

MIDDLETOWN PLANNING COMMISSION
31 West Main Street
Middletown, Maryland

Regular Meeting

March 18, 2024

The regular meeting of the Middletown Planning Commission took place on Monday, March 18, 2024, at 7:00 p.m. via in-person and Lifesize. Those present (quorum) were Commission Chair Mark Carney, Vice Chair Sean Mahar, Commission member Christopher Mills, Town Board liaison Jean LaPaula, Alternate Lori Summers and Temporary Alternate Dave Hiller. Commission member Eric Ware was not present. Others present in official capacity: Cindy Unangst (Staff Planner). Residents present: Rich Gallagher, 23 Woodmere Circle, Becky Myers, 2 Woodmere Circle, and Judith Wegner, 4 Woodmere Circle. Jen Rhinaman (Recording Secretary) and Mike Wiley (Foxfield Section 6 applicant) were present via Lifesize.

MARCH MONTHLY PLANNING COMMISSION MEETING:

I. PUBLIC COMMENT- Becky Myers, 2 Woodmere Circle, addressed her concerns regarding preserving the Champion cottonwood tree on the school campus and is concerned about the trees bordering her property. Judith Wegner, 4 Woodmere Circle, stated that there is a need for a new school, but she is advocating for the impact on the neighborhood to be lessened. Chair Mark Carney stated that the Planning Commission will be looking at all concerns once the FCPS site plan is submitted.

II. Revised Minutes of December 2023 PC Workshop – Approved with revisions as submitted.

Minutes of February 2024 Planning Commission Workshop – Approved as submitted.

Minutes of February 2024 Planning Commission Meeting – Approved as submitted.

III. PLAN REVIEW – FCPS Schools Replacement Forest Stand Delineation – Cindy explained that a forest stand delineation (FSD) is a base line of the existing forest and trees on a site. The FSD submission meets all the requirements of the Town Code, and Cindy reviewed the additional comments in her staff report. She reviewed the section of the Code regarding modification requests from the forest conservation ordinance. Cindy also stated that there will be more detailed information on the FCPS Forest Conservation Plan regarding which trees are proposed to be removed and where trees will be planted. Commission member Christopher Mills motioned to approve the FCPS Forest Stand Delineation as submitted. Vice Chair Sean Mahar seconded the motion. All approved. Motion carried. (5-0) Temporary alternate David Hiller voted in Commission member Eric Ware’s place because Alternate Lori Summers recused herself.

Foxfield Section 6 HOA Documents – Cindy Unangst, Staff Planner, reviewed her report. There was much discussion regarding the dissolution of the HOA. There was discussion concerning roads, open space, stormwater, and sidewalk management. Commission member

Christopher Mills addressed his concern that the verbiage does not put the Town at risk. Town Board Liaison Jean LaPadula stated it is covered by the HOA and not the Town. Cindy Unangst, Staff Planner, stated that the Town attorney did not have any comments on the HOA regarding the dissolution. There was also a discussion regarding fencing. Commission member Christopher Mills questioned if black aluminum could be added to the materials for use for fences. Mike Wiley, Wormwald Companies, stated that he will amend that section to state the allowance of the black aluminum material. There was also a discussion regarding the age restriction. The document currently states that at least 80% of the occupied lots shall be occupied by at least one age qualified resident. The Planning Commission agreed that it should state 100% instead of 80%. Mike Wiley, Wormwald Companies, agreed that it should be changed. One of the topics discussed was Attorney Peeples' concern about the prohibition of parking commercial vehicles on public streets in an HOA community. The Planning Commission would like the Town Board to review the enforcement clause in the HOA document to ensure that the Town Board is comfortable with the language in the document. Monday, March 25th will be Commissioner LaPadula's last Town Board meeting, so the PC would like this discussion to take place at that time. Commissioner LaPadula has heard the debate amongst the PC members, and she has the bonus of both owning a home in one of the Town's HOAs and living in another HOA. Vice Chair Sean Mahar conditionally approved Foxfield Section 6 HOA documents with Section 2.4 being revised from 80% to 100%, the HOA fees are paid and that the Town Board and Town attorney review the enforcement clause in the HOA document at the Town Board meeting on Monday, March 25th, 2024. Commission member Christopher Mills seconded the motion. All approved. Motion carried. (5-0)

IV. ZONING – none

V. MISCELLANEOUS: Annual Planning Report 2023 – Cindy Unangst, Staff Planner, reviewed the changes to the annual report. After discussion, the Planning Commission decided to move all the new recommendations except for number six, which reads conduct an accessory dwelling unit assessment and review, to ongoing recommendations. The new recommendation would be the following: All new recommendations can be found in the Action Plans in Chapter 10 of the Comprehensive Plan. Commission member Christopher Mills motioned to approve the annual report with the edits discussed. Vice Chair Sean Mahar seconded the motion. All approved. Motion carried. (5-0)

VIII. Additional Public Comment — Becky Myers, 2 Woodmere Circle, stated that the restricted parking should agree with the HOA regarding the Foxfield Section 6 project.

The meeting was adjourned at 8:26 P.M.

Respectfully Submitted,
Jen Rhinaman,


Recording Secretary