

MIDDLETOWN PLANNING COMMISSION
31 West Main Street
Middletown, Maryland

Regular Meeting

April 20, 2020

The regular meeting of the Middletown Planning Commission took place on Monday, April 20, 2020 at 7:00 p.m. at the Middletown Municipal Center, 31 West Main Street, Middletown, MD 21769. Those present (quorum) were Commission Chairman Mark Carney, Commissioner Tom Catania (Ex-Officio), Commission members David Lake, Rich Gallagher, Bob Miller, Dixie Eichelberger (Alternate) and Eric Ware (Temp Alternate). Others present in official capacity: Cindy Unangst (Staff Planner) and Annette Alberghini (Recording Secretary). Others present: Mark Lancaster (Mark Lancaster Properties LLC), Brian Riesett (St. Thomas More Academy), Doug Remsberg (resident) and John Miller (Burgess).

APRIL MONTHLY PLANNING COMMISSION MEETING:

- I. PUBLIC COMMENT** – None.
- II. Minutes of the February 2020 Planning Commission Workshop** – Approved as submitted.
Minutes of the February 2020 Planning Commission Meeting – Approved as submitted.
Minutes of the March 2020 Planning Commission Workshop – Approved as submitted.

III. PLAN REVIEW

St. Thomas More Academy Revised Site Plan – No one present during discussion. This is an amendment to the site plan to add one (instead of two) temporary classroom structure to the school property located at 103 Prospect Street. The revised temporary use is for one temporary 20 x 40 modular building, instead of the previously approved two temporary 20 x 20 modular buildings, to be two classrooms with 15 students and 1 teacher each from 8:00am-3:15pm Monday thru Friday. The applicant has stated that the temporary use of the classroom building would most likely be for five or six years. They have purchased the school building at 103 Prospect Street and propose to purchase the adjacent library building after the new library is built on East Green Street. The temporary building will be constructed on site and will include decking. Using one temporary building, as opposed to two, will be easier to maintain, and there will be no area between buildings to maintain. This most recent submission includes an updated floor plan and elevations to reflect the one building being proposed. It also shows the decking area around the building. The approved site plan showed existing parking of 15 spaces which included one handicapped parking space, and 16 overflow parking spaces. The proposed classroom buildings would impede on the overflow parking area. The Staff Planner has been informed by the applicant that the overflow parking area is rarely used for that use, and existing parking is adequate for all the employee and visitor needs. The applicant has begun the external improvements application for this project with Frederick County.

The Planning Commission reviewed the requested updates from the March 2020 workshop provided by the applicant. The revised site plan shows the temporary classroom to be located six feet from the northern side lot line which is adjacent to the Middletown Library property. The total height of the building should be indicated on the plans.

Action: Commission member Lake motioned to conditionally approve the St. Thomas More Academy Revised Site Plan, conditional upon the building height being indicated on the plans, that the building meet town code requirements, approval by Frederick County, including the Office of Life Safety and that the site plan be revisited after 5 years to ascertain that the temporary classroom doesn't become a permanent structure without approval from the Planning Commission. Seconded by Commission member Miller. Motion carried (5-0).

Hollow Creek Professional Center Architectural Renderings – Mark Lancaster (Mark Lancaster Properties, LLC) present. This is for the proposed development of 47,970 square feet ± of commercial space in three separate buildings with 205 parking spaces, and 2± acres reserved for future development; located on the north side of US Route 40-A just east of the Safeway shopping center. The area is zoned GC General Commercial and is currently a vacant lot.

During the March Planning Commission workshop, the commission members reviewed the changes that were made to the 3-story professional building to make it more visually pleasing, which included the bump outs and brick banding to provide more architectural detail. The applicant has submitted revised renderings for review by the Planning Commission in a 28-page pdf document which give some additional detail.

The renderings now include the view of the back of the building, and a close-up detail of the brick and windows proposed. The rendering of the view from the east via the AC Jets property does not include trees in the view as it did in the past submission. The rendering previously shown which indicated the various exterior finishes and their locations was not included in this submission. Additional views were added that the Planning Committee requested from the developer.

The three-story building has projections on each corner which breaks up the exterior wall for some added interest. The window frames for much of the office are black and a darker double brick soldier course was added to create a band above the windows which further enhances the visual appearance of the building. The color of the metal roof for office building, retail buildings and gazebo is shown as well as the color of the stucco for the office building. The brick planters located in the median strip of the parking area replicates the details of the building using the same brick as the building and the darker brick for the row lock cap. The maximum height of the brick planters is shown as 42-inches (3 ½ feet).

Included in the packet is a rendering of what the retaining wall that incorporates the lettering for the center will look like. The dimensions of the wall and the lettering are shown along with a depiction of the brick that will be used. Staff assumes that letter color called 'powder coated galvalume' is the white that is shown.

The renderings were provided to the Main Street Middletown Architectural Review Committee for review and comment. It was suggested that the windows be changed to a more traditional window look with divided lights. If the windows were a more rectangular shape and portrait-oriented, it might improve the look. The roof line and the parts of the wall that recess and project could be more dramatic, and the center of the front façade still looks odd or out of scale.

Earlier today the Planning Commission received comments and information from The Main Street Program Manager and from Burgess Miller, as well as, additional information and suggested modifications from two outside architects who had reviewed the renderings. The Planning Commission Chair suggested that the Planning Commission take time to review this new information provided. Planning Commission members briefly provided comment on the updated renderings provided by the developer. There was concern regarding the Town Attorney's interpretation of building height that perhaps there should be a text amendment to further clarify the definition of building height.

Doug Remsberg, 214 Lombardy Court, stated that he does not want the professional building to look similar to Safeway. He has concerns about the height of the building. He wondered if there were tenants already for this

building. Mr. Lancaster reported that there were no identified tenants, but the building design was to attract upper mobile professionals (doctors, lawyers, etc.). The design has been shown to appeal to that type of market.

Burgess Miller reiterated that the Mainstreet Middletown Architectural Review Committee reviewed the renderings and the professional building needed some architectural elements to give it more character. The building should not look like it could be “anywhere America”. The Planning Commission put much effort into the look of the CVS and the same should be applied to this building.

Action: Commission member Lake motioned to delay the architectural review of the Hollow Creek Professional Center until the May Planning Commission meeting so that the Planning Commission and the developer can review the designs and the additional information received today. Seconded by Commission member Gallagher. Motion carried (5-0).

Middletown Memorial Park Revised Site Plan – Tabled. MVAA needs to provide updated information for a storage shed less than 150 square feet.

IV. ZONING

Forest Resource Ordinance Text Amendment - Last year Maryland Senate Bill 234 Natural Resources – State and Local Forest Conservation Funds (effective October 1, 2019) was passed which made changes to the State’s Forest Conservation Act. This bill requires a few changes to the Town’s Forest Resource Ordinance. This proposed ordinance would comply with the new State regulations.

- **Summary of Changes:**

- The bill adds mitigation banking to the forest conservation fund.
- The annual report requirements have been revised to require additional information on the number of acres for which the fees were collected, and the number of acres forested, afforested, or conserved using the fees.
- The bill also requires the local governments to submit to the Maryland Forest Service:
 - A general plan identifying appropriate and potentially available areas for mitigation projects.
 - Detailed accounting procedures for accurately tracking money received into and expended out of the forest conservation fund.
 - The method that the local government will make the forest conservation fund plans and accounting procedures available to the public.

The Planning Commission would have a public hearing on this proposed text amendment on the evening of the May Planning Commission meeting, and then provide a recommendation to the Town Board. The Town Board would hold a public hearing during its June workshop and vote on the text amendment at its meeting, June 8, 2020.

Action: Commission member Miller motioned to move ahead with this text amendment and scheduled the Planning Commission public hearing for May 2020. Seconded by Commission member Gallagher. Motioned carried (5-0).

V. MISCELLANEOUS

2019 Annual Planning and Zoning Report – The Planning Commission has the most current version of the draft 2019 Annual Planning Report for review. The report is missing Town Administrator comments on a few sections. There was a review of the ongoing and new recommendations. A clarification was requested on the meaning of “climate change resiliency”. Planning Commission members were asked to submit their comments to the Staff

Planner. Deadline for submission of the 2019 Annual Report to the Maryland Department of Planning is July 1, 2020.

Action: None taken.

Absentee Ballots – Residents were reminded to get their completed absentee ballots back to the town hall by 8:00 PM Friday, April 24, 2020. There is a drop box at the rear of the building where the ballots can be deposited.

2020 Census – Everyone was reminded to complete the 2020 census if they have not done so already.

VI. ADDITIONAL PUBLIC COMMENT – None.

Meeting adjourned at 8:33 PM.

Respectfully submitted,

Annette Alberghini
Recording Secretary