

**MIDDLETOWN PLANNING COMMISSION**  
**31 West Main Street**  
**Middletown, Maryland**

**Regular Meeting**

**June 19, 2017**

The regular meeting of the Middletown Planning Commission took place on Monday, June 19, 2017 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, Commission members Bob Miller, Rich Gallagher, Dixie Eichelberger and David Lake. Others present in official capacity: Cindy Unangst (Staff Planner) and Annette Alberghini (Recording Secretary). Others present: Ann Miller (property owner), Geoffrey Ciniero (C.M.S. Associates), Jane Tamagna (town resident) and Parker Ranniger (town resident).

**JUNE MONTHLY PLANNING COMMISSION MEETING:**

**I. PUBLIC COMMENT** – None

**II. Regular Workshop Minutes of April 12, 2017** – Approved as submitted.

**Regular Meeting Minutes of April 17, 2017** – Approved as submitted.

**III. PLAN REVIEW**

**Miller Property Improvement Plan** – (Ann Miller (property owner), Geoffrey Ciniero (C.M.S. Associates, the developer), present). This is the proposed re-development of existing buildings in phases into new retail and/or restaurant uses. These improvement plans are for Phase III of the re-development project which includes the renovation of the existing main building, construction of a new brick patio in front of the existing building, installation of a new stormwater facility and associated piping, and construction of new grassed islands around the stormwater facility and building. The property is located at 121 and 203 East Main Street. The Site Plan was conditionally approved by the Planning Commission in July 2015. The stormwater management plan has been conditionally approved by Frederick County and the plans have been reviewed by State Highway. The applicant sent updated improvement plans and architectural drawings, but the staff planner did not receive them. Many of the suggested changes from the June workshop have been addressed on those plans and drawings. The zoning classification for the property needs to be indicated somewhere on the plans, per the staff report.

- **Parking** – The parking chart should be revised to indicate that of the total 53 spaces indicated, there are 3 handicap spaces and 50 regular spaces.
- **Lighting** – Current lighting associated with the site consists of flood lights directed to the interior of the lot from buildings located in the rear of the lot, and residential-type outdoor lights on the front of the old retail building in the front of the lot. The property owner states that the lighting will eventually change, but at the moment is not sure what it will be. Changes to lighting shall be approved by the Planning Commission and are typically shown on plans at the Improvement Plan stage.
- **Architectural Renderings** – The applicant had a copy of the updated architectural renderings and provided it to the planning commission to refer to in the discussion. It

was noted that any signage would have to go to the zoning administrator for approval. The applicant should submit architectural plans for the building renovations for review and approval to the Planning Commission.

- **Town Engineer Comments** – Copies of the Town Engineer’s comments were sent to the developer to address. They were water and sewer comments.
- **Green Street Access** - Access to the property from the rear of the lot from East Green Street will be limited to commercial deliveries only. The applicant is currently working on addressing what type of gate/barrier to use. The fencing at the rear and side of the property will be improved to limit access points onto the rear of the property and to funnel foot traffic to more appropriate access points.
- **Neighbor Concerns** – Residents who reside on either side of the Miller property attended the meeting and voiced the concerns they had. Their concerns included traffic volume and parking, fencing materials used and its placement, lighting and how it would affect their personal property, business hours of operation, and noise volume from the new business. Many of their concerns could be addressed as part of the architectural review. The Staff Planner recommended that these neighbors sign up for the town’s list serve for information regarding future meetings on this property development.

**Action:** Commission Member Miller motioned to conditionally approve the Miller Property Improvement Plan, conditional upon providing additional submittals and documentation addressing; the cover sheet update to reflect the correct number and type of parking spaces, zoning classification, architectural renderings, property lighting, town engineer comments, and East Green Street access. Seconded by Commission Member Eichelberger. Motion carried (4-0).

**Miller Property Demolition Plan** – (Ann Miller (property owner), Geoffrey Ciniero (C.M.S. Associates, the developer), present). This is the proposed removal of the large shed-like structure attached to the back of the main building (old retail building) and the removal of identified concrete structures near the main building. This is to be done to prepare for the re-development of the existing main building for future tenants and to address additional parking as part of the Phase III development. With approval, demolition would begin as soon as permits are received from Frederick County. Most of the requirements have been met. Adjacent property owners have been notified and the property has been posted. The demolition plan was updated to reflect comments from the June workshop.

- **30 Day Submittal Requirement** – Town Code requires that demolition site plans be submitted 30 days prior to a regularly scheduled planning commission meeting. The demolition plan was submitted in conjunction with the Phase III Improvement Plan and does not meet this 30-day requirement. Since the proposed demolition involves a building facing the interior of the property, and cannot be seen from Main Street, the Planning Commission decided to continue the review and approval of this demolition plan.
- **Town Engineer Comments** – Copies of the Town Engineer’s comments were sent to the developer to address.
- **Hazardous Material Inspection** - The property owner has had the proposed demolition area professionally inspected and no hazardous materials were identified. The Planning Commission asked that a copy of that report be sent to the town for review.
- **Demolition Hours** – Adjacent property owners asked what time of day the proposed demolition would take place and over what time period. The Planning Commission can include that information as part of its motion to approve.

**Action:** Commission Member Lake motioned to conditionally approve the Miller Property Demolition Plan conditional upon; addressing the town engineer comments, submitting a copy of the hazardous material report for town staff to review, and that demolition will take place between the hours of 8:00am and 5:00pm. Seconded by Commission Member Gallagher. Motion carried (4-0).

**IV. ZONING – None**

**V. MISCELLANEOUS**

**School Complex Roadway Improvements - Forest Preservation–** The Staff Planner reported that DNR has not replied to the question regarding monitoring and enforcement of the proposed forest preservation area identified as part of the school complex roadway improvement. Middletown follows guidelines set forth by the state of Maryland. Some municipalities have stricter guidelines that they follow. The Staff Planner will research this issue and provide feedback to the planning commission.

**VI. ADDITIONAL PUBLIC COMMENT – None.**

**Meeting adjourned at 8:12pm.**

Respectfully submitted,

Annette Alberghini  
Recording Secretary