

## OXFORD PLANNING COMMISSION

### MINUTES

JULY 6, 2021

The regular monthly meeting of the Oxford Planning Commission was called to order by the Chairman, David Baker, on Tuesday, July 6, 2021 in the meeting room of the Oxford Community Services Building, at 6:00 p.m.

Other members present were Steven Mroczek, Edwin Miller, and new Planning Commission member, Norman Bell. Also present were Town Manager Cheryl Lewis and Oxford Planner/Planning Officer Maria Brophy.

The minutes of the meeting of June 8, 2021 were approved and accepted as distributed.

The following building permit was reviewed by the commission:

Permit # 21-62, Barbara Paca/Oxford Think Tank, 101 Mill Street, 63" x 42" wooden sign on wheels to educate public about the Middle Passage. Philip Logan was present to discuss the application on behalf of his wife, Barbara Paca and her Water's Edge Museum. He began the discussion by explaining the importance of the sign as being part of the UNESCO Slave Route Project whereby the Town of Oxford has been documented as a Middle Passage Port on Maryland's Eastern Shore and how the site and Ms. Paca's Water's Edge Museum fulfils the quality criteria set by the UNESCO Slave Route Project, by being a place to celebrate how people of color lived on the Eastern Shore and how their lives matter. The sign itself, measuring 63" x 42", is a two-part sign with one side explaining how it relates to Oxford and the other explaining why it has been dedicated to the town. The point of the sign is to recognize history and come to terms with it and racial injustice. Mr. Logan explained that they would like to treat this as a temporary sign and put it on Ms. Paca's property at 101 Mill Street, as the sign relates to both documenting Oxford as a Middle Port and the importance of the Water's Edge Museum. He further explained that the reason that the sign would be temporary was because they were looking to develop a permanent location for it down near the ferry dock. Chairman Baker explained that the commission needed to refer to the Oxford Zoning Ordinance which had very specific regulations with regards to signage. He noted that one problem was that the sign did not have a firm location and that the Zoning Ordinance is firm in stating portable signage is prohibited. Chairman Baker stated that the one side of the sign could be mounted on the museum building and that would be allowed but that would work for only one side of the sign. To have a double-sided sign, it would have to be placed on a permanent stand of some kind. Mr. Logan responded by stating the sign, which is currently on wheels, would be staying there for a year. The members tried to explain that the sign, to stay in its current location, would have to be made permanent to bring it into conformance with the town zoning ordinance. Chairman Baker asked if it was located on town property. Mr. Logan responded it was not, that it was on Ms. Paca's property. Town Planner Maria Brophy spoke stating that she and the Town Manager went out to the site to look at possible locations for the sign along with where Ms. Paca has wanted to place it, which is near a pole less than 10' from the property line. Both she (Ms. Brophy) and Manager Lewis had suggested to Ms. Paca placing wheels on the sign so that it could be rolled out for the upcoming dedication event of her museum, realizing that it would not be out there full-time. Chairman Baker spoke stating that he did not feel comfortable in okaying a sign that could

be moved back and forth and that he did not consider this a structure as a structure had to be fixed in the ground. This led to a discussion whereby it was pointed out that variances for signs are not allowed signs. Mr. Bell stated that the real question was what Mr. Logan wanted to do today until the sign becomes located in a permanent place, adding that if Mr. Logan was willing to make it a permanent sign on the Mill Street property for now, it would also have to meet other elements of the code, including a 10' setback from the street. Mr. Logan responded that in doing so it would create a steady stream of people walking further into the property to read the sign. He added that it was a different kind of sign and more like a marker. Chairman Baker read the section of the town's zoning whereby it states, under permitted signs, that one sign shall not exceed 20 sq. ft. and that it shall be located on the premises of institutions. Even though this is presented as an historic marker, the ordinance, as written, would not allow it to be placed on the edge of the street, and as far as approving it as a normal sign, Chairman Baker stated he would not approve it. However, he did bring to the attention of the applicant and the members Section 8.03.G.1.d which reads that "The Planning Commission action or failure to act may be appealed to the Board of Appeals under the provisions of §11" which totally contradicts Section 8.03.G.5 which states "Variance shall not be granted for any sign." Mr. Moroczek stated that Mr. Logan has already pointed out that this type and character of signage is like no other described in the zoning ordinance and from his perspective, he believed that Appeals Board could offer a variance. Mr. Logan suggested working with Ms. Brophy and taking a closer look at the zoning ordinance. Ms. Brophy offered two suggestions which were as follows: 1) have a plat made so the owner could see where the property ends and the road begins. If the owner then finds the structure could be made permanent, and could meet the 10' setback, she would only need to come back before the Planning Commission with the change which would then easily be approved and a permit granted; 2) keep the application as it stands and if denied, it could be appealed for the location it is in, assuming it is found that it does not need the 10' setback. Mr. Miller made a motion to deny the sign because the Oxford Zoning Ordinance is absolute in not allowing a portable sign and offered the suggestion that the applicant proceed to the Board of Appeals with the Planning Commission making a recommendation to the Board of Appeals that they look favorably upon this because of the historical significance of the project and its importance to the town. Mr. Mroczek seconded the motion. Mr. Bell questioned how this motion would take care of the issue of portable signs and offered an interim answer which was to place the sign at a location, whereby there may be the need for a 10' variance, but that the portable aspect of it was a major issue. He questioned what the commission wanted to do to support this and help the applicant. Manager Lewis suggested that the motion could be that the Planning Commission agreed with the sign, just not the placement of it and therefore it could be favorable based on the content of the sign, just not the placement aspect of it. This would give the applicant the chance to either set the sign back 10' off from the road onto the property or to go before the Board of Appeals and see if they would permit a special exception due to the public purpose of the sign. Mr. Logan suggested that the commission could table it for now so that he (Mr. Logan) could look at the options and come back with the permit again later. Chairman Baker responded that he felt that was unnecessary given that the sign is already up and that the commission was available to help him but that the commission did have follow the bounds of the zoning ordinance. It was agreed by all to go back to Mr. Miller's original motion which had been seconded by Mr. Mroczek. The motion was carried with Chairman Baker refraining from the vote. Chairman Baker noted that the commission could suggest to the Board of Appeals that the sign was a good addition to Oxford based on the historical nature and unique characteristics of the sign. The members of the commission all agreed with the suggestion, as well as Mr. Logan. This concluded the review of the application.

Prior to adjourning, Chairman Baker stated that on August 11 there would be a public hearing for a fence ordinance. Manager Lewis responded that had been reviewed in a virtual meeting last year and had been approved, copies of which had been placed in the Planning Commissions' information drawer last year.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Lisa Willoughby

Assistant Clerk