

Denton Planning Commission

Minutes

Town of Denton

June 25, 2013

Planning Commission Members:

Doris Walls, Chairperson*
William Quick***
Sue Cruickshank*
Marina Dowdall*
Matt Breedlove**
Brian Tyler**

* Those Present
** Excused
*** Absent

Visitors:

Marta Tomic
Wayne Morris

Frank Depew
Jay Corvan

Recording:

Thomas Batchelor, Acting Planning Director

For the purposes of clarity the Minutes have been edited for brevity.

PROCEEDINGS

Call to Order:

The regular meeting was called to order by Chairperson Walls at 6:05 p.m., on June 25, 2013, at the Denton Town Office and followed by the Pledge of Allegiance. Minor technical difficulties experienced and the first several minutes of the proceedings were not recorded. Commission heard new business first before continuing study of the Comprehensive Plan.

Approval of Minutes:

The March 26, 2013, minutes were approved as submitted.

Old Business #1 – Comprehensive Plan: Chapter 10, Housing and Neighborhood

Element, was reviewed as part of an ongoing study of the 2010 Comprehensive Plan. In addition to review of the Chapter, Commissioner Cruickshank inquired about the status of enforcement activity on rental properties in serious states of disrepair. Staff provided updates on various programs, including the Rental Code and demolition of abandoned properties.

For approximately two years from the implementation of the Rental Code program in 2009, the Department of Planning and Codes focused on development of the administration and prosecution of the most severe code violations. Approximately 3% of the 325 residential rental properties possessed severe code violations and determined to be uninhabitable. Through court prosecution and persistent enforcement, legal and administrative, all were remedied by the owners through demolition or changing of possession and repair. Approximately 40% of all residential rental properties have received initial inspections for code compliance. The Department goal is to complete all initial inspections in 5 years from the start of the program. With the hiring of an additional property maintenance inspector, the goal is anticipated to be met in 2014.

The Department is also working with Caroline Habitat for Humanity and other Town Departments to secure grant funding to demolish abandoned and dilapidated housing. Habitat

1 for Humanity and the Town have a working agreement to perform demolition work for the Town
2 where the Town receives the legal right of abatement on an affected property. Habitat of
3 Humanity is also independently seeking grants for the purchase of properties to rebuild single
4 family and emergency shelter homes. The Commission made a request for staff to invite Bill
5 Clemens of Habitat for Humanity to attend a meeting and provide updates on Habitat of
6 Humanity projects and initiatives.

7 Commission members discussed the topic of affordable housing. Staff provided updates
8 on various projects involving federal and state grants, as well as, the initiatives of Habitat for
9 Humanity. Members disagreed with statement on Page 10-11 indicating that federal and state
10 programs that provide resources are under-utilized or not utilized. There are instances where
11 politics of the state dictate the receipt of resources. As indicated in the Chapter, regulations and
12 policies may adversely impact affordability. However, the Commission believes local
13 regulations and policies does not appear to adversely impact affordability.

14 Commission inquired on the number of Neighborhood Associations still active and that
15 Homeowner's Association should also be included in this section. Staff will inquire with Denton
16 Police Department related to active Neighborhood Associations.

17 **Old Business #2 – Other:** None.

18 **New Business #1 – Urban Grid Solar Power:** Marta Tomic and Frank Depew of
19 Urban Grid made a presentation to the Commission on a proposed solar power array project
20 located in Denton. Urban Grid, located in Stevensville, specializes in the collaboration with
21 nonprofit entities in financing, acquisition, and construction of solar power systems. Town
22 Council in previous meetings have approved entering into an agreement with Urban Grid to
23 construct and maintain a ground solar panel array to be located on Town property at the
24 Industrial Park. Town Council approved waiving any Planning Commission requirements
25 because the project is determined to be a utility. The Town is projected to save \$11,000 in the
26 first on energy costs, \$500,000 over 20-years, with a guaranteed maximum of 3% annual rate

1 increase for the life of the contract. Construction is anticipated to begin in October and
2 completed by December 2013.

3 **New Business #2 – Comprehensive Plan Chapter 11 and 12:**

4 The Commission will review Chapter 11, Historic Features, and Chapter 12, Implementation, of
5 the Comprehensive Plan at the next meeting.

6 **New Business #3 – Next Meeting Date:**

7 The Commission approved moving the next meeting date from July 30, 2013 to July 31, 2013 at
8 6pm. Staff will notify all Commission members, any applicants, and post on the Town website.

9 **Staff Item:** Including updates provided on the Rental Code program, staff also
10 provided updates on upcoming code revisions. Town Code revisions began on June 25 and
11 includes revisions to the Denton Property Maintenance Code and Building Codes. Staff is
12 researching and seeking to implement standards for the maintenance of construction sites in
13 residential zones during construction activities. Other initiatives include instant ticketing for
14 least severe violations, such as garbage and rubbish.

15 Discussion was also held on clarifications of site plan and administrative site plan
16 reviews. Staff will provide a draft to clearly outline when an administrative site plan may be
17 approved by the Department. Staff believes the current code is too general.

18 Staff provided an update on 101 North 6th Street, Dr. Korah Pulimood's property. The
19 property has been in a serious state of disrepair since before Dr. Pulimood purchased it and after
20 numerous property maintenance violations in the last several years, administrative enforcement
21 resulted in the execution of an Administrative Order on Consent. Dr. Pulimood signed the
22 agreement with the Town to demolish or rehabilitate the property in a specified time. The
23 ultimate deadline to complete exterior rehabilitation or demolition of the property is January
24 2014.

25 The Department of Planning and Codes advised Dr. Pulimood to seek the assistance of
26 Caroline Habitat for Humanity in the rehabilitation. However, after approximately 6 months of

1 effort, no agreement was reached. Dr. Pulimood has procured an architect, Jay Corvan, in and
2 around March 2013 to provide design services for rehabilitation. Dr. Pulimood was advised to
3 begin work that does not require a building permit, such as the removal of the dilapidated fence
4 and site clean up. The fence was removed as of this meeting. Dr. Pulimood will submit a
5 building permit soon to began repair or replacement of the roof structure, and perform interior
6 demolition. Dr. Pulimood is required by code and the Consent Order to submit an application for
7 Planning Commission approval before occupancy.

8 **Adjournment:**

9 The meeting adjourned at 7:30 p.m.