



MIDDLETOWN PLANNING COMMISSION

2011 ANNUAL REPORT

Approved April 9, 2012 by Burgess & Commissioners

BURGESS & COMMISSIONERS

John Miller, Burgess (4/2008-4/2012)

Jennifer Falcinelli, Burgess Pro-tem (4/2010-4/2014)

Larry Bussard (4/2010-4/2014)

Richard Dietrick (4/2010-4/2014)

Anthony Ventre (4/2008-4/2012)

Vincent O'Reilly (4/2008-4/2012)

Andrew J. Bowen, Town Administrator

Middletown Planning Commission

Mark Carney, Chairman (12/2006-12/2011)

Robert Smart (12/2006-12/2011)

David Lake (2/2007-2/2012)

Richard Dietrick, Comm. Ex-Officio (4/10-4/14)

Bob Miller (1/2010-5/2013)

Chris Goodman, Alternate (1/2010-7/2014)

Rich Gallagher, Temp Alt. (2/2011-2/2016)

Middletown Board Of Appeals

Fred Rudy, Chairman (6/2010-6/2013)

Thomas Routzahn (1/2008-2/2014)

Kenneth Kyler (1/2008-2/2014)

Chris Stimac, Alternate (1/2008-2/2014)

Planning Department Staff

Cynthia K. Unangst

Town Zoning Administrator

Cynthia K. Unangst

Engineering Staff

Bruce Carbaugh, Director of Operations and Construction

INTRODUCTION

Section 3.09 of Article 66B of the Annotated Code of Maryland requires that the Planning Commissions of non-charter counties and municipalities prepare, adopt and file an annual report with the local legislative body and a copy of the report be mailed to the Director of the Maryland Office of Planning. The report is a retrospective look at development activity within the jurisdiction with a focus on whether that activity is or is not consistent with a variety of adopted plans. The report thus informs both the Planning Commission and local legislative body about the strengths and weaknesses of the local planning program.

The year 2011 was a period of relatively low growth due to the economy. The MDE consent agreement was lifted in April 2011. A review of the Consent Agreement requirements by MDE showed that all of the substantive requirements were met and the Agreement was no longer needed. It was determined that there is sufficient capacity within the water supply system for the Town to meet its current obligations while leaving a reserve capacity.

POPULATION IN MIDDLETOWN

<u>YEAR</u>	<u>POPULATION</u>	<u>INCREASE OR DECREASE</u>
1970 Census	1,262	N/A
1980 Census	1,748	486
1990 Census	1,834	86
2000 Census	2,668	173
2001 Estimate	2,768	100
2002 Estimate	2,951	183
2003 Estimate	3,237	286
2004 Estimate	3,655	418
2005 Estimate	3,833	178
2006 Estimate	3,966	133
2007 Estimate	4,105	139
2008 Estimate	4,198	93
2009 Estimate	4,239	41
2010 Census	4,136	-103
2011 Estimate	4,163	27

TEN YEAR PERIODS OF POPULATION GROWTH based on Census

1970 – 1980	486
1980 – 1990	86
1990 – 2000	834
2000 – 2010	<u>1,468</u>
	2,874

MIDDLETOWN PLANNING COMMISSION

The Middletown Planning Commission is a five-member commission, which has review and approval authority of site plans and subdivisions. In addition, the Planning Commission makes recommendations to the Burgess and Commissioners on rezoning, text amendments, annexations, and any other issue, which is planning related. The Middletown Planning Commission also makes recommendations to the Middletown Board of Appeals on cases involving special exceptions. **(Numbers/letters in front of plan names correspond to numbers/letters on attached map.)**

CONCEPT PLANS PRESENTED-2011

Name Units Zoning Request for:

None

SITE PLANS-2011

Name Units Zoning Request for:

- 1A. Air
Washington Street 1 R-3 Approval of temporary storage container
(Approved 2/11)
- 1B. Hollow Creek
Glenbrook Drive 1 GC Approval of leaderboard at golf course
(Approved 2/11)
- 1C. Valley Fitness Revised
North Church Street 1 GC Approval of change of use to a gym
(Approved 2/11)
- 1D. Miller Demolition
East Main Street 1 TC Approval of demolition of a shed
(Approved 3/11)
- 1E. S. Mountain Collision
Garage Drive 1 TC Approval of vehicle repair facility
(Approved 4/11)
- 1F. Asian Café
North Church Street 1 TC Approval of change of use to a restaurant
(Approved 9/11)
- 1G. Fish Demolition
East Main Street 1 R-2 Approval of demolition of barn
(Approved 10/11)
- 1H. Fire Dept. Activities Center
Fireman's Way 1 OS Approval of activities center
(Approved 10/11)
- 1I. Hough Demolition
East Main Street 1 R-2 Approval of demolition of a shed
(Approved 11/11)
- 1J. Asian Café Addition
North Church Street 1 TC Approval of addition to restaurant
(Approved 11/11)

MASTER PLANS-2011

Name Units Zoning Request for:

None

LANDSCAPE PLANS-2011

Name Units Zoning Request for:

None

PRELIMINARY PLANS-2011

Name Units Zoning Request for:

None

MASS GRADING/SWM PLANS-2011

<u>Name</u>	<u>Units</u>	<u>Zoning</u>	<u>Request for:</u>
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None

IMPROVEMENT PLANS-2011

<u>Name</u>	<u>Units</u>	<u>Zoning</u>	<u>Request for:</u>
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2. Coblentz Grove Villas Coblentz Road	3	R-1	Approval for a three-lot subdivision (Approved 2/11)
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FINAL FORESTRY PLANS-2011

<u>Name</u>	<u>Units</u>	<u>Zoning</u>	<u>Request for:</u>
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None

CORRECTION PLATS-2011

<u>Name</u>	<u>Units</u>	<u>Zoning</u>	<u>Request for:</u>
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None

ADDITION PLATS-2011

<u>Name</u>	<u>Units</u>	<u>Zoning</u>	<u>Request for:</u>
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None

FINAL PLATS-2011

<u>Name</u>	<u>Units</u>	<u>Zoning</u>	<u>Request for:</u>
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3. Coblentz Grove Villas Coblentz Road	3	R-1	Approval of a three-lot subdivision (Approved 7/11)
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RE-ZONING REQUESTS:

None

ANNEXATIONS:

None

TEXT AMENDMENTS:

Text Amendments recommended to Burgess and Commissioners for adoption. (Municipal Code Number)

Zoning violations regulations – Planning Commission recommended adoption of revisions including making stylistic changes to comport with enabling legislation in Article 23A, Section 3 of the Annotated Code of Maryland and to change the penalty for zoning violations from \$100 to an amount not to exceed \$1,000. (Section 17.08.110) [PC recommended 1/11; B&C adopted 3/11]

Forest Conservation Ordinance – Planning Commission recommended adoption of revisions to Chapter 16.40 pertaining to Forest Conservation to comply with amendments to the Maryland law made by Acts of 2010, Chapter 298; to repeal the provisions which authorize the return, after a certain period of time, of unused funds paid into the forestation fund; to revise the requirements for the annual report; and to amend the requirements for retention priority. (Section 16.40) [PC recommended 2/11; B&C adopted 3/11]

Vehicle Repair Use special exceptions – Planning Commission recommended adoption of revisions pertaining to special exceptions in the Town Commercial district; to change the types of repairs and services that are permitted by special exception on property used as a vehicle repair services facility; to delete provisions pertaining to the number of vehicles that may be stored at such facilities while awaiting repair; to provide that parking at such facilities shall be addressed as part of the site plan approval process. (Section 17.20.010, Section 17.48.250) [PC recommended 2/11; B&C adopted 3/11]

Restricted vehicles regulations – Planning Commission recommended adoption of revisions relating to definitions for restricted vehicles; to amend regulations pertaining to design standards for off-street parking; to add regulations pertaining to on-street parking; and to amend regulations pertaining to design standards for recreational equipment. (Section 17.04.030, Section 17.32.060, Section 17.32.065, Section 17.32.140) [PC recommended 1/11; B&C adopted 7/11]

Solar collection systems – Planning Commission recommended adoption of establishing regulations governing the installation of solar collection systems within the Town of Middletown; providing definitions and establishing regulations pertaining to building-mounted solar collection systems; permitting freestanding solar collection systems only by special exception; establishing specific standards for freestanding solar collection systems as a special exception. (Section 17.04.030, 17.38, 17.48.400) [PC recommended 9/11; B&C adopted 1/12]

BOARD OF APPEALS: (letters in front of applicant names correspond to letters on attached map)

<u>Applicant</u>	<u>Request</u>	<u>Location</u>	<u>Motion</u>	<u>Date</u>
A. S. Mountain Collision	Special exception for vehicle repair facility	3 Garage Drive	Approved	3/22/11
B. Butler	3' variance for rear deck	713 Glenbrook Drive	Approved	6/9/11
C. Goucker	2' variances for shed	201 Mina Drive	Approved	11/16/11

INFRASTRUCTURE PROJECTIONS:

TRANSPORTATION:

Action taken by the Town in the year 2011 has been consistent with the Town Comprehensive Plan and best management planning practices.

A Middletown Parkway remains a priority of the Town and is included in the Town Comprehensive Plan with alignments both north and south of town. Future development should incorporate roadway dedication and construction to provide minimum collector type road links from east to west, and a collector from US 40-A north to I-70.

The County and Town should develop plans to transfer Coblenz Road from county road status to the municipal street system in conjunction with the Admar annexation, should that ever occur.

The State Highway Administration is resurrecting the plans and cost estimates for improvements to the Main Street area of Middletown. The scope of the work includes replacement of water mains and storm water lines in the Main Street SHA right-of-ways and the feasibility studies for relocating utility lines, new signage, traffic patterns, and replacement or installation of curb, gutter and sidewalks.

WATER SUPPLY AND DISTRIBUTION:

The Town depends on 22 wells, 4 groups of springs, two reservoirs, and a water tower to supply water to the Town. The current total withdrawal permitted by the Town is 407,000 gallons per day (gpd). The average daily use for 2011 was 321,000 gpd. The water system is routinely monitored for possible contaminants in accordance with Federal and State laws, and none were at violation levels in 2011.

WASTE WATER TREATMENT FACILITIES:

The East End Wastewater Treatment Plant (WWTP) on the south side of Holter Road at Hollow Creek is designed to process 350,000 gpd of sewerage. The current discharge permit for the plant is 250,000 gpd. Average daily flows for 2011 were 204,000 gpd.

The discharge for the West End WWTP at Catocin Creek in the southwest section of Town is 250,000 gpd. Average daily flows for 2011 were 222,000 gpd.

There were no violations in 2011.

WATER/SEWER MASTER PLAN

Although the Town developed a Water/Sewer Master Plan as a Subsidiary Plan to the County Water/Sewer Master Plan, it was denied by the State in 2004, and consequently the Town complies with the County's Water and Sewer Master Plan.

PARKS AND GREENWAYS:

In 2011, the Town continued construction of Remsberg Park, a community recreational park located on the south-side of Holter Road. Phase I construction includes parking lots, two baseball/softball fields, three multi-purpose fields, a walking path, storm drainage, storm water management facilities, county road widening and an entrance road to the park. The total acreage of the park is approximately 87.9 acres.

The Town of Middletown also purchased 6 parcels of land adjacent to Cone Branch Creek for the establishment of a walking/biking trail from East Main Street to Franklin Street. This walking/biking trail will connect the existing sidewalk system to Remsburg Park and Middletown Primary School which is also a Recreation Center.

PROTECTION OF HISTORIC STRUCTURES:

At the present time, the only regulations regarding the demolition of buildings are a zoning control (Section 17.32.160, Zoning, Middletown Municipal Code), which requires a Demolition Permit. This permit allows a building to be inventoried prior to the demolition but does not prohibit demolition.

The Town has approval of two historic districts approved by the National Register, allowing for property owners to voluntarily participate in government programs to recognize and improve properties. This process required establishment of a Historic Commission, which acts as a conduit between property owners and available programs. The Town also worked with private citizens to implement an identification plaque program for placement of plaques on historically significant structures in the historic districts. No plaques were placed on historically significant structures in 2011.

STRATEGIC PLANNING INITIATIVES

ZONING ORDINANCE UPDATE

The Planning Commission and planning staff began a comprehensive review of the Town Zoning Ordinances to review changes for consistency with the updated Middletown Comprehensive Plan in 2010.

PLANNING COMMISSION RECOMMENDATIONS:

ONGOING RECOMMENDATIONS:

1. Review walkway and road construction strategies to be incorporated into current & future growth and development.
2. Review and refine a management system for the plan review process to help ensure that files are complete and easily accessible, and which includes a checklist to verify that all agency approvals are in place.
3. Continue review of zoning ordinances as needed to ensure compatibility with the comprehensive plan.
4. Work on promotion and development of a trails system as shown in the Comprehensive Plan by working with the Town Board, citizens and community groups.

NEW RECOMMENDATIONS:

1. Work closely with Main Street Maryland Program to help revitalize downtown Middletown.
2. Work on promoting sustainable development practices thru the development review process.
3. Work on applying for the Maryland Sustainable Communities designation and discuss potential projects to consider for any applicable funding associated with the designation.