

Denton Planning Commission

Minutes

Town of Denton

September 27, 2011

Planning Commission Members:

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

* Those Present
** Excused

Visitors:

Ryan Showalter Esq.	Neil Baker (Delmarva Power and Light)
John Fellows (Duffield and Associates)	Jennifer Rothschild
Tom Batchelor (Sr. Code Enforcement Off.)	Don Mulrine (Town Administrator)

Commission Attorney:

None

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 September 27, 2011, at the Denton Town Office and followed by the Pledge of Allegiance.

Chairperson Walls asked for any corrections, deletions, or additions to the August 30, 2011, Planning Commission meeting minutes. The minutes were approved as presented.

Old Business:

Other Old Business - none

New Business:

Ordinance 635 - Recommendation to Town Council

The purpose of this ordinance was to make technical corrections associated with codifying various previously adopted ordinances. Planning Director Kastning pointed out the three corrections: two associated with the Adult Business Ordinance and one associated with the Property Maintenance Code Ordinance. Planning Director Kastning complimented the Planning Commission on how few errors had been identified during the codification process involving these ordinances and the substantial rewritten Zoning and Land Subdivision Ordinances.

Chairperson Walls asked for a motion. Commissioner Dowdall made the motion to recommend Town Council's approval of the ordinance. The motion was seconded by Commissioner Breedlove and approved unanimously.

Ordinance 637 - Recommendation to Town Council

The purpose of this ordinance was to amend the official use table to permit utility facilities in the Recreation and Parks (RP) district as a conditional use. Planning Director Kastning commented that it was not the intent during the comprehensive rezoning to disallow utility facilities or their expansion in the RP zoning district. He indicated that if not changed, the

1 applicants, such as Delmarva Power and Light, would be required to seek a special exception
2 from the Board of Appeals.

3 Ryan Showalter, attorney for Delmarva Power and Light, stated the applicant is seeking a
4 simplified site plan approval for placement of additional transformers on their Camp Road
5 distribution facility. He indicated without the change in use table as proposed, the matter would
6 need to go before the Board of Appeals. Planning Director Kastning indicated that adoption of
7 the ordinance would allow Director of Planning and Codes approval.

8 Chairperson Walls asked for a motion. Commissioner Dowdall made the motion to
9 recommend Town Council's approval of the ordinance changing the official use table to permit
10 utility facilities in the RP district. The motion was seconded by Commissioner Quick and
11 approved unanimously.

12 Mr. Showalter then requested a review and recommendation of the special exception,
13 should the ordinance not be adopted and the matter brought before the Board of Appeals. John
14 Fellows from Duffield and Associates presented the site plan showing existing conditions and
15 the location of the proposed improvements. Neil Baker, representative of Delmarva Power and
16 Light, indicated certain existing crumbling foundations would also be repaired. Showalter stated
17 that there would be no need to show consistency with the Town's Comprehensive Plan and all
18 requirements for granting a special exception could be demonstrated.

19 Chairperson Walls asked for a motion. Commissioner Dowdall made the motion to
20 recommend Board of Appeals approval of the special exception should it be required. The
21 motion was seconded by Commissioner Cruickshank and approved unanimously.

22 **Other New Business - Choptank River Bridge over Crouse Park**

23 Commissioner Cruickshank stated her concerns about the ongoing bridge maintenance
24 and the need to allow for maintenance access under the bridge in the future. Planning Director

1 Kastning indicated the bridge is being painted with a porcelain-like paint which will require less
2 frequent painting of the structure going forward.

3 **Staff Items:**

4 **Staff Item - Rental Inspections and Property Maintenance**

5 At the request of the Planning Commission at its last meeting, Senior Code Enforcement
6 Officer, Tom Batchelor, appeared to answer the Commission's questions about specific problem
7 properties, actions being taken, etc. Mr. Batchelor responded to each query and provided a
8 synopsis of the new policies, procedures, and legal remedies now in place to deal with blighted
9 properties and property maintenance issues. Mr. Kastning stated that good progress has been
10 made given the department's resource constraints and years of neglect.

11 **Adjournment:**

12 The meeting adjourned at 6:50 p.m.