

Rockville Planning Commission
Regular Meeting
Via Zoom Virtual Meeting
July 14, 2020 – 6:00 pm

1. **CALL TO ORDER – ROLL CALL:** Chair Hamilton called the meeting to order at 6:01 p.m. Present were Ken Rybkiewicz, Cheryl McGovern, Jane Brennan, and Linda Brinkley. Town Clerk, Vicki S. Bell, recorded the meeting.
2. **DECLARATION OF CONFLICT OF INTEREST:** No conflicts of interest were disclosed.
3. **PUBLIC COMMENT:** No public comment was made.
4. **CONSIDERATION AND POSSIBLE APPROVAL OF A BUILDING PERMIT APPLICATION FOR A NEW HOME LOCATED AT 160 WEST PEBBLE LANE IN ROCKVILLE FOR KRISTIAN EVENSON AND KALI MCKENZIE:** Chair Hamilton reminded the Commissioners there was a conceptual meeting on this home in this location several months ago and now the owners have provided all of their building plans, site plans and reports. She offered Kristian the opportunity to speak and he said he did not have anything really to add. He just wanted to know if the Commissioners had any questions about the building permit or the site plan.

Ken said the building application indicates Mike Brooks will be the contractor, but the owner/builder certification is filled out. Kristian said it was an error. Mike Brooks will be the contractor. Ken said the package was well done and communicated the owner's intentions.

Clerk Bell said the building inspector has reviewed the plans and his only concern was the plans did not show the location of the carbon monoxide detectors in the basement bedroom.

Jane asked what the square footage of the main floor is. Kristian responded 2,303 sf. Clerk Bell asked if that includes the garage. Kristian responded yes; the garage is attached by the awning. Jane asked what the length of the breezeway is. Kristian responded that it is 17' and 7 1/2". The width is 8'. Jane remarked that the Rockville Land Use Code's definition of attached buildings, located in Chapter 2, reads as "a building that is attached needs to have a common wall, a continuous wall, a continuous foundation, or a continuous roofline, but it must have two of those four things". Kristian said the flatwork would connect the two buildings and Jane said it needs to be the foundation. Cheryl suggested the contractor could do a continuous pour of the foundation, but it will need to be on the plans. Linda said when she looks at A3.1, it appears to her that the garage is attached to the house by a wall with a big doorway. Clerk Bell suggested page S1 gives a good representation of the roof. Cheryl said it appears to be a breezeway. The roofline is not continuous; it is actually open. Jane said if the garage is not attached, it will need to be 10' from the main house, including eaves, and behind the main building by 10'. Kristian considers the front wall to be connecting the buildings, even though it is not structural. Cheryl said that is a parapet wall and therefore it is like a façade. Clerk Bell suggested the Commissioners look at A5.1, 2nd column in, at the bottom shows the parapet detail. Jane read the definition for a building attached. Kristian said the footings is not an issue, but he questioned the definition of a continuous roofline. Ken said as a builder, he saw no point in using the footings to connect the two buildings. He went on to say he saw more value in closing in the roof. Kristian said he would rather figure out how to make the façade a wall. Cheryl said the wall would have to anchor to both the garage and the house. Linda said on A2.1, she thought there was a bit of a roof. Cheryl said there are two awnings, one on the back and one on the front and the center is open. Jane said the two awnings are shown on S4. Ken said a parapet extends above the roofline. Cheryl said she has a parapet wall around her home. It has no structural purpose. Ken suggested if he reduced the doorway to the size of a normal man door, would that appease, and pouring the footing underneath? Jane said she does not believe the plans violate the intention of the Code. Cheryl said if he changed his footing plan to show a continuous footing and have the parapet wall anchored to both buildings, then it should not be an issue. Jane asked Kristian if that were something he could do, and he said he thought so. Cheryl suggested the contractor could draw the changes in whatever format (size) the Town requires. Jane agreed that was a great solution.

Linda asked who would do the excavation. Kristian said he thought Mike would hire Budd Lee & Sons. Linda said according to the geotechnical report, whoever does the excavation is doing a big job. Cheryl said Allen is the man for the job, but he must follow the report; his work will be inspected. Jane said her geologist came every day to make sure it was done correctly. Regarding the geotechnical report, Jane said on page 1, under 2.0, Landmark said "we understand the proposed construction will consist of a single-story wood frame house with a concrete slab on grade floor. Typical wall loads are expected to be 800 to 1,800." Jane pointed out the building plans show a basement. Kristian said it is slab on grade everywhere other than the 1,000 square foot basement. Jane asked if Landmark knew Kristian was planning to have a basement because the report does not indicate that. Kristian assured Jane that Landmark knew a basement was part of the plan.

Jane said the basement has an exterior entrance and a kitchenette. Kristian said he asked for a wet bar. Jane said at this point in our Code, you are not allowed to rent out a separate apartment. A kitchenette and

a separate entrance mean that is not a shared space. You can rent a room, but only if you share the kitchen and the living room; that is allowed by our Code. Kristian said it was not his intent to rent the space, but to have another theater space.

Jane asked if the other Commissioners were okay with the geotechnical report not mentioning the basement. Linda said she had questioned that as well, but so long as Allen Lee has the report, she is good with it. Ken said the over-excavation is going to create quite a large hole in the ground. He went on to say he is not used to the expansive soils here that require so much over-digging. Cheryl asked how deep it was where they reached clay and how deep it was when they came to the other side of the clay. She said if they hit clay, they must excavate well below that. The St. George Airport just went through that. They built on the clay and the runway shifted. Jane asked how far the back of the house is to the little dirt road. He said it was over 60'. The building does not encroach onto the second lot. Ken said A1.1 of the site plan, it says 111.5'.

Cheryl said the choice to build on that lot is Kristian's. She did a site visit and saw quite a bit of unstable overhanging rock. Kristian said he was aware of that. Cheryl asked if he had always planned to have the garage west of the home or if he moved it there because of the rock fall report. Kristian responded he had always intended to put the garage on the west end of the home. She asked him if he was aware, we have experienced rock falls recently and he confirmed he was aware. Kristian said he addressed that (his tolerance and acceptance of rock fall hazard) in the first meeting. Cheryl said she wanted to make sure it was on the record that the Planning Commission discussed that (the rock fall hazard) with him. Jane said her concern is for Kristian and his family, but he has educated himself and read the report. The report that was done in 2014 regarding the fatal rock fall puts the entire property in the high-risk zone. Jane implored Kristian to please educate possible buyers and tenants.

Cheryl asked about the benchmark. Chair Hamilton asked if there is a benchmark physically located on the property. Cheryl said she had to get Mark Schraut to physically place a benchmark on her property before she could get approval. Jane said when she was there, it appeared there was a gopher hole right where the benchmark should be.

Chair Hamilton asked about exterior lighting. It appears all exterior lighting is under a ceiling, except the one going down the stairwell into the basement. Kristian said he thought there would be some lighting by the front door. Chair Hamilton asked that Kristian keep in mind the Code requires all exterior lighting to be downcast to protect our night sky. Jane thanked Kristian for having a non-reflective metal roof.

Chair Hamilton said she would like to attempt to make a MOTION. Whereas the Building Permit Application, Site Plan, and Building Plans (with the exception of the carbon monoxide detector locations) are all complete and in compliance with the Land Use Code and do not compromise the General Plan and are compatible with the residential character of the neighborhood, and whereas the applicant has provided the necessary Rock Fall Hazard Report and Geotechnical Investigation Report, now therefore I hereby **MOVE** to approve the Building Permit Application of Kristian Evenson and Kali McKenzie for a new home to be built at 160 West Pebble Lane in Rockville, subject to final approval of the Building Inspector and Fire Marshal, and further subject to meeting our Land Use Code definition of attached garage by extending the foundation and connecting the buildings with a wall, and further subject to the benchmark being physically located on the property. Linda Brinkley **SECONDED** the motion.

Cheryl asked if there was any plumbing planned to be in the garage and Kristian said there will be no water in the garage.

VOTE on motion:

Ken Rybkiewicz – Aye
Cheryl McGovern - Aye
Jane Brennan – Aye
Linda Brinkley – Aye
Joyce Hamilton – Aye

The motion passed unanimously.

Chair Hamilton welcomed Kristian and said we look forward to having him as a neighbor.

5. **APPROVAL OF THE MINUTES FOR THE JUNE 9, 2020 REGULAR MEETING** – Jane Brennan **MOVED** to approve the minutes of the June 9, 2020 Regular Meeting. Cheryl McGovern **SECONDED** the motion.

VOTE on motion:

Ken Rybkiewicz – Aye
Cheryl McGovern - Aye
Jane Brennan – Aye

**Linda Brinkley – Aye
Joyce Hamilton – Aye**

The motion passed unanimously.

Chair Hamilton gave the Town Office report stating that a Simple Building Permit was issued to Melanie Madsen for the installation of a new electrical panel located at 161 East Main Street in Rockville.

Chair Hamilton went on to state our next Planning Commission meeting is August 11th and that will tentatively include the proposed public hearing for the presentation by Rural Community Consultants for the updated Rockville Land Use Code. Ken asked if we continue to postpone the presentation in the hopes of presenting the updated Land Use Code in person. Chair Hamilton confirmed we live in a rural, agricultural, elderly population and we do not want anyone to think the update was slid under the gate during a pandemic. We are trying to wait until the coast is clear to have a public meeting. And we have made some investments, had some consultants come in and look at possible ways to combine a zoom meeting with a local public meeting, and that is our goal, to have it locally, in person. Ken said that was completely understandable and appreciated everyone's efforts there.

6. **ADJOURN:** Linda Brinkley **MOVED** to adjourn the meeting. Cheryl McGovern **SECONDED** the motion.

VOTE on motion:

**Ken Rybkiewicz – Aye
Cheryl McGovern - Aye
Jane Brennan – Aye
Linda Brinkley – Aye
Joyce Hamilton – Aye**

The motion passed unanimously.

The Planning Commission Meeting adjourned at 6:55 p.m.

Minutes Prepared by:
Joyce Hamilton, Deputy Town Clerk

APPROVED:



Planning Commission Chair/Vice Chair

The foregoing minutes were posted in the cabinet of the Rockville Town Office by Dicki S. Bell at approximately 8:30 AM/PM on 12 August 2020 and on the Rockville website.

Dicki S Bell

