

OXFORD PLANNING COMMISSION

MINUTES

FEBRUARY 6, 2007

The regular bi-monthly meeting of the Oxford Planning Commission was called to order by the chairperson, Pamela Baker, on Tuesday, February 6, 2007 at 7:00 p.m., in the meeting room of the Oxford Community Services Building.

Other commission members in attendance were Theodore Lutkus, Donald Silliman, and Anthony Passarella.

The minutes of the meeting of December 19, 2006 were approved and accepted as distributed with the following corrections: Page 2, last paragraph, line 10, after the word "patio," insert the words "in August 2006;" line 12, immediately following the words "Lane Engineering," insert the words "in September 2006.;" also on line 12, at the end of the sentence, delete the numbers 3,382 and words "square feet", and substitute for it "57%." On line 23, immediately following the words "site plan," insert the words "at the start of construction"; on line 24, immediately preceding the words "Lane Engineering," insert the words "At the time,;" still on line 24, at the end of the sentence and at the word "architect" drop the period (.) and insert a semi-colon (;) and add the words "Lane only staked out the footings and foundation based on the construction drawings." On page 3, on the fifth line, following the words "to her that" insert the words "since Planning approved the site plan,".

The minutes of the meeting of January 23, 2007 were approved and accepted as distributed with the following corrections: Page 1, end of page, the word "deteriorated" is misspelled, and on page 4, middle of the page, the words "change in the state rule" should be "change or mistake rule".

The following building permit was approved in the town office:

#07-06 R-2 Mr. and Mrs. Richard Schramm, 208 S. Morris St., new 6 x 6 sill in front and floor joists; miscellaneous piers; new girder under original section of house. Section 23.01.1.

The following building permit was reviewed by the Planning Commission:

#06-78 C-3 Glenn Davis, 311 N. Morris Street, new two story frame structure with wrap around porches. Both Mr. Davis and his architect Jay Corvan were present to discuss the application. Mr. Corvan presented larger scaled drawings as requested by the commission at their previous meeting with Mr. Davis. Mr. Passarella asked what was meant by the note "verify with survey by surveyor" on Mr. Corvan's site plan. Mr. Corvan explained there was a discrepancy in the surveys done regarding the size of this parcel. Mr. Davis chose to go with the more conservative figure. Mrs. Baker added that one problem she saw was that this property was tight on its setbacks and asked what would

happen if it was found that the property line was not where the owner thought it was. Mr. Corvan responded that they would have to make the building smaller, and that the site should be laid out and the boundary line verified. He added that until a benchmark is set they would not be sure where the grade was going to be. Mrs. Baker again stated that she was more concerned with setbacks, particularly those concerning a set of steps along the side of the house that would extend within the boundaries of the property at 313 S. Morris Street. Mr. Corvan stated that he was not aware that steps had to be built within the setbacks. There was a brief discussion concerning the steps with suggestions made that they could either be recessed into the house or moved to the front of the house facing Morris Street. Should the steps be moved to the front, Mrs. Baker reminded Mr. Corvan that he would have to modify the walk which could result in a change in coverage calculations. Mr. Davis noted that there would be an easement granted between the properties of 311 and 313 with regards to the driveway and parking. Mrs. Baker noted that on Mr. Corvan's plans he shows changing Mr. Davis' driveway at 313 S. Morris Street from stone to brick and grass and having a brick and grass driveway at 311 as well. Because Mr. Davis is currently providing slips, Mrs. Baker asked Mr. Davis if he really wanted to change the driveway. Mr. Davis responded that he did not intend to change the driveway and wanted it to remain in stone. Mrs. Baker stated she did not see a problem with this but again mentioned that the calculations for such should be checked.

Mrs. Baker then mentioned that in talking with the Town Administrator, Lillian Lord, concerns were raised regarding the area of surface disturbance. She noted that though this commission did not calculate disturbance, the town office does and found that this property was coming extremely close to needing a proper stormwater management plan. Mr. Corvan offered to work with Mrs. Lord and go over the figures with her. Mrs. Baker also pointed out that the site plan of the house shows a variety of openings that could either indicate windows or doors and asked that Mr. Corvan note on the site plan exactly what they are. If they are doors, they would need to have steps or railings which should be shown on the site plan and the additional coverage calculated. Mr. Silliman stated he did not want to see a problem with coverage. Mrs. Baker stated that approval of the permit would be based on a survey demonstrating that the house as shown on the site plan is in agreement with whatever the survey shows, that the driveway is shown as being in gravel, clarification of doors and windows, that the entrance steps be either moved or modified, that a silt fence be provided, that the disturbance numbers be clarified, that the driveway is critical and should be a condition as part of the parking requirements for the slips, as well as an easement being needed for access to the slips and house.

Mr. Lutkus moved that a special exception be recommended to the Board of Appeals under Section 27.02 subparagraph 2. The motion was seconded by Mr. Silliman and unanimously carried. Mr. Lutkus made a second motion that a building permit be granted to Mr. Davis based upon the following conditions: 1) that a survey be obtained, 2) that the setbacks be verified in accordance with the regulations, 3) that the site plan show a gravel driveway and it be calculated as to coverage by the surveyor, 4) that those indication on the plans show where the windows are as differentiated from doors, 5) that the modifications to the front steps be shown and that if the steps are moved from the side to the front, that the walkway to those front steps be shown, 6) that a silt fence be shown as feasible, 7) that the area of disturbance be shown and be within the guidelines, 8) that there be easements shown that will be granted at the time a certificate of occupancy is issued and that these easements permit access to the dockage in the rear of the lot, and 9) clarify if there is a roof over the mechanical room on the north side. The motion was seconded and carried with all in favor.

A consultation was held with John Shannahan, property owner of 317 S. Morris Street. Mr. Shannahan met with the commission to discuss his application for a zoning reclassification. Mrs. Baker stated that she had attended the recent Commissioners meeting in which they stated they were intending to hire a professional planner to look at the "C-3" and "M" properties to consider whether or not their zoning was appropriate. Mrs. Baker stated she was not comfortable second guessing a professional planner that would be coming in a couple of months and that she was not sure if the Commissioners would find it appropriate for the Planning Commission to be recommending a zoning change at this point either. Mrs. Baker added that she would be comfortable waiting to see what the professional planner finds. Mr. Passarella agreed with Mrs. Baker. Mr. Shannahan stated that his situation needed a professional and that he just wanted to get something started now as he would like to get something done by April of 2008. Mr. Silliman noted that according to what Mr. Shannahan had presented to the commission, he was planning on raising his elevation by 2 to 3 feet. Mr. Silliman pointed out that this would create some serious problems for Mr. Shannahan's neighbors. Mr. Shannahan responded there were already a serious problems in this area created by his neighbor at 315 S. Morris Street. Mr. Lutkus noted that because the Commissioners are planning on working with a planner at this end of S. Morris Street, it would probably be better for Mr. Shannahan to wait since spot zoning was not permitted. Mrs. Baker agreed stating that she would recommend that the Planning Commission not approve this request pending evaluation by the professional planners. Mr. Shannahan requested that the Planning Commission recommend to the commission that they review his request and decide what direction they want to go. Mrs. Baker responded that Mr. Shannahan's request would be with the information for the planners to review to which Mr. Shannahan responded that that would be fine. Mr. Silliman made a motion that the Planning Commission recommend to the Commissioners that this application for zoning reclassification be denied and the concept be referred to a professional planner that is supposed to

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be retained in the future, within the next fiscal year, that will be evaluating all "M" and "C-3" zones for inclusion in that study. The motion was seconded and unanimously carried without further discussion.

Old Business and New Business

Mrs. Baker announced that the Board of Appeals had approved the request for Gordon Graves for a variance in order to build a new garage in his front yard.

Mrs. Baker also announced that the Commissioners have filed an appeal with regards to the house of Michael Rust on Stewart Street. The historic commission had asked to inspect Mr. Rust's house or have an inspector of their choice look at the house and the applicant denied that. The historic commission did not realize they had any alternative and they approved the demolition permit reluctantly. After approval by the Planning Commission of the permit, the Commissioners filed the appeal and sent it to the owner. The Commissioners felt the Historic District Commission should have been given the opportunity to inspect the house. The town attorney, David Thompson, is supposed to work with the applicant to get an inspector to look at the house and if they find there is no way the house can be saved, the Commissioners will pull the appeal. As of this day's date, no one has heard if the applicant has responded or not.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Lisa Willoughby
Assistant Clerk