

MIDDLETOWN PLANNING COMMISSION
31 West Main Street
Middletown, Maryland

Regular Meeting

September 21, 2015

The regular meeting of the Middletown Planning Commission took place on Monday, September 21, 2015 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, Bob Smart, and David Lake. Others present in official capacity: Commissioner Dixie Eichelberger (Temp. Alternate), Cindy Unangst (Staff Planner), Bruce Carbaugh (Director of Public Works) and Annette Alberghini (Recording Secretary). Others present: Noel Manalo (Miles & Stockbridge), Tom Poss (Verdant Development Group), Andrew Brown (J.F. Brown, III & Associates), and Michael Swanson (Terra Solutions Engineering).

The public hearing on the subdivision regulations update has been postponed to October.

I. PUBLIC COMMENT – None.

II. Regular Meeting Minutes of August 17, 2015 – Approved as submitted.

III. PLAN REVIEW

Washington Gas Holy Family Approach Plans – (No one was present for the applicant) This is a proposed installation of a 4-inch plastic pipeline which will extend a gas line to the Catholic Church and will not create any new impervious area. Approximately 400 linear feet of this new gas line would be located within the town limits near the Cone Branch Pump Station. The plan was updated and now includes a note stating that access to that facility will remain open at all times to allow Middletown staff access to the pump station. The County FRO review of the plans was conditionally approved on September 17, 2015. The comments from the review by ARRO are minor and will be addressed. The Town Director of Public Works has not had the opportunity to review the plans, but will.

Action: Commissioner Lake motioned to conditionally approve the Holy Family Washington Gas Line plan conditional upon the Director of Public Works review of the plan and comments. Seconded by Commissioner Smart. Motion carried (5-0).

Franklin Commons (Chesterbrook) Improvement Plans – (Noel Manalo (Miles & Stockbridge), Tom Poss (Verdant Development Group), Andrew Brown (J.F. Brown, III & Associates), and Michael Swanson (Terra Solutions Engineering)). These plans were formally known as Chesterbrook Phase 2, now known as Franklin Commons. This is a proposed 18 multi-family dwellings in five buildings on a 1.74 acre parcel located on property adjacent to the existing Middletown Valley (Chesterbrook) apartments. The Phase 2 Site Plan was approved on January 19, 2015 conditional upon meeting the comments from the Director of Public Works, incorporating the lighting plan to be included at the improvement plan stage, and have architectural rendering review at the improvement plan stage. The lighting plan showing foot-candle limits for all four proposed light poles has been provided. Architectural renderings were provided tonight to planning commission members. A variance request of 5-feet from the required height regulations was approved by the Middletown Board of Appeals on January 13, 2015. Parking requirements have been met. Sidewalk widths of 4-feet were determined not to be problematic, per the Director of Public Works. The revised landscape plan now correctly indicates which existing trees are to be removed. The note on the improvement plans Sheet 11, Landscape plan, needs to have the unnecessary text removed. There is no proposed signage for the lot, except for existing signage on the corner which will remain or be adjusted slightly to accommodate the new sidewalk and turn lane. The SWM concept

plan was approved by the County on October 1, 2014. The common driveway leading to the five buildings has a proposed name of Chester Court. The County review has been completed with all approved except the Development Review, Engineering which is incomplete. The Middletown Director of Public Works has done a partial review, but will complete a full review of the plans.

- **Stormwater Pond** – Fencing for a stormwater pond is plastic if the Town is responsible for it. The Town is not responsible for this pond; it will be the responsibility of the HOA. The HOA will determine what materials it will use to build the fence. The County will have the easement to the stormwater pond and will inspect the pond on behalf of the Town. The County could force the property owner to maintain the stormwater pond.
- **Water Distribution** – The Director of Public Works noted that the plans show a change in the water distribution line from an 8-inch pipe to a 6-inch pipe to the first hydrant. It then changes to a 4-inch pipe thereafter. The Director of Public Works will review this with the Frederick County Office of Life Safety to see if it is sufficient. There was speculation as to what the water quality will be like in the future for those dwellings since it is a dead end line. No one was sure.
- **Lighting** – The Director of Public Works reviewed the lighting plan and determined that the apartments in the Chesterbrook building closest to the newly proposed lighting would see a “light ball” from the closest proposed lamp post, but the light would not shine directly in to the apartment windows. The foot-candles are 0 at the building line. Questions were raised regarding the varying lumens from unit to unit and within the parking area. The developer will work with the Director of Public Works in developing a shielding plan to provide consistent lighting across the development prior to plan signatures.
- **Architectural Review** – The developer provided planning commission members with an illustration closest to what the planned dwellings could look like. The difference between the illustrations provided and the planned dwellings is that a garage door would replace the first floor window shown. The developer had previously provided architectural renderings to the planning commission at the site plan stage to help answer questions regarding whether the units were townhouses or condos; there is no code requirement for architectural review though. The developer will provide a modified illustration showing the garage door in place of the window.

Action: Commissioner Lake motioned to conditionally approve the Franklin Commons Improvement Plans conditional upon modifying the landscape plan per the Staff Planner’s request, update the lighting plan to include the shielding plan to be developed, providing an architectural drawing showing the garage door in place of the first floor window, and subject to review and comments by the Director of Public Works and Frederick County. Seconded by Commissioner Miller. Motion carried (5-0).

IV. ZONING - None

V. MISCELLANEOUS –

Horman Apartments – The mylars for the project were signed September 11, 2015. It is planned to complete the parking and stormwater management requirements, but to construct the building at a later date. The Staff Planner will review if this is allowable per the Town Code and how it affects respective deadlines.

Putman Property – They are in the process of obtaining their grading permit. They hope to get it this week. They are ready to begin construction.

School Complex – The Town Administrator was invited to attend the kick-off meeting for parking and roadway improvements at the school complex. Any plans would come before the Planning Commission.

Joint Town Board / Planning Commission Meeting – The next scheduled joint meeting is Monday, October 5, 2015.

Middletown Library – Once the land is turned over it is rumored that the Middletown Library project will be moved up the County’s CIP list in front of other projects to be completed.

VI. ADDITIONAL PUBLIC COMMENTS – None.

Meeting adjourned at 7:53PM.

Respectfully submitted,

Annette Alberghini
Recording Secretary