

WHARTON PLANNING BOARD
REGULAR SCHEDULED MEETING
April 11, 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, Mr. Jared Coursen, Mr. Patrick O'Brien, Mr. Brian Bosworth and Mr. Peter Rathjens. Also present were Attorney William Mennen, Planner Jessica Caldwell and Secretary Patricia Craven. Excused were Mayor William J. Chegwiddden, Councilman Thomas Yeager, Ms. Charlotte Kelly, Ms. Jennifer O'Malley-Dorr and Engineer Christopher Borinski. Mr. Mark Harris arrived after roll call at 7:31.

The Pledge Allegiance to the Flag was next.

The approval of the bills was next. A Motion was made by Brian Bosworth and Seconded by Peter Rathjens to approve the bills that were read. YEA – 6 NAY – 0

The Minutes of the February 14, 2017 Planning Board Meeting was next. A Motion was made by Roger Steele and Seconded by Brian Bosworth to approve the minutes.

YEA - 6 NAY- 0

The Resolution for Escrow refund for Bob's Furniture and Mech Managers was read. A Motion was made by Brian Bosworth and Seconded by Patrick O'Brien to approve the resolution.

YEA – 6 NAY – 0

The Resolution for Quinolly, LLC Interpretation was read. A Motion was made by Brian Bosworth and Seconded by Peter Rathjens YEA – 5 NAY – 0 ABST – 1(Coursen)

Chairman Loury explained that they would take a 10 minute break and reopen the meeting at 7:30 because the applicant had an old application form that stated that the meeting started at 7:30 so this is what they advertised for.

The meeting was reopened at 7:30 with a Roll Call. The following members were in attendance. Chairman Ken Loury, Mr. Roger Steele, Mr. Jared Coursen, Mr. Patrick O'Brien, Mr. Brian Bosworth and Mr. Peter Rathjens. Also present were Attorney William Mennen, Planner Jessica Caldwell and Secretary Patricia Craven. Mark Harris arrived at 7:31.

Next under New Business was the Application for the Quinolly Variance. The applicants Attorney Bernd Hefele addressed the Board. He represents Quinolly, LLC. He stated that they were before the Board for an interpretation which was described in the Resolution that was just read. The use they are proposing is a permitted use but they need a D variance for more than one principal structure on the property.

The property owner Carroll Quinn was sworn in as a fact witness. The property is located at 175 N. Main Street. He went on to explain the escape room that they are proposing. It is 2 adjoining rooms. Their escape rooms are geared toward cooperate America to use for training and team building for their employees. They are by appointment only and are 1 hour sessions. The participants are placed in a room that is pretended to be lock and given clues. The rooms are monitored by a monitoring system that also sends in the clues. This system is located in a 3rd room. The hours of operation are from 10 to 6, normal business hours, 7 days a week only by appointment. There will be 1 part time employee who will greet the participants, introduce them to the room, explains to them what it's about and then goes into the monitoring room to give them clues and monitor the activities. So there are 2 escape rooms, 1 monitoring room and a foyer. They plan on 4 people per room x 2 rooms = 8 people, for a total of 9 people on site at one time. The Escape Room use would attract corporate customers for team building exercises but that the use would not be limited to corporations and would also include birthday parties and other group events.

Parking is one of the issues on this site. They have planned for participants to come in a group in 1 car. Mr. Quinn feels they will only need 5-6 spaces.

Signage – Mr. Quinn stated that they will not need signage – they will be advertising on the Internet and Facebook. They might have a directory sign at the entrance of the building to let people know where to go. Mr. Quinn did not know if that sign would be placed inside or outside.

Some of the other usages of the building have been light industrial, office space, cell carriers, restaurant, light manufacturing and general offices space. Mr. Quinn feels the property is well suited for an escape room. With the addition of Hot Rods they are trying to build this area as a destination and the escape room just happens to fit very nicely in with the area. He sees no negative impacts with this use.

Mr. Quinn, when asked, stated that the maximum per room would be 6 per room x 2 rooms would = 12 total. Mr. Steele then stated that they would then need at least 13 parking spaces for patrons and their 1 employee. Mr. Quinn stated that they are proposing small scale escape rooms and they do not plan on more than 8 participants on site at a time plus 1 employee. Mr. Quinn testified that 80% of their business will be Monday thru Friday from 9 – 5 but their hours of operation are from 9 am – 11 pm, 7 days a week, by appointment only. They can control the number of people on site because it is by appointment only. Attorney Hefele stated that this business will be operating mostly during the day while Hot Rods is busier in the evening hours. They will complement each other. The parking will be on the side in the parking lot and they will enter in the front of the building.

Patrick O'Brian asked about the bathrooms and who else utilizes them during the day other than Hot Rods and the escape rooms. Mr. Quinn stated that that would be all that use them. He stated that there are 2 bathrooms upstairs and 2 bathrooms downstairs. The ladies room has 3 stalls and the men's room has 1 stall and 2 urinals.

Planner Caldwell had some comments on the parking but will wait for their Planner to testify.

The meeting was open to the public. There was no public in attendance and it was closed to the public.

Ken Dykstra of Dykstra Walker Design Group was sworn in as an expert Planner. He has reviewed the site in terms of parking. They are in the I-1 zone where 1 principal use is allowed on a property. This site already has multiple uses – Hot Rods Restaurant, Various Office Uses and multiple cell tower uses. This Recreational Use is allowed in this zone but is an extra principle use on the site which requires a D variance. Because it is an allowed use and the building is already a multiple use site he feels that this use is well suited for the building. The building is 18,500 sq. ft. The restaurant is about 500 sq. ft. of that with 110 seats, which calculates to 37 spaces for the restaurant. The escape room is about 1500 sq. ft. and needs 6 parking spaces.

The meeting was opened and then closed to the public.

The question came up about signage. Planner Caldwell stated that because it is a multiple use building they should be able to get a permit for a sign without Board approval as long as it is complying. Attorney Hefele stated that if they have to they will come back before the Board. Chairman Loury would like it to say in the Resolution that they are not proposing any signage at this time. The Board Attorney suggested that they put in the Resolution that the applicant will work with our Planner if and when they decide on signage that is conforming.

Some discussion followed on the parking and whether the parking change from office to this recreational intensifies the parking on the site. Planner Caldwell stated that more overflow of parking at night is more intensification. Attorney Hefele does not think there is any intensification. The variance is for the additional use and he feels there is enough testimony to show that there is not going to be any increase in additional parking. Attorney Mennen stated that in the parking discussion the sentiment from the Board is that the previous approved application for Hot Rods Application was predicated on night/day use. Now we have a little more crossover in use than there was before. Attorney Hefele does not feel that a variance is needed for parking but if the Board feels they do then they will ask for a variance. Planner Dykstra stated that the property is constrained and there is no place for more parking spaces. He stated that there is no limitation on office hours and they could operate till 11 pm as well. The part of this business that is going to operate after 5 pm is very limited. They can, if need be justify a variance for parking. There is no ability to add any spaces. They have a hardship and he does not see any detriment to the public granting that extra variance. It would not impact the zoning ordinance or Master Plan. Attorney Hefele stated that as far as the positive criteria this adds an additional use in this area and is a complimentary use. It is an appropriate location for this type of use. Planner Dykstra agreed that this use would benefit from the parking attendant that is there at night for Hot Rods parking and it is in their best interest to get their patrons parked. He stated that it is his opinion that there is no intensification of the parking on this site compared to what is going on there today. Planner Caldwell's opinion is that with more overflow at night there is more potential for intensification.

Mr. Quinn stated that they are in the planning stages now and may open in about 60 days.

Attorney Mennen went over with the Board the conditions:

Hours of operation 9am – 11 pm 7 days a week with no walk in customers allowed, by appointment only

Only 1 employee and 8 maximum participants at a time.

Parking – 6 parking space.

Signage – none at this point, directory in the future subject to sign permit. If sign is not within the ordinance they will come back to the Board for approval. Applicant will work with the Borough Planner for specifics of the sign.

Bathroom – shared bathrooms – should be sufficient – but they will comply with the building code

Parking Requirement

37 spaces Hot Rods

6 spaces 1500 sq. ft Escape Room – if it remained an office use it would need 7 spaces.

45 spaces 10,000 sq. ft. of office space

0 spaces 3500 sq. ft. of storage.

88 or 89 required where 45 are provided.

Hardship testimony - no more room for any more parking spaces – no detriment to the Master Plan or the Zoning Plan.

There is more crossover with this use than what is there now and is not the same as when Hot Rods application was heard.

Chairman Loury stated that he wants the cell tower use put in this resolution. It was not in the Hot Rod Resolution as a use on the property.

Planner Caldwell asked that the square footage of each of the uses be delineated and the parking allocation for each use as well.

Planner Dykstra went over the square footage and parking spaces for each use

5,000 – Hot Rods	37 parking spaces
1,500 – Escape Room	6 parking spaces
10,500 – Office	45 parking spaces
<u>1,500 – Storage – Cell Tower.</u>	<u>0 parking spaces</u>
18,500 sq. ft. TOTAL	88 TOTAL PARKING SPACES

The Board agreed to approve Variance relief for parking given the new set of circumstances. The applicants notice did have the catch all provision which would permit them to obtain that relief

based on the findings and conclusions of the Board and the Professionals. Peter Rathjens stated that the pattern of use changes significantly with this new use.

The Board will be voting on:

D-1 Use Variance – multiple uses on 1 parcel

Bulk Variance relief to permit 44 parking spaces where 88 are required.

Minor site plan approval – no changes.

Conditions

No more than 8 participants and 1 employee on site at one time

Signage – none are proposed - Directory sign may be added in the future – subject to the approval by the Borough Planner as to the specifics of a permitted sign. Beyond what is permitted, the applicant would have to come back before the Board.

Bathroom – subject to the building code.

Hours of Operation – 9 am – 11 pm 7 days a week - No walk ins – by appointments only

Mr. Steele questioned the restriction of only 1 employee. The applicant stated that once this is in operation they only need 1 employee. It was decided that it will be in the findings, in a general catch and will not be highlighted or enumerated as a specific condition.

Chairman Loury asked that it be stated in the Resolution that the rooms are not really locked just figuratively locked.

A Motion was made by Mark Harris and Seconded by Jared Coursen to approve the application with the Variances and Conditions just listed. YEA – 7 NAY – 0

Meeting adjourned at 9:05 pm

Patricia M. Craven – Secretary

Ken Loury - Chairman