

**Denton Planning Commission**

**Minutes**

**Town of Denton**

**July 25, 2023**

**Planning Commission Members:**

William Quick, Chairperson\*

David Burroughs, Vice Chairperson\*

Doris Walls\*

Stephen Mead\*\*

Kevin Waterman\*

Joseph Mayer, Jr.\*

\* Those Present

\*\* Excused

\*\*\* Absent

**Participants:**

Dave Kuklish

Scott Getchell

Don Mulrine, Jr.

Peter Johnston

Mary Baker

**Recording:**

Donna Todd, Director of 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 July 25, 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:**

June 27, 2023, the Regular Meeting Minutes were unanimously approved.

**Old Business #1 – Other:** None.

### **New Business #1 – DENTON SITE SW, LLC – Preliminary Site Plan:**

Dave Kuklish, Civil Engineer for Bohler Engineer VA, LLC, presented on behalf of Denton Site SW, LLC, Owner of Wawa Gas Station and Convenience Store, to be located on Shore Highway and Commerce Drive. The Applicant is requesting preliminary site plan approval.

Approximately ½ acre will be subdivided to construct Commerce Drive from the 4-acre parcel. Commerce Drive is proposed to connect Legion Road to Shore Highway and Gay Street. Kevin Shearon, Engineer for DMS, is designing the construction of Commerce Drive. A traffic signal will be installed at the intersection of Commerce Drive and Shore Highway.

Forest Conservation approval has been granted.

The Applicant is requesting relief from the following three (3) landscaping elements:

1. Reduction of parking lot shading. The street trees can be changed from canopy trees to ornamental trees to add more shading. The infrastructure design limits

the number of trees. A 3 ½ ft. hedgerow is proposed to block the car lights along Commerce Drive.

2. Reduction of trees in the bufferyard of Shore Highway/Rt. 404. Visibility is essential for gas stations to thrive.
3. Reduction of trees in the bufferyard of Commerce Drive. Commerce Drive requires a 25 ft. bufferyard. Over 40 feet of green space is designed between the trash enclosure and the curb. There is 50 feet from the edge of the pavement and underground storage tanks.

Water and sewer will be extended down Commerce Drive to the site and is under design by Kevin Shearon.

Mr. Johnston recommends adding more trees, landscaping, and a fence to the site. Amendments to the Zoning Ordinance during the comprehensive rezoning should include a fee-in-lieu for reducing landscaping to replace waivers or variances. Four (4) more canopy trees could be added to the bufferyard intersection area, and two (2) more canopy trees for parking lot shading. A fence is required with the hedge in Bufferyard E.

Chairperson Quick recommends the fence should be consistent with the structure and aesthetically pleasing.

Commissioner Mayer recommends adding additional landscaping to the site adjacent to the vacant area for future development to meet the requirements.

Vice Chairperson Burroughs suggested reducing the parking to add additional trees to meet the requirements.

A traffic impact study was completed that required a traffic signal light at the intersection of Shore Highway and Commerce Drive.

Mr. Getchell noted that this preliminary site plan is contingent upon the Town's Commerce Drive review and approval. Currently, the Town has not received the formal submittal for Commerce Drive. Commerce Drive is a separate project that involves four (4) property owners.

Commissioner Waterman motioned to approve the preliminary site plan with the requested variances contingent upon adding four (4) more trees or a fee-in-lieu if it is not engineeringly feasible to plant them.

Mr. Johnston noted that our current legislation does not allow the option of a fee-in-lieu for the tree and landscaping requirement.

Commissioner Waterman amended his motion to approve the preliminary site plan with all requested variances contingent upon adding four (4) shade trees.

Commissioner Mayer seconded the motion. The motion passed. (4:1)

Vice Chairperson Burroughs voted Nay.

**New Business #2 – Other New Business:** None.

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

Peter Johnston provided an update on the tentative schedule for completing the Draft Comprehensive Plan. The Draft Comprehensive Plan has been forwarded to the Maryland Department of Planning and Caroline County Planning and Codes for a sixty (60) day review.

Notices have been sent to property owners that have requested their property to be rezoned, and the notice has been posted on the Town Website.

A Public Information Meeting at the Visitor Center is scheduled for September 12, 2023.

At the September Planning Commission Meeting, the Planning Commission will review and decide if the requested zoning is appropriate.

A Joint Working Session with the Town Council will be necessary to discuss rezoning requests before amending the Comprehensive Plan and granting approvals.

At the October Planning Commission Meeting, the comments from the Maryland Department of Planning and other agencies will be addressed, and any recommended changes will be noted.

A Public Hearing will be held at the November Meeting, and a recommendation will be made to the Town Council for adoption.

**Staff Item #2 – Agenda – Site Plan Details:**

The Commission confirmed that staff provided enough site plan details and/or sheets, including the cover sheet, site plan layout, parking plan, landscape plan, turning movements plan, and architectural elevations/renderings for Planning Commission review.

**Staff Item #3 – Staff Updates:**

Staff provided updates on Pizza Hut and Popeyes.

An ordinance was distributed to the Planning Commission for review and comments on townhome roofs. Commissioner Waterman provided input for staff to review, and the draft will be revised and forwarded to the Commission for further review. Comments included addressing stacked duplexes and other multifamily dwellings, blending the buildings with the rest of the community, and requiring deeds to include maintenance and repairs of units.

The Maryland Planning Commissioners Association (MPCA) Annual Conference is scheduled for October 24-26 at the Kent Island Resort. Staff will send reminders to anyone interested in attending.

**Adjournment:** The meeting adjourned at 7:07 p.m.