



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 2020 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

July 19, 2021

MIDDLETOWN PLANNING COMMISSION

2020

ANNUAL REPORT

Approved July 19, 2021 by Middletown Planning Commission

BURGESS & COMMISSIONERS

John Miller, Burgess (4/2016-4/2020)(4/2020-4/2024)

Jennifer Falcinelli, Burgess Pro-tem (4/2018-4/2022)

Larry Bussard (4/2018-9/2020)

Richard Dietrick (4/2018-4/2022)

Chris Goodman (4/2016-4/2020)(4/2020-4/2024)

Tom Catania (4/2016-4/2020)

Jean LaPadula (4/2020-4/2024)

Andrew J. Bowen, Town Administrator

Middletown Planning Commission

Mark Carney, Chairman (12/2016-12/2021)

David Lake (1/2017-1/2022)

Bob Miller (5/2018-5/2023)

Rich Gallagher (12/2016-12/2021)

Tom Catania, Comm. Ex-Officio (4/2016-4/2020)

Jean LaPadula, Comm. Ex-Officio (4/2020-4/2024)

Dixie Eichelberger, Alt. (6/2017-2/2021)

Eric Ware, Temp. Alt. (12/2018-5/2022)

Middletown Board of Appeals

Daphne Gabb, Chair (5/2019-5/2022)

Thomas Routzahn (1/2017-1/2020)

Tim Coakley (1/2017-1/2020)

Alex Kundrick (10/2019-10/2022)

Jean LaPadula (10/2019-4/2020)

Sean Mahar (6/2020-6/2023)

Jonathon Minchoff, Alternate (6/2020-6/2023)

Planning Department Staff

Cynthia K. Unangst

Town Zoning Administrator

Mark Hinkle

Engineering Staff

Bruce Carbaugh, Director of Public Works

J.R. Hawkins, Project Manager

INTRODUCTION

The 2020 Planning Report for the Town of Middletown, Maryland was prepared pursuant to the requirements of the Land Use Article of the Annotated Code of Maryland. This report provides a summary of the year's planning activities undertaken by the Planning Commission, Board of Appeals and staff, and also documents development activity.

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
2010 Census	4,136	1468
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
2019 Estimate	4,514	75
2020 Estimate	4,516	2

*Estimates are from Frederick County government staff

TEN YEAR PERIODS OF POPULATION GROWTH based on Census

1970 – 1980	486
1980 – 1990	86
1990 – 2000	834
2000 – 2010	<u>1,468</u>
Total	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 - 2020

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. Foxfield Section 6 off Coblenz Road	148	R-20	Discussion of active-adult cluster development (1/21)
2. Middletown Library 31 East Green Street	1	NTR	Discussion of library facility (10/19 and 12/21)

SITE PLANS

<u>Name</u>	<u>Units</u>	<u>Zoning</u>	<u>Request for:</u>
3. St. Thomas More Academy 103 Prospect Street	1	R-2	Approval of accessory structure (Approved 4/20)
4. Antietam Gallery 13 West Main Street	1	TC	Approval of addition of art gallery to ice cream parlor (Approved 5/18)
5. Valley Register Property 121-123 West Main Street	1	TC	Approval of extra apartment on third floor (Approved 6/15)
6. Memorial Park Shed S. Church Street	1	OS	Approval of shed relocation (Approved 7/20)
7. St. Thomas More Academy 103 Prospect Street	1	R-2	Approval of addition to building instead of accessory structure (Approved 9/21)
8. Franklin Commons 10-36 Chester Court	18	R-3	Approval of redline revisions to site plan (Approved 11/16)
9. Memorial Hall 4 East Main Street	17	TC	Approval of renovations to building including addition of 15 apartments and parking (Approved 12/21)

MASTER PLANS

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

PRELIMINARY PLANS

<u>Name</u>	<u>Units</u>	<u>Zoning</u>	<u>Request for:</u>
10. Foxfield Section 6 off Coblenz Road	148	R-20	Approval of active-adult cluster development (Approved 12/21)

MASS GRADING/SWM PLANS

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

IMPROVEMENT PLANS

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

FOREST CONSERVATION PLANS

<u>Name</u>	<u>Units</u>	<u>Zoning</u>	<u>Request for:</u>
11. Middletown County Park Coblenz Road	1	OS	Approval of Forest Stand Delineation and Final Forest Conservation Plan (FFCP) for park improvements (Approved 2/17)
12. Foxfield Section 6 off Coblenz Road	148	R-20	Approval of Forest Stand Delineation and Preliminary Forest Conservation Plan for active- adult development (Approved 12/21)

SUBDIVISION PLATS

<u>Name</u>	<u>Units</u>	<u>Zoning</u>	<u>Request for:</u>
13. Darr Subdivision/Addition 217-219 East Main Street	2	R-1	Approval of a subdivision of a lot and subsequent addition to adjoining lot (Approved 11/16)

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 commented on to Burgess & Commissioners for adoption. (Municipal Code #)

Forest Resource Ordinance text amendment – Planning Commission reviewed and commented on adoption of revisions to align the Town’s Code with the MD Department of Natural Resources state regulations. (Sections 16.40.028 and 16.40.030) [PC commented 5/18; B&C adopted 6/8]

Accessory structures text amendment – Planning Commission reviewed and commented on adoption of revisions to accessory structures. (Section 17.32.170.D) [PC commented 5/18; B&C adopted 7/13]

Height of buildings text amendment – Planning Commission reviewed and commented on adoption of revisions to building height regulations. (Sections 17.04.030, 17.16.050, 17.17.150, 17.20.015, 17.20.030, 17.24.020) [PC commented 6/15; B&C adopted 9/14]

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. Lancaster	special exception request for Self-storage facility	815 E. Main	Approved	2/26
B. Foxfield Section 6	special exception request for Active-adult community	Westside of Coblenz Road	Approved	8/31
C. Lowe	variance of 8’ from 18’ setback for a pool	212 Layla Dr.	Approved	8/31
D. Franklin Commons	variance of 5’ for height of buildings	corner of Franklin and Broad Streets	Approved	9/30
E. Kloster	variances of 5’ and 9’ from 18’ setbacks for pool	716 Glenbrook Dr.	Approved	9/30
F. John	variance of 10’ from 18’ setback for a pool	622 Glenbrook Dr,	Approved	10/27
G. LDS	variances for freestanding sign	201 S. Church St.	Approved	10/27
H. Gallaway	variance of 5’ from 18’ setback for a pool	305 Ingalls Drive	Approved	11/18
I. Memorial Hall	variance of 18’ from maximum building height of 36’	4 E. Main Street	Approved	12/9

INFRASTRUCTURE PROJECTIONS:

TRANSPORTATION:

Action taken by the Town in the year 2020 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. It states that future development should incorporate roadway dedication and construction to provide minimum collector type road links from east to west. With the development of Foxfield Section 6, a section of northern alignment, west of Coblenz Road, will be built by the developer.

The State Highway Administration funded the Main Street streetscape project and the notice to proceed to construction was received on September 6, 2016. The limits of the project extended from the western edge of town to the eastern edge of town, and included the replacement of water mains from Coblenz Road to Eastern Circle. The SHA scope of work included replacement of storm water lines in the Main Street SHA right-of-way's and relocation of some utility lines, new signage, traffic patterns, and replacement or installation of curb, gutter and sidewalks. The project also included landscaping and planting of new trees. The project was substantially completed in November 2020.

WATER SUPPLY AND DISTRIBUTION:

The Town depends on 23 wells, 4 major groups of springs, a ground storage tank, and a 400,000-gallon elevated water storage tank to supply water to the Town. The current total withdrawal permitted by MDE is 387,000 gallons per day (gpd). The average daily use for 2020 was 299,667 gpd. The water system is routinely monitored for possible contaminants in accordance with Federal and State laws, and there were no violation levels in 2020. Construction began in 2020 of a stadium style ground storage tank to replace an existing reservoir and was substantially completed on April 26, 2021. In addition, the project removed the abandoned 6" suction water line from the reservoir to the booster station and replaced it with a 16" suction supply line to the Town. This provides the Town with dual suction lines for water supply to the Town. The water mains along Main Street from Coblenz Road to Eastern Circle were replaced during the SHA Main Street streetscape project which was substantially completed in November 2020. As can be seen in the chart below, the Town's water supply system has adequate reserve with a 9% margin to meet all currently approved development.

Middletown Water Capacity Calculations

	ANNUAL AVG (gallons/day)	MAX MONTH (gallons/day)
Annual Appropriation Permit Limit ¹	387,000	504,000
Current Water Demand (3-yr avg) ²	306,833	392,747
Reserve Capacity ³	39,649	51,728
Total Demand Use	92%	91%
Available System Capacity	28,832 ⁴	44,618 ⁵

¹ Hollow Creek, Catocin Creek and Cone Branch Watersheds

² 2018 -2020

³ Calculated (10% reserve + expected future demand)

⁴ (250 gallons/day use = 119 Equivalent Dwelling Units)

⁵ (325 gallons/day use = 137 Equivalent Dwelling Units)

WASTE WATER TREATMENT FACILITIES:

The East Wastewater Treatment Plant (WWTP) on the south side of Holter Road at Hollow Creek has a discharge permit for 250,000 gallons per day (gpd). The Town has requested from the Maryland Department of the Environment an increase in our permit capacity to its full design capacity of 350,000 gpd. The discharge permit for the West WWTP at Catoctin Creek in the southwest section of Town is 250,000 gpd.

Middletown Wastewater Capacity Calculations

	East WWTP (gallons/day)	West WWTP (gallons/day)
Annual Permit Limit	250,000	250,000
Current Sewer Demand (3-yr avg) ¹	267,000	301,000
Percent Capacity	106.8%	120.32%

¹ 2018 -2020

Combined Capacity²

Design capacity	500,000gpd
3-year average demand	567,473gpd
Percent capacity	113.5%

² Cone Branch Pump Station can send flows to either plant

In addition to asking for an increase in the permit at the East WWTP to the full design capacity, the Town is currently conducting an I&I Study to make recommendations on repairs and improvements. This I&I work is expected to substantially increase sewer capacity. The Planning Commission will limit the number of approved subdivision lots to stay within the Town’s permit capacity until the completion of the I&I Improvements are made, and an increase in the permit capacity is approved.

PARKS AND GREENWAYS:

Parks and greenways projects that were completed in 2020 included the installation of waterless bathrooms at Remsberg Park, and the completion of an additional parking lot and a handicap drop-off area in the park. Additionally, a walking trail to Remsberg Park from Middletown Parkway was completed which includes a pedestrian crossing across Holter Road.

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.

In 2020, the Town created an Economic Revitalization Zone that not only created direct economic benefits for development in the historic Main Street district but, requires at a minimum the preservation of the front facades of Middletown's rich and varied architectural resources found within these boundaries.

In addition, Main Street Middletown, MD Inc. took the next step in the preservation of its newly acquired property at 19 West Main Street, by hiring a general contractor to begin this top-to-bottom rehabilitation project. Work began in the spring of 2021. All work on this property is coordinated with the Maryland Historical Trust in compliance with their preservation easement that requires the work to meet the requirements of the Secretary of the Interior's Standards for the Rehabilitation of Historic Properties.

Main Street Middletown continued with the Façade Improvement Program with funds being reimbursed to Martha Pirrone at 1 West Main for the exterior paint job, 1001-104 Wren's Nest for the repair and new paint of more than 22 pairs of shutters, and the continued support of Pyramid Rocks, LLC, owner of the Dr. Lamar House at 200 West Main for their exterior improvements.

Another notable historic preservation project that concluded in December 2020 was the rehabilitation of 123 West Main Street, the historic Valley Register building. This work included securing the foundation, repainting the exterior, adding a new roof, and a complete upgrade of the interior spaces for two ground level commercial tenants and 4 apartments. Interiors include modern kitchens, bathrooms, open floor plans, but leave intact exposed ceiling beams, brick walls, and historic features.

STRATEGIC PLANNING INITIATIVES

ZONING ORDINANCE UPDATE

No updates to the Zoning Code were completed in 2020 aside from the text amendment listed above.

COMPREHENSIVE PLAN REVIEW

The update to the Town's Comprehensive Plan began virtually in 2020 due to the pandemic. The Town hopes to have an approved Plan by the Fall of 2021 once the 2020 Census data becomes available. The Maryland Department of Planning now requires a ten-year review.

PLANNING COMMISSION RECOMMENDATIONS:

ONGOING RECOMMENDATIONS:

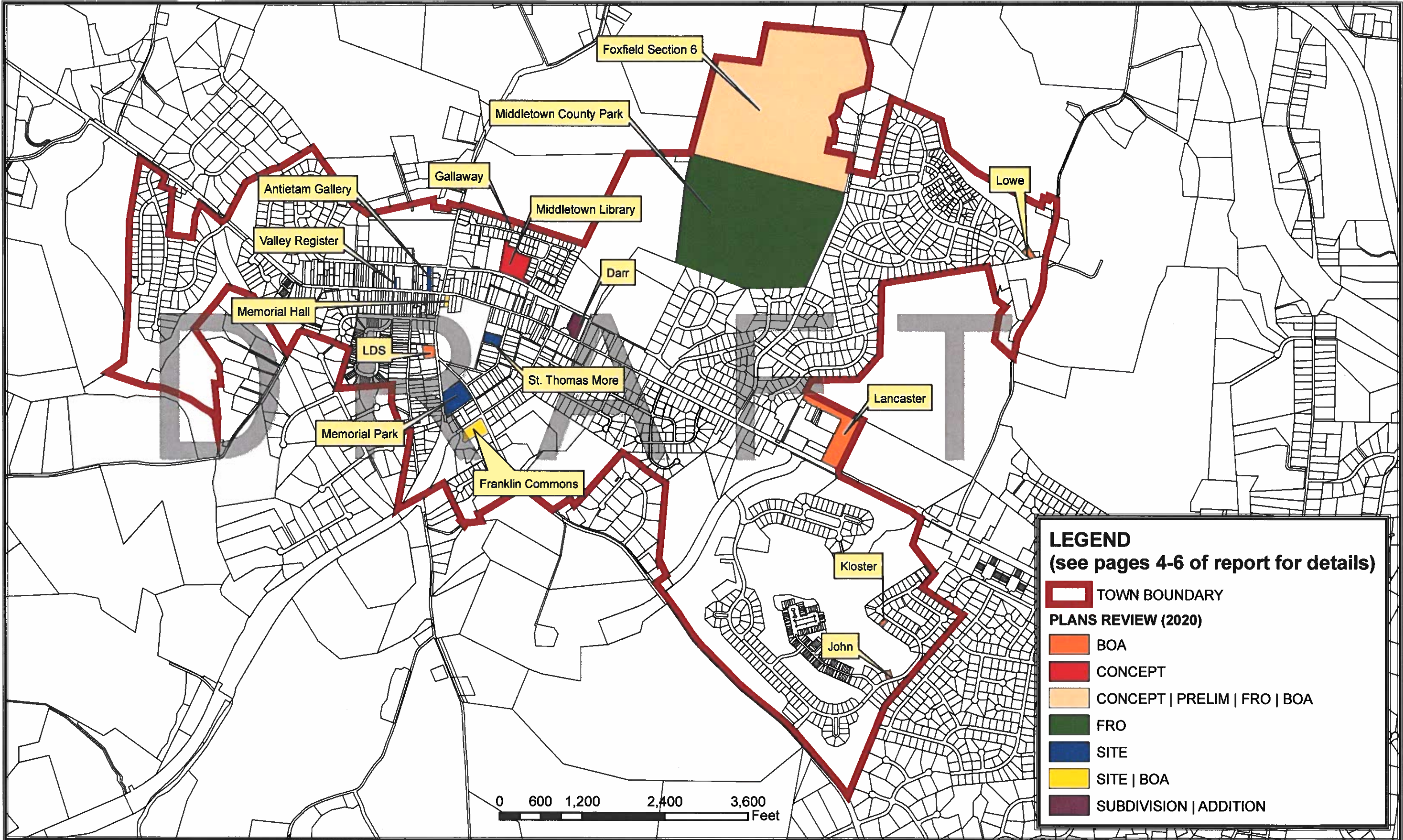
1. Review walkway and road construction strategies to be incorporated into current & future growth and development.
2. Continue to review and refine a management system which includes checklists for the plan review process to help ensure that files are complete and easily accessible, and which verifies 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 and senior care centers.
5. Develop policies and design guidelines for review of architectural plans and for site plan reviews.
6. Work with Cable Committee to recommend locations for 5G antennas with input from Radio-Frequency engineers.

Permits Issued

TYPE	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	2020	5 yr.	
Single - Family	75	106	92	45	22	340	30	31	12	17	23	113	10	12	5	8	4	39	8	25	28	23	0	84	
Multi-Family	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	1	0	0	0	0	0	0	0
Duplex	0	0	0	0	0	0	1	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
Townhouse	0	0	42	15	0	57	16	19	23	24	0	82	0	0	0	0	0	0	0	0	0	0	0	0	0
Apartments	0	1	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1	1
Interior Improvements	9	11	20	19	22	81	18	20	19	12	19	88	15	11	12	15	17	70	16	25	19	17	19	96	
Additions	6	15	15	28	20	84	8	12	2	6	2	30	6	7	4	2	4	23	1	4	4	4	0	13	
Pools & Hot Tubs	7	9	9	16	4	45	8	12	7	4	3	34	2	6	5	2	1	16	2	6	3	6	17	34	
Decks & Porches	18	38	36	64	39	195	37	41	31	27	28	164	32	19	9	15	21	96	14	16	18	23	20	91	
Accessory Structure	14	15	24	23	16	92	18	13	14	9	9	63	6	5	7	8	15	41	11	15	10	20	14	70	
Fences	18	27	41	36	29	151	23	16	25	24	20	108	16	24	13	15	16	84	23	19	15	27	47	131	
Demolitions	1	1	0	1	2	5	0	2	0	2	1	5	2	1	2	1	3	9	5	5	2	3	0	15	
Propane Tanks	1	1	3	6	6	17	3	4	2	2	1	12	6	2	4	1	0	13	0	1	2	2	3	8	
Trailers	3	2	0	0	3	8	0	0	0	0	0	0	0	0	0	0	0	0	2	0	1	1	1	5	
Pump Station	1	0	0	0	0	1	0	0	1	0	0	1	0	0	0	0	0	0	0	0	0	0	1	1	
Signs	8	6	4	4	7	29	5	7	2	5	6	25	7	8	6	10	8	39	3	4	7	6	3	23	
Solar panels	0	0	0	0	0	0	0	0	0	0	0	0	0	0	4	37	20	61	25	7	8	4	4	48	
New Commercial	2	4	0	0	0	6	0	0	0	0	1	1	0	0	2	0	2	4	1	0	4	2	2	9	
Commercial Conversion	4	5	7	6	8	30	1	2	7	3	3	16	4	6	5	5	8	28	1	4	4	4	5	18	
Industrial Conversion	2	0	0	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Office Conversion	4	4	0	1	4	13	14	3	0	5	2	24	0	3	0	0	3	6	0	1	3	1	0	5	
Other								2	1	2	2	7	5	4	4	6	4	23	1	4	5	4	3	17	
Total Permits	173	245	293	264	182	1157	182	184	146	142	120	774	111	108	83	125	126	553	113	136	133	147	140	669	



Middletown 2020 Annual Report Map

