

OXFORD PLANNING COMMISSION

MINUTES

MAY 3, 2022

The regular monthly meeting of the Oxford Planning Commission was called to order by the Chairman, Norman Bell, on Tuesday, May 3, 2022, at 6:00 p.m., in the meeting room of the Oxford Community Services Building.

Other commission member in attendance were Steve Mroczek, Edwin Miller, and Bruce Beglin. Also in attendance was Town Planner, Maria Brophy.

The minutes of the meeting of March 1, 2022 were approved and accepted as distributed. The meeting of April 5, 2022 was approved and accepted as distributed with the corrections made by the clerk as noted by Chairman Bell.

The following permits were reviewed by the commission:

1. Permit #22-26, William Britton and Natalie Holt Morgan, 206 Tred Avon Avenue, 47 gallon vertical LPL tank and supply of LP lines. Prior to the discussion of the application, Mr. Miller asked that the record reflect that though Mr. Britton and Ms. Morgan are future neighbors of his, he did not feel compromised and could consider the application objectively. Mr. Britton, who was present at the meeting, explained that he was looking to install a propane tank on his property, which is 21' wide with a house on it that is 16' wide. As such, the side property line is tight, and that he had been made aware that the tank could not be put in where he wanted it to go, on the side of the property, without a variance. Locations for the tank, other than the side yard, had been considered but would be further away from where the tank needs to be in order to operate efficiently. A letter of support of the project was received from the applicants' next door neighbor, who would be the most affected by the request. A photo of what the tank would look like was also presented. Mr. Britton noted that his plan is to install a section of lattice fence on the street side to obscure the view of the tank from the street. Chairman Bell asked if the fence would block the egress. Mr. Britton responded that it would not and that there would be 2 ½' of space to walk through, from either the front or back, in order to service the tank. Mr. Mroczek spoke stating that as a fire fighter, the closeness in the alley between the Britton/Morgan home and that of the neighboring property bothered him but there was nothing preventing the applicant (other than the setback) from requesting that location. Mr. Britton responded that precautions would be taken with the tank and that his neighbor's tank was already in the same location and over the setback. Mr. Beglin asked if the tank could be put at the other end of the lot, with an underground line installed leading from the tank into the house. Mr. Britton replied that he had asked the installer that question and was told that the service/performance would be better if it were closer to the house and that the person he spoke with gave him the impression that the tank would not present any kind of fire hazard. Mr. Beglin responded that his son has an LP tank with a 100' line running from the tank to his house and that it works for him, which gave

Mr. Beglin the impression that Mr. Britton's propane man may not be acting in the applicant's best interest. Chairman Bell explained to Mr. Britton that because the requested tank does not meet the setbacks as given in the Oxford Zoning Ordinance the commission would have to disapprove the application. Planner Brophy went over with the applicant what the setbacks for his property were, noting that he has a through lot, in which his house faces a street at either end, thus creating a 25' setback on either end and a 5' setback on either side. However, she believed that there was enough room in the back of the property for him to install the LP tank if he so desired. A motion was made by Mr. Mroczek to reject the application. The motion was seconded by Mr. Miller and unanimously carried with all in favor. It was agreed by all the members present to not send a recommendation to the Board of Appeals.

2. Permit #22-38, Karl and Amy Williams, 26108 Bachelor Harbor Drive, installation of a 1.5 heat pump. The Williams's were represented by their contractor, Robert Connelly. He explained that the couple had a permit to finish off the upstairs of their existing garage. Though the main house has geo-thermal heating, the garage does not and will require a 1 ½ ton heat pump. Halfway through the project, and after an HVAC worker had installed the pump pipes within the wall of the structure, it was found that the entire garage was within the 100' buffer and legally the only spot the HVAC unit could be placed was right in the middle of the owner's driveway. As a result, the owners are looking to get a variance for a 30" x 30" heat pump as specified on the plat attached to the application. Mr. Connelly noted that along with the garage being in the 100' buffer, part of the house was as well. The new HVAC unit would not extend out any further than the house. Chairman Bell stated the commission would have to deny the application because of the setbacks noting that he had seen that the applicants already have an appeal scheduled. Mr. Mroczek made a motion to deny the application. The motion was seconded by Mr. Miller and unanimously carried. Mr. Mroczek made a motion that a recommendation be given to the Board of Appeals to consider approval of the variance as it has few options. The motion was seconded by Mr. Miller and unanimously carried with all in favor.

This concluded the review of building permits.

DISCUSSION

A discussion took place between Planner Brophy and the members concerning the town's requirement of having a 4' fence around swimming pools. Brophy explained that Section 223.1 of the International Pool Code has a provision whereby one can use an automatic pool cover in lieu of a fence. She noted that she would need to work with the town attorney to see what could be done but that she wanted to propose to make an amendment to the Oxford Zoning Ordinance to include some of the language similar to that found in 223.1 so that swimming pool requests are not limited to 4' fences. She noted that section to which she was referring was very detailed and did not know if all the wording would need to be used. It also included a section regarding access into a swimming pool on a property surrounded by water that she felt would be useful for the town's purposes. Chairman Bell asked how a pool cover would address protection from falling into a pool. Brophy responded that the cover would be automatic and could quickly open and/or close and, if used properly, would work the same way as a fence. Chairman Bell pointed out that using a cover properly was a concern for him along with the homeowner remembering to close their swimming pool when leaving their property. Brophy responded that the owner would have to be responsible, and that the county had already adopted this practice. Mr. Beglin noted that an automatic pool cover was only automatic if someone actually closed it. The commission members were

all skeptical of the idea with Mr. Miller stating that he didn't feel as though requiring homeowners with swimming pools to put a fence around their pools was a burden. Chairman Bell mentioned that if an ordinance of this nature were to be introduced, it was likely the public was going to ask why it was being considered. He also suggested that since this change was included in the International Code, there may be data that supports the change which would be of interest to the Commission. The discussion ended with Brophy announcing that this was one of many text amendment ordinances she was going to be proposing.

Prior to closing the meeting, Mr. Miller mentioned that he was approached by 2 citizens who wanted to know about 27 houses that were being proposed north of Bachelor's Point and wanted to know if the town had information about that as he felt the Planning Commission should be kept abreast of this kind of information so as to be prepared to act when the time comes. Planner Brophy responded that this was brought up by an individual at a recent Commissioner's meeting regarding the possible annexation of that property. She verified that nothing had been proposed or designed yet. Mr. Miller mentioned that he had also heard that the Scottish Creamery was planning on relocating to the first floor of The Mews building and voiced his concern as to what will happen when the town is faced with possibly more pedestrian traffic as a result of this move. He noted that if this comes to pass, the town should consider doing something in terms of pedestrian safety or traffic control such as considering a crosswalk like the one in front of the Talbot County Library in Easton.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Lisa Willoughby.