

OXFORD PLANNING COMMISSION MINUTES

MINUTES

APRIL 7, 2009

The regular monthly meeting of the Oxford Planning Commission was called to order by the chairperson, Pamela Baker, on Tuesday, April 7, 2009 at 7:00 p.m., in the meeting room of the Oxford Community Services Building.

Other commission members in attendance were Theodore Lutkus, Don Silliman, Bernard Witter, and Anthony Passarella.

The minutes of the meeting of March 3, 2009 were approved and accepted with the following correction: Page 3, 13 lines from the bottom page, the word "exits" should be "exists." The minutes of the meeting of March 9, 2009 were also approved and accepted with the following correction: Page 2, second line, the word "street" should be "streets."

The following building permits were approved in the Oxford Town Office:

- #09-11 R-1 Sarah Ramsey, 108 Bonfield Ave., interior renovations. Section 21.01.1.
- #09-15 R-1 Nancy Cook, 802 S. Morris St., 8' x 20' accessory building. Sections 21.03.1a and 21.03.2a,b.
- #09-16 R-1 Clarence Russell, 106 Riverview Ave., remove existing walkways and install flagstone patio. Section 21.01.1.
- #09-17 R-1 Arthur Dent, 106 E. Pier Street, wood deck added to new home under construction. Section 21.01.1.
- #09-19 R-1 Bruce Long, 901 S. Morris St., 3' wire mesh and picket fence. Section 32.12.

There were no building permits for review by the Planning Commission.

A consultation was held with Donald D. Donohue, Jr., property owner of 111 South Morris Street. Mr. Donohue explained to the commission that he would like to convert the rear first-floor section of his commercial property from shop space to a rental apartment of approximately 850 square feet. This would result in no change to the exterior footprint of the building and would only involve interior changes to the space, such as the addition of a bathroom and small kitchen. Mr. Donohue asked that if, at a future date, he wanted to sell the building or decided he wanted to put it back into a store, would he have a problem with doing that? Could it be converted back to commercial space? Mrs. Baker read that a C-2 property (such as this property) could have up to 3 apartments with a minimum of 750 sq. ft. for each unit, but only through Special Exception, even though Mr. Donohue currently has two existing apartments in his building. Mrs. Baker further explained that once Mr.

Donohue secures his Special Exception, he could choose not to use it, if, as she understood it, at a later date he decided to revert it back to what is allowed under C-2. She further stated that her understanding was that once a Special Exception is granted it is there for the life of the building. Mr. Silliman added that he could revert the 3rd apartment back to commercial space as long as he maintained the commercial part of the building. Mrs. Baker added that Special Exceptions are usually not a problem of securing with the Board of Appeals especially if it is something that other people with the same zoning classification have been able to do. Mr. Witter asked that since Mr. Donohue already has two apartments why would he need the Special Exception? Mrs. Baker asked Mr. Donohue whether or not he had ever gotten a Special Exception for the two apartments he currently has available. Mr. Donohue stated he did not know. The commission thought Mr. Donohue would still need to go before the Board of Appeals to get the Special Exception for the third apartment but that he could do so without having a set of building plans showing his planned interior changes. The building plans could be submitted at a later date and approved in the town office. Mr. Witter asked if there were any requirements in terms of firewalls. Mrs. Baker responded that she did not know and that would probably have to be taken up with the building inspector. As far as the Planning Commission was concerned, they did not see a problem with Mr. Donohue's request. Mr. Lutkus made a motion that a positive recommendation be made to the Board of Appeals in favor of Mr. Donohue's request for a third apartment. The motion was seconded and unanimously carried. Mrs. Baker agreed to type up the recommendation to the Appeals Board.

A brief discussion ensued pertaining to corrections to the zoning map. Mrs. Baker explained that the reason that the zoning map was being updated was because there were properties over in Jack's Point that, when annexed into the town, did not have their Critical Area classifications changed. The properties are still categorized as LDA, with only 15% coverage allowed, when they probably should be classified as IDA so that 40% of those properties can be covered. In going over the map, Mrs. Baker thought that the lots should be shown correctly. Mr. Passarella agreed adding that he had found errors on South Street regarding property lines. The other problem with the map was that the wrong zoning was showing up on some of the properties. The commission was also puzzled on how Hel's Half Acre got annexed without the neighboring Bradley property being taken in at the same time thus making Hel's Half Acre non-contiguous with the rest of the properties located in town. All the members agreed that a request should be made to put in all the property lines on the map in order to make the map useful and easier to work with.

Mrs. Baker reported that the Von Bismarck permit application for a swimming pool went before the Historic District Commission but was met with adversity as a result of complaints from the neighbors. Also the Historic Commission did not like that the pool came out towards the front of the street. The permit ended up being tabled and the applicants decided not to proceed with the application at this time.

Mrs. Baker also reported that Jay Corvan came back with another building permit application for Giovanni Salvo, but again the plans were incorrect. Mrs. Baker stated she met with Mr. Corvan and

Page 3
Oxford Planning Commission Minutes
April 7, 2009

told him that if his permit showed only the removal of the “Hod”, the application could be approved but that was all the application could show. Any other work, such as raising up the house, would probably have to face the issue of putting together a stormwater management plan.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Lisa Willoughby
Assistant Clerk