

Denton Planning Commission

Minutes

Town of Denton

January 28, 2025

Planning Commission Members:

William Quick, Chairperson*

David Burroughs, Vice Chairperson*

Kevin Waterman*

Dona Sorce**

James Guay, Alternate*

* Those Present

** Excused

*** Absent

Participants:

Peter Johnston, Town Planner

Frank Taylor, Councilman

George Bailey

Travis Breeding

Alec Chosta

Jamie Beechey

Kyle Bringman

Alan Kampmeyer

Dorsey Schulz

Recording:

Donna Todd, Planning and Codes

Scott Getchell, Town Administrator

PROCEEDINGS

Call to Order:

The Planning Commission Meeting was called to order by Chairperson Quick at 6:00 p.m., on January 28, 2025, 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.

Election of 2025 Officers:

William Quick was elected as Chairperson, and David Burroughs was elected as Vice Chairperson by unanimous vote.

Approval of Minutes:

November 26, 2024, the Regular Meeting Minutes were reviewed and unanimously approved.

January 14, 2025, the Working Session Minutes were reviewed and unanimously approved.

Old Business #1 – Denton Project, LLC – Townhomes – Elevations:

George Bailey, Denton Project, LLC (Applicant), submitted new elevations for the 44-townhouse development to be located at 812 Camp Road. Since the Applicant did not submit the elevations prior to the November Planning Commission Meeting for review, the Planner's updated review was distributed. Denton Town Code §128-74 (K) Townhouses shall meet the standards set forth in the Denton Pattern Book.

The final subdivision received conditional approval from the Planning Commission on November 26, 2024.

Mr. Bailey stated the townhomes would be incorporating local style and accenting homes with cedar-shaped material to stay consistent with the community. The developer will be following all the Building Codes and adding an extra fourteen-inch truss for extra insulation.

All Commissioners were in favor of the architectural renderings.

Old Business #2 – Other: None.

New Business #1 – Caroline County Commissioners – Sharp Road Park – Minor Site

Plan:

Jamie Beechey, Director of Caroline County Recreation and Parks (Applicant), and Tim Glass, Lane Engineering LLC, submitted a minor site plan for Lot 3 for the construction of a baseball field, softball field, multi-use field, and parking area. This project is located at Sharp Road Park, 320 Sharp Road, Caroline County Tax Map 105, Parcel 2292, zoned Mixed Residential (MR). The Planning Commission approved the minor subdivision plat for Sharp Road Park on September 10, 2024.

Alec Chosta, Lane Engineering LLC, discussed the plans for Lot 3 and the proposed ball field, soccer field, and multi-use field to be constructed along with stormwater management, parking expansion, and other site amenities. The Applicant is seeking site plan approval and approval for the lighting plan that was distributed at tonight's Meeting.

Commissioner Waterman requested clarification on what authority the Planning Commission has to grant the requirements.

Mr. Johnston stated the lighting standards are standards that need to be met, and the lighting article does not provide an alternative. The only way to get relief is to get a variance through the Board of Appeals.

Mr. Chosta noted the ordinance states that §128-182.6 Exemption, the Planning Commission, may allow exemptions from this article, as needed, to relieve any unusual circumstances or difficulties or costs that would be encountered if an attempt were made to comply with this Chapter.

Mr. Chosta believes the site plan qualifies as an unusual circumstance. The lighting presented includes some of the tightest and most directed forms of uphill lighting that are practical and functional for onsite lighting to accommodate the site without additional measures that are cost-intensive and undesirable. He believes it is in the Planning Commission's authority to allow the exemption.

Mr. Johnston stated he does not agree with Mr. Chosta because these provisions are for the order of the hardship and situations that would apply for a variance where there is a hardship. However, he understands that in a number of Codes they do make exceptions for lit ballfields and public parks and that it is not unusual to find that in a Code. It will be up to the Planning Commission to determine if this is an unusual circumstance.

Mr. Chosta noted the lights would not be on at all times.

Chairperson Quick asked if the intention was to light the ballfields so that games could be played into the night.

Mr. Chosta stated that it was correct.

Commissioner Waterman asked if it would make sense to get an easement from the surrounding property owners to allow the lighting as a time usage limit.

Mr. Chosta stated he does not think an easement would be the best option. He suggested that the affected parcel that is shown by a large bold grey line on the exhibit is their offsite parking and has indicated some level of complicit acceptance of the adjacent activities.

Vice Chairperson Burroughs disagrees and feels they are overreaching.

Commissioner Waterman noted he recommended the easement so that if the property were to change owners in the future, there would be documentation that shows what is allowed during the title process.

Chairperson Quick asked Mr. Johnston if he has any concerns about the lighting of the parking area.

Mr. Johnston stated he did not, but one of the things he mentioned that will be talked about is the bufferyard requirements for the site, and he suggested some additional plantings along the eastern border. If they were to plant canopy trees along the border, it would mitigate the light overflow onto the neighboring properties once they mature.

Mr. Johnston asked how late they plan to keep the ballpark open.

Jamie Beechey, Director of Caroline County Recreation and Parks, stated that the Town of Denton has a noise ordinance at 11 p.m. and thought it would be appropriate to be consistent with it and have the lights off at the same time.

Chairperson Quick asked if they would be willing to put up canopy trees to help eliminate some of the lights from the field.

Mr. Chosta said this would be more of a discussion for staff.

Ms. Beechey stated concerns that the roots from trees would impact the walking trails and would affect the parking. For the record, she noted they are not opposed to planting trees but have some reservations.

Mr. Johnston asked if they have any legal agreements with Choptank Health Community Systems regarding parking.

Ms. Beechey stated they have a verbal agreement at this time.

Travis Breeding, Caroline County Commissioner, stated the County has invested in the Choptank Community Health facility and Caroline County tax dollars were used for the construction. The County has a very close relationship with Choptank Community Health Systems.

Chairperson Quick inquired who owns the undeveloped portion of the property.

Donna Todd, Director of Planning and Codes, stated it was privately owned.

Mr. Chosta had additional items for consideration such as normal business hours and surrounding buildings that keep their lights on after-hours.

Vice Chairperson Burroughs inquired about any amount of light bleeding out in the north housing area.

Mr. Johnston explained the Code reads point-one for vertical and horizontal foot candles ten feet into the adjacent commercial properties and five feet for residential.

Mr. Chosta stated they will provide the Planning Commission with an updated exhibit of the light distribution. Also noted were the trees to the north and west are at mature tree growth by appearances, and this time of year the leaves are gone. The fields are not going to be used as opposed to when baseball begins. The trees will be full, providing sufficient screening to buffer the residential areas. The tree locations are covered by forest conservation and non-tidal wetlands.

Chairperson Quick stated that he is not comfortable with moving forward when the Town Planner does not feel they have authority and would prefer to get more information from the Town Attorney. He would also like to hear from the adjacent property owners and see an expansive lighting diagram before they grant any approvals.

Commissioner Waterman motioned to table the project until their next Meeting.

Vice Chairperson Burroughs seconded the motion. The motion passed unanimously. (4:0)

Alan Kampmeyer, an adjacent property owner, expressed concerns about the proposed ball field project. He questioned the need for the project, given the existing facilities, and raised concerns about the impact of lighting on the environment and his property. He suggested restrictions on lighting and day games only, without any additional infrastructure. He also mentioned the potential loss of mature trees due to the town's stream restoration project.

Kyle Bringman, President of Denton Little League, discussed the league's growth and challenges. He noted the league has seen a 92% increase in registrations since 2020, with a current total of 280 kids playing ball in Denton. However, due to a lack of field space, many games are played at the Cow Barn in Ridgely, and the league is considering hosting games elsewhere. He expressed concern about the upcoming season, as the new park project is not yet completed, and many kids may have to play elsewhere.

Commissioner Guay asked when the season starts and ends.

Mr. Bringman noted that the league's season typically runs from mid-March to mid-June, and the latest would be early July, with no games scheduled after 8:30 p.m.

Mr. Bringman also mentioned the possibility of fall ball and sandlot games, but these have not been implemented yet.

Chairperson Quick asked if there would be no baseball being played after 9 p.m.

Mr. Bringman could not confirm, but it would be very rare. They have implemented a rule that no inning can start after 8:30 p.m., and they would be off the field no later than 9-9:30 p.m.

Chairperson Quick asked if they could commit to having the lights off by 9:30 p.m.

Mr. Bringman stated since it is a County park, he would have to let them make that decision.

Mr. Breeding wanted to address the importance of this project and how it fits into the physical plan of the County. The property was purchased through Program Open Space, which is a Maryland DNR program, which is funded through transfer tax collections. The program makes this property almost impossible to do anything else with other than a park. He explained that the development funds for this property are limited to 25% of the program's funding. Once a property is in this program, it is important to use the money on said property. There is currently no other property around Denton that was purchased with Program Open Space funds, and this space is the only one that is eligible within the County to receive the money. The State does not provide enough funds to the County to purchase another piece of property for this project.

Councilman Taylor asked if the larger field would be used for programs outside of Little League.

Mr. Breeding stated it could be used for all kinds of age groups. His envision is to allow High schools to use it and have grass infields. There are also American Legion baseball programs in the area that could use it and could potentially be used later than Denton Little League. The American Legion Baseball Program has six to eight games per year. If there continues to be a major issue regarding Mr. Kampmeyer's property, he would be willing to light only the big field and not the smaller one.

Mr. Breeding noted the only lit fields they currently have are at Chambers Park and Lockerman Field. He noted that Lockerman Field is very old and outdated.

New Business #2 – Amendments to the Draft Denton Zoning Ordinance:

At the January 14th Working Session, the Planning Commission requested staff to draft amendments to accommodate the height of townhouse and multifamily buildings up to 60 feet. This height may apply to development projects located east of MD 404. Genevieve Macfarlane

and Dorsey Schultz, representing Fearins Crossing and Reliable Real Estate Services, attended the January Working Session to discuss a zoning text amendment to raise the height limit for townhouse units in the (MR) District from 40 to 60 feet, which would increase density and reduce site costs.

Mr. Johnston explained they were presented with a text amendment to allow four stories and up to 60 feet of townhomes and multifamily homes. At the time, it was brought to the Planning Commission as a special exception. After discussion, it was clear the Planning Commission was not comfortable with recommending the proposed amendments. He suggested creating another zone that could allow it and label it as an Urban Residential District (UR). He provided all the impacts of adopting this into the Draft Zoning Ordinance. All the changes seen in the amendments are included in the working Draft Zoning Ordinance. In addition, he included a map of the proposed properties that the new Zoning District would apply. He also included other properties to consider for the proposed (UR) when making the change.

Commissioner Waterman noted the second page of the amendments to the draft, in the description of the urban residential, makes one reference to the MR2 and believes it was an earlier name that has since changed.

Commissioner Waterman wanted to clarify there is nothing inside the loop of 404 that could be labeled as (UR).

Mr. Johnston stated there is not anything that could be labeled as (UR) inside 404.

Commissioner Waterman suggested the wording be changed from east of 404 to underutilized areas in proximity to 404 for any future changes.

Chairperson Quick stated he likes the wording as east of 404.

Vice Chairperson Burroughs voiced his concerns over the intensity that this will bring to that side of town.

Mr. Johnston explains that on the east side of 404, it is predominantly Suburban Residential (SR), and if they continue the same pattern, that is all that it will become. The (UR) has the potential to create some urban centers within that area.

Chairperson Quick voiced his concern about building larger buildings and a larger population.

Mr. Johnston explained that they did not change the density and that it is the same as the (MR) district. The number of dwelling units per acre is the same as the base zoning allowed in the Draft Zoning Ordinance.

Mr. Johnston stated if they feel the open space should be higher, they can adjust it for the (UR) district.

Commissioner Waterman feels it should stay the way it is written.

Vice Chairperson Burroughs asked if the Planning Commission has the authority to change the amount of open space when a project comes in for site plan approval.

Mr. Johnston stated the amount is fixed in the Code, and he believes there is a fee-in-lieu option.

Chairperson Quick and Commissioner Waterman are in favor of the new Draft Zoning Ordinance amendments.

Vice Chairperson Burroughs asked if this would allow enough open space.

Mr. Johnston stated there is a requirement for open space that will apply to each area, and it will be the same requirement that is currently applied to the (MR) District.

Dorsey Schulz, with Reliable Real Estate Services, provided input on the proposed changes, emphasizing concerns about the affordable housing requirement and suggesting a fee-in-lieu option as an alternative.

Chairperson Quick asked Mr. Johnston to explain the affordable and workforce housing.

Mr. Johnston stated it is not to make affordable housing a criterion in the Urban Residential District (UR) and will revise the language.

Mr. Johnston asked the Planning Commission for a consensus to add the potential properties to the Official Draft Zoning Map.

The Planning Commission agreed to make the changes as discussed.

New Business #3 – 2024 Annual Report: Staff provided the 2024 Annual Report as required by the Maryland Department of Planning for their review and approval.

Vice Chairperson Burroughs motioned to approve the 2024 Annual Report as submitted.

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

New Business #4 –Other: None.

Staff Item #1 – Joint Working Session – February 11, 2025: A Joint Planning Commission and Town Council Working Session has been scheduled for Tuesday, February 11, 2025, at 6:00 p.m. at the Visitor Center to discuss the Draft Zoning Ordinance Amendments. The Zoning Ordinance Amendment Summary has been prepared for review and discussion by the Planning Commission.

Staff Item #2 – Public Information Meeting – March 11, 2025: The Planning Commission is scheduled for a Public Information Meeting on Tuesday, March 11, 2025, at 6:00 p.m., at the Visitor Center to discuss the Draft Zoning Ordinance and is tentative pending review by the Town Council.

Mr. Johnston recommends the Planning Commission listen to the podcast that was created to explain the major changes made to the Draft Zoning Ordinance.

Adjournment: The Meeting adjourned at 7:19 p.m.