

Denton Planning Commission

Minutes

Town of Denton

March 29, 2022

Planning Commission Members:

Doris Walls, Chairperson*

William Quick*

Stephen Mead*

George Schwaeble*

David Burroughs*

* Those Present

** Excused

*** Absent

Participants:

Donald Mulrine, Jr.

David Dahlstrom

Peter Johnston

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 March 29, 2022, 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:

February 22, 2022, the Regular Meeting Minutes were reviewed and unanimously approved as submitted.

New Business #1 – Maryland Department of Planning:

David Dahlstrom, Upper Shore Regional Planner for the Maryland Department of Planning, provided a PowerPoint Presentation on Mastering the Master Plan. The presentation outlined topics related to the Comprehensive Plan providing an overview of the planning process in Maryland. A summary of the State requirements for Comprehensive Plans, including new requirements adopted by the State since 2010, was provided to the Commission. An explanation of the roles of the Planning Commission and the Town Council during the review and adoption process of the Comprehensive Plan was discussed.

Zoning includes evaluating competing land uses and compatibility with neighboring properties, including residential, commercial, industrial, agricultural, etc.

The Comprehensive Plan (Plan) sets the Town's goals, objectives, policies, strategies, and visions for future development. State Law requires twelve visions to be reviewed in the Plan and are found in the Land Use Article (former Article 66B). In addition, the state Agency review

process requires all Plans to be submitted to the State for review, and jurisdictions will receive comments after 60 days.

The update to the Plan will include reviewing growth areas, annexations, zoning changes, adequate public facilities, utilities, future residential and commercial development opportunities, and affordable housing.

The Town Council can adopt, modify, disapprove, or remand a Plan without sending the Plan back to the Planning Commission. The State has no authority to change a Plan and only provides comments for inconsistencies within the Plan. The Planning Commission reviews and recommends the Plan to the Town Council for adoption by the Town.

Old Business #1 – Comprehensive Plan – Water Resources Element:

Peter Johnston provided a PowerPoint presentation to update the 2010 Comprehensive Plan, Water Resources Element.

The Land Use Article requires municipalities to include a Water Resources Element (WRE) in the Comprehensive Plan (Plan). The WRE identifies drinking water and other water resources that will be adequate for the needs of existing and future development proposed in the Plan's Land Use Element and identifies suitable receiving waters and land areas to meet the stormwater management and wastewater treatment and disposal needs of existing and future development proposed in the Plan's Land Use Element.

Two types of pollutants that cause water quality problems are Point and Nonpoint Sources. Point Sources are pollution originating from a single, identifiable source, such as a factory or sewage plant discharge pipe. Nonpoint Sources are other discharges, such as stormwater runoff from land and erosion from streams and riverbanks.

There are strategies to mitigate the Nonpoint sources and reach quantified targeted water quality objectives. Point sources are regulated based on a Total Maximum Daily Load (TMDL) for the watershed, set by the Maryland Department of the Environment (MDE).

Denton has adequate capacity to provide services for future growth on the east side of the Choptank River. MDE issues the Water Appropriation and Use Permit for Denton, which is currently 620,000 gpd for water and 800,000 gpd for sewer.

The primary source of pollution in the Upper Choptank River water basin is agriculture. Agriculture is the primary source of nitrogen and phosphorus. The loading rate for residential is lower than for agricultural land.

The Federal Clean Water Act determines the water quality standards for each water body, e.g., the Choptank River, sufficient to support the designated use. The Federal Government delegates this responsibility for ensuring water quality standards to MDE. The Clean Water Act also requires special attention to Tier II streams, two of which are located adjacent to Denton's corporate boundary.

Denton currently implements Best Management Practices (BMPs) by applying standards in its ordinances regulating sediment and erosion control plans, stormwater management ordinance requirements, and forest conservation ordinance requirements. In addition, the National Pollutant Discharge Elimination (NPDES) permit issued for the Denton wastewater treatment plant limits the discharge of nitrogen and phosphorous as established by the TMDLs for the Upper Choptank watershed.

The WRE recommends strategies the Town should follow to achieve the Comprehensive Plan objectives. These include continuing to adhere to the NPDES permit for the Wastewater Treatment Plant (WWTP), requiring a comprehensive soil conservation plan to be implemented as

a condition for maintaining preferential assessments for agricultural land, and requiring development reviews to emphasize measures that manage stormwater runoff loading, loss of forest cover, and minimize habitat loss through stormwater management, sediment and erosion control, and forest conservation in the drainage areas of Tier II streams.

Old Business #2 – Other: None.

Staff Items #1 – Comprehensive Plan Working Session & Updates:

Mr. Johnston has prepared a working draft of the Land Use Plan distributed to the Planning Commission for the Working Session scheduled for April 12, 2022.

Staff Items #2 – Staff Updates:

Mr. Mulrine provided updates on the Denton Plaza projects and the Brodie property.

Adjournment: The meeting adjourned at 7:43 p.m.