

**TOWN OF MIDDLETOWN
PLANNING COMMISSION MEETING
Monday February 24, 2020 | 7:00 p.m.**

Commission Present

Mark Dalton –Chair (01/2022)
Joan Roche – Vice Chair (06/2022)
Marco Furman (04/2020)
Jeff Pennington – Council Liaison

Commission Absent

Kimberly Begnaud (04/2020)
Alexandra Hannigan (04/2020)
Staff
Eric Bittner- Zoning Administrator

Meeting Minutes

I. CALL TO ORDER

Chairman Dalton called the meeting to order at 7:00 pm.

II. ROLL CALL

Commissioners present are listed in above heading

III. SET AGENDA

Vice Chair Roche made a motion to set the agenda. All Commissioners were in favor.

No Public Comment's made

Minutes were not approved, as they were not yet completed.

Council Update

Jeff Pennington stated the importance of moving the historic overlay forward, as well as the 2 zoning ordinances to align the code with the state

Jeff Pennington also noted that Alexandra Hannigan was absent from multiple meetings this year, and action will be taken to ask her to step down from her position on the planning commission. A total of 5 meetings have been missed, and the town attorney David has already sent a letter informing her on January 31st. All present commissioners voted to send vote to remove Alexandra to council.

Old Business

CIP Plan (Capital Improvement Plan)

Eric Bitner discussed the CIP process, it is currently in phase 1. March 27th is the deadline for capital project requests. 11 were sent it so far, 1 was from the zoning department (requested by Eric himself), the other 10 from the Department of Public Works.

Chairman Dalton explained why the CIP was not sent to council. The correct steps were not followed, and the planning commission will follow the correct steps first, then it will be sent to council. Jeff Pennington discussed the lack of procedure in this process previously is what has hindered progress. The planning commission has been working, and will continue to work on improving the process.

Eric estimated the project timeline 2-3 months.

Staff Update

MTND-

Eric commented on the district, as the MTND district ordinance was based on a model out of Wisconsin. The largest problem with this is the district is considered a “floating zoning district, which is illegal in Virginia, we have not zoned it as “floating”, but it is worded as such which is problematic.

Chairman Dalton was asked when this was adopted, Eric confirmed it was in 2006.

Staff recommends a complete overhaul of the ordinance.

The commissioners discussed with David and Eric what can be done to assist with overhaul of the ordinance.

David stated that the plans which were approved on the Adams property on the south side of town, can be built as is, but a new developer is proposing a new re zoning with a different layout, which would need to be approved before development can start

Chairman Dalton requested that any community input be directly emailed to Eric

Resolution to amend town code Section 17-3652-A

Staff recommends to amend town code

David explains that a law changed 18 months ago, that an additional variance has been added to the state for a BZA to consider a variance to allow persons with disabilities to add to their home, such as a ramp which otherwise would be too close to a property line in zoning laws.

Vice Chair made a motion to forward amendment to council, all commissioners approved

New Business

Historic Overlay

Eric gave staff update, he stated that a formal process has not been started. A public discussion is scheduled for March 2nd 2020.

Adjournment

Vice Chair Joan Roache mad a motion to adjourn

All commissioners approved

Marco Furman
Planning Commissioner

Mark Dalton
Chairman