

Denton Planning Commission

Minutes

Town of Denton

February 28, 2023

Planning Commission Members:

William Quick, Chairperson*

David Burroughs, Vice Chairperson*

Doris Walls*

Stephen Mead*(Attended Virtually)

Kevin Waterman*

Joseph Mayer, Jr.**

* Those Present

** Excused

*** Absent

Participants:

Tom Davis

Scott Getchell

Donald H. Mulrine, Jr.

Chris Breeding

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 Quick at 6:00 p.m., on February 28, 2023, at the Denton Town Office. Chairperson Quick 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:

January 31, 2023, the Regular Meeting Minutes were approved, and February 6, 2023, the Joint Working Session Minutes were amended to change William Quick as Acting Chairperson and unanimously approved.

Old Business #1 – Other: None.

New Business #1 – Mill Creek Properties, LLC – Preliminary Site Plan:

William Thomas Davis, Jr., DMS Professional Engineer, presented on behalf of Chris Breeding, Applicant and Owner of Mill Creek Properties, LLC. The Applicant is requesting preliminary site plan approval for a commercial building with a small office and future expansion located at the Denton Industrial Park, 75 Engerman Avenue, Lot 12.

The Applicant is requesting relief on the parking requirement of 181 spaces to 35 spaces. The potential business client will not need more than 35 spaces.

The Applicant is requesting a fee in lieu of the Forest Conservation requirement.

The site plan is under review by the Caroline Soil Conservation District and the Maryland Department of the Environment for a wetlands permit.

A landscape plan is included for the bufferyard along Engerman and trees for shading the parking area.

A metal building will have masonry along the front of the building.

An additional parking amendment is a minor amendment that can be approved administratively.

Mr. Johnston explained the current parking requirements created were based on the Institute of Traffic Engineers' parking studies and often overstate the required parking spaces. Parking should be reviewed and evaluated in the next Comprehensive Plan by studying the peak demand for parking in different facilities based on current conditions.

The Applicant built a similar building in Cambridge with 30-40 parking spaces, and the parking is sufficient for the occupant.

Commissioner Waterman motioned to approve the preliminary site plan with 35 parking spaces conditioned upon adding the additional 17 parking spaces to the 14 parking spaces in reserve for a total of 31 parking spaces for future parking needs and subject to all other required approvals from the Maryland Department of the Environment and Caroline Soil Conservation District.

Vice Chairperson Burroughs seconded the motion. The motion passed unanimously. (5:0)

New Business #2 – Ordinance No. 741 – Outdoor Storage & Warehouse Amendment:

Mr. Johnston provided an overview of the proposed ordinance. The existing Town Code for the outdoor storage does not account for the Industrial Park's business needs. The Industrial Park was created for large-scale businesses with more intense uses and most with outdoor storage needs. Outdoor storage would be addressed on the site plan during the approval process. Screening

and location are still applicable. The Planning Commission could require additional bufferyards for outdoor storage.

Commissioner Walls motioned to forward Ordinance No. 741 to the Town Council for adoption.

Vice Chairperson Burroughs seconded the motion. The motion passed unanimously. (5:0)

New Business #3 –Zoning Ordinance Amendments – Nonconforming Situations:

Mr. Johnston provided an overview of the proposed nonconforming ordinance amendments. Nonconforming situations include nonconforming lots that do not meet the Town Code in width, length, or area, nonconforming structures that do not meet the Town Code for setbacks, and nonconforming use that does not meet the Town Code for permitted uses in the district.

Most of the nonconforming regulations are for single-family detached dwellings. The Comprehensive Plan includes recommendations to increase dwellings through the infill and redevelopment regulations making the best use of the existing infrastructure. The missing middle housing includes the duplex, triplex, and fourplex to be included in the old Town Denton Comprehensive Plan. The amendments proposed will allow the Planning Commission discretion to allow housing other than the single-family detached dwellings if it is currently permitted in the district.

The amendments for the nonconforming structures address a fairness issue affecting structures currently outside the allowable building envelope for expansion, replacement, or renovations. The existing footprint establishes the allowable building envelope for nonconforming structures.

The old town neighborhoods of Denton include a variety of lot sizes, lot depths, and lot areas. In two subject areas studied in the old town, Area 1 shows over 70% of the structures are nonconforming, and Area 2 shows over 60% are nonconforming. Taking away the modified building envelope discourages investment in the properties.

The proposed project must still comply with all the fire, building, and safety codes.

These amendments will allow the Planning Commission to capture projects not currently allowed under the existing codes because of their nonconformities. In addition, the Planning Commission will have the flexibility to approve context-appropriate infill and redevelopment projects.

Commissioner Walls motioned to forward an Ordinance for the nonconforming situations providing the Planning Commission flexibility to approve projects to the Town Council for adoption.

Commissioner Waterman seconded the motion. The motion passed unanimously. (5:0)

New Business #4 –Other: None.

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

Peter Johnston provided an updated Municipal Growth Element and Water Resources Element that incorporate changes related to the West Denton Provisional Growth Area for review at the March 14th Working Session.

Staff Item #2 – Staff Updates: None.

Adjournment: The meeting adjourned at 6:45 p.m.