

OXFORD PLANNING COMMISSION

MINUTES

NOVEMBER 2, 2021

The regular monthly meeting of the Oxford Planning Commission was called to order by the Chairman, David Baker, on Tuesday, November 2, 2021, at 6:00 p.m., via "Zoom" due to the on-going pandemic of a virus known as Covid-19.

Other members participating in the virtual meeting included Norman Bell, Edwin Miller, and Steve Mroczek. Also in attendance was Town Manager Cheryl Lewis and Town Planner Maria Brophy.

The minutes of the meeting of October 5, 2021, were approved and accepted as distributed.

The following building permit was reviewed by the commission:

- Permit #21-103, Campbell's Town Creek Boatyard, LLC, 106 Richardson Street, remove and replace existing bathhouse and storage building and associated lot coverage. The owners of the boatyard, Mr. and Mrs. Thomas Campbell, along with their residential designer, Tim Kearns, were virtually present to discuss the application. Mr. Kearns spoke explaining that the owners want to remove and replace the existing bathhouse and adjacent storage building as well as modernizing the facility and complying with flood elevations and stormwater management while trying to minimize impact on the site. Mr. Campbell spoke stating the plan is to take the two existing buildings down (which are grouped together) and replace them with a single structure located within the same footprint. The architecture of the new building would be simple, having a raised slab, with a ramp leading into the building, all of which would be built to meet the floodplain requirements. Chairman Baker pointed out that that the two buildings that the owners wish to demolish appear to be 4' from the boundary of the property line. The property itself is listed as being in a "C-3" zone which has a setback of 2' unless the property line is adjacent to a residence or street, then the setback must be 15', as described in §27.05 of the Oxford Zoning Ordinance. As the buildings currently stand, they are non-conforming, and if removed, anything new built in their place would have to meet the current setbacks. However, under §9.00.E of the Oxford Zoning Ordinance, Chairman Baker pointed out that it is written that "It is the intent of this section to permit the voluntary demolition of structures that have become blighted, by reason of decay or casualty." It goes on to say, under §9.00.E.3, that "if any such blighted structure shall be voluntarily removed after approval of the Planning Commission and/or Historic District Commission, and after filing in the Town Office of a surveyor's plat locating the existing structure, and after issuance of a demolition permit, the original foot print of the removed structure shall continue to be recognized by the Town, and the lot shall be considered a grandfathered building site." Mr. Campbell explained to the commission members that they were originally planning to remodel the building(s) which were built in the 1950's. However, the sills are rotten, the walls are rotten, and the condition of the buildings have been highly affected by Hurricane Isabel and the flooding caused by the hurricane. He further noted that the bathhouse structure was built on a concrete slab with all the drain work located within the slab. All the plumbing is failing in that building and in order to try to renovate it, the floor would need to be demolished entirely. Mr. Bell spoke stating that he had been out to the site to look at the buildings and agreed that they were in poor shape and weren't constructed well. He added that he was a big fan of renovation work, but that in this case, he didn't think it was possible, and though he had not seen inside the building, he was of the opinion that the buildings were showing signs of age and ready to be taken

down. Chairman Baker stated it was up to the Planning Commission to deem the buildings as blighted and that he would support the ordinance in viewing this as a blighted structure. He added that the structure Mr. Campbell was proposing to put back would be in the same area as the existing structure(s) and that the application did contain a plat supporting where the existing blighted buildings are located at present. He asked Mr. Campbell if there was any way to increase the setback between himself and his neighbor at 110 Richardson Street. Mr. Campbell responded that there were a series of lovely trees around the current buildings that he wanted to preserve and the functionality of the location was ideal in relationship to the docks and parking area. He added that he had spoken to the neighbors and made them aware that he would not be encroaching any further and that the neighbors had planted a number of trees up and down the property line so as to minimize their view of the boatyard. Mr. Kearns added that the new work being proposed would result in an overall decrease of impervious surface coverage by 119 sq. ft. Chairman Baker asked the commission members if they agreed that the structures discussed were blighted and as such could be removed and replaced in essentially the same location along with extra coverage being removed. Mr. Mroczek made a motion that the commission believed the structures to be blighted with all members having seen the buildings and that therefore this falls under the provision of §9.00.E.3, and because it meets the provisions of that definition, they are therefore allowed to demolish the buildings and build on the same footprint. The motion was seconded by Mr. Miller. Chairman Baker spoke stating he had a question with regards to the proposed lot coverage whereby he understood at 424 sq. ft. of the proposed new building was not considered as having coverage and that he thought the plan, drawn by Lane Engineering, needed to explain why there was a discrepancy of 424 sq. ft. Mr. Kearns responded that the 424 sq. ft. refers to the deck that the building will have, that will have open spaced boards. Town Planner Maria Brophy addressed Chairman Baker and explained to him that the deck would be viewed as being pervious and during the office review of the permit, before an approval permit is issued, the town will confirm with the applicant that it will meet all the requirements of a pervious deck along with stating in the approval letter that it must be built to be pervious. Mr. Kearns added that he had a note on the site plan mentioning the deck/ramp as being 424 sq. ft. with the wording that it was not considered as lot coverage but could add more to it explaining why that was the case. Chairman Baker responded that he would be more comfortable if an explanation were added. Mr. Mroczek again made a motion that the commission accept the application as presented with the comments that were discussed. The motion was seconded by Mr. Miller and carried with all in favor.

Prior to adjourning, Chairman Baker announced that though he wanted to remain as a member of the Planning Commission, he no longer wanted the position as Chairman and nominated Norman Bell as his Chair replacement. Mr. Mroczek seconded the motion which was unanimously carried.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Lisa Willoughby

Assistant Clerk