

Denton Planning Commission

Minutes

Town of Denton

February 22, 2011

Planning Commission Members:

Doris Walls, Chairperson*
William Quick**
Ummu Bradley Thomas*
Sue Cruickshank*
Marina Dowdall*
Brian Tyler*

* Those Present
** Excused

Visitors:

Don Mulrine
John Wilburt

Robert Clendaniel

Recording:

William Kastning
Janice Henderson

PROCEEDINGS

Call to Order:

The regular meeting was called to order by Chairperson Walls at 6:00 p.m., on February 22, 2011, at the Denton Town Office and followed by the Pledge of Allegiance.

Chairperson Walls asked for any corrections, deletions, or additions to the January 25, 2011, Planning Commission meeting minutes. Chairperson Walls asked that the reference to the B&G Seafood sign be changed from asking if it was legal, to asking the status of the violation. The minutes were approved with corrections.

Old Business #1 – Ordinance #621 Forest Conservation Act:

The Forest Conservation Act Ordinance was introduced at the Town Council meeting on February 7, 2011. The Denton Town Council has requested a recommendation from the Planning Commission. The ordinance is scheduled for adoption at the March 7, 2011, Town Council meeting.

After a brief discussion, Chairperson Walls entertained a motion. Commissioner Dowdall made the motion to forward a positive recommendation to adopt Ordinance #621 as submitted. Commissioner Thomas seconded the motion. The motion passed unanimously.

Old Business #2 – Ordinance # 624 Critical Area Map:

The Critical Area Map Ordinance #624 corrects a mapping error to the current Critical Area Map adopted on September 13, 2010. The ordinance was introduced at the Town Council meeting on February 7, 2011. The Denton Town Council has asked for a recommendation from the Planning Commission. The changes to the Critical Area map were discussed at the January 25, 2011, Planning Commission meeting and no additional changes were made since that meeting.

1 After a brief discussion Chairperson Walls entertained a motion. Commissioner Dowdall
2 made the motion to forward a positive recommendation to adopt Ordinance #624 as submitted.
3 Commissioner Thomas seconded the motion. The motion passed unanimously.

4 **New Business #1 – Dawn & John Wilburt/Daycare Special Exception:**

5 Dawn and John Wilburt submitted a Board of Appeals application requesting a special
6 exception for a daycare center that allows up to twelve (12) children. The property is located at
7 1107 Weeping Willow Court, Savannah Overlook subdivision, Map 104/Parcel 991, zoned
8 Suburban Residential (SR). Denton Zoning Ordinance §128-88 permits day care centers by a
9 special exception granted by the Board of Appeals with a recommendation by the Planning
10 Commission. A public hearing is scheduled for the Board of Appeals meeting on March 14,
11 2011, at 6:30 p.m.

12 Planning Director Kastning summarized the request and stated that the applicant Mr.
13 John Wilburt was present. Commissioner Thomas stated that she resides in Savannah Overlook
14 subdivision and was not in close enough proximity to receive notification of the day care center
15 request. Mr. Kastning advised Thomas that she did not need to recuse herself from this
16 discussion or vote.

17 Mr. Wilburt addressed the Commission with a short summary of his request and
18 answered questions from the Commissioners. Chairperson Walls entertained a motion.
19 Commissioner Thomas made the motion to forward a positive recommendation to the Board of
20 Appeals conditioned on housing maintenance corrections as sited by the Town's Senior Code
21 official and approval by the Maryland State Board of Education to expand the allowed number of
22 children. Commissioner Cruickshank seconded the motion. The motion passed unanimously.

23 **New Business #2 – Priority Funding Area:**

24 The staff is considering an update to the Town's Priority Funding Area (PFA). An update
25 is being considered because of the recent changes to the Town's Comprehensive Plan, rezoning

1 of certain parcels and annexations since the Priority Funding Area was established. There was a
2 discussion explaining the process required to revise the PFA and what areas within the Town's
3 boundaries and outside the boundaries (the growth areas) that might be considered for PFA
4 designation. When staff has completed their analysis with assistance from the Maryland
5 Department of Planning, the proposed revision will be addressed by the Town Council and
6 Planning Commission for review and approval.

7 **New Business #3 – Ordinance #623 Land Subdivision Street Names:**

8 The ordinance was introduced at the Town Council meeting on February 7, 2011, and
9 asked for a recommendation from the Planning Commission. Planning Director Kastning
10 discussed the main points of the ordinance. The ordinance authorizes the Town Council, by
11 resolution, to adopt procedures or criteria for naming streets and alleys or designate other
12 agencies to review the street and alley names. Mayor Clendaniel discussed why the Town
13 Council suggested that street names should have a historic or symbolic designation of the Town
14 and/or County.

15 Chairperson Walls entertained a motion. Commissioner Dowdall made the motion to
16 forward a positive recommendation to adopt Ordinance #623 as submitted. Commissioner Tyler
17 seconded the motion. The motion passed 4:1 with Commissioners Walls, Dowdall, Cruickshank
18 and Tyler voting aye and Commissioner Thomas voting nay.

19 **New Business #4 – Other**

20 Commissioner Dowdall inquired about the farmers market, peddlers, and open market
21 guidelines and requirements. A discussion concerning these topics will be added to the next
22 Planning Commission agenda. Planning Director Kastning discussed the Town and County's dog
23 license requirements with the Commissioners. Currently, the Town's Code regulates dog
24 licensing and enforcement, although it has not been enforced. The Planning Commission's

1 consensus was that the County code should take precedence for licensing and enforcement and
2 that the Town Council should consider legislation to eliminate its regulations.

3 **Staff Item #1 – Email Protocol:**

4 Planning Director Kastning asked the Commissioners to please respond to emails sent by
5 Town Staff

6 **Adjournment:**

7 The meeting adjourned at 7:10 p.m.