

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

**Regular Meeting**

**August 20, 2018**

The regular meeting of the Middletown Planning Commission took place on Monday, August 20, 2018 at 7:00 p.m. at the Middletown Municipal Center, 31 West Main Street, Middletown, MD 21769. Those present (quorum) were Commission Chairman Mark Carney, Commissioner Tom Catania (Ex-Officio), Commission members Rich Gallagher, Bob Miller, David Lake, and Dixie Eichelberger (Alternate). Others present in official capacity: Cindy Unangst (Staff Planner) and Annette Alberghini (Recording Secretary). Others present: Patricia Neuman (Dean of Academics, St. Thomas Moore Academy), Veronica Kosch (Director, St. Thomas More Academy) and Brian Riesett (Board Member, St. Thomas More Academy).

**AUGUST MONTHLY PLANNING COMMISSION MEETING:**

**I. PUBLIC COMMENT** – None

**II. Regular Workshop Minutes of July 11, 2018** – Approved as amended via recommendations from Commission Member Lake.

**Regular Meeting Minutes of July 16, 2018** – Approved as amended via recommendations from Commission Member Lake.

**III. PLAN REVIEW**

**St. Thomas More Academy Site Plan Revision** – (Patricia Neuman (Dean of Academics, St. Thomas Moore Academy), Veronica Kosch (Director, St. Thomas More Academy) and Brian Riesett (Board Member, St. Thomas More Academy) were present.) This is a proposed amendment to the site plan to add two temporary classroom structures to the school property located at 103 Prospect. The main building is currently being used as a private school with 85 students and 15 staff. The proposed temporary use is for each of two temporary 20 x 20 modular buildings to be classrooms with 15 students and 1 teacher from 8:00am-3:15pm Monday thru Friday. The fifteen students will walk back and forth between the two buildings to attend various subject classes. The applicant has stated that the temporary use of the classroom buildings would most likely be for five or six years. Their intent is to purchase both the school building at 103 Prospect Street (which is going thru the approval process at the state level currently), and the library building after the new library is built on East Green Street. The Planning Commission was provided a site plan that shows the proposed location of the temporary structures. The revised site plan shows the temporary classrooms to be located ten feet from the northern side lot line which is adjacent to the Middletown Library property. The applicant would like to place the classrooms six feet from the side lot line, if allowed. Placing the temporary classrooms closer to the lot line would provide more of the rear yard to be used for other purposes. There is no change in the required number of parking spaces. The applicant would need to go to the County for a building permit. The applicant provided a photo of a similar temporary building currently in use at a school in Pennsylvania. The Staff Planner suggested that the site plan be revisited after five years to ascertain that the temporary classrooms don't become permanent without proper approval from the Planning Commission.

- **Dumpsters** - Although the site plan shows a dumpster area adjacent to the proposed classroom buildings, the dumpster area is actually located on the northern side of the building on the grass adjacent to the parking lot which is library property. They need to be moved onto the parking lot to be on the school property.
- **Screening** - It was noted at the Planning Commission workshop that the dumpsters should be screened from adjoining properties. The temporary buildings would be screened as well. Screening will have to be provided to screen between the existing building and the temporary buildings and dumpsters, and along the lot line with the Library.
- **Purchase of the Library Building** – Questions were raised regarding the availability of the current library building being available for purchase in 5 years. There is no information that a new library will be built by that time.
- **Frederick County Life Safety Office** – Will have to review and approve the proposed use of the two temporary structures.
- **Update to the Site Plan** – The Site Plan should be updated to show the following:
  - Identify the distance of the spacing between the two temporary buildings as 3 feet.
  - Identify the distance from the main building to the nearest classroom building.
  - Identify the distance from the main building to the raised curbing in the parking lot.
  - Identify the distance from the raised curbing in the parking lot to the wall of the nearest temporary structure.
  - Identify the turning radius still gives access in to the overflow parking lot.

**Action:** Commission member Gallagher motioned to conditionally approve the St. Thomas More Academy Concept Site Plan conditional upon the temporary structures being located 6 feet from the property line, review and approval from Frederick County including the Office of Life Safety, and the Site Plan being updated as follows: to identify the distance of the spacing between the two temporary buildings as 3 feet, identify the distance from the main building to the first building, identify the distance from the main building to the curbing in the parking lot, identify the distance from the curbing in the parking lot to the wall of the first temporary structure, and identify that the turning radius still gives access in to the overflow parking lot. This concept site plan will be valid for 5 years and then subject to review by the Planning Commission. Seconded by commission member Dixie Eichelberger. Motion carried (4-0).

**Cross Stone Commons Black Hog Architectural Design** – (no one present for this item). The architectural review for this entire building (Building #4) was approved March 19, 2018. What is before the Planning Commission for review and approval tonight is the proposed architectural review specific to one tenant in that building – Black Hog BBQ. The Staff Planner reviewed the architectural renderings provided by the developer. It is noted that the awnings, color scheme and lighting are different from what was approved for the rest of the building. Questions were raised as to what the newly proposed light fixtures were and whether the new lighting meets the outdoor lighting standard in the Town Code. The type of wood to be used as shown in the architectural rendering could not be identified.

**Action:** Commission member Lake motioned to conditionally approve the Cross Stone Commons Black Hog Architectural Design, conditional upon the new lights meeting the outdoor lighting standard within the Town Code, and that the applicant identify all the materials to be used on the exterior of this specific tenant’s business. Seconded by commission member Miller. Motion carried (4-0).

#### IV. ZONING

**Blighted Property Ordinance** – The Staff Planner will develop a draft ordinance that includes specific provisions concerning purpose, scope, definitions, property owner duties, complaints and enforcement,

administrative procedures and remediation measures. This will include the Mt. Airy definition of blighted structures. This draft should be ready for the September Planning Commission meeting.

**Dumpster in Parking Lot in Front of Fratelli’s Restaurant (Cross Stone Commons)** – It as noted that there is a dumpster in front of Fratelli’s Italian Restaurant. It looks as if it is there to collect excess building materials in the construction of the interior of the restaurant. The Staff Planner will review for any further action.

**Small Temporary Signs at Various Corners in Middletown** – It was noted that small signs are appearing at various intersections within town. These types of signs tend to “pop up” throughout the year. They are against Town Code. The Staff Planner will review for further action.

**Signs at Middletown Valley Bank (Safeway Location)** – The Middletown Valley Bank has a new sign out front of its property. It was questioned as to whether this was approved. The previous sign was approved by the previous Zoning Administrator. The Staff Planner will review for any further action.

**Signs Hanging From Light Poles at CVS (Cross Stone Commons)** – It was stated that there are signs advertising flu shots hanging from the light poles at the CVS. These are against Town Code. The Staff Planner will follow up with CVS.

**V. MISCELLANEOUS**

**Franklin Commons** – The Staff Planner emailed the developer concerning the impending expiration of the approved Site Plans (expire 9/21/18). The email included the definition for “Start of Construction” as defined in the Town Code.

**VI. ADDITIONAL PUBLIC COMMENT** – None.

**Meeting adjourned at 7:59pm.**

Respectfully submitted,

Annette Alberghini  
Recording Secretary