

OXFORD HISTORIC DISTRICT COMMISSION

MINUTES

APRIL 1, 2024

The regular monthly meeting of the Oxford Historic District Commission was called to order by the Chairperson, Jennifer Stanley, on Monday, April 1, 2024, at 5:00 p.m., in the meeting room of the Oxford Community Services Building.

Other commission members in attendance were Terry Sullivan, Margaret Morris, James Wilcox, and Justin Werner. Also in attendance was Town Planner, Marilyn Williams.

The minutes of the meetings of February 12, 2024, and March 4, 2024, were approved and accepted as distributed.

The following building permits were reviewed by the commission:

1. Continuation of the review of Permit #24-05, Swallows 200, LLC, 200 Tred Avon Avenue, for review of the request for a 4' white picket fence only. Thomas Caravythà, representative for Swallows, LLC, along with his husband, Freiderikos Franke, architect Christine Dayton, and Attorney Zach Smith, were present to discuss the application. Attorney Smith began the discussion by presenting an historic photo of 200 Tred Avon Avenue, from the book "Oxford Treasures Now and Then," which depicted a photo of a picket fence that had been located on the property. Attorney Smith noted that the original fence was an important missing feature of the property. The proposal is to install a new picket style fence around the perimeter of the property that, as Attorney Smith pointed out, was consistent with The Secretary of Interior's Standards for the Treatment of Historic Properties, as noted under the article Rehabilitation as a Treatment and Standards for Rehabilitation. In his review of the article, Attorney Smith referenced point number 6, that stated, in part, that "replacement of missing features will be substantiated by documentary and physical evidence", and that in the case of the Swallows, LLC request for 4' picket fencing, has been provided. Attorney Smith also referenced point number 4, that states "changes to a property that have acquired historic significance in their own right will be retained and preserved." He pointed out that the request from Swallows, LLC for picket fencing was not only consistent with the HDC guidelines but that it was also consistent with The Secretary of Interior's Standards as well. An email received by Attorney Smith from Liz Constanza, member of the Maryland Historic Trust, was also shared with the commission members, in which Ms. Constanza referenced that MD Historic Trust works to preserve history and that in their meeting, the HDC should remember that the focus of the HDC should be on the Oxford guidelines as well as The Secretary of Interior Standards for the treatment of historic properties. In addition to this, Attorney Smith stated he had contacted Eric Harvey, metal working craftsman and owner of E. R. Harvey Metalworks, who, in turn, had emailed Mr. Caravythà with the recommendation that he remove the existing metal fencing on the property at 200 Tred Avon Avenue in its entirety, as it was heavily rusted, commercially fabricated, and not historically significant in that it was not forged and fabricated by any local craftsman. Photos were also presented showing the condition of the existing metal fencing on the property, noting that Mr. Caravythà would like to remove and replace the existing

metal fencing with picket fencing. Mr. Caravythà stated that he had contacted most of the homeowners on Tred Avon Avenue and West Street and that they did not have any objection to a white picket fence. Mr. Sullivan spoke stating that it had been his suggestion earlier that since Chairperson Stanley was not present at their last meeting with Swallows, LLC, to table this portion of the application, because he had been concerned that the commission could have a split vote, until the full commission was present. Since that time, he stated he has had time to think about this request and the reasons that had been given at this night's meeting, along with other picket fencing in town like the one being requested, which have never been denied, was cause for him to rethink his earlier thoughts. He stated that, in his view, it should be the homeowner's choice to go with either style of fencing and that he did not have a problem with going with the picket fencing. Mrs. Morris stated that she agreed and that she looked at it the same way, that the applicant has a choice. She added that though she saw the black metal fencing as unique, she also saw it was in a state that is not ideal and only on part of the side of the property. Mr. Wilcox spoke stating that he was in favor of granting the application but wanted to correct two things. He stated the purpose of the guidelines is to preserve history and that the commission had talked about the photography but thought there were several instances in the guidelines where it was clear that historic didn't just mean something that was there 50 years ago but also goes back to the earliest condition. In addition, he referred the General Principles on page 5, pointing out, in part, the need to "Identify, retain, and preserve the overall form, materials, and details that are important in defining the architectural and historical character of the building and site ...including documentary evidence including old photographs, along with "replacing missing or deteriorated historic materials and features when the extent of deterioration precludes repair..... and since this is not always technically or financially feasible, substitute materials are acceptable when they convey the appearance and finish of the original feature." Mr. Wilcox added that he was moved by this determination by the HD Historical Trust, which is entrusted in making historic preservation determinations, and what they say is entitled to strong weight that supports the position, and that he would support the application as well. Mr. Werner spoke stating that he struggled with the overall situation, the originality of the documentation of the fence, what is there now, and the overall picture of the property and entire neighborhood and what the commission is tasked with. He noted that there are guidelines and there is also the part of the effects of changing something and how that affects the neighborhood and presentation of the house and gave the example that if the commission had to date everything back to the original look, there could have been a gas pump in front of the Oxford Social. The question he thought the commission should ask themselves was if they want to stick to that concept of keeping things the way they were originally. Mr. Werner was also of the opinion that the commission needed to look at the overall effect of what the application was asking for and what the overall feel would be from the public's perspective. He thought that this application, along with the other fencing application before the commission at this night's meeting for the property next door, would create increased fencing and the closing off of borders thus creating a change to the physical landscaping. Mr. Werner pointed out that what the applicant was proposing was not the original look of the fence that was there, and that he would love to see the iron fence remain with its airiness rather than a picket fence that would create more of a division. Again, he stressed that he was uncomfortable with running the fencing around entire property and how that would change the street view. Mr. Sullivan stated the commission shouldn't allow one house to have picket fencing around it and not

the next. Chairperson Stanley asked if any members of the audience had any questions. Neighbor Timothy Kearns stated that decisions needed to be based on documentation and that whatever is being proposed should go with whatever the historic details showed, matching it with exact details. Mr. Caravathà confirmed that his request was for a picket fence, like that of his neighbors on his street. It was pointed out that the historic photo of the fencing at 200 Tred Avon Avenue showed that the wood fencing at that time was more like a matchstick fence. Chairperson Stanley stated that commission would prefer the square picket style. She went on to state that the fence has to be harmonious with the streetscape and with history. She added that the commission wanted the building preserved and if the applicant wants a fence, then the applicant has to build a fence to replicate what was there. Mr. Sullivan noted that he did not think the commission wanted Mr. Caravathà to make the fence taller, like the one shown in the historic photo, and that he was proposing the fence to be shorter. Chairperson Stanley went on to explain the history of picket fencing stating that it was designed and originated in the colonial period and that iron fencing went way back in time as well. Member of the audience, Thomas Costigan, pointed out that it sounded like some confusion as to what the board members were approving or disapproving and that it did not sound like they had a clear idea of what the material and construction of the proposed fencing would be. He asked if they had been shown a picture of the pickets to be used. He also noted that the applicant had not asked him how he, a resident of 212 Tred Avon Avenue, felt about the request for the fencing. He quoted from the HDC Guidelines "All fences and walls should blend harmoniously within the overall streetscape, matching both the subject property as well as the overall neighborhood." Additionally, he also quoted that "It is crucial that any fencing or walls should complement rather than hide a subject property." Mr. Costigan stated that his house, on the opposite corner, is open to the street, as well as Mr. Kearns property, located next to him, and the next two houses down. He was of the opinion that this was a major streetscape issue and by approving the fencing for this property, and the request for the one next door, the commission would be creating compounds and changing the streetscape and "that most of the people living on this street like the streetscape as it is". Neighboring resident Dorothy Fenwick explained the history of the "Oxford style fence", noting that Mr. Costigan's property contained a classic example of that style of fencing. She also added that her property at 211 Tred Avon Avenue was enclosed when she bought it, and that the only reason she took the front part of the fencing down was because it was cheaper to do so rather than replacing it. She also noted that she was disturbed about the conversation as to what one person likes and what another person dislikes, pointing out that it was irrelevant and that it doesn't matter to the MD Historic Trust what commission members think. The important thing is that things can be turned and changed to a degree, but if one has evidence as to how something looked, and one has someone willing to do what was there, that is fine. Audience member Catherine Bitter spoke stating that it was her understanding, that per the Zoning Ordinance, that any property owner within the town is allowed to have a fence as long as it does not exceed 4' in height, and if the fence is in the historic area, it must be a picket fence and it must be painted and that she thought the style was specified in the historic guidelines. Planner Williams requested that the commission make a motion by either one of two ways: 1) that the fence be replaced exactly as in the photo, but recognizing that the fence in the photo is much higher than the 30" being proposed and that it is a different style, or 2) the fence would be a 30" tall, white picket fence, just like the fence across the street at 201 Tred Avon Avenue so that it would match theirs, and that it would fully

enclose the property. She stressed the need that the motion be specific. Mr. Werner stated that he did not feel like he could make a decision on this right away unless more things could be defined. Mr. Sullivan pointed out that the commission had already pushed this off for a whole month and went on to make a motion that the commission approve a 30" white picket fence surrounding the entire property at 200 Tred Avon Avenue. Chairperson Stanley requested that they amend the motion that the fence match the pickets in the photograph of the oldest photo that the commission has. Mr. Sullivan responded that the problem he had with that was that the original fence was 4' and they only want to make the fence 30" and that he wouldn't hold them to that type of pickets. Mr. Wilcox seconded the motion as put forth by Mr. Sullivan. The vote was carried by a vote of 3 to 2, with Mr. Werner abstaining from the vote and Chairperson Stanley voting against it. Mr. Caravythà clarified that the names he had collected in favor of his request for the fencing were 25 out of the 31 people who live on Tred Avon Avenue and West Division Street, with whom he had spoken to personally and who agreed to the white picket fencing.

2. Permit #24-11, Brittany LLC, 202 Tred Avon Avenue, installation of 3' white railing fencing, relocation of a/c units, installation of car charger, creation of car parking on the property. Freiderikos Franke, representative for Brittany LLC, along with his attorney, Zack Smith, were present to discuss the application. Attorney Smith explained the request was for a white picket fence to run along Tred Avon Avenue and West Street. Currently there exists a fence running along the south side of the property. Mr. Werner pointed out that the application included a driveway and gate. Planner Williams read aloud the description as written on the application which also included moving the existing HVAC units to the existing brick walkway, construction of a car charger next to the HVAC units and addition of screening around those items. Chairperson Stanley suggested reviewing one item at a time. The commission began with the request for removal of the existing white fence running from the front of home to the side property and replacing it with a 30", white picket fencing, moved to the front property line and running across the entire front of the property. Mr. Werner asked about the gate included with the fencing that was needed to enter the new driveway, stating he did not think the commission could look at each item separately as these items were related. Planner Williams responded that in this case, they may want to look at the whole project because of the fact that it did include a parking space in which one wouldn't need the gate if there wasn't going to be a parking pad. Mr. Franke spoke stating there currently is no parking on the property and he just wanted a place on his property to park his car as well as the ability to charge his car with a car charger. Mrs. Morris asked for clarification regarding changing the front of the property to include a driveway as opposed to having a driveway at the back of the yard. Mr. Franke responded that the backyard is a garden area and that he did not want the driveway there. Mr. Werner pointed out that there are no other driveways located on Tred Avon Avenue. Mr. Franke responded that was where he wanted it to be. Mr. Werner brought up the issue of streetscape by stating that the majority of homes in that area have parking along the back of their properties. Chairperson Stanley asked if Mr. Franke had thought about moving the gate further back onto the property. Mr. Franke stated by doing so it would create a problem with the electric charger and the a/c units would get in the way. Mr. Sullivan pointed out that the guidelines were written before electrical vehicles and that one cannot have electrical wiring over sidewalks as that would create a hazardous situation. Timothy Kearns, a member of the audience, stated that this was not so much an historic question but rather more of a planning question. He noted that he has complained in the past about there being a parking problem in Oxford, and that

on Tred Avon Avenue there are limitations to the number of parking spaces available on that street. He was of the opinion that the driveway was not the purview of the HDC. The commission members turned their attention back to the business of the HVAC units and electrical chargers, and it was noted that they would be visible from the street but that white lattice screening would be used to hide them. Mr. Wilcox made a motion that the commission approve the application for 202 Tred Avon Avenue regarding the 30", white picket fence and related issues subject to the applicant getting appropriate approval from any zoning that may be involved. Chairperson Stanley asked that the motion be more specific. Mr. Werner asked what if they only wanted to approve certain parts of the application and note the whole thing. He stated he had no problem with the HVAC request, that the parking pad was not their decision, but that he did have some personal feelings regarding the existing section of fencing on the property being removed and the new fencing being added. He again stressed that he had had a problem with streetscape continuity as it related to this project. Mr. Wilcox revised his motion by stating that he moved that the commission approve the application for 202 Tred Avon Avenue including removing an existing white picket fence from the front and side of the property line and replacing it with a new white picket fence, running across the entire front of the property, not to exceed a height of 30", to construct a new white picket fence on rear property line running on West Street not to exceed 30", to move the existing HVAC units from behind the house and place them on the existing brick walkway, which runs along the side of the house, and also to construct a car charger near the relocated HVAC units on the existing walkway, along with a parking pad, if acceptable with planning and zoning. The motion was seconded by Mr. Sullivan and carried with one nay vote from Mr. Werner.

3. Permit #24-12, Brittany LLC, 202 Tred Avon Avenue, removing old flat roof materials on upper deck located in rear of house; replacing with new in-kind; replacing railing on upper deck with new decking materials; replacing railings on lower deck, also located in rear, to match upper deck railings. Both Mr. Franke and his contractor from Marasun roofing were present to explain the application. The contractor explained that this was a request for an in-kind replacement, noting that the second floor deck was leaking and needed replacing, along with replacement of the railing. The only exception would be that the current railing has a 45 degree angle, and the owner would like to square it up. The first floor railing on the back also needed to be replaced as well. No questions or comments were received. Mr. Werner made a motion that the commission approve the application as submitted for the replacement in-kind of roofing and railing at 202 Tred Avon Avenue as submitted and changing the 45 degree angle to a corner. The motion was seconded by Mr. Sullivan and unanimously carried with all in favor.
4. Permit #24-22, Mr. and Mrs. Joseph Sykes, 204 South Street, replacement of existing, deteriorating metal shed for safety reasons to be replaced with new shed; existing shed to be removed, gravel pad installed, and a prefabricated 10' x16' A-frame shed will be installed on the gravel pad with a ramp to provide handicap accessibility. Mr. Sykes was present along with his daughter Courtney Sykes, who presented the application. Ms. Sykes explained that her family was hoping to replace their rusting shed in the rear of the property that could not be seen from the street. The new shed would be wooden and slightly bigger. No questions were raised by the commission members nor members of the audience. Mrs. Morris made a motion to approve the application for 204 South Street for the replacement of the existing 10' x 13' metal shed with a prefabricated 10' x 16' wooden shed. The motion was seconded by Mr. Werner and unanimously carried with all in favor.

5. Permit #24-25, Stephen and Elizabeth Passano, 201 Tred Avon Avenue, replace 2 windows in upstairs bathroom in original house or replace 1 window facing 205 Tred Avon Avenue and install storm window on window facing West Division. Both Mr. and Mrs. Passano were present to explain the application. Mr. Passano noted that they were looking to replace two windows in a section of the house that was not in the original, historic section of the home. He noted that the house had had 3 additions added to it prior to his parents purchasing the house. He stated that the windows he was asking to replace could not be easily seen and that they were not historic windows. The new windows would remain the same size with the only change being the number of panes, resulting in 3 over 3 windows instead of 3 over 6. Mr. Werner made a motion to approve the windows as submitted, for 3 over 3 windows, for 201 Tred Avon Avenue as replacements, as submitted. Mr. Sullivan asked if they should include in the motion storm windows. Mrs. Passano responded that was just a backup plan but that they would now not be needed. The motion was seconded by Mr. Sullivan. Mr. Wilcox stated it was not clear to him when the existing windows were installed. Mr. Passano responded that the original house was constructed in 1905 but he did not know when the addition was built or when the stucco added but that it wasn't part of the original house. Mr. Wilcox stated he would probably abstain from voting because he knew the commission had been restrictive with replacing windows and it was not clear to him how particular the rules are and how they would apply to this situation. Mrs. Passano stated that she did not think the windows in question were in the historic section of the house at all and that the new windows probably wouldn't even be noticed. The motion was again seconded by Mr. Sullivan and carried out with one abstaining vote from Mr. Wilcox.
6. Permit #24-23, Joseph Howard, 106 Tilghman St., installation of multi-zone ductless 3:1 Mitsubishi heat pump. Mr. Howard, along with his contractor, Albert Urbina, were present to discuss the application. Mr. Urbina stated that the owner would like to install a ductless mini-split. The house currently has 3 window units. The mini split will have 1 condensing unit outside, in the back of the house, located off the ground. Lines will come down into the crawl space and come up on the backside of the house and off on the side. The outside unit will be screened with lattice. Mrs. Morris made a motion to approve the application for 106 Tilghman Street, for the removal of wall air conditioner units and installation of a ductless Mitsubishi heat pump system, along with white lattice to act as screening. The motion was seconded by Mr. Werner and unanimously carried by all in favor.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Lisa Willoughby

Assistant Clerk