

***BURGESS AND COMMISSIONERS
OF MIDDLETOWN MARYLAND***

VIRTUAL TOWN BOARD MEETING MINUTES

TOWN MEETING

July 26, 2021

The virtual meeting of the Burgess and Commissioners of Middletown was called to order on July 26, 2021, by Burgess Miller at 7:00 p.m. Present via Zoom were Commissioners Christopher Goodman, Jennifer Falcinelli, Kevin Stottlemyer, and Rick Dietrick.

PERSONAL REQUESTS FOR AGENDA:

Mr. Link Houldsworth, Boy Scout – Review of West Green Street Pocket Park Proposal Plan – This is an eagle scout project. The proposed designs and projected costs for the park were reviewed. It will cost approximately \$12,000.00 for a basic design and up to \$40,000 for a more upgraded design. The Town has applied for a grant to help defray the cost. The Boy Scout completing this project is hoping to cover costs through donations if possible. The Scout was not present for the meeting. He was at another event out of state. He will be at the next meeting.

CONSENT AGENDA:

- **Financial Statements**
- **Town Meeting Minutes**
 - *July 1, 2021 – Town Workshop*
 - *July 12, 2021 – Town Meeting*

Motion: Commissioner Falcinelli motioned to approve the consent agenda as presented. Seconded by Commissioner Goodman. Motion approved (5-0).

UNFINISHED BUSINESS:

Comprehensive Plan – Chapter Review – The Comp Plan provides guidelines the Town uses when moving forward over the next 10 years. It is reviewed and updated one chapter at a time. Chapter 2 – History, Housing and Population is currently being updated. Burgess Miller asked the Commissioners to review this chapter and if they had any questions or comments to provide them to the Staff Planner. This chapter will be an agenda item at the next Town Board meeting in August.

AC Jets Annexation Discussion – Previously the petitioner submitted a letter requesting a formal revision to the petition. When the letter was submitted, no exhibit was included identifying where the 144 acres were to be split between commercial zoning and residential zoning. That information still has not been provided. The Town Administrator will send the petitioner a certified letter stating the petitioner has ten days to provide a revised petition and exhibits or the Town will move forward with the initial petition submitted for Agricultural zoning.

NEW BUSINESS:

Request from Middletown Rec Council to Use Memorial Park for Color Me Autumn – The Town has received written request from the Middletown Rec Council to use all of Memorial Park for their Color Me Autumn event in October. The Rec Council will be sent an email asking for more details.

Request From Bellringer for Bicycles Race Through Middletown – This group raises money for cancer research. This distance bicycle race is a major fundraising effort for the organization. It will take place Saturday, October 23, 2021. They are requesting permission to ride a portion of this race through Middletown, and to use the municipal parking lot as a rest stop. There is no cost to the Town. The Bellringer group is coordinating all aspects of this race with all local jurisdictions to include local law enforcement. It was discussed that the Town will send a bill to the Bellringer group for any clean up needed after the event takes place. The Town Board agreed by consensus to the Bellringer request.

Amendments to Memorandum of Understanding (MOU) with Foxfield Active Adult Community – When the Foxfield Active Adult Community was built its HOA approached the Town to take over maintenance of the median “eyebrow” located along Rhoderick Circle. This was included in the original MOU. The Town has received a request from the HOA for the Town to take back the maintenance of the “eyebrow” median. The Town Board suggested that the Sustainability Committee could plant pollinator plants in that median. The MOU will have to be updated if the request is approved.

Motion: Commissioner Goodman motioned to approve the Town take over the maintenance of the “eyebrow” median and to update the MOU to reflect this change. Seconded by Commissioner Stottlemyer. Motion approved (5-0).

Proposal for Formula Restaurant Changes to the Town Code – The Town Board is continuing to look at protecting the small-town character of Middletown by reviewing the possibility of banning “formula restaurants” within town limits. Burgess Miller proposed allowing restaurants with fewer than 10 locations in the Mid-Atlantic Region but are not franchised, or eateries that have only walk-up locations, are part of a food court area or are clustered with other similar restaurants. Existing restaurants currently in Middletown that could fall into that formula restaurant category would be grandfathered in. Burgess Miller will put this proposal into a draft format for the Town Board to review.

Petition from Middletown Glen – Parking on Ingalls Drive –

Review: Currently there is no parking allowed on Ingalls Drive in Middletown Glen. The subdivision currently allows 4 off-street spaces (2 in the garage and 2 in the driveway) for each residence in the subdivision. The Town and community deputies have received multiple complaints regarding cars illegally parked on Ingalls Drive and the safety hazards that presents. The Town has received a proposal from a Middletown Glen resident requesting the Town Board allow parking in identified areas along Ingalls Drive. There is a petition with 55 signatures also requesting the proposed parking. The Director of Public Works reviewed the proposal and provided his opinion. When Middletown Glen was designed the developers reduced the width of the streets in the development to decrease the amount of impervious surface area and meet state stormwater management requirements. The information presented in both the site plan and improvement plans list widths that do not support parking along Ingalls Drive. The street is 26 feet wide which does not support a parking lane on either side. It also becomes a fire and emergency vehicle access issue if parking is allowed. The Director of Public Works recommends continuing not allowing parking along Ingalls Drive. Many residents from the Middletown Glen subdivision attended the meeting via zoom. Many were for and against allowing some form of on street parking along Ingalls Drive for various reasons.

Tonight’s Discussion: Members of the Town Board have visited the Middletown Glen subdivision and spoken with residents. The Board recognizes that this is not an easy issue to solve. It had been suggested that the end of Ingalls where it dead ends could be used for parking. The HOA would have to discuss the

option with the property owner and the farmer that rents the field at that location. The Director of Public Works (DPW) provided clarification as to his opinion on parking along Ingalls Drive and historically what occurred with the Glenbrook subdivision planned unit development (PUD) and what occurred when the Middletown Glen was developed. It is the DPW's opinion that the Town cannot dissuade or discount the legal agreement stating what is and isn't allowed in the Middletown Glen subdivision when the Site Plan and Improvement Plans were approved. There are options that could relieve the parking issues that the HOA could pursue. The DPW would have to vet them to see if they are feasible. Town staff will review the options and develop a plan that would follow Town guidelines and provide it to the Town Board and the HOA. The Town Attorney will be solicited for an opinion regarding the legality of changing the No Parking on Ingalls Drive agreed to in the approved Site Plan. Since the Middletown Glen subdivision was approved and developed the Town has learned from the experience and recognizes that the developer is not here to deal with the fall-out regarding the parking situation. The Town Board will revisit this item at the Town Board meeting at the end of August.

PUBLIC COMMENTS: None.

ANNOUNCEMENTS:

- *National Night Out – Tuesday August 3, 202, 6:00PM – 8:00PM at Middletown Volunteer Fire Company Activities Center grounds. All are welcome.*

Meeting adjourned at 8:10 PM.

Respectfully submitted,

Annette Alberghini,
Office Manager