

Knightsville Fore and Aft

Minutes
September 20, 2018

Comprehensive Plan Implementation Committee

Present

Peter Stanton, Chair	Caroline Hendry	Tony Grande
Councilor Sue Henderson	Phil Notis	Barry Lucier
Mitchell Sturgeon	Susanne Conley	Barbara Psichos
Bob Foster	Camila Atkins	Mike Hale
Troy Chase	Steven Edelman	Buzzy Trusiani
Adele Edelman	Eva Goetz	Tom Falby
Justin Barker	Tex Haeuser	Kathleen Egan
Melanie Wiker	Rick Knowland	

1. Welcome

The following documents were provided: the agenda, notes from the previous meeting, Envelopes-Footprints PDF, Knightsville Height Reduction Alternatives SketchUp, Provisional Amendments Proposed for VC Zoning District 9/17/18, Provisional Amendments Proposed for VR Zoning District 9/17/18, and a Summary of Proposed Village Residential and Village Commercial Zone Amendments memo 9/17/18

Chairperson Peter Stanton welcomed everyone to the meeting and the group introduced themselves.

2. Adoption of Minutes

Bob Foster motioned to adopt the August 16, 2018, minutes. **Councilor Henderson** seconded; unanimous approval.

3. Proposed VR Zoning District Text Changes

Tex introduced the item and noted that “text changes” means adjusting wording within the zone. The changes proposed contained in the summary memo are 85/90% from the zoning subcommittee and 10% from him/Justin. The zoning subcommittee members raised their hands to show who was part of this process.

He showed zoning map and explained that VR, Village Residential, is on both sides of Ocean separated by VC down the middle of Ocean. He reviewed the Provisional Amendments Proposed for VR Zoning District table and the Summary of Proposed Village Residential and Village Commercial Zone Amendments memo. He explained that you could currently have a single-family with an ADU and this would give you the ability to have a second unit without the restrictions of an ADU. **Peter** noted that most lots in VR are 5000 SF and there aren’t many that break the 6500 SF threshold.

The subcommittee looked to standardize the lot sizes; now they are much larger than they originally were. The zoning requirement for minimum lot size is 7500 SF, so almost all lots are nonconforming relative to lot size. They recommend going to what lots were originally like but also talked about not wanting to create an incentive to put lots together and subdivide. Street frontage would otherwise be 25 feet; when aggregating lots, street frontage would have to be at least 50 feet for each lot. Maximum building coverage is the maximum footprint of the building on the lot. This is kept at 33% but when counting accessory buildings it could be as much as 40%. The setback for the rear yard, principal buildings, is kept

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and the maximum front yard setback is reduced to 5 feet. Many homes are close, and need to be, to the street given the size of the lots. Minimum side yard would go to 6 feet for principal buildings and side and rear for accessory buildings would go to 3 feet. The only other change for VR was to the parking standard to allow the required off street parking standard to reduce from 2.0 for detached single-family dwellings and 1.5 for attached single-family units and most multi-family units to 1.0 spaces per unit (or less for smaller multi-family units as currently allowed). Currently if it's a multi-family with one bedroom you are at 1.0 and a studio is .75 spaces. They want to keep the fewer number of spaces for smaller units.

This is the result of at least two subcommittee meetings, taking the position that they should normalize lot sizes to reduce nonconformity and normalize density to be more than what is currently there but less than what exists on some lots.

Kathleen asked about reducing the side and rear setbacks and if it's meant to increase density. **Tex** said it's more for people to be able to get more use out of their lots. Things seem tight. **Peter** said if you look at the A zone, near Willard, they have a 6-foot setback. It's hard to understand the thought process in Knightsville; there is so little bearing on what's there and for people with a 50-foot wide lot, you only have 20 feet to build a house. This allows you to slide the house over and have more yard or driveway. You're still limited to 33% coverage but it gives more room.

Councilor Henderson asked for a GIS view; the C Street houses and D Street lots seem similar size. She'd like to know how many square feet they are. **Peter** said most are about 50 by 100 and **Tex** showed this. **Peter** said one thing they talked about was not allowing people to split them in half. The frontage does it.

Phil said that was a question she had before. The 25 feet wasn't proposed to split lots to create two 2500 lots. The original intent that he had proposed all lots that were carved out back in the 1800s were conforming. Almost all residential lots have a house on them. The language he proposed was that all lots of record prior to 1943 are a conforming lot and to make those legal lots.

Caroline asked for clarification for the second point in the VR memo, reducing the minimum lot size. **Tex** said as an example, it wouldn't be economical to buy a lot, remove the existing house, split the lot in two, and put up two small homes. It may be if you bought two or three lots and split them in half. They didn't want to create that. In that case, they would keep the street frontage requirement at 50 feet. You buy three lots, you only get three houses. **Peter** said it feels like there's the word "combine" and also the word "split." There's an assumption that it doesn't make sense to buy a lot and split it but that might only be a problem today. Do they need to think of this in the future? **Tex** said if the group wants 2500 SF to be the minimum lot size to make sure the thinner lots are conforming, he would have to think about how to say you can't split a lot into two conforming sized lots. He's not sure you can do that.

Mich asked if you can do that by applying the 50 foot minimum. **Tex** said yes. Any split you need 50 feet.

Peter said if you were to split perpendicular to a letter street, you only have a 13 foot wide building envelope which doesn't make for a house. Would it be possible to split the other way, give a right of way, and have two 50 x 50 lots? **Tex** said he can be explicit to ensure it's not allowed.

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Melanie asked why we want lots to be legal and why they need them to be conforming. **Eva** said when they started looking at the reality of lot sizes versus how they were written, it just didn't make sense. They tried to get to a place where they could have it more unified. **Peter** said it felt like attention wasn't paid to the neighborhood when the existing zoning was written.

Melanie asked why she would want her lot to be conforming. **Tex** said he's not sure you could get two units unless you're conforming. Also relative to setbacks, if you're nonconforming you can be prevented from adding on. **Peter** said in her case with an ADU, it could be a two unit instead of an ADU which means you would have a better opportunity to rent it if you didn't live there.

Buzzy said the house next to her is an example where they may rehab it, if they got in and found out it was rotted and crumbling and that they couldn't save it, if it's not nonconforming they would own a lot and sit vacant because they couldn't rebuild it.

Caroline said you can build on nonconforming lots if you go before Planning Board. **Buzzy** said it creates an expense and long process that's harmful to the average person building a house in Knightsville. Anything you want to do, you're adding expense and burdens on people.

Caroline said they did many nonconforming lots of record when she was on the Planning Board. She didn't think the process was as bad as it sounds; there are standards to follow and she's happy to say most houses they approved built on those lots fit so well you would have a hard time figuring out which they are.

Mike asked how many more homes could have been improved but didn't go through because of the process.

Phil asked if the goal is to create less nonconformity.

Peter asked for specific downsides—why wouldn't you want to do this?

Steve agrees with Melanie. If you're trying to maintain an old village feel, he doesn't understand striving for conformity. **Tex** said it's more like a legal term. **Peter** said they are just trying to adjust the zoning requirements so the majority of lots are conforming. It gives property owners a few more rights.

Steve said he doesn't understand why you wouldn't be able to rebuild when there's been a house in the past.

Eva said when you look at whole neighborhood, there's only one conforming lot. To build on a lot that's nonconforming you have to go to the City to do things whereas if they come up with specs that everyone thinks are good—not saying everyone has to have the same size lot, they're not trying to make everything the same—it's more of a legal thing to prevent her or him to have to go to Planning Board. For instance, you want to convert a house instead of an ADU to a two-unit, you can do that without getting permission and it's better because she doesn't have to live there. They looked at the neighborhood wondered why can some people do that but not others?

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Buzzy said if Eva wants to add a second unit she's restricted within the footprint of her building. It's utilizing space in a way to provide more opportunities.

Susanne asked if you could have three-unit. **Buzzy** said the group settled on two as a compromise.

Melanie asked for clarification. On the lot next to her, currently the Planning Board is the gatekeeper of what they can/can't do. The Committee is saying they can throw a dormer on and there's no gatekeeper. **Mike** said there is, it's just a different kind. **Kathleen** said you still need building permits; you can't do anything you want. It just says you can have two units.

Tex said they've been doing nonconforming lots of record for a number of years. He doesn't recall any in Knightsville and he thinks it's because the lots are already small and there's not a lot of opportunity for that. More practically, it's not like saying something that would have had Planning Board review doesn't need it now. It's just saying one-families can become two-families as long as they stick to setbacks and coverage. The question of whether or not you want to make people spend the \$10-15,000 for review and a Public Hearing—they can do that but it may be overkill.

Melanie said if she did a two-unit, her taxes go up. If they zone differently, will taxes go up? **Peter** doesn't think that's true.

Susanne said there's not a lot of property down there. If she's living in her home and the house next to her burns down, because they changed the zoning they will build closer and now they can build a two-unit. She thinks everyone should have adequate parking. What about drainage?

Tex said they require drainage plans by engineers, reviewed by their engineer, for their building permits. **Buzzy** said if Susanne wants to get rid of her basement and put her house on a slab, he's not sure under the current situation she could do that because it's nonconforming. **Tex** said because it's a nonconforming two-unit, he's not sure.

Buzzy thinks there's a fear that the neighborhood will change. They focused on not creating incentives for people to buy buildings and tear them down.

Camila said for empty lots, they have to set standards. If you look at a lot and want to buy or sell it and you don't know what you can do with it. Because of the rules you may not be able to build, but you don't have an idea until you go through the process. **Peter** said if you go to the Planning Board with an architect and made an investment, plan, presentation, and revisions, it can be costly. If you know what you can do, it streamlines everything and saves money. **Camila** said the first thing they can do is call the City and get an idea, which also puts a burden on the City.

Councilor Henderson asked: when you talk about 25 feet of street frontage and they said most lots are 50'x100', how is a 25-foot street frontage solving problem? When she eyeballs the map, it looks like most lots are close to 5000 SF. Why did they go to 2500 feet rather than 5000 and have some nonconforming lots? Why couldn't you have changed two units per lot and not changed the lot size?

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Phil said 5000 SF is predominant. He has two lots that don't meet 5000 but they propose with setbacks at 6 feet, everything would be same side yard and rear, then you're making most of the neighborhood conforming and not them.

Councilor Henderson said to change 90% of neighborhood to address their lot problems doesn't seem logical. **Phil** said they can make 100% lots conforming. He feels that when you look at size of lot, it's an arbitrary number and it would be an arbitrary cutoff.

Eva said also what's important is trying to prevent someone from coming in and buying three lots and densely putting in tons of houses on those lots.

Buzzy said it might be helpful to get it out here instead of at City Council—who doesn't want the neighborhood to change and what are they trying to do to make sure it doesn't change? There's a lot of people who like it the way it is.

Councilor Henderson said she takes offense to that. She's asking a question to understand it logically. She doesn't want it construed that she doesn't want change in the neighborhood.

Buzzy said he doesn't want the neighborhood to fundamentally change.

Eva said it's hard to visualize and asked if Tex can show it.

Tex said the way to understand it is that because of what they decided for frontage, they are saying the minimum lot size is 2500 SF. When it comes down to it, if you require 50 feet of street frontage in cases of splitting a lot, you're still at 5000 SF. It comes back to the question, what is the advantage of being conforming? It's always better to be conforming—there are fewer questions and things go more smoothly. There is the potential with setbacks to put a dormer on that you may not be able to otherwise. With a 50 foot frontage requirement for lot changes, you're still there at 5000. They're almost all 100 in length and that doesn't change. Generally, a property owner will have some benefit to being conforming. Therefore, it's a basis for going to a minimum lot size less than 5000 SF. After that, what is the concern? It's that there will be a proliferation of lots smaller than 5000 SF. He thinks they've addressed this by putting special conditions on the frontage requirement to say if you're splitting or combining and splitting, you need a 50 foot frontage. It's extremely unlikely to get any additional small lots here. For all practical purposes, sticking with a 50 foot frontage requirement for splits is a 5000 SF lot.

Kathleen showed this with a piece of paper. Why did the lot size become 2500 SF and not 3000 or 3500? **Peter** said it's from smaller existing lots. They don't want everyone to think they can split a lot and have four units on 5000 SF.

Phil apologized to Councilor Henderson. They don't have a big stake in the VR zone, and there's no intention of making them duplexes or splitting them. There's not enough space to do that, but there is a point missed. He doesn't think it's their intent to split 5000 SF lots. A 2500 SF lot will be small. He suggested they set frontage at higher than 50 feet to ensure it doesn't happen.

Buzzy said they did 50 to address this concern.

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Mike said he's hearing the fear is if there's a 5000 SF lot at 50 feet of street frontage and they change it to 2500 to with 25 frontage it would change the whole neighborhood, but there's no way they can do that.

Councilor Henderson said to understand it takes time. Her third question is why can't they say there can be two units on every lot without changing the size? Now with the proposal for every 2500 SF you can have two units. **Buzzy** said no, if you have a 5000 SF lot you still only get two.

Tex showed the VR zoning table and explained the scale. **Peter** said they pushed the number for three units intentionally.

Caroline asked if it is standard in the City that 5000 SF is the size of a conforming lot. **Tex** said this is a leftover from the G zone. They are in the process of undoing this and have done it in A and AA zones. Now they are doing the same thing for this neighborhood to reduce nonconforming situations.

Caroline asked if they went to an existing conforming lot of 2500 SF, it would only be in Knightsville? **Tex** said yes, for the VR zone which is only in Knightsville at this point.

Caroline asked how many people in Knightsville want two units on a small lot. **Eva** said they walked the neighborhood and many lots have more than two units. They tried to figure out what would be fair to everyone without hurting those who already had six units. It seemed that to those who have ADUs, it isn't fair so they were trying to conform.

Melanie asked if they change this, does this change their single-family into a two-unit without them knowing? **Peter** said no, you have to create the conditions of what makes a two-unit in terms of cooking space and bathrooms. **Tex** said it doesn't become a two-unit in the eyes of the City until building permits are pulled to create a second unit.

Caroline said ADUs were put in without permission; what happens is they sell and they go through and find out they have an illegal ADU in the house and they can't sell it until it becomes legal. This is when they go to the Planning Board. **Peter** said there is a reality to deal with and this felt fair to them as a group.

Tony confirmed that by making these changes, if someone has illegal unit it doesn't automatically make it a legal two-unit. They still need to go through the process.

Melanie asked about parking—everyone has cars and she doesn't think they need to go down on spaces. **Peter** said because of the winter parking ban, you have to have a place to put cars. He feels that necessitates everyone on letter streets, if they want a two-unit and have a tenant with three cars, they have to cope with it. It should self-regulate.

Susanne said this cuts down parking. **Peter** said it cuts the requirement.

Susanne said as a homeowner with a tenant, you still have to figure out where cars are going. **Tex** said they are saying they have to have one space per unit.

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Kathleen said instead of saying a single-family home is required to provide two or more parking spaces, they're only required to provide one. **Tex** said you can create more, but the City would say you have one dwelling and you need one space.

Eva said they will always have the same amount of parking; they were trying to make more of an incentive. They're not at a place where they can have no cars but are trying to get to a place so that when building people don't have to figure out how to have a space for their tenant. The tenant will.

Caroline would like to see a standard that people don't park directly in front of the building. **Peter** said that's why they pulled the front setback forward. **Tex** said they can add a standard.

Steve is concerned about this standard and doesn't understand how it would read. **Tex** said something like, "After the effective date of the ordinance, parking in the VR zone shall not be allowed in the front yard in front of the building." **Peter** said they've done that in the VC zone.

Steve asked if it's acceptable if someone has a house and has a curved drive in front to park an additional car. **Tex** said there are relatively few homes currently this would affect.

Susanne said on C she has two tenants and they have three cars. They cobblestoned in front of the house to park but ended up not doing it. She thinks she should be able to do that.

Mitch agreed with Susanne.

The Committee discussed this and **Tex** said they won't add it.

Camila said the maximum setback is worth considering so houses aren't pushed back. The Committee discussed the idea of maximum setback.

Peter said they wanted to preserve light in backyards. You start with many houses close to the road. If you have a garden and a neighbor puts their house in back with parking in front, all of a sudden you lose your light. They want to create a pattern of nice backyards with sunshine.

Camila said whenever you looked at zoning, part of the vision was more pedestrian-friendly with houses closer to the front.

Adele said there's a difference between parking in front on the street and in front of your house. It's what has to happen because it's the only space available. You have to be careful in language. With keeping cars away from the street or backyards open, there are two different considerations.

The Committee discussed this. **Peter** said that setting a house back may have an incentive because they're looking into gardens but the neighbors will wonder what happened to their privacy. Up front is more pedestrian-friendly.

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Steve said pedestrian-friendly means walking space, when you stray into questions of aesthetics they put themselves at risk. Everyone has different ideas of what they think looks nice. If you have hard and fast rules, it's something everyone can understand. He agrees with what's been said.

Camila said there are studies about what makes streets pedestrian-friendly. It depends on the person but there is data on it as well.

Mike said it's different to legislate this. Part of thinking of lowering numbers is that you don't need as much asphalt.

Caroline doesn't see the advantage of two units on 2500 SF lot. It's a small lot. **Eva** said they still have the building coverage percentage.

Mitch said the subcommittee did a heck of a job. They've poked and prodded and haven't changed anything. **Kathleen** seconded that. She's pleased with the work. They seemed to have addressed many fears.

Peter said everyone needs to understand what this means if they pass it because neighbors will wonder. It's not the easiest thing.

Tex said he doesn't want to go into the next zoning topic. They can go into VC at the next meeting.

The Committee discussed procedure. They will vote on this tonight as accepted from the subcommittee by the larger committee. Zoning as a whole will go to a City Council Workshop that's scheduled for October if they're ready. They discussed bringing zoning changes to the next CPIC forum.

Barry motioned to accept the proposals from the subcommittee on the VR Zoning District with the adjustment to say any lot split requires 50 feet of street frontage. Adele seconded.

Councilor Henderson asked three questions about the next zoning topic so that she can prepare better for the next meeting. 1: She asked for the Knightsville design district in Chapter 27 and **Tex** will find it. 2: "x number of units per acre or a minimum of 8 units" wasn't clear to her, and 3: the map of Knightsville design area is not clear.

Adele asked if the questions can go into minutes and be answered in the minutes.

Phil asked if they should have another zoning subcommittee meeting.

Peter said on the map, there's a red zone with the shipyard and condos. Is Commercial the right designation for that? It seems odd to look at this area and not think about it.

Tex said in that case, they need another zoning subcommittee meeting and asked the members to stay after the meeting.

Camila asked what happens with forum if changes come up. **Tex** said changes can still be made.

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Steve asked if participants at the public forum will have bullets to consider. The community will start all over and they will go through this entire discussion again.

Kathleen agrees; all of these documents are on the website. Notices have gone out over and over. She wonders what the purpose of going to forum is at this point.

Peter said they will have to answer it sooner or later. You're better off doing community outreach and education and getting people on board rather than having them freaked out at the Council meeting.

Rick said what was done tonight was a major advancement. The subcommittee work is fantastic. He read it about three times; his gut reaction is to have graphics at the public forum and get to succinct points. Education up front is helpful. He suggested using the board to use to help understand concepts. **Tony** said it would be helpful to have tools and **Barbara** said keep it simple and have one example.

The Committee decided to cover the rest of the zoning at the October meeting and have the public forum in early November.

Councilor Henderson said they can extract from the minutes and **Peter** said they can teach to the points because the questions have already been asked.

Vote: Unanimous approval.

Barry motioned to table agenda items #4-7. Bob seconded. Vote: Unanimous approval.

~~4. Proposed VC Zoning District Text Changes~~

~~5. Possible VR/VC Zoning District Map Changes~~

~~6. Letter Streets Parking Discussion~~

~~7. Next Public Forum~~

8. Comments from the Public

No comments

9. Round Robin

Troy said they need to pay attention to skate park issues. He and Melanie attended the first meeting last night and had good arguments. It was thought Legere Park was off the table and that's not the case. Council appointed committee members who are non-residents of Knightsville. He brought up common sense issues—lack of restrooms, impact on the peninsula, traffic, noise—and encouraged everyone to get involved. There was talk that Legere Park is a great option because they can expand in the future. The next meeting is October 17th from 4:30-5:30. He did research on pro-skate park websites and research shows businesses that are initially in favor come to regret it. There was a list of alternate sites and another suggestion is under the bridge. He reiterated that no one is against a skate park but use common sense as to where you put it. Legere Park doesn't fit the bill.

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Susanne thinks they should attend the skate park meetings and agrees with Troy. She suggested Wainwright.

Barry said the subcommittee did good work.

Tony agreed with Barry.

Peter said it was a great meeting. The Committee has to talk about the skate park and should have a voice.

Melanie suggested members write to Councilor Kate Lewis, who is in charge of the skate park subcommittee.

10. Adjournment

Barry motioned to adjourn. Bob seconded. Unanimous approval.

Respectfully submitted,
Dana Bettez 9/24/18