

January 22, 2014
Planning Commission Minutes
Borough of Gettysburg

Planning Director Scott Dellett called to order the Wednesday, January 22, 2014 meeting of the Gettysburg Borough Planning Commission at 5:05 p.m. at the Borough Building, 59 East High Street. Those in attendance were: Commission Members Rad Schultz, Dominic Picarelli and Wayne Mayers; and Chad Clabaugh, Borough Engineer. Others in attendance were: Terry Sheldon and Ronald Garis, both of Beyond All Boundaries, representing the Gettysburg Municipal Authority/Civil War Preservation Trust Minor Subdivision Plan application; Robert Sharrah of Sharrah Design Group and Matthew Inskip, representing the Inskip Stormwater Management Plan application; and Rebecca Brown and Ruth Brown, both representing 783-785 Baltimore Street application before the Zoning Hearing Board. Commission Members Randall Hermann and Sarah Kipp were absent.

Reorganization

Mr. Dellett called for nominations for chairman. Mr. Picarelli nominated Mr. Mayers; Rad Schultz seconded the nomination. There were no further nominations. Mr. Mayers will serve as the chairman.

Mr. Schultz nominated Mr. Picarelli for the position of vice chairman. Mr. Schultz seconded. There were no further nominations. Mr. Picarelli will serve as vice chairman.

Mr. Picarelli nominated Ms. Kipp for the position of secretary. Mr. Schultz seconded. There were no further nominations. Ms. Kipp will serve as secretary.

Agenda and Minutes

The meeting agenda was accepted as published. Mr. Picarelli moved to approve the December 16, 2013 minutes as presented. Mr. Schultz seconded and the motion was unanimously approved. There were no comments for items not on the meeting agenda.

Tabled Application

SLD-13-03 Gettysburg Municipal Authority/Civil War Preservation Trust Subdivision Plan Application, 700 Baltimore Street, Minor Subdivision Plan Application.

Applicants requested approval of a minor subdivision application to convey ±0.98 acres from a lot owned by the Gettysburg Municipal Authority (GMA) to a lot owned by the Civil War Preservation Trust. The GMA parcel is located in the INS-1 Institutional-1 Zoning District; the Civil War Preservation Trust parcel is located in the R-2 Moderate Density Residential and Streetscape Enhancement Overlay districts. The Planning Commission tabled the application at its December 16, 2013 meeting.

Mr. Clabaugh said most of his comments in the Borough Engineer's December 13, 2013 comments have been addresses – the only outstanding issues were the property owner's signatures on the plat and the setting of property corners.

Mr. Dellett noted a memorandum from the Borough Solicitor dated January 15, 2014 regarding the dedication of a right-of-way for a future cul-de-sac. According to the Borough Solicitor's memorandum, neither GMA nor the Trust should be required as a condition of subdivision application plan approval to provide land to the Borough, by way of right-of-way, easement or dedication, for the purpose of the eventual construction of a cul-de-sac on Hillcrest Place.

Mr. Sheldon said he has a revised subdivision plan that changes wording to reflect wording of the conditions in the decision memorandum by the Zoning Hearing Board.

Mr. Schultz made a motion to approve SLD-13-03 Gettysburg Municipal Authority/Civil War Preservation Trust Subdivision Plan Application, subject to the following conditions:

1. **BOROUGH ENGINEER'S REVIEW LETTER.** The applicant shall address all outstanding issues referenced in the Borough Engineer's review letter dated December 13, 2013, in a manner acceptable to the Borough Engineer.
2. **ZONING HEARING BOARD VARIANCE.** The applicant shall comply with all conditions placed on the grant of a variance by the Borough Zoning Hearing Board on December 4, 2013 from the side and rear yard setback requirements in Sections 27-704.4 and 27-704.5, specifically:
 - a. The Applicant's recorded final subdivision plan retain the notes as shown on Applicant's Exhibit 3 under "Purpose of Plan" (page 1 of 2) and "Site Data" (page 2 of 2) designating Lot 2 as a non-building lot addition to the property directly to the north, deed reference Record Book 5834 at Page 0141; and
 - b. That no structural development or use different from the use the U.S. National Park Service makes of preserved lands on the battlefield shall be permitted.
3. **MAINTENANCE EASEMENT.** The Civil War Preservation Trust and the Gettysburg Municipal Authority shall execute a Maintenance Easement to permit the Authority access to Lot No. 2.

Mr. Picarelli seconded the motion; the motion passed, 3-0.

New Applications

A. Randall Inskip, South Sixth and Hanover streets, Stormwater Management Plan.

The applicant requested Stormwater Management Plan approval to permit the applicant to place fill on a 2.88-acre part of a 4.63-acre parcel, which is a regulated activity under the Borough Stormwater Management Ordinance. No land development

is proposed with this activity. The parcel is in the TC Tourist Commercial and Streetscape Enhancement overlay districts.

Mr. Sharrah said the project is a grading and fill project to raise the elevation of the property for future development. No development is proposed at this time.

Mr. Schultz said he owns property on South Sixth Street, across from the project.

Mr. Clabaugh said there have been two rounds of plan reviews. The initial submission depicted a stormwater management pond, which complicated issues, he said. The plan is to fill a floodplain so the property owner can develop it. Mr. Clabaugh said the property owner has to apply to the Federal Emergency Management Agency to revise the floodplain map.

The project is not a stormwater management plan per se, Mr. Clabaugh said; however the grading and fill work is a regulated activity under the Borough Stormwater Management Ordinance and requires approval from the Planning Commission.

Mr. Clabaugh said the project required Planning Commission to grant exceptions to certain sections of the Borough Stormwater Management Ordinance, which the Planning Commission granted and its December 16, 2013 meeting.

Mr. Clabaugh said in the Borough Engineer's review letter dated January 13, 2014, the Borough acknowledged the applicant submitted for the National Pollutant Discharge Elimination System (NPDES) permit for the project; the comment would remain outstanding until the permit is obtained. Mr. Dellett said the Borough received correspondence dated January 13, 2014 from the Adams County Conservation District for permit authorization for the general NPDES permit.

Mr. Picarelli made the motion to approve the Stormwater Management Plan; Mr. Schultz seconded the motion. The application was approved, 2-to-0, with Mr. Mayers abstaining from the vote because he is an employee of Sharrah Design Group.

B. ZHB-14-01 Rebecca Brown, 783-785 Baltimore Street, Determination and Variance Request

Applicant requested a determination of the parking requirements for the proposed use as a museum under Section 27-1302(2) and the grant of a variance from Sections 27-1301(1) and 27-1302, Parking Space Requirements. The property is located in the TC Tourist Commercial, Streetscape Enhancement Overlay and Historic districts. The Planning Commission is requested to review this application and forward a recommendation to the Zoning Hearing Board pursuant to Section 27-1703 of the Borough Zoning Ordinance.

Ms. Brown said she wishes to use the first floor of the building as a museum. The only available parking is three on-street parking spaces in front of the building. The National Park Service controls the alleys to the side and behind the building, preventing the

opportunity to provide off-street parking, Ms. Brown said. If they could grade their property for parking, Ms. Brown said trees owned by the National Park Service would have to be removed.

Mr. Mayers noted that the Zoning Ordinance permits the applicant to count on-street parking towards the project. He noted that the applicants used the parking requirement for retail space to calculate the requirement number of spaces for the museum and three spaces appear to meet that requirement. Mr. Schultz said the applicant is not using the entire building, they are just using the first floor.

Mr. Picarelli made a motion to recommend the Zoning Hearing Board determine three parking spaces as the requirement for the use of the first floor of a building located at 783-785 Baltimore Street as a museum, pursuant to Section 27-1302.2, Parking Space Requirements, and should the Zoning Hearing Board determine the number of on-street parking spaces does not meet the requirement, to recommend the Board grant a variance from Sections 27-1301(1) and 27-1302, Parking Space Requirements.

Mr. Schultz seconded the motion. The motion was approved, 3-to-0.

Zoning Ordinance Amendment

Review of Proposed Zoning Text and Zoning Map Amendment to Chapter 27 of the Borough Code of Ordinances, Zoning. The review in pursuant to Section 609(c) of the Municipalities Planning Code, which gives the Planning Commission an opportunity to submit recommendations.

Mr. Dellett provided a history of the Zoning Ordinance text amendment and map amendment. He noted the Planning Commission in May 2012 made recommendations to Borough Council regarding revision to the HC Health Care Zoning District. At a meeting in July 2012, Council directed the Planning Director and Borough Solicitor to consider inserting restaurant as a use permitted by special exception in the HC Health Care Zoning District. A revised draft ordinance, recommended by Council's Community Development Committee, was directed to the Planning Commission and Adams County Office of Planning and Development for review.

Mr. Dellett reviewed the draft ordinance distributed to the Planning Commission on December 20, 2013, which included the inclusion of definitions for gross square feet, net square feet, restaurant and restaurant, small; revising the Zoning Map to reclassify six properties from HC Health Care Zoning District to R-2 Moderate Density Residential Zoning District; adding small restaurant as a use in Elm Street Overlay, OT Old Town, RO Residential Office, ROR Residential Office Redevelopment, TC Tourist Commercial and GC General Commercial zoning districts; revising the purpose and adding specific uses in the HC Health Care Zoning District; and inserting additional criteria under Section 27-1524.FF, Additional Uses for Specific Uses.

After a lengthy discussion, Mr. Picarelli made a motion for Planning Commission to give the following recommendation to Council regarding the proposed Zoning Ordinance text amendment and map amendment:

1. Revise the title of Section 27-1524.FF to Restaurants, including Restaurant, Small and Drive-Thru Restaurant;
2. Add the following criteria to Section 27-1524.FF: A restaurant shall have direct access to a primary street, not an alley; and
3. Add the following criteria to Section 27-1524.FF: A restaurant shall have pedestrian connectivity between the sidewalk and entrance.

Mr. Schultz seconded the motion. The motion passed, 3-to-0.

Mr. Mayers said that Planning Commission recommended the criteria to ensure the public health and safety.

Planning Director's Report

Mr. Dellett said the meeting of the Central Adams County Joint Comprehensive Plan Steering Committee that was scheduled for January 7th was postponed to Thursday, January 30th at 3 p.m. at the Adams County Agricultural and Natural Resources Center.

Other Business

Commission members discussed the process of granting exemptions for stormwater management plans. Mr. Picarelli made a motion to designate the Borough Planning Director to approve exemptions authorized by the Borough Stormwater Management Ordinance with the recommendation of the Borough Engineer. Mr. Schultz seconded the motion; the motion passed, 3-0.

The meeting adjourned at 6:30 p.m.

Respectfully submitted,



Scott Dellett, AICP
Borough Planning Director