

CHAUTAQUA INSTITUTION
Architectural Review Board
Minutes of Meeting
August 27, 2015
Turner Community Center – 10:00 am

The Architectural Review Board met at 10:00 AM on Thursday, August 27, 2015, in Turner Community Center. Those in attendance were: **CHAIR BOB JEFFREY, CHRISTINE BRUESCHKE, JOHN HAUGHTON, JOHN MILOS** and **DAVID ROSEN**. Staff members present were: **JOHN SHEDD** and **JENNIFER MAJEWSKI**. Others present were: **SAMUEL PRICE JR.**

1.) 15-06 MARK & CYNTHIA LARSEN 6 Scott

Jeff Flanders, architect, was present and began by withdrawing the request for relocating the front porch steps to the side of the porch. He presented plans to construct a new 13' long stairwell along the west side of the foundation, leading into the basement. The new stair would allow for the basement to become an independent apartment. This stairwell will come within 3.2' of the west property line. It will have removable railings and the impervious coverage on the site will remain the same.

NEIGHBOR COMMENTS:

Bob & Ann Fletcher - letter & present – opposed to the relocation of the front porch stairs (which was removed from the scope of the project) for safety and lighting reasons; Jeff Flanders stated he could accommodate their privacy concerns with plantings, and by leaving the porch stairs in their current location.

After discussion: **THE REQUEST FOR A SIDE YARD SETBACK ENCROACHMENT VARIANCE FOR A BASEMENT ACCESS STAIRWELL WAS APPROVED 5-0.**

2.) 15-07 JOSEPH GREENBERG (CAMBRIDGE) 9 Roberts/10-12 S Terrace

At the February 5, 2015 Architectural Review Board meeting, CHQ W&M Holdings LC were approved for demolition of the existing three connected buildings that together form the Cambridge, contingent on approval of the new design.

The current application has a new architect, Kevin Dreyfuss, and a revised plan (which contains 14 rather than 16 units, has a different appearance on the Roberts Avenue and on the South Terrace facades, and which no longer retains portions of the original front facade). The new condominium building is also taller along the South Terrace side than the previously submitted proposal, with an additional story facing South Terrace.

After a lengthy discussion (particularly focused on the South Terrace streetscape) the ARB requested modified drawings showing: 1) the South Terrace facade reduced in height by one story, 2) a ground level ramp extending from Roberts Avenue along the north side of the new building to provide access to the lowest level of the house on the adjacent property, 3) clarification on the locations and noise levels of the HVAC equipment, and 4) a tree preservation plan from an arborist.

NEIGHBOR COMMENTS:

Janet Northrup – letter – opposed – concerned about lack of a parking space for loading and unloading

Howard & Leslie Zemsky – letter – opposed to demolition

Don Friedman – letter – approve

Dennis, Usula, Peter Wilder – letter – opposed

Nancy Wilcox – letter & present – concerned about HVAC equipment locations, and where condensation will drain. Also concerned about the massing of the new building, particularly along the S. Terrace facade

Susan O'Connor Baird – letter & present – concerned with massing of the new building

Francis Roberts – present – concerned about the massing of the new building, a walkway to the lower level of her building on the adjacent lot, noise, etc.

Ed Cohen – present – concerned with massing of the new building and lighting

After discussion: **THE MOTION TO CONTINUE THE APPLICATION TO THE NEXT ARB MEETING WAS APPROVED 5-0.**

3.) 15-08

TABITHA & TAMARA LATCHAW

40 Center

The owners of 40 Center Avenue (Tabitha and Tamara Latchaw) were present to discuss the Administrator's order to remedy the three encroachments that were constructed on their property and on CI property without proper review and authorization. The encroachments are as follows:

Encroachment A: On the west side of the house, facing Massey Avenue, an existing porch and steps that previously encroached across the property line into Chautauqua Institution property were demolished without prior authorization and a new porch, stairs and roof were constructed in the same location and the same configuration without authorization from the Administrator or a license from the Chautauqua Institution. Lucas Prisuta, contractor, described the deteriorated condition of the previous landing and steps. He also stated that temporary railings had been installed on landing and steps for safety and that the permanent railings would match the rest of the home.

Encroachment B: At the back of the house near the northwest corner, a new enlarged deck and stairs were constructed without prior authorization from the Administrator. The new deck and stairs encroach on the 10' setback along the north property line. The new deck and stairs also encroach on the required 3' street side yard setback. After Mr. Prisuta stated that he had enlarged the deck due to building code requirements, the ARB members discussed options to minimize the size of the landing while accommodating the building code requirements. Suggestions were made including limiting the landing to a size that would accommodate egress from a single door, and limiting the stairs to a single set of steps. The ARB members also discussed maintaining an unbuilt area behind the deck, and making the railings match the rest of the house.

Encroachment C: An existing second floor deck on the southeast corner of the house was expanded toward the east to align with the existing portion of the house behind it, without prior approval of the Administrator. Mr. Shedd, Administrator, had given permission to remove the stairs to the second floor deck, but not to expand the deck. The original deck was already within the 10' setback; the expansion of the wood deck further encroaches into the setback, reducing it to approximately 1.5' along the east property line.

Christine Brueschke excused herself from the meeting prior to the vote.

NEIGHBOR COMMENTS:

Diana Pluffman (?) – present – opposed to encroachment

Paul Cawein – letter – opposed

Edna Crissman – letter – opposed

Richard Osborne – letter – opposed to the process where they encroached before asking

Terence & Hope Alcorn – letter - opposed

After discussion regarding Encroachment A:

THE MOTION TO RECOMMEND TO THE PRESIDENT OF CHAUTAUQUA INSTITUTION TO ISSUE A LICENSE FOR ENCROACHING ON CHAUTAUQUA INSTITUTION PROPERTY (FOR THE RECONSTRUCTION OF THE SMALL PORCH AND STEPS ON THE WEST SIDE OF THE HOUSE) WAS APPROVED 4-0, CONTINGENT ON THE RAILINGS MATCHING THE REST OF THE HOUSE.

After discussion regarding Encroachment B:

THE MOTION TO ALLOW THE CONSTRUCTION OF A SMALLER NEW LANDING AND A SINGLE SET OF STAIRS AT THE BACK (THE NORTH SIDE) OF THE HOUSE WAS APPROVED 4-0, CONTINGENT ON: 1) THE LANDING MUST BE THE MINIMUM SIZE TO ALLOW EGRESS FROM A SINGLE DOOR (THE OTHER DOOR MAY BE INOPERABLE OR BLOCKED WITH A CONFORMING RAILING TO MATCH THE REST OF THE HOUSE), AND 2) THE NEW LANDING AND STEPS MUST MEET THE REQUIREMENTS OF THE BUILDING CODE.

After discussion regarding Encroachment C:

THE MOTION TO CUT BACK THE SECOND FLOOR DECK TO THE SIZE OF THE PREVIOUSLY EXISTING LANDING WAS APPROVED 4-0, CONTINGENT ON: 1) THE LANDING WILL BE RAISED UP TO THE SAME HEIGHT AS THE ADJACENT EXISTING SECOND STORY DECK TO THE NORTH, AND 2) THE LANDING WILL HAVE A RAILING TO MATCH THE EXISTING RAILINGS.

After discussion about the actions by the owner and contractor to initiate construction on three sides of the house without approval of the Administrator, and to continue construction contrary to the Administrator's order to cease further construction and the Administrator's order to remove the unapproved constructions: **THE MOTION TO ASSESS PENALTIES FOR THE VIOLATIONS WAS APPROVED 4-0. THE PENALITIES WILL BE ASSESSED AT \$500/DAY FOR ENCROACHMENT A, AND \$500/DAY FOR ENCROACHMENT B, AND SHALL BE ACCRUED FROM MAY 11, 2015 UNTIL THE UNAUTHORIZED CONSTRUCTIONS ARE FULLY CORRECTED. NO PENALTIES SHALL BE ACCRUED FOR THE PERIOD OF THE 9 WEEK SUMMER SEASON. DRAWINGS FOR THE CORRECTIONS SHALL BE SUBMITTED TO THE ADMINISTRATOR WITHIN TWO WEEKS. THE PENALTIES WILL BE WAIVED IF THE VIOLATIONS ARE CORRECTED BY OCTOBER 15, 2015.**

Minutes of April 30, 2015 was approved

There being no further business, the meeting was adjourned.

Respectfully submitted,
Jennifer Majewski