

MIDDLETOWN PLANNING COMMISSION
31 West Main Street
Middletown, Maryland

Regular Meeting

July 16, 2018

The regular meeting of the Middletown Planning Commission took place on Monday, July 16, 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, Commission members Bob Miller, David Lake, and Dixie Eichelberger. Others present in official capacity: Cindy Unangst (Staff Planner) and Annette Alberghini (Recording Secretary). Others present: Ann Miller (property owner).

JULY MONTHLY PLANNING COMMISSION MEETING:

I. PUBLIC COMMENT – None

II. Regular Workshop Minutes of May 16, 2018 – Approved as submitted

Regular Meeting Minutes of May 21, 2018 – Approved as submitted.

III. PLAN REVIEW

Cross Stone Commons Fence – (no one present for this item). The Staff Planner was contacted by the developer regarding a white vinyl fence that is shown on the approved improvement plans, but which has been relocated from the site due to construction. The developer does not want to re-install the fence once construction is completed. The Staff Planner provided the Planning Commission with copies of renderings provided previously from the developer showing the site both with and without the fence at the front of the property. Current photos of the site were also provided which approximated the view as shown in the renderings. Both the Town Administrator and the Town Engineer agree that the fence is not needed. The Staff Planner proposes that the changes to the approved improvement plans to remove the proposal of the relocated vinyl fence are minor in nature and can be accomplished with staff approval of a redline revision. After discussion the Planning Commission agreed that a redline revision is appropriate.

Action: None needed.

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. Following are the changes to the zoning code as recommended by the Planning Commission:

- Section 17.04.030 – to add a definition for microbrewery and for tasting room (to be defined later)

Microbrewery – facility used for the production of less than 1,000 barrels of beer annually, where such beverages are brewed for consumption at an on-site tasting room, or sold as packaged goods or distribution wholesale and which possesses the appropriate license from the State of Maryland.

- Section 17.20.010(B)(9) – to add microbreweries under light assembly and fabricating list
- Section 17.20.010(C)(6)- to add microbreweries as a special exception use in the TC district

- Section 17.48.420 - to include specific standards for the microbrewery special exception use which would include the following:
 - a. The appearance of the microbrewery shall be compatible with and harmonize with the surrounding buildings and neighboring community. A site plan of the microbrewery and tasting room shall be submitted to the planning commission for review and approval and changes shall be made as necessary;
 - b. During the site plan process, an engineer's certificate may be required regarding noise, dust, vibration and odor for review. The certificate shall certify that the proposed operation will not increase the impacts from the above noise, dust, vibration and odor beyond other permitted uses detectable at the property line. Hours of operation may be restricted by the planning commission due to noise, light and pedestrian or vehicle traffic;
 - c. The microbrewery shall meet the town's standards concerning noise and congestion. The microbrewery shall be closed by 10pm as governed by current Maryland State law;
 - d. The use of outside amplified music is not permitted for the microbrewery use.

The Staff Planner stated that a neighbor to the Miller property (121 E. Main Street) had sent an email listing concerns and recommendations regarding a proposed future microbrewery at that specific location. Commission member Lake stated that this text amendment does not address a specific location, rather it is a microbrewery text amendment which would address any proposed microbreweries within the town limits. The Staff Planner replied to this neighbor clarifying this point and explaining the process regarding this text amendment. The Town Board will set a public hearing date and will provide opportunities for public comment.

Blighted Property Ordinance – The Planning Commission decided to table this item for discussion until after the next joint town board/planning commission meeting in August.

V. MISCELLANEOUS

Cell Trends Property – The Staff Planner reported that the zoning certificate for change of tenant and change of use at this location was approved July 3, 2018.

VI. ADDITIONAL PUBLIC COMMENT – None.

Meeting adjourned at 7:30pm.

Respectfully submitted,

Annette Alberghini
Recording Secretary