

WHARTON PLANNING BOARD
REGULAR SCHEDULED MEETING
February 14, 2017

The Regularly Scheduled Meeting of the Wharton Planning Board was called to order with Chairman Ken Loury reading the Open Meeting Statement as required by law.

ROLL CALL was taken and the following members were present: Chairman Ken Loury, Mr. Roger Steele, Ms. Charlotte Kelly, Mr. Mark Harris, Mr. Patrick O'Brien, Ms. Jennifer O'Malley-Dorr, Mr. Brian Bosworth and Mr. Peter Rathjens. Also present were Attorney Alan Zakin, Planner Jessica Caldwell and Secretary Patricia Craven. Excused were Mayor William J. Chegwiddden, Councilman Thomas Yeager, Ms. Charlotte Kelly, Mr. Jared Coursen and Engineer Christopher Borinski.

The Pledge Allegiance to the Flag was next.

Chairman Ken Loury added the Ordinance Discussion to the agenda.

Attorney Zakin swore in Board Member Brian Bosworth.

The approval of the bills was next. A Motion was made by Brian Bosworth and Seconded by Mark Harris to approve the bills that were read. YEA – 7 NAY – 0

The Minutes of the January 10, 2017 Planning Board Meeting was next. A Motion was made by Roger Steele and Seconded by Peter Rathjens to approve the minutes.
YEA - 5 NAY- 0 ABST – 2 (Loury, Bosworth)

The Application for the Quinolly Interpretation Variance was next. Attorney Bernd Hefe for the applicant addressed the Board. He represents Quinolly, LLC. the owner of the 18,500 sq. ft. building located at 175 N. Main Street hat currently houses offices and Hot Rods Restaurant. Their application is an interpretation of the Borough Zoning Ordinances to see if what they are proposing is allowed. Their zoning permit application was denied by the Zoning Officer and told they had to apply to this Board. They are proposing an escape room that would occupy less than 1000 sq. feet of the building in the office section of the building. They explained that an escape room is where the players are being placed in room and using the elements of the room to solve a series puzzles in an hour time frame. Ms. Caldwell's memo states that it is a permitted use but it is additional use which is not permitted. The zone only allows 1 use of the property so a D1 use variance is needed. Attorney Hefele does not think they need the D1 use variance.

Carroll Quinn was sworn in. He is the owner of the property at 175 S. Main Street since 1987. The building is used for offices, storage and a restaurant. He will be running the escape room. He stated that he might not have been very clear in his explanation of a escape room when he spoke with the Zoning Officer. He explained that escape rooms started in Asia about 2005 or 2006 and they have grown recreationally. Recreationally from his standpoint as a business person it's not a good business plan or business model. The event is 45 minutes long and in that time what they are doing is building a team to work together solving each aspect of a puzzle to get them to the

next clue. The objective is to escape the room in 45 minutes. They allow 15 minutes between groups to set up the room. He stated that corporate America is realizing that they need to train their people to work together as a team and this brings corporate America together into a real setting - a conference room. Mr. Quinn read from a corporate document which stated that an escape room is a training center to assist corporate America in a team building process. He stated that it is nothing more that goes on in this building for the last twenty years. They will be taking appointments for the escape rooms, they will not take a walk in. He went on to explain the businesses that have been using his offices over the years.

A YouTube video from CBS 2 dated 4/30/15 showing a team in an escape room, was shown to the Board.

Attorney Hefele explained that they came before the Board after receiving the Planners letter because even though this is a permitted use the question is, is it an additional use on this property that would require a D variance. The property is 18,500 sq ft of total building of which 5,000 sq. ft is Hot Rods and 13,500 sq. ft is office space. 1,000 sq. ft of that office space is going to be used the same way. He explained that Hot Rods came before the Board for a use variance which was adopted on May 13, 2014.

Exhibit A-1 – 2-14-17 - Hot Rod Resolution was presented to the Board.

Attorney Hefele stated that the additional use or Secondary use of this property is Hot Rods and the Principal use is 13,500 sq. ft of office use. What they are proposing is office space which is the principal use and would not need a variance. They do not feel this is a third use.

Mr. Quinn stated that the use is not changing and neither is the physical structure. It will still remain office space.

Planner Caldwell stated that originally they submitted an application to the zoning officer for a recreational use which he denied. She feels it is a recreational use but is also an additional use which would require a D-1 variance. She feels it is a recreational use not an office use. She also asked for a site plan because of parking and signage.

Mr. Quinn stated that his plan is for corporate America to use his escape rooms so his hours will be what works best for corporate America. He stated that Honeywell had used his office space at one time for training and that was the same type of use as they are proposing.

After much discussion it the Board agreed that this use is a recreational use, not office use.

Attorney Hefele stated that he is withdrawing the additional use from this application. He would like the Board to vote on whether the use is permitted. Planner Caldwell stated that it is a new type of use that fits in the indoor recreational use.

A Motion was by Roger Steele and Seconded by Brian Bosworth that this use, indoor & outdoor commercial recreational use, is a permitted use in this zone. YEA -7 NAY – 0

Next on the agenda was the discussion of a variance ordinance. Attorney Zakin stated that after the discussion at the last meeting and after speaking to the Borough Attorney George Johnston he drafted the resolution that the Board will recommend to the Mayor and Council to adopt. After some discussion on the draft it was decided that they add “within one year from the date of decision **or as agreed upon by the Board**” so that the Board has some leeway. Attorney Zakin will send this along to Attorney Johnston.

A Motion was made by Roger Steele and Seconded by Mark Harris to adjourn. YEA-7 NAY-0

Meeting adjourned 8:15 p.m.

Patricia M. Craven – Secretary

Ken Loury - Chairman