



## MIDDLETOWN PLANNING COMMISSION

# 2014 ANNUAL REPORT

Approved April 20, 2015 by Middletown Planning Commission

### BURGESS & COMMISSIONERS

John Miller, Burgess (4/2012-4/2016)  
Jennifer Falcinelli, Burgess Pro-tem (4/2010-4/2014) (4/2014-4/2018)  
Larry Bussard (4/2010-4/2014) (4/2014-4/2018)  
Richard Dietrick (4/2010-4/2014) (4/2014-4/2018)  
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 (5/2013-5/2018)  
Chris Goodman, Comm. Ex-Officio (4/2012-4/2016)  
Rich Gallagher, Alt. (2/2011-2/2016)  
Ron Forrester, Temp. Alt (6/2012-1/2014)  
Dixie Eichelberger, Temp. Alt (2/2014-6/2017)

### Planning Department Staff

Cynthia K. Unangst

### Engineering Staff

Bruce Carbaugh, Director of Public Works

### Middletown Board Of Appeals

Fred Rudy, Chair (6/2013-6/2016)  
Thomas Routzahn (2/2011-2/2014) (2/2014-2/2017)  
Kenneth Kyler (2/2011-2/2014) (2/2014-2/2017)  
Chris Stimac, Alternate (1/2008-2/2014)

Alex Kundrick, Alternate (2/2014-2/2017)

### Town Zoning Administrator

Ron Forrester (appointed 2/1/2014)

**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
<b>2010 Census</b>	<b>4,136</b>	<b>-103</b>
2011 Estimate	4,163	27
2012 Estimate	4,272	109
2013 Estimate	4,295	23
2014 Estimate	4,313	18

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-2014**

<u>Name</u>	<u>Units</u>	<u>Zoning</u>	<u>Request for:</u>
1A. Garden Center North Church Street	1	GC	Discussion of concept plan for new garden center (3/17)

**SITE PLANS-2014**

<u>Name</u>	<u>Units</u>	<u>Zoning</u>	<u>Request for:</u>
2A. Cross Stone Commons Middletown Parkway	2	GC	Approval of architectural renderings for 2 buildings (Approved 3/17)
2B. Zion Cemetery Stg. Shed Ifert Drive	1	OS	Approval of storage shed for Lutheran cemetery (Approved 4/21)
2C. Garden Center North Church Street	1	GC	Approval of garden center (4/21; Approved 5/19)
2D. AMVETS Expansion West Green Street	1	OS	Approval of revised expansion plans (Approved 5/19)
2E. Jiffas Architectural Review West Green Street	2	TC	Approval of architectural renderings for duplex (6/16)
2F. Verizon Small Cell Antenna East Main Street	1	GC	Approval of small cell antenna installation (Approved 7/21)
2G. Asian Cafe Parking Lot East Green Street	1	TC	Approval of revised overflow parking lot use (Approved 9/15)
2H. Chesterbrook Phase 2 Franklin St. /Broad St.	3	R-3	Approval of revised plans for multi-family development (10/20)
2I. Cross Stone Commons Middletown Parkway	4	GC	Approval of revised site plan for shopping center (Approved 10/20)
2J. Delauter Demolition Jefferson Street	3	R-2	Approval of demolition of dwelling and two sheds (Approved 11/17)
2K. Library C-Container Prospect Street	1	R-2	Approval of temporary C-container (Approved 12/15)

**MASTER PLANS-2014**

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

**PRELIMINARY PLANS-2014**

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

**MASS GRADING/SWM PLANS-2014**

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

**IMPROVEMENT PLANS-2014**

<u>Name</u>	<u>Units</u>	<u>Zoning</u>	<u>Request for:</u>
3A. Cross Stone Commons Middletown Parkway	4	GC	Approval of improvement plans for shopping center (3/17; 4/21; 5/19; Approved 7/21)
3B. Cross Stone Commons Middletown Parkway	4	GC	Approval of revised improvement plans for shopping center (Approved 10/20)

**FOREST CONSERVATION PLANS-2014**

<u>Name</u>	<u>Units</u>	<u>Zoning</u>	<u>Request for:</u>
4A. Coblenz Property East Green Street	81	R-3	Approval of final forest conservation plan (Approved 4/21)
4B. Cross Stone Commons Middletown Parkway	4	GC	Approval of final forest conservation plan (Approved 5/19)

**CORRECTION PLATS-2014**

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

**ADDITION PLATS-2014**

<u>Name</u>	<u>Units</u>	<u>Zoning</u>	<u>Request for:</u>
5. Schoonover Lombardy Drive/Linden Boulevard	0	R-1	Approval of addition of parcel to the Town (Approved 10/20)

**FINAL PLATS-2014**

<u>Name</u>	<u>Units</u>	<u>Zoning</u>	<u>Request for:</u>
6. Coblenz Property East Green Street	81	R-3	Approval of final plats for 81-lot subdivision (Approved 11/17)

**RE-ZONING REQUESTS:**

None

**ANNEXATIONS:**

None

**TEXT AMENDMENTS:**

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

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 12/16/2013; B&C adopted 1/13]

Fee Schedule – Planning Commission recommended adoption of assessment and collection of fees for the submission and review of documents relating to various land use, planning and zoning matters, and a fee schedule for such fees, including the assessment of an electronic filing fee for certain submissions. (Section 17.52) [PC recommended 1/20; B&C adopted 4/14]

Sandwich Board Signs – Planning Commission recommended adoption of regulations pertaining to A-Frame, T-Frame and Sandwich Board Signs including amending the definition of such signs and to provide for conditions under which displaying such signs require and do not require a permit issued by the Town. (Section 17.36) [PC recommended 1/20; B&C adopted 4/14]

Cluster Development regulations – Planning Commission reviewed, but did not recommend, adoption of regulations to authorize the use of property for purposes of residential cluster development in the R-20 zoning district and to establish regulations for the use of property for purposes of residential cluster development, as well as authorizing an active adult community to be developed as a residential cluster development as a special exception under stated conditions. (Sections 17.16, 17.42, and 17.48.015) [PC did not recommend adoption 7/21; B&C adopted 9/8]

Adult Entertainment Businesses – Planning Commission recommended adoption of definitions for terms relating to adult entertainment businesses and regulations to authorize the use of property as an adult entertainment business provided it is not located within 1,500 feet of other property used as a school, park, child day care center, church or house of worship, or another adult entertainment business. (Sections 17.04 and 17.32.225) [PC recommended 9/15; B&C adopted 10/13]

**BOARD OF APPEALS: (Applicant names are shown on attached map)**

<u>Applicant</u>	<u>Request</u>	<u>Location</u>	<u>Motion</u>	<u>Date</u>
A. Dacey	variance of 16' for deck	509 Glenbrook Dr.	Approved	6/24/14
B. Delauter	variances from lot size and setbacks	329 S. Jefferson St.	Approved	11/19/14
C. Chesterbrook Phase 2	variances for height, open space and density	corner of Broad and Franklin Streets	Denied	11/19/14
D. Jiffas	variance of 22' for duplex	406 W. Green Street	Approved	12/16/14

**INFRASTRUCTURE PROJECTIONS:**

TRANSPORTATION:

Action taken by the Town in the year 2014 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 2014 was 299,000 gpd. The water system is routinely monitored for possible contaminants in accordance with Federal and State laws, and none were at violation levels in 2014.

**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 2014 were 233,000 gpd.

The discharge permit for the West End WWTP at Catocin Creek in the southwest section of Town is 250,000 gpd. Average daily flows for 2014 were 241,000 gpd.

There were no violations for either plant in 2014.

**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 2014, the Town completed construction of a pavilion at Remsberg Park.

**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 2014.

**STRATEGIC PLANNING INITIATIVES**

**ZONING ORDINANCE UPDATE**

The Planning Commission and planning staff completed their comprehensive review of the Town Zoning Ordinances to review changes for consistency with the updated Middletown Comprehensive Plan in 2010 and have sent the proposed revisions to the Town Board for approval.

## **COMPREHENSIVE PLAN REVIEW**

Due to the fact that there have been no policy changes made in recent years to warrant an update to the Town's Comprehensive Plan at this time, the Plan will most likely be updated in 2020 in conjunction with the 2020 Census data.

## **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.