



**VIRTUAL MEETING  
AGENDA FOR THE TOWN MEETING**

**April 27, 2020**

**6:30 p.m.**

**PLEDGE TO THE FLAG**

**CALL TO ORDER**

**BUDGET WORKSHOP**

**Water & Sewer Enterprise Fund**

- **FY2021 Water & Sewer Operating Fund**<sup>3</sup>
- **FY2021-FY2025 Capital Improvements Program (CIP)**<sup>2</sup>

**PERSONAL REQUESTS FOR AGENDA:**

**CONSENT AGENDA**

- Town Meeting Minutes
  - **April 2, 2020 – Town Workshop**<sup>1</sup>
  - **April 13, 2020 – Town Meeting**<sup>1</sup>

**UNFINISHED BUSINESS:**

- **Ordinance 20-03-01 – Amendments to Forest Conservation**<sup>3</sup>
- **Text Amendment for Accessory Structures**<sup>5</sup>

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<sup>1</sup> First Appearance on Town Agenda

<sup>2</sup> Second Appearance on Town Agenda

<sup>3</sup> Third Appearance on the Town Agenda

<sup>4</sup> Fourth Appearance on the Town Agenda

<sup>5</sup> Fifth Appearance on the Town Agenda

## **NEW BUSINESS:**

- Oath of Office for Burgess
- Oath of Office for Commissioners
- Appointment of Burgess Pro-Tempore
- Review of Municipal Center EV Station Pilot Program<sup>1</sup>
- Discussion of Text Amendment for Height of Buildings<sup>1</sup>

## **PUBLIC COMMENTS:**

## **ANNOUNCEMENTS:**

- *Please Complete Your Census Information*

## **ADJOURNMENT**

### **Zoom Invitation Information:**

*Topic: Town Meeting*

*Time: Apr 27, 2020 06:30 PM Eastern Time (US and Canada)*

### **Join Zoom Meeting**

**<https://zoom.us/j/92515304899?pwd=K1BYTHpacGdRODNtNGRqcklWN1hVUT09>**

**Meeting ID: 925 1530 4899**

**Password: 465143**

*One tap mobile*

**+19292056099,,92515304899#,,#465143# US (New York)**

**+13126266799,,92515304899#,,#465143# US (Chicago)**

*Dial by your location*

**+1 929 205 6099 US (New York)**

**+1 312 626 6799 US (Chicago)**

**+1 301 715 8592 US**

**+1 346 248 7799 US (Houston)**

**+1 669 900 6833 US (San Jose)**

**+1 253 215 8782 US**

**Meeting ID: 925 1530 4899**

**Password: 465143**

***Find your local number: <https://zoom.us/u/abOWtXf567>***

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<sup>1</sup> First Appearance on Town Agenda

<sup>2</sup> Second Appearance on Town Agenda

<sup>3</sup> Third Appearance on the Town Agenda

**TOWN OF MIDDLETOWN**  
**Water Sewer Operating Budget**  
**FY 2021**

	AUDIT FY 2011	AUDIT FY 2012	AUDIT FY 2013	AUDIT FY 2014	AUDIT FY 2015	AUDIT FY 2016	AUDIT FY 2017	AUDIT FY 2018	Budget FY 2019	Budget FY 2020	AUDIT FY 2019	Draft Budget FY 2021
<b>Operating Revenue</b>												
Water Revenue	487,966	507,375	544,682	557,321	557,826	587,860	600,572	607,180	624,139	623,593	609,447	614,272
Sewer Revenue	484,182	506,864	541,468	554,722	557,502	584,783	598,261	602,269	616,076	627,213	600,798	614,892
Penalties and Reconnects	14,286	14,389	15,608	18,876	21,311	14,758	21,422	13,135	22,161	13,584	12,606	-
General Fund Grant			-	-	102,740	80,000	-	-			-	-
Rain Barrels					1,000	720			1,000	1,000		-
MISC	8,366	8,127	-	-	-	8,627			-	-		-
<b>Total Revenue</b>	<b>994,800</b>	<b>1,036,755</b>	<b>1,101,758</b>	<b>1,130,919</b>	<b>1,240,379</b>	<b>1,276,748</b>	<b>1,220,255</b>	<b>1,222,584</b>	<b>1,263,377</b>	<b>1,265,389</b>	<b>1,222,851</b>	<b>1,229,164</b>
<b>Expenses</b>												
<b>Administrative</b>												
Salaries	42,093	36,078	44,202	38,059	43,379	36,631	39,206	28,510	34,407	33,963	48,134	40,517
Communications	7,521	6,785	7,107	7,761	11,178	10,748	12,200	11,540	11,742	12,409	12,271	13,386
Postage	6,919	8,589	7,426	9,098	10,304	9,226	8,030	8,013	9,750	8,173	6,620	7,863
Office Supplies/Expenses	9,584	12,050	8,381	14,470	13,668	10,761	10,848	12,005	14,000	11,560	16,354	15,160
Professional Services/Legal	933	6,226	-	10,578	16,447	2,512	2,727	2,717	2,000	9,800	5,264	6,450
Meetings & Seminars	305	496	331	895	392	350	486	758	500	3,500	800	3,500
Advertising	56	997	-	863	994	350	559	11,540	500	500	490	500
Uniforms	2,477	3,258	2,992	2,726	3,719	3,770	4,119	5,835	5,068	2,835	3,371	4,573
Dues/Subscriptions/Certifications	265	650	415	987	3,342	50	420	330	500	500	879	500
I&I Principal and Interest	70,729	73,803	72,008		32,498	32,979	29,454	33,099	32,743	32,927	32,743	32,904
Travel/Mileage	33	202	203	175	-	-	17	52	200	200	150	200
Payroll Taxes	16,320	20,506	19,971	19,081	21,477	24,113	22,451	23,483	23,721	22,027	24,611	24,526
Insurance												
Property	12,452	11,347	7,603	7,643	7,949	9,917	11,172	8,448	11,848	8,958	8,065	8,552
Health	40,446	46,026	46,367	37,781	36,608	19,348	44,913	52,216	54,716	37,474	45,042	32,982
Worker's Compensation	9,263	13,081	11,142	8,168	7,858	7,287	8,684	8,770	9,911	6,616	7,026	7,771
Retirement/Pension	18,589	20,379	17,250	18,954	19,685	21,550	22,169	44,256	22,912	11,007	25,649	12,811
Real Estate Taxes	292	292	292	292	(22)	292	292	292	292	292	292	292
Conservation Environment	11,342	4,691	105	3,276	5,755	1,600	-	75	1,000	2,000	-	-
Vehicle/Equipment Expenses	13,723	12,101	12,749	15,680	11,138	12,259	15,521	18,521	15,000	23,900	15,553	20,000
<b>Total Administrative</b>	<b>263,342</b>	<b>277,557</b>	<b>258,544</b>	<b>196,487</b>	<b>246,369</b>	<b>203,743</b>	<b>233,268</b>	<b>270,460</b>	<b>250,809</b>	<b>228,642</b>	<b>253,314</b>	<b>232,488</b>
<b>Water</b>												
Salaries	87,976	108,348	109,602	113,066	131,501	150,384	167,083	170,981	151,440	124,273	145,992	143,953
<b>Water Distribution</b>												
Supplies	1,454	2,435	2,894	3,764	3,468	8,185	5,831	17,720	5,500	11,000	23,286	3,000
Repairs & Maintenance	42,517	30,681	41,907	67,276	48,553	44,802	72,317	69,984	37,000	51,000	14,418	33,400
Water Meters	44,023	31,745	-	-	-	-	-	-	-	-	-	-
Waterline Break Repairs	9,764	17,697	246	72	3,452	-	182	1,435	5,000	1,028	3,498	1,644
Chemicals		477	353	185	-	233	1,857	-	500	500	2,106	839
Tools & Equipment	502	2,058	6,407	9,468	933	1,660	6,674	-	4,000	3,747	50	2,050
<b>Subtotal</b>	<b>98,260</b>	<b>85,093</b>	<b>51,807</b>	<b>80,765</b>	<b>56,406</b>	<b>54,880</b>	<b>86,861</b>	<b>89,139</b>	<b>52,000</b>	<b>67,275</b>	<b>43,358</b>	<b>40,933</b>
<b>Water Plant, Reservoir, Booster, Tower, BS Wellhouse</b>												
Supplies	586	22,426	1,666	787	3,568	1,492	795	1,323	2,000	1,593	9,174	3,397
Repairs & Maintenance	14,625	4,825	32,259	32,305	17,211	27,112	39,668	19,920	37,722	80,765	10,907	16,100
Tank Maintenance Contract									100,000	20,000	-	35,814
Chemicals	3,300	50,115	24,176	20,454	21,672	22,512	23,154	13,114	17,132	26,803	14,777	24,163
Tools & Equipment			4,375	2,007	1,590	-	1,407	-	1,932	1,101	631	798
Testing & Analysis			7,857	10,488	11,661	10,783	11,877	7,562	5,900	8,318	4,235	5,738
<b>SUB-TOTAL</b>	<b>18,511</b>	<b>77,367</b>	<b>70,333</b>	<b>66,041</b>	<b>55,702</b>	<b>61,899</b>	<b>76,901</b>	<b>41,919</b>	<b>164,687</b>	<b>138,580</b>	<b>39,724</b>	<b>86,010</b>
Abandoned Well Costs												
<b>Water Electric</b>		8,814	27,509	26,703	24,588	23,349	33,368	39,233	26,561	40,018	44,721	45,615

**TOWN OF MIDDLETOWN  
Water Sewer Operating Budget  
FY 2021**

	AUDIT FY 2011	AUDIT FY 2012	AUDIT FY 2013	AUDIT FY 2014	AUDIT FY 2015	AUDIT FY 2016	AUDIT FY 2017	AUDIT FY 2018	Budget FY 2019	Budget FY 2020	AUDIT FY 2019	Draft Budget FY 2021
<b>TOTAL WATER</b>	<b>204,747</b>	<b>270,808</b>	<b>231,742</b>	<b>259,872</b>	<b>243,609</b>	<b>267,163</b>	<b>330,845</b>	<b>341,272</b>	<b>394,688</b>	<b>370,145</b>	<b>273,795</b>	<b>316,511</b>
<b>Sewer</b>												
Salaries	85,514	109,381	113,488	107,724	120,064	128,101	127,311	144,908	115,933	106,305	121,015	110,564
<b>Sewer Collection System</b>												
Conebranch Pump Station	14,450	15,418	11,503	27,036	19,518	34,851	22,062	26,474	12,618	14,445	17,506	18,155
Brookridge South Pump Station	9,994	6,545	13,703	9,854	11,153	10,465	5,421	3,844	4,000	8,932	2,503	3,500
Foxfield Pump Station	6,743	5,769	6,165	6,968	6,348	6,973	5,692	5,574	12,500	2,637	4,674	5,462
Sanitary Sewer Lines/Manholes	12,698	14,643	22,850	17,316	17,484	45,670	4,582	37,559	22,080	28,522	18,020	24,500
I & I Accrual	75,000	75,000	75,000	75,000	75,000	75,000	75,000	75,000	75,000	75,000	93,205	75,000
<b>Subtotal</b>	<b>118,885</b>	<b>117,375</b>	<b>129,221</b>	<b>136,174</b>	<b>129,503</b>	<b>172,959</b>	<b>112,757</b>	<b>148,451</b>	<b>126,198</b>	<b>129,536</b>	<b>135,908</b>	<b>126,616</b>
<b>East WWTP</b>												
Parts & Supplies	4,316	6,457	3,749	8,162	6,325	7,069	2,598	3,726	5,581	5,576	14,222	6,588
Repairs & Maintenance	5,682	8,596	32,355	11,960	23,354	28,731	22,145	14,852	12,600	23,100	19,663	24,500
Chemicals	37,050	42,961	40,867	32,727	28,329	31,766	29,271	47,650	34,285	44,133	46,725	45,291
Mowing	3,102	3,525	-	-	-	-	-	-	-	-	-	-
Tools & Equipment	1,372	7,834	7,721	2,849	8,091	3,954	1,693	982	4,500	3,414	1,827	3,309
Testing & Analysis	16,797	20,299	20,812	22,982	25,170	26,125	30,220	25,263	36,611	27,789	28,597	28,750
Sludge Hauling Expense	66,013	66,293	66,093	45,596	61,642	59,432	45,581	44,428	55,669	60,336	63,145	63,846
<b>Subtotal</b>	<b>134,332</b>	<b>155,965</b>	<b>171,597</b>	<b>124,276</b>	<b>152,911</b>	<b>157,077</b>	<b>131,508</b>	<b>136,901</b>	<b>149,245</b>	<b>164,348</b>	<b>174,179</b>	<b>172,284</b>
<b>West WWTP</b>												
Supplies	578	678	1,987	4,474	2,121	2,380	1,624	1,292	2,500	2,378	862	1,656
Repairs & Maintenance	3,099	5,202	3,196	7,102	20,740	9,796	4,833	5,289	15,000	17,600	2,689	4,000
Chemicals	39,265	51,972	50,684	53,057	54,073	54,389	51,684	51,638	50,531	57,862	53,561	45,291
Mowing	2,139	2,225	-	-	-	-	-	-	-	-	-	-
Tools & Equipment	2,120	391	7,407	1,400	756	2,598	1,671	705	2,766	1,426	15	1,149
Testing & Analysis	7,319	8,958	8,303	8,808	9,106	9,831	11,071	9,908	10,449	9,908	9,040	9,640
Sludge Hauling Expense	30,300	6,358	22,959	17,663	17,250	17,250	17,250	17,250	17,250	17,250	17,250	17,250
<b>SUB-TOTAL</b>	<b>84,820</b>	<b>75,784</b>	<b>94,536</b>	<b>92,504</b>	<b>104,046</b>	<b>96,244</b>	<b>88,133</b>	<b>86,082</b>	<b>98,496</b>	<b>106,425</b>	<b>83,417</b>	<b>78,986</b>
<b>Sewer Electric</b>								<b>92,544</b>	<b>75,000</b>	<b>94,395</b>	<b>99,488</b>	<b>98,896</b>
<b>TOTAL SEWER</b>	<b>423,551</b>	<b>458,505</b>	<b>508,842</b>	<b>460,678</b>	<b>506,524</b>	<b>554,381</b>	<b>459,709</b>	<b>608,886</b>	<b>564,872</b>	<b>601,008</b>	<b>614,007</b>	<b>587,346</b>
<b>TOTAL OPERATING EXPENSES</b>	<b>891,640</b>	<b>1,006,870</b>	<b>999,128</b>	<b>917,037</b>	<b>996,502</b>	<b>1,025,287</b>	<b>1,023,822</b>	<b>1,220,618</b>	<b>1,210,369</b>	<b>1,199,795</b>	<b>1,141,116</b>	<b>1,136,345</b>
<b>Contingency Fund</b>									<b>50,303</b>	<b>31,849</b>		<b>25,006</b>
<b>Adjusted Operating Expense</b>						<b>1,025,287</b>	<b>1,023,822</b>	<b>1,220,618</b>	<b>1,260,672</b>	<b>1,231,644</b>	<b>1,141,116</b>	<b>1,161,351</b>
<b>OPERATING INCOME (LOSS)</b>	<b>103,160</b>	<b>29,885</b>	<b>102,630</b>	<b>213,882</b>	<b>243,877</b>	<b>251,461</b>	<b>196,433</b>	<b>1,966</b>	<b>2,704</b>	<b>33,745</b>	<b>81,735</b>	<b>67,813</b>

**Scenario #1**

**Borrowing Funds from Line of Credit**



**Burgess and Commissioners of Middletown  
Water & Sewer Capital Improvement Program  
FY 2021 - FY 2025**

<b>INCOME</b>	<b>FY '21</b>	<b>FY '22</b>	<b>FY '23</b>	<b>FY '24</b>	<b>FY '25</b>
CASH Reserves	\$510,104	\$21,675	\$59,043	\$51,124	\$90,890
Operation Fund Contribution (Surplus)	\$37,718	\$20,000	\$10,000	\$5,000	\$0
<b>CAPITAL IMPROVEMENT FEE</b>	<b>\$345,000</b>	<b>\$345,200</b>	<b>\$345,400</b>	<b>\$345,600</b>	<b>\$349,800</b>
Inflow & Infiltration - Reserve Account <sup>(Footnote #1)</sup>		\$250,000		\$125,000	
Sludge Removal - Reserve Account <sup>(Footnote #2)</sup>			\$35,000		
Land Leases	\$202,517	\$209,605	\$216,941	\$224,534	\$232,393
Tap Fees <sup>(Footnote #3)</sup>	\$18,000	\$18,000	\$683,100	\$683,100	\$378,000
<b>Middletown Valley Bank - Line of Credit</b>	<b>\$575,000</b>				
State of MD Bay Restoration Fee - Grant					\$1,000,000
Reservoir Tank Loan <sup>(Footnote #5)</sup>	\$2,058,605				
<b>Total Revenue</b>	<b>\$3,746,945</b>	<b>\$864,480</b>	<b>\$1,349,484</b>	<b>\$1,434,358</b>	<b>\$2,051,083</b>
<b>Debt Service</b>					
<b>Middletown Valley Bank - Line of Credit</b>	<b>\$17,137</b>	<b>\$202,666</b>	<b>\$201,248</b>	<b>\$198,751</b>	
<b>MAIN STREET WATERLINE LOAN <sup>(Footnote #4)</sup></b>	<b>\$134,076</b>	<b>\$134,076</b>	<b>\$134,076</b>	<b>\$134,076</b>	<b>\$134,076</b>
<b>RESERVOIR TANK LOAN <sup>(Footnote #5)</sup></b>	<b>\$23,564</b>	<b>\$113,054</b>	<b>\$113,054</b>	<b>\$113,054</b>	<b>\$113,054</b>
<b>Total Debt Service</b>	<b>\$174,777</b>	<b>\$449,795</b>	<b>\$448,377</b>	<b>\$445,880</b>	<b>\$247,129</b>
<b>Net Income</b>	<b>\$3,572,167</b>	<b>\$414,685</b>	<b>\$901,107</b>	<b>\$988,477</b>	<b>\$1,803,954</b>
<b>Projects</b>					
<b>SYSTEM UPGRADE PROJECTS</b>					
<b>WATER SYSTEM</b>					
<b>Reservoir Improvements - Ground Storage Tank &amp; New Suction Line</b>	<b>\$3,200,905</b>				
Booster Station - Upgrade; Pumps; VFD's; Piping	\$200,000				
PRV Vault Pipe Painting and Cleaning	\$9,000				
Booster Station - Roof Replacement/Building Painting				\$5,000	
SCADA System Installation - Phase II			\$50,000		
Water Meter Replacements	\$12,587	\$15,642	\$14,983	\$12,587	\$18,645
<b>WASTEWATER SYSTEM</b>					
West WWTP - Curtain Replacement		\$25,000		\$80,000	
West WWTP - Plug Valve Replacement Micro Strainer Bldg			\$15,000		
West WWTP - New Chemical Storage Structure				\$85,000	
<i>Upgrade of West WWTP (Possible Future)</i>				\$175,000	\$1,550,000
East WWTP - Bar Screen Refurbishment	\$70,000				
East WWTP - Dewatering Solution Sludge Tank - Engineering			\$15,000	\$25,000	
East WWTP - Influent Flume & Ultrasonic Meter			\$20,000		
East WWTP - Reconstruction of Filter Tank	\$58,000				
East WWTP - Replace Effluent Pump #1		\$20,000			
East WWTP - Filter Building Roof Replacement		\$30,000			
East WWTP - New Filter Tank			\$500,000		
East WWTP - Sludge Removal Reed Beds			\$35,000		
East WWTP - Sludge Mag Meter		\$15,000			
Vactor Trailer & Excavator				\$190,000	
Inflow & Infiltration		\$250,000		\$125,000	
<b>Total Projects</b>	<b>\$3,550,492</b>	<b>\$355,642</b>	<b>\$649,983</b>	<b>\$697,587</b>	<b>\$1,568,645</b>
<b>Gross Surplus/Deficit</b>	<b>\$21,675</b>	<b>\$59,043</b>	<b>\$251,124</b>	<b>\$290,890</b>	<b>\$235,309</b>
<b>CAPITAL IMPROVEMENT RESERVE ACCOUNT</b>	<b>\$0</b>	<b>\$0</b>	<b>\$200,000</b>	<b>\$200,000</b>	<b>\$200,000</b>
<b>Net Surplus / Deficit</b>	<b>\$21,675</b>	<b>\$59,043</b>	<b>\$51,124</b>	<b>\$90,890</b>	<b>\$35,309</b>
<b>Capital Improvement Reserve Account Total</b>	<b>\$600,000</b>				

**Footnotes**

- #1 As of 4/7/2020 - \$316,749 Balance in the I&I Reserve Account
- #2 As of 4/7/2020 - \$201,388 Balance in the Sludge Reserve Account
- #3 See Growth Projections Worksheet
- #4 See Loan Breakdown Worksheet (30 Year Loan)

**Scenario #2**

**Utilizing Funds from Capital Improvements Reserve Account**

**Burgess and Commissioners of Middletown  
Water & Sewer Capital Improvement Program  
FY 2021 - FY 2025**



<b>INCOME</b>	<b>FY '21</b>	<b>FY '22</b>	<b>FY '23</b>	<b>FY '24</b>	<b>FY '25</b>
CASH Reserves	\$510,104	\$38,813	\$278,846	\$472,175	\$710,693
Operation Fund Contribution (Surplus)	\$37,718	\$20,000	\$10,000	\$5,000	\$0
<b>CAPITAL IMPROVEMENT FEE</b>	<b>\$345,000</b>	<b>\$345,200</b>	<b>\$345,400</b>	<b>\$345,600</b>	<b>\$349,800</b>
Inflow & Infiltration - Reserve Account <sup>(Footnote #1)</sup>		\$250,000		\$125,000	
Sludge Removal - Reserve Account <sup>(Footnote #2)</sup>			\$35,000		
Land Leases	\$202,517	\$209,605	\$216,941	\$224,534	\$232,393
Tap Fees <sup>(Footnote #3)</sup>	\$18,000	\$18,000	\$683,100	\$683,100	\$378,000
<b>Capital Improvement Reserve Account</b>	<b>\$575,000</b>				
State of MD Bay Restoration Fee - Grant					\$1,000,000
Reservoir Tank Loan <sup>(Footnote #5)</sup>	\$2,058,605				
<b>Total Revenue</b>	<b>\$3,746,945</b>	<b>\$881,618</b>	<b>\$1,569,287</b>	<b>\$1,855,409</b>	<b>\$2,670,886</b>
<b>Debt Service</b>					
MAIN STREET WATERLINE LOAN <sup>(Footnote #4)</sup>	\$134,076	\$134,076	\$134,076	\$134,076	\$134,076
RESERVOIR TANK LOAN <sup>(Footnote #5)</sup>	\$23,564	\$113,054	\$113,054	\$113,054	\$113,054
<b>Total Debt Service</b>	<b>\$157,640</b>	<b>\$247,129</b>	<b>\$247,129</b>	<b>\$247,129</b>	<b>\$247,129</b>
<b>Net Income</b>	<b>\$3,589,305</b>	<b>\$634,488</b>	<b>\$1,322,158</b>	<b>\$1,608,280</b>	<b>\$2,423,756</b>
<b>Projects</b>					
<b>SYSTEM UPGRADE PROJECTS</b>					
<b>WATER SYSTEM</b>					
Reservoir Improvements - Ground Storage Tank & New Suction Line	\$3,200,905				
Booster Station - Upgrade; Pumps; VFD's; Piping	\$200,000				
PRV Vault Pipe Painting and Cleaning	\$9,000				
Booster Station - Roof Replacement/Building Painting				\$5,000	
SCADA System Installation - Phase II			\$50,000		
Water Meter Replacements	\$12,587	\$15,642	\$14,983	\$12,587	\$18,645
<b>WASTEWATER SYSTEM</b>					
West WWTP - Curtain Replacement		\$25,000		\$80,000	
West WWTP - Plug Valve Replacement Micro Strainer Bldg			\$15,000		
West WWTP - New Chemical Storage Structure				\$85,000	
Upgrade of West WWTP (Possible Future)				\$175,000	\$1,550,000
East WWTP - Bar Screen Refurbishment	\$70,000				
East WWTP - Dewatering Solution Sludge Tank - Engineering			\$15,000	\$25,000	
East WWTP - Influent Flume & Ultrasonic Meter			\$20,000		
East WWTP - Reconstruction of Filter Tank	\$58,000				
East WWTP - Replace Effluent Pump #1		\$20,000			
East WWTP - Filter Building Roof Replacement		\$30,000			
East WWTP - New Filter Tank			\$500,000		
East WWTP - Sludge Removal Reed Beds			\$35,000		
East WWTP - Sludge Mag Meter		\$15,000			
Vactor Trailer & Excavator				\$190,000	
Inflow & Infiltration		\$250,000		\$125,000	
<b>Total Projects</b>	<b>\$3,550,492</b>	<b>\$355,642</b>	<b>\$649,983</b>	<b>\$697,587</b>	<b>\$1,568,645</b>
<b>Gross Surplus/Deficit</b>	<b>\$38,813</b>	<b>\$278,846</b>	<b>\$672,175</b>	<b>\$910,693</b>	<b>\$855,111</b>
<b>CAPITAL IMPROVEMENT RESERVE ACCOUNT</b>	<b>\$0</b>	<b>\$0</b>	<b>\$200,000</b>	<b>\$200,000</b>	<b>\$200,000</b>
<b>Net Surplus / Deficit</b>	<b>\$38,813</b>	<b>\$278,846</b>	<b>\$472,175</b>	<b>\$710,693</b>	<b>\$655,111</b>
<b>Capital Improvement Reserve Account Total</b>	<b>\$25,000</b>				

**Footnotes**

- #1 As of 4/7/2020 - \$316,749 Balance in the I&I Reserve Account
- #2 As of 4/7/2020 - \$201,388 Balance in the Sludge Reserve Account
- #3 See Growth Projections Worksheet
- #4 See Loan Breakdown Worksheet (30 Year Loan)
- #5 See Loan Breakdown Worksheet (30 Year Loan)

**BURGESS AND COMMISSIONERS  
OF MIDDLETOWN MARYLAND**

**TOWN WORKSHOP MEETING MINUTES  
VIRTUAL MEETING**

**WORKSHOP MEETING**

**April 2, 2020**

The workshop meeting of the Burgess and Commissioners of Middletown was called to order on April 2, 2020, by Burgess Miller at 7:00 p.m. in the Middletown Municipal Center, 31 W. Main Street, Middletown, Maryland. Present were: Commissioners Larry Bussard, Christopher Goodman, Jennifer Falcinelli, Tom Catania and Rick Dietrick.

**BUDGET WORKSHOP:**

**Amended Budget Workshop Schedule** - was approved by the Town Board.

**FY 2021 Water & Sewer Operating Fund (First reading)** – Burgess Miller reviewed the proposed Water & Sewer operating fund. A new column was added which shows variances between this proposed budget and previous years. This proposed budget indicates no water/sewer rate increase. Commissioner Falcinelli recommended that the Rain Barrel Program be removed from the FY2021 Water & Sewer Operating Budget.

**PERSONAL REQUESTS FOR AGENDA:** None.

**STAFF REPORTS:**

**Community Deputy Report** – A Deputy report was provided to the Burgess and Commissioners prior to the meeting. No Deputy was present to review.

**Staff Planner Report** – Cindy gave her report.

**Engineer's Report** – Bruce gave his report.

**Main Street Manager Report** – Becky gave her report.

**Zoning Administrator's Report** – Mark gave his report.

**CONSENT AGENDA:**

- *Town Minutes – March 9, 2020 – Town Meeting*

**UNFINISHED BUSINESS:**

**Election Judges** – A list of Election Judges was presented and approved by the Town Board for the counting of ballots on April 27, 2020.

**Town Election Status Update** – As of today, every registered voter within the Town has been mailed an absentee ballot. Signs have been affixed by the drop boxes at the Town Hall indicating where absentee ballots can be dropped. Residents have until 8pm April 24<sup>th</sup> to return their ballots to the Town Hall in order to be counted. Election judges will begin tallying the ballots on Monday, April 27, 2020 at 9:00 AM. Ballots will be stored in the Town safe from April 24<sup>th</sup> until tallying begins April 27<sup>th</sup>, 2020. Once the COVID-19 emergency has expired the Town may be able to recoup some of the costs for this election from the Federal Government.

**Introduction of Ordinance 20-03-01 – Amendments to Forest Conservation** – Last year Maryland Senate Bill 234 Natural Resources – State and Local Forest Conservation Funds (effective October 1, 2019) was passed which made changes to the State’s Forest Conservation Act. This bill requires a few changes to the Town’s Forest Resource Ordinance. In accordance with State law, the Town must send all FRO text amendments to the Maryland Department of Natural Resources for review and approval. The amendments were sent to the State on September 2, 2019, with revisions sent on January 2, 2020. This proposed ordinance would comply with the new State regulations. The Staff Planner reviewed what some of the new State reporting requirements that are now in place. The Planning Commission will continue to review this ordinance at its’ next meeting in April.

**Memorial Bench Program** – The Parks and Recreation Standing Committee would like to offer memorial benches for public sale, which when purchased could be placed along identified areas of the Town walking trails. Each bench would have a memorial plaque listing who the bench was memorialized for. Two types of benches being considered: Victor Stanley (cost including plaque \$1,250.00 – similar to the benches in front of the Town Hall) and Alpine Benches (cost including plaque \$720.00 – similar to the benches already on the walking trails). An order form was created for the Parks and Recreation Committee to review and approve. The Parks and Recreation Committee will also be contacting the Sustainability Sub-Committee, The Loraxers, to coordinate this memorial bench program with their memorial tree program.

**NEW BUSINESS:**

**Emergency Resolution 20-03 – activation of the Town’s Emergency Plan** – When emergencies such as COVID-19 or natural disasters occur the Town Charter requires the passage of ordinances and resolutions in order to enact emergency management measures. This can take too long to be effective. Emergency Resolution 20-03 authorizes the Town Administrator to enact the town emergency management plan(s) without the need for a passed resolution from the Town Board. This emergency resolution is specific to COVID-19 and the current state of emergency. It would no longer be in effect once the state of emergency has been lifted by Governor Hogan.

Commissioner Dietrick motioned to approve Emergency Resolution 20-03 – Activation of the Town’s Emergency Plan as presented. Seconded by Commissioner Falcinelli. Motion carried 5-0.

**PUBLIC COMMENTS:**

Becky Myers, 2 Woodmere Circle, stated that with the absentee ballots being mailed out, perhaps the Town could create a video tutorial on how to complete and return them to the Town Hall.

Commissioner Goodman stated that the Middletown Chat and Information Facebook page will be posting individual videos for each candidate for this year’s municipal election on their Facebook page tomorrow, April 3<sup>rd</sup>, 2020 at 6:00 PM. This is another way for residents to find out more information on our candidates.

Commissioner Falcinelli wanted to remind everyone that those paying the Debt Service Fee will be switching to the Capital Improvement Fee beginning July 2020.

The Town Administrator recommended that the Spring hydrant flushing scheduled for later this month be postponed to a later date. With everyone home during this time, hydrant flushing could create hardship for residents/families. The Town Board agreed by consensus to delay hydrant flushing to a later date yet to be determined.

**ANNOUNCEMENTS:**

- *Please Complete Your Census Information*

Workshop adjourned at 8:00 PM.

Respectfully submitted,

Annette Alberghini,  
Office Manager

**BURGESS AND COMMISSIONERS  
OF MIDDLETOWN MARYLAND**

**TOWN WORKSHOP MEETING MINUTES  
VIRTUAL MEETING**

**REGULAR MEETING**

**April 13, 2020**

The regular meeting of the Burgess and Commissioners of Middletown was called to order on April 13, 2020, by Burgess Miller at 7:00 p.m. in the Middletown Municipal Center, 31 W. Main Street, Middletown, Maryland. Present were: Commissioners Larry Bussard, Christopher Goodman, Jennifer Falcinelli, Tom Catania and Rick Dietrick.

**BUDGET WORKSHOP:**

**FY 2021 Water & Sewer Operating Fund (First reading)** – This is the second review of this proposed budget. The Town Administrator reviewed the few changes that had been made since the previous meeting. With no projected end date to the current state of emergency, the Town cannot collect late fees on past due water bills. The loss of revenue generated from the collection of late fees this year will have an impact on next year's budget. Highway User Fees and Income Tax collection will also be impacted by this current COVID-19 state of emergency. Some of the offset from this loss could come from the projected salary increase in the FY2021 budget. Some projects scheduled may have to be pushed to the outlying years.

**Water & Sewer Capital Improvements Program (CIP)** – The budget was reviewed line by line. Growth projections were reviewed. The Town Administrator reviewed the projects scheduled for the next fiscal year.

Budget meeting adjourned 7:10 PM.

**PERSONAL REQUESTS FOR AGENDA:** None.

**CONSENT AGENDA:**

- *Town Minutes – March 9, 2020 – Town Meeting*

Motion by Commissioner Bussard to approve the consent agenda as presented, seconded by Commissioner Catania. Motion carried 5-0.

**UNFINISHED BUSINESS:**

**Introduction of Ordinance 20-03-01 – Amendments to Forest Conservation** – Last year Maryland Senate Bill 234 Natural Resources – State and Local Forest Conservation Funds (effective October 1, 2019) was passed which made changes to the State's Forest Conservation Act. This bill requires a few changes to the Town's Forest Resource Ordinance. This proposed ordinance would comply with the new State regulations. The Planning Commission will continue to review this ordinance at its' next meeting in April.

**Memorial Bench Program** – The Parks and Recreation Standing Committee would like to offer memorial benches for public sale, which when purchased could be placed along identified areas of the Town walking trails. Each bench would have a memorial plaque listing who the bench was memorialized for. Two types of benches being considered: Victor Stanley (cost including

plaque \$1,250.00 – similar to the benches in front of the Town Hall) and Alpine Benches (cost including plaque \$720.00 – similar to the benches already on the walking trails). An order form was created for the Parks and Recreation Committee to review and approve. The Parks and Recreation Committee will also be contacting the Sustainability Sub-Committee, The Loraxers, to coordinate this memorial bench program with their memorial tree program. Commissioner Goodman would like purchasing a memorial tree added to the form.

**REPORT OF COMMITTEES:**

**WATER & SEWER** – Commissioner Falcinelli reported:

The Town will not be selling rain barrels this year. The Spring hydrant flushing of town hydrants has been canceled for this year. Those currently paying the Debt Service Fee will stop paying this fee and switch to paying the Capital Improvement Fee as of July 2020. Residents are reminded not to flush disinfecting wipes, or wipes of any kind. They get caught in the Town sanitary sewer pumps and cause damage. These wipes can also cause a clog which would back up into residences with remediation costs paid by the homeowner. There were two waterline breaks last Monday. Water use for March – 298,579 gal., spring flow for March – 140,805, East WWTP treated 225,000 gals. and the West WWTP treated 214,000 gals.

**PUBLIC WORKS** – Commissioner Bussard reported:

The mill and overlay planning for Boileau Drive is underway. The ADA concrete ramp and steps at the back of town hall is completed. Broad Street Streetscape design phase is 95% complete. Washington Street design is currently being reviewed for storm water management. The sidewalks on West Main Street are torn up from Jefferson Street to Garage Alley. Yard bags are available for pick-up at the rear entrance to town hall. Commissioner Goodman recommended putting reflective material or installing a sign on the new bump out at the corner of West Main Street and North Jefferson when finished. This would lessen the likelihood of someone hitting it.

**SUSTAINABILITY** – Commissioner Dietrick reported:

The next Sustainability Committee meeting is scheduled for April 21, 2020 at 5:00 PM. The Green Expo is canceled, and the lecture series are on hold because of the COVID-19 state of emergency.

**PLANNING COMMISSION** – Commissioner Catania reported:

The virtual Planning Commission workshop was held March 11th. Items for the virtual Planning Commission Meeting scheduled for April 20<sup>th</sup> at 7:00 PM include: The Hollow Creek Professional Center Architectural Renderings Review, the St. Thomas More Academy's revised Site Plan, the Middletown Memorial Park revised Site Plan, the Proposed Text Amendment regarding the Forest Conservation Ordinance and the 2019 Annual Report.

**PARKS AND REC. COMMITTEE** – Commissioner Goodman reported:

There is no information regarding the next Project Open Space (POS) meeting date. The information for the identified projects is ready to be submitted when a date is determined. It was asked if there were any POS monies for projects that the State could take back. No, once the monies are dispersed for projects they are considered gone by the state. The Parks and Rec Committee has not met in over 2 months.

**PUBLIC INFORMATION** – Commissioner Falcinelli reported:

Residents are encouraged to sign up though Citizens Connect to stay informed on things happening within Middletown. Residents are also encouraged to register for Alert Frederick County in order to receive emergency notifications that affect Middletown. That can also be done through Citizen Connect. The Town website contains a wealth of information. Citizens are recommended to check it out.

**NEW BUSINESS:** None.

Burgess Miller reviewed what will happen at the next Town Board meeting with the installation of elected officials from the Middletown election. Town staff will create a video to put up on the website showing how to complete and return an absentee ballot.

**PUBLIC COMMENTS:**

**ANNOUNCEMENTS:**

- *Please Complete Your Census Information*

Meeting adjourned at 7:39 PM.

Respectfully submitted,

Annette Alberghini,  
Office Manager

**ORDINANCE NO. 20-03-01**

**AN ORDINANCE TO AMEND TITLE 16, CHAPTERS 40.028 AND 40.030 TO ALIGN THE TOWN OF MIDDLETOWN'S FOREST CONSERVATION CODE WITH THE MARYLAND DEPARTMENT OF NATURAL RESOURCES STATE REGULATIONS.**

**SECTION I. BE IT ORDAINED AND ENACTED** by the Burgess and Commissioners of Middletown that Title 16, Chapters 16.40.028 and 16.40.030 of the Middletown Municipal Code be, and hereby is amended to add additional language concerning the Forest Conservation Fund. New language is designated by being in **BOLD CAPITAL LETTERS**.

Title 16 - SUBDIVISIONS

16.40.028 - Middletown forest conservation fund.

- A. There is established a forest conservation fund in the town of Middletown.
- B. If a person subject to this chapter demonstrates that requirements for reforestation or afforestation on-site or off-site cannot be reasonably accomplished **AND APPROPRIATE CREDITS GENERATED BY A FOREST MITIGATION BANK IN THE SAME COUNTY OR WATERSHED ARE NOT AVAILABLE**, the person shall contribute money into the Middletown Forest Conservation Fund:
  - 1. Until September 30, 2014, at a rate of thirty (30) cents per square foot of the area of required planting;
  - 2. After September 30, 2014, at a rate adjusted for inflation as determined by the state annually by regulation.
- C. Money contributed instead of afforestation or reforestation under this section shall be paid within ninety (90) calendar days after development project completion.
- D. The town shall accomplish the reforestation or afforestation for **THE EQUIVALENT NUMBER OF ACRES FOR** which the money is deposited within two years or three growing seasons, whichever is a greater time period, after receipt of the money.
- E. Money deposited in the local forest conservation fund:
  - 1. May be spent on the costs directly related to reforestation and afforestation, including site identification, acquisition, and preparation, maintenance of existing forests, and achieving urban canopy goals;
  - 2. Shall be deposited in a separate forest conservation fund; and
  - 3. May not revert to the general or any other fund.
- F. Sites for Afforestation or Reforestation Using Fund Money.
  - 1. Except as provided in subsection (G)(2) of this section, the reforestation or afforestation requirement under this section shall occur in the county and watershed in which the project is located.

2. If the reforestation or afforestation cannot be reasonably accomplished in the town and watershed in which the project is located, then the reforestation or afforestation shall occur in the county or watershed in the state in which the project is located.

**G. EVERY TWO YEARS, THE TOWN SHALL PROVIDE TO THE MARYLAND DEPARTMENT OF NATURAL RESOURCES A GENERAL PLAN IDENTIFYING APPROPRIATE AND POTENTIALLY AVAILABLE AREAS FOR MITIGATION PROJECTS AND DETAILED ACCOUNTING PROCEDURES FOR ACCURATELY TRACKING MONEY RECEIVED INTO AND EXPENDED OUT OF THE FOREST CONSERVATION FUND. THE MITIGATION PLANS AND ACCOUNTING PROCEDURES SHALL BE MADE AVAILABLE TO THE PUBLIC.**

**1. THE TOWN:**

- (1) **MAY NOT COLLECT MONEY FOR DEPOSIT INTO ITS FOREST CONSERVATION FUND UNLESS THE TOWN HAS SUBMITTED TO THE DEPARTMENT OF NATURAL RESOURCES THE GENERAL MITIGATION PLAN AND ACCOUNTING PROCEDURES REQUIRED UNDER SUB-SECTION G. OF THIS SECTION; AND**
- (2) **SHALL ENSURE THAT THE EQUIVALENT NUMBER OF ACRES FOR WHICH MONEY IS COLLECTED AND PAID INTO ITS FOREST CONSERVATION FUND IS MITIGATED IN ACCORDANCE WITH AFFORESTATION, REFORESTATION, AND CONSERVATION PRIORITIES AND TECHNIQUES AUTHORIZED UNDER §5-1607 OF THE NATURAL RESOURCES ARTICLE, ANNOTATED CODE OF MARYLAND.**

16.40.029 *{Unchanged}*

**16.40.030 - Annual report and biennial review.**

- A. On or before March 1 of each year, the town shall submit to the Department of Natural Resources an annual report which contains:
1. The number, location, and type of projects subject to the provisions of this chapter since the last annual report;
  2. The amount and location of acres cleared, conserved, and planted, including any areas which utilize forest mitigation bank credits or areas located in the one hundred (100) year floodplain, in connection with a development project;
  3. The amount of reforestation and afforestation fees and noncompliance penalties collected and expended, **THE NUMBER OF ACRES FOR WHICH THE FEES WERE COLLECTED, AND THE NUMBER OF ACRES REFORESTED, AFFORESTED, OR CONSERVED USING THE FEES;** and

4. The costs of implementing the forest conservation program.
5. The size, location, and protection of any local forest mitigation banks which are created under the forest conservation program;
6. The number, location, and type of violations and type of enforcement activity conducted in accordance with this chapter; and
7. To the extent practicable, the size and location of all conserved and planted forest areas, submitted in an electronic geographic information system or computer aided design format.

B. The town shall submit the necessary documentation to comply with COMAR 08.19.02.04 which provides for Department of Natural Resources biennial review of the local forest conservation program.

**SECTION VI. BE IT FURTHER ENACTED AND ORDAINED** that this Ordinance shall take effect twenty (20) calendar days following its approval by the Burgess and Commissioners.

**INTRODUCED ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020**

**PASSED ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020**

**EFFECTIVE DATE: \_\_\_\_\_, 2020**

**ATTEST:**

**BURGESS AND COMMISSIONERS  
OF MIDDLETOWN**

\_\_\_\_\_  
Andrew J. Bowen, Town Administrator

BY: \_\_\_\_\_  
John D. Miller, Burgess

Middletown Planning Office

MEMORANDUM

Date: 11/20/2019

To: Burgess & Commissioners  
Drew Bowen, Town Administrator  
Mark Hinkle, Zoning Administrator

From: Cynthia K. Unangst, Middletown Staff Planner

**RE: ACCESSORY STRUCTURES TEXT AMENDMENT**

The Burgess & Commissioners referred to the Planning Commission the proposed changes to Section 17.32.170.D. – Allowable Projections of Accessory Buildings into Yards as drafted by the Zoning Administrator.

The Planning Commission reviewed the proposed changes at their meeting on November 18, 2019, and the PC recommended edits are shown with track changes:

**PROPOSED:** Allowable Projections of Accessory Buildings into Yards. The following regulations apply to any accessory building, use or structure within the Town.

**Location.** All accessory buildings and structures shall be located behind the front building line of the principal building.

**Easements.** No accessory building or structure, except for public utility panels or boxes, shall be erected in any easement areas. All accessory buildings or structures shall be a minimum of one foot off easements.

**Height.** One-story ~~or 10 feet in height,~~ or a maximum of 15 feet with roof. Accessory structures may not exceed the height of any principal building.

**Size.** Accessory buildings or structures may project into yards provided that: (1) An accessory structure shall be limited in size, when located on a residential zoned property, to the following. (a) The total square footage of all floors of the accessory structure shall not exceed the above grade finished square foot size of primary dwelling. (b) The cumulative area of all accessory structures may not exceed the following, based on the residential zone.

**Commented [CU1]:** Due to the definition of shed in the Zoning Code, the PC thought that it should be 15 feet rather than 10 feet. The greater height will also allow RC's to be parked in accessory garages. "Shed" means a structure of no more than one story with a maximum height of fifteen (15) feet that is not intended for the storage of cars or trucks.

Zone	Minimum Lot Size	Cumulative square footage allowed for all accessory structures
R-20		
Single family dwelling	20,000	10% of rear yard not to exceed 2,000 square feet

<b>R-1</b>		
Single family dwelling	10,000	10% of rear yard not to exceed 1,000 square feet
<b>R-2</b>		
Single family dwelling	6,000	10% of rear yard not to exceed 600 square feet
Two family dwelling	4,000	10% of rear yard not to exceed 400 square feet
Duplex	6,000	10% of rear yard not to exceed 600 square feet
<b>R-3 &amp; TC</b>		
Single family dwelling	6,000	10% of rear yard not to exceed 600 square feet
Two family dwelling	4,000	10% of rear yard not to exceed 400 square feet
Duplex	6,000	10% of rear yard not to exceed 600 square feet
Multi-family dwelling	4,000	10% of rear yard not to exceed 400 square feet

The square footage allowed for business purposes in an accessory structure shall be 600 square feet. (2) When more than ten (10) feet from the building, it may project into the side or rear yards providing it projects no closer than six feet to the side or rear lot lines; (3) garage accessory buildings entered from alley or street in the case of double frontage lots are not closer than ten (10) feet to the street or alley line; (4) one-story or 10 feet in height, or a maximum of 15 feet with roof accessory structures on townhouse lots may be located up to two feet of a side property line and six feet of a rear property line provided the accessory structure is no more than eighty (80) square feet in size.

**Commented [CU2]:** As a note, the PC is concerned with the enforceability of this regulation.

No accessory structure may be used for living, sleeping or other occupancy quarters. It is the homeowner's responsibility to have the accessory structure approved by his or her homeowners' association where applicable. A Zoning Certificate from the Town does not negate a homeowners' association's covenants and/or restrictions.

**January 7, 2020 Changes**

***PROPOSED:*** Allowable Projections of Accessory Buildings into Yards. The following regulations apply to any accessory building, use or structure within the Town.

**Location.** All accessory buildings and structures shall be located behind the front building line of the principal building.

**Easements.** No accessory building or structure, except for public utility panels or boxes, shall be erected in any easement areas. All accessory buildings or structures shall be a minimum of one foot off easements.

**Height.** *Accessory structures shall not exceed 15 feet, measured at the peak of the roof.* Accessory structures may not exceed the height of any principal building.

**Size.** Accessory buildings or structures may project into yards provided that: (1) An accessory structure shall be limited in size, when located on a residential zoned property, to the following. (a) The total square footage of all floors of the accessory structure shall not exceed the *footprint* of principal dwelling. (b) The cumulative area of all accessory structures may not exceed the following, based on the residential zone.

Zone	Minimum Lot Size	Cumulative square footage allowed for all accessory structures
<b>R-20</b>		
Single family dwelling	20,000	10% of rear yard not to exceed 2,000 square feet
<b>R-1</b>		
Single family dwelling	10,000	10% of rear yard not to exceed 1,000 square feet
<b>R-2</b>		
Single family dwelling	6,000	10% of rear yard not to exceed 600 square feet
Two family dwelling	4,000	10% of rear yard not to exceed 400 square feet
Duplex	6,000	10% of rear yard not to exceed 600 square feet
<b>R-3</b>		
Single family dwelling	6,000	10% of rear yard not to exceed 600 square feet
Two family dwelling	4,000	10% of rear yard not to exceed 400 square feet
Duplex	6,000	10% of rear yard not to exceed 600 square feet

Multi-family dwelling	4,000	10% of rear yard not to exceed 400 square feet
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The square footage allowed for business purposes in an accessory structure shall be 600 square feet. (2) When more than ten (10) feet from the building, it may project into the side or rear yards providing it projects no closer than six feet to the side or rear lot lines; (3) garage accessory buildings entered from alley or street in the case of double frontage lots are not closer than ten (10) feet to the street or alley line; (4) one-story or 10 feet in height, or a maximum of 15 feet with roof accessory structures on townhouse lots may be located up to two feet of a side property line and six feet of a rear property line provided the accessory structure is no more than eighty (80) square feet in size

No accessory structure may be used for living, *sleeping or other occupancy*.

*Home Owners Association.* It is the homeowner's responsibility to have the accessory structure approved by his or her homeowners' association where applicable. A Zoning Certificate from the Town does not negate a homeowners' association's covenants and/or restrictions.



# Middle town

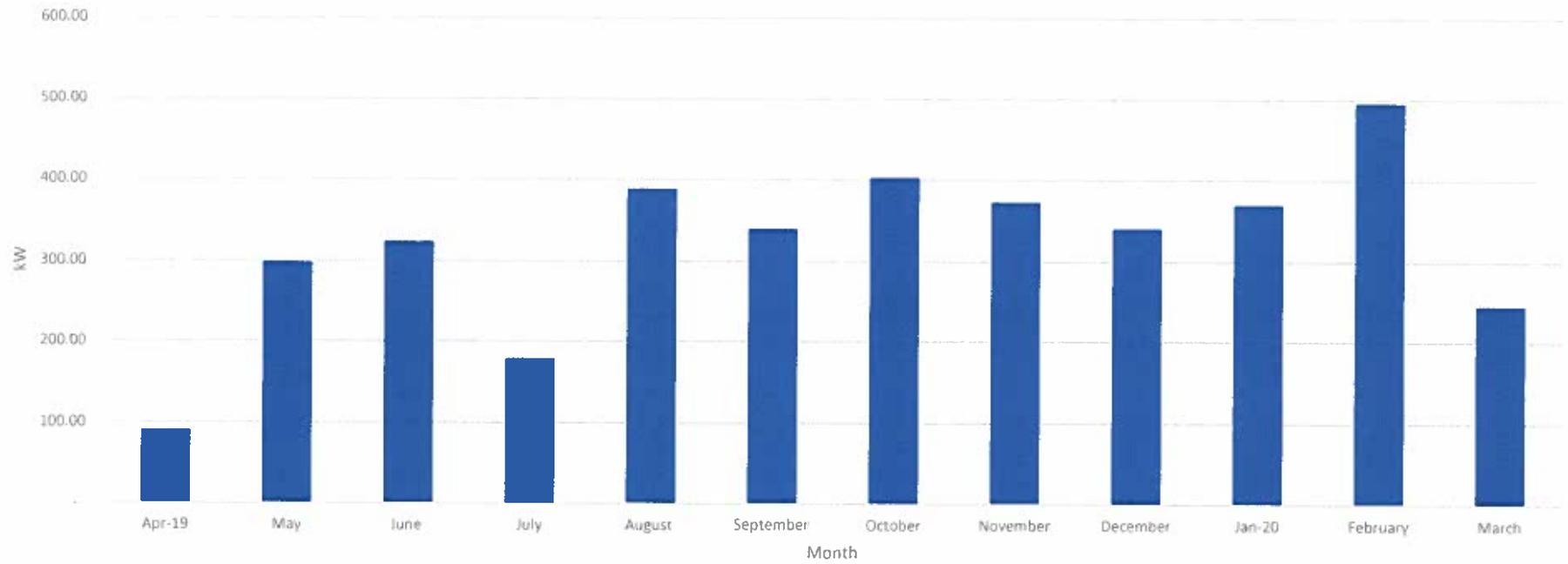
## Burgess and Commissioners Middle town, Maryland

### Town EV Station Pilot Program Summary

Year	Month	kW Usage	Cost
2019	Apr-19	89.00	\$ 6.76
2019	May	297.99	\$ 22.65
2019	June	322.96	\$ 24.54
2019	July	177.74	\$ 13.51
2019	August	387.96	\$ 29.48
2019	September	339.42	\$ 25.80
2019	October	402.43	\$ 30.58
2019	November	372.50	\$ 28.31
2019	December	340.00	\$ 25.84
2020	Jan-20	369.00	\$ 28.04
2020	February	495.00	\$ 37.62
2020	March	245.00	\$ 18.62

**Total Electric Cost      \$      291.76**

EV Station Usage



## MEMORANDUM

To: Planning and Zoning Commission and Burgess & Commissioners

From: Cindy Unangst

Date: December 3, 2009

RE: Building sizes and parking

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Estimated sizes of buildings in town (and outside of town) and proposed building sizes are listed below:

Safeway store – 38,658

Fire Co. proposed activities center – 15,368

Golf course clubhouse – 10,000

Middletown Elementary School – 57,000

Town Center Plaza – 57,500

Weis (on Route 40A) – 52,000

Home Depot (on Route 40A) – 101,750

Giant Food on Route 26 – 85,000

Parking requirements – retail store or shop – 1 space per 150 square feet of gross floor area  
Restaurant – 1 space per 90 square feet of gross floor area or 3 seats  
Other commercial – 1 space per 300 square feet of gross floor area

Current parking spaces at Town Center Plaza – Safeway spaces – 149 plus 13 handicapped  
Rest of shopping center spaces – 134 plus 5 handicapped

Required parking spaces needed for Town Center Plaza was 375 spaces according to the site plan. BOA granted a variance of 67 spaces for a total required of 308 spaces.

According to MDP's "Big-Box" Retail Development Models and Guidelines publication:

Discount Department Stores typically range from 80,000 square feet to 130,000 square feet.

Book retailers typically range from 25,000 to 50,000 square feet.

Retailers such as Office Depot or Sports Authority typically range from 20,000 to 120,000 square feet.

## BUILDING HEIGHT AND 'STORY' CODE REFERENCES

**Building, height** of. "**Height** of building" means the vertical distance from grade plane to the average **height** of the highest roof surface. As used herein, "grade plane" means a reference plane representing the average of finished ground level adjoining the building at exterior walls. Where the finished ground level slopes away from the exterior walls, the reference plane shall be established by the lowest points within the area between the building and the lot line or, where the lot line is more than six feet from the building, between the building and a point six feet from the building.

"**Story**" means that portion of a building included between the surface of any floor and the surface of the floor next above it or, if there is no floor above it, the space between such floor and the ceiling next above it. A basement shall be counted as a story if it is used for business or dwelling purposes. A mezzanine floor shall be counted as a story if it covers more than one-third of the area of the floor next below it or if the vertical distance between the floor next below it and the floor next above it is twenty (20) feet or more.

### **17.16.050 - Building height regulations and unit limitations for structures in residential districts.**

**No building will exceed two and one-half stories or thirty-five (35) feet in height.** No one structure in any residential district may contain or include more than twelve (12) individual and separate dwelling units within the structure.

(Ord. 06-02-02 § 1, 2006; Ord. 05-09-01 § 1 (part), 2005; Ord. 182 § 5.3, 1976)

### **17.17.150 - Development standards. (Overlay zoning districts)**

- A. **Density.** The overall density of the project shall be in conformance with the R-3 zoning district.
- B. **Lot Area and Yard Requirements.** The minimum lot area single-family dwelling shall be six thousand (6,000) square feet. The minimum lot area per duplex (two dwelling units) shall be eight thousand (8,000) square feet. The minimum lot width per structure for a single-family dwelling shall be sixty (60) feet, and the minimum lot width per structure for a duplex shall be forty (40) feet per duplex unit. The minimum yard areas shall be as follows:
  1. **Front yard:** fifteen (15) feet from a public street;
  2. **Side yard:** eight feet for a single-family dwelling eight feet one side only for a duplex dwelling (one side per dwelling);
  3. **Rear yard:** twenty (20) feet (except that a detached garage accessory structure accessed via a rear alley system shall have a rear yard setback of eighteen (18) feet: or except that

a detached garage accessory structure accessed via a front-loaded driveway shall have a rear yard setback of four feet.)

These minimum standards may be modified by the planning commission, in accordance with the master plan design guidelines.

- C. Accessory Structures. The minimum side yard setback for an accessory structure shall be three feet.
- D. **Height Limitation. Building height is limited to a maximum of two and one-half stories or thirty-five (35) feet in height, whichever is greater.**

#### **17.20.015 - MB mixed business district.**

- C. Required Lot Area, Lot Width, and Yards in the MB District. The following requirements apply in the MB district:
  - 1. Minimum area of lot size: one acre;
  - 2. Setback requirements for front, rear, and side yard: thirty (30) feet; provided, however, **that for any lot on which a structure exceeding thirty (30) feet in height is situated, the thirty (30) foot setback requirement shall be increased by one foot for every foot of the structure which exceeds thirty (30) feet in height.** Additionally, for any portion of a structure which is adjacent to a residential district or state highway, the setback requirement is one hundred (100) feet for that portion of the structure which is adjacent to such residential district or state highway;
  - 3. **Structure height: fifty (50) feet;**
  - 4. Lot width: one hundred (100) feet. The planning commission may, however, permit a lot width of not more than fifty (50) feet if the planning commission approves a landscaping plan which, in the commission's opinion, provides an adequate buffer for adjacent property.

(Ord. No. 15-05-01, § I, 5-11-2015, eff. 10-1-2015; Ord. 07-01-01 § 2 (part), 2007; Ord. 04-09-02 § 1 (part), 2004)

#### **17.20.030 - Building regulations in commercial districts.**

**No building shall exceed three (3) stories or thirty-five (35) feet in height** or exceed sixty thousand (60,000) square feet in size.

(Ord. No. 18-10-01, § II, 12-10-2018; Ord. No. 10-04-01, § II, 3-22-2010; Ord. 182 § 6.2, 1976)

**17.24.020 - Building height regulation in industrial districts.**

**No building in the SC/LM district shall exceed three stories or forty-five (45) feet in height.**

**17.28.040 - Required lot area, lot width, and yards in open space district.**

A. The following requirements apply in the OS district:

1. Minimum area: not specified;
2. Front yard: fifty (50) feet;
3. Rear yard: fifty (50) feet;
4. Side yard: fifteen (15) feet.

B. **For structures higher than twenty-five (25) feet**, the yard requirements shall be as follows:

All yards: Between the foundation and the nearest lot line, a distance of 2.5 times the height of the structure shall be maintained.

(Ord. 182 § 4.1, 1976)

**17.30.040 - Required lot area, yards and other restrictions. (Ag district)**

The following restrictions are applicable in the agricultural district:

- A. Minimum lot or parcel size: twenty-five (25) acres;
- B. Front yard: fifty (50) feet;
- C. Rear yard: fifty (50) feet;
- D. Side yard: fifty (50) feet;
- E. **Height:** The restrictions for properties located within the R-20 district apply. Structures, such as silos, barns or other structures, which are typically used solely for agricultural purposes may be a maximum of fifty (50) feet in height;

(Ord. No. 15-04-01, § I, 4-13-2015; Ord. 05-06-01 § 3 (part), 2005)

**17.32.170 - Modifications to yard requirements.**

- D. Allowable Projections of **Accessory Buildings** into Yards. One-story accessory buildings with a **maximum height of twenty-five (25) feet** may project into yards provided that: (1) the building does not occupy more than thirty (30) percent of the rear yard; (2) when more than ten (10) feet from the building, it may project into the side or rear yards providing it projects no closer than six feet to the side or rear lot lines; (3) garage accessory buildings entered from alley or street in the case of double frontage lots are not closer than ten (10) feet to the street or alley line; (4) one-story accessory structures on townhouse lots may be

located up to two feet of a side property line and six feet of a rear property line provided the accessory structure is no more than eighty (80) square feet in size; (5) any accessory structure greater than twenty (20) feet in height must provide an additional one foot of setback for each one foot of additional height; (6) all accessory structures defined as sheds must be located to the rear of the principal structure.

(Ord. No. 10-11-02, § I, 11-8-2010; Ord. 08-01-01 § 2 (part), 2008; Ord. 04-05-01 § 1, 2004; Ord. 182 § 8.1, 1976)

#### **17.32.180 - Modifications to height limitations.**

- A. **Public and Semipublic Buildings may Exceed Height Limitations.** Public buildings, places of worship, medical care facilities, institutions, may exceed the height limits to a **total height of seventy (70) feet** providing all yards required in the particular district are increased one foot for each two feet in excess of the height limitation.
- B. **Architectural or Mechanical Appurtenances may Exceed Height Limitations.** Chimneys, church steeples, cooling towers, elevators, bulkheads, fire towers, monuments, stacks, stage towers, or scenery lofts, tanks, water towers, spires, radio and television towers, grain elevators, or other such architectural and mechanical appurtenances are exempt from height regulations except that freestanding structures must be set back a distance equal to the height of the structure when located adjacent to an R district and set back one-half the height of the structure when located adjacent to TC, GC, OS and SC/LM districts.

(Ord. No. 15-06-02, § II, 6-8-2015; Ord. 182 § 8.2, 1976)

#### **17.40.040 - Development requirements. (PUDs)**

- D. **Height.** There shall be a maximum height limitation based on the zoning district.

(Ord. 05-09-01 § 1 (part), 2005; Ord. 182 § 9.3, 1976)

#### **17.42.030 - Applicability; general provisions. (Residential Cluster Development)**

- B. The following provisions shall apply to any residential cluster development, regardless of the general requirements of the R-20 zoning district:
  - 6. The maximum height limitation shall be that established for the R-20 zoning district.

(Ord. No. 14-08-04, § II, 9-8-2014)