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**KENSINGTON MUNICIPAL ADVISORY COUNCIL**

**MEETING MINUTES**

**Meeting Venue: Conference Room, Kensington Community Center**

**Meeting Date: January 29, 2002, 7.30 p.m.**

1. **Present:** R. Barraza, J. Carman (Chair), E. Detmer, and C. Reed. Mr. Rayes Barraza was welcomed as the new member of the Council.
2. **Minutes** of the December 18, 2001 meeting were approved unanimously as submitted.
3. **Citizens' Comments**
  - a) Mr. and Mrs. Lawrence Ellam, 1 Kerr Ave., requested advice of the Council regarding a boundary dispute with their neighbor. It seems the Ellams had their property surveyed in preparation for replacement of a fence. It was determined that the property on this hillside had slid some feet over the fifty years since this area was subdivided and their access seemed now to be on their neighbor's property. Presumably, they now own a portion of the property of their uphill neighbor. They have engaged a lawyer. The Council advised them to contact the Blakemont Property Owners Association to see if they had previously encountered this phenomenon.
  - b) Ms. Marie Ries of Richmond invited Kensington organizations and citizens to participate in the Season of Non-Violence scheduled for all of West County from January 31 to March 4. Interested parties are invited to a planning meeting at Supervisor Gioia's office on Thursday, January 31 from 9:30 to 11:00. After that date, that office should have a listing of events and contact persons. A community could organize an event of its own or could team with an event being held in another area.
  - c) Mr. Michael Jara, owner of a lot at 656 Coventry Road, asked if the Council would wave review of the house he proposed to have built on this property. The Council declined. The project requires a Small Lot Review only because the mean width is less than 60 ft. The Chairman reported he had been in contact with Mr. Jara's architect and believes the dwelling is being carefully sited and designed. He urged Mr. Jara, as he had urged the architect, to have storey poles installed by mid-February and to talk to the affected neighbors.

**4. Procedural Matters**

**a) Election of Officers**

The following officers were nominated and unanimously elected for the year 2002.

- Chair..... J. Carman*
- Vice Chair ..... R. Barraza*
- Secretary..... D. Jenkins*
- Good Person No. 1 ..... E. Detmer*
- Good Person No. 2 ..... C. Reed*

**b) Proposed Noise Ordinance.** The Chair asked for comments on the draft letter to the Supervisor that had been distributed. Mr. Rauch suggested that something specific needed to be added regarding maximum db levels in commercial areas. After discussion, the Council unanimously approved

*sending to Supervisor Gioia the revised draft endorsement for a noise ordinance for non-industrial areas of the unincorporated county.*

**c) Residency Requirement for KMAC.** The Council unanimously endorsed *a reduction in the residency requirement for KMAC membership to three years.*

**d) Financial Report and Budget Request.** Mr. Carman reported that only \$99 of the \$250 contributed by KIC and KPOA to cover KMAC expenses for the year had been expended. The Council unanimously instructed the Chair

*to write KIC and KPOA thanking them for their support and informing them that no funding would be required for 2002.*

**e) Meeting Regarding Chimney Location in Building at 110 Ardmore.** The Chair reported on the meeting of January 10 organized by Supervisor Gioia in response to the motion by KMAC on December 18 concerning the nonconformity of this dwelling to the design plan approved by the Board of Supervisors on May 8, 2001. Mr. Barry, Ms. Kutsuris, Supervisor Gioia, Mr. Carman and two neighbors attended. It was decided that since the time period for appealing construction drawings had expired, it was not prudent to pursue this matter further. The meeting then discussed more generic issues regarding design drawings and the checking of construction drawings against decisions rendered by the Zoning Administrator based on design drawings. Staff emphasized that by law they can not refuse an application. They encouraged KMAC to continue to refuse to make recommendations on applications where the plans were unclear or incomplete. They further urged KMAC to insist that staff reports be precise in stating important dimensions, locations, etc. that are a part of a variance request or small lot review recommendation. Only in this way can these dimensions be enforced on the construction drawings.

**f) New Web Site.** The Chair reported on the possibility of a new public service web site for Kensington called "AboutKensington.com." The Council agreed we should

encourage them to post both our agenda and minutes on the site in addition to other relevant names and numbers such as that of the Enforcement Officer.

**g) New Ordinance.** Mr. Carman reported he had received copies of the comments by CDD and the County Council on January 10. He provided his observations, which had been distributed to KMAC members, to Supervisor Gioia on January 20. While there are a few issues that require policy input, most of the suggested changes can be easily made. The area of greatest concern was the strong feeling of the working group that the qualitative criteria should trump the quantitative criteria. This provision appears to violate state law. He recommended that the Steering Committee, with the addition of Mr. Barraza if possible, be convened to specifically plan the next steps. No response has been received from the Supervisor.

**h) KMAC Meeting Protocol.** It was agreed that effective with the February meeting, (i) the Council will experiment with beginning its meetings at 7:00PM rather than 7:30; (ii) the Chair will try to limit statement by citizens, including applicants, to three minutes; (iii) when at 9:30PM there is an application before us that has not begun to be heard, the Council and the applicant will explore putting the matter off to a later date.

## **5. Information Reports**

**a) Past Cases.** The Chair reviewed the status of six cases that were still open at the end of the year. Three of these, 110 Ardmore, 273 Amherst, 85 Kingston, were resolved in January and the Council was updated on these decisions. The Zoning Administrator did not follow the recommendation of KMAC in her decision on 273 Amherst Ave.

**b) Enforcement Report.** Two cases were closed; one opened; there are eight open cases. None involve policy issues.

## **6. Adjourn**

The meeting was adjourned at 9:50 p.m.

Respectfully submitted,

Catherine Reed