

MIDDLETOWN PLANNING COMMISSION
31 West Main Street
Middletown, Maryland

Regular Meeting

September 16, 2019

The regular meeting of the Middletown Planning Commission took place on Monday, September 16, 2019 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 David Lake, Rich Gallagher, Bob Miller, Dixie Eichelberger (Alternate) and Eric Ware (Temp Alternate). Others present in official capacity: Cindy Unangst (Staff Planner) and Annette Alberghini (Recording Secretary). Others present: Mike Tabor (property owner), Ann Miller (property owner), Chris Miller (business associate), Geoffrey Ciniero (C.M.S. Associates), Lonnie Darr (town resident), Jane Tamagna (town resident), Parker Ranniger (town resident), and John Miller (town resident).

SEPTEMBER MONTHLY PLANNING COMMISSION MEETING:

I. PUBLIC COMMENT – None.

II. Regular Workshop Minutes of August 14, 2019 – Approved as submitted.

Regular Meeting Minutes of August 19, 2019 – Approved as submitted.

III. PLAN REVIEW

Tabor Barn Demolition Site Plan – Mike Tabor (property owner) present). This is for the proposed demolition of an approximately 1,700 square foot 100-year-old barn at 10 Boileau Drive. All the requirements per the Town Code have been met. Adjacent property owners have been notified of the proposed demolition, and the property was properly posted. The Barnyard Boys from Peach Bottom, PA will be completing the work. The demolition plan was approved by Frederick County on September 6, 2019. The permit will be issued once the Town Zoning Administrator signs off on the permit after Planning Commission approval. Once approved, demolition is set to begin as soon as the permit is received and is proposed to last from three to six working days, weather dependent.

The Planning Commission requested that the applicant provide the Maryland license number of the company handling the demolition to prove it is licensed to complete the work in Maryland.

Action: Commission Member Lake motioned to approve the Tabor Barn Demolition Site Plan as presented, and the demolition work shall be completed within 90 days. Seconded by Commission Member Gallagher. Motion carried (5-0).

Miller Property Redline Site & Improvement Plans – (Ann Miller (property owner), Geoffrey Ciniero (C.M.S. Associates), Lonnie Darr (town resident), Jane Tamagna (town resident), Parker Ranniger (town resident), and John Miller (town resident) present). This is in regards to the proposed re-development of existing buildings in phases into new retail and/or restaurant uses. This includes the renovation of the existing main building, construction of a new brick patio in front of the existing building, installation of a new stormwater facility and associated piping, and construction of new grassed islands around the stormwater facility and building. The property is located at 203 East Main Street. The site and improvement plans have been revised to add red-line revisions for changes to the lighting on the site; changes to the porch; and the addition of fencing on the east side of the property.

- **Lighting Changes** - The redline changes to the site and improvement plans include changing the type and pole heights of the parking lot poles in the area of the stormwater management facility from 8-foot in height to 15-feet in height; changing the type and height of the other parking lot pole on the west side of the property from 8-foot in height to 8.5-foot in height, which will include a shield on the western side of the fixture; adding a 15-foot pole light on the island at the northeastern corner of the Phase III building; changing the wall lights from a “goose-neck” type to a low profile wall light; adding wall lights to the back and at the side and front doorways; and adding string lights over the patio in the front. The previously approved pole lights were identified as antique streetlamps, while the new pole lights are a more modern look. The changes to the pole lights meet the regulations in Section 17.32.245 – Outdoor lighting standards, in which pole lights shall be located at least ten feet from the closest exterior property lines and stand-alone light poles located more than 25-feet from the property lines shall not exceed a maximum height of 20-feet, which height shall include any base, wall pedestal, platform or other supporting structure. The changes to the wall-mounted lighting also meet the regulations of the Code which states that any lighting which is mounted or secured to a wall of a building, including wall-packs, shall not be located more than 25-feet above the surface of the ground directly below it. The wall-mounted lighting is shown to be located at a height of six-feet except for one light located at a height of twelve-feet on the west side of the building. Sheet LT-2 shows renderings of the fixtures that directs lighting in a downward direction. Section 17.32.245 of the Code does not address lighting such as the string lights, although landscape and architectural lighting are addressed. Also, the number of step lighting fixtures has been reduced from 14 to 2.

According to the Municipal Code, exterior lighting fixtures shall include full cutoff features and shall be directed downward on the site, so that the light does not create excessive glare on adjacent properties, and light trespass from the originating property shall not exceed 0.5 footcandles measured on a vertical plane five feet above grade at the property line. The proposed footcandles on the west side of the property are 0.1 at the property line, and on the east side of the property are less than 0.1 at the property line.

- **Trench Drain Changes on Patio** – The trench drain on the patio was expanded to the west side of the patio steps, and the planter box was removed and replaced with concrete.
- **Fencing/Screening** –
 - **Fencing** - The addition of fencing on the east side of the property was added to the plans. The fence will be a 6-foot tall sight-tight fence to replace the chain-link fence currently located between the two properties. It will be the same as the fencing installed on the west side of the property. The fence will be erected completely on the Miller Property.
 - **Screening** – There is a small change to the trash enclosure. It has been reduced in size and will no longer encompass the existing transformer.

At the September workshop the applicant was asked to provide a listing of all red-line changes and the reasons for each change to the Planning Commission for review at tonight’s meeting. See Addendum #1. The Planning Commission reviewed and discussed each item on the list provided. Prior to the motion, the Planning Commission requested that the Staff Planner add another column to that spreadsheet which would list the conditions/requirements of approval for each item. See Addendum #2.

Action: Commission Member Lake motioned to conditionally approve the Miller Property Redline Site and Improvement Plans according to the 15 items identified and discussed; on items with modifications listed, they are to be added to the plans; items related to lighting are to be addressed prior to the restaurant opening; all other items are to be completed within 90 days of the restaurant opening; if changes do not occur, the applicant will have to come back before the Planning Commission for review and discussion; the Staff Planner will review all item actions for compliance. Seconded by Commission Member Miller. Motion carried (4-1). Commission member Gallagher voted against.

IV. ZONING – None

V. MISCELLANEOUS - None

VII. ADDITIONAL PUBLIC COMMENT - None

Meeting adjourned at 9:12pm.

Respectfully submitted,

Annette Alberghini
Recording Secretary