

**Denton Planning Commission**

**Minutes**

**Town of Denton**

**March 28, 2017**

**Planning Commission Members:**

Doris Walls, Chairperson\*

William Quick\*

Sue Cruickshank\*

Marina Dowdall\*

Dean Danielson \*

Nicholas T. Iliff, Jr.\*

\* Those Present

\*\* Excused

\*\*\* Absent

**Visitors:**

Donald H. Mulrine, Jr.

**Recording:**

Thomas E. Batchelor

## PROCEEDINGS

### **Call to Order:**

The Planning Commission Meeting was called to order by Chairperson Walls at 6:00 p.m., on March 28, 2017, at the Denton Town Office and followed by the Pledge of Allegiance.

### **Approval of Minutes:**

The February 28, 2017, Planning Commission Meeting minutes were reviewed and approved unanimously as submitted.

### **Old Business #1 – Other**

A reminder for all Planning Commission Members and staff to complete the 2016 Ethics Forms.

### **New Business #1 – 2016 Annual Report**

The 2016 Annual Report required by the Maryland Department of Planning that was prepared by staff was presented to the Planning Commission for review and comment.

Commissioner Dowdall motioned to approve the 2016 Annual Report.

Commissioner Iliff seconded the motion. The motion passed unanimously.

### **New Business #2 – Ordinance No. 684/Conditional Use Permits**

Chairperson Walls noted for the Commission that this proposed ordinance is for discussion only. The Commission is not required to act on the proposed ordinance until after introduction to the Town Council.

Mr. Batchelor provided a brief overview of the proposed ordinance. After discussion with the Town Attorney, this ordinance will be amended and renamed “Site Specific Approval Standards.” The intent of this ordinance is to change current regulations toward the Pattern Book regulations.

Vice Chairperson Cruickshank asked for clarification in regards to nonresidential properties.

Mr. Batchelor clarified the intent of the ordinance was to address nonresidential, developed properties, and redevelopment properties.

Vice Chairperson Cruickshank asked for clarification of the reference to Public Lands.

Mr. Batchelor will research the Town Code and provide clarification.

Commissioner Danielson asked for clarification on the setbacks. How does this affect the Blough's proposed project?

Mr. Batchelor responded that setbacks for the Blough's proposed project was for an accessory structure not a principal structure. The building setbacks in the Table address principal structures.

The Town Attorney has provided amendments to this proposed ordinance that will be discussed at the April Town Council Meeting.

### **New Business #3 – Ordinance No. 685/Nonconforming Lots of Record**

Mr. Batchelor provided a brief overview of the proposed amendments. This ordinance amends the setbacks for residential infill properties. The Appendix for the residential infill states the setbacks are based on historic setbacks, and provides the Planning Commission to amend the setback. The current nonconforming building side yard setback is 9 feet. Some existing nonconforming properties are unable to accommodate a 9 foot side yard setback. The proposed ordinance will allow for the existing side yard setback.

The Town Attorney specified a proposed amendment to this ordinance to specify procedure for documentation of historic setbacks, such as, site survey.

Chairperson Walls noted the setbacks would address principal structures.

Commissioner Iliff requested clarification for historic setbacks for principal structures and accessory structures.

Mr. Batchelor stated this proposed ordinance amends setback requirements for principal (primary) structures.

Mr. Mulrine provided some examples of existing nonconforming lots which property owners are unable to meet the current Town Code building setbacks for nonconforming lots of record to build replacement homes.

**New Business #4 - Ordinance No. 686/Steep Slopes**

Mr. Batchelor provided an overview of the proposed ordinance related to steep slopes. Steep Slopes are defined as any slope over 15% in sensitive areas. In this context, it addresses streams and buffers. The issues with the current Town Code is a 3 ft. stream currently requires a 300 ft. buffer which makes the property unusable.

The proposed ordinance will require a 100 ft. buffer and the steep slope would be included within the buffer. The only place where there would be an extended buffer is in the critical area.

In 2012 the State considered all waterways a protected area, and this mandate changed all ditches, streams, etc., to protected areas.

Commissioner Quick and Commissioner Dowdall were concerned about the proposed definition of steep slope, and would like the definition of steep slope clarified in the ordinance.

Mr. Batchelor stated the intent of the proposed ordinance is to eliminate the expanded buffer requirement for site development.

**New Business #5 – Other** – None.

**Staff Item #1 – Other**

Mr. Mulrine provided an update on Taco Bell and Legion Road improvements.

**Adjournment:** The meeting adjourned at 6:35 p.m.