

# OXFORD HISTORIC DISTRICT COMMISSION

## MINUTES

NOVEMBER 5, 2007

The regular monthly meeting of the Oxford Historic District Commission was called to order by the chairman, George Gaffney, on Monday, November 5, 2007 at 5:00 p.m., in the meeting room of the Oxford Community Services Building.

Other commission members in attendance were David Baker, Dorothy Fenwick, Suzanne Litty, Alfred Lesczynski, and the commission's new alternate member, Heinrich Schmitz.

The minutes of the meeting of October 1, 2007 were approved and accepted as distributed.

The following building permits were reviewed by the commission:

1. Permit #07-67, Mrs. Richard Bond, 203 N. Morris St., tear off old roof, re-nail roof sheathing and install new fiberglass shingles. The applicant was represented by her building contractor, Jeff Mueller. Mr. Mueller explained that Mrs. Bond's roof is in poor condition and that she would like to replace it with the same color and type of shingle that is currently on the house. The appearance would not change. Ms. Litty made a motion to accept the application as presented. The motion was seconded by Mr. Baker and unanimously carried without further discussion.
2. Permit #07-71, 104 Stewart Ave., LLC, 104 Stewart Ave., storage shed. The applicant was represented by the builder, Joe Frederick. Mr. Frederick explained that he recently sold this house and that the buyer wants to build a shed in the rear of the yard as close to the fence as possible. The 12' x 18' storage shed would closely match the existing house with the same siding, corner boards, and trim details. A cupola would be placed on the center of the shed. Mr. Frederick added that the back corner in which the owners want to place this building, already houses two other storage sheds in the opposing yards to the rear of those properties. It was the intention of the property owners that this proposed building would blend in with the others in this area. Dr. Lesczynski made a motion to accept the application as presented. The motion was seconded by Mr. Baker and unanimously carried without further discussion.
3. Permit #07-70, Susan Farmer, 301 N. Morris St., small attached shed to existing house for easy excess storage. Mrs. Farmer explained to the commission that she would like to attach a small storage space along the side of her house directly behind an existing area in which her a/c unit is located. The outer covering of the storage shed would match the existing siding of the house and would be 7' wide with a depth of 4'6". Ms. Litty asked if the storage shed could be placed in the back of the house. Mrs. Farmer replied that she did not want it in that location as it would take up the views and that what she was requesting was well within the setbacks. Ms. Litty noted that the architecture of Mrs. Farmer's house was very

pretty and questioned how this addition onto the side of the house would affect the look of the house. Mrs. Farmer countered that the shed would not be seen as it was going to be disguised with rose bushes and with the same siding it would blend with the house. Mr. Schmitz asked about the roof pitch of the shed. Mrs. Farmer replied that it would match the pitch of her back shed. Mr. Schmitz asked if Mrs. Farmer would think about changing the pitch a bit by bringing it up to the window line thus creating a nicer view. Mrs. Farmer responded that she would be agreeable to this request. Mr. Schmitz then asked about the foundation of the proposed shed. Mrs. Farmer replied that it would match the foundation as seen on the house. Ms. Litty expressed her remorse as to Mrs. Farmer wanting to attach her proposed shed directly onto her house. Mrs. Farmer retorted that the problem is that they needed some additional space to place things and that what she is proposing takes up only a little of the lot and will not be seen from the street. Mrs. Fenwick asked what the neighbors next door would see from their view. Mrs. Farmer replied that there is currently a hedge between her and the neighbor's house and that from her side of the house she looks into her neighbor's storage shed. The Chairman, Mr. Gaffney, spoke up noting that he was hearing two issues that needed to be addressed – one issue regarding the pitch of the roof and the other the foundation of the proposed building. Mr. Gaffney suggested that Mrs. Farmer put together something in writing regarding the foundation and pitch of the roof of the proposed shed. Mrs. Farmer asked that if she did not put the shed on a slab but on a wood foundation like a regular shed, would that be acceptable? Mr. Baker responded that he thought a concrete foundation would be better. Mr. Gaffney added that the commission could not vote until they have something in writing addressing the raising of the pitch and the concrete foundation. Mr. Baker made a motion to approve the permit with the changes made if Mrs. Farmer agrees to the changes in writing with a drawing to go along with the permit. The motion was seconded by Dr. Leszczynski. The permit was tabled until Mrs. Farmer comes back with the changes and details as noted.

4. Permit # 07-68, Mr. and Mrs. Al Smith, 100 West Street, replace rotting sliding doors of existing porch with a triple sliding door flanked by triple casement windows to match ongoing renovation, with clapboard below sills. Mr. and Mrs. Smith were represented by their former neighbor, Geoff Holmes. Mr. Holmes explained to the commission that the Smith's sliding glass doors, that were installed in 1987, were beyond repair. The proposed windows would match the existing windows in style and would tie in within the old part of the house. Mr. Baker asked if there were any casement windows on the water side of property now. Mr. Holmes responded that there were and that the entire house has both old and new casement windows. Ms. Litty made a motion to accept the application as presented. The motion was seconded by Dr. Leszczynski and unanimously carried without further discussion.
5. Permit #07-69, Mr. and Mrs. James Turrell, 308 Tilghman St., remove existing screen porch screening and replace with white Marvin Ultimate Clad French Sliders; build new 3' x 5'

brick fireplace constructed to match an existing fireplace; remove existing Marvin French door in living room and replace with Marvin Ultimate Clad picture window with a window seat under on the interior and a brick planter under on the exterior; replace five Marvin double hung windows with five Marvin Ultimate Clad casement windows of the same size, but with no mullions, in the bedroom suite; removal of existing window on gable end of room to accommodate the chimney of the fireplace that is proposed for the proposed enclosed porch below; replace two Marvin double hung windows with two Marvin Ultimate Clad casement windows of the same size but with no mullions. Mr. and Mrs. Turrell were represented by their contractor, Eric Abell. Mr. Abell explained to the commission that one of the things Mr. Turrell wanted to do was to change his windows out to casement windows along the waterside because the windows that he currently has existing do not allow for an easy view of the water. Ms. Litty asked why the owner wanted to change his existing french doors and picture window as currently found in the house. Mr. Abell replied that it was because it was all cut up in the house. Mrs. Fenwick pointed out that though this is a non-contributing house, in terms of historic relevance, she did have a problem with the request for casement windows. Mr. Abell responded that all the windows in the house were new and that what they are proposing to do is to use the same exact dimensions of the windows that are currently there. Mr. Gaffney pointed out that the historic commission's charge is with the waterview and even though the house is fairly new it should be in keeping with the traditional. Mr. Abell countered that the reason Mr. Turrell was wanting to make these changes is because he bought a home on the water but could not see the water from his bedroom windows. Mr. Baker reminded the commission about a house they had recently encountered located at 208 S. Morris Street whereby the owners had been granted casement windows even though they too were locating their casement windows to face the waterside of their house. He added that perhaps there should be a revision to the guidelines with regards to waterside casements vs. streetside casements. Mr. Baker also stated that the commission has said in the past that precedent will not be a factor and that each application is unique in its own property. The question the committee was asking themselves was to decide if they were going to change the character of the house. Mr. Abell asked the commission members if they had any problems with the request for the screen porch to be closed in as opposed to being open. None of the commission members expressed any problem with that request. Mr. Abell then asked the commission if they would be opposed to a larger french door with mulleins instead of a picture window. Again, none of the commission members expressed any concern with that request. The main concern with the commission regarded the request for casements windows on the back of the house, facing the water. A motion was made by Mr. Baker that with the applicant's permission the permit be tabled. The motion was seconded and unanimously carried without further discussion

6. Permit #07-13, Mr. and Mrs. Graham Vinzant, 102 Tilghman St., demolition of cottage partially destroyed by fire and subsequent water and smoke damage. Mr. and Mrs. Vinzant were represented by their real estate agent, Ray Stevens. Mr. Stevens explained to the

commission that the Vinzants had hired Baker, Ingram and Associates to assess the house and presented to the commission a copy of their report. Mr. Baker noted that this house is a contributing house and that the report does not mention the need for the house to come down.

Mr. Stevens stated that the Vinzants do not have enough money to rehab the house and that he suspected it would be easier just to tear the house down. Ms. Litty responded that this was an "A" house and that she understood from local architect, Tim Kearns, that the house is fine structurally and should not be condemned. Mr. Gaffney added that the request was to tear down something that is basically structurally sound. Mr. Stevens noted that no one could tell what lies under the house because part of it is on a slab and the other part is close to the ground. Mr. Gaffney expressed the concern that the commission is now looking at this house as a demolition by neglect and that they were faced with the challenge as to whether they let things go on as they have or take action. Mr. Baker made a motion to deny this application based on the fact that the structural engineer has inspected the house and has not recommended demolition but has suggested that it could be renovated and by the fact that the house is on the contributing list, if it can be renovated, it should be, rather than demolished. The motion was seconded by Ms. Litty with all in favor. Mrs. Fenwick asked that the chairman send a letter to the Commissioners asking that they contact the owners to secure the building because winter was approaching.

7. Revision to existing permit #'s 06-06 and #06-61, Susan Whitehead, 104 E. Strand, revision to previously approved accessory structure to include changes to window plans for studio and change of placement of siding; and revision to previously approved addition to move a/c handlers to one story porch on west elevation and increase second story addition to same footprint as first story addition. Ms. Whitehead, along with her architect, Chris Britton, met with the commission to discuss two issues. The first being that Ms. Whitehead had ordered the wrong windows for her home and had received four over four instead of two over two windows which was what she had originally proposed in her plans. In trying to save money from the expense of this mistake, she set forth to ask the commission if she could use the four over four windows in the back of her studio in order to give the studio more light. Mrs. Fenwick showed concern as she felt the request for the larger windows made them appear to look a lot like casement windows. However, a motion was made by Mr. Baker to approve the request for the four over four windows to be used in the accessory building. The motion was seconded and unanimously carried with all in favor. The commission then looked at Ms. Whitehead's request to add a second story addition onto her main home and to change the location of the a/c unit from the ground to up on the roof. Ms. Litty made a motion to accept the revision as presented. The motion was seconded and carried with all in favor. Mr. Baker reminded Ms. Whitehead that her permits were getting ready to expire and would need to be renewed.
8. Permit # 07-47 and #07-48, Philip Logan and Barbara Paca, 101 W. Strand, alterations to existing house, new garage to replace existing porch, library addition, elevator and

bathrooms; two-story accessory structure, wood frame house with standing seam metal Gambrel roof, brick chimney, board and batten siding, 18" maximum height. Mr. Logan, Ms. Paca and Ms. Paca's sister, Virginia Paca, were all present to discuss the applications. Mr. Logan asked the commission refer to his letter dated October 18, 2007 to the Planning Commission in which he addresses what they requested the applicant's to have. Ms. Logan pointed out that the commission did not have the changes that the Planning Commission had requested of he and his wife but that there was a diagram attached to the letter whereby noting that the applicants were willing to make the revisions as requested. Those revisions included putting in brick strips with grass instead of having a full gravel driveway, reducing the pool size by 20%, and pushing the guesthouse two feet further in from the rear yard property line. Mr. Logan then went over issues that the historic commission had at their last meeting with the applicants. He noted that the finishes on the addition to the main house were simplified and unified with the existing house so that the elevation of the library and windows take on the proportions of the main house; that the wood siding on the additions was revised to continue the 5" siding of the existing main house; that the large windows facing west were reduced and smaller windows added; and the mass of the house was reduced by the lowering of the ridge of the house. Changes to the guesthouse included elimination of the shed dormer and replacing it with a smaller gable roof. Mr. Logan also included a streetscape drawing that the commission had previously asked him to submit. Mr. Gaffney spoke stating that he had done research in the town and that the precedent had been set on Tred Avon Avenue whereby there was an application for a garage on the street which was turned down and the applicants ended up modifying their request. Mr. Gaffney noted that he still had an issue with the garage being in front of the house and that he, himself, wanted to see the garage be behind the house which he felt was typical of what is currently located on the Strand. The Logan/Paca's next door neighbor spoke stating that when he inherited his property there was a garage on his property that was right on the street. It was taken down in order for the neighbor, Mr. Stewart, to build his new house which he set further back off the street. Mr. Logan noted that one of the points they made at their last meeting with the commission was the issue of accessibility to the house. Instead of doing a ramp and taking away part of the front porch and bringing a ramp up to the front door, they wanted to incorporate a covered space for their child and for themselves. Mr. Logan felt their proposal was a way of solving ADA codes. Mr. Logan added they were looking to the use of that space as essentially becoming a main entrance for their son. Though they were defining the space as a garage it would be used more as a passage. Mr. Baker and Mr. Schmitz both had some reservations about the use of the windows in Mr. Logan's proposed garage. Mrs. Fenwick mentioned that the guidelines call for garages to be in the back of the house but that Mr. Logan could appeal his request. Otherwise, Mrs. Fenwick was in favor of what was planned for the house and the building of the guest house. It was only the garage that she had a problem with, though she did mention that the use of carports had been made on Morris Street and that she would vote for a carport because that is one of the options that has been available. Dr. Lesczynski pointed out that around town there are a lot of garages

near the street and that the guidelines don't mention anything about them. Dr. Lesczynski then made a motion to accept the plans as presented. The motion was seconded by Mr. Baker. Mr. Schmitz suggested that the applicants might want to look at the south windows of their garage. Mr. Logan noted that they could be eliminated but that he wanted them primarily for light. Ms. Litty and Mrs. Fenwick both opposed the motion because of the issue of the garage. Mr. Schmitz refrained from voting because he was serving as an alternate. Mr. Logan asked if it would be possible to separate the garage from the addition since they had heard some options, such as the carport and dealing with the windows. Mr. Logan added that they would be willing to do whatever the commission wanted. Mr. Baker suggested that the applicants could take their case to the Board of Appeals. Mr. Logan responded that they could but they would like to proceed with the other elements. Mrs. Fenwick asked the chairman if the commission could make a motion that they approve all the other additions to the house and that the garage and porch be subject to reconsideration and approval at another time. Mr. Gaffney stated he had no objections to a motion of that nature. Mr. Baker made the motion that the commission propose that the applicant leave the porch as it is now, approve all the other additions to the house, and that the garage and porch be subject to reconsideration and approval at another time. The motion was seconded by Ms. Litty and unanimously carried with all in favor. A motion was then made by Dr. Lesczynski to approve the guest house as presented. The motion was seconded by Mrs. Fenwick and unanimously carried with all in favor. Prior to leaving, Mr. Logan mentioned that the guest house would primarily have batten siding on it.

9. Permit #07-73, Suzanne Litty and James Foster, 107 Tilghman St., raise house, new foundation, and add front porch. Ms. Litty recused herself from the committee in order to present her permit. She noted that at this time she and Mr. Foster wanted to get approval only for the raising of the house and putting a new foundation under it. She noted that they were going to save the house by raising it and keeping it in its same location. Eventually they would like to add a front porch on to it along with an "L" shaped renovation in the back and put in new windows. Mr. Baker expressed concerns about the plans for the future porch as to being right up on the street. Ms. Litty noted that she and Mr. Foster had measured the houses across the street and that many of them are right up on the street. Mr. Baker added that since Ms. Litty wanted to raise up her house it would seem like she would want to move it back a little further. Ms. Litty responded that she did not want to talk about it at this time and that she just wanted permission for the raising of the house and new foundation and asked that the request for a porch be scratched from her application. Mr. Schmitz noted that he had a problem with the drawings in that he could not read them. He felt it would be important that the next set of drawings show steps leading up to the porch. Mr. Gaffney added that the commission had an issue with the house at 302 N. Morris Street whereby the commission were given applications piece by piece until they finally had to tell the applicant to present the commission with a complete plan. He mentioned that he did not want to see the same thing happen with this permit. Mrs. Fenwick asked if the commission was willing

to give permission to raise the house to meet the floodplain. Mr. Baker questioned about moving the house back and how much more effort would that take than just to raise it. Mrs. Fenwick reminded Mr. Baker that was not the historic commission's issue and that the issue was whether or not the historic commission was going to give permission to raise the house. Mr. Baker went back to noting that this house, in his eyes, was sitting right on the street. Mrs. Fenwick again reminded Mr. Baker that the commission's job was to say if it was or was not permitted to raise this house. Dr. Lesczynski made a motion to accept the application to raise the house and that Ms. Litty strike the rest of the permit until she comes back at a later time. The motion was seconded by Mrs. Fenwick and unanimously carried.

This concluded the review of building permits.

A consultation was held with Mr. and Mrs. Gordon Fronk and their architect, John Gentile, regarding the purchase of the Fronk's home at 104 W. Division Street. Mr. Fronk noted that he wanted to get the commission's reactions on what he and his wife were proposing to do to the house and if their ideas were acceptable or not. Mr. Gentile explained the situation of the house stating that it was built in 1981 and that substantial renovation work was done in 1996. The owners are thinking of removing a connective wing and getting some pervious ground cover back, if possible, along with making an addition within the setbacks. Mr. Fronk added that the house is dark and they are looking to put in more natural light. The commission members seemed to be in agreement with the proposed concept plans Mr. Gentile presented to them. Mr. Baker reminded the owners that the end result is that they are not supposed to have over 40% impervious surface coverage. Mr. Gaffney reminded Mr. Baker that is something the Planning Commission looks at, not the Historic Commission.

### **Old Business**

Ms. Litty suggested that someone write a letter to the Catherine Bitter, owner of 302 E. Strand, about finishing things up at her house.

Mr. Gaffney noted that he had spoken with Town Administrator, Lillian Lord, about some issues the historic commission had and that she suggested the commission hold a workshop. Mr. Gaffney stated he would set up the date and that some of the issues he would like to see addressed include enforcement, the need to make some of the definitions more specific, and the need to make it clear that if plans are not properly submitted they won't be reviewed. Mr. Schmitz was assigned to work on an enforcement policy and Mr. Baker was assigned to work on the definitions. Mrs. Fenwick was assigned to write a letter to the Board of Appeals pending on whether or not Mr. Logan and Ms. Paca take their request for a garage to the Board of Appeals.

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There being no further business, the meeting was adjourned.

Respectfully submitted,

Lisa Willoughby  
Assistant Clerk