

OXFORD PLANNING COMMISSION

MINUTES

MAY 5, 2015

The regular monthly meeting of the Oxford Planning Commission was called to order by the chairman, David Baker, on Tuesday, May 5, 2015, at 7:00 p.m., in the meeting room of the Oxford Community Services Building.

Other commission members in attendance were Bruce Beglin, Ed Miller, Jim Reed, and Steve Mroczek. Also in attendance was Administrator Cheryl Lewis.

DISCUSSION OF PROPOSED ORDINANCES

The commission was presented with two ordinances to review and to give their recommendations to the Commissioners. The first ordinance reviewed was Ordinance #15-03, **AN ORDINANCE OF THE TOWN OF OXFORD TO AMEND SECTION 10 OF THE OXFORD ZONING ORDINANCE TO ADDRESS THE LOCATION, PLACEMENT AND/OR STORAGE OF ON-SITE CONSTRUCTION MATERIALS, EQUIPMENT AND DEBRIS; AND TO ESTABLISH THE HOURS DURING WHICH WORK CAN OCCUR PURSUANT TO A BUILDING PERMIT.** Under §10.02 – A.1., comments were made regarding the change of wording in this paragraph concerning ‘plats’ and ‘surveys’ with the members agreeing that a recorded plat is not necessary for every permit, particularly those for dumpsters, pods and/or port-o-pots. Under §10.05 – Permit Conditions, there was a fairly lengthy discussion about the limits to working time for construction covered by a building permit. Administrator Lewis noted that the town office has lately received quite a few complaints with regards to noisy conditions as they apply to actual building permits. The purpose of establishing hours during which work can occur pursuant to a building permit is to keep contractors from beginning work at 7 a.m. on a Saturday or Sunday morning. She further explained that if a property owner is living next door to a property in which major construction is taking place 5 days a week, that neighbor would more than likely want some peace and quiet on a weekend. The commission members accepted that construction can involve considerable noise and that some people strongly object to this and view the weekend as a time for rest and relaxation. Commission member Jim Reed, a former builder, pointed out that most builders when told they can’t start work on a Saturday and or Sunday until 11 a.m. probably just wouldn’t work (particularly sub-contractors). This could result in the construction process being lengthened, resulting in additional costs for the permit applicant. Commission President David Baker pointed out that Article IV. NOISE of the Oxford Town Code already prohibits loud noises between the hours of 10 p.m. and 7 a.m. on both week days and weekends. His view was that a lawn service could start leaf blowers on a Sunday at 7 a.m. while a painter or electrician would have to wait until 11 a.m. to do permitted work. He added that perhaps the Commissioners should think about limiting the weekend time change to at least exterior work being done on a property rather than both exterior and interior work. Administrator Lewis tried to explain that the purpose of this ordinance wasn’t to take away anyone’s rights, rather it was to seek a solution to prevent disturbance and to be able to modify behavior so that it was acceptable, as well as giving property owners and contractors the tools to help them do the right thing.

The placement of dumpsters provoked some discussion, but there was no great feeling in favor for or against, except for on-street storage, the consensus of which was that it should be avoided, if at all possible.

The second ordinance reviewed was Ordinance #15-04, AN ORDINANCE OF THE TOWN OF OXFORD TO AMEND SECTION 19 OF THE OXFORD ZONING ORDINANCE TO ADD DEFINITIONS FOR "LARGE REFUSE CONTAINERS," "PORTABLE STORAGE CONTAINERS," AND "PORTABLE TOILETS" AND TO AMEND THE ZONING ORDINANCE BY ADDING SECTION 8.04 TO **REGULATE THE PLACEMENT OF LARGE REFUSE AND STORAGE CONTAINERS, AND PORTABLE TOILETS ON ANY PRIVATE PROPERTY OR ANY PUBLIC STREET, ROADWAY OR ALLEY WITHIN THE TOWN.** Administrator Lewis explained that the town would like the ability to know in advance where the placement of a dumpster is going to take place as there are some places dumpsters should not be located. Every permit would be required to identify the location of a dumpster and/or port-o-pot, if applicable. Mr. Baker asked if there was a reason behind limiting an application to one permit within a 12 month period. Administrator Lewis responded that one cannot just keep asking for a new dumpster every year so that it basically ends up staying in one place for an indefinite period of time. Mr. Baker noted that he had a dumpster placed on his vacant lot for a shed demolition and had the dumpster picked up after the shed was gone. Later that summer, he had gotten another dumpster for more trash and brush that he had removed from his lot. Under §8.04-A.4 which states "Where the portable storage container or large refuse container is not used in connection with a construction project, no applicant shall receive more than one permit for such unit within a twelve (12) month period," Mr. Baker felt it would have been impossible for him to have gotten another dumpster until 12 months had passed from the time he had gotten the first dumpster. Mr. Miller questioned why a portable toilet was not mentioned in §8.04.A.4. Administrator Lewis responded that the town does not allow private homeowners to have portable toilets to begin with. The ordinance is set up to ensure that contracted work is maintained by the contractors. The commission had little comment other than that which had been stated.

Overall a majority of the Commission thought the two proposed ordinances would be beneficial to the town.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Lisa Willoughby
Assistant Clerk