AGENDA FOR THE TOWN MEETING

July 11, 2016
7:00 p.m.

Red Indicates –	Action Item
Green Indicates –	Ordinance Introduction
Blue Indicates –	Link to Additional Information

PLEDGE TO THE FLAG

CALL TO ORDER

CONSENT AGENDA

- Middletown Valley Bank MOU
- Town Meeting Minutes
  - June 13, 2016 –Town Meeting

STAFF REPORTS:

Staff Planner
Engineer's Report
Main Street Manager
Zoning Administrator

PERSONAL REQUESTS FOR AGENDA:

- *Corie Meese, 608 East Main Street, Drainage Swale Issues*

UNFINISHED BUSINESS:

- Inflow & Infiltration Bids
- FCPS Site Plan for Traffic Improvements
- Discussion of Charter Amendments
- Walking Trail Maps Review
- Updated Plan for Memorial Park Equipment Upgrades
- Water & Sewer Recommendation on Tap Fee Increase

REPORT OF COMMITTEES:

Water/Sewer	Commissioner Falcinelli
Public Works	Commissioner Bussard
Planning Commission Liaison	Commissioner Catania
Parks & Recreation	Commissioner Goodman
Finance	Commissioner Dietrick
Public Information Committee	Commissioner Falcinelli

NEW BUSINESS:

- **Request from Richland Golf Club for Use of Town Parking Lot on Glenbrook Drive**
- **MVAA Reservation Forms for Town Parks and Fees**
- **Community Parks & Playground Application**
- Planning Commission – Review on Text Amendments
  - **Section 17.32.045 – Storage & Disposal Containers**
    - **Ordinance Introduction – 16-08-01 – Definition for Storage Container – Schedule Public Hearing**
  - **Section 17.32.125 – Residential Uses in TC District**
    - **Ordinance Introduction – 16-08-02 – Sale of Motor Vehicles for Residential Uses in TC District – Schedule Public Hearing**
    - **Ordinance Introduction – 16-08-03 – Off Street Parking for Motor Vehicles for Residential Uses in TC District – Schedule Public Hearing**

PUBLIC COMMENTS:

ANNOUNCEMENTS:

- *Movie Night, The Princess Bride – Friday, July 15, 2016, 7:00PM*

ADJOURNMENT

Memorandum of Understanding
Park Development – 30 West Main Street

This Memorandum of Understanding (MOU) executed on this _____ day, in the month of _____ the year 2016, by Middletown Valley Bank (MVB) and the Burgess and Commissioners of the Town of Middletown, located in Frederick County, Maryland (Town).

Whereas, the Town wishes to complete development of a park at 30 West Main Street, and

Whereas, the parties acknowledge that MVB owns all of the real property, and

Whereas, the parties wish to cooperate to complete the necessary improvements to satisfy the recreational needs of the community, and

Whereas, the Town acknowledges that at the request for MVB all elements would be removed the property within 90 days, and

Whereas, the Town has an obligation to the community to provide recreational areas,

Now, Therefore, in consideration of the mutual promises between MVB and the Town, as set forth herein, the adequacy of which is hereby acknowledged, the parties agree to the following:

1. The Town would be responsible for maintenance of the property. To include such items as mowing, snow removal from sidewalks, trash removal, and any other items related to property maintenance.
2. The Town would be responsible for the development of the following elements for the park, at NO COST to MVB:
    a. Water Fountain
    b. Sitting Wall
    c. Decorative Pavers
    d. Areas for display of art work and other heritage elements
3. The Town will seek the approval of all elements from MVB. Final approval rests with MVB.
4. At the request of MVB, the Town would removal all elements within 90 days.

In Witness Whereof, the parties hereto have caused this MOU to be executed by their respective duly authorized officers.

Middletown Valley Bank

_____
Witness

_____
Robert Goetz, Jr., President

Burgess and Commissioners of Middletown, Maryland

_____
Andrew J. Bowen, Town Administrator

_____
John D. Miller, Burgess

BURGESS AND COMMISSIONERS
OF MIDDLETOWN MARYLAND

TOWN MEETING MINUTES

REGULAR MEETING **June 13, 2016**

The first monthly meeting of the Burgess and Commissioners of Middletown was called to order on June 13, 2016, by Burgess Miller at 7:00 p.m. in the Middletown Municipal Center, 31 W. Main Street, Middletown, Maryland. Present were: Commissioners Larry Bussard, Jennifer Falcinelli, Rick Dietrick, Tom Catania and Christopher Goodman.

CONSENT AGENDA
Financial Statements
Town Minutes – May 23, 2016 – Public Hearings & Town Meeting
Commissioner Bussard motioned to accept this consent agenda as corrected, seconded by Commissioner Dietrick and passed unanimously.

Personal Requests for Agenda:
Zach Spurrier & Dean Myers – 4H Group – Asked the Burgess & Commissioners if they could continue on the storm drain project that a few girl scouts had started. Both Mr. Spurrier and Mr. Dean will be attending the MD State Competition this fall. The Burgess & Commissioners were receptive of the boys continuing on with stenciling the storm drains as long as it was the same wording and color as the girl scouts did. Drew will provide the boys with the available storm drain locations.

Unfinished Business:
Community Service Time – Policy for Employees – Burgess Miller stated that all the changes previously discussed have been made to this policy. Commissioner Dietrick stated that he doesn't think that we should pay our employees to volunteer.
Motion by Commissioner Goodman to approve the Community Service Time Policy for Employees as presented, seconded by Commissioner Catania. Motion carried 4-2 (Dietrick & Falcinelli voted against).
Discussion of Charter Amendments - Drew went over Charter with the Board to see if there was any other changes that they wanted to make other than the change to 2.04.030 Standing Committees and Cindy will be providing us her proposed change to the Planning Commission section of the Charter.
Compost Bin Program – Motion by Commissioner Goodman to approve up the $300 to purchase however many bins we can get, sell them to Town residents only for $20, seconded by Commissioner Falcinelli. Motion carried 6-0.

REPORTS OF COMMITTEES –
WATER & SEWER – Commissioner Falcinelli reported:
Spring Flow – 138,000, water used May 2016 – 292,000, East WWTP treated 337,000 gal., and the WWTP treated 236,000 gal.
No meeting in June.
PUBLIC WORKS – Commissioner Bussard reported:
Our guys have been busy replacing water valves, sewer clogs, trimming trees and watering flowers. New truck is due in the end of June. Green Street is ongoing.
PLANNING COMMISSION – Commissioner Catania reported:

Joint meeting went very well had a very good presentation from the representative of Frederick County Public School on the proposed enhancements to the school complex. Franklin Commons(Chesterbrook) is on schedule. The builder is Dan Ryan. Richland Golf Driving Range will be back on the agenda for review.

PARKS and RECREATION – Commissioner Goodman reported:
Received almost $33,000 in POS money for phase 2 of Memorial Park. Meeting on Wednesday, June 15 @7pm. with Tim from Playground Specialist to go over equipment for phase 1. Will also discuss location of pavilion location at Wiles Branch Park.

FINANCE – Commissioner Dietrick – no report

PUBLIC INFORMATION – Commissioner Falcinelli reported:
Quarterly update information is due by June 17, 2016.

NEW BUSINESS:

Boy Scouts – Municipal Center Use – Burgess Miller will be contacting the scout leader to discuss the future plans for the meeting room.

PUBLIC COMMENT: none

ANNOUNCEMENTS:

ADJOURNMENT
Meeting adjourned at 7:53pm.

Respectfully submitted,

Ann Griffin
Office Manager

Town of Middletown Planning Department

To: Burgess & Commissioners and Middletown Planning Commission

From: Cindy Unangst, Staff Planner

Date: 7/5/2016

RE: Monthly Planning Update

Major Subdivisions:

Coblentz on Green - Master Plan Amendment approved - March 11, 2013
Preliminary plans signed – May 29, 2013
Improvement plans conditionally approved – October 16, 2013 (Plans expire 10/16/2016)
Final FRO Plan approved – April 21, 2014
Final Plats conditionally approved – November 17, 2014
Plats 1 & 2 recorded at Courthouse – May 17, 2016

Foxfield – no more building permits to be applied for!

Site Plans and Minor Subdivisions:

Franklin Commons/Chesterbrook Phase 2 - Site Plan approved – July 17, 2006
Improvement Plans approved and signed – September 16, 2008
Phase 2 Site Plan conditionally approved – January 19, 2015 (Plans expire 1/19/2018)
Phase 2 FRO plan conditionally approved – January 19, 2015
Phase 2 Improvement Plans conditionally approved – Sept. 21, 2015 (Plans expire 9/21/18)
Mylars signed – January 4, 2016

Fire Station – Concept plan submitted to PC for comments – April 22, 2013
Fire Station plat conditionally approved – October 16, 2013
Fire Station Site Plan conditionally approved – November 18, 2013 (Plans expire 11/18/2016)

Horman Apartments- Site Plan approved – April 21, 2008
Improvement Plans conditionally approved – May 17, 2010
Currently approved SWM plans remain valid until May 4, 2017
Mylars signed – September 11, 2015

Jiffas – Site Improvement Plan conditionally approved – October 20, 2008
Forest Conservation Plan approved – October 20, 2008
Revised Architectural Plans submitted and reviewed – June 16, 2014
Architectural plans approved by PC – March 16, 2015
BOA hearing for variance requests (approval received) – March 29, 2016

Miller (Ingalls) – Concept and Phase I & II Plan approved & signed – September 27, 2010
Revised Concept Plan reviewed by PC – September 16, 2013
Site plan conditionally approved by PC – July 20, 2015 (Plans expire July 20, 2018)

Cross Stone Commons – BOA Special Exception Use Hearing – May 8, 2013
Revised architectural plans approved by PC – March 17, 2014
Final FRO Plan approved – May 19, 2014
Revised Site Plan conditionally approved – October 20, 2014 (Plans expire 10/20/17)
Phase 1 Improvement Plans conditionally approved – October 20, 2014 (Plans expire 10/20/17)
Phase 2 Improvement Plans conditionally approved – March 16, 2015 (Plans expire 3/16/2018)
Phase 2 mylars submitted for signature – October 30, 2015
Dedication (donation) plat mylars signed – December 1, 2015
Building permit for building #3 applied for – June 24, 2016

Nicholson - Final Plat submitted for review – March 2, 2015
Subdivision plat conditionally approved by PC – June 20, 2016

Putman – Forest Conservation Plan approved – June 16, 2009
Revised Site Plan Extension request approved for 6-months – March 16, 2015
Revised Improvement Plans conditionally approved – March 16, 2015(Plans expire March 2018)
Site work has begun – October 16, 2015

Richland Driving Range – Concept plan reviewed by PC – January 18, 2016
Site Plan reviewed by PC – May 16, 2016
Revised Site Plan conditionally approved by PC – June 20, 2016

School complex – PC reviewed plans for comment to Town Board – June 20, 2016

Wachter shed demolition – approved by PC - May 16, 2016

Annexations:

A.C. Jets Property- PC approval of annexation petition of 35.96 acres – December 21, 2009
Public hearing date - Monday, October 11, 2010
Annexation petition denied by Town Board – October 11, 2010

Text Amendments:

Reports:

Meetings: **Next Middletown Green Team Meeting – July 20, 2016**

Next Joint town board/planning commission workshop – Monday, November 7, 2016

Public Works Monthly Report
July 6, 2016

COMPLETED WORK

Streets and Utilities, Facilities
Water meter vaults installed, weed spraying, Memorial Park siding replacement and painting. Asphalt patching by Town staff, Smithfield Circle landscaped,

Water and Sewer
Manganese biofilm on Well 23 raw line reducing flow by 10 gpm. Will require perpetual cleaning or "pigging" to remove the restriction. Install bird netting on filter building shed roof. Replaced chlorine colorimeter, cleaned influent lines at plants.

New Projects
EWWTP: Ultra sonic flow meter replacement to be installed. Reviewed DRAFT permit no net change in cost or limits for the Town.

Unbudgeted Expenses:

Sludge cost for FY $ 37,700.00, 45,000 gal hauled, 42,840 gal bedded **Total hauled** 390,000 gal **Bedded** 279,650 gal
Water Use (Average Daily for the Month, Flows stated in gallons per day)
Permit Limits (gal) **387,000/504,000 AD/MMU** **250,000 AD** **250,000 AD**

MONTH	WATER USE		SPRING FLOW		East WWTP		West WWTP	
	past yr	present yr	past yr	present yr	past yr	present yr	past yr	present yr
January	283,000	274,000	123,000	120,000	237,800	254,000	218,400	281,000
February	289,000	279,000	132,000	135,600	166,000	313,000	175,000	569,000
March **	332,000	301,000	133,000	132,000	318,000	217,000	365,000	179,000
April **	311,000	277,000	135,000	128,000	233,000	186,633	171,000	132,000
May	308,000	292,000	139,000	138,000	185,000	337,000	161,000	236,600
June	299,000	293,000	137,000	139,000	191,353	326,900	184,000	212,000
July	294,000	289,000	134,000	135,000	197,000	176,515	167,000	218,000
August	294,000	318,000	115,000	106,000	172,000	163,000	138,000	126,000
September	306,000	322,000	101,000	79,000	159,800	165,160	145,000	145,000
October **	313,000	317,000	90,000	75,000	172,000	181,300	144,000	218,000
Novembr**	286,000	267,000	87,000	76,000	170,000	189,000	144,000	159,000
December	282,000	273,000	111,000	86,083	231,000	227,000	246,000	177,000
Avg Daily/yr	299750	291833	119750	112474	202746	228042	188200	221050
Avg Yr Flw	109.41	106.52	43.71	41.05	74.00	83.24	68.69	80.68

**Hydrants flushed this month
April 14 709,560 October 14 725,913

Planned Work
Repair of valve at Boileau, Sewer Cleanout repairs in Foxfield, Locust Blvd Streetscape Design, Broad Street Streetscape Design, Well 15 Filter Construction

PROJECTS

Open Projects

Street CIP: Develop future recommendations and planning. No action.
Well Field Stream Improvements: Survey complete design underway.
Primary School Path: Contractor has begun work to complete remaining portion from Main St to Linden. Conflict with Main St Storm drainage has been submitted to SHA.
Locust Blvd Waterline: Project closed out and final payment competed.
CIP Project Schedule: Formulated and provided project schedule through FY 18. No action
Dog Park: Culvert and path entrance requires layout before work can proceed. Received pavilion plans and reviewed, setup for town staff to construct.
W WWTP. Final pond baffle is malfunctioning, Investigation needed. Needs review.
Develop Grease Trap Ordinance and Education Program: No Action
West Green Street: Storm drain collection main completed to just past Jefferson St. Box culvert installed on Willow St. Water house connections are being replaced through the work area. Future work will install storm drain branches and inlet structures.
Water System: Water pressure issue that may require adjustment of the regional PRV's (monitoring continues).
Hydraulic Model: Is currently being revised to match flow tests. No action **System:** Reservoir pumping loss of water (310,000 gal – 6%) for November, December is 451,000g – 8%. January is 392,855g 7%. February 492,759 9.37% March 382,235 gal 6.11% (covers pumped = less than 50,000 loss or 1800 gal/day) April 473,759 8.69%
May 616,760 10.61% (covers pumped = 630,000g, rain volume = 201,769g no net loss), June 735280 12.32% (covers pumped = 588,000g, rain volume= 240,200g)
Brookridge PS: Control Panel Upgrade. Project has begun. No action
Sidewalk Inspections: Need to notify Main St adjoiners (Garage Drive, Willow, Elm, Broad and Prospect) of requirement to repair or replace. No action
Main St. Waterline Replacement: Bids received by MDSHA but we have not received a bid tabulation yet.
Streetscape: Bids received.
Street CIP: Broad St Streetscape: Received street plan options for review. Notified Engineer that the project is currently delayed to the end of August. JR has the information and will begin reviewing in July.
Well 15 Filters: Received permit and released equipment for fabrication. Town staff needs to create process pipe drawings and order flange pipe. No action
Reservoir Repairs: Final draft has been received. Final review not completed. No action.
SSO and I&I: Proposals received and reviewed. Recommendation provided to Board for approval.
Drainage Issues: Full property drainage outfall has been analyzed for riprap installation. Recommend not installing since the Town has no accepted easement. This work will become related to the upstream drainage issues if is completed.
Memorial Park: New waterline to facilities planned. No Action
MDE /Permits: netDMR has been activated, training completed and one month of data input and accepted by EPA. The Town will no longer submit paper DMR's or MOR's.
Meter Installations: 375 +/- meters out of 500.
Locust Boulevard Roadway: Roadway work in planning phase with budget estimate within the projected CIP budget. No action
MDE MS4 Permit Reports: Town has submitted the 2015annual report. The Town will need to comply regarding some of our operational procedures in the future to meet the permit requirements. These are related to facility maintenance.
Franklin St Conceptual Sidewalk Plans: Placed in 2017 budget
Truck Replacement: Truck has been delivered. Snow plow installation in July.
Booster Station Pump Around: Drafting completed, preparing for construction.

Developments
Cross Stone: Reviewed request for combined grease trap and denied the request.
Coblentz Property: Water main and water house connections completed. Road construction to proceed next.
14 Eastern Circle Stream Work: MDE has approved the permit. Owner is seeking grant funding for the $22,000 expense. No action
406 W Green St: No action
Chesterbrook IP's: No action.
Carolines View: No action.

Planned Work
Water System: Manganese Removal Well 15 – material acquisition, install
Broad St Streetscape
Reservoir Project
Budget purchases and contracts
Continue Fire Hydrant ID tag and numbering system installation
Regulatory: Grease Ordinance completion.
E WWTP: design spray system for clarifier,

Main Street Middletown

TO: **Main Street Board of Trustees**
FROM: **Becky Reich, Main Street Manager**
DATE: **June 30, 2016**

Economic Development Committee

- The mixer at the Garden Center was excellent! Thank you Pat Ellis and Jenny Morgan for hosting such a fun, interactive, and practical-advice driven business mixer!
- On behalf of Main Street and the EDC, a meeting was held with the Burgess, the Town Administrator, the Department of Economic Development, Frederick County Tourism, and the Maryland Main Street Program on Construction Survival Guide. This was a great meeting with important information shared, and good ideas for other things for us to do/include in the Construction Survival Guide. This will be a significant Main Street project and we will be presenting a separate staff report on just the Construction Survival Guide for your input.

Design Committee

- The Design Guideline books are here! Be on the look-out for Main Street's publication, Historic Middletown: Maintaining and Sustaining our Unique Architectural Character. The Promotions Committee and the Design Committee are working in tandem to promote this beautiful and pack-filled informational book!
- The Design Committee has received quotes on the plaques and confirmation letters will be sent to property owners to obtain owner permission, quotes that include the Main Street donation of $250 per plaque. We are very excited about this collaborative project between Main Street, the Middletown Valley Historical Society and the 250th Committee.

Organization Committee

- We have three new Board members! Jim Hoover, Monica Hauser, and Kathleen Dall. Lacey Gordon will be joining us upon her return from maternity leave.
- The Main Street Board of Trustees is pleased to take part in a nonprofit Board Training exercise on Thursday, July 21 as part of our Board meeting. DeeDee Smartt Lynch of Smartt Strategies in Rockville, Md is speaking to us on the topic of team dynamics and how to best use the strengths that each team member brings. Janice Rockwell heard her speak earlier this year, and found the information truly helpful. Ms. Lynch has a background in economic development and is familiar with the Main Street program.
- The Main Street Road Race, The Heat is On! 5K and Fun Run is Saturday, August 27 at 8:00am. A portion of the proceeds will benefit Middletown Valley People Helping People. The Organization Committee is working with the Promotions Committee on spreading the word about this event.

Promotions Committee

- The Promotions Committee met on Tuesday, July 5th to help firm up the marketing plan for the Architectural Maintainance and Design book
- The Promotions Committee is working on the marketing plan for the Main Street 5K Road Race
- The Promotions Committee is working with the Economic Development Committee on the Construction Survival Guide.

Grants:

- I am working on a Community Legacy Grant for the Town to help offset the cost of the decorative street poles. The Grant is due on July 15, 2016.
- We should know by the end of July if the Heritage Area Grant was awarded to Middletown for our 250th events.

The 250th Commemoration:

- The Committee is transitioning to more of a research phase in the project. My time as a researcher for the project is part of the grant match. Volunteers also doing research is part of the grant match. Please take a few minutes to think about your family items, old photographs, documents, etc. Let us know if you think it might be something that could provide historical insight or to officially loan to the Town to put on display! It could be a high school yearbook, a sports uniform from Middletown High, a letterman's jacket, a copy of a graduation ceremony, pictures from churches, wedding announcements, walking tour brochures, old magazine articles saved about Middletown. I recently looked at a series of slides of the town from 1974. The landscape has changed drastically, and even some of the houses were hard to identify because today some of that gingerbread trim is missing. Don't toss it YET! Let us see it first!! Thanks!!
- Consultant, David Guiney will be in Town on July 14 with his exhibit fabricator and they will make a stop in Middletown to make suggestions about our space and needs.
- The next 250th Committee meeting is going to be held the 3rd Tuesday in July – July 19th in which we are planning to take a driving tour of town and the Valley. We all hear lots of stories told in a variety of ways, but the color of the house, by a family name, by an obscure reference – "near the bridge."
- Since it is the start of the new FY, there will be more of a focus on product development versus product planning. Advertising for the Speaker's Series will begin in October of this year.

National Night Out:

This event is TUESDAY, AUGUST 2, 2016! To date we have the following:

STATIC DISPLAYS:

- The Command Bus
- Bike Patrol and Bicycle Safety Tips
- Motorcycle Patrol
- Mobile Field Unit Force (Illustrating Crowd Control Capabilities)
- Evidence Display
- Special Services Team (SWAT)
- ID and Fraud Prevention Information
- Public relations items
- Fire Safety Equipment
- Fire trucks
- Middletown Zion Lutheran Church – Table with information about the 15th Anniversary of 9/11. The Church will be handing out information about their Day of Remembrance and advertise that they will accept donations to purchase needed equipment for our local Volunteer Fire Company.
- The Middletown Branch of the Frederick County Library will have a display of children's stories and books about Police, Fire, and Rescue units, etc.

DEMONSTRATIONS:

- Canine Demonstration
- Fire Safety Demonstration House
- Extrication from Vehicle (Vehicle donated by Vinny's Towing Company)
- Invited Trooper 3 – State Rescue Helicopter

PROJECT 365

We will be emphasizing to the Neighborhood Watch Communities safety issues with keeping car doors locked and garages closed, especially during the Christmas holidays in which we have experienced an uptick in garage break-in's.

FOOD:
The Town's elected officials are volunteering to cook and help serve the food. We'll serve the hotdogs with all of the fixings, chips, bottled water, and ice cream. We anticipate having some if not most of the food donated. Main Street Middletown will donate some of the needed paper goods for the meals. Water has been donated.

ENTERTAINMENT:

- Flag Raising – Boy Scout Troop
- Opening remarks by the Burgess
- Two Moon Bounces – one donated by the Frederick Sherriff's Office
- (2) Magician Shows
- Local DJ – (donated services)
- Asked and waiting confirmation from Fort Dietrick about inflatable basketball and rock climbing wall
- We purchased National Night Out Glow Sticks and Tattoos to hand out
- We have (25) gift certificates to hand out as part of the Raffle donated by Beef and Buns in Paradise from Frederick County.
- South Mountain Collision has also donated at least 1-free oil change as part of the raffles.

VOLUNTEERS:
We need Volunteers!! Please send me an email at breich@ci.middletown.md.us

THANK YOU FOR YOUR SUPPORT OF MAIN STREET MIDDLETOWN!

Town of Middletown Zoning Department

To: Burgess and Commissioners and Middletown Planning Commission

From: Ron Forrester, Zoning Administrator

Date: 7/6/16

RE: Monthly Zoning Update – June 2016

Board of Appeals (BoA) Meeting(s): No Board of Appeals meetings in June 2016.

Zoning Violations:

(1) Unlicensed vehicle parked in driveway. 611 Glenbrook Drive. Zoning Administrator sent property owners a violation letter on April 26, 2016 noting that an unlicensed vehicle was parked on the driveway of the residentially zoned property that was not screened from adjoining properties in accordance with Section 17.16.060 of the municipal code. Open.

(2) Signage issues at Middletown High School (MHS). 200 School House Drive. Zoning Administrator sent violation letter on April 27, 2016 to Executive Director of Facilities for the Frederick County Public School noting unauthorized signs at and near the MHS football/track facility. Two freestanding commercial signs (one sign was for DARCARS of Frederick) were noted. Temporary Commercial signs are not permitted in any district in Middletown in accordance with Section 17.36.150A of the municipal code. These signs should be removed. Additionally, numerous banner signs were attached to the fence around the football/track facility. Section 17.36.140 of the municipal code allows signs to be affixed to fences of ballfields/sport complexes and scoreboards as long as they face the inside of the playing field and are in good repair. Many of the banner signs noted were on the outside of the fence with commercial advertisements on them facing the outside of the field/complex and were not securely fastened to the fence. Site visited on July 5th, all signage violations still exist. Open.

(3) Recreation Equipment and motor vehicles parked in rear yard of property. 517 West Main Street. Zoning Administrator sent property owner a violation letter on April 28, 2016 for having recreational equipment (ski-jet on trailer) parked in rear yard of property that was not screened from adjoining properties in accordance with Section 17.32.140 of the municipal code. Additionally, violation letter cited two motor vehicles parked in the rear yard of property on grass and not an impervious surface as required in Section 17.32.060(J)(2) of the municipal code. Follow-up visits to property noted that recreational equipment no longer parked on property but that motor vehicles continue to park on the grass in rear yard of property. Open

(4) Recreation Equipment and motor vehicles (one a restricted vehicle) parked in rear yard of property. 510 West Main Street. Zoning Administrator sent property owner a violation letter on May 2, 2016 for having recreational equipment (utility trailer) parked in rear yard of property that was not screened from adjoining properties in accordance with Section 17.32.140 of the municipal. Additionally, violation letter cited two motor vehicles (Ford flatbed truck and a Chevrolet pick-up truck) parked in the rear yard of property on grass and not an impervious surface as required in Section 17.32.060(J)(2) of the municipal code. The Ford flatbed truck is considered a restricted vehicle which is prohibited from being parked in a residentially zoned district except

upon approval of a special exception by the Middletown Board of Appeals. Follow-on inspection noted that Ford flatbed truck was removed from property but that recreational equipment (utility trailer) is still parked in rear yard of property not screened from adjoining properties. I am working with owner who plans on adding additional gravel to existing parking pad to facilitate additional vehicle parking. He also plans on installing a six (6) foot high privacy fence around rear yard area to screen recreational equipment (utility trailer) from adjacent and adjoining properties. Visited site on July 6th, fence erected to screen recreational equipment (utility trailer) from adjoining/adjacent properties and new gravel parking pad installed. Closed.

(5) Motor vehicle parked on grass. 514 West Main Street. Property owner sent zoning violation letter on May 12, 2016 for having car parked on grass in rear yard of property in violation of Section 17.32.060(J)(2) of the municipal code. In discussions with owner, he said he plans on putting in additional gravel down over gravel already presence but obscured by grass for a parking pad in rear yard of property next to asphalt driveway. Site visited on July 6th, additional gravel added to form a gravel parking pad in rear yard of property. Closed.

(6) A-frame sign in parking lot of Garden Center. 5 East Main Street. Business owner sent zoning violation letter on June 8, 2016 because Garden Center A-frame sign exceeds size allowed for A-frame sign in Section 17.36.150 – Temporary signs of the municipal code. A-frame signs can be "…no greater than thirty (30) inches wide and forty-eight (48) inches high in size." Open.

(7) Unregistered/inoperable motor vehicles parked in driveway. 5 Young Branch Drive. Home owner sent a zoning violation letter on June 10, 2016 for having two unregistered motor vehicles parked in driveway of residential property. Motor vehicles were not screened from adjoining properties in accordance with Section 17.16.060 of the Middletown Municipal Code. Open.

June 2016 Zoning Certificates - completed	**Address**	**Permit #**	**M-town Received ZC**	**RForrester Approved**	**County Approval**
Rundall E. Ahalt – finish basement to include bathroom, office, recreation room and storage area. (no plans or drawings submitted with zoning certificate)	2 Everhart Lane	144557	6/1/16	6/2/16	yes
Andrea Kaleta – install 114 feet of 4 foot tall, 3 rail (split rail) fence with wire mesh and a double gate 8 feet wide and 4 foot tall.	10 Jesserong Drive	Town	6/3/16	6/3/16	no
George Rosner – build a screened porch on existing deck on rear of residential structure.	4 Gladhill Drive	144690	6/3/16	6/3/16	yes
Maria Torres – construct 12 foot by 16 foot deck on rear of residential structure (townhouse) in Creamery Row neighborhood.	526 West Main Street	144867	6/9/16	6/9/16	yes

June 2016 Zoning Certificates - completed	Address	Permit #	M-town Received ZC	RForrester Approved	County Approval
Robert & Brandon Harris – place a second shed (10 foot by 12 foot shed) in rear yard of property	101 Lombardy Drive	Town	6/9/16	6/9/16	no
Percy & Carmen Diaz – finish basement to include adding an office and bathroom.	215 North Pointe Terrace	145015	6/10/16	6/14/16	yes
Patricia Hansen – install a 185 foot 6 foot tall privacy fence along side yard of property	303 South Jefferson Street	Town	6/14/16	6/14/16	no
Ned Wright – installation of 24 roof-mounted solar panels by Vivint Solar, Inc.	2 Ali Drive	145378	6/22/16	6/22/16	yes
Dennis Wynne - – installation of 36 roof mounted solar panels by Vivint Solar, Inc.	8 Manda Court	145381	6/22/16	6/22/16	yes
Vicky Coalter - – installation of 46 roof mounted solar panels by Vivint Solar, Inc.	206 Miriam Pass	145384	6/14/16	6/22/16	yes
Admar Custom Homes – construct new single family home.	13 Hoffman Drive	145205	6/15/16	6/28/16	yes
Daniel Bernazani - – installation of 24 roof mounted solar panels by Vivint Solar, Inc.	106 Larch Lane	145084	6/14/16	6/30/16	yes
William Everhart - – installation of 49 roof mounted solar panels by Vivint Solar, Inc.	4 Larch Lane	145086	6/14/16	6/30/16	yes
Leslie Gincley – install a 13 foot by 19 foot ground level deck	19 Washhouse Circle	145707	6/30/16	6/30/16	yes
Middletown Common Holdings, LLC (Ryan Homes) – install 4 foot by 19 foot long entry monument at entrance to Middletown Glen.	East Green Street	145475	6/24/16	6/30/16	yes

Zoning Certificate submitted– completed	Address	Permit #	M-town Received ZC	RForrester Approved	County Approval
Middlepoint Properties LLC – sign permit for signage at Church Street Business Center (Suite 205D) for Allstate Insurance Agency (electrical permit required for lighted wall sign.)	205 South Church Street	143969	5/9/16	7/6/16	yes

Zoning Certificate submitted– in progress	Address	Permit #	M-town Received ZC	RForrester Approved	County Approval
None					

Zoning Certificate submitted -- actions pending and/or suspended	Address	Permit #	M-town Received ZC	RForrester Approved	County Approval
Amir Bhat – install fire place and gas line from 100 gallon propane tank after tank is installed	19 Young Branch Drive		2/2/16		yes
Dennis Jiffas – construction of two-unit townhouse structure. (Variance of 22' from front yard setback on Summers Drive approved by BoA on 3/29/16).	406 West Green Street		3/29/16		yes
Burgess and Commissioners of Middletown – construct a 27' x 27' pavilion & picnic tables at Wiles Branch Park	Knoll Side Place		4/14/16		yes

Burgess and Commissioners of Middletown 31 W Main St Middletown, MD 21769 Phone 301-371-6171 Fax 301-371-6474
Bruce A. Carbaugh, P.E. Director of Public Works Email: bcarbaugh@ci.middletown.md.us

MEMORANDUM

TO: Burgess and Commissioners

FROM: Bruce A. Carbaugh, Director of Public Works

DATE: June 28, 2016

RE: I & I Engineering Proposal Recommendation

The Town received three engineering proposals for the Inflow and Infiltration Engineering Project. The proposal prices were $49,172.16 (ARRO Consulting), $125,837.01 (RJN) and $135,340.00 (AECOM). ARRO completed the last I & I contract in 2003 and is capable of completing this work.

ARRO has projected a 16 month design duration and RJN projected a 12 month duration. The largest difference in the cost can be attributed to the estimated man hours to complete the work. ARRO has proposed 254 man hours and RJN has 624 without the sub consultant's hours. Normally, we would have concern over the significant price difference but given the past performance of ARRO and considering the price difference we are recommending the Engineering Services proposal be awarded to ARRO.

The CIP budget for the engineering project is $75,000.00.

Middletown Planning Office

MEMORANDUM

Date: 6/1/2016
Hansen# 16507

To: Middletown Burgess and Commissioners

From: Cynthia K. Unangst, Middletown Staff Planner

RE: **MIDDLETOWN SCHOOL COMPLEX PLAN REVIEW**
Tax Map Parcel #03-101, 03-102
Applicant: Iyad A. Isaac, Brudis & Associates, Inc.
Property Owner: Board of Education of Frederick County
Plan Dated: May 2016

GENERAL INFORMATION

Proposal: roadway improvements to Schoolhouse Drive and Middletown School Campus, including widening a portion of Schoolhouse Drive, improving vehicular circulation with the separation of buses from passenger cars, sidewalk additions and improvements, additional lighting, signing improvements and the addition of stormwater management facilities.

Location: Middletown School Complex and Schoolhouse Drive

Zoning: OS

COMMENTS

The following are comments from the Planning Commission in their review of this Site Plan:

1. **Planning Commission's review** – While there are no regulations per the Town Code that specify that the Planning Commission is to review roadway plans, the Town Administrator determined that the Planning Commission ought to review these plans for additional feedback from the Town's point of view. Many meetings were held to discuss options for alleviating current issues with car and bus stacking, pedestrian movements and intersection conflicts by FCPS personnel, including the principals of Middletown High School, Middletown Middle School and Middletown Elementary School, and engineers and surveyors. Many design options were proposed and the submitted site plan shows the design choice that was considered the best option for the site.

2. **Lighting plan** – The cover sheet indicates that lighting fixture types and locations have not been determined at this phase, but that photometric modeling will be provided at later phases to verify the lighting levels meet the project requirements and also to verify that lighting does not exceed 0.5 foot candles at the property line. Lighting fixtures shall be fully shielded and directed downward to prevent glare and lighting trespass on adjacent properties, roadways and night time sky. The reference to the lighting regulations in the Frederick County zoning ordinance on the

cover sheet should be verified or deleted. It was suggested that lighting for the walkway on FCPS property from the new Middletown Glen development be considered as part of the plans. Additional lighting information will be provided at the improvement plan stage.

3. **Landscape plan** – Staff would recommend removing the proposed ash trees from the landscape plans and plant schedule as ash trees are no longer allowed to be planted in Frederick County due to the Emerald Ash Borer infestations. The applicant has stated that the ash trees will be removed from the landscape plans and schedule.

4. **Parking spaces added** – In looking at the number of parking spaces being proposed and the existing spaces that are proposed to be deleted, staff hadn't seen how the number of spaces being proposed for the high school ends up being 11 more than the existing number of spaces. The applicant provided a table that shows the existing, removed, added and net total of parking spaces for the three schools, which is attached to this report. The respective School Administrators will ultimately determine where specifically identified spaces such as handicap spaces, principal parking spaces, etc. will be located.

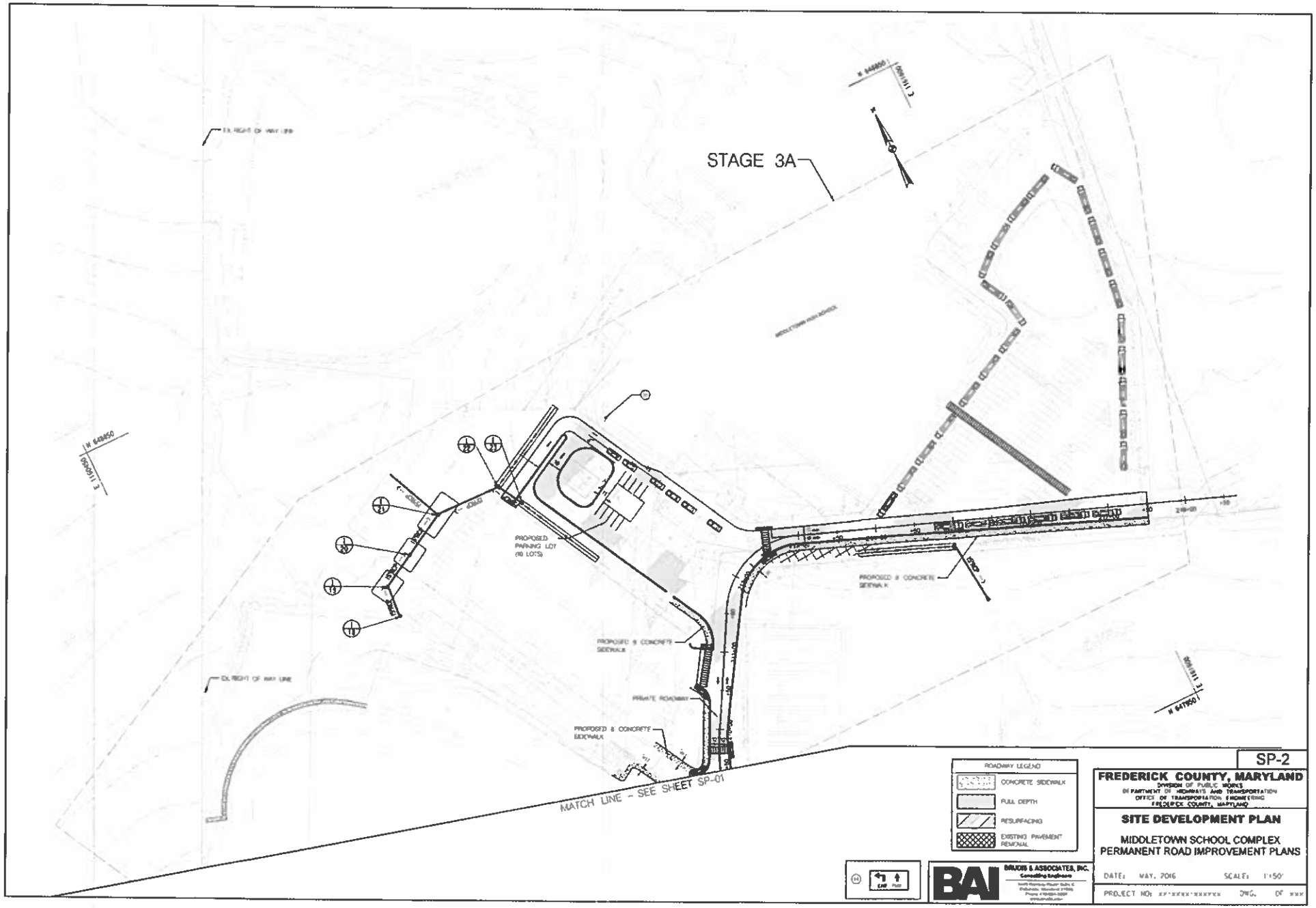
5. **Stormwater management** – Environmental Site Design to the Maximum Extent Practicable is proposed to be implemented through the use of a bioswale and microbioretention facilities. County Public Works reviewers gave conditional approval to the plans on June 2, 2016. Detailed stormwater management design plans and calculations will go back for further review at the improvement plan stage.

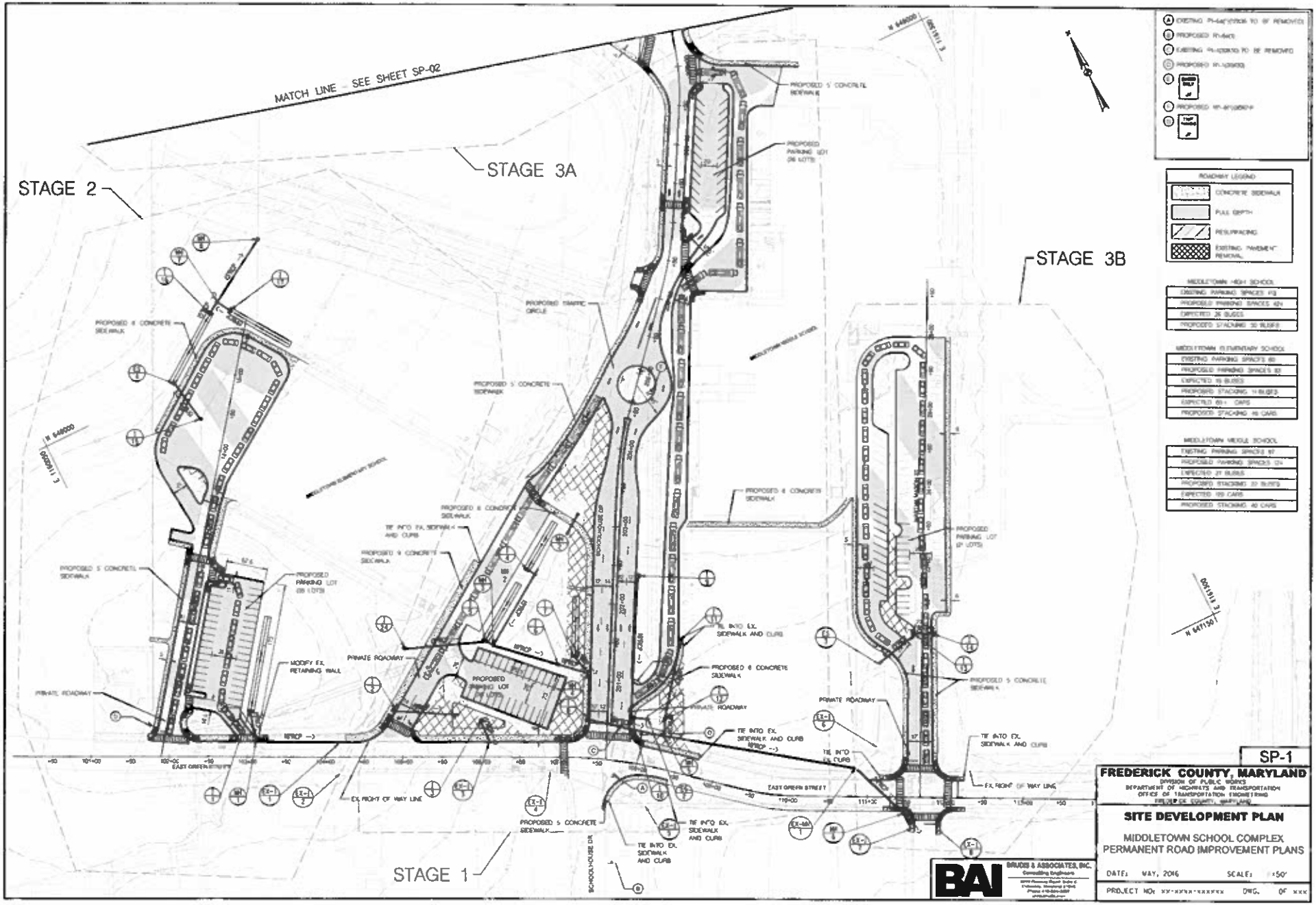
6. **Review by Town Engineer, Bruce Carbaugh** – The plans have been provided to the town engineer for review.

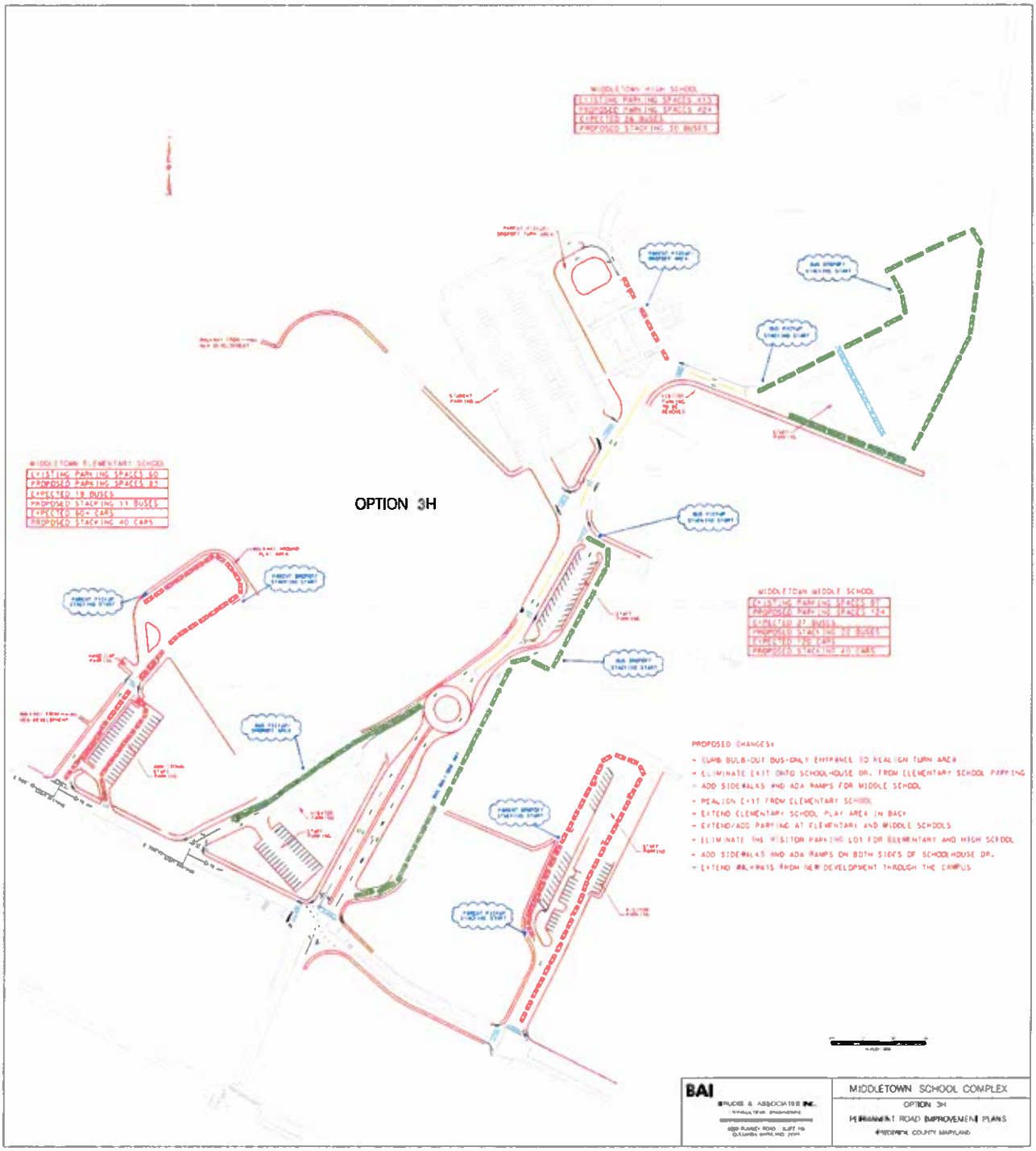
7. **Review by ARRO, Town Consulting Engineer** – One of the general comments received by ARRO was that pedestrian crosswalk signs be placed in East Green Street and Martha Mason Drive at each approach to the crosswalk. The applicant has agreed to provide such signs.

8. **Additional comments** - It was suggested that an additional walkway be considered in front of the elementary school where students might look to take a short cut instead of using other proposed walkways.

Cc: Iyad A. Isaac, Brudis & Associates, Inc.
Brad W. Ahalt, Frederick County Public Schools
Drew Bowen, Middletown Town Administrator


STAGE 3A
PROPOSED PARKING LOT (10 LOTS)
PROPOSED 8' CONCRETE SIDEWALK
PRIVATE ROADWAY
MATCH LINE - SEE SHEET SP-01
ROADWAY LEGEND
CONCRETE SIDEWALK
FULL DEPTH
RESURFACING
EXISTING PAVEMENT REMOVAL
BAI
BRUDIS & ASSOCIATES, INC.
Consulting Engineers
SP-2
FREDERICK COUNTY, MARYLAND
DIVISION OF PUBLIC WORKS
DEPARTMENT OF HIGHWAYS AND TRANSPORTATION
OFFICE OF TRANSPORTATION ENGINEERING
FREDERICK COUNTY, MARYLAND
SITE DEVELOPMENT PLAN
MIDDLETOWN SCHOOL COMPLEX
PERMANENT ROAD IMPROVEMENT PLANS
DATE: MAY, 2016
SCALE: 1"=50'
PROJECT NO: xx-xxxx-xxxxxx
DWG. OF xxx

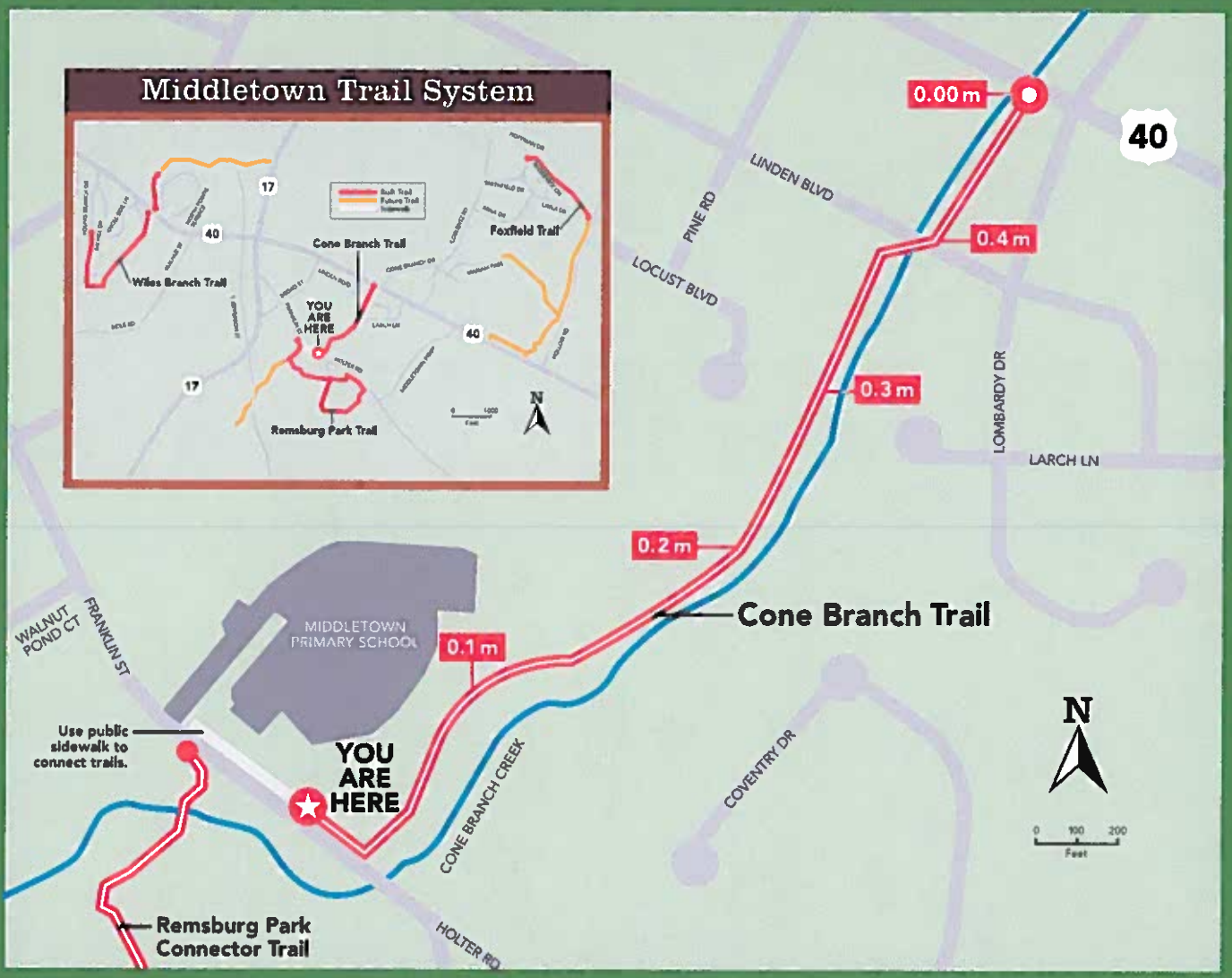

MATCH LINE - SEE SHEET SP-02
STAGE 2
STAGE 3A
STAGE 3B
STAGE 1
PROPOSED 5' CONCRETE SIDEWALK
PROPOSED PARKING LOT (26 LOTS)
PROPOSED TRAFFIC CIRCLE
PROPOSED 6' CONCRETE SIDEWALK
PROPOSED 5' CONCRETE SIDEWALK
PROPOSED PARKING LOT (28 LOTS)
MODIFY EX. RETAINING WALL
PRIVATE ROADWAY
PROPOSED PARKING LOT (21 LOTS)
TIE INTO EX. SIDEWALK AND CURB
TIE INTO EX. CURB
EX. RIGHT OF WAY LINE
EAST GREEN STREET
SCHOOLHOUSE DR
ROADWAY LEGEND
CONCRETE SIDEWALK
FULL DEPTH
RESURFACING
EXISTING PAVEMENT REMOVAL
MIDDLETOWN HIGH SCHOOL
MIDDLETOWN ELEMENTARY SCHOOL
MIDDLETOWN MIDDLE SCHOOL
SP-1
FREDERICK COUNTY, MARYLAND
DIVISION OF PUBLIC WORKS
DEPARTMENT OF HIGHWAYS AND TRANSPORTATION
OFFICE OF TRANSPORTATION ENGINEERING
FREDERICK COUNTY, MARYLAND
SITE DEVELOPMENT PLAN
MIDDLETOWN SCHOOL COMPLEX
PERMANENT ROAD IMPROVEMENT PLANS
DATE: MAY, 2016
SCALE: 1"=50'
PROJECT NO: XX-XXXX-XXXXXX
DWG. OF XXX
BAI
BRUDIS & ASSOCIATES, INC.
Consulting Engineers


MIDDLETOWN HIGH SCHOOL
EXISTING PARKING SPACES 415
PROPOSED PARKING SPACES 424
EXPECTED 26 BUSES
PROPOSED STACKING 30 BUSES
MIDDLETOWN ELEMENTARY SCHOOL
EXISTING PARKING SPACES 60
PROPOSED PARKING SPACES 83
EXPECTED 18 BUSES
PROPOSED STACKING 15 BUSES
EXPECTED 500 CARS
PROPOSED STACKING 40 CARS
OPTION 3H
MIDDLETOWN MIDDLE SCHOOL
EXISTING PARKING SPACES 81
PROPOSED PARKING SPACES 124
EXPECTED 27 BUSES
PROPOSED STACKING 22 BUSES
EXPECTED 700 CARS
PROPOSED STACKING 40 CARS
PROPOSED CHANGES:
- CURB BULB-OUT BUS-ONLY ENTRANCE TO REALIGN TURN AREA
- ELIMINATE EXIT ONTO SCHOOLHOUSE DR. FROM ELEMENTARY SCHOOL PARKING
- ADD SIDEWALKS AND ADA RAMPS FOR MIDDLE SCHOOL
- REALIGN EXIST FROM ELEMENTARY SCHOOL
- EXTEND ELEMENTARY SCHOOL PLAY AREA IN BACK
- EXTEND/ADD PARKING AT ELEMENTARY AND MIDDLE SCHOOLS
- ELIMINATE THE VISITOR PARKING LOT FOR ELEMENTARY AND HIGH SCHOOL
- ADD SIDEWALKS AND ADA RAMPS ON BOTH SIDES OF SCHOOLHOUSE DR.
- EXTEND WALKWAYS FROM NEW DEVELOPMENT THROUGH THE CAMPUS
BAI
MIDDLETOWN SCHOOL COMPLEX
OPTION 3H
PERMANENT ROAD IMPROVEMENT PLANS
FREDERICK COUNTY MARYLAND

MIDDLETOWN School Complex_Summary of Parking Spaces

SITE	EXISTING PARKING SPACES	REMOVED PARKING SPACES	ADDED PARKING SPACES	NET TOTAL PARKING SPACES
ELEMENTARY SCHOOL	62	44	63	81
MIDDLE SCHOOL	83	20	47	110
HIGH SCHOOL	370	16	10	364
TOTAL	515	80	120	555

Cone Branch Trail

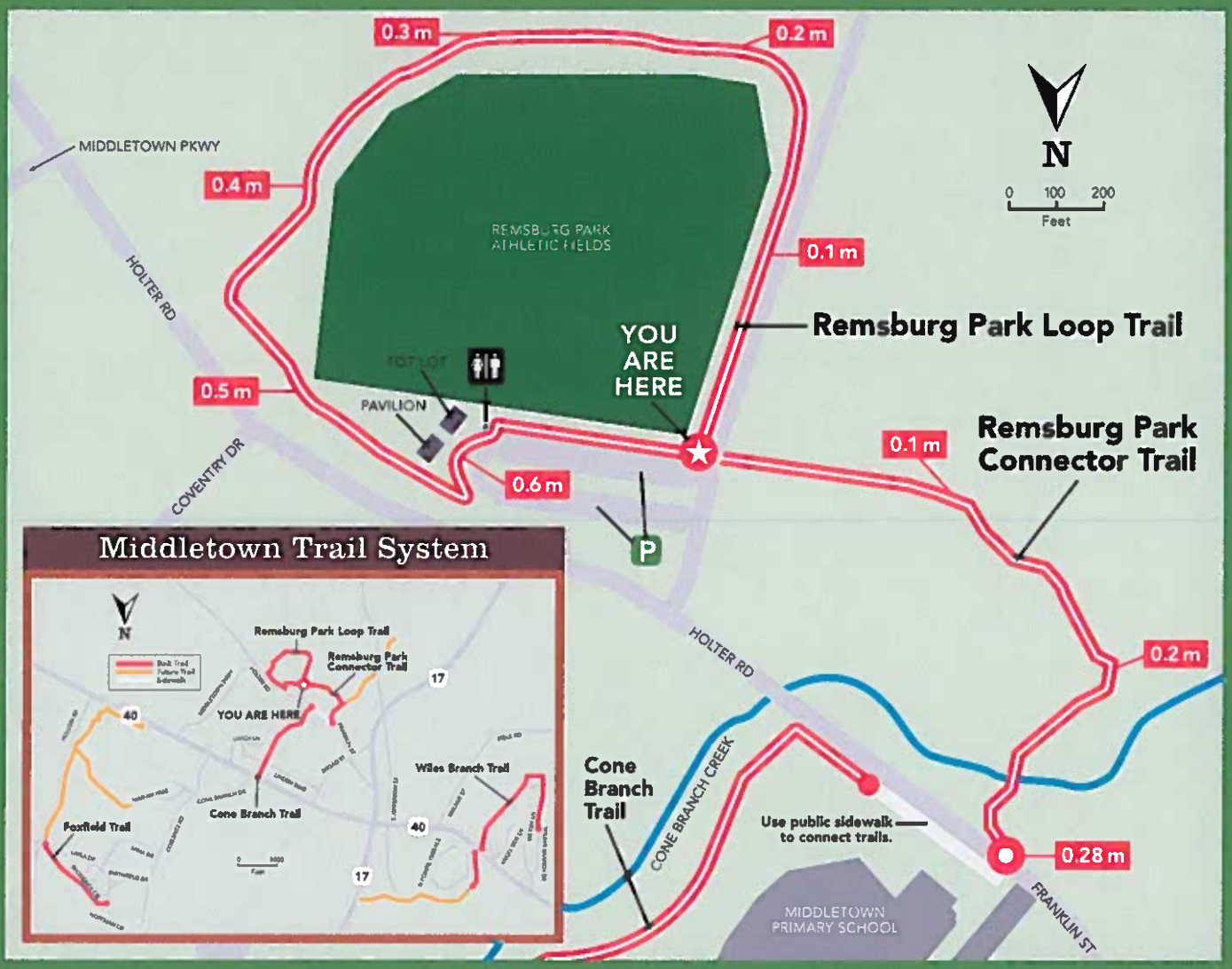


Trail Length One Way: 0.00 miles
Trail Length Out and Back: 0.00 miles
Total Elevation Change: 0 feet

Trail Width: 0 feet
Trail Surface: Paved

Middletown Trail System

Remsburg Park Trail

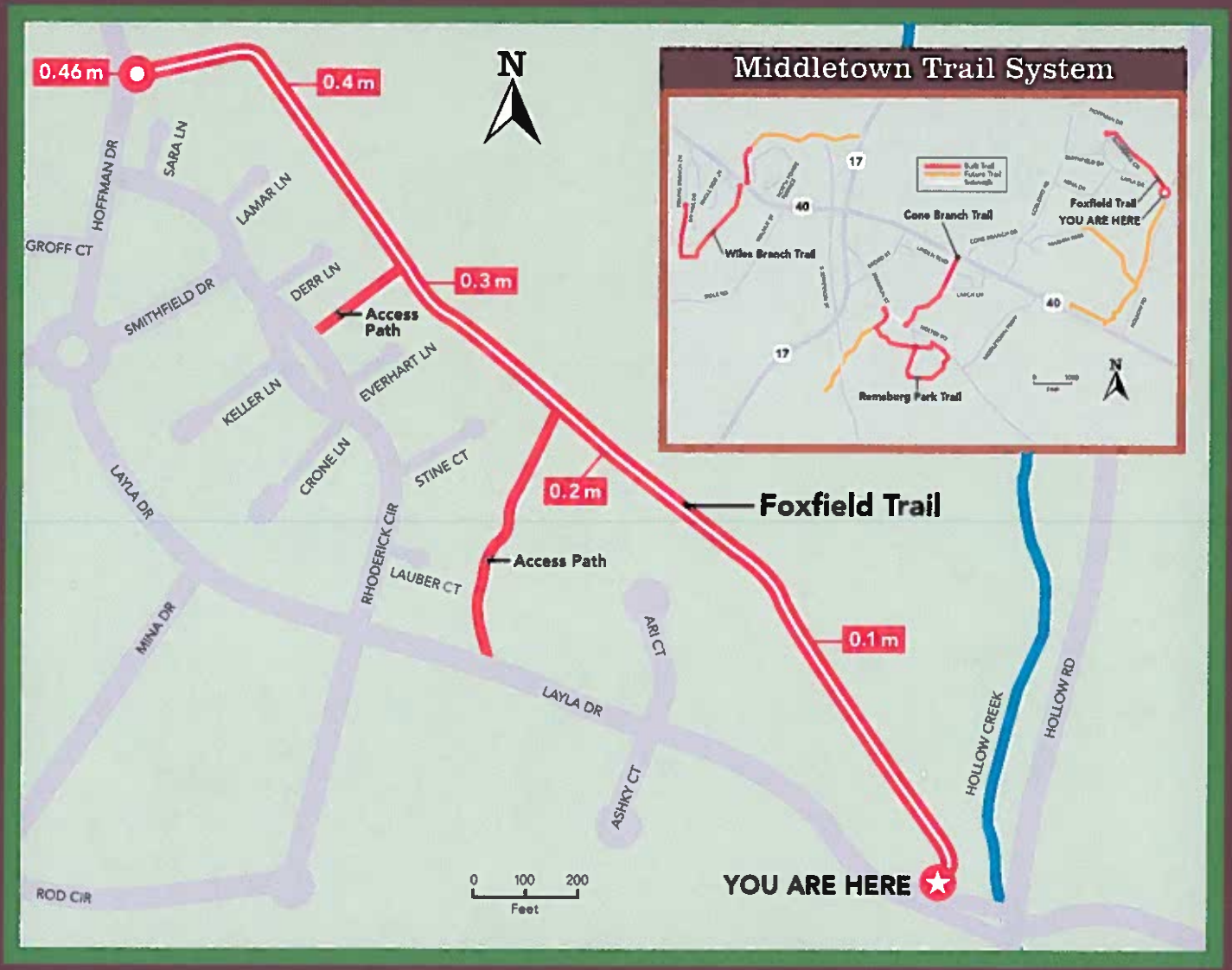


Loop Trail Length: 0.69 miles
Connector Trail Length: 0.28 miles
Combined Trail Length: 0.97 miles

Total Elevation Change: 0 feet
Trail Width: 0 feet
Trail Surface: Paved

Middletown
Trail System

Foxfield Trail

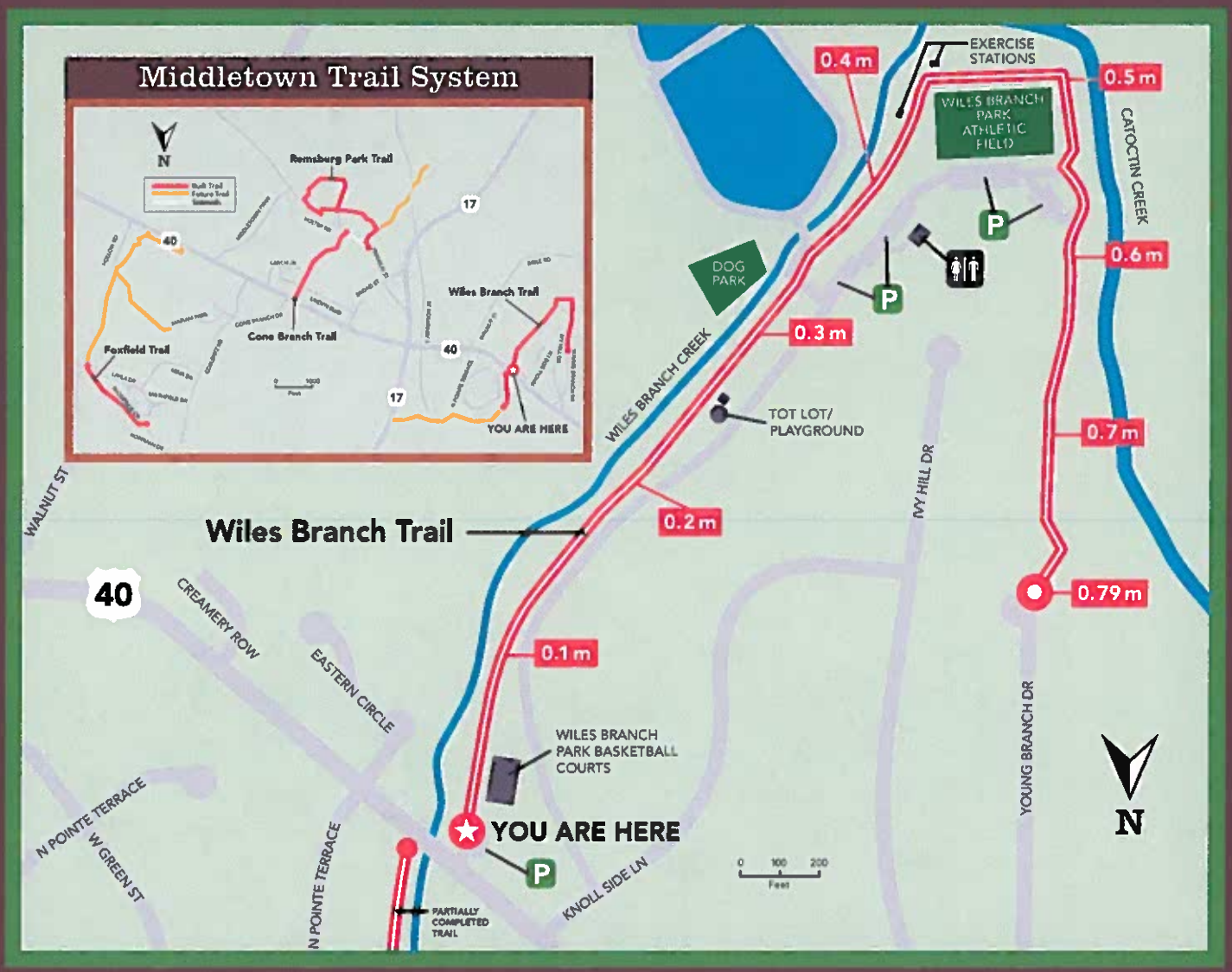


Trail Length One Way: 0.46 miles
Trail Length Out and Back: 0.92 miles
Total Elevation Change: 85 feet

Trail Width: 4 feet
Trail Surface: Paved

Middletown Trail System

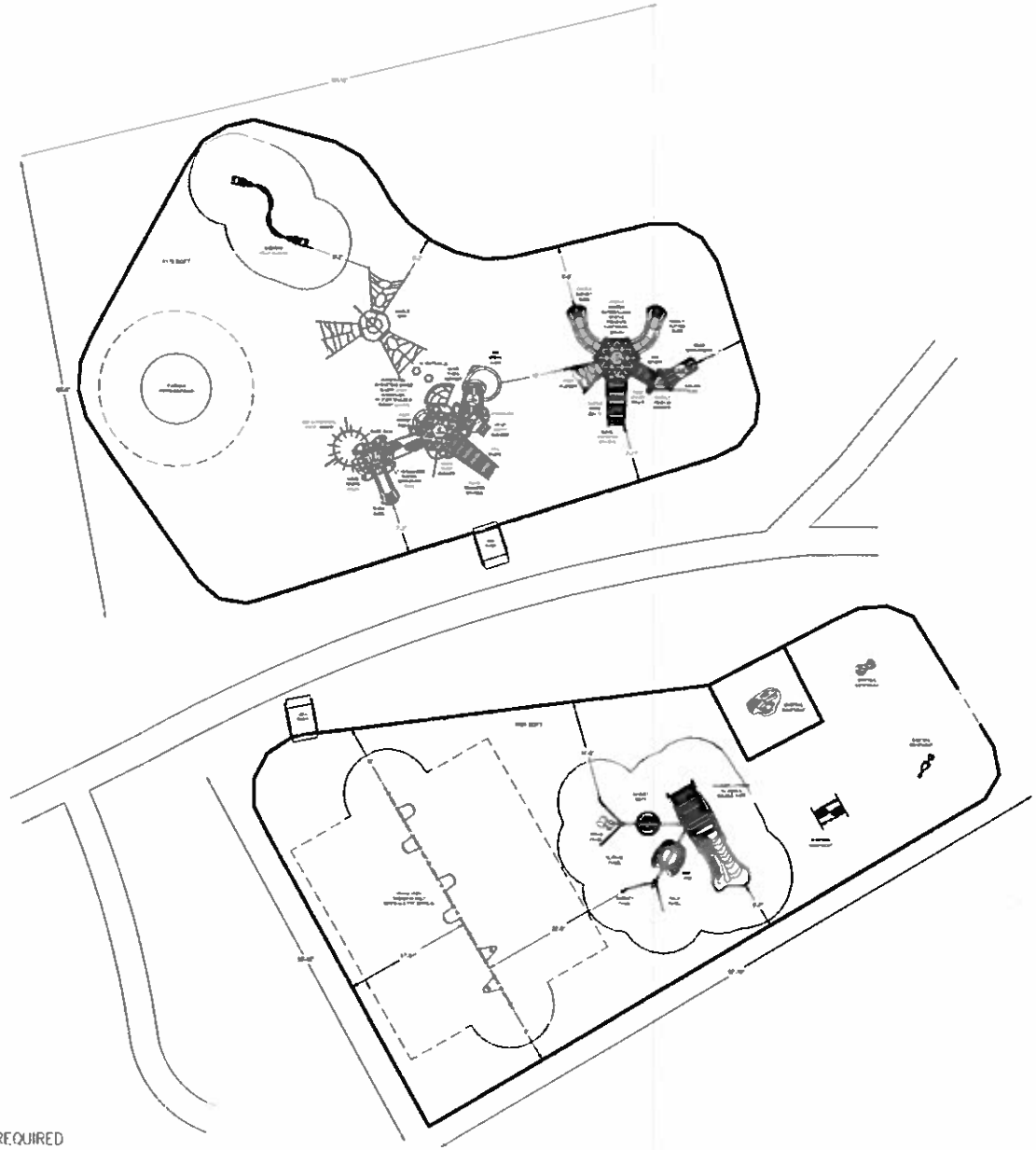
Wiles Branch Trail



Trail Length One Way: 0.79 miles
Trail Length Out and Back: 1.58 miles
Total Elevation Change: 0 feet

Trail Width: 0 feet
Trail Surface: Paved

Middletown Trail System



*PLAYGROUND SUPERVISION REQUIRED

PLAYWORLD

PLAYGROUND SPECIALISTS INC.
11700 WHATES LN.
THURMONT, MD 21788

EQUIPMENT SIZE:
X' x Y' x Z'

USE ZONE:
X' x Y'

AREA:
SEE DWG

PERIMETER:

FALL HEIGHT:
8 Ft.

USER CAPACITY:
98

AGE GROUP:
2-12

ADA SCHEDULE

Total Elevated Play Activities:	X		
Total Ground-Level Play Activities:	X		
	Accessible Elevated Activities	Accessible Ground-Level Activities	Accessible Ground-Level Play Types
Required	X	X	X
Provided	X	X	X

✓ ASTM F1487-11
✓ CPSC #325

PROJECT NO:
P111715-2C

SCALE:
1/16"=1'-0"

DRAWN BY:
JSTONE

Paper Size
B

DATE:
01-JUNE-16

Town of Middletown

playground Specialists Inc.

11700 Whates Lane
Thurmont, MD 21788
(800)385-0075
www.playspec.com

ADDRESS
TOWN OF MIDDLETOWN
ATTN. DREW BOWEN
31 WEST MAIN ST
MIDDLETOWN, MD 21769

SHIP TO
TOWN OF MIDDLETOWN
C/O PLAYGROUND
SPECIALISTS

PROPOSAL 13731B

DATE 06/20/2016

SALES REP
TIM BOYLE

DESCRIPTION	QTY	RATE	AMOUNT
PLAYWORLD EQUIPMENT P111715-2C - CUSTOM CHALLENGER PLAYGROUND EQUIPMENT AS PER DRAWINGS	1	58,902.00	58,902.00T
DISCOUNT 16% FACTORY DISCOUNT OFF LIST PRICES ABOVE	1	-9,424.00	-9,424.00T
ROCK BORDERS PLASTIC ROCK BORDERS	65	35.00	2,275.00T
ADA-00005 FLUSH MOUNT RAMP	1	599.95	599.95T
INSTALLATION CERTIFIED INSTALLATION OF ALL EQUIPMENT ABOVE INCLUDING LIFETIME INSTALLATION WARRANTY	1	17,068.00	17,068.00
WOODCARPET 163 CY WOODCARPET SPREAD TO 9" COMPACTED DEPTH	163	39.00	6,357.00

**3% surcharge on Visa/MasterCard*
**Valid for 30 days unless otherwise noted*
**50% deposit or PO. Balance due Net 30*
Sign and return with approved colors for order placement

SUBTOTAL	75,777.95
TAX (0%)	0.00
SHIPPING	1,980.00
TOTAL	$77,757.95

Accepted By

Accepted Date

Fax # 301-271-9239

RICHLAND GOLF CLUB
50 Glenbrook Drive
Middletown, MD 21769
301-371-0400

JUN 14 2016

June 13, 2016

Burgess John Miller
Mr. Drew Bowen
Burgess and Staff of Middletown
31 West Main St.,
Middletown, MD 21769

Re: Auxiliary Parking

Dear Sirs:

Per the guidance of Cindy Unangst, and on behalf of the owners of Richland Development, LLC; d/b/a Richland Golf Club ("RGC"), I am submitting a request for considerations by the Burgess, Commissioners and staff to allow the gravel parking lot adjacent to our golf maintenance building to be considered allowable parking spaces in the approval processes our new Driving Range building.

In the scope of use, this area is used very little by the town. Because of it's proximity to the club operations and new building considerations, it is our opinion that it will probably remain so even with the new building. Our varied businesses are very seasonal as is the use by the town.

During the summer, golf is primarily played in the morning and early afternoons, thereby creating a rotating ingress and egress of cars throughout the day. In the evenings during season the use of our overflow lot is rarely used and fills typically only when evening events are held in the banquet facilities. In essence, our request is simply to qualify this area as allowable parking considerations. During winter months, only this building and the clubhouse will create any demand as very little or no golf is played.

The value that our new building will bring to the town has multiple facets. Internally, we are dubbing it as the Sports House in line with golf and The Valley Sports Grill. This new facility will offer added taxes, increased use for a multitude of activities for town residents and most probably will add to the increase of housing values in our community. This in turn will add other taxes and with the growth plans of the town, increase more opportunities for small businesses to open downtown and on surrounding arteries.

In summary, we feel the allowance is a consideration that is justifiable for approval because of the logistics, usage and seasonality of the businesses and the town.

Thank you for your time and any considerations. In advance of the meeting on Wednesday, June 14, 2016; we would welcome any questions and comments at that time.

Respectfully,

Bob Swezey
PGA General Manager

cc: Richland Development, LLC
Jian Jun / Architect

- [x] BURGESS
- [x] ADMINISTRATION
- [ ] PUBLIC WORKS
- [x] PLANNING & ZONING
- [ ] WATER & SEWER

REMSBERG PARK FEE STRUCTURE

FOR PROFIT REQUESTS		
Pavilion	Minimum 2 hours -$100.00 Application Fee	Additional hours-$35.00 each hour
Multi-Purpose Fields	Minimum 2 hours-$135.00 Application Fee	Additional hours-$35.00 each hour
Baseball Field	Minimum 2 hours-$150.00 Application Fee	Additional hours-$35.00 each hour
NON-PROFIT REQUESTS		
Pavilion	Minimum 2 hours-$50.00 Application Fee	Additional hours-$15.00 each hour
Multi-Purpose Fields	Minimum 2 hours-$75.00 Application Fee	Additional hours-$25.00 each hour
Baseball Field	Minimum 2 hours-$75.00 Application Fee	Additional hours-$25.00 each hour
TOURNAMENT REQUESTS		
1 Field	2 Fields	3 Fields
$500 daily use	$1000 daily use	$1500.00 daily use

Rules:

MVAA to schedule field usage.

Park will not be rented out to any group as practice fields.

MVAA has first right of refusal.

MVAA has the right to refuse any event that is deemed detrimental to the park fields.

PRIORITY USAGE
MVAA receives first priority use of Remsberg Fields and Facilities.
Non-Profits receive second priority use of Remsberg Fields and Facilities, at the discretion of the Middletown Valley Athletic Association.
For Profits receive third priority use of Remsberg Fields and Facilities, at the discretion of the Middletown Valley Athletic Association.

Middletown Valley Athletic Association

Remsberg Park/Wiles Branch Reservation Form

Name of Applicant:	
Address of Applicant:	
Phone #:	
Email:	
Date of Event:	
Time of Event:	
Electricity needed? ____ YES ____ NO	
Are foods/goods sold at this activity? ____ YES ____ NO **(If yes, please provide "sales permit" with application)**	

Areas Requested: (Please check all that apply)		
____ Soccer-Field 1	____ Lacrosse-Field 2	____ Football-Field 3
____ Pavilion	____ Baseball Field	____ Wiles Branch Park
Reservation Fees: (Please see attached fee schedule) Make checks payable to "MVAA" and include Certificate of Insurance with "Town of Middletown" listed as Additional Insured.		

- 30 % Deposit due with Reservation Form/ Balance due 48 hours prior to event
- Alcohol is not permitted at Remsberg or Wiles Branch Parks.
- Banners are only permitted facing inside the fence line.
- Refund Policy: If event is cancelled by the MVAA due to inclement weather, a full refund will be processed.

Middletown Valley Athletic Association

Remsberg Park/Wiles Branch Reservation Form

Please check one:

____ MVAA Event ____ Non-Profit Event ____ For Profit Event

User knows, understands and acknowledges the risks and hazards associated with using the property at Remsberg Park or Wiles Branch Park and hereby assumes any and all risks and hazards associated therewith. User hereby irrevocably waives any and all claims against the Middletown Valley Athletic Association or the Town of Middletown, for any bodily injury (including death), loss, or property damage incurred by the user as a result of using the property and hereby irrevocably releases and discharges the Middletown Valley Athletic Association and the Town of Middletown from any and all claims of liability arising out of or associated with the use of this property.

Signature of Applicant: _____

Date: _____

*Please include Certificate of Insurance with Reservation Form, with "Town of Middletown" listed as Additional Insured.

Please note that this application will be reviewed by the Executive Board of the Middletown Valley Athletic Association for approval of use.

MARYLAND
DEPARTMENT OF
NATURAL RESOURCES

Larry Hogan, Governor
Boyd Rutherford, Lt. Governor
Mark Belton, Secretary
Joanne Throwe, Deputy Secretary

RECEIVED
JUN 24 2016
TOWN OF MIDDLETOWN, MD

June 20, 2016

Dear Community Parks and Playgrounds Program Applicant:

The Maryland Department of Natural Resources is now accepting grant proposals for the Community Parks and Playgrounds Program (CP&P). These proposals will be reviewed and considered for submission to the Maryland General Assembly as part of the Governor's FY2018 budget proposal.

Maryland's CP&P Program is designed to restore existing and create new park and green space systems in Maryland's cities and towns. The Community Parks and Playgrounds Program will provide flexible grants to municipalities to respond to the unmet need for assistance to rehabilitate, expand or improve existing parks, create new parks, develop environmentally oriented parks and recreation projects, or purchase and install playground equipment in older neighborhoods and intensely developed areas throughout the state.

The CP&P Program FY 2018 Grant Proposal Guide and all application materials are available at http://dnr2.maryland.gov/land/Pages/ProgramOpenSpace/CPP-Grant-Process.aspx. If you would like to apply for CP&P project assistance, please complete the following items: Grant Proposal List, Community Parks and Playgrounds Application and Project Agreement, Project Details, and Supporting Documents. Please submit all required forms and attachments by August 17, 2016.

After reviewing the attached information, if you have any questions concerning the Program or would like a printed copy of the materials, please contact your Program Administrator listed on the back of this letter. We look forward to working with you to enhance the quality of life in your communities through environmentally sustainable park and recreation facilities.

- ■ BURGESS
- ■ ADMINISTRATION
- ☐ PUBLIC WORKS
- ☐ PLANNING & ZONING
- ☐ WATER & SEWER

Sincerely,

HBell

Hilary Bell, Deputy Director
Land Acquisition and Planning

HB:mls

MEMORANDUM

Date: 6/30/2016

To: Burgess and Commissioners, Middletown

From: Cynthia K. Unangst, Middletown Staff Planner

RE: Storage containers revisions text amendment

Ron Forrester, Zoning Administrator, has proposed that Section 17.32.045 be amended so that storage and disposal containers are to be approved by the Zoning Administrator instead of the Planning Commission. He feels that the storage container portion of Code should fall under the zoning administrator since storage containers are a code compliance issue with no planning aspect to it. This was discussed at both the March and June joint workshops earlier this year. The proposed language that was drafted by the Zoning Administrator was sent to Attorney John Clapp for review and comment on June 10, 2016. He agreed that approval of storage containers by the zoning administrator was reasonable and that sub-section E was duplicitous, but thought that there should be a definition of 'disposal container.' We already have a definition of 'storage container.' The Staff Planner drafted a definition of 'disposal container' after receiving comments from the Planning Commission at their workshop on June 15, 2016.

The Middletown Planning Commission on June 20, 2016 reviewed the revised Storage Containers text amendment which would provide a definition for the terms "disposal container" and authorize the zoning administrator to approve the use of storage and disposal containers instead of the planning commission. By consensus the Planning Commission recommended support of the proposed text amendment.

When the Staff Planner sent the text amendment language back to Attorney Clapp to put into ordinance form he made a few minor linguistic revisions ahead of putting it in ordinance form. Since this section of the Code is the only place that 'disposal containers' is used, he thought it best to include the definition in this section instead of in the "Definitions" section of the Code.

The Town Attorney has drafted the ordinance which is attached. A public hearing will need to be scheduled.

ORDINANCE NO. 16-08-01

AN ORDINANCE TO AMEND TITLE 17, CHAPTER 17.32, SECTION 17.32.045 OF THE MIDDLETOWN MUNICIPAL CODE BY PROVIDING A DEFINITION FOR THE TERM "DISPOSAL CONTAINER"; TO PROVIDE THAT THE ZONING ADMINISTRATOR, INSTEAD OF THE PLANNING COMMISSION, IS THE PERSON CHARGED WITH REVIEWING AND APPROVING APPLICATIONS TO PLACE STORAGE AND DISPOSAL CONTAINERS ON PROPERTY; TO DELETE ENFORCEMENT PROVISIONS AS BEING SUPERFLUOUS.

SECTION I. BE IT RESOLVED, ORDAINED AND ENACTED by the Burgess and Commissioners of Middletown that Title 17, Chapter 17.32, Section 17.32.045 of the Middletown Municipal Code be, and hereby is, amended as follows. New language is designated by being in **BOLD CAPITAL LETTERS.** Deleted language is designated by being in [~~brackets and stricken through~~]:

Title 17 - Zoning

Chapter 17.32 - DESIGN STANDARDS GENERALLY

Section 17.32.045. Storage and disposal containers

A. Except as otherwise provided in this [~~chapter~~] **SECTION**, storage and disposal containers are prohibited in the Town of Middletown, and no person who owns, leases, occupies or has charge of any premises or property, in whole or in part, shall place, keep or maintain a storage or disposal container on the premises or property. **FOR PURPOSES OF THIS SECTION, "DISPOSAL CONTAINER" MEANS A LARGE CAPACITY CONTAINER SUCH AS A DUMPSTER, A BAGSTER BAG, (DUMPSTER IN A BAG), OR SIMILAR LARGE OBJECT WHICH IS USED TO HOLD TRASH, WASTE OR DEBRIS.**

B. In a commercial or industrial zone, **AND UPON APPLICATION TO AND APPROVAL BY THE ZONING ADMINISTRATOR FOR A ZONING CERTIFICATE,** storage and disposal containers may be placed, kept or maintained on premises or property for a period of no more than six consecutive months. [~~upon application to and approval of the planning commission.~~] The [~~planning commission~~] **ZONING ADMINISTRATOR** may, upon

application, extend the six-month period of time for another six month or less period. The storage or disposal container may be approved by the ~~[planning commission]~~ **ZONING ADMINISTRATOR** only if (1) the storage or disposal container is situated on the property in compliance with setback requirements as established for buildings in the district, (2) its placement and use satisfies all other zoning requirements, and (3) **THE STORAGE OR DISPOSAL CONTAINER** is either situated in the rear yard of the property or is screened in a manner approved by the ~~[planning commission]~~ **ZONING ADMINISTRATOR** so as to visually limit as much as reasonably practicable the appearance and presence of the storage or disposal container. No storage or disposal container may exceed a height of twelve (12) feet or a width of eight feet. Storage and disposal containers may not be stacked on top of each other.

C. The ~~[planning commission]~~ **ZONING ADMINISTRATOR** may, upon application, approve the placing, keeping or maintaining of a storage or disposal container on property or premises in any zone if the storage or disposal container is to be used for and in connection with a construction, reconstruction or renovation project on the property or premises. The storage or disposal container shall be used in accordance with the conditions placed upon it by the ~~[planning commission]~~ **ZONING ADMINISTRATOR**. Any storage or disposal container used in connection with such an approval shall be removed from the property or premises immediately upon the completion of the project or at such time as provided in the approval.

D. Any storage or disposal container which is located or situated on any property or premises on the effective date of the ordinance codified in this chapter shall be permitted to continue to remain in the same location on the property or premises for a period of three years from the effective date of the ordinance codified in this chapter. Thereafter, such storage container or disposal shall be removed or otherwise conform to the requirements of this section, and the failure to do so shall constitute a violation of this section.

~~[E. Any person violating the provisions of this section shall be guilty of a municipal infraction and be fined no more than one hundred dollars ($100.00) for each infraction. Each day that the violation exists or continues shall be deemed a separate infraction. Any infraction may be enforced as a municipal infraction or in any other means authorized by law, including injunction and specific enforcement.]~~

SECTION II. BE IT FURTHER ENACTED AND ORDAINED that this Ordinance shall take effect twenty (20) calendar days following its approval by the Burgess and Commissioners.

INTRODUCED ON THE _____ DAY OF _____, 2016

PASSED ON THE _____ DAY OF _____, 2016

EFFECTIVE DATE: _____, 2016

ATTEST:

BURGESS AND COMMISSIONERS OF MIDDLETOWN

_____
Andrew J. Bowen, Town Administrator

By:_____
John D. Miller, Burgess

MEMORANDUM

Date: 6/30/2016

To: Burgess and Commissioners, Middletown

From: Cynthia K. Unangst, Middletown Staff Planner

RE: Vehicles and residential use properties in the TC district text amendment

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Ron Forrester, Zoning Administrator, has proposed that changes be made to the Municipal Code so that residential-use properties in the Town Commercial (TC) district are required to abide by the same regulations as other residential properties in relation to off-street vehicle parking. This would pertain to those residential properties in the TC district that would otherwise violate the residential district portions of the Code but cannot be cited due to the fact that they are in the TC district. He is proposing that Section 17.32.125 be amended so that sales of motor vehicles are regulated for residential use properties in the TC district as they are for any other residential district, and that residential-use properties in the TC district follow off-street parking rules including those that relate to restricted vehicles as for any other residential district. This was discussed at both the March and June joint workshops earlier this year.

The proposed language that was drafted by the Zoning Administrator was sent to Attorney John Clapp for review and comment on June 10, 2016. He suggested some stylistic revisions to Section 17.32.125(b), and for consistency and convenience, suggested some other revisions to what was proposed by the Zoning Administrator that would simply change the location of suggested language.

The Middletown Planning Commission on June 20, 2016 reviewed the text amendments which would regulate the off-street parking of motor vehicles for property used for residential uses in the Town Commercial district and would regulate the sales of motor vehicles for property used for residential uses in the TC district. By consensus the Planning Commission recommended support of the proposed text amendments.

When the Staff Planner sent the text amendment language back to Attorney Clapp to put into ordinance form, he put them in two separate ordinances since they really deal with different subject matter even though the two sections of the Code that are proposed to be revised are somewhat related.

The Town Attorney has drafted the ordinance which is attached. A public hearing will need to be scheduled.

ORDINANCE NO. 16-08-02

AN ORDINANCE TO AMEND TITLE 17, CHAPTER 17.32, SECTION 17.32.125 OF THE MIDDLETOWN MUNICIPAL CODE TO REGULATE THE SALES OF MOTOR VEHICLES FOR PROPERTY USED FOR RESIDENTIAL USES IN THE TC (TOWN COMMERCIAL) DISTRICT.

SECTION I. BE IT RESOLVED, ORDAINED AND ENACTED by the Burgess and Commissioners of Middletown that Title 17, Chapter 17.32, Section 17.32.125 of the Middletown Municipal Code be, and hereby is, amended as follows. New language is designated by being in **BOLD CAPITAL LETTERS.**

Title 17 - Zoning

Chapter 17.32 - DESIGN STANDARDS GENERALLY

17.32.125 - Sales of motor vehicles in residential districts **AND FOR RESIDENTIAL USE PROPERTY IN THE TC (TOWN COMMERCIAL) DISTRICT.**

A. As used in this section, "motor vehicle" is defined as any self-propelled device in, or by which any individual or property is or might be transported or towed on a highway, and includes, but is not limited to automobiles, trucks, motorcycles, low-speed vehicles and off-highway recreational vehicles.

B. Sales of motor vehicles are permitted in any residential district **AND ON PROPERTY USED FOR RESIDENTIAL PURPOSES IN THE TC (TOWN COMMERCIAL) DISTRICT** subject to the following.

1. Only one motor vehicle may be for sale at any one time.

2. The motor vehicle for sale must be currently titled in the name of a person who resides on the property where the motor vehicle is for sale.

3. The motor vehicle for sale must be parked in a designated parking space on the property as provided in Section 17.32.060 and may not be parked on yards or other grassy or vegetative areas on the property.

SECTION II. BE IT FURTHER ENACTED AND ORDAINED that this Ordinance shall take effect twenty (20) calendar days following its approval by the Burgess and Commissioners.

INTRODUCED ON THE _____ DAY OF _____, 2016

PASSED ON THE _____ DAY OF _____, 2016

EFFECTIVE DATE: _____, 2016

ATTEST:

_____
Andrew J. Bowen, Town Administrator

BURGESS AND COMMISSIONERS OF MIDDLETOWN

By:_____
John D. Miller, Burgess

ORDINANCE NO. 16-08-03

AN ORDINANCE TO AMEND TITLE 17, CHAPTER 17.32, SECTION 17.32.060 OF THE MIDDLETOWN MUNICIPAL CODE TO REGULATE THE OFF-STREET PARKING OF MOTOR VEHICLES FOR PROPERTY USED FOR RESIDENTIAL USES IN THE TC (TOWN COMMERCIAL) DISTRICT; TO PROVIDE SCREENING REQUIREMENTS FOR THE PARKING OF UNREGISTERED OR INOPERABLE MOTOR VEHICLES IN RESIDENTIAL DISTRICTS AND FOR RESIDENTIAL USE PROPERTY IN THE TC (TOWN COMMERICAL) DISTRICT AND TO LIMIT THE PERMITTED NUMBER OF SUCH VEHICLES.

SECTION I. BE IT RESOLVED, ORDAINED AND ENACTED by the Burgess and Commissioners of Middletown that Title 17, Chapter 17.32, Section 17.32.060 of the Middletown Municipal Code be, and hereby is, amended as follows. New language is designated by being in **BOLD CAPITAL LETTERS.** Deleted language is designated by being in [~~brackets and stricken through~~]:

Title 17 - Zoning

Chapter 17.32 - DESIGN STANDARDS GENERALLY

17.32.060 Off-Street Parking in Residential Districts.

A. – I. *{Unchanged}*

J. Off-Street Parking in Residential Districts **AND FOR RESIDENTIAL USE PROPERTY IN THE TC (TOWN COMMERICAL) DISTRICT.**

1. This subsection applies to any property located in a residential zoning district **AND TO ANY PROPERTY USED FOR RESIDENTIAL PURPOSES IN THE TC (TOWN COMMERICAL) DISTRICT.**

2. **THE PARKING AND STORAGE OF NOT MORE THAN ONE UNREGISTERED OR INOPERABLE MOTOR VEHICLE IS PERMITTED PROVIDED THAT SUCH VEHICLE IS EFFECTIVELY SCREENED FROM ADJOINING PROPERTIES.**

~~[2.]~~ **3.** A person may only park a motor vehicle on an impervious surface.

~~[3.]~~ **4.** Except as otherwise provided in subsection ~~[4.]~~ **5.** of this section, a person may not park a restricted vehicle in a front yard.

~~[4.]~~ **5.** The following are exempt from the prohibition of subsection ~~[3.]~~ **4.** of this section:

a. – c. *{Unchanged}*

SECTION II. BE IT FURTHER ENACTED AND ORDAINED that this Ordinance shall take effect twenty (20) calendar days following its approval by the Burgess and Commissioners.

INTRODUCED ON THE _____ DAY OF _____, 2016

PASSED ON THE _____ DAY OF _____, 2016

EFFECTIVE DATE: _____, 2016

ATTEST:

_____
Andrew J. Bowen, Town Administrator

BURGESS AND COMMISSIONERS OF MIDDLETOWN

By:_____
John D. Miller, Burgess