



**AGENDA FOR THE TOWN MEETING**  
**October 8, 2018**  
**7:00 p.m.**

**PLEDGE TO THE FLAG**

**Red Indicates – Action Item**  
**Green Indicates – Ordinance Introduction**  
**Blue Indicates – Discussion Item with Links**

**CALL TO ORDER**

**CONSENT AGENDA**

- Town Meeting Minutes
  - [September 24, 2018 – Town Meeting](#)

**PERSONAL REQUESTS FOR AGENDA:**

- *Megan LeRoux – Candidate for Clerk of the Court*

**STAFF REPORTS** (*From Town Workshop*):

Staff Planner

Main Street Manager

Engineers Report

**UNFINISHED BUSINESS:**

- **Policy for Notification of Adjoining Property Owners for Site Plans / (Vote)**
- **Review of Wayfinding Signs Templates**
- **Discussion of Text Amendment to Section 17.16.020**
- **Discussion of Parking on South Church Street**

**REPORT OF COMMITTEES:**

Water/Sewer

Public Works

Sustainability

Planning Commission Liaison

Parks & Recreation

Public Information

Commissioner Falcinelli

Commissioner Bussard

Commissioner Dietrick

Commissioner Catania

Commissioner Goodman

Commissioner Falcinelli

## **NEW BUSINESS:**

- *Appointment of Zoning Administrator / (Vote)*

## **PUBLIC COMMENTS:**

## **ANNOUNCEMENTS:**

- *Middletown Valley Historical Society Town Talks with Larry Bussard – October 17, 2018 at 7:00PM at Christ Reform Church*
- *Scarecrow Contest – October 20, 2018 from 2:00PM to 5:00PM on Main Street*
- *Color Me Autumn – October 20, 2018 from 10:00AM to 5:00PM at Middletown Park*
- *Middletown Lion's Club Halloween Parade – October 27, 2018 at 5:00PM*

## **ADJOURNMENT**

# **BURGESS AND COMMISSIONERS OF MIDDLETOWN MARYLAND**

## **TOWN MEETING MINUTES**

### **REGULAR MEETING**

**September 24, 2018**

The second monthly meeting of the Burgess and Commissioners of Middletown was called to order on September 24, 2018, by Burgess John Miller at 7:00 p.m. in the Middletown Municipal Center, 31 W. Main Street, Middletown, Maryland. Present were: Commissioners Larry Bussard, Rick Dietrick, Jennifer Falcinelli, Chris Goodman and Tom Catania arrived late.

### **CONSENT AGENDA**

*Town Meeting Minutes – September 6, 2018 – Public Hearing & Town Workshop  
September 10, 2018 – Town Meeting*

Commissioner Dietrick motioned to accept this consent agenda as presented, seconded by Commissioner Bussard and passed unanimously.

### **PERSONAL REQUESTS FOR AGENDA:**

#### **Unfinished Business:**

**Ordinance No. 18-09-02 – Establishing Petition Procedures** – Motion by Commissioner Bussard to adopt Ordinance No. 18-09-02 as presented, seconded by Commissioner Goodman. Motion carried 5-0 (Commissioner Catania was late arriving).

**Discussion of Wayfinding Signs** – Burgess Miller put this on the agenda to discuss locations. Burgess Miller stated that we have the money in the budget for these signs. Burgess Miller will draft some templates of signs and bring back to the Board for their review.

**Review of Draft Policy for Notification of Adjoining Property Owners for Site Plans** – Burgess Miller presented the draft policy to the Board after he and Cindy reviewed and made minor changes. Drew will provide the Commissioners a copy for their review.

#### **NEW BUSINESS:**

**Discussion of Text Amendment to Section 17.16.020** – Cindy is recommending making a few minor changes regarding bed and breakfast. Burgess Miller said this is basically cleaning up the code as it was misleading previously.

**Discussion of Possible Additional Parking on South Church Street across from MVFC** – Burgess Miller presented a map of the area across from the existing Fire Company where you could previously park along. Due to the fire trucks not being able to get in/out of the fire station parking was removed from that area. With the Fire Company moving to their new building we would like to put the parking back along South Church Street that would bring 6 parking spaces. Bruce made a draft design that would cost approximately \$25,869.

#### **PUBLIC COMMENT:**

#### **ANNOUNCEMENTS:**

- *Heritage Festival – Saturday, September 29, 2018 from 10AM.-5PM*

**ADJOURNMENT**

Meeting adjourned at 7:55pm.

Respectfully submitted,

Ann Griffin  
Office Manager

**Town of Middletown Planning Department**

To: Burgess & Commissioners and Middletown Planning Commission

From: Cindy Unangst, Staff Planner

Date: 10/1/2018

RE: Monthly Planning Update - October

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**Major Subdivisions:**

**Middletown Glen** - Preliminary plans signed – May 29, 2013  
Improvement plans conditionally approved – October 16, 2013  
FRO planting at Remsburg Park completed – February 2017  
All plats recorded at the Courthouse – May 17, 2016 - March 16, 2018

**Site Plans, Plats and Minor Subdivisions:**

**Cross Stone Commons** – Final FRO Plan approved – May 19, 2014  
Revised Site Plan conditionally approved – October 20, 2014  
Improvement Plan mylars signed – November 6, 2015  
Architectural renderings for Building #4 approved – March 19, 2018  
**Next step – submit architectural renderings for building #2 for review/approval**

**Fire Station** – Revised Site Plan conditionally approved – October 17, 2016  
Improvement Plans conditionally approved – December 19, 2016 (Plans expire 12/19/19)  
Improvement Plan mylars signed – May 30, 2017

**Franklin Commons** - Improvement Plans approved – Sept. 21, 2015 (**Plans expired 9/21/2018**)  
Improvement Plan mylars signed – January 4, 2016  
Resubmitted site plan conditionally approved – May 21, 2018 (Plans expire May 21, 2021)  
BOA approved height variance request – July 12, 2018  
**Next step – resubmittal of improvement plans for review and approval**

**Caroline's View/Horman Apartments**- Site Plan approved – April 21, 2008 (no sunset provisions prior to November 14, 2010)  
Improvement Plans conditionally approved – May 17, 2010 (no sunset provisions prior to 11/10)  
Revised Improvement Plan mylars signed – July 21, 2017  
**Next step – submittal of PWAs for approval and apply for building and grading permits**

**Dowd Property** – Forest Stand Delineation approved – April 16, 2018  
Concept plan reviewed by PC – May 21, 2018  
**Next step – BOA review/approval of special exception for shopping center use**

**Jiffas** – Site Improvement Plan conditionally approved – October 20, 2008 (no sunset provisions prior to November 14, 2010)

Forest Conservation Plan approved – October 20, 2008

Architectural plans approved by PC – March 16, 2015

BOA approval for variance requests – March 29, 2016 (**Expired March 29, 2017**)

SWM plans submitted to SCD and Frederick County – December 5, 2016

**Next step – apply for variance requests for siting of duplex building**

**Miller (Ingalls)** – Revised Concept Plan reviewed by PC – September 16, 2013

Site plan (Phase III) conditionally approved by PC – July 20, 2015

Improvement plans (Phase III) conditionally approved by PC – June 19, 2017 (Expires 6/29/20)

Improvement plan (Phase III) mylars signed – January 2, 2018

**Richland Driving Range** – Concept plan reviewed by PC – January 18, 2016

Revised Site Plan conditionally approved – January 15, 2018 (Plans expire January 15, 2021)

**Improvement Plans resubmitted for review – October 1, 2018**

**Next step – approval of improvement plans by Planning Commission**

**School Complex roadway plans** – Improvement plans and FCP plans reviewed and approved by Town Board – May 8, 2017 (informed in June 2017 that funding was not approved for project)

SWM plans re-submitted to Frederick County and SCD for review/approval – 8/3/17

**St. Thomas More Academy Site Plan revision** – conditionally approved August 20, 2018

#### **Annexations:**

**A.C. Jets Property-** PC approval of annexation petition of 35.96 acres – December 21, 2009

Public hearing date - Monday, October 11, 2010

Annexation petition denied by Town Board – October 11, 2010

**Admar Property** – annexation petition sent to PC by Town Board – January 9, 2017

PC approval of consistency with zoning/comp plan – February 20, 2017

Public Hearing - April 5, 2018

Town Board passed annexation resolution – April 9, 2018

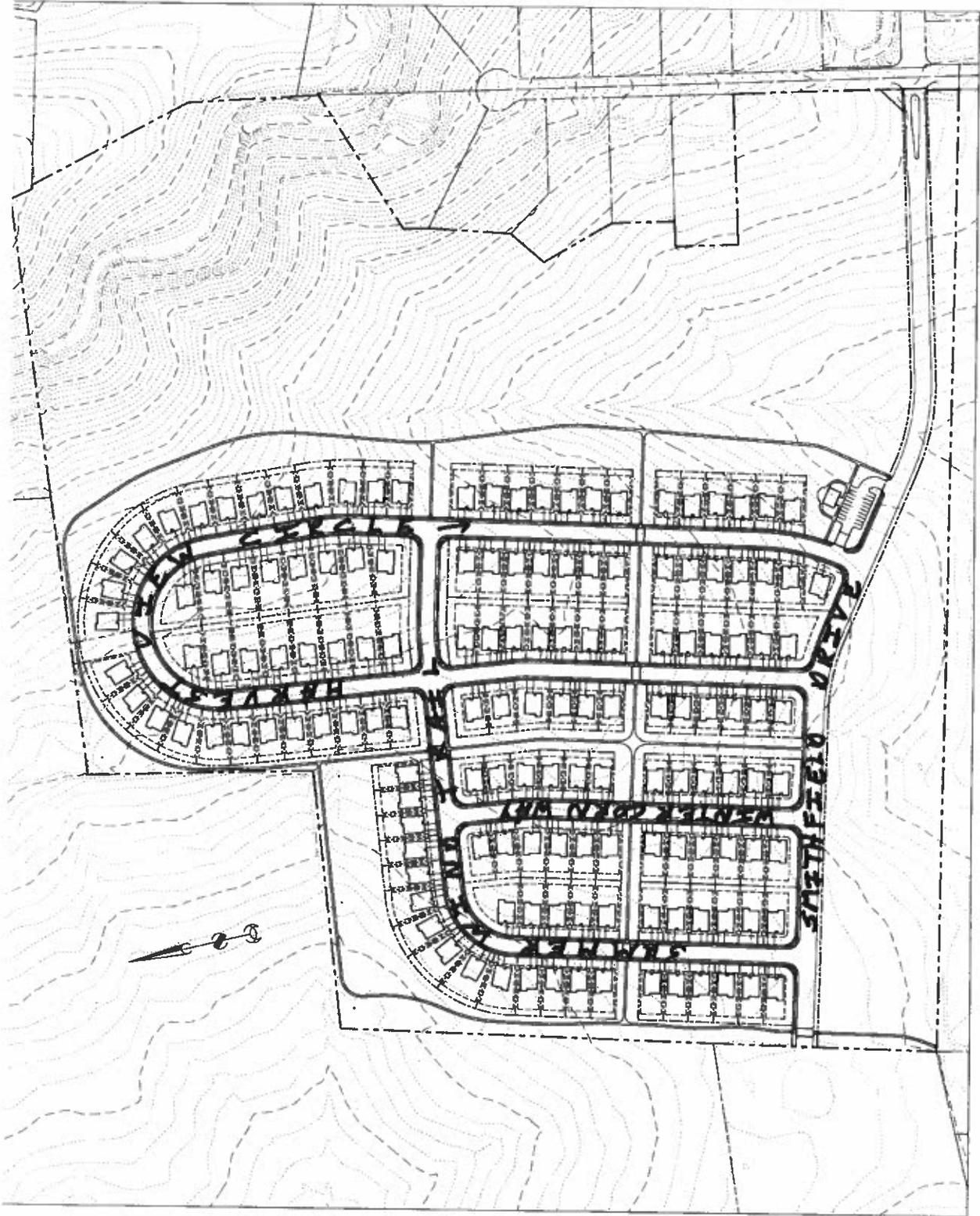
**Text Amendments:** Request to add “microbrewery” as a permitted use in the TC District

**Reports:** 2017 Sustainability Committee Annual Report – approved by SC – Sept. 19, 2018

**Grants:** MEA Smart Energy Communities grant application – award granted – May 2017

**Meetings:** Next Middletown Green Team Meeting – October 17, 2018

**Next Joint town board/planning commission workshop** – November 5, 2018



148 ACTIVE ADULT LOTS



## October 2018 ANNUAL REPORT- A Look at Where we Are:

### MIDDLETOWN GREEN TEAM ACTION PLAN

#### MISSION:

Middletown's Green Team's mission is to: conserve Middletown's shared natural resources, including land, air, water, open spaces, and viewsheds. By working in partnership with our schools, nonprofits, faith-based organizations, businesses, and residents, we can sustain natural resources and promote healthy living for generations to come. We will accomplish our goals by creating understanding in the community, promoting involvement by way of education, and addressing environmental challenges and opportunities by focusing on economic, environmental, and social sustainability.

#### SMC CERTIFICATION WAS ACHIEVED ON OCTOBER 10, 2016 THROUGH THE FOLLOWING ACTIONS:

- Document the Creation of the Town's Green Team (Community Action) ✓
- Complete and document our Green Team Action Plan (Community Action) ✓
- Participate and Document in a SMC Green Team Training (Community Action) ✓
- Establish and Document our Local Farmer's Market (Community Based Food System) ✓
- Document the Local Food Bank (Community Based Food System) ✓
- Document Workplace Wellness Program ✓
- Begin building a SMC Resource Center (Community Action) ✓
- Document/Perform Municipal Energy Audits (Energy) ✓
- Document Wastewater Treatment Plant Solar Energy Project (Energy) ✓
- Document replacement of Town Hall lights to LED's ( Energy) ✓
- Establish and Document Local Business Directory (Local Economies) ✓
- Host our Earth Day (Green Expo) Event (Saturday, April 23, 2015) ✓
- Document Recycle Drop-off Location (Natural Resources) ✓
- Document Water Conservation Alert System (Natural Resources) ✓
- Document Participation in DHCH Sustainable Communities (Planning & Land Use) ✓
- Document Dog Park and Bag Stations (Natural Resources) ✓
- Document Rain Barrel Program (Natural Resources) ✓
- Document Yard Waste Bag program ✓
- Document Town Hall as a Collection Site/Center for Unused Meds (Natural Resources & Health and Wellness) ✓
- Document community garden (Community Based Food System) ✓
- Document Main Street Program (Local Economies) ✓
- Improvements to West Green Street (Natural Resources) ✓

## YEAR 2: ITEMS COMPLETED TO CONTINUE ON OUR PATH TO CREATE AND MAINTAIN A MORE SUSTAINABLE COMMUNITY:

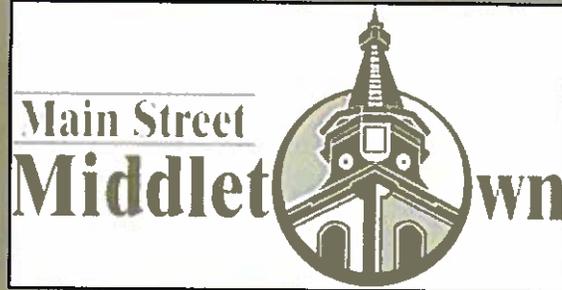
- Construct rest of walking trail from Linden to East Main Street and Remsberg Park (Health & Wellness) ✓
- Pollinator resolution passage ✓

## YEAR 3: ITEMS TO WORK ON MOVING FORWARD

- Document Girl Scout Project painting Curb and Gutters to be Bay Wise (Natural Resources)
- Document the Maryland Green Registry Program (other MS Businesses)
- MEA grant funding for energy efficient streetscape lighting (Energy)
- Conversion of streetlights to LED's (Energy)
- Buy Local Campaign (Local Economies)
- Tree Canopy Assessment Completed in Partnership with the County

## FUTURE WORK TO CONSIDER:

- Municipal Carbon Footprint
- Community Carbon Footprint
- Climate Action Plan
- Evaluate and Determine the Feasibility of Constructing a 1-Mega Watt Solar Farm



**TO: The Burgess and Commissioners**  
**FROM: Becky Axilbund, Main Street Manager**  
**RE: Workshop Report for October**  
**DATE: October 4, 2018**

**Dates to Remember:**

Friday, October 5-10 – Becky Out of the Office – Atlanta  
Tuesday, October 9, 2018 – Standing Meeting for Promotions Committee  
Thursday, October 11, 2018 – Standing Meeting for Design Committee  
Friday, October 12, 2018 – Main Street Business Mixer  
Monday, October 15-19 – BUSINESS APPRECIATION WEEK  
Monday, October 15, 2018 – Executive Meeting at 5:30pm  
Tuesday, October 16, 2018 – Standing Meeting for Economic Development  
Thursday, October 25, 2018 – Main Street Board Meeting

**ORGANIZATION:**

**Volunteers/Staff**

- The Main Street Board is considering an option to farm out some of the Main Street accounting and bookkeeping work. This would free up at least 2-3 hours each week for me, and more during busy event times. We are further investigating if we have funds to have an accounting service assist us since some of our financing and responsibilities with the building will be increased.

**Building Committee**

- The MSM sign for the building has been installed!
- The Board reviewed a list of prioritized projects to begin smaller interior projects that we can pursue. For example, we have an electrician who is prepared to update the electric work. Main Street needs to coordinate with the property owner.
- Main Street is also coordinating with the State to prepare the legal easement on the Exterior Only of the building at 19-21 West Main. This is part of processing the grant agreement to receive funds from the Heritage Area.

**Grants/Fundraising:**

- One of our newer board members went above and beyond and was able to have her company's foundation match an earlier grant we received this year. This is exciting news and a big shout out to volunteer Gretchen Gawler and her employer, RBC Wealth Management.
- Janet Fox has created a wonderful painting of 19-21 West Main Street for us to reproduce and sell as another viable option for our Christmas Cards.



- Maryland Heritage Area Grant – I attended the mandatory training on the grant administration process for this specific grant.
- Main Street Middletown has been awarded \$26,300 in grant funds from the Maryland Main Street Operating Assistance Funds.
- I requested and was able to meet with all our State-grantors earlier this week to make sure that our grants, work-flow, and various legal pieces all work together, as well as trying to work out details of our eventual closing on the purchase of 19-21 West Main Street.

Grants	Awarded	Amount	Notes
Maryland Heritage Area Grant – For Purchase	Awarded	\$37,000	Need to send in updated comparables for Legal docs to go forward as well as vote on the Corporate Resolution.
Community Legacy Grant – For Purchase		\$90,000	Application submitted in June <b>VERBAL ANSWER PROVIDED – and it is good news!</b>
Community Legacy Grant – Façade Improvement Program		\$10,000	Application submitted in June
Technical Assistance Grant – for Architect/Contractor		\$17,400	These two grants were merged together, and we have a total of 20K. We have been directed by the Grantor to first hire an architect/project manager for the rehabilitation at 19-21 West Main. If funds are remaining, to use those State Funds on our second project of nonprofit education and fundraising strategies. In short, we were given partial funding for both projects.
Nonprofits Assistance		\$15,900	
Main Street Banners		\$6300	Full Amount was Awarded!
Community Investment Tax Credits		\$10,000	\$10,000 Awarded
Grants in Progress			
Keep Maryland Beautiful	Awarded	\$1500	Need to Spend!
Community Legacy FY 17	Awarded	15,000	\$11,000 remaining – Based on the meeting Monday afternoon, Main Street

			Middletown can tap into these funds if the match is from our budget and no other state funds. These funds need to be spent before June 30, 2019. A good example of a type of project that we could pursue, based on our budgeted funds set aside for improvements would be to fix the handrails and possibly paint the roof.
Community Legacy FY 18	Awarded	\$50,000	Pyramid Rocks is an applicant for this pool of funding.

**Promotions/Communications:**

- Because the website is one of our most important communication tools Monica Hauser and I have worked each month to make improvements such as
  - add a Donate Now Button,
  - clean up the content,
  - add content,
  - change plug-ins so that we can showcase more photos,
  - change our plug-in so the business listing can have logos and photos,
  - updated the business listing links and other links on the site
  - re-arranged content to limit the number of new pages that Jud had to create to accommodate our growing number of events
  - Added a page to showcase the significant work we will be doing with 19-21 West Main.

The Board reviewed a new color scheme for the website at our meeting Wednesday night.

- We had a very quick and last-minute opportunity to purchase advertising space in The Frederick Guide – a 1/2-page ad for \$275. This ad will be in the Fall quarterly issue which has a feature on living in Middletown.
- We are eagerly awaiting the November issue of Sip and Savor magazine and the pull-out map of all the Maryland Main Street communities. This ad will highlight all the great things about being a Main Street community and celebrate the 20<sup>th</sup> Anniversary of the Maryland Main Street program.

**DESIGN:**

- The Design Committee will commence work on designing new banners for the Town. This is part of Main Street Improvement Grant funds.
- Design Committee has asked the Board to approve expenses in updating the website so that we can sell items directly on the website.

**ECONOMIC DEVELOPMENT COMMITTEE**

- We will have a Business Mixer on October 12<sup>th</sup> at Mountain Spirit Yoga. The topics will be a Q&A forum with SHA project engineer, Scott Brown and a short presentation about making the most of the two Main Street Middletown Facebook pages.
- Business Appreciation Week is October 15-19. Main Street Middletown will not only participate with the County on this concept but expand it locally so that all Middletown businesses get a visit by representatives of the Main Street Board.

**HERITAGE FESTIVAL:**

- Thanks to Commissioner Falcinelli and Commissioner Goodman for coordinating and selling the Main Street Middletown Christmas Card box sets during Heritage Festival.

- I have spent significant time regrouping and creating more detailed information about various objects and photos in the Heritage Museum, and actually created more signage than what I ultimately ended up using. There are more artifacts and photos than we have room to exhibit, and it is a tremendous asset to have this collection available to the public. From the time the Museum opened at 11:00am, there was a constant stream of people in the room, with no breaks in the visitors. Visitors were very engaged in the content, some even sitting down on the floor to read every detail about the “Walk Down Main Street” exhibit. Kids gravitated to the drone flight and digital photograph album, smaller kids loved pretending to vote in the voting booth, and three sisters commented on one of the photos that they thought it was their mother. Other comments included:
  - excellent materials
  - I think we need more of this!
  - very professional
  - I did not know this!
  - great information
  - there is so much history here!
  - this drone flight is really incredible
  - Wow, these are outstanding photographs, and lots of
  - Thank you for doing this!

*Thank you for your continued interest and support of Main Street Middletown, MD Inc.!*



## **Burgess and Commissioners of Middletown, Maryland**

### **Policy for Site Plan Notification of Adjoining Property Owners Adopted by the Burgess & Commissioners on**

*For the purpose of notifying adjoining property owners of Site Plans filed with the  
Planning Commission of the Town of Middletown.*

The Town of Middletown will give notice to all adjoining property owners of Site Plans filed with the Town that will go before the Planning Commissioner for approval. Adjoining property owners are owners of land who share common boundaries with the property filing the Site Plan to be presented before the Planning Commission. It is the prerogative of the Board to notify property owners beyond those that adjoin the property identified on the site plan.

The notice will be in the form of a written letter mailed to all adjoining property owners prior to the initial meeting at which the site plan is to be considered, debated and discussed by the Planning Commission of the Town of Middletown. The letter will briefly describe the type of Site Plan and inform recipients of the location, date, and time of the meeting(s) before the Planning Commission.

It is the intent of the Town to provide notice of the initial Site Plan filing. However, as the Site Plan(s) moves through the process and appears on published agendas, available via various media outlets from that time forward, additional notices will not be sent to adjoining property owners.



#### WAYFINDING MOCK UP

- This is a template for what a wayfinding sign might look like (colors can be changed and/or left to the sign designer).
- This uses the existing Welcome sign shape, size, color
- This one would be on Route 40A BEFORE Safeway
- It could be attached to the pillar or stand alone.
- The arrows could be adjusted to have it stand alone farther west at the water treatment road.

17.16.020 - R-1 district.

- A. Purpose. The R-1 district is intended to encourage and promote the development of single-family residential neighborhoods free from land usage which might adversely affect such development.
- B. Uses Permitted in the R-1 District. No building or structure may be erected or used and no land may be used or occupied except for one or more of the following principal uses
  - 1. Any use permitted in the R-20 district;
  - 2. Planned unit developments.
- C. Special Exception in the R-1 District. The board of appeals may authorize the following principal uses as special exceptions in accordance with the provisions of Section 17.44.060:
  - 1. Any special exception use in the R-20 district except active adult communities;
  - 2. Barber shops, beauty parlors;
  - 3. Professional office (physician, dentist, architect, engineer, attorney or similar profession),

4. Bed and breakfast.

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(Ord. No. 15-04-02, § I, 4-27-2015; Ord. No. 10-10-02, § II, 10-25-2010; Ord. 07-11-01 § 2 (part), 2007; Ord. 07-01-01 § 2 (part), 2007; Ord. 182 §§ 5.0.4—5.0.6, 1976)

17.16.030 - R-2 medium residential district.

- A. Purpose. The R-2 district is intended to encourage and promote compact development and the optimum utilization of land appropriate for residential use by encouraging higher-density communities free from land usage which might adversely affect such development.
- B. Uses Permitted in the R-2 District. No building or structure may be erected or used and no land may be used or occupied except for one or more of the following principal uses:
  - 1. Any use permitted in the R-1 district (Chapter 17.16);
  - 2. Two-family dwellings;
  - 3. Duplexes;
  - 4. Leasing of rooms by not more than two persons not members of the family residing in the dwelling.
- C. Special Exceptions in the R-2 District. The board of appeals may authorize the following principal uses as special exceptions in accordance with the provisions of Section 17.44.060:
  - 1. Any special exception use in the R-1 district except active adult communities;
  - 2. Convalescent or nursing home;

- 3. Multifamily dwellings, such as apartments containing no more than twelve (12) individual residential units within a single building;
- 4. Townhouses;
- 5. Parking lots.

Deleted: 3. Bed and breakfast;  
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(Ord. No. 15-04-02, § I, 4-27-2015; Ord. No. 13-02-02, § I, 2-11-2013, eff. 3-3-2013; Ord. No. 10-10-02, § III, 10-25-2010; Ord. 07-11-01 § 2 (part), 2007; Ord. 07-01-01 § 2 (part), 2007; Ord. 05-09-01 § 1 (part), 2005; Ord. 182 §§ 5.1.1—5.1.3, 1976)

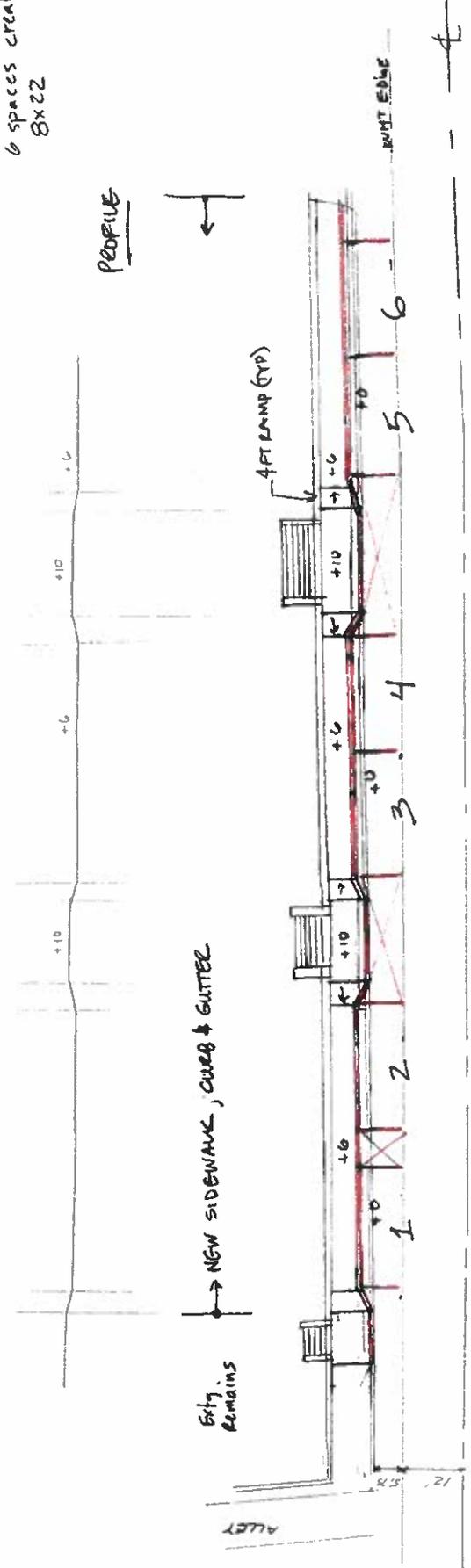
17.48.050 - Bed and breakfast homes.

Bed and breakfast homes in the R-1, R-2, R-3, and TC districts are subject to the requirements of the district in which the bed and breakfast home will be located except as herein provided:

- A. The property for a bed and breakfast home shall not constitute a nuisance because of increased traffic, noise, odor, or any other activity associated with the use which may be disruptive to the residential character of the neighborhood.
- B. There shall be no exterior evidence that the building is being used for any purpose other than a residence except for one permitted sign of no more than two square feet.
- C. Off-street parking shall be provided; one space per guest room plus one additional space for each home occupant and/or employee(s). In no case shall parking be provided in the front yard. All parking areas shall be adequately screened as required by the site plan approval of the planning commission once the special exception has been granted.
- D. The original structure in which the bed and breakfast home is located shall have been built prior to 1950.
- E. The structure shall serve as the primary residence of the owner or manager, and the bed and breakfast home use shall be operated as an accessory use to the owner's or manager's residence.
- F. Bed and breakfast homes shall comply with all applicable state and county codes.

(Ord. No. 15-08-01, § I, 8-14-2015, eff. 10-4-2015; Ord. No. 09-03-03, § II, 3-9-2009; Ord. 08-03-02 § I (part), 2008; Ord. 182 § 10.5.7 (part), 1976)

6 spaces created.  
8x22



PLAN

COST ESTIMATE \$25,869

1" = 20'