

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

**Regular Meeting**

**February 20, 2023**

The regular meeting of the Middletown Planning Commission took place on Monday, February 20, 2023, at 7:00 p.m. via in-person and Lifesize. Those present (quorum) were Commission Chairman Mark Carney, Commission members Bob Miller, Sean Mahar, Christopher Mills, Town Board Liaison Jean LaPadula, and Alternate Eric Ware. Others present in official capacity: Cindy Unangst (Staff Planner), Annette Alberghini (Recording Secretary via Lifesize), Farhad Memarsadeghi(developer via Lifesize) and Trevor Frederick (Frederick Seibert and Associates via Lifesize).

**FEBRUARY MONTHLY PLANNING COMMISSION MEETING:**

**I. PUBLIC COMMENT-** None.

**II. Minutes of January 2023 Planning Commission Workshop** -Approved as submitted.  
**Minutes of January 2023 Planning Commission Meeting** - Approved as submitted.

**III. PLAN REVIEW – Foxfield Section 6 Improvement Plans** — This is for the proposed active adult cluster development with 148 lots on 93.94-acre property located to the west of Coblentz Road and north of Middletown Community Park. Active adult communities are a special exception in the R-20 district. On parcels less than 100 acres the entire parcel may be used for an active adult community but must be in accordance with the cluster development concept and regulations. The preliminary plan was conditionally approved January 19, 2021, with the understanding that minor changes needed can come at the improvement plan and final plat stages. The plans were signed on February 4, 2021. A copy of the improvement plans has been given to the Director of Public Works (DPW) for review and comment.

**Tonight:** The Staff Planner reviewed her report. Section 16.28.020 states that all subdivision plans shall have water buffers of at least 100-feet from each bank. There is a 100-foot stream buffer shown on the plans with a 50-60-foot minimum width afforestation area on both sides of the stream in keeping with the intent of this section of the code. A fence is shown on the west side of the stream buffer. There is no detail on the fence. A permit will be obtained from MDE for the stream crossing.

**Accessing Middletown Community Park** - To access the Middletown Community Park residents could enter using the walking path from Smithfield at the southwestern corner of the property and then enter the park onto a multipurpose field, or residents could walk on Coblentz Road to the park entrance without the sidewalks or walking trail. There is a possible access point to a nature trail on the north side of the county park that would not place residents on the multipurpose field.

**Sidewalks** – The DPW has stated that the walking trails on the west and northwest sides of the property should be 8-feet in width to accommodate access to the four wells on the property. Additionally, the access point to the east of Lot 21 (from Summer Wind Trail) should be 10-feet in width as this is the expected access point for the well. It is also expected that the Town Engineer will identify the area needed around each well for maintenance.

**Recreation Areas** – It was discussed that walking/nature trails be located thru the forested area of the property which would not be paved and left natural, and which would connect to the proposed paved walking trail. Gaps in the fencing proposed for the west side of the intermittent stream buffer might need to be provided for. It was also discussed that the natural trail could run south thru Open Space 9 and connect to the sidewalk on Smithfield Drive. Doing that would not necessitate an additional stream

crossing permit from MDE. Pedestrian crossings should be delineated across Smithfield Drive for safe access to the bocce ball and pickleball courts.

**Driveways** - Discussion occurred regarding the 20-foot driveways and where that distance is measured.

**Architectural Review** – The developer provided architectural elevations views for the models. Staff is hoping for more than two different elevations of the ranch style homes.

**On-street Parking** – Interior streets are 30-feet wide which would provide for two 11-foot driving lanes and one 8-foot parking lane. So as to avoid disputes and misperceptions after the development is built it was proposed that there be on-street parking on the east side of Summer Wind Trail and south side of Summer Wind Trail where it runs east to west; on the east side of Winter Corn Way; and then on the east side of Harvest View Way until the intersection with Summer Wind Trail, and then on the east side fronting lots 93-82 and the west side fronting lots 72-81. Due to visibility concerns around corners, it was proposed at the Planning Commission meeting that parking be prohibited in front of lots 78-89 at the north end of the development around the curve, as well as lot 23 thru Open Space 8. It was recommended that there be no parking on Smithfield Drive as it is a collector road.

**Landscape and Lighting Plans** – Staff recommended planting some native trees in open spaces 1, 5, 6 and 7 along the walking trail for future shade of the trail. Staff also recommends using native trees instead of the proposed Zelkova for the center median within Smithfield Drive.

**Water and Sewer Capacity Certification** – The Town Administrator has submitted a preliminary water and sewer capacity evaluation for this property.

**Homeowners' Association** - The planning commission shall review and approve the homeowners' association declaration of covenants, articles of incorporation and by-laws prior to final approval of the site development plan for a residential cluster development.

**Lighting Plan Review** - Staff will review the photometric plans ahead of the March Planning Commission meeting. There was discussion about adding some lighting on the south side of Smithfield Drive especially in the areas around the bocce ball and pickleball courts.

Staff recommended not approving the plans until comments are received from the DPW and until staff has time to review the lighting plans.

**Motion:** Commission member Mills motioned to table any action on the Foxfield Section 6 improvement plans until receiving comments from the Town engineer and staff has time to review and comment on the lighting plans. Seconded by commission member Mahar. Motion passed (6-0).

**V. ZONING – Fence Ordinance Revisions** — Commissioner LaPadula reviewed the proposed changes to the fence ordinance. This included deleting section 17.48.360 as it was not necessary. It was recommended to add verbiage which allows the Zoning Administrator to approve minor changes that are not in strict compliance of the ordinance if the owner is unable to meet the requirements due to unusual conditions on the property. In addition, it was recommended that neighboring property owners be notified of any fence construction. The planning commission would like the Zoning Administrator to review and comment on the proposed changes.

**Motion:** Commissioner LaPadula conditionally recommended removing section 17.48.360 from the town code and adding language to 17.32.165 similar to the sign ordinance allowing the Zoning Administrator to approve minor changes that are not within strict compliance of the ordinance if the owner is unable to meet the requirements of the code due to unusual conditions, and that adjoining property owners will be notified by the property owner before fences are constructed. Conditional upon the review and comments from the Zoning Administrator. Seconded by commission member Mills. Motion passed (5-0-1). Commissioner LaPadula abstained.

## VII. COMPREHENSIVE PLAN UPDATE:

**Chapter 8 Water Resources Element** — Commission member Mahar reviewed the changes made to the chapter. Water Resource Goal 3 is to be modified to include verbiage to “Continue to mitigate for drought years” which better addresses actions before and during future drought years.

**Water Section** - The second image in the chapter is a truer representation of how ground water is stored in this region. The drinking water system information provided starts at the state level to the regional level to the local watershed and shows the 3 permits that cover the Town’s 5 watersheds. Current demands and future demands were reviewed. It was recommended to remove the information on the County’s calculations as it is not needed. Table 8-7 was to be updated to reflect the correct number of dwelling units (148) and population (296).

**Sewer Section** – The information provided by the Project Manager was reviewed. Based on the current permitted capacity the Town has capacity for an additional 243 EDU’s. With the request for a permit increase at the EWWTP and the I&I remediation work in progress the Town will continue to increase sewer capacity. That 100,000 gpd permit increase will increase sewer capacity by 400 EDU’s.

**Chapter 9 Municipal Growth Element** — Chairman Carney asked commission members to review the chapter and provide any comments or suggestions to the Staff Planner.

## VIII. MISCELLANEOUS:

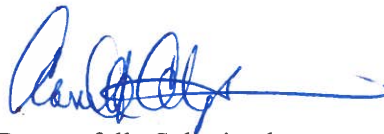
**PC Rules of Procedure** – The statement “The Commission will follow the voting procedures of the Town Board.” was added to section 4.3. This will agree with what is determined by the Town Attorney.

**Motion:** Commission member Mills motioned to approve all changes to the Planning Commission Rules of Procedure including the statement added in section 4.3. Seconded by commission member Mahar. Motion passed (5-0-1). Commissioner LaPadula abstained.

**Annual Planning Report 2022** – The staff Planner reviewed those sections of the report that still require updating.

**IX. Additional Public Comment** — None

Meeting adjourned at 9:18 P.M.



Respectfully Submitted,  
Annette Alberghini,  
Recording Secretary

