



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 2021 ANNUAL REPORT, FILING SAME WITH THE MIDDLETOWN BURGESS AND COMMISSIONERS AND THE SECRETARY OF STATE PLANNING.

TOWN OF MIDDLETOWN PLANNING COMMISSION

Mark V.
Carney

Digitally signed by Mark V. Carney
DN: cn=Mark V. Carney, c=US,
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Commission,
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BY: _____

Mark Carney, Chairman

March 30, 2023

MIDDLETOWN PLANNING COMMISSION

2022

ANNUAL REPORT

Approved March 20, 2023 by Middletown Planning Commission

BURGESS & COMMISSIONERS

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

Jennifer Falcinelli, Burgess Pro-tem (4/2018-4/2022)(4/2022-4/2026)

Richard Dietrick (4/2018-4/2022) (4/2022-4/2026)

Chris Goodman (4/2020-4/2024)

Jean LaPadula (4/2020-4/2024)

Kevin Stottlemeyer (2/2021-4/2022) (4/2022-4/2026)

Andrew J. Bowen, Town Administrator

Middletown Planning Commission

Mark Carney, Chairman (12/2021-12/2026)

Chris Mills (12/2021 – 12/2026)

Bob Miller (5/2018-5/2023)

Sean Mahar (1/2022 – 1/2027)

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

Eric Ware, Alternate (2/2021 - 2/2026)

Lori Summers, Temp. Alt. (10/2022 – 10/2027)

Middletown Board of Appeals

Daphne Gabb, Chair (5/2019-5/2022; 5/22-5/25)

Alex Kundrick (10/2019-10/2022; 10/22-10/25)

Sean Mahar (6/2020-1/2022)

Jonathon Minchoff, Alternate (6/2020-1/2022)

Jonathon Minchoff (1/2022-6/2023)

Rodney O’Neal, Alternate (6/2022-6/2025)

Planning Department Staff

Cynthia K. Unangst

Town Zoning Administrator

Mark Hinkle (until 4/13/22)/Robert Wilkes (3/31/2022-present)

Engineering Staff

Bruce Carbaugh, Director of Public Works

J.R. Hawkins, Project Manager

INTRODUCTION

The 2022 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
2020 Census	4,943	807

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 - 2022

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>
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None

SITE PLANS

<u>Name</u>	<u>Units</u>	<u>Zoning</u>	<u>Request for:</u>
1. Memorial Hall 4 East Main Street	1	TC	Approval of lighting plan (Approved 1/18)
2. Oak & Steel 1 West Main Street	1	TC	Approval of change of use (Approved 1/18)
3. Fence replacement plan 10 Boileau Drive	1	TC	Approval of fence replacement (Approved 7/18)
4. Memorial Hall 4 East Main Street	1	TC	Approval of site plan including utilities (Approved 10/17)

PRELIMINARY 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>
4. Hollow Creek Prof. Center 31 East Main Street	1	GC	Approval of improvement plans for development (Approved 9/19)

FOREST CONSERVATION PLANS

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

SUBDIVISION PLATS

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

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

Sign ordinance revisions text amendment – Planning Commission reviewed and commented on adoption of revisions relating to the procedures and requirements that govern signs with the corporate limits of the town; to include new sign definitions and delete others; to include illustrations related to signage; to delete content-based language in relation to signs; to include measurement procedures for signage; and to revise temporary sign regulations. (Chapter 17.36) [PC commented 11/21; B&C adopted 1/23/2023]

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. Zumbrunn	variance from setbacks for inground pool	703 Glenbrook Dr.	Approved	3/30
B. Franklin	variance from side yard for inground pool	301 Ingalls Drive	Approved	6/28
C. Wilkes	variance from rear yard for inground pool	207 Layla Drive	Approved	8/30
D. Souder	variance from rear yard for inground pool	212 East Main St.	Approved	9/27
E. St. Thomas More Academy	variance of height for freestanding sign	103 Prospect St.	Approved	11/9
F. Brown	variance from front yard for residential structure	406 W. Green St.	Approved	11/30

INFRASTRUCTURE:

TRANSPORTATION:

Action taken by the Town in the year 2022 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.

Reconstruction of Board Street began in 2021 and was completed in summer of 2022. The scope of work includes the replacement of waterlines, sewer connections, stormwater management facilities and the replacement or installation of curb, gutter and sidewalks. The project also included the planting of new trees to replace trees that needed to be removed due to utility work, and the installation of a retaining wall in front of some of the properties.

Along Franklin Street, the waterline was replaced from Broad Street to Walnut Pond Drive. New sidewalk was added from Memorial Park to Broad Street, and mill and overlay was completed from Broad Street to the Fire Station.

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 water system is routinely monitored for possible contaminants in accordance with Federal and State laws, and there were no violation levels in 2022. Not including the Memar annexation which is required to supply their own demand plus reserve capacity, the Town has 131 water taps available based on the capacity analysis and in accordance with MDE guidance.

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	306,133	391,850
Reserve Capacity ³	39,349	51,308
Total Demand Use	91.5%	90.2%
Available for Development	32,782	49,634

¹ Hollow Creek, Catoctin Creek and Cone Branch Watersheds

² 2020 -2022

³ Calculated (10% reserve + current development + existing lots of record)

⁴ (250 gallons/day use = 131 Equivalent Dwelling Units)

WASTEWATER 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. In calculating the capacity for the Town, the permit capacities are combined for an overall total of 500,000 gpd.

Middletown Wastewater Capacity Calculations

	East WWTP (gallons/day)	West WWTP (gallons/day)	Combined Capacity ²
Annual Permit Limit	250,000	250,000	500,000 gpd
Current Sewer Demand (3-yr avg) ¹	247,440	191,781	439,221 gpd
Percent of Capacity	99.0%	76.7%	87.8%

¹ 2020 -2022

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 in the Cone Branch Basin to make recommendations on repairs and improvements. The Town has recently completed I&I construction in the Catoctin Basin on a new interceptor to the West Plant and this work has already reduced flow to the west plant. Both I&I projects are expected to substantially increase sewer capacity after completion. The Planning Commission will limit the number of approved subdivision lots to no more than 100 lots to stay within the Town’s permitted capacity until the completion of the I&I Improvements are made, and/or MDE issues a new NPDES permit at the East WWTP to the full design capacity of 0.350 mgd.

PARKS AND GREENWAYS:

Parks and greenways projects that were completed in 2022 included the installation of six memorial benches along walking trails and the completion of the Willow Street Pocket Park.

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 historic 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 began the year of 2022 with a new major project between the Town and Main Street Middletown, MD Inc. The Town of Middletown received a very large donation of historic photos, artifacts, maps, furniture, books, deeds, newspapers, magazines, almanacs, graduation

invitations, programs, church newsletters, entertainment programs, commemorative gear, dishes, plates, napkins, and more all relating to the history of Middletown, Maryland. The Main Street Manager, along with several volunteers, and interns, sorted through thousands of items. Once like items were grouped together, the process of inventorying the items started. This is an on-going task that is carrying over into 2023.

Some work continued sporadically on the Main Street building located at 19 West Main Street. Unexpected delays occurred – lack of response from the Maryland Historical Trust Easement Committee due to staff shortages, delays in processing a request for an updated permit, and the general backed up timelines that the construction industry is still managing since COVID-19. The work is anticipated to pick up again in 2023 with a new contractor to help oversee the many subcontractors that were hired. One of the goals of this project is to have a positive economic impact by hiring as many local companies as possible.

Main Street Middletown, MD Inc. provided \$100,000 in 2022 through two separate grants to help offset costs of the rehabilitation of Memorial Hall which was nominated for a Frederick County Office of Economic Development real estate award. The combination of the Main Street grant money, the efforts of the Town to create the Revitalization Zone Incentives, and the visionary project itself, won recognition for the Most Creative Adaptive Reuse Deal.

In June 2022, Main Street Middletown started implementing a Main Street Improvement Grant received from the Maryland Main Street program at the Department of Housing and Community Development. For this project, four new interpretive signs are being added that discuss the Town's history and link with topics along the Main Street's walking tours. The Town was also selected in June by the Maryland House and Garden Pilgrimage as a host location for their 86th annual tour for 2023.

STRATEGIC PLANNING INITIATIVES

ZONING ORDINANCE UPDATE

No updates to the Zoning Code were completed in 2022 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 continues working on the update and hopes to have an approved Plan by late spring of 2023. 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.

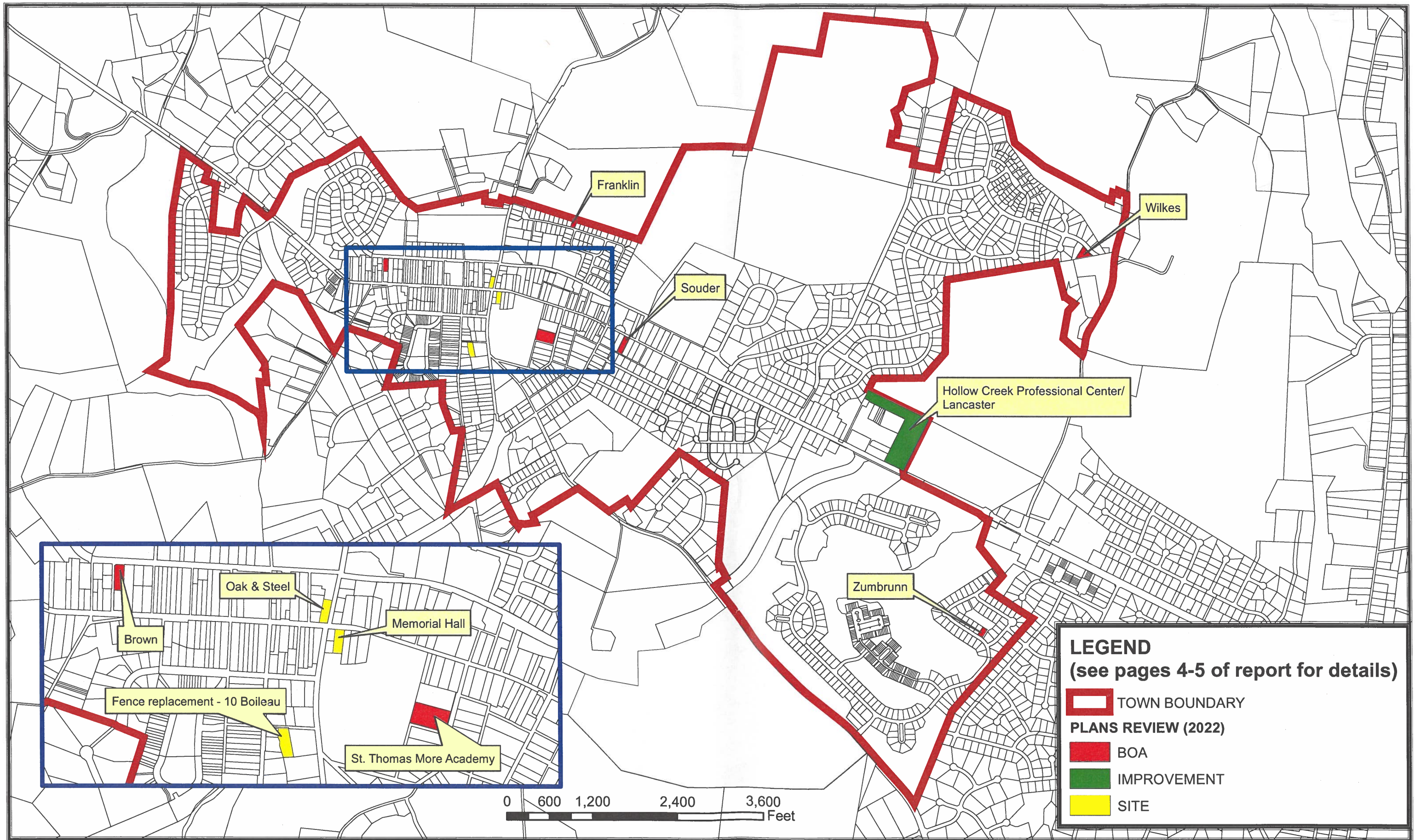
2. Continue to review and refine a management system which includes checklists for the plan review process to help ensure that files are complete and easily accessible, and which verifies that all agency approvals are in place.
3. Continue review of zoning ordinances as needed to ensure compatibility 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.
7. Help to maintain the historical rural community nature of the Town when reviewing development plans.

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.

Permits Issued

TYPE	5 yr.	2006	2007	2008	2009	2010	5 yr.	2011	2012	2013	2014	2015	5 yr.	2016	2017	2018	2019	2020	5 yr.	2021	2022	2023	2024	2025
Single - Family	340	30	31	12	17	23	113	10	12	5	8	4	39	8	25	28	23	0	84	0	1			
Multi-Family	0	0	0	0	0	0	0	0	0	1	0	0	1	0	0	0	0	0	0	0	0			
Duplex	0	1	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0			
Townhouse	57	16	19	23	24	0	82	0	0	0	0	0	0	0	0	0	0	0	0	0	18	0		
Apartments	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1	0	0			
Interior Improvements	81	18	20	19	12	19	88	15	11	12	15	17	70	16	25	19	17	19	96	32	28			
Additions	84	8	12	2	6	2	30	6	7	4	2	4	23	1	4	4	4	0	13	0	2			
Pools & Hot Tubs	45	8	12	7	4	3	34	2	6	5	2	1	16	2	6	3	6	17	34	13	15			
Decks & Porches	195	37	41	31	27	28	164	32	19	9	15	21	96	14	16	18	23	20	91	22	33			
Accessory Structure	92	18	13	14	9	9	63	6	5	7	8	15	41	11	15	10	20	14	70	13	13			
Fences	151	23	16	25	24	20	108	16	24	13	15	16	84	23	19	15	27	47	131	41	54			
Demolitions	5	0	2	0	2	1	5	2	1	2	1	3	9	5	5	2	3	0	15	1	0			
Propane Tanks	17	3	4	2	2	1	12	6	2	4	1	0	13	0	1	2	2	3	8	0	0			
Trailers	8	0	0	0	0	0	0	0	0	0	0	0	0	2	0	1	1	1	5	5	1			
Pump Station	1	0	0	1	0	0	1	0	0	0	0	0	0	0	0	0	0	1	1	0	0			
Signs	29	5	7	2	5	6	25	7	8	6	10	8	39	3	4	7	6	3	23	1	6			
Solar panels	0	0	0	0	0	0	0	0	0	4	37	20	61	25	7	8	4	4	48	1	2			
New Commercial	6	0	0	0	0	1	1	0	0	2	0	2	4	1	0	4	2	2	9	0	0			
Commercial Conversion	30	1	2	7	3	3	16	4	6	5	5	8	28	1	4	4	4	5	18	5	2			
Industrial Conversion	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0			
Office Conversion	13	14	3	0	5	2	24	0	3	0	0	3	6	0	1	3	1	0	5	0	0			
Other			2	1	2	2	7	5	4	4	6	4	23	1	4	5	4	3	17	3	5			
Total Permits	1157	182	184	146	142	120	774	111	108	83	125	126	553	113	136	133	147	140	669	155	162			



Middletown 2022 Annual Report Map

