

# *Knightsville Fore and Aft*

Minutes  
January 17, 2019

## **Comprehensive Plan Implementation Committee**

### **Present**

Peter Stanton, Chair	Kathleen Egan	Buzzy Trusiani
Councilor Sue Henderson	Mike Hale	Tony Grande
Tex Haeuser	Phil Notis	Barry Lucier
Justin Barker	Tom Ainsworth	Eva Goetz
Bob Foster	Susanne Conley	

### **1. Welcome**

The following documents were provided: the agenda, minutes from the last meeting, minutes from the November Public Forum, and Knightsville Zoning Language Adjustments from Council Workshop Comments (revised 1-10-19).

**Chairperson Peter Stanton** welcomed everyone to the meeting.

### **2. Adoption of Minutes**

**Bob Foster** motioned to adopt the November 7<sup>th</sup> CPIC Minutes and November 15<sup>th</sup> CPIC Public Forum Minutes. Councilor Henderson seconded, unanimous approval.

### **3. Ratification of Council-Suggested Revisions to the Zoning Amendments**

**Tex** reviewed the language adjustments from the Council Workshop comments. He explained that it's important as you go through the zoning amendments to be responsive to Councilors and not lose a vote because you didn't make an effort. You can only lose two votes.

**Susanne** asked about the garage and door—would it be a garage and a door separate from the garage? **Tex** said that looking at the house, you need to see a front door. **Justin** said there's a couple tests for a front door. 1: Where would Amazon leave a package? 2: If pizza were delivered, would they know where to find the doorbell?

**Tom** said one goal of the suggested amendment was to allow for a more European model with a big garage door but cut in is a small private door. Some of the most attractive entrances can be made carving out a small door out of a lift or garage door. The suggestion is to allow for those kinds of design features that would break up the massiveness.

**Eva** said asked if a house on C Street with a garage and the door is to the side would be grandfathered. **Tex** said yes.

**Kathleen** said she could picture it with Tom's explanation. She wonders if it's necessary to add the word "door" after "garage." To her, what he's explaining is the European style is a single façade with a door and this to her doesn't quite say that. If it's within the garage, it's not distinct.

**Tom** accepted that change and **Buzzy** suggested that they could also add a subordinate clause.

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**Tony** said that walking down B Street there are some houses that the center is on the driveway and he's not sure if it's within 10 feet of the side that faces the road.

The Committee discussed this; they would be grandfathered.

**Peter** said he's not going to fight for it, but he likes some of the contemporary houses on Munjoy Hill. Putting the door on the side creates a courtyard and garden.

**Justin** suggested wording: "the entrance shall be distinct from, but may be located within, the garage door and shall be set back..."

**Phil** asked for clarification on "10 feet from the front most wall of the building." If a façade is 40 feet, how do you locate the front entrance? **Justin** showed a diagram to explain. **Phil** said it's like a carve-out. There's nothing that prohibits the entrance being centered. **Justin** said it's not a distance from the side, it's the front most wall you're seeing from the sidewalk.

**Tony** asked if it's the wall that's on the frontage of the road. **Justin** said that's correct.

**Buzzy** had the same question. If you have a garage and walkway, the door that goes into your house—can it go sideways or on the front face? **Justin** said the front face; so you can see it from the street.

**Eva** asked if this is just VR and **Tex** said yes.

**Phil** agrees with Peter but it's not worth losing a vote.

**Peter** asked if building height includes railings as well. **Tex** said there is a definition of height in the ordinance and it excludes HVAC and other things. He's not sure about safety railings.

**Peter** asked if shortening the building for what's required will compromise the ability to get the number of stories in. **Tex** said any screening for equipment doesn't count but if the purpose of the structure on the roof is for people he guesses it counts.

**Justin** read the definition of height. He believes safety railings are considered housing or concealing structures since it's required.

The Committee discussed this and didn't think it made a strong argument.

**Mike** said if you separated the two, how do you service anything? **Justin** said a hatch and ladder.

**Buzzy** said he's for limiting height and thinks they should leave it alone. **Eva** said agreed because then people start pushing things. **Tex** said that's how they interpreted for Babe's.

**Tex** said one Councilor was adamant of something not sticking out of the building. He pointed to the first paragraph and said it would be nice to have a set of doors and have them open with a safety railing across.

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**Peter** said it's within the setback and has the potential of being close to the property line. What they wanted was to give the opportunity to not lose on the first story.

**Buzzy** said with a new building it would be easy to build something out that protrudes like an overhang.

The Committee discussed.

**Phil** asked if they limited to ground floor and exempt the setbacks if it's less than six feet. **Tex** said yes.

**Phil** said there was concern from the Councilor that you have a deck in the VC zone abutting a deck on a building in VR. How do you separate those?

**Buzzy** thought the concern was the second floor looking down. **Mike** said it was also that in the VC zone there could be a commercial deck within dining or a bar next to residential.

**Tex** said in the VR, a deck has to meet the accessory building setbacks. It could not go all the way to the line.

**Tony** asked if anyone could build a deck next to one another. **Justin** said commercial could but not commercial to residential. They could get as close as three feet to each other and there are very rare cases.

**Tex** said one rationale for allowing this in VC was because Taco Trio owns several properties and would like to expand and have a patio in back. They would like to go to their property line. There's difference between chairs on flagstones versus a low wood deck.

**Buzzy** said three feet from fence and against fence, what's the difference? It will still be the same functioning area. There's a limit to how much you will stop the commercial world—it's give and take.

**Tony** asked if they can still do this abutting a residence. **Tex** said generally yes, unless they go through Planning Board site plan approval and the Board felt they shouldn't.

**Tony** said if two property owners have a fence and someone has a party on the property line, they will use right up to the fence. **Tex** said it's a special area because it's commercial right up to residential.

**Peter** said commercial usually comes up to the split lot. In most cases it's commercial coming up against the commercial piece.

**Phil** said explaining it like Tex did explained why it is the way it is. **Justin** said limiting to ground floor decks is the key.

**Kathleen** asked about the first paragraph, last sentence, she thinks it's saying there's a limit to an unclosed deck. **Tex** said yes, the assumption is the building will max out as much as it can so if there is a deck it will be narrow.

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**Buzzy** asked if the deck can only be six feet wide and why. **Justin** said only if it's going into the setbacks is it limited by that width. You can have 50' deck if it stays six feet away from the property line.

The Committee discussed this.

**Susanne** asked where this goes next. **Tex** said it goes to a Planning Board hearing this coming Wednesday and they need everyone to attend.

**Kathleen** said the last sentence is still confusing. **Justin** said it sounds like they're suggesting a maximum of six feet worth of deck could be exempt from setbacks but they would like the possibility.

**Kathleen** said considering the last sentence—what does the first sentence mean? **Justin** said commercial against commercial is a zero setback. The extra distances are against residential.

**Tex** said when he wrote this he hadn't spoken with the building inspector and didn't learn decks can be up to the accessory structure setback and not the building. He isn't sure they need anything here; they are better off dropping it. A patio has no limit and decks go to setbacks for accessory buildings.

**Tom** said with the discussion about an overhanging deck, what about a pie cut into the building—you have patio doors and the benefits of a patio but with the language here you can argue the six foot deck is from the interior wall, not the overhanging portion.

**Buzzy** talked about preventing hidden dead space; it can be seen as a hiding space or place where junk piles up. He would look at distinguishing commercials that abut commercial.

**Tom motioned to ratify the changes as printed with the exception of the additional language in the third paragraph and deleting the amendments to the first suggested paragraph except for adding the wording "ground flood decks."**

**Peter** asked if the whole first paragraph will stay as-is, not amended, and the third paragraph would be amended in the third line. **Tom** said yes.

**Barry seconded.**

**Motion passes (Phil opposed, Susanne and Councilor Henderson absent).**

## **4. Comments from the Public**

None

## **5. Adjournment**

**Bob Foster motioned to adjourn. Barry Lucier seconded. Unanimous approval.**

Respectfully submitted,  
Dana Bettez 1/24/19