

MIDDLETOWN PLANNING COMMISSION

Middletown Municipal Center
31 West Main Street
Middletown, MD 21769

Agenda for the February 17, 2020 Meeting
7:00 p.m.

- I. Public Comment
- II. Minutes of January 2020 Planning Commission workshop Approval
- Minutes of January 2020 Planning Commission meeting Approval
- III. Plan Review
 - Middletown County Park Project Forest Stand Delineation Review/Approval
 - Middletown County Park Project Forest Conservation Plan Review/Approval
- IV. Zoning
- V. Miscellaneous
- VI. Additional Public Comment

**** All requests to be on the Planning Commission agenda must be received at the Middletown Municipal Center, 31 W. Main Street, Middletown by 12:00pm 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, and an electronic plan is required as well.**

Maryland law and the Planning Commission's Rules of Procedure regarding ex parte communications require all discussion, review, and consideration of the Commission's business take place only during the Commission's consideration of the item at a scheduled meeting. Telephone calls and meetings with Commission members in advance of the meeting are not permitted. Written communications will be directed to appropriate staff members for response and included in briefing materials for all members of the Commission.

MIDDLETOWN PLANNING COMMISSION
31 West Main Street
Middletown, Maryland

Workshop

January 15, 2020

The regular workshop of the Middletown Planning Commission took place on Wednesday, January 15, 2020 at 7:00 p.m. at the Middletown Municipal Center, 31 West Main Street, Middletown, MD 21769. Those present (quorum) were Commission Chairman Mark Carney, Commission Members Rich Gallagher, Bob Miller, David Lake, Dixie Eichelberger, Alternate, and Eric Ware, Temporary Alternate. Others present in official capacity: Cindy Unangst (Staff Planner). Applicants present: Farhad Memarsadeghi. Residents present: Ray Boss

JANUARY MONTHLY PLANNING COMMISSION WORKSHOP:

PLAN REVIEW –

Foxfield Section 6 Concept Plan – Farhad explained the changes to the newest concept plan from the one the Planning Commission had seen in the past. The changes included additional walkways and the removal of sidewalks, a new alignment for Smithfield Drive, and shifting the northern lots away from the farmland and to the east. Cindy then reviewed her staff report. There was discussion about the lack of sidewalks which is a concern. Commissioner Lake asked about the street names and whether Harvest View Way should be Harvest View Circle given its configuration.

Active Adult Community Special Exception Use – Cindy reviewed her staff report. There was discussion about meeting setback requirements, location of walking trails, and again about the lack of sidewalks.

ZONING –

Commissioner Lake asked about permit approval for work being done at 19 East Main Street.

MISCELLANEOUS –

Workshop adjourned at 8:00pm.

Respectfully submitted,

Cynthia K. Unangst, AICP
Middletown Staff Planner

MIDDLETOWN PLANNING COMMISSION
31 West Main Street
Middletown, Maryland

Regular Meeting

January 21, 2020

The regular meeting of the Middletown Planning Commission took place on Tuesday, January 21, 2019 at 7:00 p.m. at the Middletown Municipal Center, 31 West Main Street, Middletown, MD 21769. Those present (quorum) were Commission Chairman Mark Carney, Commissioner Tom Catania (Ex-Officio), Commission members David Lake, Rich Gallagher, Bob Miller, Dixie Eichelberger (Alternate) and Eric Ware (Temp Alternate). Others present in official capacity: Cindy Unangst (Staff Planner) and Annette Alberghini (Recording Secretary). Others present: Farhad Memarsadeghi (Memar Corporation) and Gene Fleeman (resident).

JANUARY MONTHLY PLANNING COMMISSION MEETING:

I. PUBLIC COMMENT – None.

II. ELECT PLANNING COMMISSION CHAIR AND VICE CHAIR FOR 2019

It was noted that the Planning Commission operated well under the elected leadership in 2019, and perhaps the leadership would continue through 2020.

- **Planning Commission Chair** – The Staff Planner opened the floor to accept nominations for Chair of the Planning Commission for 2020. Commission member Lake nominated Mark Carney as Planning Commission Chair for 2020. Seconded by Commission member Gallagher. There were no other nominations. Motion carried (7-0).
- **Planning Commission Vice Chair** – The Staff Planner opened the floor to accept nominations for Vice Chair of the Planning Commission for 2020. Commissioner Lake nominated Rich Gallagher as Planning Commission Vice Chair for 2020. Seconded by Commission Chair Carney. There were no other nominations. Motion carried (7-0).

III. Regular Workshop Minutes of December 11, 2019 – Approved as submitted.

Regular Meeting Minutes of December 16, 2019 – Approved as submitted.

IV. PLAN REVIEW

Foxfield Section 6 Concept Plan – Farhad Memarsadeghi (Memar Corporation) present. The property is to be developed with 148 active adult lots with the remainder of the property reserved for open space and forest conservation retention. The property is located to the west side of Coblenz Road and north of Middletown Community Park. It is zoned R-20 Residential. This district permits single-family dwellings along with accessory buildings and uses and home occupations, as well as parks, playgrounds, and residential cluster developments. Numerous special exception uses with Board of Appeals approval are also permitted which includes active adult communities. The proposed development parcel was annexed by the Town in 2018. The parcel had been listed in the Municipal Growth Element of the Comprehensive Plan as within the town's growth boundary. Because the subject property is less than 100 acres in size, the entire parcel may be used for an active adult community but must be in accordance with the cluster development concept and regulations in Section 17.42 of the Municipal Code. The proposed development meets the minimum area of a cluster development which shall be 30 acres. The proposed development meets the total density requirement (two or fewer units per acre) with 1.58 units per acre. The typical lot layout shows a width of 60 feet with a side yard setback of 5 feet,

both of which are in code compliance. There is a minimum yard or common open space requirement of at least 25 feet as measured from all streets and from the side and rear lot lines at the boundaries of the entire cluster development. The proposed plan shows at least 70 feet of open space at the rear lot lines at the boundaries, and a minimum of 25 feet from side lot lines as measured from the street boundaries.

A traffic impact study was completed for the proposed development as a condition of the annexation agreement and was approved by the Burgess and Commissioners. The property is located within both the Catocin watershed and the Cone Branch watershed. Wells have been drilled in both for allocation by the Maryland Department of the Environment (MDE), and sufficient quantities of water have been established by MDE. The plans have been provided to the Town Engineer for review.

- **Walking Trail Access** – At both the Planning Commission Workshop and tonight it was noted that there were limited access/easements to the walking trails shown on the concept plan. It was suggested that the developer incorporate additional access points to the walking trail. The developer plans to add two additional access/easements to the proposed walking trails.
- **Sidewalks** – Staff reviewed photos of the sidewalk situation in the current active adult community in Foxfield. Sidewalks are not included in the concept plans for Foxfield Section 6. The design standard for the Town is to have sidewalks on both sides of the street. The question was raised if the Planning Commission had the ability to override the standard. The developer asked to be notified as soon as possible of the determination as the plans will have to be modified. The Town Engineer will be asked to provide comment on this topic. Sidewalks will be an item of discussion at the next joint Town Board/Planning Commission workshop in February. The developer will send staff pictures of a development he constructed that used rolled curbs to grass with no sidewalks. He would like to use similar construction in this development if possible.
- **Natural Features/Sensitive Environmental Areas Chapter of the Comprehensive Plan** – One of the implementation recommendations in the Natural Features chapter states the Town shall restrict development along all creeks and streams and require a minimum of a 100-ft buffer from each bank. This shall be carried out through site plan review by the Planning Commission. The concept plan shows a 50-foot buffer along the intermittent stream on the property (25-feet from each bank). The distance from the nearest proposed lot to the intermittent stream is about 65-feet. Although the objective in the Natural Features chapter refers to perennial streams (and not intermittent streams), the recommendation is to require the 100-foot buffer along all creeks and streams. This will affect 4 proposed lots on the east side of the cluster development. The developer stated that the concept plans were modified after a meeting with Burgess Miller to allow for maximum distance of the cluster development from the surrounding farmlands. This stream buffer will require an additional shift in the proposed streets in the subdivision to meet this requirement. He further stated that MDE will review these plans and provide comment and that the developer must meet MDE's guidelines for intermittent streams.
- **Street Names** – The Staff Planner reviewed the County guidelines regarding new street names. There were concerns regarding emergency services response times and Harvest View Way. This will be an item of discussion at the next joint Town Board/Planning Commission meeting in February. It was also suggested that the proposed Smithfield Drive west of Coblenz Road be designated as Smithfield Boulevard and utilize traffic circles at the intersections to slow traffic. This too will be an item of discussion at the next joint Town Board/Planning Commission workshop in February.

Action: None taken.

V. ZONING

Active Adult Community Special Exception Use – Farhad Memarsadeghi (Memar Corporation) present. This is regarding a proposed special exception approval to allow an active adult community in the R-20 residential district. This district permits single-family dwellings along with accessory buildings and uses and

home occupations, as well as parks, playgrounds, and residential cluster developments. Numerous special exception uses with Board of Appeals approval are also permitted which includes active adult communities. The intent of the district is to encourage and promote the development of single-family residential neighborhoods on large lots free from land usage which might adversely affect such development; except in the case of cluster developments in which dwellings are grouped together on a site, thus saving the remaining land for common area open space, conservation, recreation, and public and semipublic uses. The proposed location is property located the west side of Coblenz Road and north of Middletown Community Park.

The subject property is zoned R-20 per the annexation agreement approved by the Burgess and Commissioners in 2018 which specifically requires the site to be developed as an active adult community. The parcel is approximately 94 acres and is proposed to be developed in accordance with the cluster development regulations. The plan shows 148 active adult lots with the remainder of the property reserved for open space and forest conservation retention. Staff believes the intensity of the proposed use is in harmony with the intent of the district and is compatible with the surrounding area. The clustering of lots will provide for the protection of the existing sensitive areas including streams, stream buffers, wetlands, wetland buffers, forest and steep slopes. Given that most of the specific standards for the proposed use are being met or will be met upon review and approval by the Planning Commission during the appropriate assessment stage, and the general standards for special exception uses are or will be met, staff advised the commission to give a positive recommendation for the proposed active adult community to the Board of Appeals for this property with the condition that the Planning Commission will review plans going forward that will include architectural drawings and elevations, and that driveways must be a minimum length of twenty feet from public or local streets. Included with this review will be the review and comment on the homeowners' association declaration of covenants for the purpose of approval by the Burgess and Commissioners prior to the final plat approval.

Action: Commission member Lake motioned to support the use of this property as an active adult community to the Middletown Board of Appeals. The Planning Commission has reviewed the Land Use and Standards and this development meets the general standards. Any action going forward would address specific standards. A note for the Board of Appeals should indicate that Open Space 4 has been identified as a potential site for a community center. Seconded by Commission member Miller. Motion carried (5-0).

VI. MISCELLANEOUS

The Staff Planner reviewed the January Monthly Planning Update. She will begin work on the 2019 Annual Report soon.

The Town Administrator has been in discussion with the Town Attorney regarding changing the town code to address sunset provisions.

February Joint Town Board/Planning Commission Workshop Topics – Besides the topics identified tonight relating to Foxfield Section 6 Active Adult Community, the Planning Commission would like the following topics on the agenda: Ordinance language regarding accessory structures, Comprehensive Plan information, changing the sign ordinance to address new business opening and the small signs put out to advertise them, the Hollow Creek Professional Center and self-storage, and a Dark Sky section for the design manual.

Miller Property East Green Street Gate – It has been noted that the gate onto the Miller Property (203 East Main Street) from East Green Street has been left open for the last several weeks. The property owner had stated that it would be open only for deliveries. Drivers have been using that access as a cut through back and forth between East Green Street and East Main Street. The Zoning Administrator will be notified for follow up on this issue.

VII. ADDITIONAL PUBLIC COMMENT – None.

Meeting adjourned at 8:12pm.

Respectfully submitted,

Annette Alberghini
Recording Secretary

DRAFT

Middletown Planning Office

MEMORANDUM

Date: 2/4/2020

Hansen# n/a

To: Middletown Planning Commission

From: Cynthia K. Unangst, Middletown Staff Planner

RE: **MIDDLETOWN PARK FOREST STAND DELINEATION REVIEW**

Tax Map Parcel #03-151433

Applicant: Devin Leary, Human & Rohde, Inc.

Property Owner: Frederick County

Plan Dated: January 2020

Date Received: February 3, 2020

GENERAL INFORMATION

Proposal: the purpose of the forest stand delineation is to allow for park improvements

Location: 7628 Coblenz Road

Zoning: OS

Present Use: 79-acre park with ballfields, playgrounds, restrooms and frisbee golf course

COMMENTS

The following issues should be considered in your review of this Forest Stand Delineation:

1. **Forest stand delineation submittals** – According to Section 16.40.031.B.1.a of the Middletown Municipal Code, a forest stand delineation (FSD) shall be submitted for the planning commission's approval. The planning commission has forty-five (45) days for review and to notify the applicant of FSD approval or disapproval.
2. **Forest stand delineation requirements** – According to Section 16.40.032 of the Middletown Municipal Code, the requirements for forest stand delineations are as follows:

16.40.032 Forest stand delineations.

A. A forest stand delineation shall be submitted as required by Section 16.40.031(B).

B. The delineation shall be used during the project design process to determine the most suitable and practical areas for forest conservation and shall contain the following components:

1. A topographic map delineating intermittent and perennial streams, and steep slopes over twenty-five (25) percent;

2. A soils map delineating soils with structural limitations, hydric soils, or soils with a soil K value greater than 0.35 on slopes of fifteen (15) percent or more;
 3. Forest stand maps indicating species, location, and size of trees and showing dominant and co-dominant forest types;
 4. Location of one hundred (100) year floodplains;
 5. Information required by the forest conservation technical manual; and
 6. Other information the approving authority determines is necessary to implement this chapter.
- C. If approved by the planning commission, a simplified delineation may be submitted for an area:
1. When no forest cover is disturbed during a construction activity; and
 2. Designated to be under a long-term protective agreement.
- D. The planning commission shall consider a simplified forest stand delineation complete if it includes:
1. All requirements under subsections (B)(1), (2), (4), and (5) of this section;
 2. A map showing existing forest cover as verified by field inspection; and
 3. Other information required by this chapter.
- E. An approved forest stand delineation may remain in effect for a period not longer than five years.
- F. Time for Submittal of FSD.
1. Within forty-five (45) calendar days after receipt of the forest stand delineation, the planner shall notify the applicant whether the forest stand delineation is complete and accurate.
 2. If the planner fails to notify the applicant within forty-five (45) days, the delineation shall be treated as complete and accurate.
 3. The planning commission may require further information or provide for an additional thirty (30) calendar days under extenuating circumstances.

All of the requirements for forest stand delineations have been met.

3. **Summary of FSD narrative** – Forest on site was classified into two stands, totaling 6.93 acres. Four random sample plots were inventoried for the following: identification of all species, relative size of species, diameter at breast height of trees, maturity of species, dominance and basal area in square feet per acre per species. The percentage of canopy closure was estimated, along with the percentage of understory and herbaceous coverage. Forest stand #1 (4.48±acres) is predominantly white pine and sawtooth oak and is in good condition. Forest stand #2 (2.45±acres) is composed of black walnut, red maple, black cherry and black willow, and is also in good condition. There are four specimen (>30" diameter at breast height (DBH)) trees within the forest stands. There is heavy invasive cover, especially in stand #2, and improvement for the stands should include invasive removal.
4. **Review by Maryland Department of Natural Resources** – The report and plan have been provided to the Maryland Department of Natural Resources for review, but no comments have been received to date.

RECOMMENDATION

Staff recommends that the Planning Commission approve the Forest Stand Delineation for this property noting that the approval will remain in effect for a period not longer than five years.

This review will be included in the Middletown Planning Commission materials for the February 17, 2020 public meeting. The applicant is encouraged to attend this meeting and the workshop on the Wednesday prior to the meeting which will be February 12, 2020.

Cc: Tracy Diggs, Frederick County Office of Project Management

FOREST STAND DELINEATION

**MIDDLETOWN PARK
DEVELOPMENT & REHAB PROJECT**

7628 COBLENTZ ROAD
MIDDLETOWN 21769
FREDERICK COUNTY, MARYLAND

MARCH 2019

PREPARED BY:
HUMAN & ROHDE, INC.
512 VIRGINIA AVENUE
TOWSON, MARYLAND 21286

FOREST STAND NARRATIVE

Middletown Park is located at 7628 Coblenz Road in Middletown, 21769. The 79-acre park was originally developed in the early 1980's and has been improved over the years with ballfields, playgrounds, restrooms, and frisbee golf course. The property is composed of forest and hedgerows areas along Fahrney Branch, open grass fields, ballfields, and parking lots. The property is zoned agricultural. Surrounding land uses include residential to the east and south, agricultural to the north, and Middletown High School to the west. Roughly two-thirds of the park is developed with park amenities or maintained open fields. The remaining acres are forest, hedgerows, and scrub-brush areas. Access to the park is from Coblenz Road, to the east, or by Schoolhouse Drive, to the west. The access road bisects the southern half of the property and crosses along the embankment of the existing pond.

Streams & Wetlands

An unnamed tributary to the Cone Branch of Catocin Creek, watershed #02070008, flows through the center of the property. The Use I-P tributary enters the property from the north and flows into a pond towards the south-central portion of the park. The tributary leaves the park flowing southward towards Middletown's main street. The site was investigated for the presence of nontidal wetlands and waters of the United States by Triad Engineer. Areas of non-tidal wetlands were found on the eastern edge of the tributary, along the eastern shore of the pond, and below the maintenance yard access road. According to FEMA FIRM map 24021C0260D, there is no known 100-year floodplain associated with the tributary.

Other Observations and Research

No rare, threatened, or endangered (RTE) species were observed on site during our site visits. We are awaiting a verification letter from the Maryland Department of Natural Resources Wildlife and Heritage office confirms that there are no State or Federal records for known RTE species within the project boundaries.

An online search (<http://www.marylandhistoricaltrust.net>) of historical records shows no registered historical sites on or immediately adjacent the subject property. Nor is the site within a historic district.

Specimen Trees

Human & Rohde inspected the entire property for specimen trees. The site contains four specimen (>30" diameter at breast height (DBH)) trees and the trees were flagged with pink surveyor's ribbon. The specimens found are found, within the forest stand, along the stream banks and are possible remnants of past farming, as old wire fences were found attach to most of these trees.

Forest Stand Analysis Methodology

Forest stand plots were flagged in the field with pink surveyor's ribbon. Forest on site was classified into two stands, totaling 6.60-acres. Site visits occurred during the fall 2018, at which time four sample plots were inventoried. These sample plots were chosen at random and each was 1/10 acre in size. Within each plot all species were identified, along with their relative size, diameter at breast height, maturity, dominance (occurrence) and basal area in square feet per acre. The percentage of canopy closure was estimated, along with the percentage of understory and herbaceous coverage.

Forest Stand #1 – 4.15 ± acres

The forest stand is located along the park’s northern property line. The stand shows signs of being a planted screening along an old hedgerow and has expanded over the years. Within the stand is a spur of the park’s trail system. The canopy has 100% coverage and is predominately white pine (*Pinus strobus*) and sawtooth oak (*Quercus acutissima*); both appear to be planted species and are regenerating. The common dbh of the canopy is six to twelve inches and there are no specimen-sized trees within the stand. Also seen in the canopy, in lesser numbers, were red maple (*Acer rubrum*) and black cherry (*Prunus serotina*). Understory species included saplings of the canopy species (less the white pines) and hackberry (*Celtis occidentalis*). The understory is rather open (30% coverage) due to the shading from the white pines. The portions of the stand along the park’s boundary with the agricultural field, contain multiflora rose (*Rosa multiflora*), wineberry (*Rubus phoenicolasius*), and poison ivy (*Toxicodendron radicans*). The poison ivy extends to the forest floor. The forest floor is also covered in Japanese honeysuckle (*Lonicera japonica*) and patches of goldenrod (*Solidago sp.*). The stand has a basal area of 25 sf. per acre, with an average of 175 trees per acre.

The stand composition is as follows:

<u>2-5.9”</u>	<u>6-12”</u>	<u>12-20”</u>	<u>20-30”</u>	<u>greater than 30”</u>
20%	43%	37%	0%	0%

Forest Stand #2 – 2.45 ± acres

This forest stand is associated with the onsite tributary. The stand shows signs of prior agricultural use of the park, with old wire fence lines within and being a prior hedgerow/buffer along the stream. Canopy closure is 80% and the canopy layer is composed of black walnut (*Juglans nigra*), red maple (*Acer rubrum*), black cherry (*Prunus serotina*), and black willow (*Salix nigra*). The common diameter at breast height of the canopy is six to twelve inches and four specimen trees were located within this stand. The understory consists of saplings of the canopy species along with mulberry (*Morus alba*), hackberry (*Celtis occidentalis*), box elder (*Acer negundo*), and sweet birch (*Betula lenta*). The shrub layer is thick with multiflora rose (*Rosa multiflora*), silky dogwood (*Cornus amomum*), bush honeysuckle (*Lonicera tatarica*), and wineberry (*Rubus phoenicolasius*). Poison ivy (*Toxicodendron radicans*) is on the forest floor into the canopy. The forest floor is also densely covered in Japanese honeysuckle (*Lonicera japonica*), garlic mustard (*Alliaria petiolata*), wild strawberry (*Fragaria virginiana*), goldenrod (*Solidago sp.*), and sedges (*Carex sp.*). The stand has a basal area of 25 sf. per acre, with an average of 235 trees per acre.

The stand composition is as follows:

<u>2-5.9”</u>	<u>6-12”</u>	<u>12-20”</u>	<u>20-30”</u>	<u>greater than 30”</u>
40%	32%	26%	2%	0%

Synopsis

Overall, both stands are in good health with no insect or disease noted, although exotic invasive species are present in parts of both; with a higher percentage/cover in stand #2. Portions of stand #1 and all stand #2 are priority retention areas due to their location adjacent the onsite stream. Improvement for the stands should include invasive removal.

FOREST STAND DELINEATION WORKSHEETS

PROPERTY: MIDDLETOWN PARK - FREDERICK PREPARED BY: HUMAN & ROHDE, INC
 STAND #: 1 PLOT #: 1 PLOT SIZE: 1/10 AC DATE: NOV 14, 2018

BASAL AREA IN SF / ACRE 20 SIZE CLASS OF TREES > 20' WITHIN SAMPLE PLOT

TREE SPECIES	# OF TREES 2-5.9" dbh			# OF TREES 6-11.9" dbh			# OF TREES 12-19.9" dbh			# OF TREES 20-29.9" dbh			# OF TREES > 30" dbh			TOTAL
	DOM	CoD	OTHER	DOM	CoD	OTHER	DOM	CoD	OTHER	DOM	CoD	OTHER	DOM	CoD	OTHER	
ACER RUBRUM RED MAPLE		1			2			2								5
QUERCUS ACUTISSIMA SAWTOOTH OAK	2			3				1								6
PINUS STROBUS EASTERN WHITE PINE							2									2
CELTIS OCCIDENTALIS HACKBERRY	3															3
TOTAL NUMBER OF TREES PER SIZE CLASS	6			5			5			0			0			16
NUMBER & SIZE OF STANDING DEAD TREES	0			0			0			0			0			0

LIST OF COMMON UNDERSTORY SPECIES 3-20' ROSA MULTIFLORA TOXICODENDRON RADICANS RUBUS PHOENICOLASIIUS ACER/QUERCUS SAPLINGS	% OF CANOPY CLOSURE							PERCENT OF INVASIVE COVER PER PLOT: C: 38 U: 40 H: 60	PLOT SUCCESSIONAL STAGE: EARLY - MID PLANTED				
	C	Y	N	Y	E	Y	S			Y	W	Y	TOTAL
	% OF UNDERSTORY COVER 3-20'									100			
LIST OF HERBACEOUS SPECIES 0-3' LONICERA JAPONICA TOXICODENDRON RADICANS SOLIDAGO SP.	% OF HERBACEOUS COVER 0-3'												
	C	Y	N	Y	E	Y	S			Y	W	Y	TOTAL
	% OF HERBACEOUS COVER 0-3'									60			
COMMENTS													

PLANTED SCREENING ALONG PROPERTY LINE, WALKING TRAIL WITHIN
 SHEET 1 of 5
 FOREST SAMPLING DATA WORKSHEET

PROPERTY: MIDDLETOWN PARK - FREDERICK PREPARED BY: HUMAN & ROHDE, INC
 STAND #: 1 PLOT #: 2 PLOT SIZE: 1/10 AC DATE: NOV 14, 2018

TREE SPECIES	SIZE CLASS OF TREES > 20' WITHIN SAMPLE PLOT															TOTAL
	# OF TREES 2-5.9" dbh			# OF TREES 6-11.9" dbh			# OF TREES 12-19.9" dbh			# OF TREES 20-29.9" dbh			# OF TREES > 30" dbh			
CROWN POSITION	DOM	CoD	OTHER	DOM	CoD	OTHER	DOM	CoD	OTHER	DOM	CoD	OTHER	DOM	CoD	OTHER	
PRUNUS SEROTINA BLACK CHERRY					1											1
PINUS STROBUS EASTERN WHITE PINE				6			6									12
QUERCUS ACUTISSIMA SAWTOOTH OAK				1			1									2
CELTIS OCCIDENTALIS HACKBERRY		1														1
QUERCUS RUBRA NORTHERN RED OAK					1		1									2
ULMUS RUBRA SLIPPERY ELM					1											
TOTAL NUMBER OF TREES PER SIZE CLASS	1			10			8			0			0			19
NUMBER & SIZE OF STANDING DEAD TREES	0			0			0			0			0			0

LIST OF COMMON UNDERSTORY SPECIES 3-20'	% OF CANOPY CLOSURE							PERCENT OF INVASIVE COVER PER PLOT: C: 10 U: 0 H: 90	PLOT SUCCESSIONAL STAGE: EARLY - MID PLANTED
	C	N	E	S	W	TOTAL	100		
	Y	Y	Y	Y	Y	0			
LIST OF HERBACEOUS SPECIES 0-3' TOXICODENDRON RADICANS ROSA MULTIFLORA RUBUS PHOENICOLASIUS	% OF UNDERSTORY COVER 3-20'								
	C	N	E	S	W	TOTAL	0		
	N	N	N	N	N	0			
	% OF HERBACEOUS COVER 0-3'								
	C	N	E	S	W	TOTAL	60		
	N	Y	Y	Y	N				

COMMENTS
 PLANTED SCREENING ALONG PROPERTY LINE, WALKING TRAIL WITHIN
 SHEET 2 of 5
 FOREST SAMPLING DATA WORKSHEET

PROPERTY: MIDDLETOWN PARK - FREDERICK PREPARED BY: HUMAN & ROHDE, INC
 STAND #: 2 PLOT #: 3 PLOT SIZE: 1/10 AC DATE: NOV 14, 2018

BASAL AREA IN SF / ACRE 30

SIZE CLASS OF TREES > 20' WITHIN SAMPLE PLOT

TREE SPECIES	# OF TREES 2-5.9" dbh			# OF TREES 6-11.9" dbh			# OF TREES 12-19.9" dbh			# OF TREES 20-29.9" dbh			# OF TREES > 30" dbh			TOTAL
	DOM	CoD	OTHER	DOM	CoD	OTHER	DOM	CoD	OTHER	DOM	CoD	OTHER	DOM	CoD	OTHER	
JUGLANS NIGRA BLACK WALNUT		1						1								2
SALIX NIGRA BLACK WILLOW		1			1		3									5
MORUS ALBA WHITE MULBERRY					1				1							2
PRUNUS SEROTINA BLACK CHERRY							2									2
CELTIS OCCIDENTALIS HACKBERRY		1						1								2
ACER NEGUNDO BOXELDER	2			4				1								7
BETULA LENTA SWEET BIRCH				3				1								4
TOTAL NUMBER OF TREES PER SIZE CLASS	5			9			9			1			0			24
NUMBER & SIZE OF STANDING DEAD TREES	1			1			1			0			0			3

LIST OF COMMON UNDERSTORY SPECIES 3-20' ROSA MULTIFLORA LONICERA TATARICA RUBUS PHOENICOLASIUS CORNUS AMOMUM	% OF CANOPY CLOSURE							PERCENT OF INVASIVE COVER PER PLOT: C: 12 U: 70 H: 70	PLOT SUCCESSIONAL STAGE: EARLY-MID				
	C	Y	N	Y	E	Y	S			Y	W	Y	TOTAL
													80
LIST OF HERBACEOUS SPECIES 0-3' LONICERA JAPONICA ALLIARIA PETIOLATA FRAGARIA VIRGINIANA TOXICODENDRON RADICANS	% OF UNDERSTORY COVER 3-20'												
	C	Y	N	Y	E	Y	S			Y	W	Y	TOTAL
													100
	% OF HERBACEOUS COVER 0-3'												
	C	Y	N	Y	E	Y	S			Y	W	Y	TOTAL
													100

COMMENTS
 NATURAL STREAM BANK - HEAVY INVASIVE COVER
 SHEET 3 of 5

PROPERTY: MIDDLETOWN PARK

LOCATION: FREDERICK COUNTY

(TOWN, COUNTY, ADC MAP#, GRID COORDINATES)

PREPARED BY: HUMAN & ROHDE, INC

STAND VARIABLE	STAND #: <u>1</u>	STAND #: <u>2</u>
1. DOMINANT SPECIES / CODOMINANT SPECIES	PINUS STROBUS QUERCUS ACUTISSIMA	JUGLANS NIGRA / ACER RUBRUM ACER NEGUNDO
2. SUCCESSIONAL STAGE	EARLY-MID SUCCESSION	EARLY-MID SUCCESSION
3. BASAL AREA IN S.F. / AC	25	25
4. SIZE CLASS OF DOMINANT SPECIES	6 - 12"	6 - 12"
5. PERCENT OF CANOPY CLOSURE	100%	80%
6. NUMBER OF TREE SPECIES PER ACRE	175	235
7. COMMON UNDERSTORY SPECIES PER ACRE	TOXICODENDRON RADICANS ROSA MULTIFLORA	CORNUS AMOMUM LONICERA TATARICA
8. PERCENT OF UNDERSTORY COVER 3-20' TALL	30%	50%
9. NUMBER OF WOODY PLANT SPECIES 3-20' TALL	2	3
10. COMMON HERBACEOUS SPECIES 0-3' TALL	LONICERA JAPONICA TOXICODENDRON RADICANS	LONICERA JAPONICA
11. PERCENT HERBACEOUS & WOODY PLANT COVER 0-3' TALL	80%	100%
12. LIST OF MAJOR INVASIVE PLANT SPECIES & PERCENT COVER	C - QUERCUS ACUTISSIMA 24% U - ROSA MULTIFLORA 20% H - LONICERA JAPONICA 75%	C - MORUS ALBA 6% U - LONICERA TATARICA 60% H - LONICERA JAPONICA 70%
13. NUMBER OF STANDING DEAD TREES 6" DBH OR GREATER	0	1
14. COMMENTS	STAND ASSOCIATED WITH A PLANTED SCREENING ALONG PROPERTY LINE	STAND ASSOCIATED WITH ADJACENT STREAM

SHEET 7 of 7

FOREST STAND SUMMARY WORKSHEET

PHOTOGRAPHS



Typical view of FSD Plot Sample Point #1



Typical view of FSD Plot Sample Point #2



Typical view of FSD Plot Sample Point #3

10/20/11

10/20/11



Typical view of FSD Plot Sample Point #4



Typical view of Specimen Tree #1



Typical view of Specimen Tree #2



Typical view of Specimen Tree #3



Typical view of Specimen Tree #4

ADDITIONAL DOCUMENTATION

Human & Rohde, Inc.
landscape architects/land planners

JOHN C. ROHDE, RLA
SALLY MALENA, RLA
LYNETTE PINHEY, RLA

512 VIRGINIA AVENUE
TOWSON, MD 21286
TEL: (410) 825-3885
FAX: (410) 825-3887

December 4, 2018

Ms. Lori Byrne
Environmental Review Specialist
Maryland Department of Natural Resources
Tawes Office Building
508 Taylor Avenue
Annapolis, Maryland 21401

RE: Middletown Park
7628 Coblenz Road, Frederick County 21769

Dear Ms. Byrne:

We are currently preparing a Forest Stand Delineation plan and report for the above referenced site. As part of the review process we are requesting any documentation you may have about rare, threatened or endangered species within the site.

Frederick County Parks and Recreation plans an expansion and rehabilitation to the existing county park near the town of Middletown.

In a field inspection done by our office; no rare, threatened or endangered species were located. We would appreciate verification from your office.

Enclosed please find a copy of the existing site plan with location map and thank you for your attention in this matter.

Sincerely,

HUMAN & ROHDE, INC.

A handwritten signature in black ink, appearing to read "D. Leary", with a stylized flourish at the end.

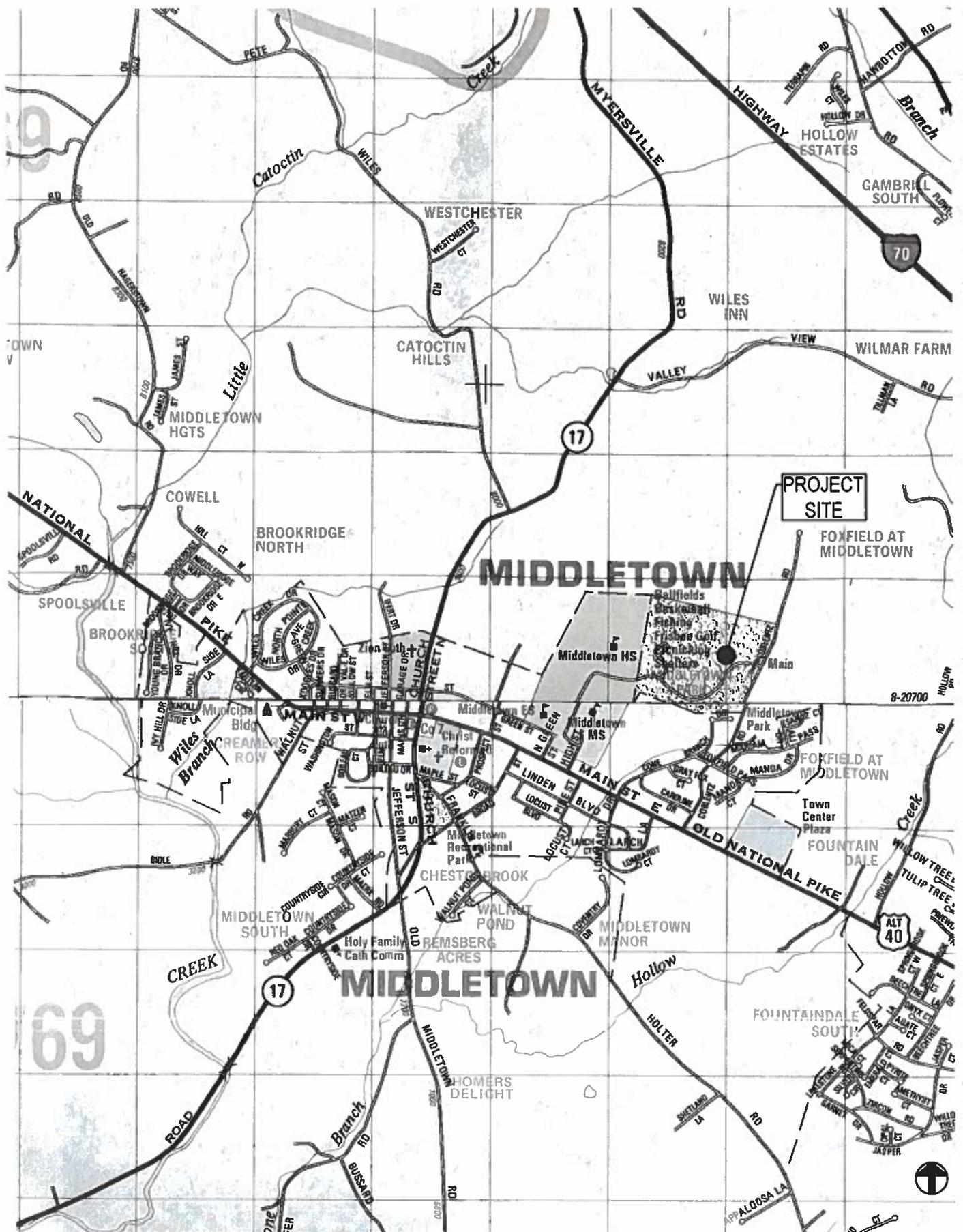
Devin M. Leary, ASLA, PLA

MAPS



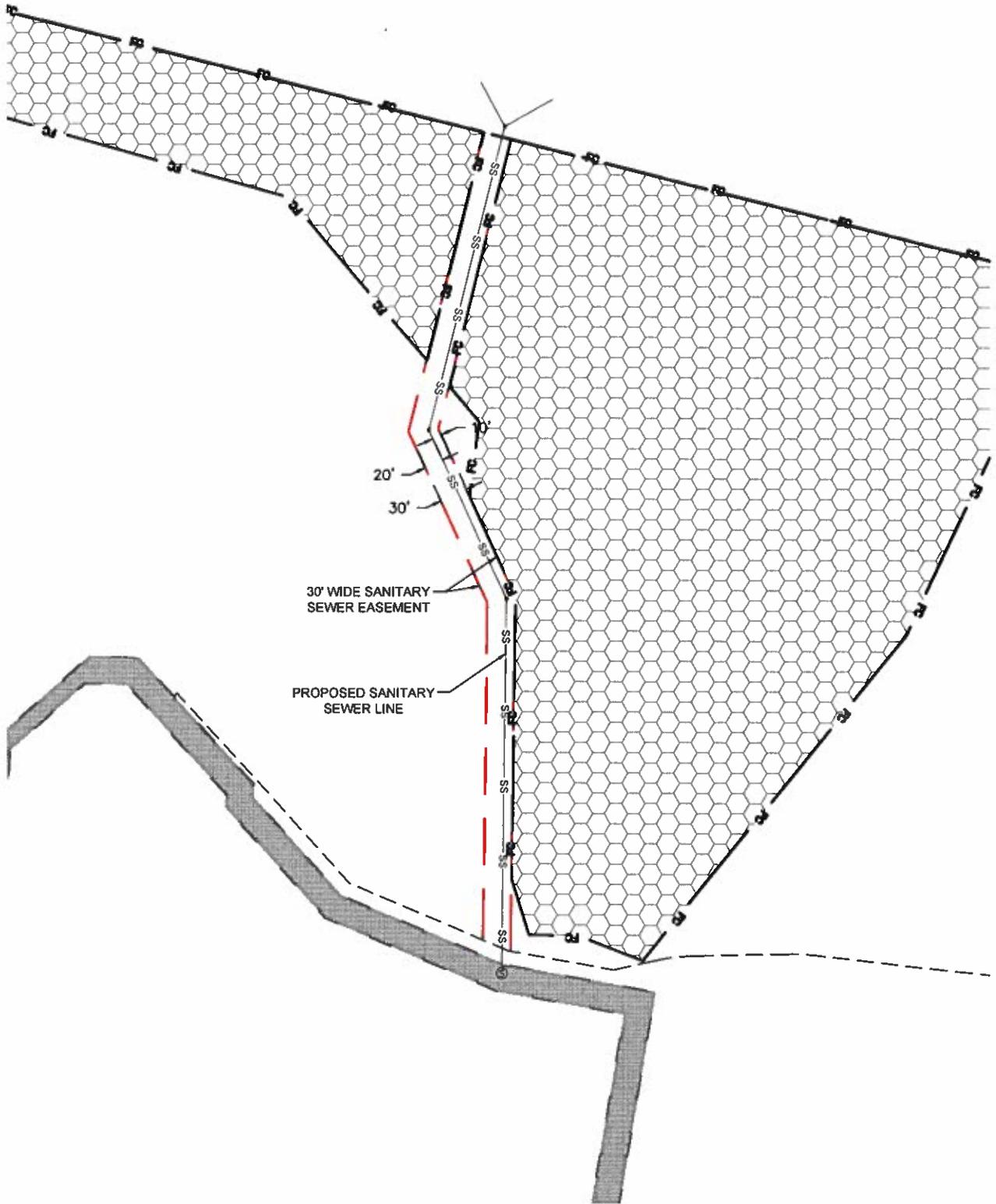
AERIAL MAP

NOT TO SCALE



LOCATION MAP

SCALE 1" = 2000'



30' WIDE SANITARY SEWER EASEMENT

PROPOSED SANITARY SEWER LINE

20'

30'

Middletown Planning Office

MEMORANDUM

Date: 2/13/2020

Hansen# n/a

To: Middletown Planning Commission

From: Cynthia K. Unangst, Middletown Staff Planner

RE: **MIDDLETOWN PARK FOREST CONSERVATION PLAN**

Tax Map Parcel #03-151433

Applicant: Devin Leary, Human & Rohde, Inc.

Property Owner: Frederick County

Plan Dated: January 2020

Date Received: February 3, 2020

GENERAL INFORMATION

Proposal: the purpose of the forest conservation plan is to allow for park improvements

Location: 7628 Coblenz Road

Zoning: OS

Present Use: 79-acre park with ballfields, playgrounds, restrooms and frisbee golf course

COMMENTS

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

1. **Forest Conservation Plan – General requirements** – According to Section 16.40.033.A. of the Middletown Municipal Code, in developing a forest conservation plan, the applicant shall give priority to techniques for retaining existing forest on the site. The submitted plan shows that the existing forest will be retained aside from the small area needed for the future sanitary sewer easement.
2. **Final forest conservation plan requirements** – According to Section 16.40.035 of the Middletown Municipal Code, the requirements for a final forest conservation plan are as follows:

16.40.035 Final forest conservation plan.

A. A final forest conservation plan shall:

1. Be submitted as required by [Section 16.40.031\(B\)](#) of this chapter;
2. Show proposed locations and types of protective devices to be used during construction activities to protect trees and forests designated for conservation;

3. In the case of afforestation or reforestation, include an afforestation or reforestation plan, with a timetable and description of needed site and soil preparation, species, size, and spacing to be used;
 4. Incorporate a binding two-year maintenance agreement containing at a minimum the provisions specified in COMAR 08.19.05.01 that details how the areas designated for afforestation or reforestation will be maintained to ensure protection and satisfactory establishment, including:
 - a. Watering, and
 - b. A reinforcement planting provision if survival rates fall below required standards, as provided in the conservation technical manual.
 5. Incorporate a long-term binding protective agreement containing at a minimum the provisions specified in COMAR 08.19.05.02 that provides protection for areas of forest conservation, including areas of afforestation, reforestation, and retention, and limits uses in areas of forest conservation to those uses that are designated and consistent with forest conservation, including recreational activities and forest management practices that are used to preserve forest;
 6. Include the substantive elements required under Section 16.40.034(A) of this chapter, as finalized elements of the forest conservation plan; and
 7. Include other information the planning commission and staff determines is necessary to implement this chapter.
- B. A forest conservation plan shall specify methods to protect trees during construction activity according to standards provided in the Forest Conservation Technical Manual.
- C. Before cutting, clearing, grading or construction begins on a site for which a forest conservation plan is required, the applicant shall demonstrate to the town planner that protective devices as specified by the forest conservation plan have been established.

3. **Summary of Forest Conservation Plan** – The net tract area of forest on the site is 6.93 acres, of which 0.18 acres are to be cleared for a future sanitary sewer easement. Therefore, the acreage of retained forest is 6.75 acres. In order to comply with the town's Forest Conservation Ordinance, 5.01 acres are proposed to be planted on-site and 1.0 acre is proposed to be planted off-site adjacent to the West Wastewater Treatment Plant at Wiles Branch Park. Miscellaneous credits of 1.11 acres towards the afforestation requirement are being met with existing landscape tree credits and the planting of additional landscape trees at the park.

Of the 5.01 acres to be planted, 3.56 acres are lowland areas which will be planted with 1,246 whip-size planting stock of ten different native tree species. Upland planting areas totaling 1.45 acres will be planted with 508 whip-size planting stock of ten different native tree species. The proposed 1-acre off-site planting site is to be planted with 350 whip-size planting stock of native tree species.

4. **Priority trees** – According to Section 16.40.041.B(3) of the Municipal Code, trees having a diameter measured at four and one-half (4.5) feet above the ground of thirty (30) inches or more shall be considered priority for retention and protection, and they should be left in an undisturbed condition unless the applicant has demonstrated, to the satisfaction of the approving authority, that the applicant qualifies for a modification under Section 16.40.023. There are four specimen trees located within Forest Conservation Easement #2 which are in fair or poor condition and will be retained.

5. **FRO calculations break-down** – Here is a simplified version of the forest conservation calculations:

Gross tract area – 79.01 acres

Net tract area – 68.45ac (pond, sanitary sewer easement, pavement & buildings deducted)

Afforestation threshold – 13.69 acres (20% of net tract area)

Conservation threshold – 17.11 acres (25% of net tract area)

Existing forest within net tract area – 6.93 acres

Total area of forest to be cleared – 0.18 acres

Total area of forest to be retained – 6.75 acres

Reforestation required – 0.36 acres (0.18 x 2)

Afforestation required – 6.76 acres (13.69 – 6.93)

Total forestation requirement – 7.12 acres (0.36 + 6.76)

Misc. credits – 1.11 acres (landscaping areas > 25,000 sf. = 0.6 acres + landscape trees planted = 0.51 acres)

Total on-site mitigation – 12.87 acres (6.75 retained + 5.01 planted + 1.11 misc. credits)

Balance of mitigation owed – 1.0 acres (7.12 – 5.01 – 1.11)

Off-site mitigation of 1.0 acres to meet balance needed.

Total mitigation provided = 13.87 acres

6. **Landscape tree credits** - The landscape trees to be planted on-site to be credited towards afforestation requirements are proposed to be 26 red maples, 11 willow oaks and 14 American elms. They are to be balled & burlapped trees of 6-feet in height. Calculations showing the mitigation to be provided are in the table at the top of Sheet FC-3.
7. **Review by Maryland Department of Natural Resources** – The plan has been provided to the Maryland Department of Natural Resources for review, but no comments have been received to date.

RECOMMENDATION

Staff recommends that the Planning Commission approve the Forest Conservation Plan for this property.

This review will be included in the Middletown Planning Commission materials for the February 17, 2020 public meeting. The applicant is encouraged to attend this meeting and the workshop on the Wednesday prior to the meeting which will be February 12, 2020.

Cc: Tracy Diggs, Frederick County



VICINITY MAP
SCALE: 1" = 2000'



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

- FACILITY LEGEND**
- ① SOCCER / FOOTBALL
 - ② BASEBALL
 - ③ SOFTBALL (LIGHTED)
 - ④ LITTLE LEAGUE
 - ⑤ OPEN PICNIC SHELTER
 - ⑥ INDIVIDUAL PICNIC AREA
 - ⑦ PICNIC AREA
 - ⑧ SPRING FED POND
 - ⑨ MAINTENANCE AREA
 - ⑩ STAGE
 - ⑪ BASKETBALL COURT (LIGHTED)
 - ⑫ RESTROOM BUILDING
 - ⑬ MARBLE COURTS
 - ⑭ CONCESSIONS / RESTROOM
 - ⑮ MEMORIAL TREE GROVE
 - ⑯ WILD FLOWER MEADOW
 - ⑰ MODEL CAR RACE TRACK



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

DESIGNED AND DRAWN BY: [Firm Name]
APPROVED BY: [Official Name]
DATE: [Date]



ROAD

PRIMARY ENTRANCE

COBLENTZ
ROAD
- 4 MILES S. TO U.S. ROUTE 40

Town of Middletown Planning Department

To: Burgess & Commissioners and Middletown Planning Commission

From: Cindy Unangst, Staff Planner

Date: 2/3/2020

RE: Monthly Planning Update – February

Major Subdivisions:

Foxfield Section 6 (Coblentz Road) – Active-adult special exception use recommended approval by PC to BOA – January 21, 2020

Site Plans, Plats and Minor Subdivisions:

Caroline's View/Horman Apartments (East Green Street)- Site Plan approved – April 21, 2008 (no sunset provisions prior to November 14, 2010)

Improvement Plans conditionally approved – May 17, 2010 (no sunset provisions prior to 11/10)

Revised Improvement Plan mylars signed – July 21, 2017

Next step – submittal of PWAs for approval and apply for building and grading permits

Cross Stone Commons (Middletown Parkway) – Revised Site Plan conditionally approved – 10/20/14

Improvement Plan mylars signed – November 6, 2015

FRO plantings completed – December 23, 2019

Next step – submittal of architectural renderings for building #2 for review/approval

Dowd Property (Alternate 40A) – Forest Stand Delineation approved – April 16, 2018

Revised Site plan conditionally approved by PC – October 21, 2019 (Plans expire 10/21/22)

Revised Preliminary Forest Conserv. Plan conditionally approved – November 18, 2019

Revised Special Exception materials for self-storage use recommended for approval by PC – December 16, 2019

Revised Building renderings submitted for PC review – January 13, 2020

Next step – BOA review/approval of special exception for self- storage use; submission of FFCP and Improvement plans for PC review;

Franklin Commons (Franklin Street) -

Resubmitted site plan conditionally approved – May 21, 2018 (Plans expire May 21, 2021)

BOA approved height variance request – July 12, 2018 (**BOA approval expired July 12, 2019**)

Improvement plans conditionally re-approved – March 18, 2019 (Plans expire March 18, 2022)

Next step – BOA approval of height variance request, then submittal of letter of credit and signing of PWA's

Jiffas (Summers Drive) – Improvement Plan conditionally approved for commercial use – October 20, 2008 (no sunset provisions prior to November 14, 2010)

Forest Conservation Plan approved for commercial use – October 20, 2008

Architectural plans approved by PC for duplex – March 16, 2015

BOA approval for variance requests for duplex – March 29, 2016 (Expired March 29, 2017)
Next step – apply for variance requests for siting of duplex building

Middletown County Park (Coblentz Road) – FSD and FCP plans submitted – Feb. 3, 2020

Middletown Water Storage Tank (Ashky Ct.) –

Site Plan approved by PC – March 18, 2019 (Plans expire 3/18/22)

Final Forest Conservation Plan conditionally approved by PC – June 17, 2019

Improvement Plans conditionally approved – July 15, 2019 (Plans expire 7/15/22)

Miller Property (East Main Street) – Phase III Revised Site plan approved by PC – June 17, 2019

Phase III Redline Site & Improvement Plans conditionally approved – Sept. 16, 2019

Next step – submittal of Phase IV site plan for review and approval

Richland Driving Range (Glenbrook Drive)– Concept plan reviewed by PC – January 18, 2016

Revised Site Plan conditionally approved – January 15, 2018 (Plans expire January 15, 2021)

Improvement Plans reviewed and tabled by PC – September 17, 2018

Next step – submittal of improvement plans for review and approval

School Complex roadway plans (Schoolhouse Drive) – Improvement plans and FCP plans reviewed and approved by Town Board – May 8, 2017 (informed in June 2017 that funding was not approved for project)

SWM plans re-submitted to Frederick County and SCD for review/approval – 8/3/17

(Planning Commission reviewed plans as courtesy to Town Board. No expiration date of approval due to type of plans – i.e., no structures, etc. – just changes to roadways, sidewalks.)

St. Thomas More Academy Site Plan revision (Prospect St) –

conditionally approved August 20, 2018 (Expires August 20, 2021)

Annexations:

A.C. Jets Property- PC approval of annexation petition of 35.96 acres – December 21, 2009

Public hearing date - Monday, October 11, 2010

Annexation petition denied by Town Board – October 11, 2010

Admar Property – PC approval of consistency with zoning/comp plan – February 20, 2017

Public Hearing - April 5, 2018

Town Board passed annexation resolution – April 9, 2018

Text Amendments: Accessory structures – under review by Town Board

Residential parking requirements for townhouses and apartments – under review by Town Board

Reports:

Grants: MEA and Keep MD Beautiful grant applications submitted – December 2019

Meetings: Next Middletown Green Team Meeting – February 18, 2020

Next Joint town board/planning commission workshop – May 4, 2020