

# *BURGESS AND COMMISSIONERS OF MIDDLETOWN MARYLAND*

## TOWN MEETING MINUTES

**REGULAR MEETING**

**May 11, 2015**

The first monthly meeting of the Burgess and Commissioners of Middletown was called to order on May 11, 2015, by Burgess Miller at 7:00 p.m. in the Middletown Municipal Center, 31 W. Main Street, Middletown, Maryland. Present were: Commissioners Jennifer Falcinelli, Larry Bussard, Rick Dietrick, Tony Ventre and Christopher Goodman.

### **CONSENT AGENDA**

*Town Minutes – April 27, 2015*

Commissioner Bussard motioned to accept this consent agenda as presented, seconded by Commissioner Ventre and passed unanimously.

### **PERSONAL REQUESTS FOR AGENDA:**

#### **Unfinished Business:**

**Ordinance 15-05-01 – Zoning Text Amendments Commercial Zoning Districts** – Burgess Miller stated that this Ordinance is to amend Title 17, Chapter 17.20 of the Middletown Municipal Code to revise the types of uses permitted and uses permitted by special exception in the TC Town Commercial district; to repeal provisions relating to overnight parking of motor vehicles and the maximum size in the MB Mixed Business zoning district; to revise the standards and requirements for site plans in the commercial zoning districts; to make other stylistic and non-substantive revisions.

Burgess Miller stated that the Main Street Manager would like to make a few changes to the proposed language. Becky Reich, the Main Street Manager stated that the current language stated that new principal structures in the commercial districts shall be subject to architectural review by the planning commission. Main Street would like to change that to the following: New principal structures in the Commercial Districts shall be constructed so as to present an aesthetically pleasing and finished appearance as viewed from all sides. Loading docks, service areas or other similar features shall be screened from view from all public streets and adjoining residential districts. To ensure aesthetically pleasing development compatible with adjacent or neighboring buildings, all applications for site plan approval shall include architectural renderings or other information concerning the design and materials of the proposed building.

Bob Smart, 7525 Coblenz Road – stated that he has a concern that these changes are being sprung on at the last minute without the Planning Commission being able to review.

Motion by Commissioner Ventre to approve Ordinance 15-05-01 with the recommended changes from Main Street, seconded by Commissioner Falcinelli. Motion carried 6-0.

**Ordinance 15-05-02 – Zoning Text Amendments Industrial Zoning Districts** – This ordinance is proposing to amend Title 17, Chapter 17.24 of the Middletown Municipal Code to revise the types of uses permitted by special exception in the service commercial/light manufacturing zoning district; to revise the side yard setback restrictions for commercial recreational uses in the industrial zoning districts; to make

other stylistic and non-substantive revisions. Motion by Commissioner Falcinelli to approve Ordinance 15-05-02 as presented, seconded by Commissioner Ventre. Motion carried 6-0.

**Constant Yield Tax Rate** – Drew stated that we have to delay taking action on this as the advertisement was missing a decimal point, therefore we have to re-advertise. Burgess Miller stated that the Public Hearing will be June 4, 2015 at 7pm.

**Review of fees for permitting services** – Burgess Miller stated that this will be forwarded onto the Town Attorney for his review and draft of an ordinance.

**Schedule of Public Hearings for Budgets** - Burgess Miller stated that the Public Hearing on the Budgets will be held on June 4, 2015. Burgess Miller stated that included in the budget is a 3% water/sewer rate increase. The Board agreed to advertise the water/sewer rate increase at 4%.

**Discussion of Trash pickup at Foxfield Active Adult** – Burgess Miller stated that the Foxfield Active Adult HOA asked if the Town would reconsider picking up their trash. Currently the HOA pays \$2,800 a year to the trash hauler, the reason for this fee was that the streets in this area are not Town Streets. The HOA stated that they would be willing to sign a waiver of liability for any street damage that could possibly occur with the trash trucks driving on them. The HOA will discuss this at their next meeting and provide the Town with their decision and waiver of liability if approved by the HOA.

#### **REPORTS OF COMMITTEES –**

**WATER & SEWER** – Commissioner Falcinelli reported:  
Spring flow – 135,000 gals. Per day, EWWTP treated 237,000 gals.  
Next meeting May 27, 2015 at 7pm.

**PUBLIC WORKS** – Commissioner Bussard reported:  
Snow equipment has been cleaned and put away.  
Several grass letters have been going out to residents.  
Bruce Carbaugh feels like West Green Street bids will go out the end of May or early June.  
Streetscape SHA meeting on June 22, 2015.

**PLANNING COMMISSION** – Commissioner Goodman reported:  
Lombardy Court – sunroom demolition approved  
Sheffler – Planning Commission sending a letter to the Board of Appeals asking them to reconsider their vote.

**PARKS & RECREATION** – Commissioner Ventre reported:  
Dog Park – moving forward. Letter sent to the residents of Eastern Circle and Brookridge South inviting them to attend the Parks & Rec meeting on May 19<sup>th</sup> in regards to the Dog Park.  
County POS meeting – May 21, 2015 - \$299,000 to be distributed to Municipalities.  
Wiles Branch Park Trail – current path is 10’ wide, the existing road is 10’ wide, and the proposed new path is 5’ wide. In looking at this it was determined that the proposed path should be at least 8’ wide.  
Drew stated that there is money in the current budget to cover the difference of \$15,629.  
Motion by Commissioner Ventre to make the proposed path 8’ wide, seconded by Commissioner Goodman. Motion carried 6\*0.

**FINANCE** – no report.

**PUBLIC INFORMATION** – schedule a meeting to discuss web page options.

#### **NEW BUSINESS:**

**Main Street – The Heat is on 5K Race** – Burgess Miller stated that Main Street wants to put on a 5K Race on Saturday, August 29, 2015.

Motion by Commissioner Falcinelli to approve the Heat is on 5K Race, seconded by Commissioner Bussard. Motion carried 6-0.

**Introduction of Zoning Amendments for Design Standards – Schedule of Public Hearing** – Public Hearing scheduled for June 8<sup>th</sup> at 7pm.

**Ordinance 15-04-02** – was approved last month to go into effect July 1, 2015. The Planning Commission is asking to change the effective date from July 1, 2015 to October 1, 2105. Motion by Commissioner Falcinelli to accept the effective date change, seconded by Commissioner Goodman. Motion carried 6-0.

**Staff Planner attend MML Convention** – Burgess Miller stated that this year’s MML Convention has several presentations in regards to Planning. Cindy has asked to attend the MML Convention. Burgess Miller stated that the approximate cost to send Cindy to the MML Convention would be \$1,500. Motion by Commissioner Goodman to approve sending Cindy, Town Planner to the MML Convention, seconded by Commissioner Ventre. Motion carried 6-0.

**Hollow Creek Outdoor Music** – Drew stated that he received the annual letter from Hollow Creek in regards to their outdoor music events. The first event is to start May 29, 2015. All provisions as set forth previously will remain in effect. Motion by Commission Bussard to approve the request from Hollow Creek for their outdoor music events, seconded by Commissioner Dietrick. Motion carried 6-0.

**PUBLIC COMMENT: None**

**ANNOUNCEMENTS:**

**ADJOURNMENT**

Meeting adjourned at 8:12pm.

Respectfully submitted,

Ann Griffin  
Office Manager