

MIDDLETOWN PLANNING COMMISSION
31 West Main Street
Middletown, Maryland

Regular Meeting

March 17, 2014

The regular meeting of the Middletown Planning Commission took place on Monday, March 17, 2014 at 7:00 p.m. at the Middletown Municipal Center, 31 West Main Street, Middletown, MD 21769. Those present (quorum) were Commissioners Mark Carney (Chairman), Chris Goodman (Ex-Officio), Bob Miller, David Lake, and Bob Smart. Others present in official capacity: Commissioners Rich Gallagher (Alternate) and Dixie Eichelberger (Temp. Alternate), Cindy Unangst (Staff Planner), Bruce Carbaugh (Director of Public Works) and Annette Alberghini (Recording Secretary). Others present: Farhad Memarsadeghi (Admar Custom Homes, Inc.), David Lingg (Lingg Property Consulting), Mark Crissman (DMW), Nancy Newton (resident), Victor White (Hogan Companies), Bruce Dean (Linowes & Blocher), Timothy Hogan (Hogan Companies), Joe Rolleck (Glenbrook HOA) and John Greene Jr. (Glenbrook HOA).

I. PUBLIC COMMENT – None

II. Regular Meeting Minutes of February 17, 2014 – Commissioner Lake had several corrections to the February meeting minutes as follows: under regular meeting minutes of January 20, 2014, correcting Rich Gallagher’s name; in that same sentence, he recommended adding the words “in the” after the word present and before the word “quorum”; that section should also include a statement congratulating Ron Forrester on his appointment as the Town Zoning Administrator; under the Cluster Development Regulations sections it was recommended to remove mention of the specific names of the Planning Commissioners suggesting the location of the regulations within the town codes and to list the different positions expressed; it was also recommended to move the statement regarding the commissions’ consensus on these regulations location to be included under the Draft Regulation Section Review; under the Violations section it was recommended to identify the illegal parking lot as Thompson property; to correct sentence structure for clarification & readability; and in the final sentence of that violation to change “Zoning Administrator” to “Acting Zoning Administrator, Drew Bowen”. – **Minutes approved with those recommendations and corrections.**

III. PLAN Review

Garden Center Concept Plan – The Staff Planner reviewed the concept plan for the proposed garden center on the lot behind the Subway restaurant on Main Street. This concept plan discussion included a review of the preliminary sketches. The applicant received a copy of the staff report identifying issues to consider and address before bringing the site plan for this development to the Planning Commission for approval.

There is some discrepancy on the number of lots associated with this concept plan. The Staff Planner will complete a deed search to identify the correct number of lots associated with this development.

Cross Stone Commons Architectural Review –

- **Signage** – The applicant would like to discuss signage for the entire property when Building 1 (CVS) submits its application for their signage permit. The Planning Commission agreed. A question was asked regarding how many signs the applicant was going to install on the property. The applicant stated that they would install the main sign out at the corner of 40A and Middletown Parkway. Any other signs at the other entrances to the property would be for traffic direction only.
- **Building 1** – The Staff Planner reviewed the architectural revisions completed by the applicant regarding Building 1 (CVS). The recommendations from the Main Street Middletown Design Committee were also reviewed. The Staff Planner displayed the rendering of the CVS structure.

It was noted that the applicant has been diligent throughout the review process in meeting the requirements and revisions requested by the Planning Commission for this development.

- **Building 3** - The applicant stated that defining the final rendering of Building 3 has been difficult because the number and types of tenants for that building has not been finalized. The Planning Commission recognizes that the final rendering may possibly change due to these factors and requested that any substantial changes (such as the total number of tenants) to Building 3 would require that the revised architectural design be brought before the Planning Commission for review and approval.

Action: Commissioner Smart motioned to accept the Cross Stone Commons architectural review for Buildings 1 and 3 as presented with the requirement that if Building 3 undergoes any substantial changes, the applicant will be required to bring it before the Planning Commission for review and approval prior to building permits being issued. Commissioner Goodman seconded. Motion carried (5-0).

Cross Stone Commons Improvement Plan – The Director of Public Works stated that he has not had time to review the plan but will get to it as soon as he possibly can. The applicant received the comments from ARRO for review. The Staff Planner reviewed the staff report regarding issues to consider for this improvement plan. Specific issues discussed were:

- **FRO** – The applicant needs to submit a final forest conservation plan to be reviewed simultaneously with the improvement plan review. The Staff Planner will re-send the applicant the information regarding off-site planting.
- **Parking** - Given the proposed square footage of 35,357 square feet, 195 spaces would be required. The site plan shows a proposed total of 229 spaces; due to some changes in stormwater management, the improvement plans now show a total of 219 spaces. The Staff Planner stated that the Burgess wondered whether there had been discussion for using pervious pavement within any of the parking areas. No comment was provided by the applicant.
- **Signage** – The applicant stated that the main entrance sign would be installed at the corner of 40A and Middletown Parkway. Smaller signs would be installed at the entrances to the development. The Planning Commission asked that the applicant respond with what those signs would be, their size and where they would be installed. Applicant will respond with the information as soon as possible.
- **County Review** – The Soil Conservation District reviewed the plan last week. The developer has received their comments and will forward them to the Planning Commission and Staff Planner.
- **SHA Review** - The applicant is working with State Highway Administration (SHA) to attempt to reverse the SHA denial of the proposed entrance from Main Street. The applicant is seeking support from the Town Board.
- **Other Comments** - The Glenbrook Home Owners Association (HOA) and the Town Board are interested in the developer putting in a stacking lane (deceleration lane) at the main shopping center entrance, along Middletown Parkway, to mitigate the potential for traffic going into the shopping center from backing up through traffic on the Parkway. It was also stated they were concerned that costs for these improvements would become a cost to the Town in the future. The developer stated that the improvement plans currently do not show these stacking lanes since the traffic study did not identify a need for them. The Chairman indicated the site plan would be brought back to the Planning Commission for review only if the conditions of approval were not met; the approval of SHA for the Main Street entrance was a condition of approval.

IV. ZONING

Cluster Development Regulations – The changes suggested from last month’s meeting and last week’s workshop were reviewed. It was suggested that a definition for “eligible uses” be added to the definitions section of the regulations. Subsection A of section 17.42.060 Home Owner’s Association was recommended to be removed as it is already mentioned in section 17.48.015 Active Adult Community. It was also recommended that

subsections B and C of Section 17.42.060 Home Owner's Association be incorporated into Section 17.48.015 Active Adult Community after subsection G, but before subsection I.

The Staff Planner stated that she recommends placing the cluster development regulations as part of active adult communities stating that she thinks these regulations should have their own section in order to be able to address any potential types of cluster developments which could occur in the future. The Planning Commission has discussed this issue at previous meetings/workshops and understood the Staff Planner's recommendation.

Action: Commissioner Lake motioned to approve the cluster development regulation for active adult communities as amended tonight for recommendation to the Town Board for approval at the next Town Board meeting March 24, 2014. Commissioner Miller seconded. Motion carried (4-0-1). Commissioner Goodman abstained.

Violations – No discussion

V. MISCELLANEOUS

Draft 2013 Annual Report – The Planning Commission preliminarily discussed the draft 2013 annual report. Commissioner Lake recommended that the statement “The Planning Commission will promote electronic filing of permits and plans, adjustment of submission requirements as needed and use of electronic records review by the planning staff and the Planning Commission.” be included as part of the 2013 Annual Report.

Sustainable Communities Designation - The Staff Planner informed the Planning Commission that Middletown was recently bestowed a Sustainable Communities designation through the MD Department of Housing and Community Development. With that designation the Staff Planner will now pursue a Sustainable Maryland Certified designation for the town.

VI. ADDITIONAL PUBLIC COMMENTS – None

Meeting adjourned at 8:20pm.

Respectfully submitted,

Annette Alberghini
Recording Secretary