

MIDDLETOWN PLANNING COMMISSION

Middletown Municipal Center
31 West Main Street
Middletown, MD 21769

AGENDA
Monday, September 16, 2013
7:00 p.m.

- I. Public Comment
- II. Minutes of August 2013 Planning Commission meeting Approval
- III. Plan Review
 - Miller Property Revised Concept Plan Discussion
- III. Zoning
 - Middletown Park Annexation Discussion/Recommendation
 - Thompson Parking Lot schedule Information
- Violations
- V. Miscellaneous
- VI. Additional Public Comment

**** All requests to be on the Planning and Zoning Agenda must be received at the Middletown Planning and Zoning office in the Middletown Municipal Center, 31 W. Main Street, Middletown by noon on the Monday two weeks prior to the monthly meeting held on the third Monday of each month. All plans being submitted for review must be folded, although electronic plans are preferred.**

**Middletown Planning Commission
31 West Main Street
Middletown, MD 21769**

Regular Meeting

August 19, 2013

The regular meeting of the Middletown Planning Commission took place on Monday, August 19, 2013 at 7:00 p.m. at the Middletown Municipal Center, 31 West Main Street, Middletown, MD 21769. Those present were Commission members Ron Forrester, Rich Gallagher, David Lake, Bob Miller, Bob Smart, Commissioner Chris Goodman, Bruce Carbaugh, Director of Operations & Construction and Cindy Unangst, Staff Planner. Chairman Carney was not present for the meeting.

- I. **PUBLIC COMMENT-** none
- II. **Regular Meeting Minutes of July 15, 2013 – approved as submitted.**
- III. **PLANS**

The Valley School Demolition Plan- Cindy stated that the demolition plan was conditionally approved on July 15, 2013. Construction should begin within 60 days of demolition work. Bruce stated that the electric to the shed and garage need to be disconnected and we are waiting for Frederick County approval. The Ginkgo tree on site, that was originally going to be saved, is now going to be removed.

The Valley School Site Plan- Cindy read thru her report and addressed previous concerns with signage, grading of the play area, and lighting. The agreed signage would be no more than 4x4 in size. ARRO Engineering had concerns about the slope of the playground and that has been adjusted from an 8% slope to 2%. Lighting had been modified from the July meeting to accommodate concerns. There will be 3 poles that are 15ft high and the lumens shown are less than the previous site plan. Cindy stated that there are to be 20 parking spaces and a loading space. The landscape design meets approval. It was also mentioned that there is a water/sewer tap already in place. Frederick County has approved the Stormwater Management Concept Plan. Commission Member Smart motioned to conditionally approve the plan upon Frederick County approval, seconded by Bob Miller. Motion carried. (5-0).

The Valley School Improvement Plans- Cindy stated the landscape discrepancy with the number of Dogwoods has been corrected. Commission member Lake motioned to conditionally approve the improvement plan upon Frederick County approval. Commission member Miller seconded. Motion carried. (5-0).

Cross Stone Commons Addition Plat- Cindy read thru her report and stated that the property is zoned GC-General Commercial and the shopping center use was approved by the

Board of Appeals on 5/8/13. Cindy explained that within the General Commercial district, there is not a lot area or width minimum. The front yard depth is 40 feet, side yards are minimums of 20 feet and rear yard depth needs to be at least 40 feet. According to the Middletown Municipal Code, subdivision lots in shopping centers may not have to comply with yard or frontage requirements, only if the Planning Commission finds appropriate recorded easements are determined. The applicant has written a formal request for these exemptions. Cindy stated that there were concerns with setback requirements and questions regarding right of way. David Lingg (Lingg Property Consulting) explained boundaries to the board. David also answered questions from the board regarding the paving setback and building setback requirements. Cindy stated that the minimum building restriction lines on the plat are shown correctly. Frederick County Health Dept still needs to review and approve the plat. The health dept is waiting for the town to review the Capacity Management Plan for water and sewer taps needed. Bruce Dean, attorney representing the purchaser, made a request to hold off on the plat approval until the Planning Commission is ready to approve the site plan. Planning Commission agreed to defer vote.

Cross Stone Commons Site Plan- Cindy stated that site plan review requirements have all been met. A traffic impact study was completed and has met approved conditions. Sidewalks and curb/gutter are being proposed. The guidelines for parking spaces are 5.5 spaces per 1000 sq. ft. of total floor area. The total spaces required would be 195. The site plan shows 229 parking spaces. Cindy explained that at the workshop, concerns about off street loading spaces were mentioned. Per site plan, Buildings 1, 2 & 4 have 1 space and Building 3 has 3 spaces. These spaces are regulation size. Per Cindy, Building 1 should have 2 loading spaces. Off-street loading spaces were addressed by David Lingg. Commission Member Rich Gallagher had a question about the spaces being drive in or back in. David Lingg explained that the unloading of trucks would be during off hours. David Lingg also stated that no pervious pavement is planned for parking lots. Stormwater Management Concept Plan had been previously approved by Frederick County. Cindy stated that Frederick County is reviewing changes at this time. Cindy stated that at the workshop, the proposed landscaping was reviewed and a request for additional shrubs along the parkway, near Building 1 was discussed. Lighting has been proposed for 20ft. directional, anti-glare pole lights.

According to Code, the Planning Commission has authority to review shopping center designs. Ron Forrester suggested that the Main Street Design Committee may have some ideas that would be helpful, with the Architectural Review stage. David Lake suggested that this could be a workshop project. David Lake had a question about the architectural designs of the buildings being all the same style. A copy of the proposed building (CVS) was viewed at the meeting. Bob Smart would like to know what material is proposed for the exterior of the building. David Lake and Bob Smart mentioned that they would like to see gables on roof line, suggesting the Victorian style homes on Main Street. David Lake mentioned that he would like the focus to be on Building 1, to set a tone for design style. David Lake also would like building design concepts for the joint town board and planning commission meeting in October. Cindy advised the

architect to take photos of the bank across the street from the proposed site, to get concept ideas. Cindy stated that State Highway has been sent the plans to review.

Middletown Fire Station #7 Concept Site Plan- Cindy stated that at workshop, it was determined that the existing and proposed property lines are hard to determine from the plans. Since Middletown Volunteer Fire Department will be deeding the parcel to Frederick County, the property lines need to be clear. Cindy asked for clarification from Robert Barrick with ADTEK Engineers. He explained to the board what the different lines represent. David Lake reminded Mr. Barrick that all details need to be shown on the plans. Cindy advised that there will be no FRO involved in the approval of plans. The whole property, including the primary school and fire department property was done previously. Cindy stated that it was approved in 2005. Cindy advised Robert Barrick that on the revised plans, the required and proposed building setbacks need to be indicated. The current free standing pavilion on the property needs to be addressed. The pavilion is not on the plans, and it needs to be known if the pavilion is going to be demolished or moved. Brent Harne of the Middletown Vol Fire Department stated that they are discussing what the plans will be for the pavilion. Cindy advised Mr. Harne, that if they demolish the pavilion, they will need a permit from the town. Cindy stated that the Fire Dept has proposed 59 parking spaces. Cindy stated that at the workshop, there were some questions about the proposed fuel tank, which is indicated to be stored behind the building. Cindy advised Robert Barrick and Sue Barthol (Frederick County Facilities) that we need more information about how they intend to store the flammable fuels. There are setbacks associated with storage tanks, and we need to make sure Code requirements are followed.

Cindy reviewed the height limitations with Robert Barrick, concerning the proposed tower and overall building height. She also advised him on the Open Space Regulations for the maximum height of buildings. Landscaping is minimal but acceptable. Signage and Lighting information has not been provided for review.

Bruce Carbaugh stated that there is a waterline on record and natural gas available. Bruce did have a question about if vehicle maintenance would be done offsite (i.e. oil changes). Bruce had concerns with egress from the equipment bays. Bruce did also mention he would like more details about the kitchen size. The Fire Department has had a discussion with the Town Board about water taps. Frederick County is reviewing the Stormwater Management plans.

Middletown High School C- Container- Cindy stated that she received an email from Vernon Beals, regarding an extension on the removal of the container. Due to delays with the offsite gas line installations, they are requesting a two month extension. The container was approved on 2/18/13 and the removal date was 8/18/13. Commission member Miller made a motion to approve, and Commission member Smart seconded. Motion carried (5-0).

IV. Zoning

Violations – Commissioner Goodman mentioned the new signs advertising Freddie's Subs, at the BP station at 211 E. Main Street. Cindy said she would check into it.

V. **Miscellaneous** – David Lake asked Cindy the status of the Thompson Funeral Home parking lot. She stated the plans were submitted to Frederick County on Tuesday, August 13, 2013. Mr. Lake recommended that a schedule for the parking lot completion be submitted in September. Mr. Lake asked if Cindy had any new information on More Ice Cream at 13 W. Main Street. Cindy stated that she has seen them doing work in the building.

VI. **Additional Public Comment** –None

Meeting adjourned at 8:30pm.

DRAFT

Middletown Planning Office

MEMORANDUM

Date: 9/4/2013

Hansen# 13675

To: Middletown Planning Commission

From: Cynthia K. Unangst, Middletown Staff Planner

RE: **MILLER COMMERCIAL PROPERTIES REVISED CONCEPT PLAN**

Tax Map Parcel #03-0136108

Applicant: Geoff Ciniero, CMS Associates LLC

Property Owner: Miller Commercial Properties LLC

Plan Dated: August 29, 2013

Date Received: September 3, 2013

GENERAL INFORMATION

Proposal: Redevelop existing buildings in phases into new retail and/or restaurant uses. Parcel currently contains various vacant buildings plus the offices and storage facilities for Current Components.

Location: 121 & 203 East Main Street, on northeast corner of Broad Street and Main Street.

Zoning: TC Town Commercial. This district permits numerous uses such as retail sales and eating and drinking establishments along with office and business services and storage, wholesale and warehouse buildings.

Present Use: Offices and warehouse for Current Components business. The rest of the buildings to be renovated are vacant.

COMMENTS

The following issues should be considered in your review of this Concept Plan:

1. **Previous approval** – The Planning Commission reviewed a Site Plan for the Miller Property in September 2010. The minutes from that meeting are provided here for your consideration:

Miller Property Site Plan – Mark Lancaster representing the Miller's submitted a phasing plan of the properties the Miller's currently own. Mr. Lancaster presented a worst case scenario to the best case scenario as far as parking requirements would go. Mr. Lancaster stated that Phase I & II are currently under construction but the remaining Phases have not started and will not until they get interested tenants. Mr. Lancaster stated that once they get a tenant for Phase III, they will come back in with an updated site plan as that is when most of the work with storm water management, water & sewer would take place. Mr. Lancaster

stated that the Miller's are planning to have an ingress/egress from Green Street, as well as one-way ingress from Main Street and a one way egress to Main Street. Mr. Lancaster noted that the Miller's would need to get an easement from the Town in order to get the ingress/egress off Green Street. It was stated that Improvement plans would be needed for Phase III – VI.

Motion by Lake to approve the concept plan as submitted for Phase I-VI, with Phase I & II currently under construction, and once Phase III is to start Improvement Plans would be needed, seconded by Smart. Motion carried (5-0).

2. **Changes from prior plan** – The main changes from the prior plans are the location of the stormwater management and thus some changes to the parking. There is no change in the phasing of the development. Aside from the stormwater management and parking, the other change is that the access on the west side of the property is proposed to be an ingress/egress instead of just an ingress, and the access on the north side of the property is no longer being proposed for ingress or egress. A proposed patio area is shown to the south of the former retail business building. A legend should be provided to more clearly indicate what is being proposed as patio, concrete, and landscape/grass areas.
3. **Parking** – The previously approved plan showed 47 parking spaces. The revised plan shows 52 parking spaces that vary in size from 8' x 22' to 9' x 19' with the majority of the spaces being 9' x 18'. The town's parking regulations call for parking spaces to be 9' x 20'.
4. **Lighting** – Lighting associated with the site consists of flood lights directed to the interior of the lot from some of the buildings located in the rear section of the lot, and residential-type outdoor lights on the front of the old retail building at the front of the lot. Changes to lighting, or additional lighting, shall be approved by the Planning Commission.
5. **Signage** – Any signage is to be presented to the town zoning administrator for approval before being installed.
6. **Lot requirements** – The buildings on the property pre-date the zoning ordinance and do not meet current setback requirements.
7. **Stormwater management** – A Stormwater Management Concept Plan has been submitted and approved by Frederick County. Stormwater management consists of a micro-bioretenion facility in the middle of the parking lot to accommodate the re-development of existing buildings and the reconfiguration of the parking lot. The County indicated in their approval that the construction details of the facility will be reviewed with final improvement plans.
8. **Water and Sewer requirements** – The site has existing water and sewer in the back building.

This review will be included in the Middletown Planning Commission materials for the September 16, 2013 public meeting. The applicant is encouraged to attend this meeting and the workshop on the Wednesday prior to the meeting which will be September 11, 2013.

ELEMENTARY SCHOOL

106 EAST GREEN STREET

109 EAST MAIN STREET

113 EAST MAIN STREET

115 EAST MAIN STREET

117 EAST MAIN STREET

119 EAST MAIN STREET

121 EAST MAIN STREET

203 EAST MAIN STREET

217 EAST MAIN STREET

219 EAST MAIN STREET

221 EAST MAIN STREET

211 EAST MAIN STREET

200 EAST MAIN STREET

124 EAST MAIN STREET

126 EAST MAIN STREET

128 EAST MAIN STREET



Memorandum

To: Middletown Planning Commission
From: Cindy Unangst, Middletown Staff Planner
Date: 9/6/2013
RE: MIDDLETOWN PARK ANNEXATION

Per Section 17.12.040 of the Middletown Municipal Code, the proposed annexation of the Middletown County Park into the Town of Middletown is before you for review and recommendation.

17.12.040 Posting and zoning of annexed areas.

A. During the two-week period prior to the date of the hearing required by Article 23A, Section 19 of the Annotated Code of Maryland on any proposed annexation of land, the land which is proposed to be annexed shall be continuously posted with a sign to provide public notice of the date, time, place and subject matter of the annexation hearing. The sign shall be at least three (3) square feet in area, shall identify the name of the person or entity seeking the annexation and shall be posted in a conspicuous place on the property fronting a public right of way. The owner of the land, applicant or other person or entity seeking the annexation shall be solely responsible for providing and posting the sign which shall be subject to the approval of the town administrator.

B. Prior to the hearing required by Article 23A, Section 19 of the Annotated Code of Maryland on any proposed annexation of land, the proposed annexation shall be submitted to the planning commission for review and recommendation regarding the proposed zoning for the property and the consistency of that zoning with the comprehensive plan. The planning commission shall submit its written report and recommendation to the burgess and commissioners within ninety (90) days of referral. The ninety-day period may be extended by the burgess and commissioners. In the event that the planning commission fails to submit its report within the required ninety (90) days, and no extension has been granted, then the burgess and commissioners may proceed with the public hearing on the annexation without such report or recommendation.

Staff notes that the property does adjoin the existing corporate boundary; the property does not create an enclave of any unincorporated area; the property does not exceed 1.5% of the present corporation area; and the request for zoning of OS is consistent with both the Frederick County Comprehensive Plan and the Middletown Comprehensive Plan.

MIDDLETOWN ANNEXATION

Annexation Plan

- Petitioner: Town of Middletown
- Request: Annexation of 79 acres of park land to be zoned OS.
- Location: West side of Coblenz Road, and east of Middletown High School.

Land Use & Zoning: The subject property is a developed community park owned and maintained by Frederick County. The property is currently zoned OS-Open Space under the Frederick County jurisdiction. County A-Agricultural zoning adjoins this property to the north. Middletown R-20 Residential zoning are to the east and the south and Middletown OS – Open Space is to the west for the school complex.

Land use adjoining the subject property is a combination of agricultural, residential, and institutional. A large agricultural tract remains to the north. Single-family homes adjoin the property to the east and south, and the remainder of the property adjoins institutional property owned by the Frederick County Board of Education.

The Annexation Agreement under item #3 requests the zoning upon annexation to remain OS Open Space. This request is consistent with the *Frederick County's Future – A Comprehensive Plan for Frederick County, Maryland* (Adopted April 2010) classification as outlined on the 2010 Adopted Countywide Middletown/Fountaindale Land Use Plan which indicates Open Space land use where the OS zoning is proposed.

Comprehensive Plan: The *Frederick County's Future – A Comprehensive Plan for Frederick County, Maryland* (Frederick County Comprehensive Plan) designates this property as Public Parks/Open Space. The *Middletown Comprehensive Plan*, adopted March 2010, designates the property as Public Parks/Open Space as well. *Middletown Comprehensive Plan* maps show a stream running north to south through the property, and the transportation maps show county roadway running west to east thru the property. The proposed annexation is within the projected annexation limits established by the adopted Frederick County Comprehensive Plan and the Middletown Comprehensive Plan.

Streets & Roads: The subject property totals approximately 1,450 ft. of frontage on Coblenz Road, which is a 22ft. wide bituminous concrete County road with no curb and gutter. The Middletown Comprehensive Plan designates Coblenz Road as a county road. Improvements to this property with access to this road would require approval from appropriate agencies. There is currently access to this parcel via a county roadway running east to west through the property from Coblenz Road to the Middletown High School parking lot. The Middletown Comprehensive Plan shows a designated minor arterial road running east/west to the north of the property.

Community Facilities

Schools: The subject property is located in the Middletown Primary, Middletown Elementary, Middletown Middle and Middletown High School districts. The projected enrollment of each school for September 2013 is 88%, 76%, 86%, and 98% respectively.

The current/proposed zoning of OS Open Space would not bring any new housing into the Town.

Water/Sewer: The subject property is already served by Middletown water and sewer systems. According to the Water & Sewer Plan map in the current Middletown Comprehensive Plan, the property is classified as a W-1 and S-1 denoting that the property is connected to the town systems. The Frederick County Water and Sewerage Plan dated November 17, 2011 show the property classified as S-1, W-1 as well, indicating existing connections to the town's system.

Fire Service: This property would continue to be served by the Middletown Fire and Ambulance service located less than 1 mile southwest of the site.

Police Service: Police service would continue to be provided by the Frederick County Sheriff's Department. Due to continued growth, the Town now has three deputies as well as additional resource deputies at Middletown's High School and Middle School.

Solid Waste Disposal: The Town of Middletown contracts with a private hauler for trash service for residential and some smaller commercial customers. Larger commercial customers contract independently with a private hauler.

The Annexation Agreement under item #6 states that the property and the facilities at the County Park shall continue to be owned by the County and maintained by the applicable County division or agency which would include solid waste disposal.

Electric: Allegheny Power currently provides service to the area.

Parks: The subject property is the County Park which serves the Middletown Valley. Additional park facilities are further south and west in Town.

Staff Comments: As stated in connection with other annexations, the staff is of the opinion that any future development in and around existing municipalities should first be considered for annexation. This is stated County and State policy. This proposal is within a logical area for annexation into the Town limits. In addition, this property already has public water and sewer from Middletown.

Recommendations:

1. Staff would support that the proposed use and zoning designation for the annexation request does meet State Smart Growth guidelines in that there will be no increase in density due to the property being a park facility and zoned Open Space, and would not jeopardize future State funding for infrastructure improvements.
2. Staff would also note that the County Park is within the Middletown Growth Area and thus the annexation of the Park is logical.
3. As noted in the Annexation Agreement (#4), future improvements for the Park by the County pursuant to the County's adopted Park Master Plan shall be exempt from the Town's planning review and approval process. Any future development of the Property shall be consistent with the County's adopted Park Master Plan provided however that the Town will be consulted and will have the opportunity to provide material input as to any proposed use of the property which deviates substantially from the Park Master Plan then in effect.
4. Also as noted in the Annexation Agreement (#6), the Property and facilities shall continue to be owned by the County and maintained by the applicable County division or agency, which currently is the Frederick County Division of Parks and Recreation.

ANNEXATION AGREEMENT

THIS ANNEXATION AGREEMENT made this 8th day of August, 2013 by and between the Burgess and Commissioners of Middletown (hereinafter referred to as "the Town") and the Board of County Commissioners of Frederick County, Maryland (hereinafter referred to as "the County").

WHEREAS, the County is the owner of a parcel of land more fully described on the metes and bounds description attached hereto and incorporated by reference herein as "Exhibit A" (hereinafter "the Property") which adjoins the corporate boundaries of the Town of Middletown, Maryland; and

WHEREAS, the Property is used primarily as a recreational park and is commonly referred to as "the Middletown Community Park"; and

WHEREAS, the Town desires to include the Property within the corporate limits of the Town of Middletown upon certain conditions; and

WHEREAS, the County is willing to have the Property annexed into and made a part of the Town of Middletown provided that certain conditions are agreed to relative to the annexation of the Property into the Town of Middletown; and

WHEREAS, the parties have reached an agreement concerning the terms and conditions of the annexation and they enter into this Annexation Agreement with the intent to be bound accordingly.

NOW, THEREFORE, in consideration of the mutual obligations, benefits and promises contained herein, the sufficiency of which is acknowledged by all parties hereto, the Town and the County hereby agree as follows:

1. This Annexation Agreement is expressly contingent on the enactment of a Resolution (hereinafter "the Annexation Resolution") by the Town annexing the Property into the Town of Middletown and upon the Annexation Resolution becoming effective either after the passage of the statutorily-required time period or, if the Annexation Resolution is petitioned to Referendum, then upon approval of the Annexation Resolution after the Referendum. The Annexation Resolution shall specifically incorporate this Annexation Agreement into the Annexation Resolution. In the event that the Annexation Resolution is not enacted or, if enacted, fails to become final and effective, then this Annexation Agreement shall be deemed void *ab initio*, and shall be of no force and effect as if it had never been executed.

2. The execution of this Annexation Agreement neither implies nor guarantees either legislative or voter approval or passage of the Annexation Resolution. This Annexation Agreement shall not be deemed to inhibit or affect the ability of the Town or its officials from properly performing their legislative functions, including but not limited to the rejection of and decision to deny approval of the Annexation Resolution.

3. The Property to be bound by this Annexation Agreement is that property which is described in the attached "Exhibit A". The Property shall be classified and zoned within the "Open Space" zoning district pursuant to Middletown Municipal Code, Chapter 17.28.

4. Future improvements proposed for the Property by the County pursuant to the County's adopted Park Master Plan (adopted in 1983/Revised in 1995 and 2009) shall be exempt

from the Town's planning review and approval process. Any future development of the Property and the Middletown Community Park situated thereon shall be consistent with the County's adopted Park Master Plan *as amended*; provided, however, that the Town will be consulted and will have the opportunity to provide material input as to any proposed use of the property which deviates substantially from the Park Master Plan then in effect.. The County has previously approved a skating facility for the Property which facility is not currently depicted on the Park Master Plan, and the County shall determine the precise location and parameters of this facility at a later date.

5. The Property shall be exempt from all municipal *ad valorem* real estate taxes.

6. The Property and the Middletown Community Park facilities situated thereon shall continue to be owned by the County and maintained by the applicable County division or agency, currently the Frederick County Division of Parks and Recreation. Maintenance shall conform to the appropriate County policies, standards, rules and regulations. The County and the Frederick County Division of Parks and Recreation shall be responsible for the operation of the Middletown Community Park facilities, including but not limited to security, the rental of the shelter(s) and ball field(s), and park programming. The County shall indemnify and hold Town harmless for any personal injury and/or property damage caused by, arising from or related to the duties and obligations to be undertaken by the County under this paragraph.

7. The Town shall be responsible for the costs of the Annexation of the Property, including but not limited to the costs of obtaining a survey of the Property, advertising and notice publication expenses, and recording costs.

8. This Annexation Agreement shall be incorporated into the Annexation Resolution, and the Annexation Resolution and this Agreement shall be recorded among the Land Records of Frederick County, Maryland.

9. This Agreement constitutes the entire understanding and agreement among and between the parties and supersedes all prior discussions, understandings, agreements and negotiations between the parties. This Agreement may be modified or amended only by a written instrument duly executed by the parties hereto.

10. This Agreement shall be governed by, construed, interpreted and enforced in accordance with the laws of the State of Maryland. This Agreement may be executed in as many counterparts as may be required, and each such counterpart shall be deemed to be an original.

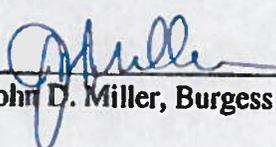
WITNESS the hands and seals of the parties hereto by their respective duly authorized representatives.

ATTEST

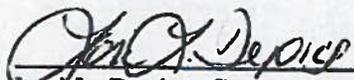


Andrew J. Bowen, Town Administrator

BURGESS AND COMMISSIONERS
OF MIDDLETOWN

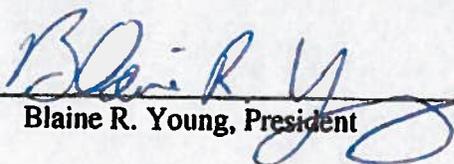
By:  [SEAL]
John D. Miller, Burgess

ATTEST:



Lori L. Depies, County Manager

BOARD OF COUNTY COMMISSIONERS
OF FREDERICK COUNTY, MARYLAND

By:  [SEAL]
Blaine R. Young, President

MJC 7/13/15

Exhibit A



Harris, Smariga & Associates, Inc.

Planners/Engineers/Surveyors
125 S. Carroll Street, Suite 100/Frederick, MD 21701
301-862-4488/FAX 301-862-4906

March 20, 2013
HSA Job No. 2382
Page 1 of 1

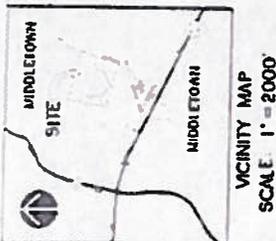
Description of *Farm Lot No. 1*

Beginning at a point in Coblentz Road which is the Northeast corner of Farm Lot No.1 as shown on a plat of subdivision entitled "Boundary Survey Farmland, Farm Lot No.1, Gaver Farm Lot", as recorded among the Land Records of Frederick County, Maryland in Plat Book 23 at Page 170. Thence running with and in said roadway the following two (2) courses and distances,

S. 09° 18' 00" W.	195.00'	to a point, thence
S. 22° 39' 06" W.	1262.25'	to a point, thence leaving said roadway and continuing with said Farm Lot No.1 outline the following five (5) courses and distances
S. 86° 33' 43" W.	899.81'	to a point, thence
N. 71° 26' 17" W.	1078.59'	to a Stone Found, thence
N. 04° 35' 08" E.	1262.82'	to a point, thence
N. 12° 54' 23" E.	320.92'	to a point, thence
S. 77° 28' 01" E.	2320.98'	to the Point of Beginning.

The area of land contained by the foregoing amounts to 3,441,740 Square Feet or 79.011 acres more or less.

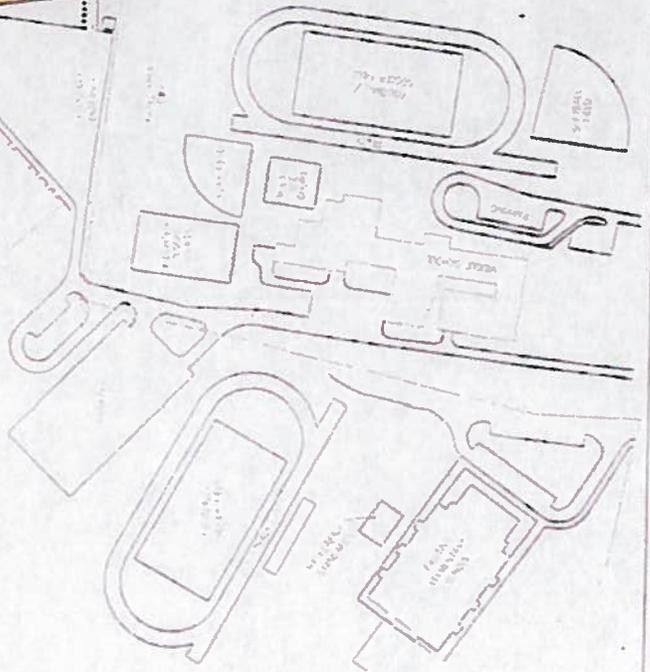
A skate spot was approved by the BOCC in 2009, with a location to be determined at a later date. It is also referred to in the Middletown Community Park Annexation Agreement



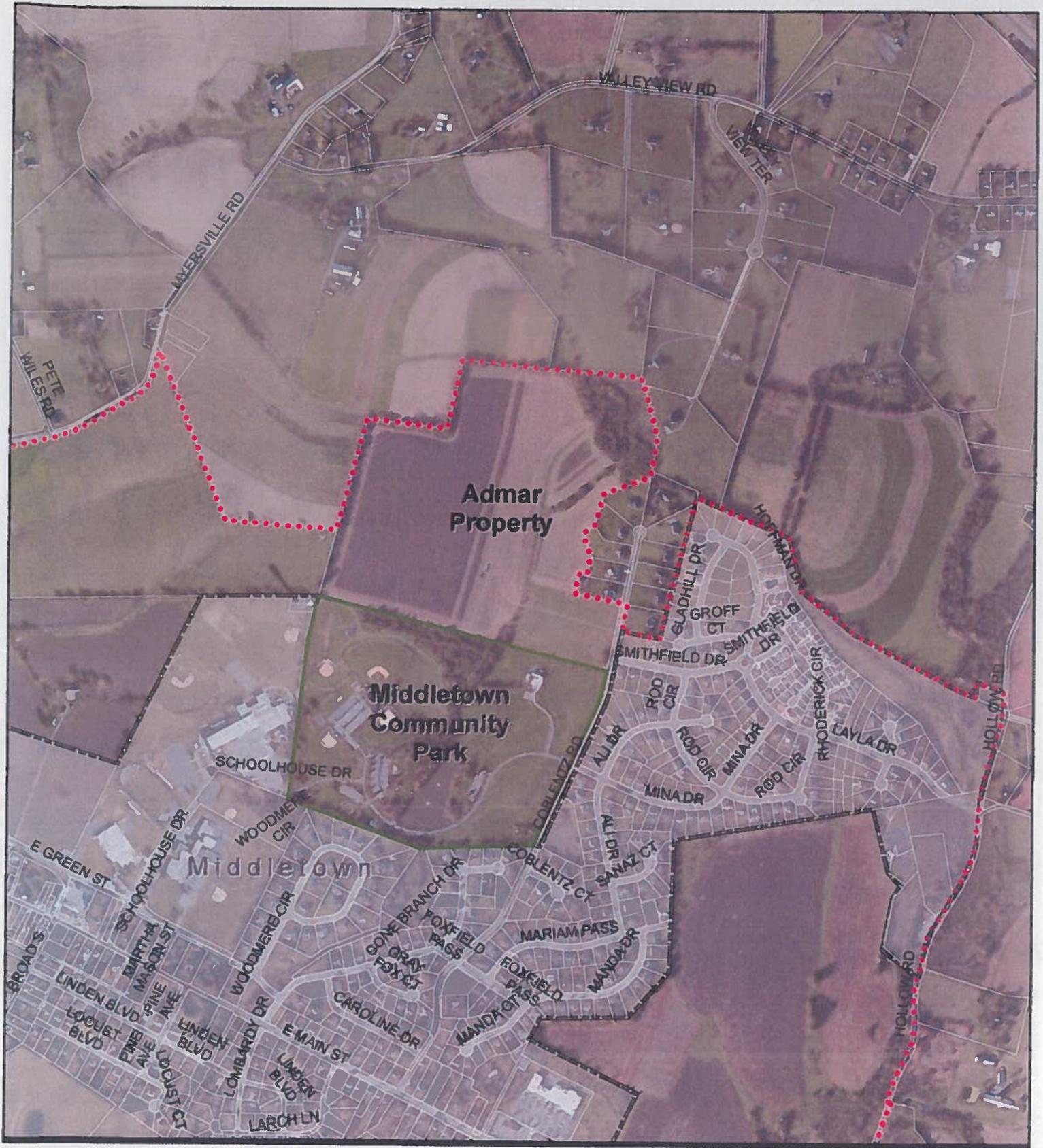
MIDDLETOWN COMMUNITY PARK
 MASTER PLAN
 FREDERICK COUNTY BUREAU OF PARKS AND RECREATION
 FREDERICK, MARYLAND

- FACILITY LEGEND**
- SOCCER / FOOTBALL
 - BASISBALL
 - SOFTBALL (LIGHTED)
 - TENNIS LEAGUE
 - OPEN PICNIC SHELTER
 - INDIVIDUAL PICNIC AREA
 - PICNIC AREA
 - SPRING FED POND
 - MAINTENANCE AREA
 - STAGE
 - BASKETBALL COURT (LIGHTED)
 - RESTROOM BUILDING
 - BARBECUE COURTS
 - CONCESSIONS / RESTROOM
 - MEMORIAL TREE GROVE
 - WILD FLOWER MEADOW
 - MODEL CAR RACE TRACK

- LEGEND**
- TRAIL CIRCUIT
 - PAVED PATH
 - PLAY AREA
 - PEDESTRIAN BRIDGE
 - NATURAL AREA
 - FUTURE BALLFIELDS/PARKING LOTS



VFA



Middletown Community Park

Frederick County, Maryland

Community Development Division

Comprehensive Planning

 Middletown Growth Area (2010 Town Plan)

 Park Boundary

 Middletown Municipal Area



November 27, 2012
Frederick County GIS



Projection: NAD 1983 State Plane Maryland FIPS 1900 Feet
While efforts have been made to ensure the accuracy of this map, Frederick County accepts no liability or responsibility for errors, omissions, or positional inaccuracies in the content of this map. Reliance on this map is at the risk of the user. This map is for illustration purposes only and should not be used for surveying, engineering, or site-specific analysis.
00081



Cindy Unangst

From: William Ryan [wkryan@ryanandassociates.net]
Sent: Friday, September 06, 2013 8:07 AM
To: Cindy Unangst
Cc: 'Donald B. Thompson'; John Miller; Drew Bowen
Subject: RE: Thompson Funeral Home Site Plan with American Holly Shrubs for Parking Shielding

Good morning Cindy,

I have met with Don's Contractor last week to go over the plans and handle his questions. So Don has the contractor selected and he can give that information to you. I will touch base with Dave Crable early next week to check on the status of the stormwater review and get a handle on when we can expect approval or if any revisions need to be made.

It is entirely still feasible to construct in by end of October and/or November and that is Don's plan.

Respectfully,
Bill Ryan, M.S., P.E.
Principal Engineer/President
Past President - Maryland Society of Professional Engineers
2011-2013 MDSPE Delegate

Ryan & Associates

"Real World Engineering"

PH: 301-360-9534/FX: 301-360-9574

www.RyanAndAssociates.net

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From: Cindy Unangst [mailto:Cindy@ci.middletown.md.us]
Sent: Thursday, September 05, 2013 2:30 PM
To: 'William Ryan'
Cc: 'Donald B. Thompson'; John Miller; Drew Bowen
Subject: RE: Thompson Funeral Home Site Plan with American Holly Shrubs for Parking Shielding

Hi Bill and Don – In reviewing the schedule below that was provided to me, is it still feasible for the contractors to be selected and hired by the end of September? Is it feasible for construction to be completed by the end of October or November?

If that time frame is no longer feasible, please provide a revised schedule with a justification statement for the revised dates. I will then review it with Burgess Miller.

Cindy

From: William Ryan [mailto:wkryan@ryanandassociates.net]
Sent: Friday, May 17, 2013 2:56 PM
To: Cindy Unangst

Cc: 'Donald B. Thompson'

Subject: RE: Thompson Funeral Home Site Plan with American Holly Shrubs for Parking Shielding

Good afternoon Cindy,

I have the **schedule** for you as follows:

1. Formal submittal of the SWM Computations report and plans with permit check by the end of this month (May) to Middletown (Cindy Unangst);
2. Approval of SWM plan by Frederick County by end of July (Two months is formal turn-around);
3. Contractors selected and hired by Don Thompson to implement construction by end of September;
4. Construction completed by end of October/November.

Respectfully,

Bill Ryan, M.S., P.E.

Principal Engineer/President

Past President - Maryland Society of Professional Engineers

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From: Cindy Unangst [<mailto:Cindy@ci.middletown.md.us>]

Sent: Friday, May 17, 2013 8:46 AM

To: 'William Ryan'

Cc: 'Donald B. Thompson'

Subject: RE: Thompson Funeral Home Site Plan with American Holly Shrubs for Parking Shielding

All plans are submitted thru the Town, so please bring them to our office along with the check for the County.

Cindy

From: William Ryan [<mailto:wkryan@ryanandassociates.net>]

Sent: Friday, May 17, 2013 8:10 AM

To: Cindy Unangst

Cc: 'Donald B. Thompson'

Subject: RE: Thompson Funeral Home Site Plan with American Holly Shrubs for Parking Shielding

Good morning Cindy,

The County requested that I ask you if you want the stormwater plans submitted through you or if it's okay to submit directly to the County. It normally takes about two months to get stormwater approval but should be faster since we are doing a combined submittal to the County.

Respectfully,

MEMORANDUM

Date: 9/3/13

To: Middletown Planning Commission
From: Cindy Unangst, Middletown Staff Planner
RE: Occupancy permit issued

A Change of Use/Tenant permit was issued after consideration of the site plan triggers listed in Section 17.32 230 of the Middletown Municipal Code.

Hello Gorgeous Hair Salon – to be located at 2 and 4 West Main Street where Karisma Hair Salon used to be.

There should be no change in the amount of parking needed, and the intensity of use will not be changed. A new salon is simply replacing a previous salon with no change in the amount of space used. There are no exterior structural changes; the building or use has not been grandfathered; and the building meets all existing regulations for the district in which it is located.

Town of Middletown Planning Department

To: Burgess & Commissioners and Middletown Planning Commission

From: Cindy Unangst, Staff Planner

Date: 9/3/2013

RE: Monthly Planning Update

Major Subdivisions:

Coblentz on Green – SWM Concept Plan – approved by County October 15, 2010
Water Tap agreement approved by Burgess & Commissioners – March 2012
Planning Commission approved Forest Stand Delineation/Forest Conservation Plan – Jan 2013
Master Plan Amendment approved - March 11, 2013
Planning Commission conditionally approved preliminary plan – March 18, 2013
Improvement plans should be coming soon

Foxfield Section 4- FRO plantings have all been installed. 14 homes still to be built.
1st year FRO review – 67% compliance – 232 additional trees planted (May 2013)

Minor Site Plans and Subdivisions:

AMVETS Expansion Plans – Site Plan approved – October 15, 2012; (Plans expire 10/15/2015)

Chesterbrook Apts/Middletown Valley Apts - Site Plan approved – July 17, 2006
Improvement Plans approved and signed – September 16, 2008
SWM waiver received from County – May 12, 2011
SWM admin waiver shall expire on May 4, 2017; final plans approved prior to May 4, 2013.

Coblentz Grove minor subdivision – Preliminary/Final Plat conditionally approved – Nov. 15, 2010
FSD & Forest Conservation Plan approved – November 15, 2010
Improvement Plans conditionally approved – February 21, 2011
Final Plat approved – July 18, 2011 (recorded – October 24, 2012)
Building permits applied for – October 30, 2012

Cone Branch Walking Trail – Concept plans approved – March 19, 2012
Improvement plans conditionally approved – January 21, 2013

Fire Co Activities Center- SWM Plan approved by Frederick County – November 3, 2011
Revised Site Plan conditionally approved – April 22, 2013
Improvement Plans conditionally approved – April 22, 2013
Building permit issued – May 24, 2013

Fire Station – Concept plan submitted to PC for comments – April 22, 2013
Concept Site Plan reviewed by PC at their August meeting

Hollow Creek – Revised Site Plan approved and signed – October 14, 2010
Revised Site Plan (leaderboard) approved – February 21, 2011; (Plans expire February 21, 2014)

Hollow Creek Golf Course SWM Pond #1 Revision plans submitted to County 12/1/2010
Plans approved by County – December 22, 2010
Revised Plans submitted for PC review – December 30, 2010
Revised Plans submitted to SCD for review – January 5, 2011

Horman Apartments- Site Plan approved – April 21, 2008
Improvement Plans conditionally approved – May 17, 2010

Jiffas – Site Improvement Plan conditionally approved – October 20, 2008
Forest Conservation Plan approved – October 20, 2008

Middletown H.S. Stadium Concession Stand Expansion Plan – approved June 18, 2012
(Plans expire June 18, 2015)

Middletown H.S. C-container site plan – conditionally approved February 18, 2013
Approval extended until October 18, 2013

Miller (Ingalls) – Concept and Phase I & II Plan submitted – September 20, 2010
Approved and signed – September 27, 2010
Revised Concept Plan submitted – September 3, 2013

More Ice Cream site plan – conditionally approved – June 17, 2013
Change of Use permit approved – July 2, 2013

Newton Property (Cross Stone Commons) – Concept Plan discussion – June 18, 2012
Concept Plan submitted – October 1, 2012
Traffic Impact Study submitted – October 18, 2012
BOA Special Exception Use Hearing – May 8, 2013 (Conditionally approved)
Revised Concept Plan reviewed by PC – May 20, 2013
FRO Plan submitted – July 22, 2013
Addition Plat reviewed by PC – August 19, 2013
Site Plan reviewed by PC – August 19, 2013

Potomac Gun Depot – plans conditionally approved – February 18, 2013
Revised site plan conditionally approved – June 17, 2013

Putman – Site Plan conditionally approved- November 17, 2008
Forest Conservation Plan approved – June 16, 2009
Improvement Plans approved and signed by all agencies – July 2010
Revised Site Plan approved – April 16, 2012; (Plans expire April 16, 2015)

Right A Way Powder Coating site plan – conditionally approved – June 17, 2013
Change of use permit approved – August 27, 2013

Subway property – site plan reviewed for ice cream parlor during workshop discussion– May 15, 2013

The Valley School – BOA special exception use hearing – May 8, 2013 (Approved)
Forest Conservation Plan approved – June 17, 2013 (**fee-in-lieu paid 7/8/2013**)
Demolition Plan approved – July 15, 2013
Site Plan and Improvement Plans approved by Planning Commission – August 19, 2013

**Thompson Funeral Home Revised Parking Lot Site Plan – conditionally approved April 22, 2013
SWM Plans submitted to Frederick County – August 14, 2013**

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 – October 11, 2010

County Park – Annexation agreement approved by BOCC – May 30, 2013
Annexation agreement approved by Town Board – June 10, 2013

Reports:

Meetings: Frederick County Quarterly Planners Meeting – September 13, 2013

Town of Middletown Zoning Department

To: Burgess & Commissioners and Middletown Planning Commission

From: Cindy Unangst, Zoning Administrator

Date: 9/3/2013

RE: Monthly Zoning Update

P & Z Issues:

Zoning Code review - ongoing

BOA Hearings:

Zoning Violations: none

August 2013 Zoning Permits	Address	Permit #	M-town Received	C Unangst Approved	County Approval
Waller – int. renovations	28 Walnut Street	111179	7/19/2013	8/1/2013	yes
Dennison – add bathroom	116B N. Church St.	111464	7/25/2013	8/2/2013	yes
Admar Homes – sfd	11 Hoffman Drive	111520	8/1/2013	8/16/2013	yes
HelloGorgeous-new tenant	4 West Main St.	112026	8/22/2013	8/22/2013	yes
RightAWay-propane tank	116B N. Church St.	111986	8/15/2013	8/27/2013	yes
LAM Properties-demolition	East Green Street	112103	6/3/2013	8/27/2013	yes
RightAWay - new tenant	116B N. Church St.	109796	5/24/2013	8/27/2013	yes
Bowers – small shed	1 N. Pointe Terrace	Town	7/19/2013	8/2/2013	n/a
Karnes – fence	401 W. Main St.	Town	8/16/2013	8/21/2013	n/a
Smith – small shed	6 Gladhill Drive	Town	8/28/2013	8/29/2013	n/a