

MIDDLETOWN PLANNING AND ZONING COMMISSION
31 West Main Street
Middletown, Maryland

Planning and Zoning Minutes

Regular Meeting

January 17, 2011

The regular meeting of the Middletown Planning and Zoning Commission took place on Monday, January 17, 2011 at 7:00 p.m. at the Middletown Municipal Center, 31 West Main Street, Middletown, MD 21769. Those present were Chairman Carney, Commission members David Lake, Bob Smart, Bob Miller, Chris Goodman, Alternate, Commissioner Dietrick, Cindy Unangst, Staff Planner and Bruce Carbaugh, Director of Operations.

I. Regular Meeting Minutes of November 15, 2010 and December 20, 2010 – approved as submitted.

II. PLANS

Hollow Creek Golf Course Revised Site Plan – Chairman Carney stated that Cindy sent out a letter to all residents in Glenbrook regarding the improvements/modifications to Hollow Creek with the addition of a pavilion, leader board and expansion of the pond. K.C. Reed of Loiderman Soltesz Associates stated that as requested at the workshop the Board asked us to provide more details on the dry erase board as opposed to the insets as far as the leader board goes. Commission member Smart asked if the advertisement would be a part of the dry erase board or will they be permanent. Mr. Reed stated that they are a part of the dry erase board but all advertisements will be made to be removable as well. The dry erase boards will be used typically for tournaments but could be left up year round. Chairman Carney asked if the size of advertisements has been determined yet. Mr. Reed is unsure at this point but no advertisements have been sold yet. There will be 3 leader boards which will be 4 feet x 8 feet in size. Mr. Reed stated that one is a proposed summary board and 2 are the leader boards. Mr. Reed stated that there will be no advertisements on the back of the leader boards; the color will be similar to the clubhouse and there will be a small Hollow Creek symbol on front.

Chairman Carney stated that the key issues are no advertising on the back, concerned with advertisements on front he would like to know the limitations on those and the color of the boards comparable to what is on site. Commission member Smart stated that he is concerned with the advertising when the boards are not being used for tournaments. Commission member Smart also stated that he is concerned with these site plan changes coming so quickly from the previous approved plans, and he would like to have the resident input on these changes as well.

Bill Poulin, 3 Tobias Run – would like to see landscaping around the back of the leader board to shield from adjacent home owners.

Motion by Lake to approve the leader board proposal with the conditions that no advertisement be placed on the back, ads placed on front shall be no greater than 1' (12 inches) in size, seconded by Miller. Motion denied (2-3).

It was agreed to have this come back next month to give LSA time to look at screening from the property owners and allow time for Cindy to send information to the residents on the leader board.

Hollow Creek Golf Course SWM Pond #1 Modification – proposed improvements are designed to enlarge the capacity of the existing pond facility which is used to irrigate the golf course, as well as modify hole #18. Commission Member Lake stated why should we discuss this tonight if we want residents present? Mr. Reed stated that he really wanted to get approval this month so it does not delay the project till next December.

Bruce Carbaugh stated that he did look at the plans today; most of the comments are minor. Bruce asked about the proposed haul route. It looks like it will be coming from the old farm house to Tobias Run and all the waste material will be hauled off site. Bruce asked about the quantity of material to be hauled off site which would be approximately 785 truckloads.

After some discussion, it was agreed to table this to next month. Bruce will provide his comments in writing to LSA. Chairman Carney asked Cindy to send a letter to all the adjacent homeowners to let them know about the agenda items next month and any comments should be submitted prior to the workshop.

III. ZONING

Zoning Violation Draft Ordinance – Cindy went over what was discussed at the workshop, she explained that some of the proposed changes are also included in MD Article 23A; she went over what was included and what was not included in Article 23A. Cindy stated that per the request of the Board she contacted a few Municipalities to see what their fine amounts are. Cindy stated that the commission decided that due to the difficulty for residents to understand it was decided to go back to what has been in place previously. The 3-pronged approach would be: 1) zoning administrator is to write a notice of violation and send letter to violator; 2) send corrective action with time given for action (60 days?); and 3) fine if corrective action not taken - \$100/day. Cindy explained to the Commission why Mr. Clapp (town attorney) was proposing the changes to Section 17.08.110 that he included in his initial draft to the Town Board as well as the fine amounts charged by other municipalities. Cindy also reiterated that the zoning administrator does not have to send out a warning letter to a violator; the violator can be issued a fine without a warning for any violation of the Zoning Code.

Motion by Smart seconded by Miller to approve the draft ordinance with the minor edits that were discussed at the workshop. Motion carried (4-0-1 Dietrick abstained).

Restricted Vehicle Text Amendment – Cindy reviewed Mr. Clapp's comments on the draft text amendment that she sent him after edits were made following the workshop. Mr. Clapp proposed a different definition for screening which the Planning Commission felt was good. The Planning Commission also felt that the proposed changes to Section 17.32.140 Recreational equipment that Mr. Clapp included were good to make as well.

Motion by Miller to approve the Restricted Vehicles Text Amendment with Mr. Clapp's changes and the Planning Commission's edits, seconded by Smart. Motion carried. (4-0-1 Dietrick abstained).

Plan Review Process management system and checklists – tabled to next month.

Violations –

Restricted vehicles – on hold
Perennial Landscapers signage – removed.

IV. ELECTION OF OFFICERS – Commission member Smart nominated Mark Carney as Chairman, seconded by Lake. Motion carried (4-1, Carney abstained).

Chairman Carney nominated David Lake as Vice Chairman, seconded by Smart. Motion carried (5-0).

VI. PUBLIC COMMENTS –

Bill Poulin, 3 Tobias Run – asked when the next meeting is? Mr. Poulin talked about the landscaping along the perimeter and stated that a lot of those trees were moved by the golf course owner recently. Chairman Carney asked Cindy to look at the landscape schedule to see if these plantings/moving of trees are on the schedule.

Meeting adjourned at 8:38 p.m.

Respectfully submitted,

Ann Barkdoll
Administrative Specialist