

# MIDDLETOWN PLANNING COMMISSION

Middletown Municipal Center  
31 West Main Street, Middletown, MD 21769

May 15<sup>th</sup> Workshop agenda for the May 20, 2019 Meeting  
(agenda is subject to change as a result of discussion at the workshop)  
7:00 p.m.

- I. Public Comment
- II. Minutes of April 2019 Planning Commission workshop Approval  
Minutes of April 2019 Planning Commission meeting Approval
- III. Plan Review  
Asian Café Revised Site Plan Review/Approval
- IV. Zoning
- V. Miscellaneous  
2018 Annual Planning Report Review/Approval
- 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**

**April 10, 2019**

The regular workshop of the Middletown Planning Commission took place on Wednesday, April 10, 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, Commission Members Bob Miller, Rich Gallagher, Town Board Liaison Tom Catania, and Eric Ware, Temporary Alternate. Others present in official capacity: Cindy Unangst (Staff Planner). Members of the public in attendance: Ann Miller, and two gentlemen who were there to hear the discussion about self-storage facility regulations.

**APRIL MONTHLY PLANNING COMMISSION WORKSHOP:**

**PLAN REVIEW** –

**Miller Demolition Plan** - Cindy read thru her staff report. Chairman Carney asked about the credentials of the company doing the work, the safety plan, and whether there was any asbestos in the buildings to be demolished. The applicant was asked to provide additional information for the Monday meeting.

**ZONING** –

**Self-storage facility regulations** – There was much discussion about how the Code could be amended to address the conflict regarding whether self-storage facilities can be a principal use or an accessory use in the General Commercial district. The commission intends to make a recommendation at the meeting on Monday. A gentleman in the audience asked what ‘spaces’ refers to in the Code in relation to self-storage facilities.

**MISCELLANEOUS** –

**2018 Annual Planning Report** – The annual report map was discussed and Cindy asked the commission members to look at the PC Recommendations section for any edits they might want to make. The Main Street Manager, Becky Axilbund, offered an update to the Historic Structures section, that Cindy will include in the report using track changes. Some of the update information offered is probably not relevant to the report. Cindy is still awaiting update information from Drew on some sections of the report.

Commission member Eric Ware spoke to the other members about some of the topics that were discussed at the MPCA conference he attended in Hagerstown. He stated that Middletown was praised by others for our comprehensive PC Rules of Procedures.

**Workshop adjourned at 8:35pm.**

Respectfully submitted,

Cynthia K. Unangst, AICP  
Middletown Staff Planner

**MIDDLETOWN PLANNING COMMISSION**  
**31 West Main Street**  
**Middletown, Maryland**

**Regular Meeting**

**April 15, 2019**

The regular meeting of the Middletown Planning Commission took place on Monday, April 15, 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, Commission members David Lake, Rich Gallagher, Bob Miller, Dixie Eichelberger and Eric Ware (Temp Alternate). Others present in official capacity: Cindy Unangst (Staff Planner), and Annette Alberghini (Recording Secretary). Others present: Ann Miller (Miller Commercial Property), Eric Patterson (Building Systems Incorporated), Jeannine Ranniger (resident), Parker Ranniger (resident), Lisa Miller (resident), Bernard Pond (resident) and John Huegelmeier (resident).

**APRIL MONTHLY PLANNING COMMISSION MEETING:**

**I. PUBLIC COMMENT – None**

**II. Regular Workshop Minutes of March 13, 2019 – Approved with corrections.**

**Regular Meeting Minutes of March 18, 2019 – Approved as submitted.**

**III. PLAN REVIEW**

**Miller Property Demolition Plan –** (Ann Miller (property owner), Eric Patterson (Building Systems Inc.), Jeannine Ranniger and Parker Ranniger (119 East Main street), and Lisa Miller (121 East Main Street) present). This is for the proposed demolition of the three vacant side buildings on the west side of the property at 203 East Main Street, behind 121 East Main Street. They are to be removed in order to provide additional parking spaces. This is part of the continued re-development of the property. With approval, demolition would begin as soon as permits are received from Frederick County. Most of the requirements have been met. Adjacent property owners have been notified and the property has been posted. Building Systems Incorporated will be completing the demolition work. They are licensed to provide such work in Maryland.

- **Demolition Process –** The plan is to remove the wood sheathing on the backside of the 2-story building by hand. And then use a mini excavator to pull the shell of the building down and onto the work site. The two 1-story buildings will be pulled down using the mini excavator. The rubble will be broken up and removed to an approved landfill. Demolition is expected to be completed in 7 to 10 days from commencement.
- **Safety –** The contractor will include spraying water on the site before and during the demolition process.
- **Hazardous Materials –** Boggs Environmental is taking test samples to identify any hazardous materials which may be present. A copy of that report will be sent to the Town. If any hazards are identified, remediation will be completed by a certified company.
- **Sanitary Sewer Lateral –** The Town Engineer requires verification that the sanitary sewer lateral on the south side of the proposed demolition has been abandoned and is capped off. The property owner stated that it is abandoned and was capped some time ago.
- **Adjacent Property Owner Concerns –** Parker and Jeannine Ranniger (119 East Main Street) – because the demolition is occurring so close to their property, they are concerned with nails, debris and trash ending up on their property, which can be a hazard to their pets. The Planning Commission recommended that the contractor notify adjacent property owners as to when they are beginning demolition.

Lisa Miller (121 East Main Street) is confident the demolition will go well with little to no impact to the surrounding neighbors or her business.

**Action:** Commission Member Lake motioned to conditionally approve the Miller Property Demolition Plan conditional upon; the applicant following a safety plan that will include spraying water on the site before and during the demolition process, submitting a copy of the report done by Boggs Environmental of any hazardous materials on site, verification by the Town Engineer that the sanitary sewer lateral south of the proposed demolition has been abandoned and capped, adjacent property owners shall be notified prior to the commencement of demolition, the demolition shall be approved by Frederick County and the demolition work shall be completed within 90 days. Seconded by Commission Member Gallagher. Motion carried (5-0).

#### IV. ZONING

**Self-storage Facilities Regulations Code Conflict** – This is a discussion by the Planning Commission concerning the conflict in the Town Code regarding storage facilities as a primary versus accessory use. This is a clarification discussion prior to the next Joint Town Board/Planning Commission meeting on May 6, 2019 at 6:30pm. The Planning Commission would like direction on this issue not just as it relates to the Middletown Valley Center site development, but for any future development which may occur.

- **Town Administrator Memorandum to the Burgess And Commissioners Regarding this Town Code Conflict** - The Staff Planner reviewed the memorandum from the Town Administrator to the Burgess and Commissioners which included the Town Attorney’s opinion regarding the statutory construction of the Town Code meaning the status last enacted (Town Code 17.20.020) is deemed to have repealed the inconsistent term of the former (Town Code 17.48.340). The memorandum also provided recommendations for the Town Board to consider which included:

- Doing Nothing and letting statutory construction determine self-storage as a principal use to be permitted.
- Remove the line E from 17.48.340 which removes any inconsistency
- Re-debate the entire self-storage in GC and enact and repeal a new ordinance to include definitions for storage and self-storage, and remove any inconsistencies regarding “principal uses” within the town commercial zoning districts.

The Planning Commission believes that doing nothing does not address the problem, and that there does not seem to be much interest in re-debating this issue of the Town Code. The Commission proposes that the Town Board determine the definitions for self-storage, storage, principal uses, personal goods, and household goods.

- **Suggestions Regarding Town Code 17.48.340 – Self Storage** –
  - **17.48.340.B** – It was suggested that the hours of accessing the self-storage facility should be removed from the responsibilities of the Board of Appeals and placed within the responsibility of the Planning Commission as part of the site plan review.
  - **17.48.340.C** – The Code currently states that the property shall have access to a street designated as an arterial or collector street. It does not allow access from an adjacent property. If the Town Board determines that access from an adjacent property is acceptable, then this subsection must be modified to reflect this.
  - **17.48.340.E** – The Planning Commission suggests that this subsection is no longer relevant and be eliminated from the Town Code.

**Action:** None taken.

#### V. MISCELLANEOUS

**2018 Annual Planning Report** – The Planning Commission members have the most current version of the draft 2018 Annual Planning Report for review. The report is missing Town Administrator comments on a few

sections. The Staff Planner reviewed the comments that the Town Administrator has provided to date. It was suggested that “non-charter counties” be removed from the introduction as it is not relevant. It was also suggested that under the Plan Reviews Section to add some sort of defined delineation to those plans that were conditionally approved.

**Action:** No action taken. Will be an item on the May 2019 Planning Commission meeting agenda.

## VII. ADDITIONAL PUBLIC COMMENT

**Dump Truck Parked at the End of Broad Street and South Church Street** – It was noted that there is a dump truck that regularly parks at the dead-end of Broad Street where it intersects with South Church Street. The Staff Planner will notify the Town Administrator about this issue.

**Roll Off/Porta Potty on Hoffman Drive** – There is a porta potty located on Hoffman Drive. It has been there for 6 months. The Staff Planner will notify the Town Administrator about this issue.

**Streetscape Trees** – The Planning Commission would like the status on when and where those identified trees from the streetscape plans will be moved.

**Bernard Pond (105 Manda Drive)** – At the next Joint Town Board/Planning Commission Meeting please emphasize the following points:

- Lighting at the proposed self-storage will be 10-12 feet higher than Safeway. It will affect my neighborhood.
- Prefer that all storage at the location be inside individual self-storage units.
- Architecturally, please avoid the colors purple, orange and bright yellow.
- Please be considerate when determining hours of operation for that proposed site.

**John Huegelmeyer (110 Manda Drive)** – Also when at the next Joint Town Board/Planning Commission Meeting please emphasize the following points:

- Please go to great lengths to define what goes in to storage. Current language is from a previous project and is not enough.
- Definitely opposed to parking of any type of vehicle in storage because of the noise that is generated when vehicles are worked on at that location.
- If boats and trailers parked in the public town parking lots are a problem, please do not let them become our problem by placing them in self-storage lots.
- If vehicles are going to be allowed at the self-storage, please place them at the entrance area to the storage business.

The Planning Commission thanked the residents for bringing their concerns forward. The Commission is cognizant of other issues like lighting encroaching on neighborhoods from these types of developments. Regulations in place for new developments will address that concern. Perhaps there are other lighting options to consider for those older developments in town.

Meeting adjourned at 8:12pm.

Respectfully submitted,

Annette Alberghini  
Recording Secretary

## Middletown Planning Office

### MEMORANDUM

Date: 5/9/2019  
Hansen#

To: Middletown Planning Commission

From: Cynthia K. Unangst, Middletown Staff Planner

RE: **ASIAN CAFE REVISED PARKING LOT SITE PLAN**

Tax Map Parcel #03-0140857

Applicants: Burgess and Commissioners of Middletown

Property Owner: John Rudy and Lee Ropp

Plan Dated: May 1, 2019

Date Received: May 1, 2019

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#### GENERAL INFORMATION

Proposal: Change of use of existing overflow parking lot from employees of Asian Café and Middletown Valley Bank to a public parking lot in which the Town would be responsible for snow removal and lawn mowing. No additional parking spaces are proposed.

Location: Across Route 17 from 7 North Church Street, on southeast corner of North Church Street and West Green Street.

Zoning: TC Town Commercial. The TC district is intended to provide areas for frequently used retail, service and employment establishments while maintaining the basic character of the area in which they are located.

Present Use: vacant

#### COMMENTS

The following issues should be considered in your review of this Revised Site Plan:

1. **Parking** – The Asian Café Finalized Site Plan was conditionally approved by the Planning Commission on November 21, 2011. The approved plan showed that the existing overflow parking area was to be used by employees of Asian Café and the South Mountain Collision on Garage Drive. There are 16 marked parking spaces on the lot. Based on the proposed square footage (Section 17.32.060), the eating establishment use requires one parking space per 90 square feet of gross floor area or three seats, whichever requirement is greater. The parking spaces needed for its use based on square footage would then be 36 spaces. The approved plan showed 27 spaces on the property and showed overflow parking on the lot across from the proposed restaurant.

On September 15, 2014, the Planning Commission approved a change in the use of the parking lot for the use to be shared by employees of Asian Café and employees of Middletown Valley Bank.

2. **Use of parking lot** – The bank employees are no longer using the lot and it has been vacant in recent months.
3. **Proposed municipal use** – The parking lot is proposed to be open to municipal use by anyone visiting nearby businesses. Signage for the lot indicates that all vehicles parking there must have valid tags and be operational, and overnight or storage of RV's is prohibited, as well as storage of trailers or equipment. Long-term parking of vehicles for more than one week is also prohibited.
4. **Lighting** – All existing onsite lighting has been indicated on the plans and no additional lighting is being proposed.

This review will be included in the Middletown Planning Commission materials for the May 20, 2019 public meeting. The applicant is encouraged to attend this meeting and the workshop on the Wednesday prior to the meeting which will be May 15, 2019.

cc: John Rudy  
Lee Ropp  
Burgess and Commissioners  
Drew Bowen, Town Administrator  
Mark Carney, Planning Commission Chairman

MODEL GARAGE, I N.C.  
May 1, 2019

Town of Middletown  
Cindy Unangst  
Planning Commission

**RECEIVED**

MAY 01 2019

TOWN OF MIDDLETOWN, MD

Amended site plan for parking lot owned by Model Garage, Inc; located on East side of intersection of N. Church Str. And Green Street.

The parking lot lease by Middletown Valley Bank has expired and we have entered into a lease with the Town of Middletown to use the parking lot area for public parking. This would allow anyone to use the parking lot including uses related to property owned by Model Garage, Inc.

There are 16 marked parking spaces on this lot. We respectfully request an amendment to accommodate this new use.

Model Garage, Inc.

M. Lee Ropp - Pres.





100 NORTH CHURCH STREET

10 EAST GREEN STREET

MAIN STREET

5 EAST MAIN STREET

6 NORTH CHURCH STREET

CHURCH

7 NORTH CHURCH STREET

WEST MAIN STREET

GREEN

5-7 West Main Street

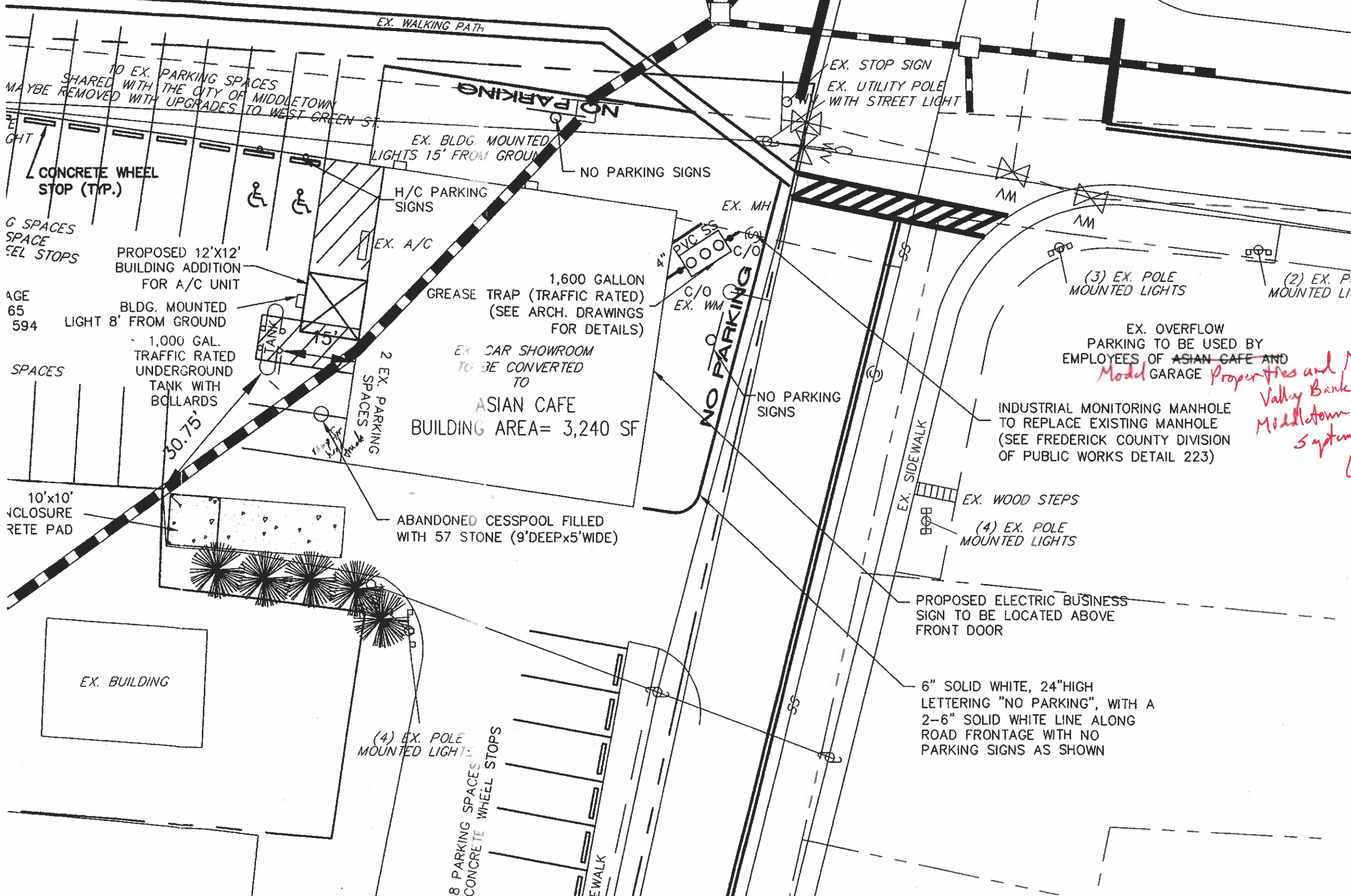
GARAGE DRIVE

GARAGE

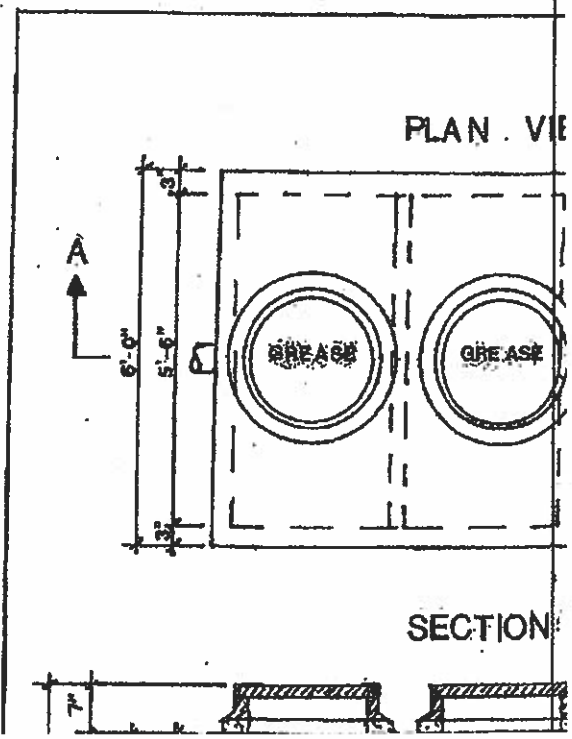
13 WEST MAIN STREET

N/F  
LERTORA FAMILY INC.  
L. 2699, F. 1002  
MAP 500, P. 677

GREEN STREET



*Model Properties and Middletown Valley Bank - approved by Middletown Planning Commission September 16, 2014 Cynthia R. Unzeitig*





## MIDDLETOWN PLANNING COMMISSION

# 2018 ANNUAL REPORT

Approved May \_\_, 2019 by Middletown Planning Commission

### **BURGESS & COMMISSIONERS**

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

Jennifer Falcinelli, Burgess Pro-tem (4/2014-4/2018)(4/2018-4/2022)

Larry Bussard (4/2014-4/2018)(4/2018-4/2022)

Richard Dietrick (4/2014-4/2018)(4/2018-4/2022)

Chris Goodman (4/2016-4/2020)

Tom Catania (4/2016-4/2020)

Andrew J. Bowen, Town Administrator

### **Middletown Planning Commission**

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

David Lake (1/2017-1/2022)

Bob Miller (5/2013-5/2018)(5/2018-5/2023)

Rich Gallagher (12/2016-12/2021)

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

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

Meredith McKittrick, Temp. Alt. (1/2017-6/2018)

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

### **Middletown Board of Appeals**

Daphne Gabb, Chair (4/2017-5/2019)

Thomas Routzahn (1/2017-1/2020)

Tim Coakley (1/2017-1/2020)

Alex Kundrick, Alternate (3/2017-3/2020)

### **Planning Department Staff**

Cynthia K. Unangst

### **Engineering Staff**

Bruce Carbaugh, Director of Public Works

J.R. Hawkins, Project Manager

### **Town Zoning Administrator**

Ron Forrester (2/2014-5/2018)

Mark Hinkle (10/2018 – present)

## INTRODUCTION

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

### POPULATION IN MIDDLETOWN

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

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

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

### MIDDLETOWN PLANNING COMMISSION

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

### PLAN REVIEWS - 2018

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

CONCEPT PLANS

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

SITE PLANS

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

MASTER PLANS

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

PRELIMINARY PLANS

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

MASS GRADING/SWM PLANS

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

**IMPROVEMENT PLANS**

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

**FOREST CONSERVATION PLANS**

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

**SUBDIVISION PLATS**

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

**ADDITION PLATS**

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

**FINAL PLATS**

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

**RE-ZONING REQUESTS:**

None

**ANNEXATIONS:**

None

**TEXT AMENDMENTS:**

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

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

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

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

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

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

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

**INFRASTRUCTURE PROJECTIONS:**

**TRANSPORTATION:**

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

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

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

**WATER SUPPLY AND DISTRIBUTION:**

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

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

#### WASTE WATER TREATMENT FACILITIES:

The East End Wastewater Treatment Plant (WWTP) on the south side of Holter Road at Hollow Creek is designed to process 350,000 gpd of sewerage. The current discharge permit for the plant is 250,000 gpd. Average daily flows for 2017 were 227,000 gpd.

The discharge permit for the West End WWTP at Catoctin Creek in the southwest section of Town is 250,000 gpd. Average daily flows for 2017 were 203,000 gpd.

There were no violations for either plant in 2017.

#### PARKS AND GREENWAYS:

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

#### PROTECTION OF HISTORIC STRUCTURES:

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

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

Main Street Middletown, MD, Inc. is a 501c3 organization that supports the economic development of the Town. Late in 2017, Main Street began investigating the possibility of purchasing 19 and 21 West Main Street. Throughout 2018, Main Street Middletown rented the space and raised the funds for purchase through donations and grants. Support was received from the Tourism Council of Frederick County, Preservation Maryland, the Maryland Heritage Area Authority, and the Department of Housing and Economic Development. In addition, Main Street Middletown, MD Inc. was selected to participate in the coveted Community Investment Tax Credit program through DHCD which provides



for a Maryland State Tax Credit to donors who give in increments of \$500 to help with the rehabilitation of 19 and 21 West Main Street. In early 2019, Main Street Middletown closed on the property and are continuing to raise funds to rehabilitate the buildings into a Welcome Center and office space.

In addition, Main Street Middletown hosted four downtown events, three of which were introduced in 2018. In April we hosted Coloring the Street to celebrate art in the downtown with friends and families coloring on the street alongside professional artists. In May we hosted a walking tour with a unique twist by illustrating the inherent sustainable features of historic buildings. For June, we had over 75 antique cars and trucks travel to Middletown for the inaugural Vintage Vehicles in the Valley. And to show our community support for our schools and the kids who attend there, we hosted a community wide Pep Rally in the Valley to send the kids off to start the new year in high spirits.

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

Business Mixers were hosted every quarter with SHA Project Engineer Scott Brown in attendance for business owners to have the opportunity to get updates and ask questions directly to keep apprised of the construction project.

Even though the grant funds were depleted, Garrett Glover of the Small Business Administration continued to make trips to Middletown to help those businesses that reached out for technical assistance that was provided for through this Main Street generated grant award.

## **STRATEGIC PLANNING INITIATIVES**

### **ZONING ORDINANCE UPDATE**

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

### **COMPREHENSIVE PLAN REVIEW**

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

### **PLANNING COMMISSION RECOMMENDATIONS:**

#### **ONGOING RECOMMENDATIONS:**

1. Review walkway and road construction strategies to be incorporated into current & future growth and development.

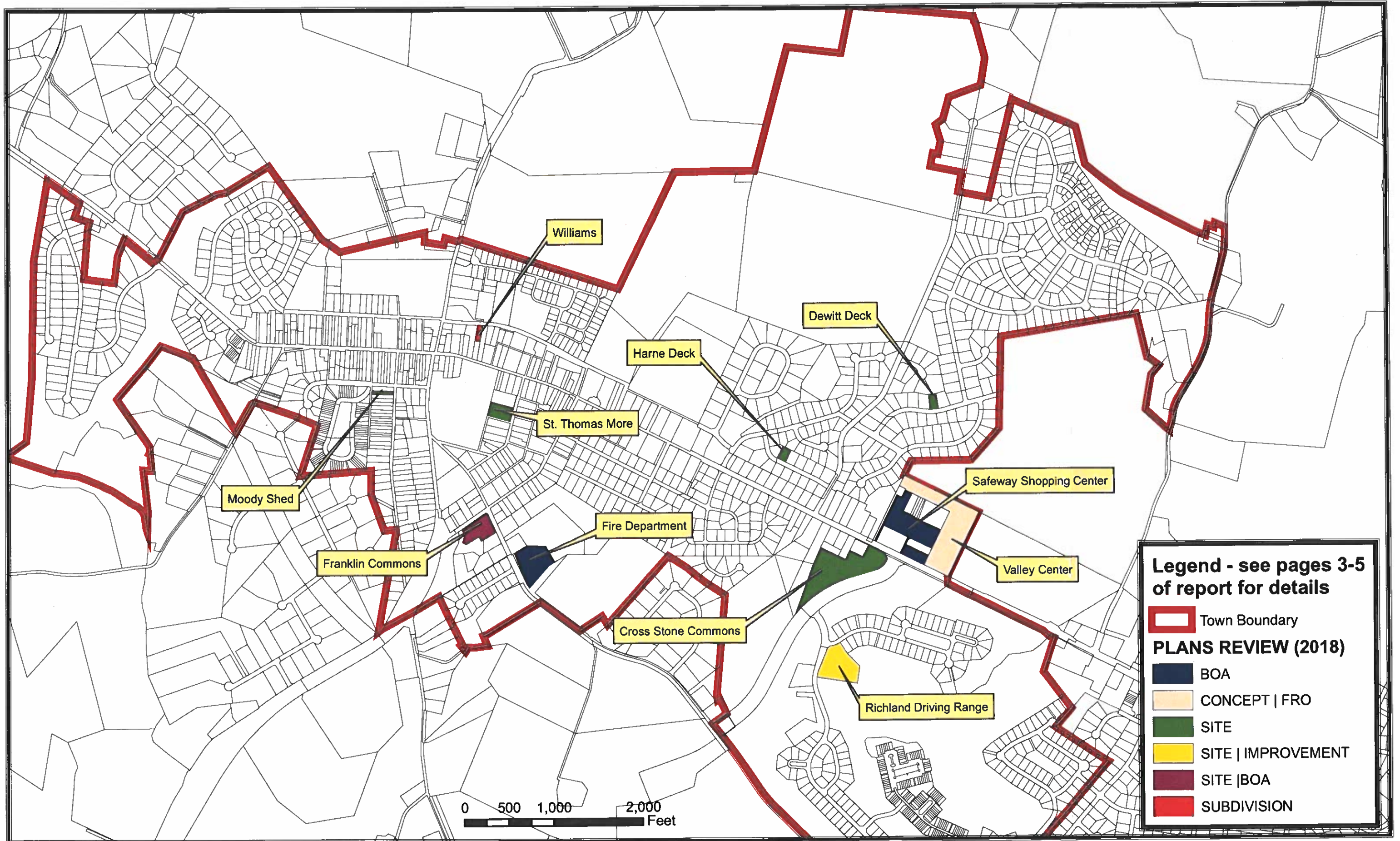
2. ~~Continue to R~~review and refine a management system which includes checklists for the plan review process to help ensure that files are complete and easily accessible, and which verifies that all agency approvals are in place.
3. Continue review of zoning ordinances as needed to ensure compatibility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

NEW RECOMMENDATIONS:

- ~~1. Establish town regulations to address blighted properties.~~
- 2.1. Work with the Sustainability Committee on implementing energy-saving and renewable energy strategies and policies for the town.

### Permits Issued

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



# Middletown 2018 Annual Report Map



**Town of Middletown Planning Department**

To: Burgess & Commissioners and Middletown Planning Commission

From: Cindy Unangst, Staff Planner

Date: 4/29/2019

RE: Monthly Planning Update - May

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**Major Subdivisions:**

**Middletown Glen** - Preliminary plans signed – May 29, 2013  
Improvement plans conditionally approved – October 16, 2013  
FRO planting at Remsberg Park completed – February 2017  
All plats recorded at the Courthouse – May 17, 2016 - March 16, 2018

**Site Plans, Plats and Minor Subdivisions:**

**Caroline's View/Horman Apartments**- 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** – Revised Site Plan conditionally approved – October 20, 2014  
Improvement Plan mylars signed – November 6, 2015  
Architectural renderings for Building #4 approved – March 19, 2018  
Revised Forest Conservation Plan approved – January 21, 2019  
**Next step – submit architectural renderings for building #2 for review/approval**

**Dowd Property** – Forest Stand Delineation approved – April 16, 2018  
Revised Concept plan reviewed by PC – January 21, 2019  
Special Exception materials submitted for self-storage use – December 21, 2018  
**Next step – PC review/recommendation and BOA review/approval of special exception for self-storage use, or site plan submittal without self-storage use**

**Franklin Commons** -  
Resubmitted site plan conditionally approved – May 21, 2018 (Plans expire May 21, 2021)  
BOA approved height variance request – July 12, 2018 (BOA approval expires July 12, 2019)  
Improvement plans conditionally re-approved – March 18, 2019 (Plans expire March 18, 2022)  
**Next step – submittal of letter of credit and signing of PWA's**

**Jiffas** – Site Improvement Plan conditionally approved – October 20, 2008 (no sunset provisions prior to November 14, 2010)

Forest Conservation Plan approved – October 20, 2008

Architectural plans approved by PC – March 16, 2015

BOA approval for variance requests – March 29, 2016 (**Expired March 29, 2017**)

**Next step – apply for variance requests for siting of duplex building**

**Middletown Water Storage Tank** – Site Plan approved by PC – March 18, 2019 (Plans expire 3/18/22)

FSD/FCP approved by PC – March 18, 2019

**Next step – submittal of improvement plans and FFCP for approval**

**Miller (Ingalls)** – Revised Concept Plan reviewed by PC – September 16, 2013

Site plan (Phase III) conditionally approved by PC – July 20, 2015

Improvement plans (Phase III) conditionally approved by PC – June 19, 2017 (Expires 6/19/20)

**Demolition plan conditionally approved – April 15, 2019**

**Next step – submittal of Phase IV site plan for approval**

**Richland Driving Range** – 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 approval**

**School Complex roadway plans** – 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

**St. Thomas More Academy Site Plan revision** – conditionally approved August 20, 2018

#### **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** – annexation petition sent to PC by Town Board – January 9, 2017

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:**

**Reports:** Draft Annual Report being reviewed by Planning Commission

**Grants:** MEA Smart Energy Communities grant application – award granted – May 2017

**Meetings:** Next Middletown Green Team Meeting – May 21, 2019

**Next Joint town board/planning commission workshop** – May 6, 2019