March 24, 2020

ARCHITECTURAL REVIEW BOARD MEETING NOTIFICATION

Dear Chautauquan,

32 Miller Park, is an existing cottage that has many legally existing non-conformances in it’s relationship to existing property lines, building heights, floor-area-ratios, and impervious surface ratios. The owners of 32 Miller Park (Samuel and Margaret Hazlett) are coming before the Architectural Review Board with plans for a complete alteration and reconstruction project that includes some partial demolition of small portions of the structure; improvements to existing non-conformances; an addition to the basement along the S. Terrace Ave. side; and changes to the floor elevations and to the grade along S. Terrace Avenue. These many existing non-conformities, combined with the multiple proposed continuances and extensions of requested variances for this project requires an Architectural Review Board review.

Variance/Requests being considered:

1. Variance from minimum lot width of 40’; (ALU 4.3.3)
2. Variance from minimum lot area of 2,000 sf (existing and proposed is 1,202 sf); (ALU 4.3.3)
3. Variance from maximum Floor Area Ratio of 1.37 (existing is 1.54 and proposed is 1.48); (ALU 4.3.3)
4. Proposed continuance of encroachments with new construction into required east sideyard setbacks of 5’ (below 34’) including walls, roofs, and portions of the new south elevation porches on east side; (ALU 4.3.6)
5. Proposed continuance of encroachments with new construction into required west sideyard setbacks of 5’ (below 34’) including walls, roofs, and portions of the new south elevation porches on the west side; (ALU 4.3.6)
6. Variance to continue to allow the structure to come within 10’ of neighboring structures on the east and west sides; (ALU 4.3.6)

7. Request to for significant grade change associated with variances along South Terrace Ave.;(ALU 6.3)

8. Request to continue to cross Chautauqua Institution property line on the north side (porches) on all 3 floors and request for a license to continue this encroachment;

9. Request to continue to encroach upon the required 5’ side-yard setback on the east and west sides with proposed new porches on the north side; (ALU 4.3.6)

10. Request to encroach upon the required 5’ side-yard setback on the east side with a proposed 2nd floor roof over the porch; (ALU 4.3.6)

11. Request for partial demolition of two small sections of angled walls on the east side; (ALU 6.11)

12. Request for partial demolition of existing 2 story porch on the north side for the construction of a new 3 story porch; (ALU 6.11)

13. Request for partial demolition of wall and floor intersections along floor lines on all 3 floors to accommodate increase in ceiling height by 1’-0 5/8” on each floor; (ALU 6.11)

14. Request for partial demolition of a small building appendage on the southeast side (S. Terrace Avenue); (ALU 6.11)

15. Request for partial demolition of the existing 3rd floor roof on the southeast corner of the 3rd floor for the construction of new gables; (ALU 6.11)

16. Request for partial demolition of a westerly portion of the north side of the house; (ALU 6.11)

17. Any other variances or special requests that are required and discovered in the process of review and discussion of the proposed project.

You are receiving this notification because your property is within 150’ of the proposed project site.
Plans for this project may be reviewed in the office of the Administrator of Architectural and Land Use Regulations in the Colonnade Building or online at https://chq.org/about-us/property-construction-resources#arb-notices-minutes.

The Architectural Review Board will meet on Thursday April 30, 2020 at 1:30 PM at Turner Community Center in the first-floor conference room to review this request (Due to the coronavirus restrictions, the meeting may change to a video conference meeting…we will update the meeting status on our website and send updates to the recipients as we decide). Please submit any comments that you may have in writing for the Architectural Review Board’s consideration. E-mails are preferred and may be submitted to John Shedd at arb@ciweb.org until 12:00 noon on April 29, 2020.

Sincerely,

CHAUTAUQUA INSTITUTION

[Signature]

John L. Shedd, AIA – Architect
Vice President of Campus Planning and Operations/
Administrator of Architectural & Land Use Regulations
March 17, 2020

Sam Hazlett
32 Miller Park
Chautauqua, NY 14712

E.2

Reconstruction of existing cottage to include new foundation reflecting a grade change, at both Terrace and Miller Park. Partial demolition on south side of multiple structurally substandard additions with replacement on modified footprint eliminating areas of existing noncompliance. Reconstruction of existing porches and replacement of concrete patio on terrace with new wood porch with open second floor porch above. Structural changes to existing areas that are deteriorated or substandard.
Building Evaluation

32 Miller Park
CHAUTAUQUA INSTITUTION
MARCH 27, 2020

Marshark Architecture P.C. was asked to evaluate the structural condition of 32 Miller Park. The owner of the Complex is contemplating extensive renovations, and the Chautauqua Institution Architectural Use Regulation Administrator requested an assessment of the existing buildings as it is subject to partial demolition.

32 Miller Park is a multi-story wood structure that fronts on Miller Park and rears on S. Terrace Ave. The original structure is assumed to be a tent platform that has been modified and added to multiple times over the years. The following evaluation is based on a purely casual observation of visible conditions, made in the late winter of 2020. No destructive testing or opening of wall(s) or floors to inspect actual framing or construction, was performed. No subsurface exploration was performed.

General
There have been multiple additions to the front (Miller Park) and east (Albion) sides of the structure. The main structure (under the 12/12 pitch roof) is a history of additions expressing four different itineration’s apparent in the variations in siding and trim details. Three are directly under the 12/12 roof and then the fourth assumed last is under the second-floor front porch. The additions on the east side of the structure are a varied and incoherent addition upon addition. There are random floor levels, framing types and shed roof structures. These were created as the need for bathroom and kitchen facilities appeared. The best description for the structure is cobbled. Exact sequencing of construction is unknown.

Foundation Systems and First floor structure
This building has a concrete/rubble foundation wall under the rear portion of the building. The front portion of the structure is supported by wooden posts, as is the two-story porch. The ‘footings’ under the foundation systems is unknown but is assumed to be inadequate. The ground surface has a fairly steep drop from the front of the building to the back. The rear portion of the first floor is a slab on grade concrete floor and the front portion is a wood frame floor with a very shallow crawl space. Moisture is evident in the area, and some damage is suspected in the wood floor structure. It appears that the first floor was constructed under the original tent platform.
Second floor structure
This portion of the building is assumed to be the original tent platform. The exterior walls are a mix of plank construction and typical wood stud framing. Given the taper to some of the interior walls, it is assumed the wood stud framing was added to some of the interior and exterior walls in an attempt to shore up the structure. Based on the thickness the floor structure it is assumed to be 2x6 wood framing of an unknown spacing. There is an approximate 2'-0" slope down to the rear entrance from S. Terrace, which has a history of enabling water to flood the rear portion of the structure.

Third floor structure
This portion of the building is of similar construction as the Second floor with less wood stud framing. The exterior walls are a mostly plank construction. Based on the thickness the floor structure is assumed to be 2x6 wood framing of an unknown spacing. The roof structure is supported by a single 2x4 top plate and is assumed to be 2x4 framing of an unknown spacing based on thickness.

The Porches
The front porch is wood frame with wood columns and wood spindle railings. It has been replaced and repaired over the years with the assumed third floor post and railings removed altogether. The front porch is showing signs of failure due to water infiltration. The back porch has been removed, as evident by the door to nowhere.

Structural & Building Code
The building has evidence of structural deficiencies, differential settlements or upheavals, and moisture intrusion.

The rubble and concrete foundation is in fair condition it is retaining the surrounding soils probably by shear mass.

The piers appear to consist of pressure treated wooden post and coffee cans filled with concrete. From the condition of the building it would appear that there are no footings, or they are not below the freezing zone. The floors on every story are not level and are warped, and the walls show evidence of differential settlement.

The floor joists over the crawl space of the 2 x 8 @ 16", and they span around 14'. If they were in good condition the should serve appropriately. Access to visually inspect the floor framing system is restricted due to access. But deflections noted while walking the floor would indicate the condition of the floor supporting structure for more than 50% of this area would meet the definition of SUBSTANTIAL STRUCTURAL DAMAGE in Section 2.1.82.(b) of the Chautauqua Institution – Architectural and Land Use (ALU) Regulations.

The floor joists for the second floor and the third floor are assumed to be of the 2 x 6 @ unknown spacing, spanning 14'-4" they are not adequately sized for their intended use even if spaced at 12" O.C. Access to visually inspect the floor framing system is restricted due to finishes. But deflections noted while walking the floor would indicate the condition of the floor supporting structure for more than 50% of this area would meet the definition of DANGEROUS structural elements per 2.1.20(a) and because of the differential shifting in the upper floors, may be DANGEROUS in accordance with 2.1.20(b.c.) of the Chautauqua Institution – Architectural and Land Use (ALU) Regulations.
The interior and exterior walls are of plank construction and have been augmented by the addition of 2x4 stud wall construction in certain instances. The structure is not square or plum and will easily fall under the definition of DANGEROUS exterior walls elements in accordance with 2.1.20(d).

Although the floor to ceiling heights (all floors) are permittable under the existing building code they would not be permittable under the code for new construction. Portions of the east additions are so substandard they should only be used as equipment spaces and or storage.

The structure of the east additions is extraordinarily poor, studs only at the corners and fenestrations, plank floors and ceilings with minimum framing members provided. Only enough to provide wood in which to nail the planks to.

Moisture penetration issues are endemic, there were developed as the project evolved. Each subsequent addition would create a new water related issue that have had workarounds implemented insofar as practical but not all were resolved. Water runs through the front door during a heavy rain, Rotten porches have been removed to resolve maintenance problems and so on. Given the limited use of the structure these problems have been ignored inconveniences. There are also bad construction techniques that have led to other water infiltration problems. (Rot)

The problems at this property start with the footing system and go up. There is evidence throughout the building of vertical movements of its components relative to each other. How this has affected the structural integrity would require some investigative demolition to evaluate, and some subsurface exploration would be necessary to evaluate the adequacy of the footing system. The continual shifting of the structure may have resulted in loosening or weakening critical connections, something that can only be assessed by observation of the framing.

This building is also characterized by stairways and corridors that are too small for today's Code compliance standards.

Discussion
Although the majority of this structure could be classified as DANGEROUS or to have SUBSTANTIAL STRUCTURAL DAMAGE because of poor construction techniques, and undersized structural elements and or failing structural elements. The Owner has decided to save this structure based on its historical significance as one of the original tent platforms in the Chautauqua Institution. There are also implications of the Building Code of NYS that are beneficial to working with the existing structure.

Proposed Partial Demolition
East Additions
It is our intent to raze these additions, with exception to the most easterly wall that is square with the rest of the structure. Saving this wall will allow us to continue an existing NYS building code nonconformity which would allow for its continued existence as a non fire rated wall. We would improve the fire safety of this wall through the use of a fire rated nail-able wall sheathing. These structures are unsafe and unusable as they are built today.
Porches
Raze the porch structure on the front of the house and rebuild in the same footprint. These structures are unsafe as they are built today.

Main Structure
We do propose to save the main structure under the 12/12 roof. Again there are Benefits to retaining this structure as the historically significant portion and as this building relates to the current Building Code of NYS, the property line and its neighboring structures. The exterior walls would be improved through the application of a use of a fire rated nail able wall sheathing.

Roof Structure
The roof structure is inadequate framing members are undersized and not square. Therefore, we propose to raze the roof and reconstruct, in a code compliant and stable manner

Mitigating Measures
The proposed property upgrade will improve the quality of the “Chautauqua Experience”. It is our intent to reconstruct the building in keeping with the aesthetic of the existing structure insofar as practical. While trying to substantially improve the use and life safety of the building. The quality of the existing interior notwithstanding, many aspects of the floor plan layout are not conducive to today’s lifestyles.

The most significant measure is that by removing the existing outdated, substandard structure, and replacing it with a modern, architecturally pleasing, well built, new structure, with modern floor plans and efficient use of the site. We are proposing to replace tired, with modern, Code compliant building, built with quality construction.

Alternatives
No action – To do nothing to correct the identified deficiencies would be tantamount to demolition by neglect. If the structural problems are not stopped and remediated, the buildings will continue to deteriorate. Investigate, repair and/or replace one or all of the existing foundation systems, would stabilize the existing structure. Replacing the foundations is dangerous, difficult and expensive work, and without also repairing the interior cracking and shifting, one would still be left with a substandard building, and with no improvements to life safety or lifestyle. This alternative is cost prohibitive and subject to 2.1.84 TECHNICALLY INFEASIBLE
Repair all known Rot problems and water infiltration issues, given the cobbled condition of the existing structure this would be a difficult task and would require extraordinary continued work.
**Recommendations**
We propose to raze portions of this structure that are unsafe or unusable in their current form. We will lift the remaining structure to a safe level and replace the existing foundation system with a modern well drained (dry) system. Replace the east additions with square, stable, code compliant, and usable structures. Replace the interior floor structures with new stable systems. Replace the roofing structural systems with square, stable, code compliant, and usable structures.

Besides the obvious structural advantages of a new foundation and more functional floor plans, site drainage would be improved. Ground water would be properly moved through the site via the footing & wall-drainage systems.

Repairing and renovating existing buildings to this extent, within the constraints of their shells is always more expensive than new construction. But given the benefits to the historical sensibilities of the Chautauqua Institution and the building code in regard to proximity to the property line the it is an undertaking worthy of the effort.

Respectfully yours,

Emmett Tenpas, President
Mayshark Builders, Inc.
Mayshark Architecture P.C.
Mayshark Services, Inc.
Samuel and Margaret Hazlett
32 Miller Park
Chautauqua Institution, Chautauqua NY 14722

MIXED USE CORE DISTRICT

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<tr>
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Miller Park

Building Ht. Eave     | 34'-0"    | 23'-9"   | 27'-3"   |
Building Ht. Roof     | 46'-0"    | 32'-0"   | 35'-6"   |

South Terrace from existing grade

Building Ht. Eave     | 34'-0"    | 11'-8"   | 16'-6    |
Building Ht. Roof     | 46'-0"    | 20'-6"   | 25'-6"   |

South Terrace from proposed grade

Building Ht. Eave     | 34'-0"    | 9'-8"    | 14'-6    |
Building Ht. Roof     | 46'-0"    | 18'-6"   | 23'-6"   |

Floor Area Ratio's

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<th>Area</th>
<th>FAR</th>
<th>Exempt</th>
<th>Subtotal</th>
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<tr>
<td>Second Floor</td>
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<tr>
<td>Third Floor</td>
<td>551</td>
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Applicable Codes:
- 2015 Residential Code of New York State
- Single Family Home
- 2015 Fire Code of New York State
- 2015 Plumbing Code of New York State
- 2015 Mechanical Code of New York State
- Chautauqua Institution Architectural Use Regulations

Drainage Notes:
1. Site impervious surface area SIR to be reduced
2. All existing rainwater and groundwater drainage systems shall be retained, and improved
3. A subterranean drywell shall be installed for temporary Stormwater retention

DS - Down spout
Site Survey

1/8" = 1'-0"

Samuel and Margaret Hazlett
32 Miller Park
Chautauqua Institution, Chautauqua NY

Date: 03.25.2020

Drawn By: MBI

5073 West Lake Road
Mayville, NY 14757
Phone: (716) 386-6228
Fax: (716) 386-4159
Email: info@mayshark.com
Setbacks to Existing Buildings
Note: Existing First Floor Plan

Setbacks Below 34'
Note: Proposed Second Floor Plan

Setbacks Above 34'
Note: Proposed Third Floor Plan

Setbacks to Existing Buildings
Note: Proposed First Floor Plan

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Setback Plan

Samuel and Margaret Hazlett
32 Miller Park
Chautauqua Institution, Chautauqua NY
Existing nonconformity to be removed
Proposed New porch roof and basement, nonconforming
Existing nonconformity to be improved
Existing structure not on subject property to be improved
Existing conformance

Variance Proposed First Floor Plan
1/4" = 1'-0"

Notes:
- Proposed building remains in existing building footprint, all existing nonconforming setbacks are to remain and not increase
- Existing nonconformities are to be improved
- Limited existing nonconformity are to be removed.
- At S. Terrace left front of house new porch and basement nonconforming are to be developed.

First Floor Plan
A-0
Proposed First Floor Plan
1/4" = 1'-0"

Existing First Floor Plan
1/4" = 1'-0"
A-4

East Elevation

Samuel and Margaret Hazlett
32 Miller Park
Chautauqua Institution, Chautauqua NY

Date 03.25.2020
Drawn By MBI

5073 West Lake Road
Mayville, NY 14757
Phone: (716) 386-6228
Fax: (716) 386-4159
Email: mbi@mayshark.com

Existing
Existing and Proposed
Proposed

Average Grade

Existing East Elevation

East Elevation
1/8" = 1'-0"

10'-1 3/4"
9'-1 3/4"
33'-0"

Existing
Existing and Proposed
Proposed

A-4

Proposed
Existing
Existing and Proposed

East Elevation
1/4" = 1'-0"

37'-0"
**Samuel and Margaret Hazlett**

**32 Miller Park**

Chautauqua Institution, Chautauqua NY 14722

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**Miller Park / Lakefront District**

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**South Terrace from existing grade**

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**South Terrace from proposed grade**

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**Total FAR**

1.48

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**DRAWING INDEX:**

- **CS-1** - Cover Sheet
- **C-1** - Site
- **C-2** - Site Plans
- **A-0** - Variance Plan
- **A-1** - First Floor Plan
- **A-2** - Second Floor Plan
- **A-3** - Third Floor Plan
- **A-4** - South Elevation
- **A-5** - East Elevation
- **A-6** - West Elevation

**Drainage Notes:**

1. All rainwater and groundwater shall be diverted to a gravity drain tied to the Chautauqua Institution stormwater management system through exiting stormwater management system.

2. A 50 gallon flow well drywell or equal shall be installed for temporary Stormwater retention.

**Applicable Codes:**

- 2015 Residential Code of New York State
- Single Family Home
- 2015 Fire Code of New York State
- 2015 Plumbing Code of New York State
- 2015 Mechanical Code of New York State
- Chautauqua Institution Architectural Use Regulations
Proposed Site Plan

Setback Plan

- 0' Porch Front yard setback
- 2' Third floor open porch front yard setback < 40%
- 6' Building front yard setback up to 34' and Third floor front yard open porch setback > 40%
- 10' Building front yard setback above 34'
- 5' Building interior sideyard setback above 34'
- 3' Building interior sideyard setback below 34'
- 10' Building neighboring structure setback
- 4' Building rear yard setback above 34'
- 0' Building rear yard setback below 34'

Samuel and Margaret Hazlett
32 Miller Park
Chautauqua Institution, Chautauqua NY

Date
03.17.2020

Drawn By
MBI

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Fax: (716) 386-4159
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Existing nonconformity to be removed

Proposed New porch roof, nonconforming

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Samuel and Margaret Hazlett
32 Miller Park
Chautauqua Institution, Chautauqua NY

Date
03.17.2020

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