

## OXFORD PLANNING COMMISSION

### MINUTES

**JUNE 15, 2010**

The regular monthly meeting of the Oxford Planning Commission was called to order by the chairman, Donald Silliman, on Tuesday, June 15, 2010, at 7:30 p.m. in the meeting room of the Oxford Community Services Building.

Other commission members in attendance were Carol Abruzzese, Anthony Passarella, David Baker, Bernard Witter, Attorneys David Thompson and Brynja Booth, and Commissioner President, Peter Dunbar.

The minutes of the meeting of April 6, 2010 were approved and accepted as distributed. There was no Planning Commission meeting in the month of May.

The following building permits were approved in the town office:

- #10-14 r-2 Robert D. Schultz, 208 Market St., rebuild existing 12' x 12' shed. Change flat roof to gabled roof and add windows and doors. Section 23.03.1a, and 23.03.2a,b.
- #10-22 R-2 Mr. and Mrs. Brian Wells, 102 Tilghman St., classic 3' high white Oxford fence in front yard and portion of east side yard. Section 32.12. To Historic District Commission.
- #10-23 R-2 Jane McCarthy, 310 N. Morris St., replace existing fence on property line approx. 47', continue fence to street fence except where neighbor's fence exists. Section 32.12 To Historic District Commission.
- #10-25 R-2 Mr. and Mrs. Richard Newton, 210 N. Morris St., proposal to build deck onto rear of house. Section 32.19, 23.05. To Historic District Commission.
- #10-27 R-2 Dorothy Fenwick, 211 Tred Avon Ave., remove vinyl siding/plastic shutters; repair wooden siding and install wood siding on addition; paint house; install wooden shutters, hinges and shutter doors; move attic window and center on peak of roof.
- #10-29 R-1 Gerard Marconi, 301 Bonfield Avenue, new bathroom and deck; replace 2 doors and 2 windows. Section 21.05 and 33.06.

Mr. Silliman announced that all the members should have received a letter from the Maryland Department of Planning informing them they need to take a course on planning and pass it prior to the end of June. The course can be taken on-line.

The proposed development of the Rodney Spring property, located outside of town, was briefly discussed. Work has begun to develop with the Spring property and the county. The Planning Commission has extended an invitation to the developers to meet with the Oxford Planning Commission to let them know what is being planned. Mr. Spring's attorney is willing to come before the Planning Commission to let the commission know what is being discussed with the county but he has asked to come before the commission in a workshop setting as opposed to coming to a meeting. It was agreed that Planning Commission would try to set up the workshop to begin an hour early before the regularly scheduled monthly meeting in July. Attorney Thompson stated that it might be useful for him to attend as well. Mr. Silliman stated he would be OK with that. Mrs. Abruzzese asked how serious this project was. Attorney Thompson responded that they are a long way from approval and don't yet have full engineering plans from the state but he knew that the people involved with the project were serious about it.

The following building permit was then reviewed by the Planning Commission:

Permit #10-35 David Driscoll, 208 E. Strand, replenish gravel on drive; replace aluminum border strips with brick border; exchange 3.75 sq. ft. of west to east side of property. Mr. Driscoll explained to the commission that he wished to replenish the gravel in his driveway using gravel of the same size, grade, and color. In order to prevent the gravel from coming out onto the lawn and the neighboring property he and his wife would like to substitute what Mr. Driscoll deemed "ineffective and unsightly aluminum strips" with two rows of bricks at the edge of the gravel within the impermeable area. The other item Mr. Driscoll was requesting was to realign about 3 to 4 square feet out from his driveway ending on the east side of the drive in order to straighten out the edge and to clarify the position of the property line which Mr. Driscoll stated he had surveyed recently. He noted that there was a fence in the area and about 20 feet in front of the fence the property line lines up to it and then it bellies out into the driveway so that it is not a straight line. To compensate for that area, Mr. Driscoll stated he would like to expand the west side of the driveway by 3 or 4 inches and that that would compensate for an area he would be taking away on the east side. Mr. Silliman pointed out that Mr. Driscoll did not need the Planning Commission approval to replace gravel as long as he was not changing the size. This would also hold true to pulling up the edging as long as Mr. Driscoll kept the new brick edging in the same impervious area. He added, however, that it was where he wanted to switch impervious surface coverage areas that it got tricky. Mr. Driscoll noted that he and his wife did not want a larger driveway, but rather they would like a larger lawn.

Mr. Silliman called on Jay Dalager, next door neighbor to Mr. Driscoll at 204 E. Strand, who asked to address the commission. Mr. Dalager stated that he was concerned that the law of Oxford should be enforced for everyone who lives in Oxford, including Mr. Driscoll. He presented the commission members with detailed photos of the area that Mr. Driscoll had dug into, one of which was a flower bed that Mr. Dalager felt that Mr. Driscoll was trying to say was part of the driveway but according to Mr. Dalager it was not. He also pointed out a "huge trench" that had been dug in the Driscoll property that goes out into the driveway a little but also takes up a space which use to edge the Driscoll's steps where they had plants and shrubbery planted but which is now a void space. Mr. Dalager thought that Mr. Driscoll was

trying to increase his impervious surface coverage and added that Mr. Driscoll had started the project without asking the town for permission to enlarge or widen his driveway with the brick strips which Mr. Dalager felt were going to increase his driveway space. Again, Mr. Dalager presented photos to the commission members showing how much Mr. Driscoll had cut into his yard, pointing out to the members the differences in the amount of area that Mr. Driscoll had changed. Mr. Silliman stated that he understood that the trench was for a crushed stone base with stone dust so that when one drives on the brick the brick would not go askew. Mr. Silliman asked Mr. Driscoll about his garden on the side of his house. Mr. Driscoll responded that he planned to replace the garden on the side of the house and that he did not want the bricks as far back as the trench made it seem. He noted that the trench was not particular to where the brick would be and that it would be backfilled. Mrs. Driscoll, who was also present, stated that the reason they had taken out their bushes was because of the damage done to them over the winter. She added that they had planned on replacing the plantings and doing the brick and gravel work at the same time. Mr. Silliman pointed out that there was no law against replacing the metal edging with brick as long as it stayed in the driveway. Mr. Baker asked if the coverage would remain the same and also questioned what the coverage on the property was at this time. Mr. Driscoll responded that the coverage was around 63% but that it was that way when he and his wife purchased the house. Mrs. Driscoll added that if they take a little strip of grass out on one side they would be putting more grass in on the other side so that they would not be increasing the coverage. Mr. Witter pointed out that Mr. Dalager's main concern was the flower bed next to the Driscoll's house and that it might decrease the pervious surface from what use to be there. Mr. Driscoll stated that it would not. Mr. Witter stated Mr. Driscoll must have an estimate of how wide the flower bed was and as long as he gave the Planning Commission assurance that the flower bed would be as wide as it was before and not larger, it seemed to him the problem would be solved. Mr. Silliman added that the size of the driveway should include the bricks. Mr. Dalager stated that sounded OK but Mr. Driscoll's builder had told him (Mr. Dalager) that an orange painted line on the Driscoll's property was where the edging of the bricks would be coming out to. Mr. Dalagher stated that would be increasing the size of the driveway and that was what he was objecting to. Mr. Silliman stated the owners would have to instruct their contractor that he would have to work within the confines of the existing driveway. He added that the driveway needs to stay the same size otherwise the owners would need to address the coverage. Mr. Silliman also pointed out that the driveway needed to be kept the same width as that was what was being argued. Nancy Dalager, property owner of 204 E. Strand, asked about the impervious layer in the trench. Mr. Witter responded that it would not be driven on so it would not be compacted. Mr. Dalager stated that as long as the driveway did not increase in size he would have no problem with it. Mr. Driscoll stated that they would not enlarge it in any way. Mr. Silliman responded that the commission could go ahead, under those conditions, and sign off on the plan. Mrs. Abruzzese asked Mr. Driscoll if his contractor had provided a set of drawings. Mr. Driscoll responded that he had not. Mrs. Abruzzese then asked who would check the driveway. Mr. Silliman responded that the building inspector would do that. This concluded the review of the application.

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The remainder of the meeting was spent going over Oxford's revised comprehensive plan, page by page with Attorneys Thompson and Booth and Commission Dunbar. Following the changes made by the group, Mrs. Abruzzese made a motion to accept the Town of Oxford's 2010 Comprehensive Plan (with the changes made at this night's meeting) and that it go to the Commissioners and County for their review. The motion was seconded and unanimously carried. Attorney Booth will work on the change and put a time table together. In the meantime, she suggested that the Planning Commission invite the Talbot County Planning Commission and County Planning Commission by letter to come to one of the Oxford Planning Commission meetings to comment on Oxford's plan. Attorney Booth suggested that this be done in the beginning of September 2010.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Lisa Willoughby  
Assistant Clerk