

Denton Planning Commission

Minutes

Town of Denton

November 30, 2021

Planning Commission Members:

Doris Walls, Chairperson*

William Quick*

Stephen Mead*

George Schwaeble*

David Burroughs*

* Those Present

** Excused

*** Absent

Participants:

Peter Johnston

Donald Mulrine, Jr.

Susie Hayward

Recording:

Donna Todd, Planning and Codes

George Bacorn, Chief of Police

PROCEEDINGS

Call to Order:

The Planning Commission Meeting was called to order by Chairperson Walls at 6:00 p.m., on November 30, 2021, at the Denton Town Office. Chairperson Walls lead everyone in the Pledge of Allegiance.

This Meeting was made available to the public via Zoom Video Conferencing, and access to the meeting was made available on the Town website.

Approval of Minutes:

October 26, 2021, Planning Commission Meeting minutes were reviewed and unanimously approved as submitted.

Old Business #1 – Comprehensive Plan Update:

Mr. Johnston prepared a draft of the Town's Parks and Open Space facilities for the Planning Commission's review. This draft will be included in the Comprehensive Plan's Community Facilities Element.

Mr. Johnston forwarded a copy of the draft to Sue Simmons, Director of Caroline County Parks and Recreation, for comments. Mrs. Simmons' review of the map of the service areas with current service and the gaps concluded the County would revise its strategy for future parks in the Denton area. The Caroline County GIS Coordinator noted that the minipark area in Savannah Overlook and the Gardens does not resemble a minipark's baseline description. In the draft, service areas will change to the limits of the development.

His comments suggest the development review process of the open space requirements should require developers to include facilities on their open space that are key to the demographics of the development.

Each element of the Community Facilities Element addresses the supply and demand related to the service. We will develop level of service (LOS) measures for the Municipal Growth Element based on existing relationships between supply and demand. These will be applied to future growth populations and housing growth projections to identify potential issues.

The two recommendations for the parks and open space section include locating potential park land on the east side of MD RT 404, eliminating the current Recreation and Parks (RP) land use classification, and eliminating the RP Zoning District from the Zoning Ordinance.

The primary issue with the RP Zoning District limits the allowable land use public uses potentially adversely affect their market value. These are by-right uses allowed to similar properties. Therefore, it could be considered a form of regulatory taking without compensation.

Vice Chairperson Quick requested clarification on eliminating the RP Zoning District. In addition, he asked how many properties were affected.

A map of the properties was displayed for the Planning Commission with the current property owners.

The Land Use Article, State Legislation, enables municipalities and counties to derive their ability to zone and control subdivisions. It requires a Comprehensive Plan to enact a Zoning Ordinance consistent with the Land Use Plan. The Land Use Plan Map establishes the policy basis for zoning.

The Recreation and Parks (RP) District was created in the 2010 Comprehensive Plan and 2010 Zoning Ordinance.

Property owners interested in a different zoning classification should contact the Town and send the request to the Planning Commission during the review of the Land Use Plan.

Vice Chairperson Quick motioned to eliminate the Recreation and Parks (RP) Zoning District from the next Comprehensive Plan as recommended by staff.

Commissioner Schwaeble seconded the motion. Motion passed unanimously. (5:0)

Old Business #2 – Other:

Mr. Mulrine provided an update on Denton Plaza II, Dairy Queen, Popeyes, Aldi, and the new Pump Station. The staff is waiting on the engineer's revisions.

The 7-Eleven site is scheduled to begin this week.

New Business #1 – Other:

None.

Staff Items #1 – 2022 Meeting Schedule:

The Comprehensive Plan Working Session is scheduled for Tuesday, February 8, 2022, at 6:00 p.m.

Staff Items #1 – Other:

The Critical Area Ordinance will be forwarded to the Planning Commission in January.

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