

**Denton Planning Commission**

**Minutes**

**Town of Denton**

**January 26, 2016**

**Planning Commission Members:**

Doris Walls, Chairperson\*  
William Quick\* Arrived at 6:30 p.m.\*\*  
Sue Cruickshank\*  
Marina Dowdall\*  
Dean Danielson \*  
Nicholas T. Iliff, Jr.\*

\* Those Present  
\*\* Excused  
\*\*\* Absent

**Visitors:**

Donald H. Mulrine, Jr.	Tom Batchelor
Ryan Showalter	Tim Glass
Thomas Prete, Jr.	Mike Donaldson

**Recording:**

Thomas G. Wilkes, P.E., Town Engineer

1 PROCEEDINGS

2 **Call to Order:**

3 The regular meeting was called to order by Chairperson Walls at 6:00 p.m.,  
4 on January 26, 2016, at the Denton Town Office and followed by the Pledge of Allegiance.

5 **Approval of Minutes:**

6 The November 24, 2015, minutes were reviewed and approved as submitted.

7 **Election of 2016 Officers:**

8 Doris Walls was nominated for Chairperson and Sue Cruickshank was nominated for Vice Chairperson.

9 **Old Business #1 – Other:** None

10 **New Business #1 – Annexation:**

11 Applicant arrived late and the Commission moved to New Business Item 2-5.

12 Ryan Showalter provided an overview of the proposed annexation for DMB LLC. This  
13 request is for a single parcel of land located at 374 Deep Shore Road. It is currently improved  
14 with a single family residence and County zoning is R-1 and is located immediately adjacent to a  
15 Town parcel zoned Regional Highway Commercial (RHC). This parcel is located within the  
16 Town’s growth area and designated as residential. The applicants’ annexation proposal includes  
17 combining this parcel with the adjacent parcel owned by Sidewinders Partners LLC and zone  
18 Regional Highway Commercial (RHC) for the proposed commercial development of a 25,000  
19 square foot medical office building. The majority of the development will occur on the Town  
20 parcel.

21 Mr. Showalter has drafted the documents for the annexation petition which includes the  
22 annexation plan. The developer will be extending the infrastructure to the property and will be  
23 served by Town water and sewer. Locating medical offices in town benefits the Town. There is  
24 no land needed for the extension of public services because the developer will be acquiring the

1 easements. This project will not impact schools and the Police Department currently serves half  
2 of the project site.

3 Because this parcel is zoned R-1 in the County, the State Code laws for annexation states  
4 that the Town has jurisdiction over the Town boundaries following annexation except if there is a  
5 material difference in the proposed land use after annexation. In this case, there is a five year hold  
6 on the zoning unless the County provides an express approval to waive the zoning.

7 Mr. Showalter is requesting a favorable recommendation on the annexation of the land and  
8 for the proposed zoning of Regional Highway Commercial (RHC) from the Planning Commission.

9 Mr. Quick motioned to make a favorable recommendation to the Denton Town Council for  
10 the annexation of 374 Deep Shore Road and the zoning designation of Regional Highway  
11 Commercial (RHC) based on consistency with the 2010 Denton Comprehensive Plan's growth  
12 element, growth area, and increase in community services.

13 Commissioner Dowdall seconded the motion. The motion passed unanimously. (5:0)

14 **New Business #2 – 2010 Comprehensive Plan:** Thomas Batchelor provided an overview  
15 for the scheduled update to amend the Comprehensive Plan to include the Septic Tier Map in July  
16 as an appendix.

17 Don Mulrine referenced the Septic Tier Map and informed the Commission that Denton is  
18 mostly Tier I because of public infrastructure. All other areas are designated as Tier II and planned  
19 for water and sewer as part of Denton's growth plan.

20 **New Business #3 – Zoning Ordinance Amendments:** Thomas Batchelor provided  
21 overview on proposed changes to the Official Table of Use Regulations. Proposed amendments  
22 include changes to the nonconforming use and density requirements for apartments, dwellings,  
23 and vacant properties in the Mixed Residential (MR) District.

24

1 Chairperson Walls stated the Child Care within Business on the Table of Use Chart was  
2 incorrect. Staff will research this item.

3 Vice Chairperson Cruickshank recommended changing the single family conversion in the  
4 MR District to be allowed.

5 **New Business #4 – Mallard Landing Phase IV:** Don Mulrine provided an overview on  
6 the request from Jim DiDonato to eliminate building lots in Mallard Landing Phase IV and  
7 converting this area to open space. The open space will be transferred to the Home Owner's  
8 Association for maintenance of the property.

9 The Town is securing the rights to access the property for future water and sewer extension  
10 and asked the applicant to donate this open space to the Town for future plantings. Mr. DiDonato  
11 has requested compensation by refunding the water and sewer allocation fees paid for these three  
12 lots.

13 Commissioner Dowdall motioned to authorize the Director of Planning to approve the  
14 minor subdivision line revision for Mallard Landing Phase IV.

15 Commissioner Danielson seconded the motion. The motion passed unanimously. (5:0)

16 **Other New Business #5:** Mr. Batchelor discussed proposed zoning text amendments for  
17 the definition of the redevelopment process, nonconforming properties, and a comprehensive  
18 change for the abandoned and vacant properties.

19 Dave Dahlstrom, Maryland Department of Planning, recommended changing the approval  
20 process for the redevelopment process. Mr. Batchelor recommended that the Planning Director  
21 request the Planning Commission to delegate this authority to the Planning Director for  
22 redevelopment projects.

23 Chairperson Walls requested that the Planning Commission be informed on all  
24 administrative site plans.

1 Mr. Batchelor informed the Commission on proposed changes to the water and sewer  
2 ordinance and the trash ordinance.

3 **Staff Item #1 – Joint Working Session** – Mr. Mulrine would like to schedule a Joint  
4 Working Session with the Denton Town Council on April 26, 2016.

5 Other items of concern were the Health Department and Liquor License regulations.

6 **Adjournment:** The meeting adjourned at 7:05 p.m.