

## OXFORD PLANNING COMMISSION

### MINUTES

NOVEMBER 7, 2017

The regular monthly meeting of the Oxford Planning Commission was called to order by the chairman, David Baker, on Tuesday, November 7, 2017, at 6 p.m., in the meeting room of the Oxford Community Services Building.

Other commission members in attendance were James Reed, Bruce Beglin, Stephen Mroczek, and Edwin Miller.

The minutes of the meeting of September 5, 2017 were approved and accepted as distributed.

The following building permit was reviewed by the Planning Commission:

Permit #17-74, Michael Sullivan and Jamie Garner, 110 Bayview Avenue, replace existing plastic fence with Shoreline aluminum fence, with approximately 102' of existing fence to be replaced with 4' aluminum fencing and approximately 190' of existing fencing to be replaced with 5' to 6' aluminum fencing. Mr. Sullivan was present to discuss his application. Mr. Baker explained to Mr. Sullivan that the commission could approve Mr. Sullivan's request for the 4' fencing but not the request for the 5' or 6' fencing as the zoning ordinance does not allow for any fencing over 4' in height. Mr. Sullivan noted that he understood he would have to seek approval from the Board of Appeals with his request for any fencing over 4'. He added that he had spoken with his surrounding neighbors about what he was planning to do and felt that by using metal fencing, as opposed to wood, it would allow for his neighbors to keep their view of the water. Mr. Baker pointed out that the request for fencing over 4' falls under a request for a special exception and that special exceptions are granted by the Boards of Appeals. The appeals board has to consider certain items, which are listed in the zoning ordinance, under Section 11.02.C. One of the items they need to consider in granting a special exception is "general compatibility with adjacent properties and other property in the district." Mr. Baker addressed a letter received from Grant Huber, resident behind Mr. Sullivan's property and owner of 902 S. Morris Street, who had expressed concerns about the proposed privacy fencing and how it would create a pinned in feeling for her with two sides of her property being closed in with the proposed 5' or 6' fencing. Mr. Baker also informed Mr. Sullivan that the Board of Appeals recently heard a case, similar to Mr. Sullivan's permit, of another request for privacy fencing with one section to be used to hide some a/c handlers and another used as privacy fencing along the side of the owner's property. The request for a small section of privacy fencing to hide the a/c handlers was approved but the large section of privacy fencing to be used along the side of the owner's property was disapproved. A motion was made by Mr. Mroczek to approve the request for the 4' section of fence as shown on the application. The motion was seconded by Mr. Miller and unanimously carried with all in favor. Mr. Sullivan asked that if the Board of Appeals were to turn down his request for 5' fencing, would that mean he would still be able to put up the 4' fencing or would he have to come back before the Oxford Planning Commission. Mr. Baker responded that if Mr. Sullivan were to come back with a request to use 4' fencing throughout on his property, the planning commission or the town office could approve that request. Mr. Reed made a motion that the Oxford Planning Commission not approve the request for the 5' or 6' portion of mental fencing and to not pass a recommendation on to the Board of Appeals. Mr. Baker reminded everyone that a letter had

been received from a neighbor who would be affected by the fence. Mr. Beglin asked Mr. Sullivan that if he was concerned about the neighbor's keeping their view, why would he want to erect such a high fence. Mr. Sullivan responded it was to help keep his sister-in-law and brother-in-law's dog contained within his yard while they were visiting. Mr. Baker stated he did not see the need for a taller fence and that having a totally clear view would be much better than any type of fence that could be there. Mr. Mroczek pointed out that the town does have rules and laws that all residents of Oxford have to live with. Mr. Baker added that by allowing a fence taller than what the zoning ordinance allows opens a door whereby future owners of this property could change the look of the privacy fence by making it a solid stockade type of fence. Mr. Miller reminded everyone out that a motion had been made by Mr. Reed and not yet seconded. Mr. Baker changed the motion to state that he would move that the Planning Commission suggest to the Board of Appeals that they not approve the application for fencing over 4' (in height). The motion was seconded by Mr. Miller and unanimously carried with all in favor.

This concluded the review of building permits.

Mr. Mroczek asked if the Town Administrator, Cheryl Lewis, had mentioned to any of the members anything about the Oxford Comprehensive Plan as she had briefly spoke to him about it. Mr. Baker responded that she had not but that he would talk to her about it.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Lisa Willoughby  
Assistant Clerk