



ZONING HEARING BOARD MEETING MINUTES

Wednesday, January 10, 2024 at 7:00 pm | Borough Council Chambers

Call to Order: The meeting of the Gettysburg Borough Zoning Hearing Board was called to order at 7:00 p.m. by Zoning Hearing Board Solicitor Matthew Teeter.

Members Present: Rodger Goodacre, John Butterfield, Darlene Brown, and Darren Glass.

Members Absent: Michael Birkner

Staff Members: John Whitmore, AICP, Director of Planning, Zoning, and Code Enforcement and Matthew Teeter, Zoning hearing Board Solicitor.

Members of the Public: None.

Election of Officers:

Having begun the Zoning Hearing Board's organizational meeting, Matthew Teeter asked for a nomination for Chair of the Gettysburg Zoning Hearing Board for 2024. After discussion regarding Michael Birkner's notified absence, John Butterfield made a motion to nominate Rodger Goodacre, seconded by Darlene Brown. The motion carried 4-0. Rodger Goodacre then presided over the meeting.

Rodger Goodacre asked for a nomination for Vice-Chair of the Gettysburg Zoning Hearing Board for 2024. John Butterfield made a motion to nominate Michael Birkner, seconded by Darren Glass. The motion carried 4-0.

Rodger Goodacre then asked for a nomination for Secretary of the Gettysburg Zoning Hearing Board for 2024. Rodger Goodacre made a motion to nominate John Butterfield, seconded by Darren Glass. The motion carried 4-0.

General Board Comments and Introductions:

Matthew Teeter identified potential procedural issues that may occur with regards to approval of past minutes. Minutes for certain 2023 meetings have inadvertently been limited in information due to staffing changes at the Borough. John Butterfield and John Whitmore will be coordinating with the stenographer to provide the Board with accurate minutes of prior 2023 meetings that will require Board approval. Matthew also discussed upcoming hearing dates related to cases ZHB-230005 and ZHB-230006. The hearing

associated with ZHB-230005 will be held on January 24, 2024, while staff anticipates a hearing date of February 21, 2024 and will confirm with the Board at a later date.

Members of the Zoning Hearing Board then provided introductions to John Whitmore who assumed the Zoning Officer role on January 2, 2024.

Discission regarding Comprehensive Zoning Ordinance updates and Board Member Comments:

After introductions, Matthew Teeter asked for feedback regarding the most recent draft of the Gettysburg Borough zoning ordinance. John Butterfield provided a list of eleven identified issues as follows (as presented):

1. Table of Contents, page I, 27-201 & 202 “Establishment of Zoning Districts” repeated twice on same page.
2. Table of Contents, page ii, item 27-304 is omitted.
3. Table of Contents, page ii, Section 3.05. Expand the index to include all “Principal Uses” & cite page number for each.
4. Table of Contents, page ii, Section 3.06. Expand the index to include all (10) “Accessory Uses” & cite page number for each.
5. Table of Contents, page ii, Section 3.07. Expand the index to include all (4) “Temporary Uses” & cite page number for each.
6. Need definition of “Principal Use”, “Accessory Use” & “Temporary Use”.
7. Page 25-51. Footnote printing is excessively small.
8. Page 57. Do we really want “Manufactured Home(s)” Trailers in Low Density Residential” (R-1) districts?
9. Page 137. “Keeping of Chickens” is listed as an accessory use permitted by right however Chapt. 2 of the Code of Ordinances prohibits keeping chickens in the Boro.
10. Page 139. “Keeping of Honeybees” is listed as an accessory use permitted by right however Chapt. 2 of the Code of Ordinances prohibits keeping honeybees in the Boro.
11. The 84 pages (64-148) which make up “Principal”, “Accessory” & “Temporary Uses” need pagination and the “uses” should then be incorporated into the Table of Contents.

John Butterfield

After John Butterfield presenting the eleven items, Matthew Teeter led a discussion regarding the substantive nature of the review by the Board and potential issues that would be better addressed as individual citizens by the Planning Commission or Borough Council. Matthew then discussed potential language issues regarding applicant versus appellant and Pennsylvania’s application time constraints as opposed to appeals which have different time constraints for affected parties.

Matthew Teeter noted an issue with Temporary Uses, following a discussion regarding diagrams and development imaging proposed by the ordinance. Darren Glass indicated an issue with special exceptions for temporary uses and how a temporary use would functionally obtain a special exception. Additional concerns regarding the time limitations of a temporary use, what activities actually constitute a temporary use, and best practices were discussed by the Board.

Matthew Teeter identified a need for accurate and demonstrated property ownership with regards to applicants and appellants. It was noted that ownership should be established with any application in the form of a copy of the recorded deed. Additional issues related to notification of the Borough's planning and governing bodies properly obtaining Zoning Hearing Board information and certain recommendation practices, neighboring property owner notifications of cases, approvals requiring findings of fact and conclusions of law, language involving the rendering of a report, and explicit applicant and appellant timelines being identified in the ordinance, were discussed. Board members also discussed the potential for an alternate member as has traditionally been provided on the Zoning Hearing Board, but has not been filled.

Announcements and Adjournment:

After all comments were made regarding the draft zoning ordinance, Rodger Goodacre wished everyone a happy new year and called the question for adjournment. A motion to adjourn the meeting at 8:50 p.m. was made by Darren Glass, seconded by John Butterfield, and the motion carried 4-0.