

**Denton Planning Commission**

**Minutes**

**Town of Denton**

**July 26, 2011**

**Planning Commission Members:**

Doris Walls, Chairperson\*  
William Quick\*  
Sue Cruickshank\*  
Marina Dowdall\*  
Brian Tyler\*  
Matt Breedlove\*

\* Those Present  
\*\* Excused

**Visitors:**

Kevin Shearon (DMS and Associates)	Zebulon Brodie (Applicant)
Harry Kaiser (Applicant)	Don Mulrine (Town Administrator)
Donna Russ (Nearby Property Owner)	Robert Russ (Nearby Property Owner)

**Commission Attorney:**

Stephen Kehoe

**Recording:**

William Kastning (Director of Planning and Codes Administration)

PROCEEDINGS

**Call to Order:**

The regular meeting was called to order by Chairperson Walls at 6:00 p.m., on July 26, 2011, at the Denton Town Office and followed by the Pledge of Allegiance.

Chairperson Walls asked for any corrections, deletions, or additions to the June 28, 2011, Planning Commission meeting minutes. The minutes were approved as presented.

Newly appointed Regular Member, Matt Breedlove, was introduced to all attendees.

**Old Business:**

None

**New Business # 1 – Brodie Holdings, LLC - Subdivision Concept Plan:**

Kevin Shearon, Principal DMS and Associates, on behalf of the applicant, presented the concept plan details on the proposed commercial subdivision. Shearon described the proposed three lots, public loop road, and remainder properties. He indicated there are wetlands which will be delineated further on the preliminary/final subdivision plans when submitted. He also noted that while the concept plan shows 10 possible additional pad sites, this configuration could change depending upon future commercial interest. Shearon also discussed the typical local access street section and indicated that water and sewer stubs would be provided throughout the site under the proposed loop road.

Discussion ensued about the three access points on Legion Road. Commissioners were made aware that these access points were agreed to by various parties (Brodie, Provident State Bank (PSB), Black Oak Associates, Didonato, Town of Denton and Walmart) and were approved in various agreements (78 pages in length). It was pointed out that the signaled intersection for access to Walmart is a full service intersection allowing all turns including U-turns. The middle intersection, serving Brodie and PSB accommodates all turns except left out and is one of the two access points on the proposed loop road. The westernmost intersection

1 serving Brodie and PSB allows only right in and right out. It was noted that as part of the multi-  
2 party access agreements, Walmart agreed to construct an inter-parcel connector between the  
3 Subway/Dunkin Donuts and the PSB site. As part of this proposal, the inter-parcel connector  
4 would ultimately become unnecessary.

5 Planning Director Kastning addressed the issue regarding the need for provision of a  
6 fourth lane on Legion Road (second westbound lane) when commercial development north of  
7 Legion Road commenced. Kastning indicated it was planning staff's opinion that Brodie should  
8 agree to construct the fourth lane as a condition of this proposal's final subdivision approval.  
9 After some discussion, it was agreed that the applicant would contract with a traffic engineering  
10 firm to evaluate the levels of services on Legion Road and other nearby intersections and the  
11 various access points to Brodie/PSB, in particular the middle intersection which prohibits left out  
12 and may be problematic as designed when a fourth lane is added.

13 Planning Director Kastning requested that the applicant follow Environmental Site  
14 Design for stormwater conveyance.

15 Applicant indicated the desire to seek final subdivision approval and site plan approval  
16 for Lot 2 (relocated Subway and Dunkin Donuts) at the Planning Commission's September 2011  
17 meeting.

18 Chair asked for a motion. Marina Dowdall made the motion to approve the concept plan  
19 as proposed with conditions: 1) applicant provision of fourth (second westbound) Legion road  
20 lane, 2) traffic study to address levels of service along all nearby accesses on Legion Road, 3)  
21 stormwater following Environmental Site Design practices, 4) no variances, 5) no design waivers  
22 or special exceptions, and 6) addressing comments by Caroline Soils Conservation District,  
23 Town Engineer, Town Department of Public Works, and Town arborist. The motion was  
24 seconded by Matt Breedlove and approved unanimously.

25 **New Business**

1 None

2 **Staff Items:**

3 None

4 **Adjournment:**

5 The meeting adjourned at 6:47 p.m.