company; David and Jane English; Peggy Gustafson, HARB member; Jeff Zigler, KPI Technology; Gary E. Hartman, Hartman & Yannetti; John Spangler, Lutheran Theological Seminary; Craig Long, Gettysburg Hospital; Constance Trump; Jean Green and Mary Alice Nutter, 3rd Ward Concerned Neighbors; Bea Savage; Mike Monaco; Susan Naugle; Max Stevens, WGTY; Matt Casey, *Evening Sun*; and Scot Pitzer, *Gettysburg Times*

Harry Eastman explained the procedures that would be followed during the Public Hearing. He noted that amendments to the Zoning Ordinance cannot be enacted without being advertised for a public hearing.

At 4:10 pm Council took a short break while waiting for the arrival of Tom Comitta, Thomas Comitta Associates, a consultant hired to work with the Planning Commission on the amendments. The Public Hearing reconvened at 4:15 pm with the arrival of Tom Comitta.

Mr. Comitta noted that his company works with 44 Pennsylvania municipalities, 17 of which are Boroughs. When initially contacted, Mr. Comitta said he was given five items to work on: parking, zero lot line development, mixed use, increased density in the Old Town District and design review components other than the Historic District.

Tom Comitta provided a quick summary of changes to the 10th Draft of the Zoning Ordinance amendments, which came about as a result of a Planning Commission and Borough Council Workshop held October 3, 2007. The 11th Draft is dated October 4, 2007.

Kelly Dilts, solicitor for the Zoning Hearing Board, suggested that definitions of recess and projection be added and questioned which of the various overlay districts have precedence. Tom Comitta's answer was that none of the overlays take precedence; they were carefully designed to eliminate any conflicts. Ms. Dilts also expressed concern over the involvement of PennDot in the land development process regarding parking. It was noted that parking must only meet the requirements of the Borough; PennDot does not get involved.

Peter North of Gettysburg College asked if perhaps an Institutional Overlay could be created that would allow for an expansion of housing for students since student housing was removed as a use by right in the R-2 Moderate Density Residential District. It was noted by John Spangler, Lutheran Theological Seminary at Gettysburg, that there are needs for both student and staff housing. A written statement was provided to Council.

Peter North also noted that the hotel/motel use was removed from the Residential Office (RO) District, which causes the College concern since they may wish to return the Colonial Motel to its former use once room is made on campus for those students currently living there.

Dave Sites, Realty Leasing & Management, defined himself as the lone private developer in the Borough. He expressed his concern about the differences between the Residential Office (RO) District and the Redevelopment Residential Office (ROR) District. Mr. Sites also expressed his desire that retail be allowed in the RO District. He asked why the RO District was limited to three stories and a height of 45 feet while in the ROR District four stories would be allowed within the same 45-foot height.

Dave Sites said that a letter submitted on October 2, 2007 requesting that the Old Town District be extended north to Water Street had been ignored by the Planning Commission. The letter was written by Christina Fackler, Planning Principles, LLC, a planning consultant hired by Mr. Sites. Borough Council agreed to take his request into consideration.

Bob Wagner, Roselawn Development Company, asked the Council to consider adding those parcels in the Industrial District located south of the railroad tracks to the General Commercial District. Dick Peterson said that he thought that was a good idea since very few new industries had moved to the Borough in quite sometime.

Craig Long asked about the streetscape overlay district as it runs along the western portion of the Health Care District. He noted that the proposed Part 19 Streetscape Enhancement Overlay District §1903.3.3F says “Parking decks should provide ground floor retail.” Mr. Long said that the hospital has no interest in retail. Tom Comitta said that there is a difference between “shall” meaning “must” and “should” meaning “recommended.” While the hospital would be encouraged to add retail to a proposed parking garage, Mr. Comitta said, it would not be required to do so.

A Council workshop was scheduled for November 26, 2007 at 3:00 pm during the time usually set for the Community Development Committee to further discuss the Zoning Ordinance amendments. Mr. Comitta will bring suggested changes to the 11th Draft as discussed during the hearing.

The hearing was adjourned at 5:30 pm.

Respectfully submitted,

Merry V. Bush
Assistant Borough Secretary