



TOWN OF MIDDLETOWN PLANNING COMMISSION

CERTIFICATE OF ADOPTION

IN ACCORDANCE WITH DIVISION 1, TITLE 1-207 OF THE LAND USE ARTICLE OF THE ANNOTATED CODE OF MARYLAND, THE PLANNING AND ZONING ENABLING ACT, THE TOWN OF MIDDLETOWN PLANNING COMMISSION OFFICIALLY ADOPTS THE FOLLOWING 2018 ANNUAL REPORT, FILING SAME WITH THE MIDDLETOWN BURGESS AND COMMISSIONERS AND THE SECRETARY OF STATE PLANNING.

TOWN OF MIDDLETOWN PLANNING COMMISSION

BY: \_\_\_\_\_

  
Mark Carney, Chairman

May 21, 2019



## MIDDLETOWN PLANNING COMMISSION

# 2018 ANNUAL REPORT

Approved May 20, 2019 by Middletown Planning Commission

### BURGESS & COMMISSIONERS

John Miller, Burgess (4/2016-4/2020)  
Jennifer Falcinelli, Burgess Pro-tem (4/2014-4/2018)(4/2018-4/2022)  
Larry Bussard (4/2014-4/2018)(4/2018-4/2022)  
Richard Dietrick (4/2014-4/2018)(4/2018-4/2022)  
Chris Goodman (4/2016-4/2020)  
Tom Catania (4/2016-4/2020)

Andrew J. Bowen, Town Administrator

### Middletown Planning Commission

Mark Carney, Chairman (12/2016-12/2021)  
David Lake (1/2017-1/2022)  
Bob Miller (5/2013-5/2018)(5/2018-5/2023)  
Rich Gallagher (12/2016-12/2021)  
Tom Catania, Comm. Ex-Officio (4/2016-4/2020)  
Dixie Eichelberger, Alt. (6/2017-2/2021)  
Meredith McKittrick, Temp. Alt. (1/2017-6/2018)  
Eric Ware, Temp. Alt. (12/2018-5/2022)

### Planning Department Staff

Cynthia K. Unangst

### Engineering Staff

Bruce Carbaugh, Director of Public Works  
J.R. Hawkins, Project Manager

### Middletown Board of Appeals

Daphne Gabb, Chair (4/2017-5/2019)  
Thomas Routzahn (1/2017-1/2020)  
Tim Coakley (1/2017-1/2020)  
Alex Kundrick, Alternate (3/2017-3/2020)

### Town Zoning Administrator

Ron Forrester (2/2014-5/2018)  
Mark Hinkle (10/2018 – present)

## INTRODUCTION

Section 1-207 of the Land Use Article of the Annotated Code of Maryland requires that the Planning Commissions of non-charter counties and municipalities prepare, adopt and file an annual report with the local legislative body and a copy of the report be mailed to the Director of the Maryland Department of Planning. The report is a retrospective look at development activity within the jurisdiction with a focus on whether that activity is or is not consistent with a variety of adopted plans. The report thus informs both the Planning Commission and local legislative body about the strengths and weaknesses of the local planning program.

### POPULATION IN MIDDLETOWN

<u>YEAR</u>	<u>POPULATION</u>	<u>INCREASE OR DECREASE</u>
1970 Census	1,262	N/A
1980 Census	1,748	486
1990 Census	1,834	86
2000 Census	2,668	834
<b>2010 Census</b>	<b>4,136</b>	<b>1468</b>
2011 Estimate	4,163	27
2012 Estimate	4,272	109
2013 Estimate	4,295	23
2014 Estimate	4,313	18
2015 Estimate	4,321	8
2016 Estimate	4,336	15
2017 Estimate	4,372	36
2018 Estimate	4,439	67

### TEN YEAR PERIODS OF POPULATION GROWTH based on Census

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

### MIDDLETOWN PLANNING COMMISSION

The Middletown Planning Commission is a five-member commission with two alternates, which has review and approval authority of site plans and subdivisions. In addition, the Planning Commission makes recommendations to the Burgess and Commissioners on rezoning and annexations, and reviews and comments on text amendments and any other issue, which is planning related. The Middletown Planning Commission also makes recommendations to the Middletown Board of Appeals on cases involving special exceptions.

### PLAN REVIEWS - 2018

All plans reviewed and approved were consistent with the Middletown Comprehensive Plan adopted in 2010, the Middletown Zoning Code, and the Middletown Subdivision Regulations. **(Plan and plat names are shown on attached map.)**

CONCEPT PLANS

<u>Name</u>	<u>Units</u>	<u>Zoning</u>	<u>Request for:</u>
1. Valley Center 821 East Main Street	4	GC	Discussion of retail, office and self-storage development (5/21)

SITE PLANS

<u>Name</u>	<u>Units</u>	<u>Zoning</u>	<u>Request for:</u>
2A. Richland Driving Range 50 Glenbrook Drive	1	GC	Approval of driving range structure (Approved 1/15)
2B. Moody Shed Demolition 103 S. Jefferson Street	1	R-3	Approval of demolition of a shed (Approved 3/19)
2C. Cross Stone Commons 100 Middletown Parkway	1	GC	Approval of revisions to Building #4 (Approved 3/19)
2D. Dewitt Deck Demolition 116 Mariam Pass	1	R-1	Approval of demolition of deck (Approved 4/16)
2E. Harne Deck Demolition 6 Caroline Drive	1	R-1	Approval of demolition of deck (Approved 5/21)
2F. Franklin Commons Franklin and Broad Streets	18	R-3	Approval of 18 townhouse condo units (Re-approved 5/21)
2G. St. Thomas More 103 Prospect Street	2	R-2	Approval of two temporary classroom buildings (Approved 8/20)

MASTER PLANS

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

PRELIMINARY PLANS

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

MASS GRADING/SWM PLANS

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

IMPROVEMENT PLANS

<u>Name</u>	<u>Units</u>	<u>Zoning</u>	<u>Request for:</u>
3. Richland Driving Range 50 Glenbrook Drive	1	GC	Approval of improvement plans for driving range structure (Deferred 9/17)

FOREST CONSERVATION PLANS

<u>Name</u>	<u>Units</u>	<u>Zoning</u>	<u>Request for:</u>
4. Valley Center 821 East Main Street	4	GC	Approval of FSD plans for commercial development (Approved 4/16)

SUBDIVISION PLATS

<u>Name</u>	<u>Units</u>	<u>Zoning</u>	<u>Request for:</u>
5. Williams Plat 19 East Main Street	2	R-2	Subdivision of lot into two lots (Approved 1/15)

ADDITION PLATS

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

FINAL PLATS

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

**RE-ZONING REQUESTS:**

None

**ANNEXATIONS:**

None

**TEXT AMENDMENTS:**

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

Storage container text amendment – Planning Commission reviewed and commented on adoption of revisions to provisions pertaining to the use of storage containers. (Section 17.32.045) [PC commented 5/21; B&C adopted 8/13]

Demolition site plan text amendment – Planning Commission reviewed and commented on adoption of revisions to the demolition ordinance to allow demolition of certain structures under 500 square feet with the authority of the zoning administrator; and to make other language and stylistic changes. (Section 17.32.160) [PC commented 5/21; B&C adopted 8/13]

Microbrewery text amendment – Planning Commission reviewed and commented on establishing microbreweries as a permitted use in the GC and TC commercial zoning districts; to provide a definition for the term “microbrewery”; and to amend Section 17.02.080 to clarify the date before which a structure must be in existence in order to use the structure for fabrication, light assembly and storage. (Sections 17.04.030, 17.20.010, 17.20.020 and 17.20.080) [PC commented 7/16; B&C adopted 12/10]

Blighted property ordinance – Planning Commission drafted regulations which would provide a definition of blighted property and enforcement, penalties and remediation incentives for offenses. (Chapter 8.24) [PC commented 11/19]

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

<u>Applicant</u>	<u>Request</u>	<u>Location</u>	<u>Motion</u>	<u>Date</u>
A. Franklin Commons	variance of 5’ for height of buildings	corner of Franklin and Broad Streets	Approved	7/12
B. Fire Department	variance from sign area requirement	401 Franklin St.	Approved	9/20
C. Safeway Shopping Center	variance for sign size and height	815 E. Main St.	Approved	12/19

**INFRASTRUCTURE PROJECTIONS:**

TRANSPORTATION:

Action taken by the Town in the year 2018 has been consistent with the Town Comprehensive Plan and best management planning practices.

The Town Comprehensive Plan includes roadway alignments both north and south of town that will be requirements of any future annexation agreements. Future development should incorporate roadway dedication and construction to provide minimum collector type road links from east to west, and a collector from US 40-A north to I-70. With the annexation of the Memar Property, a section of northern alignment, west of Coblenz Road, will be built by the developer.

The State Highway Administration has funded the Main Street streetscape project and the notice to proceed to construction was received on September 6, 2016. The limits of the project extend from the western edge of town to the eastern edge of town, and includes the replacement of water mains from Coblenz Road to Eastern Circle. The SHA scope of work includes replacement of storm water lines in the Main Street SHA right-of-ways and relocating some utility lines, new signage, traffic patterns, and replacement or installation of curb, gutter and sidewalks. The project also includes landscaping and planting of new trees. The project is expected to be completed Fall of 2019.

WATER SUPPLY AND DISTRIBUTION:

The Town depends on 23 wells, 4 major groups of springs, two reservoirs, and a 400,000-gallon elevated water storage tank to supply water to the Town. The current total withdrawal permitted by the

Town is 387,000 gallons per day (gpd). The average daily use for 2018 was 310,000 gpd. The water system is routinely monitored for possible contaminants in accordance with Federal and State laws, and there were no violation levels in 2018. The Town completed an engineering study of the existing reservoir and is moving forward with construction of a stadium style ground storage tank. This new tank will be built within one of the existing reservoirs. Construction will begin in 2019. In addition, the project will remove the abandoned 6" suction water line from the reservoir to the booster station and replace it with a 16" suction supply line to the Town. This will provide the Town with dual suction lines for water supply to the Town.

#### **WASTE WATER TREATMENT FACILITIES:**

The East Wastewater Treatment Plant (WWTP) on the south side of Holter Road at Hollow Creek is designed to process 350,000 gpd of sewerage. The current discharge permit for the plant is 250,000 gpd. Average daily flows for 2018 were 302,537 gpd. The discharge permit for the West WWTP at Catoctin Creek in the southwest section of Town is 250,000 gpd. Average daily flows for 2018 were 373,015 gpd. The 2018 numbers are high and over the permit allotments due to the unusually wet weather.

#### **PARKS AND GREENWAYS:**

Walking trails were completed in 2018 that connect to the footbridge over Cone Branch Creek across Franklin Street from the Primary School, and Remsburg Park, for continuation of the walking trail system around the Town. Once the SHA streetscape project is completed, a walking trail sign will be installed on the Cone Branch Trail off East Main Street.

#### **PROTECTION OF HISTORIC STRUCTURES:**

The Town regulations regarding the demolition of buildings are a zoning control (Section 17.32.160, Zoning, Middletown Municipal Code), which requires a Demolition Permit. This permit allows a building to be inventoried prior to the demolition but does not prohibit demolition. Photos are taken before buildings are to be torn down and are archived.

The Town has two historic districts that are listed in the National Register of Historic Places. Properties that are listed as "Contributing" to the significance of the historic districts may voluntarily participate in government programs that provide financial benefits to property owners who undertake maintenance projects that comply with the Secretary of the Interior's Standards for Rehabilitation. In order to provide a certain level of customer service to property owners in Middletown, the Town established a Historic Commission to act as a conduit between the property owner and the available programs. The Historic Commission only meets when a property owner wishes to take advantage of these specific programs.

Main Street Middletown, MD, Inc. is a 501c3 organization that supports the economic development of the Town. Late in 2017, Main Street began investigating the possibility of purchasing 19 and 21 West Main Street. Throughout 2018, Main Street Middletown rented the space and raised the funds for purchase through donations and grants.

Main Street Middletown continued with the Façade Improvement Program to help the property owner of the Dr. Lamar House reduce expenses incurred in repairing the front porch, and repainting the building.

## **STRATEGIC PLANNING INITIATIVES**

### **ZONING ORDINANCE UPDATE**

No updates to the Zoning Code were completed in 2018 aside from the few text amendments listed above.

### **COMPREHENSIVE PLAN REVIEW**

Since there have been no policy changes made in recent years to warrant an update to the Town's Comprehensive Plan the update process will begin in 2019 to be completed in conjunction with the availability of the 2020 Census data. The Maryland Department of Planning now requires a ten-year review.

### **PLANNING COMMISSION RECOMMENDATIONS:**

#### **ONGOING RECOMMENDATIONS:**

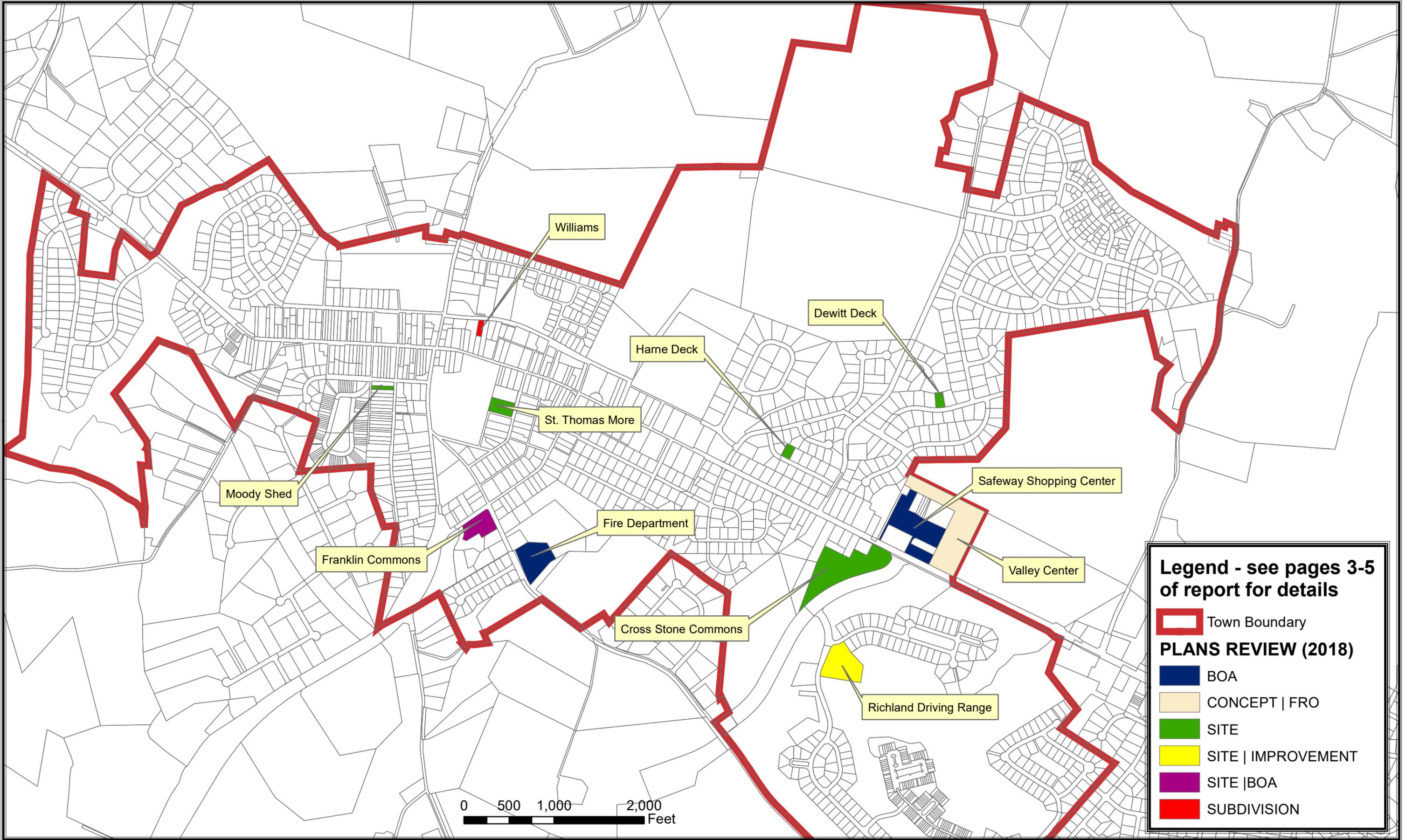
1. Review walkway and road construction strategies to be incorporated into current & future growth and development.
2. Continue to review and refine a management system which includes checklists for the plan review process to help ensure that files are complete and easily accessible, and which verifies that all agency approvals are in place.
3. Continue review of zoning ordinances as needed to ensure compatibility with the comprehensive plan.
4. Promote and develop a trails system as shown in the Comprehensive Plan by working with the Town Board, citizens and community groups.
5. Work closely with the Main Street Program to help revitalize downtown Middletown.
6. Promote sustainable development practices thru the development review process as outlined in the 2010 Middletown Comprehensive Plan, along with potential projects to consider for any applicable funding associated with the Sustainable Communities designation through DHCD.

#### **NEW RECOMMENDATIONS:**

1. Work with the Sustainability Committee on implementing energy-saving and renewable energy strategies and policies for the town.
2. Review policies that would provide guidance for sustainability and climate change resiliency as it effects the town and future annexations.
3. Develop a dark-sky policy for future and replacement lighting in the town.
4. Review and develop policies/regulations that would provide guidance for affordable housing.

### Permits Issued

TYPE	1996-2000	2001	2002	2003	2004	2005	5 yr.	2006	2007	2008	2009	2010	5 yr.	2011	2012	2013	2014	2015	5 yr.	2016	2017	2018	2019	5 yr.
Single - Family	168	75	106	92	45	22	340	30	31	12	17	23	113	10	12	5	8	4	39	8	25	28		
Multi-Family	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	1	0	0	0		
Duplex	0	0	0	0	0	0	0	1	0	0	0	0	1	0	0	0	0	0	0	0	0	0		
Townhouse	0	0	0	42	15	0	57	16	19	23	24	0	82	0	0	0	0	0	0	0	0	0		
Apartments	1	0	1	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
Interior Improvements	0	9	11	20	19	22	81	18	20	19	12	19	88	15	11	12	15	17	70	16	25	19		
Additions	0	6	15	15	28	20	84	8	12	2	6	2	30	6	7	4	2	4	23	1	4	4		
Pools & Hot Tubs	23	7	9	9	16	4	45	8	12	7	4	3	34	2	6	5	2	1	16	2	6	3		
Decks & Porches	106	18	38	36	64	39	195	37	41	31	27	28	164	32	19	9	15	21	96	14	16	18		
Accessory Structure	66	14	15	24	23	16	92	18	13	14	9	9	63	6	5	7	8	15	41	11	15	10		
Fences	66	18	27	41	36	29	151	23	16	25	24	20	108	16	24	13	15	16	84	23	19	15		
Demolitions	7	1	1	0	1	2	5	0	2	0	2	1	5	2	1	2	1	3	9	5	5	2		
Propane Tanks	0	1	1	3	6	6	17	3	4	2	2	1	12	6	2	4	1	0	13	0	1	2		
Trailers	0	3	2	0	0	3	8	0	0	0	0	0	0	0	0	0	0	0	0	2	0	1		
Pump Station	0	1	0	0	0	0	1	0	0	1	0	0	1	0	0	0	0	0	0	0	0	0		
Signs	16	8	6	4	4	7	29	5	7	2	5	6	25	7	8	6	10	8	39	3	4	7		
Solar panels	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	4	37	20	61	25	7	8		
New Commercial	15	2	4	0	0	0	6	0	0	0	0	1	1	0	0	2	0	2	4	1	0	4		
Commercial Conversion	0	4	5	7	6	8	30	1	2	7	3	3	16	4	6	5	5	8	28	1	4	4		
Industrial Conversion	0	2	0	0	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
Office Conversion	0	4	4	0	1	4	13	14	3	0	5	2	24	0	3	0	0	3	6	0	1	3		
Other									2	1	2	2	7	5	4	4	6	4	23	1	4	5		
<b>Total Permits</b>	<b>468</b>	<b>173</b>	<b>245</b>	<b>293</b>	<b>264</b>	<b>182</b>	<b>1157</b>	<b>182</b>	<b>184</b>	<b>146</b>	<b>142</b>	<b>120</b>	<b>774</b>	<b>111</b>	<b>108</b>	<b>83</b>	<b>125</b>	<b>126</b>	<b>553</b>	<b>113</b>	<b>136</b>	<b>133</b>		



# Middletown 2018 Annual Report Map

