

## OXFORD PLANNING COMMISSION

### MINUTES

JUNE 5, 2018

The regular monthly meeting of the Oxford Planning Commission was called to order by the chairman, David Baker, on June 5, 2018, at 6:00 p.m., in the meeting room of the Oxford Community Services Building.

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

The minutes of the meeting of April 3, 2018 were approved and accepted as distributed.

The following building permits were reviewed by the commission:

1. Permit #18-30, Verizon Communications, Inc., 203 Oxford Road, remove existing fuel tank and install new 500 gallon fuel tank above ground. Verizon Project Manager Ron Ruhlton and project designer Jay Covax were present to discuss the application. Mr. Baker explained that the request for a 500 gallon above ground tank would have to be disapproved as the Oxford Zoning Ordinance, under Section 32.11, notes that in all districts, tanks 300 gallons or greater shall be underground. Mr. Ruhlton noted that Verizon is making an effort to get any of their below ground tanks above ground. Currently the existing tank on the property is down in a basement which, according to Mr. Ruhlton, was constantly getting wet and had become severely rusted. The proposed new tank would have screening around it in order to make it less visible, such as a chain-link fence with PVC slats running through it. Mr. Baker stated that chain link fences are generally not looked at favorably and suggested that a picket fencing be considered. When questioned about the tank size, the project manager responded that the purpose of a tank that size is to allow for the running of a generator to the facility for at least 72 should electrical power be lost. Chairman Baker again explained that the commission would have to disapprove the request but that they could offer advice to the Board of Appeals should the applicant chose to make an appeal for a variance. Mr. Miller made a motion that the Planning Commission deny the application but pass it on the Board of Appeals with a favorable recommendation that it be approved by the appeals board. The motion was carried by all in favor.
2. Permit #18-37, Catherine Bitter, 102-B Bonfield Ave., 6' privacy fence at southeast corner to screen trash dump on neighboring property and block spread of poison ivy infestation; fencing would extend 56' north from corner and between 16' and 32' to the west along the southern property line. Mr. Beglin recused himself from the discussion as he is the neighbor of Ms. Bitter and adjacent to the applicant's property. Ms. Bitter explained that she was looking to have a 6' fence because she is very allergic to poison ivy which backs up along the rear of her property. She added that she was looking to create a barricade that would make it easy for her to manage any poison ivy that she sees starting to come over the fencing. Mr. Miller questioned why a 4'

fence wouldn't accomplish the same thing. Ms. Bitter responded that there was just so much poison ivy in this area which was already growing into the trees and that she also wanted it for aesthetic reasons as well. Mr. Baker stated that he did not see how a 6' fence would help with the spread of the poison ivy and that a 4' fence would work just as well and hide the overgrowth behind Ms. Bitter's property. Mr. Miller made a motion that the commission deny the permit (due the height) and pass on to the Board of Appeals an unfavorable recommendation. The vote was carried with one abstaining vote from Mr. Beglin.

## **CONSULTATIONS**

A consultation was held with Timothy Kearns, residential designer and representative for Mr. and Mrs. J. Schuessler, property owners of 903 S. Morris Street. Mr. Kearns explained that the owners wished to change the aesthetics of their existing house by adding an overhang to their roof. He added that their house is placed so that its foundation is at the 25' setback. The front porch is already encroaching on the setbacks and the owners would like to expand it slightly. Other houses down the street have their porches out beyond the 25' setback line. Mr. Mroczek explained that the Schuessler's house is a non-conforming structure and if they chose to increase that non-conformity, the Planning Commission could not approve it. It was suggested that if Mr. Kearns could present documentation of the front yard setbacks of the other homes in the area to show that the Schuesslers would be building in such a way as to preserve the defined setback line in that area, it would serve as a benefit to the Schuessler's request.

Mr. Kearns also asked about a house he is in the process of working on located at 700 S. Morris Street. The house is located on the corner of W. Pier Street and S. Morris Street with the front door facing onto Morris Street. The owners are looking to expand their small front stoop into more of a front porch. In doing so, they would have to encroach somewhat into the 25' setback from S. Morris Street. Mr. Mroczek pointed out that a request of this nature would have to be denied due to the non-conformity of the setback request. Mr. Kearns stated he was aware that it would have to be denied but just wanted to know that if he were to design something, would it be time well spent. Mr. Baker reminded him to keep an eye on the coverage but that he would be included to look at the request favorably. The other members agreed as well.

A consultation was then held with Sean Callahan, from Lane Engineering, along with Rick Beavers and Debra Alms, a couple interested in purchasing 305 Market Street. The group came to discuss the working plans of Mr. Beavers and Ms. Alms with the possibility of tearing down the existing house on the property and rebuilding it with a new house, garage, and swimming pool. They mentioned that they had been before the Historic District Commission who wanted to look at the existing house on the property before making any decisions as to whether or not it should be taken down. The commission noted that as long as they could build within the required setbacks and not go over on their coverage, they shouldn't have any problems.

Realtor Jane McCarthy, who was in the audience, addressed the commission regarding the possibility of a lot line change on Market Street. The owner of 104 Jefferson Street has shown an interest in purchasing a section of the property at 302 Market Street. Ms. McCarthy asked if the commission would have a problem with that request. Mr. Baker asked if the lot line change would make either property

non-conforming. Ms. McCarthy responded she was not sure. She noted that the property at 104 Jefferson Street is 9,389 sq. ft. and that by purchasing part of 302 Market Street, it would bring the Jefferson Street property up to 10,000 square feet. However, she was not sure how it would affect the Market Street property. Mr. Mroczek noted that the commission could not approve the request if it were to make one of the properties non-conforming. Ms. McCarthy noted that she would get as much information as possible and that if it seemed like a possibility, she would be back with a formal presentation later.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Lisa Willoughby

Assistant Clerk

