

Zoning Commission

MINUTES Public Hearings – Regular Meeting November 27, 2017

7:30 p.m.

Main Level Meeting Room

MEMBERS PRESENT: Mr. Solley, Mr. Reich, Mr. Werkhoven, Mr. Averill, Mr. Armstrong
ALTERNATES PRESENT: Ms. Radosevich
ALTERNATES ABSENT: Mr. Sivick
STAFF PRESENT: Ms. Hill, Ms. White
ALSO PRESENT: Mr. & Mrs. Solomon, Mr. Owns, Architect, Ms. Chapin, Ms. Solomon, Mr. Hollinger, Mr. Smith public

Call to Order:

Mr. Solley called the meeting to order at 7:30 p.m.

Public Hearing:

Seated: Mr. Solley, Mr. Reich, Mr. Werkhoven, Mr. Averill and Mr. Armstrong

Gunn Memorial Library/5 Wykeham Road/Special Permit: Section 5.4.5/ Convert Storage Area to Program Room, Add Covered Entrance and Exterior Stairway:

Mr. Reese Owens, Architect was present to represent the applicant. Ms. Chapin, Executive Director and Ms. Solomon, Board Member of the Gunn Memorial Library were also present.

Mr. Owens stated that the original site plan indicated a curved path on the north side of the existing building and was revised before presenting to the ZBA to a straight stair. He stated that the numbers that were previously presented to the ZBA have been revised by T. Michael Alex, Land Surveyor to include the existing 320 SF entry. Mr. Owens stated that the entry was on the site plan but was not included in the original calculations. The existing lot coverage is 27,238 SF and the proposed lot coverage is 27,799, an increase of 561 SF or .77% (Revised memo from Reese Owens to the Zoning Commission, dated 11-17-17 on file in the Land Use Office). He stated that survey has not been created and will forward it to the Land Use Office when it is finished.

Mr. Owens reviewed the memo he sent to the Zoning Commission explaining the proposed plan (memo dated 10/25/17 on file in Land Use Office). He explained that the Gunn Memorial Library and Museum are in the R-2 District and their uses are permitted by Special Permit under Zoning Regulation 5.4.5. He informed the Commission that the Library is proposing to: 1. Convert and existing storage room into a community room in order to carry on library programs that are presently held in the rooms upstairs as well as a covered outside entry for the

community room. 2. Complete the design and installation of emergency egress pathways on the north side of the existing building.

Mr. Owens explained that the proposed community room is needed because the existing spaces in the original library are inadequate in shape and technology to accommodate the library's popular programs. He continued by saying that these historic rooms are outdated and technically infeasible to update them. Mr. Owens noted that in accordance to Health Department requirements, simultaneous use of the new and old space will be prohibited. The library does not propose to intensify their current Special Permit Use but relocate it to different spaces of the existing building.

Mr. Owens addressed the proposed egress pathways which are required by the Fire Code. A code evaluation was done for the library and indicated, "The door is designated as exits from the building on the north side discharge to unpaved areas which are in the wooded areas and steeply sloped areas. Exit discharges shall lead to a public way and shall be clear have ramps or stairs and shall be paved so they can be maintained including removal of ice and snow. Bringing the north side exits into compliance requires: 1. Installation of a landscape stair between the existing storage floor exit next above 2. Paving the existing footpath from the exit next above, and 3. Refurbishing the existing stone landscaped stair to Wykeham Rd."

Mr. Owens stated that in 1991-1992 the Town permitted the library to expand demonstrating that history and preservation are highly valued in Washington. He explained that the library needs to offer relevant programs to the public and those programs require current technology. To remain viable, the library must stay current to continue its mission. Mr. Owens informed the Commission that the exit pathways are required for safety. He read a brief excerpt from the Town POCD which recommends the Town support institutions such as the library as part of the overall health of the Town.

Mr. Owens discussed the hardship that existed on the property in 1991-1992 and still exist today. The property is very steep and requires structured stairs and pathways. He noted that ZBA has granted a variance for lot coverage. He informed the Commissioners that this application is mainly addressing walkways and parking and Mr. Alex will provide an updated survey for the record when it is finished. Mr. Owens stated that there will be no change to the existing parking. The zoning regulations have changed since the special permit that was issued in the early 90's requiring fewer spaces and according to the current regulations they are in the middle of the maximum and minimum number of spaces required per Section 15.2.

Ms. Chapin discussed how the larger programs are held in the Wykeham Room and things like pillars and the way the room is configured does not allow everyone to see and a more open space would work better. She stated that the programs for tweens and teens are held in the children's library or the more "antiquated" part of the library and this space would be better suited for the programs of that population. She spoke about simultaneous use of the Wykeham Room and the proposed program room. She wanted to clarify that there would be simultaneous use but they would not go over the capacity of the whole building or the particular rooms that are being used. She gave an example that there might be 12 people

upstairs in the Wykeham Room for a book discussion at the same time 14 children would be using the proposed program room.

Mr. Werkhoven asked how the capacity is monitored.

Ms. Chapin responded that the library has a planning calendar that they use for scheduling programs and events and when scheduling they consider the appropriate number of staff and parking spaces needed. She stated that they are not planning on increasing the use of their existing special permit because they do not have the space, the parking or the staff.

Mr. Solley stated that it is hard to enforce this. He talked to the sanitarian and she told him that the maximum usage in both spaces at the same time can be the equivalent of one the rooms maximum capacity. This maximum is based on parking and septic capacity. He advised the Gunn Memorial Library have its counsel draw up language stating this and this could be attached to the deed.

Ms. Chapin responded that they would not exceed the capacity of either room or the overall capacity of the library. There can be other people in other parts of the library simultaneously as long as they do not exceed the overall capacity.

Mr. Solley stated that the Fire Marshal will rate the capacity for the Wykeham Room and the proposed Program Room. He suggested that they average the two and make the requirement that there is a provision which states that the average number of people can use either both rooms or any one room at one time.

The Commissioners briefly discussed how this outcome/vote on this special permit will be part of the deed in the Town records. Mr. Reich stated that he did not agree with restricting the library with numbers. Mr. Solley responded the numbers would be in regards to the two major assembly rooms.

Mr. Owens stated that the original special permit application contains documentation listing an occupant load of 120 people for the building.

Ms. Chapin asked if the occupant load of 120 suffice with the agreement that the two assembly rooms could be used simultaneously but the total occupancy of the two rooms will not exceed the average capacity of both rooms.

Mr. Solley stated that the Sanitarian has already prohibited simultaneous use of both rooms.

Mr. Owens stated that he feels that the underlying intension is that the occupancy is not going to be increased by the addition of this proposed space.

The Commissioners, Mr. Owen and Ms. Chapin discussed how the occupancy issue could be worded to indicate that it would not exceed the total occupancy load of the building and while the two assembly rooms are simultaneously being used, the total occupancy of both rooms will not exceed the average total occupancy for both rooms.

Ms. Chapin stated that to bar the use of one of the rooms while the other is being used would not be practical. She stated that they would not be able to increase usage because of logistics such as parking and septic requirements.

There was a brief discussion regarding the by-laws of the library. Ms. Chapin stated that they would like the community organizations to use the spaces. A donation is often suggested but otherwise there is no charge but they would still monitor the capacity.

Mr. Armstrong stated that the Fire Marshal will go into the library and set a capacity for this proposed assembly room.

Ms. Chapin clarified her application submission which stated that there would not be simultaneous use of the two assembly rooms. She stated that she did not intend to indicate that the two rooms would not be used simultaneously but that between the two rooms, the total attendance usage would not increase. Ms. Chapin has kept the Fire Marshal in the loop with planning this proposed space.

Mr. Owen stated that the load is calculated by square footage and he would work with both the Fire Marshal and the Sanitarian to come up with the number. He noted the fire code and building code would be different.

Mr. Solley stated that some additional information is needed to establish an occupancy number.

Ms. Chapin stated that she needs to have all the permits approved before the end of the year or the library will lose funding.

There was a brief discussion regarding when the next meeting of the Zoning Commission.

Mr. Werkhoven asked if the Commission could approve with a condition.

Mr. Solley and Mr. Averill did not believe this was possible because the number needs to be set by the Fire Marshal but he is not representing the Zoning Commission's interests. Mr. Solley stated that he determines the occupancy load of the two assembly rooms is questions. He noted that the Zoning Commission is charged with use and how it affects parking.

Mr. Owens stated that the library has 33 parking spaces. He continued to explain that relative to the minimum, that leaves the library an additional 11,000 SF of museum of library space and they would still comply with the minimum parking requirements per the zoning regulations.

Mr. Averill asked how the Commission could decide on the capacity numbers.

Mr. Owens stated that the Special Permit that has been granted is for a 120-person capacity. He said that if the library accepts this as it's limit, they would not be increasing the usage. He stated that the Fire Marshal has looked at these plans many times.

Mr. Solley stated that he could vote on the standard of 120 people.

Mr. Armstrong asked what if the Fire Marshal comes up with numbers that are less.

Ms. Chapin offered that the library could accept the total building capacity of 120 people contingent that the individual rooms do not exceed the numbers designated by the Fire Marshal.

There was a continued discussion of capacity. Mr. Werkhoven stated that the capacity of 120 people that was approved with the original special permit will remain and the use will not be increased. They agreed that it would be the Fire Marshal's responsibility to monitor the individual room capacity.

Mr. Solley asked if the public had any comment on this application.

The Commissioners briefly discussed the north side stairwell with Mr. Owen.

Mr. Owen stated that it is straight and there would be no footings. He stated that the pathways would be paved with something that is maintainable.

The Commissioners and Mr. Owens discussed the increase in lot coverage. The existing lot coverage is 37.519% and the proposed lot coverage would be 38.292%.

The Commissioners agreed that they would be able to vote on this special permit tonight using the 120-person capacity.

MOTION: To close the public hearing for Gunn Memorial Library?5 Wykeham Rd./ Special Permit: Section 5.4.5/Convert storage area to program room, add covered entrance and exterior Stairway, by Mr. Werkhoven, seconded by Mr. Averill, passed 5-0 vote.

REGULAR MEETING:

Seated: Mr. Solley, Mr. Reich, Mr. Werkhoven, Mr. Averill, Mr. Armstrong

Consideration of the Minutes:

The Regular Meeting Minutes of October 23, 2017 and Special Meeting Minutes of November 13, 2017 were considered by the Commissioners.

MOTION: To approve the Regular Meeting Minutes of October 23, 2017 and the Special Meeting of November 13, 2017 as presented, by Mr. Werkhoven, seconded by Mr. Reich, passed 5-0 vote.

Pending Application(s)

Gunn Memorial Library/5 Wykeham Road/Special Permit: Section 5.4.5/ Convert Storage Area to Program Room, Add Covered Entrance and Exterior Stairway:

Mr. Solley stated that the library has acknowledged and agreed on a maximum occupancy of the building of 120 people. This will be noted and part of the deed.

The Commissioners briefly discussed how the library could apply for a revision to the special permit if they ever wanted to increase the capacity in the future.

It was noted that the site plan on file indicates the occupant capacity.

MOTION: To approve the request of the Gunn Memorial Library at 5 Wykeham Rd for a Special Permit: Section 5.4.5 to convert storage area to program room, add covered entrance and exterior stairway, per the Site Plan titled "Gunn Library Community Room," by Reese Owens Architects, LLC, dated 10-25-17, by Mr. Solley, seconded by Mr. Averill, passed 5-0 vote.

New Application(s)

Town of Washington/10 Blackville Road/Special Permit: Section 8.4.20/Fire Department Training Building:

MOTION: To schedule a public hearing for the Town of Washington/10 Blackville Road/Special Permit: Section 8.4.20/To Construct Fire Department Training Building at the Regular Meeting of the Zoning Commission on December 26, 2017 at 7:30 pm. By Mr. Solley, seconded by Mr. Armstrong, passed 5-0 vote.

The Gunnery, Inc./99 Green Hill Road/ Special Permit: Section 4.4.10/Arts and Community Center:

MOTION: To schedule a public hearing for The Gunnery Inc./99 Green Hill Road/Special Permit: Section 4.4.10/To construct an Arts and Community Center on December 26, 2017 at 7:30pm. By Mr. Solley, seconded by Mr. Averill, passed 5-0 vote.

Other Business

No other business to discuss.

Enforcement

Enforcement Report:

The Enforcement Report dated November 27, 2017 by Zoning Enforcement Officer Mike Ajello was distributed to Commission members.

Communications

Ms. Hill informed the Commissioners that she gave each of them a packet from the Northwest Hills Council of Governments regarding towns "opting-out" of PA 17-155 – "Temporary Healthcare Structures."

Privilege of the Floor

No one from the public asked to speak

Adjournment

MOTION: To adjourn the meeting at 9:45 p.m. By Mr. Averill, seconded by Mr. Armstrong, passed 5-0 vote.

Submitted subject to approval:

By: _____
Shelley White, Land Use Clerk
December 4, 2017