

MIDDLETOWN PLANNING COMMISSION
31 West Main Street
Middletown, Maryland

Regular Meeting

May 21, 2018

The regular meeting of the Middletown Planning Commission took place on Monday, May 21, 2018 at 7:00 p.m. at the Middletown Municipal Center, 31 West Main Street, Middletown, MD 21769. Those present (quorum) were Commission Vice Chairman Rich Gallagher, Commissioner Tom Catania (Ex-Officio), Commission members Bob Miller, David Lake, Dixie Eichelberger and Meredith McKittrick (Temp Alternate). Others present in official capacity: Cindy Unangst (Staff Planner), Bruce Carbaugh (Town Engineer) and Annette Alberghini (Recording Secretary). Others present: Brent Harne (property owner), Tom Poss (Verdant Development Group), David Lingg (Lingg Property Consulting), Mark Crissman (Daft, McCune & Walker) Mark Lancaster (Lancaster Craftsman Builders) and Bob Smart (town resident).

MAY MONTHLY PLANNING COMMISSION MEETING:

I. PUBLIC COMMENT – None

II. Regular Workshop Minutes of April 11, 2018 – Approved as submitted

Regular Meeting Minutes of April 16, 2018 – Approved as submitted.

III. PLAN REVIEW

Harne Deck Demolition Site Plan – (Brent Harne (property owner), present). This is to address the already completed deck demolition at 6 Caroline Drive, which took place without approval from the Planning Commission. The contractor who demolished the deck sent a letter explaining the deck was demolished for safety reasons and he was unaware of the demolition plan process that the Town Code requires. The property owner is present this evening to apologize for the deck demolition without permission and to get approval from the Planning Commission to proceed with the construction of a new deck on the rear of the residence.

Action: Commissioner Catania motioned to proceed with the construction of the new deck at 6 Caroline Drive. Seconded by Commission Member Eichelberger. Motion carried (4-0).

Chesterbrook/Franklin Commons Site Plan Resubmittal – (Tom Poss (Verdant Development Group), present). This is for the proposed construction of 18 multi-family dwellings in five buildings on a 1.74-acre parcel located on property adjacent to the existing Middletown Valley (Chesterbrook) apartments on the south side of Broad Street and west of Franklin Street. A Site Plan for Phase 2 Chesterbrook that included 18 multifamily dwelling units and 59 parking spaces was conditionally approved on January 19, 2015. The approval was conditional upon meeting the comments of the Director of Public Works; inclusion of the lighting plan with the Improvement Plan (since submitted and approved 9/21/2015); and the review of the architectural rendering at the Improvement Plan stage (Completed 9/21/15). This site plan is back before the Planning Commission because the previous site plan approval has expired. This site plan is the same as was submitted three years ago. Nothing has changed.

- **Variance Request Board of Appeals** – A variance request of an additional 5-feet from the required Town Code building height regulations was approved by the Middletown Board of Appeals on January 13, 2015. Per Town Code, the variance approval for a building is valid for 12 months unless construction has begun. No construction has taken place, so the variance

request approval is no longer valid. The developer must request and receive a second building height variance from the Middletown Board of Appeals.

- **Driveway Length** – Town Code requires that a driveway be 20 feet in length to qualify as a parking space. The Site Plan should insure that driveways are 20 feet in length to qualify.
- **Comments from the Director of Public Works/Town Engineer** – The resubmitted Site Plans do not show the speed bump that was installed on Broad Street in 2017. Details for how the development going forward will integrate with the newly installed speed bump will be worked out in the field. Developer will work with the Town Engineer on any modifications necessary.

Action: Commission Member Lake motioned to conditionally approve the resubmittal of the Chesterbrook Phase 2 Site Plan, conditional upon receiving another 5-foot building height variance request approval from the Middletown Board of Appeals, insuring all driveways shown on the Site Plan are 20 feet in length, and addressing comments from the Director of Public Works regarding the intersection and the installed speed bump on Broad Street. Seconded by Commission Member Eichelberger. Motion carried (4-0).

Middletown Valley Center Concept Plan – (David Lingg (Lingg Property Consulting), Mark Crissman (Daft, McCune Walker) and Mark Lancaster (Lancaster Craftsman Builders), present). This is for the proposed development of 52,500 square feet of commercial space in three separate buildings with 296 parking spaces, with the additional possibility of self-storage areas in the rear of the property; located on the north side of US Route 40-A just east of the Safeway shopping center. The area is zoned GC General Commercial and is currently a vacant lot. The proposed development appears to be consistent with the goals and objectives of Middletown’s Comprehensive Plan and is not within a historic survey district. Concept Plan reviews are informal and provide the developer initial feedback and identify potential issues that might be raised during the site plan and improvement plan reviews.

- **GC District Uses** – If the proposed development is determined to meet the definition of a shopping center per the Town Code, it will need special exception approval from the Middletown Board of Appeals and must meet the special exception regulations for shopping centers as indicated in the Town Code.
- **Parking Requirements** – If developed under the shopping center guidelines, the total parking spaces required per the proposed square footage of the buildings would be 289 spaces. The Concept Plan provides for 296 spaces. The Concept Plan shows how the proposed parking would be integrated with the existing parking in the Safeway shopping center parking lot in relation to drive aisles and so forth.
- **Traffic Study** – Concern was raised over the impact from the increase in traffic volume on the entrance/exit of the Safeway shopping center parking lot should the property development occur as proposed. It was suggested that besides the traffic study, the developer investigate a separate access to the property due to the current traffic volume entering and exiting the Safeway shopping center.
- **Comments from the Director of Public Works/Town Engineer** – The Director of Public Works reviewed the Concept Plan regarding water and sewer needs only. This property is considered a remote site with no water or sewer access currently. The Director of Public Works indicated on the Concept Plan where two gravity feed lines run across a section of the property to the booster station adjacent to the Safeway shopping center.
 - **Water Service** – The Concept Plan shows an existing 6-inch waterline, but the Town does not know if it exists, as there is no valve present. County plans show a blow off towards the property. Town Code requires 1 meter to service a property. There is currently one present which services the Safeway shopping center. Developers would have to piggy back on the current line so that there would be 2 meters with a subtraction. The Town Engineer shared a potential plan for water service to the proposed development. He recommended that the developer connect to the water line via the higher-pressure side of the pressure reducing valve (prv), which currently reads 90+psi. The developer will look for the cap to the 6-inch water line and the blow off.

- **Sanitary Sewer** – The Town Engineer showed a potential sanitary sewer schematic that could be used to develop the property. This sanitary sewer would be gravity run.

Action: None taken.

IV. ZONING

Microbrewery Text Amendment – The Planning Commission reviewed the proposed Microbrewery text amendment which would add “microbrewery” as a permitted use in the TC Town Commercial District. By consensus the Planning Commission recommends that “microbreweries” be a permitted use in the GC General Commercial District, but a special exception use in the TC Town Commercial District. The Planning Commission will review special exception regulations to include in the text amendment at the June Planning Commission meeting.

Storage Container Text Amendment – The Planning Commission reviewed the proposed changes to the Town Code regarding storage containers. These changes will make it easier for the Zoning Administrator to enforce the Town Code as it relates to storage containers. The Planning Commission recommends approval of this text amendment relating to storage containers.

Demolition Site Plan Text Amendment – The Planning Commission reviewed the proposed changes to the Town Code regarding demolition site plans. They were presented with two versions, one from the Zoning Administrator and one from the Staff Planner. After careful review, the Planning Commission recommends the text amendment developed by the Staff Planner. This version includes “Demolition of structures that are less than 500 square feet and not a contributing resource within the Middletown Historic District, shall only require review and approval by the Zoning Administrator.” When using this specific demolition plan requirement to review demolition site plans reviewed since 2007, the number of demolition site plans that would have come to the Planning Commission for approval would have been reduced 50%.

Blighted Property Ordinance – The Planning Commission reviewed the information on how other municipalities address blighted properties. The Burgess and Commissioners will be attending the MML conference in June and will be gathering more information regarding how other municipalities address blighted properties. Of the information reviewed tonight there was interest in how Washington D.C. addresses blighted properties, and Mt. Airy’s definition of a blighted property.

V. MISCELLANEOUS

Planning Commission Term Limits – The Staff Planner reported that the Washington County Planning Commission has a 2-term limit of 5 years each term for its’ commission members. It was asked if the Middletown Planning Commission thought there should be term limits. Concerns with term limits included the difficulty in finding volunteers willing to serve and the learning curve inherent to serving on the Planning Commission for new members. Since Planning Commission members are appointed to their position, and their appointment could end, the Planning Commission agreed that there was no need for term limits.

Action: None taken.

VI. ADDITIONAL PUBLIC COMMENT – None.

Meeting adjourned at 8:17pm.

Respectfully submitted,

Annette Alberghini
Recording Secretary