



MIDDLETOWN PLANNING COMMISSION

2013 ANNUAL REPORT

Approved June 23, 2014 by Burgess & Commissioners

BURGESS & COMMISSIONERS

John Miller, Burgess (4/2012-4/2016)

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

Larry Bussard (4/2010-4/2014)

Richard Dietrick (4/2010-4/2014)

Anthony Ventre (4/2012-4/2016)

Chris Goodman (4/2012-4/2016)

Andrew J. Bowen, Town Administrator

Middletown Planning Commission

Mark Carney, Chairman (12/2011-12/2016)

Robert Smart (12/2011-12/2016)

David Lake (2/2012-2/2017)

Bob Miller (1/2010-5/2013) (5/2013-5/2018)

Chris Goodman, Comm. Ex-Officio (4/2012-4/2016)

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

Ron Forrester, Temp. Alt (6/2012-6/2017)

Middletown Board Of Appeals

Fred Rudy, Chair (6/2010-6/2013)(6/2013-6/2016)

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 (January-November 2013)

Andrew Bowen (December 2013)

Engineering Staff

Bruce Carbaugh, Director of Operations and Construction

INTRODUCTION

Section 1-207 of the Land Use Article 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.

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
2012 Estimate	4,272	109
2013 Estimate	4,295	23

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. **(Plan names are shown on attached map.)**

CONCEPT PLANS PRESENTED-2013

<u>Name</u>	<u>Units</u>	<u>Zoning</u>	<u>Request for:</u>
1A. Fire Department Station Franklin Street	1	OS	Discussion of concept plan for new fire station (4/22 and 8/19)

1B. Cross Stone Shopping Center Middletown Parkway	4	GC	Discussion of concept plan for shopping center with four commercial buildings (5/20)
1C. Miller Property	4	TC	Discussion of concept plan for restaurant and market (9/16)

SITE PLANS-2013

<u>Name</u>	<u>Units</u>	<u>Zoning</u>	<u>Request for:</u>
2A. Washington Gas Line/ Cone Branch Walking Path	1	R-1	Approval of walking path and underlying gas line (Approved 1/21)
2B. High School C-container Schoolhouse Drive	1	OS	Approval of temporary C-container at high school (Approved 2/18)
2C. Municipal Center C-container West Main Street	1	TC	Approval of temporary C-container (Approved 2/18)
2D. Potomac Gun Depot West Main Street	1	TC	Approval of internet-based gun retail business (Approved 2/18)
2E. Thompson Parking Lot East Green Street	1	R-2	Approval of parking lot use in R-2 district by special exception (Approved 4/22)
2F. Potomac Gun Depot West Main Street	1	TC	Approval of revised site plan for gun retail business (Approved 6/17)
2G. Rudy Pool Demolition Broad Street	1	R-1	Approval of demolition of in-ground pool (Approved 6/17)
2H. Rock Star LLC West Main Street	1	TC	Approval of personal training business (Approved 6/17)
2I. More Ice Cream West Main Street	1	TC	Approval of ice cream parlor (Approved 6/17)
2J. Right-A-Way Powder Coating North Church Street	1	GC	Approval of powder-coating business (Approved 6/17)
2K. Valley School Demolition East Green Street	1	R-2	Approval of demolition of existing garage and shed (Approved 7/15)
2L. Valley School East Green Street	1	R-2	Approval of child day care center (Approved 8/19)
2M. High School C-Container Schoolhouse Drive	1	OS	Approval of extension of temporary C-container (Approved 8/19)
2N. Cross Stone Commons Middletown Parkway	4	GC	Approval of shopping center development (8/19; Approved 11/18)

20. Fire Station Franklin Street	1	OS	Approval of new fire station (Approved 11/18)
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MASTER PLANS-2013

<u>Name</u>	<u>Units</u>	<u>Zoning</u>	<u>Request for:</u>
3. Coblentz Property East Green Street	81	R-3	Approval of amended Master Plan (Approved 1/21)

PRELIMINARY PLANS-2013

<u>Name</u>	<u>Units</u>	<u>Zoning</u>	<u>Request for:</u>
4. Coblentz Property East Green Street	81	R-3	Approval of neo-traditional residential development (Approved 3/18)

MASS GRADING/SWM PLANS-2013

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

IMPROVEMENT PLANS-2013

<u>Name</u>	<u>Units</u>	<u>Zoning</u>	<u>Request for:</u>
5A. Fire Dept. Activities Center Fireman's Way	1	OS	Approval of improvement plans for the fire department activities center (Approved 4/22)
5B. Valley School East Green Street	1	R-2	Approval of improvement plans for child daycare center (Approved 8/19)
5C. Coblentz Property East Green Street	81	R-3	Approval of improvement plans for neo-traditional residential development (Approved 10/21)

FOREST CONSERVATION PLANS-2013

<u>Name</u>	<u>Units</u>	<u>Zoning</u>	<u>Request for:</u>
6A. Coblentz Property East Green Street	81	R-3	Approval of preliminary forest conservation plan (Approved 1/21)
6B. Valley School East Green Street	1	R-2	Approval of combined forest conservation plan (Approved 6/17)
6C. Cross Stone Commons Middletown Parkway	4	GC	Approval of preliminary forest conservation plan (Approved 11/18)

CORRECTION PLATS-2013

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

ADDITION PLATS-2013

<u>Name</u>	<u>Units</u>	<u>Zoning</u>	<u>Request for:</u>
7. Cross Stone Commons Middletown Parkway	4	GC	Approval of addition of two parcels into one (Approved 11/18)

FINAL PLATS-2013

<u>Name</u>	<u>Units</u>	<u>Zoning</u>	<u>Request for:</u>
8. Fire Station Franklin Street	1	OS	Approval of final plat for new fire station (Approved 10/21)

RE-ZONING REQUESTS:

None

ANNEXATIONS:

Middletown County Park Coblentz Road	74 acres	OS	Approval of Town request to annex park into town boundaries (9/16)
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TEXT AMENDMENTS:

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

Parking Lot special exceptions – Planning Commission recommended adoption of parking lots as a use in the R-2 zoning district permitted by special exception and to establish specific standards which must be met in order to permit parking lots in the R-2 district by special exception. (Section 17.06.030, Section 17.48.400) [PC recommended 12/17/2012; B&C adopted 2/11]

Forest Resource regulations – Planning Commission recommended adoption of regulations relating to forest conservation including the addition of definitions for “priority funding area” are “stream restoration project” and the addition of exemptions from the forest conservation requirements. (Section 16.40) [PC recommended 12/16]

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. Thompson	Special exception for parking lot	32 East Green St.	Approved (conditionally)	3/27/13
B. Valley School	Special exception for daycare center	30 East Green St.	Approved	5/8/13
C. Cross Stone Commons	Special exception for shopping center	Middletown Parkway/ Alt. 40A	Approved (conditionally)	5/8/13
D. Wells	variance of 4’ for pool	29 Wagon Shed Lane	Approved	5/8/13
E. Warner	variance of 10’ for deck	212 Layla Drive	Approved	6/24/13

INFRASTRUCTURE PROJECTIONS:

TRANSPORTATION:

Action taken by the Town in the year 2013 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 387,000 gallons per day (gpd). The average daily use for 2013 was 296,000 gpd (down from 300,000 in 2012). The Town's continued annual decrease in water use is due to the Town's leak detection program and water conservation program. The water system is routinely monitored for possible contaminants in accordance with Federal and State laws, and none were at violation levels in 2013.

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 2013 were 215,000 gpd (up from 198,000 in 2012).

The discharge for the West End WWTP at Catocin Creek in the southwest section of Town is 250,000 gpd. Average daily flows for 2013 were 182,000 gpd (slightly down from 183,000 gpd in 2012).

There were no violations for either plant in 2013.

NATURAL GAS

A natural gas line installation completed in 2013 provides natural gas to the school complex in Middletown. This upgrade provides enormous savings to the schools and was funded by Frederick County Public Schools. The Town provided the necessary easement across Town property to reduce the cost of running the line down Main Street.

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 2013, the Town completed construction of the walking/biking trail along the Cone Branch Creek. This walking/biking trail connects the existing sidewalk system to Remsberg 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 2013.

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 potential projects to consider for any applicable funding associated with the new Sustainable Communities designation through DHCD.
4. Planning Commission will promote electronic filing of permits and plans, adjustment of submission requirements as needed and use of electronic records review by the planning staff and the Planning Commission.