

Denton Planning Commission

Minutes

Town of Denton

March 25, 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, Town Councilman

Jamie Andruzzi

Brad Toothman

Recording:

Donna Todd, Planning and Codes

Scott Getchell, Town Administrator

PROCEEDINGS

Call to Order:

The Planning Commission Meeting was called to order by Vice Chairperson Burroughs at 6:00 p.m. on March 25, 2025, at the Denton Town Office. Vice Chairperson Burroughs 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 25, 2025, the Regular Meeting Minutes were reviewed and unanimously approved.

March 11, 2025, the Joint Working Session Minutes were reviewed and unanimously approved.

Old Business #1 – Wend Baltimore North, LLC – Wendy's – Final Site Plan:

Jamie Andruzzi, Bohler Engineering, submitted a final site plan on behalf of Wend Baltimore North, LLC (Applicant) for the construction of a fast-food restaurant with a drive-thru. The property is located on Strato Drive, and the preliminary site plan approval was received on November 26, 2024.

Mr. Andruzzi noted the plan has undergone a series of technical reviews and is requesting final site plan approval. All final review comments have been addressed for the completion of one final review and approval from the Town and County. The project received approval from the State Highway Administration (SHA). Additionally, the Stormwater Management Inspection and Maintenance Agreement and the water and sewer allocations were approved by the Town Council on February 6, 2025.

Vice Chairperson Burroughs questioned the height of the T1 and T2 freestanding signs.

Mr. Johnston stated that the site plan does not include the signs and that it will have to go through the Board of Appeals process.

Vice Chairperson Burroughs noted the sidewalk in front of the building does not show pedestrian access to the restaurant.

Mr. Andruzzi clarified the primary entrance is located at the front of the building, accessible via a sidewalk and pavement. Crosswalks to the building were not deemed necessary. The intended pedestrian access points are the crosswalk and the main entrance.

Peter Johnston, Town Planner, recommended the final site plan approval should be subject to satisfying the outstanding comments and all required signatures.

Mr. Andruzzi agreed to the conditional approval and receipt of agency approval letters from SHA and the County.

Commissioner Sorce questioned the (TIS) Traffic Impact Study.

Mr. Andruzzi stated it has been completed.

Commissioner Guay inquired how many jobs this project would provide.

Brad Toothman, Flynn Development, stated the project is anticipated to generate between 20 and 30 jobs, some of which may be seasonal.

Commissioner Waterman motioned to approve the final site plan for Wendy's as presented, contingent upon the satisfactory completion of staff and consultant reviews and all required signatures from the Town and County.

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

Old Business #2 – Other: None.

New Business #1 – Draft Zoning Ordinance Amendments: At the March Joint Working Session, the Planning Commission requested amendments to be included in the Draft Zoning Ordinance to address the concerns of the Town Council. Staff is requesting approval of the amendments to be included in the final Draft Zoning Ordinance.

Mr. Johnston explained the amendments proposed before finalizing it for public review. The Pattern Book is included in the review process in Appendix III. The addition of provisions related to building design are outlined in Appendix III. In both the original and Draft Zoning Ordinance, Appendix I has a checklist for site plans. This Appendix includes the required information for a Simplified Site plan, Concept Plan, Preliminary Site Plan, and Final Site plan. A category for building design was added to the required information for Preliminary architectural plans and elevations.

Mr. Johnston addressed another issue that was discussed at the Joint Working Session regarding subdivisions that are approved and sold to another developer that changes the approved building designs. A note for all subdivisions will be required stating changes in the approved architectural plans will be required to be reviewed and approved by the Planning Commission.

Vice Chairperson Burroughs inquired if the new owner of a subdivision would be required to seek approval for any architectural change to the original approved site plan.

Mr. Johnston explained minor variations would not initiate a new review, but a dramatic change would require approval.

Commissioner Waterman questioned the architectural aesthetic review considerations and if it would only apply to subdivisions as opposed to an individual who wants to build a house.

Mr. Johnston stated they would not have to go through the same process.

Commissioner Waterman asked if a developer could do a subdivision and sell off individual lots for people to develop.

Mr. Johnston stated the same requirement would apply to those individual lots and would be attached to the building permit process.

Commissioner Waterman voiced his concerns regarding the standards that apply to some scenarios and not others. He believes it would be a problem to expand to an individual building a house for themselves but understands where the Council's view is. Since there are enough good policies and changes to development proposed in the Zoning Ordinance, he would prefer to move forward with the new Zoning Ordinance. The Town can review future developments and revise them later if necessary.

Councilman Taylor stated the Town Council would like to align with the Pattern Book concept but was open to revisiting the review process if it became overly restrictive.

Commissioner Sorce asked about the Historic District requirements and who keeps the projects in character during renovations.

Mr. Johnston explained there is a Historic and Architectural Review Commission that approves projects in the Historic District and is a much more rigorous process review.

Vice Chairperson Burroughs asked if the Pattern Book is only for residential. If so, how would it be applied for an adjacent commercial project, or would a bufferyard eliminate the issue?

Mr. Johnston explained other regulations, including the community appearance standards and infill and redevelopment for the commercial and residential projects are included in the Design Guidelines.

Mr. Johnston explained the revision made to §128-126 after concerns regarding the fence at Sharp Road Park. He proposed incorporating provisions for taller fences for public projects, which would be subject to review by the Planning Commission. Adjacent property owners would be notified of the proposed projects.

Mr. Johnston suggested restricting this administrative variance process to government-based projects to mitigate the likelihood of abuse.

Commissioner Guay asked if there is a list of building materials permitted.

Mr. Johnston stated this is not exempted from the limitations on materials that are in the Code.

Councilman Taylor questioned page two of the March 13, 2025, memo. He states it only shows 62, 63, and 64 under the checkoff lines for the Design Guidelines and that 65, is not included in the memo that should note that there is no deviation from new builders.

Mr. Johnston explained that the checklist is going to be revised to insert those changes once a consensus has been made on the proposed Draft Ordinance and will be addressed accordingly.

Mr. Johnston asked for a motion to add the amendments to the Draft Zoning Ordinance and to recommend it to the Town Council to include the proposed amendments.

Commissioner Sorce motioned to adopt the amendments and to present the amended Draft Zoning Ordinance to the Town Council.

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

New Business #2 – Other: None.

Staff Item #1 – Other: The next steps for the Draft Zoning Ordinance will include finalizing it and posting it to the website. Staff will also post podcasts explaining the changes to

the Town website. There will be a Public Information Meeting on April 8, 2025, at the Wharves of Choptank Visitor & Heritage Center.

Commissioner Sorce asked if they plan to post it to the Town's Facebook page.

Mrs. Todd recommended they add a link to the Facebook page for the Town's website page.

Mr. Johnston stated this will also be sent out to the major developers and engineers for their review.

Mrs. Todd stated developers are waiting on the Draft Zoning Ordinance to begin future projects.

Mr. Johnston noted the matter of Wendy's wall signs. The amended Code permits a wall sign budget, provided the signs remain within a specified percentage of the wall area.

Vice Chairperson Burroughs asked if this would allow more signs than is allowed now.

Mr. Johnston stated Wendy's would need to go to the Board of Appeals for the variances for both additional freestanding signs and wall signs.

Mrs. Todd stated if they waited for the new Zoning Ordinance, they may be able to meet the wall signage. The only time the Planning Commission approves a sign is when it is part of a comprehensive sign plan package. Their final site plan was approved without signage.

Commissioner Waterman asked if they plan to come back for the signage.

Mrs. Todd stated their attorney requested a postponement for the scheduled hearing and proceedings will be determined at a later date.

Councilman Taylor asked if the Draft Zoning Ordinance will be presented to the Town Council in May.

Mrs. Todd confirmed the Draft will be introduced during their May Town Council Meeting and may be adopted in June.

Mr. Johnston will be at the Public Information Meeting to present the Draft Zoning Ordinance to the public.

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