

**Denton Planning Commission**

**Minutes**

**Town of Denton**

**February 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. | Keith Neal     |
| Billy Seay             | Holly Seay     |
| Kevin Shearon          | Chip MacLeod   |
| Thomas E. Batchelor    | Saundra Hayman |

**Recording:**

Derrick Kennedy

## PROCEEDINGS

### **Call to Order:**

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

### **Approval of Minutes:**

The January 31, 2017, Planning Commission Meeting minutes were reviewed and approved unanimously as submitted.

### **Old Business #1 – Ordinance #683 – Accessory Structures:**

Tom Batchelor discussed the amendments to the ordinance were derived from the comments of the Denton Town Council when the ordinance was introduced at the February Town Council Meeting.

Comments from the Town Attorney and Fire Department initiated amendments to include a required rear yard setback for safety reasons and property maintenance reasons.

Mr. Batchelor amended §128-26.4 (B) to include standards for administrative level review and Planning Commission review for accessory structures.

Chairperson Walls suggested ordinance amendments to include solar panel arrays.

Mr. Batchelor's research concluded that solar panel arrays are considered accessory structures.

Commissioner Iliff recommended solar panel arrays be excluded from the lot coverage requirement since they are not placed on the ground.

Commissioner Cruickshank referred to §128-26.5 (A1) Accessory structures shall be located in the rear of the property, and suggested this may be too vague for determination of required setbacks.

Commissioner Cruickshank referred to §128-26.6 (B1) Permanent Storage Containers to clarify the definition of permanent storage. The maximum of two permanent storage containers

may be too restrictive for businesses. WalMart uses permanent storage containers for additional storage during the Christmas season.

Keith Neal, Nuttle Builders, 1139 Industrial Parkway, commented this ordinance is beneficial to businesses. Mr. Neal's concern is §128-26.6 (C) 3 Setback requirements for corner lots. §128-26.6 (C) 3.1 and 3.2 reverts back to the underlying zoning district for setback requirements. Mr. Neal provided two additional text amendments for setback requirements on corner lots that may eliminate conflicts for consideration by the Commission.

Mr. Batchelor and Mr. Mulrine stated the reference to the underlying zoning district in 3.1 and 3.2 should be stricken to eliminate conflict in the applicable proposed text amendment, and add in accordance with §128-26.6 (2).

Chairperson Walls called for a motion.

Commissioner Iliff motioned to recommend the amendment to Ordinance No. 683, Page 8, §128-26.6 (3), 3.1 and 3.2 to delete of the underlying zoning district, and add in accordance with §128-26.6 (2), and include solar arrays and forward to the Denton Town Council.

Commissioner Danielson seconded the motion. The motion passed unanimously. (4:0)

**Old Business #2 – Other:** None.

**New Business #1 – Rezoning/Redevelopment Eligible Floating Zone:** Billy Seay made the introductions for his team, Holly Seay, Chip MacLeod, Sandy Hayman, and Kevin Shearon. Mr. Seay purchased the former SHA/Duffey property on Market Street with approximately 21 acres. The Seays have been land developers for over thirty (30) years on the Western Shore of Maryland. The proposed development plan includes quality rental apartments and condominiums for a multi-generational community. Per the Caroline Economic Development Corporation, there is a shortage of quality housing types in this area. Information about the proposed development plan and rezoning classification was distributed to the Planning Commission for discussion.

Denton has a shortage of workforce housing. This proposed development will provide housing types for the workforce, such as professionals, that do not qualify for affordable housing. The proposed size of the development is approximately 300 units.

Mr. Seay plans to consider and encourage local contractors for the construction of this site.

Chip MacLeod, MacLeod Law Group LLC, representing the Seays in the development of this project is requesting the support of the Planning Commission for a rezoning change and text amendments. This property is currently zoned Recreation and Parks (RP) with a Redevelopment Eligible (RDE) overlay zone. Mr. MacLeod is requesting a rezoning change based on a mistake in the zoning, and will work with the Town Attorney to develop the zoning text amendments as related to the Redevelopment District Overlay Zone.

Mr. MacLeod addressed the density regulations and the ability to request four story buildings.

The Planning Commission does support this project.

**New Business #2:** Mr. Mulrine provided an update on Delaware Pipeline running a natural gas line from Cecil County through Denton to Virginia. This project is a three to five-year buildout.

Taco Bell/KFC is planned for the Legion Road area.

**Adjournment:** The meeting adjourned at 7:25 p.m.