

# OXFORD HISTORIC DISTRICT COMMISSION

## MINUTES

MARCH 4, 2024

The regular monthly meeting of the Oxford Historic District Commission was called to order by the Chairperson, Jennifer Stanley, on Monday, March 4, 2024, at 5:00 p.m., in the meeting room of the Oxford Community Services Building.

Other commission members present were Terry Sullivan, Justin Werner, James Wilcox, and Margaret Morris.

Chairperson Stanley warmly welcomed and presented to the commission members, the new Oxford Town Planner, Marilyn Williams, noting that Ms. Williams had previously worked for the Wicomico Planning Department in the handling of permits and subdivisions, in addition to working as the flood plain manager, along with having a background in land surveying. In addition, Chairperson Stanley offered wishes for a speedy recovery to HDC member Suzanne Litty who was back home and recovering from a recent illness.

The following permits were reviewed by the members:

1. Permit #24-14, Steven and Elizabeth Passano, 201 Tred Avon Avenue, extend existing white picket fence across front of house on Tred Avon Avenue and between property of 205 Tred Avon Avenue. Mr. Passano explained to the commission the couple's desire to extend a white picket fence across the front of the house and along the right side of the property, facing the front of the house, so as to enclose the entire property. The fencing would include two gates. Photos were presented showing what the fencing would look like. Commission member James Wilcox spoke stating that he had looked at the property and that he supported it with one clarification. He noted that on the right side of the property, where the couple want to locate the fence, the fence will be 2 or 3 feet inside the property and that there is some attractive vegetation there. Mr. Wilcox asked for clarification that the vegetation would not be damaged. Mr. Passano responded that was correct, adding that that area will allow access for the neighbor and the fencing would be inside their (the Passano's) property line. A small piece of fencing, that stands alone right now, will line up with the side fence. Mr. Sullivan made a motion to approve the extension of white picket fencing at 201 Tred Avon Avenue, across the front of the house and between the property at 205 Tred Avon. The motion was seconded by Mr. Werner and unanimously approved with all in favor.
2. Revision to Permit #23-102, for Kathy, Frank, and Bill Martien, 312 N. Morris Street, to add an additional 168 sq. ft. of brick patio to the previously approved new brick patio being added to the existing house. The Martien family was represented by their contractor, Scott Cronshaw. Mr. Cronshaw reminded the members that the Martien family had obtained a permit to do, among other things, a rectangular shaped patio porch. The request which the owners are now asking to make is to add on to the patio porch and create a wraparound, open patio that would face the Robert Morris Inn. The patio will be 1' above grade and would remain as an open patio. Planner Williams spoke stating that the staff reports also included a replacement HVAC system that came in a week before the scheduled HDC meeting. She added that the HDC did not have this information, so she had the staff report include that for the HDC members to vote on, if they so

desired. It was noted that there was a unit in the designated space before and that this was simply a replacement of the unit in the same location. Mr. Werner pointed out that the unit would require screening or shrubbery to hide it. Mr. Cronshaw confirmed that he would make sure that the unit would have a lattice frame around it, that the lattice would be the same level as the top of the equipment, would be roughly about 3' tall, and would be painted white. Mr. Werner made a motion to approve the patio addition to 312 N. Morris Street as proposed on the drawing along with the addition of placing a new HVAC unit in the same position as the last one, with lattice style screening, level with the top height of the condenser unit. The motion was seconded by Mr. Sullivan. Mr. Wilcox asked if the unit could be put on the side of the house. Mr. Cronshaw explained it had to stay where it was because of the placement of the steps and that the electrical work was already in place. The motion was unanimously carried by all in favor.

3. Permit #24-14, Justin Werner and Lisa Quina, 313 S. Morris Street, install 2 sections of fence with gates from house to existing fence to create penned space for dog, white picket, same as existing. Mr. Werner presented himself to the commission explaining that he and Ms. Quina have an existing fence between their two lots that is on the 313 S. Morris Street property line. The plan is to add 2 small sections, about 10' each. One section will be located at the front of the house and the other section at the back of the house, both connecting to the existing fencing. New gates will be included in the middle of the section of the fencing to provide access to access the second lot and one gate. No questions were received from the members or public. Mrs. Morris made a motion to approve Justin Werner's permits for 313 S. Morris Street to install two sections of fence with gates from the house to existing fence to create a penned space for a dog, white pickets, same as existing. The motion was seconded by Mr. Sullivan and unanimously carried, with Mr. Werner abstaining from the vote.
4. Permit #24-10, Jennifer Stanley, 221 South Street, replace wood garden fence on side of property. Mrs. Stanley presented her application noting that she wanted to replace her split rail, garden fence with post and rail fencing, on the same footprint, with no changes to the location or size. An aerial view of the location was presented. Mr. Wilcox commented that the existing fence was in bad condition and that was a good reason for wanting to replace it. Mrs. Morris commented that the garden fence could not be seen from the road. Mrs. Stanley noted that it could, however, be seen from the water. Mr. Sullivan stated that the existing garden fence was installed before there were HDC guidelines. He added that the guidelines mention what kinds of fencing are not permitted and that Mrs. Stanley's request for a post and rail fence falls under that category. He added, however, that he liked what Mrs. Stanley was proposing but because she was planning on taking down what is there and replacing it with something new, the request for the post and rail fencing would come under the current guidelines. Mrs. Morris responded by stating that her problem with the guidelines is that one would not be able to see the garden fence and that she herself never even knew that Mrs. Stanley had this fence on her property. She further stated that she would argue that the guidelines have to do more with front fencing and that this was more of a functional gardening fence. Mrs. Morris also stated that her main concern had been if the garden fence could be seen or if it could be seen by the neighbors. Mr. Wilcox stated he had noticed what Mr. Sullivan had stated with regards to fencing and what the guidelines mention adding that the guidelines don't give any exception when it comes to fencing. Mr. Sullivan opened up the conversation to the public audience. Mr. Kearns stated that in the past he had asked the HDC to address this subject and that it was a touchy one. He noted that people liked split rail and that it is appropriate in some places and other places it is not. Mr. Kearns questioned that if someone other than Mrs. Stanley had requested a post and rail garden fence, would the members allow grandfathering? Manager Lewis spoke stating there are guidelines on fences in

general. Repairing or replacing 15 percent or less, it is considered maintenance, but replacement for 100% is considered new construction. Mrs. Stanley asked if the commission is allowing fences that are aesthetically pleasing in front of houses or is the commission dictating to people what kind of pickets the commission likes or that all fencing needs to look like Oxford fencing. Mr. Sullivan suggested that maybe the HDC may need to revisit the guidelines. He was of the opinion that what Mrs. Stanley was presenting would blend in with the yard. Audience member Philip Logan asked if the fence was inside or on the property line. Mrs. Stanley responded that it was inside the garden. Mr. Logan stated that he did not think a fence within the property should be held to the rules for those on the property line. Audience member Ed Miller spoke stating that he was on the Planning Commission for 6 years and that the planning commission dealt with people wanting fencing. He remembered a long discussion as to whether Oxford wanted to be reviewed as a number of parcels surrounded by fencing or an open neighborhood. Audience member Dick Deerin spoke stating that he lives at 301 S. Morris Street and that his property backs up to Mrs. Stanley's yard. He noted that the existing garden fence is minimally visible from his property and that he had no objection at all to the fence. He went on to say that he thought there was a difference between a perimeter fence on a property as opposed to a garden fence within the property. Mr. Sullivan thanked the audience members for their responses. Mr. Wilcox offered his assistance in working to amend the guidelines to accommodate something of this nature but stated that he had difficulty in ignoring the guidelines as they are now, given that he is a lawyer and was concerned about following the guidelines. Mr. Sullivan stated that the commission had heard from two previous committee members who were faced with these issues before and that their primary concern had been with fencing in front of homes. He added that he liked the fence that was being proposed, that it was easy on the eyes, that it blended into the backyard, and that he would not like to see a white picket fence back in that location. Mr. Wilcox suggested that maybe her garden fence could be repaired. Mr. Sullivan responded that she needed a new fence. Mr. Werner noted that the commission members had seen the written word, had the audience participation along with the neighbor's participation, and have come back to the fact that the guidelines are not the law of the land. He thought the members needed to use their own personal opinion as a board as to whether they should approve something or not, based on all the data that has been put in front of them. He added that even though the guidelines say that the style isn't permitted, it does allow the commission the latitude to say they can't look at it from a neighborhood standpoint and that the commission should have the ability to vote on what they feel is an appropriate action for this type of proposal. Mr. Werner pointed out that it isn't viewable from the public way or going on the property line and that no opposition had been received from the neighboring properties. Mr. Sullivan stated, for the record, that the three properties who look at it (regarding the view of the proposed fence), including himself, Dick Deerin, and Scott Baker (who Mr. Sullivan stated he had spoken with) were all in favor of it. Mr. Werner made a motion to approve the fence as submitted, as a post and rail fence, 48" tall, surrounding the garden at 221 South Street. The motion was seconded by Mr. Sullivan. The vote was carried by a vote of 3 to 1 as follows: Justin Werner – yay, Terry Sullivan – yay; Margaret Morris – yay; James Wilcox – nay.

This completed the review of building permits.

## CONSULTATION AND UPDATE

Peter Linkin, on behalf of property owner Jean Meade, property owner of 200 Market Street, met with the commission to give them an update on the work being done on Ms. Meade's property. He spoke about the windows stating that the original windows in the house have all been removed and are in the process of being renovated. The old, original windows will be used on the front and sides of the house with only new windows being located on the back. Two different, small areas of siding have been placed on the house, one of which is cedar and the other "smart wood" that resembles wood and has an artificial grain pattern in order to get a better idea of which siding would be best. Mr. Linkin informed the commission he would get back with them as to which type of siding they will be going with. As for now, the owner is undecided as to which one to choose. Wood louvered shutters will be replaced on the house and will be painted dark forest green, like the original color. The existing front door, which will be kept and used, is currently a pea soup green color but the plan is to paint it to match the dark green color of the shutters. The exterior trim on the house will be white and the moldings will be replicated as closely as possible. The front and side porch will be exactly the way they were originally, which will have new, composite, tongue and groove decking so that it will not have to be painted. Plans also include a new fence to match the fencing as found on the Oxford Museum property. When construction has been completed, the plan is to bring up the old sidewalk that the contractors had found buried in front of the house, and to bring it up the length of Market Street. The chimneys of the house will be rebuilt with the old bricks originally used on the house. Mr. Linkin completed his presentation by noting that this house was originally a true Victorian home, not a waterman's home, as originally thought.

Prior to adjourning, Manager Lewis suggested that thought be given to the current HDC guidelines and that instead of planning on rewriting the entire thing, the commission should just take a look at the fencing section, keeping in mind the history of split rail fencing, and maybe questioning why it has been deemed as non-acceptable when it had been used in colonial days. She suggested fixing the things the commission has an issue with and working on one issue at a time. Town Planner Marilyn Williams offered to do some research and asked that any information on fencing that the members find, to please send it to her.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Lisa Willoughby

Assistant Clerk