

## **OXFORD PLANNING COMMISSION**

### **MINUTES**

**SEPTEMBER 3, 2019**

The regular monthly meeting of the Oxford Planning Commission was called to order by the chairman, David Baker, on Tuesday, September 3, 2019 in the meeting room of the Oxford Community Services Building.

Other commission members in attendance were Edwin Miller, Bruce Beglin, and James Reed. Also in attendance was Town Administrator, Chery Lewis.

The minutes of the meeting of July 2, 2019 were approved and accepted as distributed.

#### **REQUEST FOR LOT LINE REVISION**

The commission met with David Ghysels, property owner of 106 Tred Avon Avenue and a vacant lot at 200 W. Division Street. Mr. Ghysels explained to the commission that it was his desire to combine his property at 200 W. Division Street with his 106 Tred Avon Avenue property thereby increasing the total lot size of 106 Tred Avon Avenue from 17,440 sq. ft. to 23,666 sq. ft. Mr. Reed made a motion to approve the request as submitted. The motion was seconded by Mr. Miller and unanimously carried with all in favor.

#### **REQUEST FOR CONSULTATIONS**

A consultation was held with Lucas de Beaufort, new owner of the property at 100 Myrtle Avenue. Mr. de Beaufort explained to the commission that he and his wife were looking to divide the property into two (2) buildable lots with the intention of demolishing the current house which sits on the property and replacing it with a new house on one lot and possibly building another house on the other lot sometime in the future. Discussion took place as to how one would access the second parcel and if having a flag lot would be possible. Mr. de Beaufort mentioned that in looking at the original map from 1947, it showed the parcel as being composed of two lots. Administrator Lewis spoke clarifying that that it was one lot that historically had been used as one lot, and therefore has become one lot as that is how the town code is written. Because the lot is 26,000 sq. ft. it can be subdivided but if it is, road access to the parcels would be needed. One would also have to make sure any new house built would be far enough away from the water to meet the Critical Area requirements. Mr. Beglin suggested that Mr. de Beaufort work with an engineer and Administrator Lewis to help determine such things as the setbacks needed from the water, footprint of the new house, minimum size of the lots, etc. Mr. de Beaufort asked that if he were to come up with a proposal, did he think the Planning Commission would look upon the plan favorably. Chairman Baker responded that the commission wasn't against the idea of separating the lot but that the commission had to insure that what the owner wanted conformed to Oxford Zoning Ordinance along with making sure that both lots would be buildable. Mr. de Beaufort asked what the next steps would be. Administrator Lewis responded that she would recommend that the owner work with an engineering firm to prepare a draft of the subdivision, as well as contacting her directly so that she can give them the bare minimum requirements. She added that before too much more is done after that, that she would want to get the Critical Areas Commission's input because of the

location of the lot which is within the Critical Areas and would result in one lot being not quite conforming. She added that it was not out of the owner's range to be requesting a subdivision because it would meet the standard of each lot having at least 10,000 sq. ft. Administrator Lewis ended by stating that Mr. de Beaufort could have his engineering firm contact her, if needed, and that together they could work through this process.

A second consultation was held with Dawn Lednum, with Safe Harbor Construction, and Janice Gruber, property owner of a vacant lot at 200 South Street. Ms. Lednum explained that she was aware that the Oxford Zoning Ordinance had a height limitation of 30' and that originally the owner was looking to build a new house on her lot with a 12/12 pitch roof with the house coming up at ground level at 29'11". The plans have since been reworked to come in at 28' high with 2 blocks below it and a 9/12 pitch roof. This would increase the house height by another 16". Ms. Lednum asked the commission if there was any leniency from the 30' restriction as her client was trying to get some extra storage up in her attic space. Chairman Baker responded that it would be possible, but the request would have to go before the Board of Appeals with a request for a variance and the owner would have to prove hardship. Chairman Baker added that he was not sure a request of this nature would be hardship simply so the owner would have more storage. Ms. Lednum responded that the historic commission was interested in the house having piers and that the property was not in the floodplain. Administrator Lewis spoke stating that the property in question sits outside of the floodplain line but close enough to the edge of it. Her concern was the town should do everything they can to prevent homes being built in or near the floodplain that have a flood risk being built right on the ground. As such, she would like to see the commission consider when plans for new homes come in to be built in Oxford, especially those so close to the floodplain, that there be raised up at least 3' from the bottom of the house, especially in areas where there are plenty of houses that are already at that extended height. She added that the town has the right to use the floodplain ordinance to get the best product for the town. She also added that she has been talking to the Commissioners about having a required elevation across the board for the Town of Oxford of 8', so that all the 30' houses will go up 8' in the floodplain. Chairman Baker addressed Ms. Lednum and explained to her that in order for the house to have three feet of Freeboard, the property would have to be located within the Floodplain and therefore, as the Oxford Zoning Ordinance is currently written, the property owner would have to go before the Board of Appeals to get approval to have that. If that turns out to be the case, the Planning Commission can make a recommendation to the Board of Appeals. Ms. Lednum asked how long that process would be. Administrator Lewis responded it would take at least 45 days.

This ended the consultation discussions.

Mr. Miller commented on the discussion that had taken place with Ms. Lednum and that it seemed that the only reason the property owner wanted to elevate her house higher than what was allowed was to create extra storage in her attic. Administrator Lewis responded that, for her part, she was just trying to make an argument that she did not want to see a house built on the ground because that is basically what the homeowner and her contractor are trying to do. She added that the other element for consideration is that even though the zoning limits the principal structure height at 30', is it appropriate for every part of Oxford to consider having a flood protection elevation, especially when half the town is above 30'. Administrator Lewis also noted that when one is dealing with a high pitch roof in the historic district and trying add another 3' of freeboard, one is narrowing the two floors in the middle and that that is the difference between a standard built house and a house made to look historic. It was her desire to present to the Planning Commission all the parameters and why she wanted to be part of this consultation because she was aware that this was not going to be a cut and dry permit. Though the

owner may want the roof pitch for one reason, she thought it was more fitting in character with the area for historic purposes as well as having concerns with the building of a 30' house that isn't elevated. She reminded the commission that the flood plain ordinance, which supersedes the Oxford Zoning Ordinance, is pushing in a different direction and she just wanted the Planning Commission to think about those things as they go through this process.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Lisa Willoughby  
Assistant Clerk