

# MIDDLETOWN PLANNING COMMISSION

Middletown Municipal Center  
31 West Main Street  
Middletown, MD 21769

## Agenda for the July 19, 2021 Meeting 7:00 p.m.

- I. Public Comment
- II. Minutes of June 2021 Planning Commission workshop <sup>1</sup> Approval  
Minutes of June 2021 Planning Commission meeting <sup>1</sup> Approval
- III. Plan Review  
Hollow Creek Professional Center Arch. Renderings Package <sup>3</sup> Review/Approval
- IV. Zoning  
None
- V. Comprehensive Plan Update  
Chapter 2 History, Population and Housing <sup>4</sup> Review  
Growth Boundary map <sup>8</sup> Review
- VII. Miscellaneous  
Annual Report 2020 and map <sup>6</sup> Review/Approval  
Miller Property access off E. Green Street <sup>2</sup> Review
- VIII. Additional Public Comment

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<sup>#</sup> Identifies the Number of Times the Item has been on a PC Workshop and/or PC Meeting Agenda

Cindy Unangst is inviting you to a scheduled Zoom meeting.

Topic: July 2021 Planning Commission Meeting

Time: Jul 19, 2021 07:00 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/85105554440?pwd=T2RiTDRYN3FTaERTQnJBV1BtZUtGdz09>

Meeting ID: 851 0555 4440

Passcode: 887194

One tap mobile

+13017158592,,85105554440#,,,,\*887194# US (Washington DC)

Dial by your location

+1 301 715 8592 US (Washington DC)

Find your local number: <https://us02web.zoom.us/j/85105554440?pwd=T2RiTDRYN3FTaERTQnJBV1BtZUtGdz09>

**\*\* 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**

**Virtual Workshop**

**June 16, 2021**

The virtual workshop of the Middletown Planning Commission took place on Wednesday, June 16, 2021 at 7:00 p.m. via a Zoom meeting. Those present (quorum) were Commission Chairman Mark Carney, Ex-officio member Jean LaPadula, Commission Members Rich Gallagher, David Lake, and Bob Miller. Others present in official capacity: Cindy Unangst (Staff Planner). Applicants present: residents Nancy Newton and Lera Straits, Karla Tropea, Realtor (Newton Addition Plat), Mark Lancaster and Mike Moran, Lancaster Builders, and David Lingg, Lingg Property Consulting (Hollow Creek Professional Center).

**JUNE MONTHLY PLANNING COMMISSION WORKSHOP:**

**PLAN REVIEW**

**Newton Addition Plat** – Cindy reviewed the addition plat proposal and noted that the Health Department had approved the plat yesterday. Commission member Lake reiterated that the lot requirements should be shown on the plat. Realtor Karla Tropea asked what the next steps and timeline would be for recording the plat.

**Hollow Creek Professional Center Redline Site Plan** – Cindy explained the redline changes to the site plan, and stated that there will be a Board of Appeals hearing on June 30<sup>th</sup> for a variance from the height regulation for the office building which will be reduced in height about 9-feet, but will still be higher than the required maximum height of 36-feet. There was discussion about the traffic impact analysis that had been done for the proposed development. It was noted that the revised plan should be submitted to Frederick County for stormwater management approval. There was also discussion about the revised dumpster location and changes to the lighting plans.

**Hollow Creek Professional Center Architectural Renderings** – A 3-D rendering of the front pad buildings was shown by the applicant and described to the commission members. The applicant will need to submit renderings to the commission for review and approval. It was noted that the font for the front signage no longer matches the look of the buildings.

**ZONING** –

**AC Jets Annexation Petition** – It was stated that although the applicant sent the Planning Commission a letter last month documenting changes to the requested zoning of the property, a revised annexation petition and exhibit showing the proposed zoning has not yet been received by the Town.

**COMPREHENSIVE PLAN UPDATE**

**Chapter 2 Population and Housing** – Cindy noted the minor changes that were made after last month's discussion.

**Growth Boundary Map** – Cindy said that she will have the Town's GIS consultant make the requested changes to the map.

**MISCELLANEOUS**

**Annual Report 2020 and map** – Cindy noted that the water and wastewater information was added to the report.

**Workshop adjourned at 8:06pm.**

Respectfully submitted,

*Cynthia K. Unangst*

Cynthia K. Unangst, AICP  
Middletown Staff Planner

DRAFT

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

**Regular Meeting**

**June 21, 2021**

The regular meeting of the Middletown Planning Commission took place on Monday, June 21, 2021 at 7:00 p.m. via a Zoom meeting. Those present (quorum) were Commission Chairman Mark Carney, Commission members David Lake, Commissioner Jean LaPadula (Ex-officio), Rich Gallagher, Bob Miller, and Eric Ware (Temp Alternate). Others present in official capacity: Cindy Unangst (Staff Planner) and Patty Guyton (Recording Secretary). Applicants present: residents Nancy Newton and Lera Straits, (Newton Addition Plat), Mark Lancaster and Mike Moran, Lancaster Builders, Joe Caloggero (Traffic Group, Inc) and David Lingg,- Lingg Property Consulting (Hollow Creek Professional Center).

**JUNE MONTHLY PLANNING COMMISSION MEETING:**

**I. PUBLIC COMMENT - None**

**II. Minutes of the April 2021 Planning Commission Workshop – Approved as submitted.**

**Minutes of the April 2021 Planning Commission Meeting – Approved as submitted.**

**Minutes of the May 2021 Planning Commission Workshop – Approved with corrections.**

**III. PLAN REVIEW**

**Newton Addition Plat** – The proposal is an addition of Parcel A (1,517.38 square feet) at the west side of Parcel 549 (800 East Main Street) to Parcel 577 (720 East Main Street) will result in a lot area of 24,000.41 square feet or 0.55 acres; remainder of Parcel 549 will result in a lot of 21,313.26 square feet or 0.49 acres. Parcel is located on the south side of East Main Street approximately 450 feet west of the intersection with Middletown Parkway.

**Action:** Commission member Lake motioned to approve the Nancy Newton Addition Plat. Seconded by Commission member Miller. Motion carried (5-0)

**Hollow Creek Professional Center Redline Site Plan** – The proposal is for the property to be developed with 43,480 square feet ± of commercial space (was 47,970 square feet) in three separate buildings with 176 parking spaces (was 205), and 2± acres reserved for future development. Property is located north side of US Route 40-A (Old National Pike) just east of the Safeway shopping center.

1. Previously the site plan showed 47,970 square feet ± of commercial space in three separate buildings in addition to 2± acres reserved for future development. The revised plan shows 43,480 square feet of commercial space in three separate buildings, plus an outdoor seating area/courtyard between the front restaurant pad sites. The site plan continues to show two one-story retail pads and one three-story office building. The proposed ancillary restaurant/retail use has been further increased to 3,350 square feet (from 2,600 sf) located on the 1<sup>st</sup> floor of the office building. The outdoor seating area for that space has been reduced from 1,000 square feet to 890 square feet. The proposed office square footage has further decreased from 39,440 square feet to 35,530 square feet. The office building is proposed to be reduced in height from 53-feet to 44-feet. Although the height will be reduced, it is still greater than the new height regulations put in place in September 2020 which limits building heights to 36 feet. A Board of Appeals hearing is set for June 30, 2021 for review of the height variance request.

The more prominent proposed changes are to the front retail pad spaces and the removal of the right-in-only access from Alt. 40A. Previously, the retail pad sites were each 4,600 square feet in size. Now the pad sites are 2,300 square feet each and labeled as proposed restaurant/retail shop spaces. The orientation of the buildings has been changed and they are no longer parallel to the street.

The other major change is the removal of many parking spaces to become green spaces. The prior site plan showed 205 parking spaces (down from 212), while the revised plan shows 176 parking spaces which includes 6 handicapped spaces (down from 8). Two parking spaces previously added to the BB&T southern parking lot have now been deleted, while other areas of the proposed development had spaces deleted. Additionally, green space has been added to the southeast corner of the property where access into the property had previously been proposed.

2. The red-line site plan shows the elimination of the proposed right-in access to the property from U.S. 40 (Alt). In relation to traffic patterns, the developer has held discussions with the shopping center owner and BB&T Bank personnel to discuss possible improvements to the circulation into and through the property to make the necessary connections to the proposed development.
3. A traffic impact analysis was prepared by The Traffic Group and had been revised to include requested information based on review by the planning commission back in October of 2019. The Hollow Creek Professional Center is proposing to eliminate the proposed right in only access in front of the development and have all traffic utilize the traffic signal at Alt. US 40 at Middletown Parkway/Town Center Plaza. The SHA CLV, HCM, and the Queuing Analyses result details are following:
  - a. The SHA CLV Analysis details no change in results in the Morning Peak Hour and better results in the Evening Peak Hour.
  - b. The HCM Delay details a 0.2 Second increase per vehicle during the Morning Peak Hour and a 0.4 second decrease per vehicle during the Evening peak Hour.
  - c. The Queuing details no significant changes (less than 1 vehicle length) during both the Morning and evening Peak Hours.

Therefore, based on the data and analyses, the removal of the right in only directly to this section of development does not have an impact to the operations of the traffic at the intersection of Alt. US 40 at Middletown Parkway/Town Center Plaza.

4. The revised parking requirements are broken down into the proposed or potential uses depending on leasing for the 3,350 square-foot restaurant or retail spaces on the first floor of the office building. According to the proposed square footage and usage of the three buildings, the total parking spaces required per the proposed square footage for the restaurant and office buildings would be 180 spaces. The redline plan is showing 176 parking spaces being provided. Changes from the previous site plan include a reduction in the number of spaces required for the office building from 120.57 to 118.45 due to a decrease in the square-footage for office space. There is also an increase in the number of spaces required for a restaurant use from 17 to 26.45 spaces. The applicant has included the square footage of the outdoor seating area for seasonal seating of five months out of the year.

The front pad sites have been revised to show that 50% of the area will be retail shops and 50% of the area will be restaurant/food service; therefore, 2,300 square feet will be retail and 2,300 square feet will be restaurant/food service. The interior of the restaurant/food service uses will mostly be kitchen and back-of-house area (as opposed to patron use), with the exception of 856 square feet which will be for counter pick-up and bathrooms, i.e., patron use areas. Also, half of the conditioned outdoor seating area will be used for the food service patrons to sit and eat; that area equates to 960 square feet. Therefore, the parking calculation for the front pad area would be 15.3 spaces for the retail use (2,300/150) and 20.17 spaces (1,816/90) for the restaurant/food service use; the total spaces required would then be 35.47. Overall the 35.47 spaces are 4 spaces more than what is shown on the redline plan. The applicant feels

that there are two options for the discrepancy. One option would be to pick back up 4 of the spaces that were being proposed to be eliminated to provide for more green area. The other option would be to apply some kind of seasonal factor to the outdoor seating for the winter months so that the added green area can be retained. Staff stated that another option is the Planning Commission could waive the additional four spaces.

5. A Stormwater Management Concept Plan and Concept Stormwater Management Report was submitted to Frederick County for review and was approved on October 22, 2019. The revised plans should be submitted to the County for review and approval.
6. The dumpster location for the BB&T bank has been relocated slightly from the previously proposed location, and a new dumpster location has been added for the front pad sites.

There was discussion on the four triangular “green space” sections around the two front retail buildings. Commission members asked if these spaces will be grass as shown on the plan or concrete due to their location. Mark Lancaster stated that pavers will likely be used for these spaces due to high walking traffic in this area. He also stated that these areas could be used for additional outdoor seating.

**Action:** Commission member Lake motioned to conditionally approve the Redline Site Plan with the following conditions: submittal of appropriate documents and easements by the owner of the adjacent shopping center and BB&T bank agreeing to proposed changes to the existing drive aisles, parking and islands in the shopping center, as well as the sign and dumpster locations; waiver of four parking spaces for the front pad sites; review and approval from Town Engineer; and approval of the revised stormwater management concept from Frederick County. Seconded by Commissioner LaPadula. Motion carried (5-0)

**Hollow Creek Professional Center Arch. Renderings** – The proposal is for the property to be developed with 43,480 square feet ± of commercial space in three separate buildings with 176 parking spaces, and 2± acres reserved for future development.

**Action:** Tabled until developer submits packet with materials details. Planning Commission members would like a packet similar to the one submitted in June 2020.

#### **IV. ZONING – none**

#### **V. COMPREHENSIVE PLAN UPDATE**

**Chapter Two – Population and Housing** – Staff added information that was discussed at the workshop and will be discussing more information at the Town Board workshop in July.

**Growth Boundary Map** – Staff is scheduled to work with GIS specialist to make the map clearer. There was discussion on why Remsberg Park is shown within the growth boundary on the map. Planning Commission members suggested it should be removed from the growth boundary since it cannot be developed due to regulations regarding not creating enclaves.

#### **VI. Miscellaneous –**

**Annual Report 2020 and Map** – Town Administrator submitted information on the water supply/distribution and wastewater treatment facilities. There was discussion on the wording on the East WWTP design capacity section. Planning Commission members suggest that the Town Administrator present this to the Water & Sewer committee at the June 23, 2021 for more information and clearer wording.

**VII. Additional Public Comment – none**

Meeting adjourned at 8:17PM.

Respectfully submitted,

Patty Guyton  
Recording Secretary

DRAFT



## **Middletown Planning Office**

### **MEMORANDUM**

Date: 7/8/2021

Hansen# 19932

To: Middletown Planning Commission

From: Cynthia K. Unangst, Middletown Staff Planner

RE: **HOLLOW CREEK PROFESSIONAL CENTER ARCHITECTURAL RENDERINGS REVIEW**

Tax Map Parcel #03-0140989

Applicant: Charles Jenkins, Lancaster Properties, LLC

Property Owner: Mark Lancaster Properties, LLC

Plan Dated:

Date Received: July 5, 2021

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#### **GENERAL INFORMATION**

Proposal: Property is to be developed with 43,480 square feet  $\pm$  of commercial space in three separate buildings with 176 parking spaces, and 2 $\pm$  acres reserved for future development

Location: North side of US Route 40-A (Old National Pike) just east of the Safeway shopping center

Zoning: GC General Commercial. This district permits numerous uses along with numerous special exception uses with Board of Appeals approval. The intent of the district is to provide areas for general commercial activities that service the needs of the entire community and the surrounding area. The location should be such that stores and commercial activities can be grouped together in an attractive and convenient manner that will not infringe on residential areas.

Present Use: vacant

#### **COMMENTS**

The following issues should be considered in your review of these revised Architectural Renderings:

##### **1. Minutes from architectural rendering review by Planning Commission on June 15, 2020 –**

**Hollow Creek Professional Center Architectural Renderings** – Mark Lancaster (Mark Lancaster Properties, LLC) present. This is for the proposed development of 47,970 square feet  $\pm$  of commercial space in three separate buildings with 205 parking spaces, and 2 $\pm$  acres reserved for future development; located on the north side of US Route 40-A just east of the Safeway shopping center. The area is zoned GC General Commercial and is currently a vacant lot.

During the past three months, the commission members reviewed the proposed changes that were made to the 3-story professional services building and retail buildings, as they conducted their architectural review of the buildings.

The latest renderings address most of the comments made by Commissioner LaPadula at the last meeting:

1. Make the triangular peak on the metal roof (of 3-story building) larger and more proportional and integral to the roof and separate from the elements below it.
2. The "top molding" should be similar size/look to that shown in the 2/17/20 architectural plan submittal but should go all the way across the top and not stop at either side of the window.
3. Make the top molding and all the trim and columns white to add definition, interest, and separate from the body color.
4. Make the trim around the large main group of windows, in the center of the 3-story building, continuous and go all the way around and consistent with the top molding.
5. Use siding (i.e., hard plank or similar material) on top 2 levels that is the same color as the proposed stucco/concrete color which ties into Safeway.
6. Use a contrasting window grille color. For the proposed black windows, use white window grilles instead of proposed dark brown throughout the building.
7. Use one color of brick for all brick work.
8. Make the main front door(s) bigger and more proportional to the size of the building.
9. Make the front columns larger so they are more to scale/proportional with building and entrance.
10. Add an awning on the right side that mirrors the one on the left.
11. Use an awning-style covering of appropriate size/scale for the front entrance instead of a second triangular peak.
12. Replace proposed brick planters with white planters that blend with gazebo.
13. Align the walkways (between large and smaller buildings) so that they are perpendicular to buildings.
14. All entrances of the smaller buildings should be identical.
15. Change design elements of the smaller buildings (style of column, color of windows grilles, peals, etc.) to make them consistent with changes to the larger building.
16. Provide revised Architectural Review Plan incorporating these changes to the Planning Commission prior to submission of the improvements Plans.

The entrance portico mimics the flanking awnings while duplicating the pitch of the larger roof gable. The center window wall depicts a logo of a flowing stream in the valley with the surrounding mountains. The large gable overhead contains an Indian sun symbol which aligns directly over the top of the stream and mountain artwork. The applicant feels that these symbols seem to describe the Middletown Valley to all that have lived or visited here. The items that were not changed include:

- 1.) Staying with EIFS and not lap siding on the building.
- 2.) Staying with the raised brick planters versus the white wood planters.

There was discussion about the back entrances to the front retail buildings which would most likely be closed to the public for security reasons, as well as discussion about the proposed sun symbol to be sited on the buildings.

**Action:** Commission member Lake motioned to approve the architectural renderings of the Hollow Creek Professional Center that have been provided; the motion was seconded by Commission member Miller. Motion carried (5-0).

2. **Architectural review** – A 3-D rendering of the proposed changes to the front pad site and the 3-story commercial building was shown during the Planning Commission workshops on June 16<sup>th</sup> and July 14<sup>th</sup>, 2021. The 3-D rendering showed the outdoor seating area, the garage doors to be used for the outdoor area, and the high ceilings throughout for the front retail/restaurant site, as

well as the changes to the rear commercial building including the balcony on the third floor and the elimination of the peaked roof. It was noted during the June workshop that due to the more contemporary look to the buildings, perhaps the font proposed for the signage at the front of the lot should be changed. It was also noted that the Planning Commission would like to see a complete package of the revised renderings and materials much like the architectural standards submittal from June 2020 for their review and approval.

3. **Additional renderings provided** – The applicant submitted a few more renderings of the proposed changes to the buildings in the development for the July workshop.
  - a. **Three-story office building** – The proposed changes to the 3-story office building include a reduction in the height of the building due to the removal of the hipped metal roof, and massing reduced due to the third story footprint being reduced with a balcony on the third floor. The metal awning on the first floor is now continuous the width of the building including over the entrance which is a change from the columned gable roof previously shown over the entrance doors. The awning is shown as champagne instead of green. On the second floor, the brick to either side of the windows above the entrance is shown as red brick instead of the previously white EIFS. There are changes to the windows above the entrance as well: gray framing instead of white, with gray grills instead of white in the window. The windows in the center gable align with windows on third floor where previously there was a sun symbol on the gable and no windows. The trim at the top of the second and third floors is now gray instead of white. The windows throughout have black mullions instead of white mullions, and the brick under the windows on the first floor of the building has been eliminated. The sides of the building are now flat instead of having a recessed area in the middle.
  - b. **Gazebo** – The gazebo and planters have been eliminated, and the applicant has stated that there will be a public art contest for a public art piece to be displayed within the spline between the buildings.
  - c. **Front restaurant/retail buildings** – The changes to the front pad sites were discussed in length at the June workshop. Changes include a central courtyard with a champagne-colored raised roof, a flat roof over the restaurant/retail buildings, large windows throughout, and garage-type doors at the entrance/exits to the courtyard. The brick to be used is the same color as the brick for the nearby Safeway building. The steel structure-type look on the buildings will be a patina bluish/green color. The bathroom windows will have partial natural lighting at the top, with the lower part of the windows coated for privacy. The fenced air handlers are shown outside of the bathroom locations instead of being proposed on the roof of the buildings.
  - d. **Retaining wall** – The retaining wall is now proposed to be a gray granite color with champagne-colored lettering.
4. **Renderings missing that had been included with the June 2020 submission** – The renderings that are missing that had been included with the June 2020 submission are the following: view looking north from front of restaurant/retail pad sites; view looking south towards front pad sites; east to west view; and the view from Manda Drive. If the materials to be used are different in terms of the primary brick and brick mortar for the commercial building, the metal roof color for the commercial building and restaurant/retail buildings, the colors of the EIFS used, the

brick for the retaining wall or the pavers for the spline between the parking areas, the building columns, or any changes to the signage lettering, color or lighting, then those specifications should be provided as well. It was stated during the workshop that the commission members would like to see renderings of each building from the four cardinal directions, as well as an aerial-type view of the property showing access to the buildings. The applicant stated that the 3D video being shown could be provided to the Town as well.

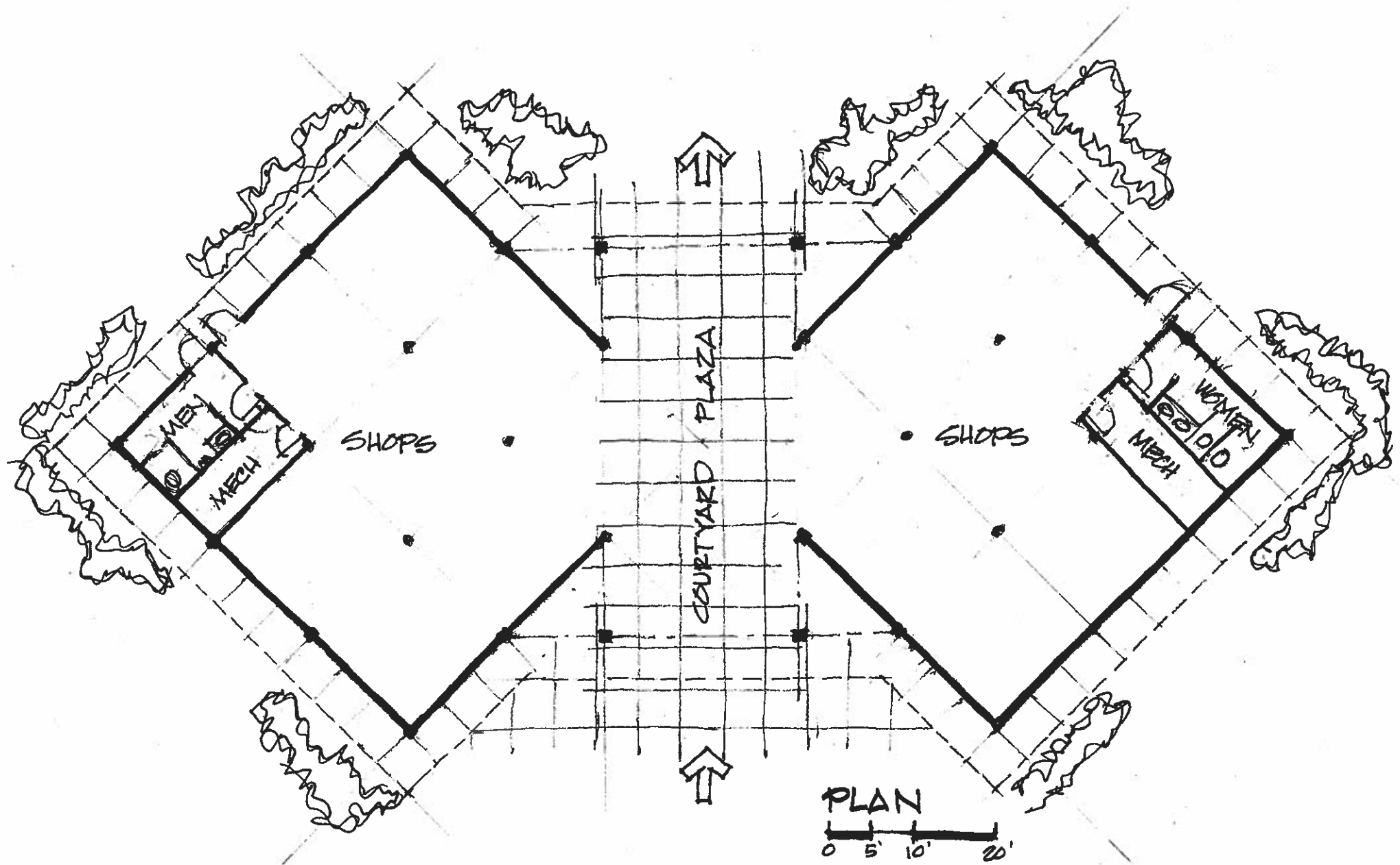
5. **Board of Appeals approval** - The Board of Appeals approved the variance request for the height of the three-story commercial building at their hearing on June 30, 2021. The request was to allow a height of forty-two feet six inches which exceeds the maximum height of 36-feet allowed in the GC General Commercial district. The previously approved height of the building was to be 52' 6".

#### **RECOMMENDATION**

**Staff recommends that the Planning Commission approve the Architectural Standards Package as presented by the applicant which includes renderings of building views, materials and colors to be used, and a 3D video depicting the buildings.**

This review will be included in the Middletown Planning Commission materials for the July 14, 2021 public workshop, and July 19, 2021 public meeting.

cc: Mark Lancaster, Lancaster Builders, Inc.



## HISTORY, HOUSING & POPULATION



### Introduction

#### Description of the Town & Regional Context

Middletown, located on the Maryland Historic National Scenic Byway, can be described as a historic small town which, over the last 35 years, has become increasingly linked with the Washington Metropolitan area as growth from this area has spread into Frederick County. It is included in the Heart of the Civil War Heritage Area, as designated by the State, and boasts a large number of historic residences along the Old National Pike. An especially unique characteristic of Middletown is the view from Braddock Mountain. Due to the inter-mountain terrain, many views of Middletown are available. Depending on traffic, both Baltimore and Washington are within an hour's drive from Town. Frederick County is considered part of the Washington Metropolitan Statistical Area, and has a County population of 228,856 (2006) persons according to the Frederick County Planning Department. This is expected to increase to 331,700 by 2040. Middletown is located 40 miles northwest of Washington D.C. and 45 miles west of Baltimore and has a 2020 population of 4,136 persons. The projected population for 2040 is 5,092 people.

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Middletown encompasses 1,350 acres and has the sixth largest population of 12 incorporated towns in Frederick County. It is largely a residential community within the agriculturally dominated Middletown Valley. Land uses near the Town include large scale residential development east of its border with agricultural and scattered residential north, west and south of the corporate limits. The downtown area includes small specialty commercial establishments and there is a small shopping center with a grocery store on the eastern edge of Town as well as a new shopping center with a CVS, restaurants, and other services. Frederick City provides a wide range of goods and services and is located 8 miles to the east over Braddock Mountain. Another city, Hagerstown (39,000 population), is located 14 miles west over South Mountain. Other incorporated areas in the Middletown Valley include Brunswick City (5,230 population), 8 miles south and Myersville (1,508 population), 5 miles north.

### **Historic Development**

Development in the Middletown Valley began about 1740 with English settlers. These were soon followed by German immigrants who came to dominate the Valley. The Town of Middletown was originally laid out by Michael Jesserong, who deeded building lots described as being in the Town of Middletown<sup>1</sup>. The origin of the name is unclear, perhaps owing to the central location of the Town in the valley between the Catocin and Blue Ridge (or South) Mountains. Middletown was incorporated in 1834 with Jacob Hoffman serving as the first Burgess.

### **HISTORICAL EVENTS**

Middletown has experienced many historical events that occurred during our nation's development. In 1755 Colonel George Washington accompanied General Braddock on the old Indian Trail that ran through the valley on his way to Fort Cumberland. Westward expansion occurred on Main Street including the construction of the Old National Pike in 1806 and in 1896 Car 11 of the Frederick Middletown Railway made its first run to Middletown. The Civil War brought both armies passing through Town on their way to the battles of South Mountain and Antietam. In the aftermath of those battles, Middletown opened its churches and homes to care for the wounded. Confederate General Jubal Early held the Town for ransom as recreated annually during the Heritage Days celebration.

<sup>1</sup> George C. Rhodenick, Jr., *The Early History of Middletown*, 1989

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## BYGONE BUSINESSES

In the early days, Middletown had large and thriving businesses owing a great deal to its location on the Old National Highway. At one time, Middletown was the voting place for the entire valley from the Mason-Dixon Line to the Potomac River. There were various trades and other business in addition to those serving the outlying agricultural area. Among the major businesses which were located in the Town were Hanover Shoe Company, the Valley Register Publishing Company,



C.F. Main & Sons Ice Cream, Gladhill Furniture, Southern States Co-op, the Granger's Mutual Insurance Company, the South Mountain Creamery, L.Z. Derr General Store, Shafer's Plumbing & Heating, American Store, Arnett's Grocery, and the Middletown Cannery. For a variety of reasons, most of these companies have closed.

Recent development trends in the Middletown area show development east and west of Town and continued low density residential development in the annexed areas that were previously zoned agricultural areas. Since 1972<sup>69</sup>, the corporate limits of Middletown have changed through both annexation and de-annexation of properties. As of July 2021, the land area of Middletown is 884 acres larger than the 1972<sup>69</sup> corporate limits, which was 502 acres.

In 2017, the Town commemorated its 250<sup>th</sup> anniversary of its official founding in 1767. The 250<sup>th</sup> Steering Committee was selected by the Burgess to create a way to celebrate this milestone. Generally, we think of events as a way to celebrate, but with the Heritage Festival already such a long-standing and prominent event that celebrates Middletown's Heritage, the Committee wanted to do something different and create products that would be relevant for the year, but also relevant for the longer-term growth of our Tourism economy.



To celebrate throughout the year, the Committee planned and executed monthly events called The Town Talks. These were monthly, interactive discussions or things to do to keep the public involved in the year long celebration. Each month covered a topic that was a historic theme relating to our history and development—the arts, architecture, dairy farming, education, African-American History, a town wide picnic in July, the National Road, and more. The discussion on the National Road was so well attended that a new event has sprung and we now annually have Vintage Vehicles in the Valley.

To use the 250<sup>th</sup> as an opportunity to long term tourism product(s), the converted an under-utilized room in Hall into a gallery with permanent interpretative panels explaining the

history via locations, people, and events. In addition, the Town converted an empty lot at the corner of Jefferson and Main Street and created Heritage Park, complete with landscape, hardscape, and another large interpretative panel that was installed on the side of 28 West Main Street. This intersection is the historic “square corner” of Town. It is now a focal point for town-wide events.

#### Heart of the Civil War Heritage Area

Middletown is part of the Heart of the Civil War Heritage Area, which stretches across much of western Maryland and provides recognition and funding for places whose history is intertwined with the Civil War. The Heritage Areas program encourages communities to identify, protect, and promote their unique heritage and to capitalize on that heritage through economic development tourism initiatives. State funds and assistance will be made available for interpretive and infrastructure improvements in State-approved heritage areas.

The Management Plan of the Heart of the Civil War Heritage Area (HCWHA) was adopted and made a part of the comprehensive plans of Carroll, Frederick and Washington counties in 2006 and included the Town of Middletown within the boundaries of the certified HCWHA. The

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HCHWA Plan recognized Middletown as the first Target Investment Zone (TIZ) for Frederick County, a designation indicating high potential for enhanced visitor services that creates opportunities for additional heritage area benefits. For the Middletown TIZ to be activated – and to receive the funding associated with having an active TIZ – the Town must submit a detailed work program showing how Heritage Area funds would be used. The Town endorses the Maryland Heritage Areas Authority's Management Plan for the Heart of the Civil War Heritage Area.

#### **JOURNEY THROUGH HALLOWED GROUND**

Middletown is also a part of the Journey Through Hallowed Ground National Heritage Area. Citizens wishing to become involved in the Town's historical heritage activities can contact the Middletown Valley Historical Society and the Central Maryland Heritage League both located in downtown Middletown.

#### **HISTORIC NATIONAL ROAD**

Middletown's Main Street is part of the Historic National Road. The National Road was the first major improved highway in the United States built by the federal government. Built between 1811 and 1837, the 620-mile road connected the Potomac and Ohio Rivers and was a main transport path to the West for thousands of settlers. When the National Road came through in the early 1800's, Middletown became a welcome respite between two steep mountain ridges. Harness, blacksmith and carriage shops joined the taverns and hotels that serviced the parade of travelers passing on Main Street. Locals began to refer to their street as "the main road from Baltimore to the western states." |

#### **Housing Goals:**

1. **Redevelopment or re-use of old homes.**
2. **Establish permanent work-force housing as a long-term housing strategy to meet the affordable housing needs of the Town's households that earn less than 60% of the median household income and thus face a high-cost burden.**



3. **Maintain quality and character of existing neighborhoods.**
4. **Encourage a variety of housing types to maintain the Town as an inter-generational community.**
5. **Remain flexible to accommodate changing housing needs over time in relation to both the production of new housing, preservation, and repurposing of existing units especially considering the aging trends in area population.**

### **Executive Summary**

In order to meet the housing goals above, the Town will need to:

1. Facilitate public awareness of the town's tax credit and technical assistance programs.
2. Promote renovation and rehabilitation of existing housing stock for both owner-occupied and renter-occupied units.
3. Continue to build relationships with builders and non-profit developers to increase the work-force housing stock.
4. Promote infill development and other redevelopment options for underutilized residential or commercial lots, and promote the infill of the existing Main Street district with business and high density residential uses.
5. Support a comprehensive land use pattern that encourages multiple housing types and varying densities.
6. Educate the community about the blighted property ordinance and any assistance programs that homeowners can apply for.
7. Work with Main Street Middletown to promote their book about Maintaining and Sustaining Middletown's Historic Architecture.

### **Goal: Redevelopment or re-use of old homes**

Roughly 24% of the housing in Middletown was built before 1970. Generally, structures over 50 years old can qualify as historic buildings provided other criteria are met. Exhibit \_\_ below shows the share of housing units in Middletown constructed in each decade. Since 1970, the largest

increase in housing units in one decade occurred between 2000 and 2009 when over 570 new housing units were built, for 33% of the town's total units. While a large percentage of housing in Town was built within the last twenty years, a major share of the Town's housing stock - 58.5% - is well within the age when major and costly functional and even structural improvements become necessary making it especially important that the economic vitality and income of local households grows overtime to ensure needed reinvestment in housing.

- 1. Facilitate public awareness of the town's tax credit and technical assistance programs.**
- 2. Promote renovation and rehabilitation of existing housing stock for both owner-occupied and renter-occupied units.**

#### Future Growth

The future growth of Middletown depends upon the development of housing and its availability in quantity and variety within a broad price range. The provision of areas, and the redevelopment and maintenance of attractive residential neighborhoods, protected from adverse effects of traffic and incompatible uses, are also considerations in the location of commercial and future growth of Middletown. No other element in the physical development of a community has such a direct influence of its future. For this reason, the Housing & Population Element is included within the framework of the Comprehensive Plan so that housing proposals can be fully integrated into community development proposals. This element focuses on the need for creating or preserving workforce housing and affordable housing for the lower income segments of the population in Middletown and offers possible solutions to any work force housing problems. Other factors, such as family income as correlated to age, and size of family, might corroborate the general statement that the elderly, the low income family and middle income families find it increasingly more difficult to purchase a home because of the rising cost of land and homes. Their ability to live and prosper in the Town is essential to the community's quality of life. Therefore, the Town should provide medium and low-income families with information on housing programs that can assist them in purchasing homes within the Town.

Past population trends and the forces which have influenced them should be examined to determine the nature and direction of growth in the future. Demographic information which explains the characteristics of the population is important to the planning process. One of the purposes of this

chapter is to look at past and projected growth trends and characteristics of the population. The past trends indicate a history of the pace of development. The projected population increases will help determine the level of future public service needed to serve the population. The population characteristics will help determine the type of facilities and services. The household characteristics describe the living conditions of the population.

The Land Use Article of the Annotated Code of Maryland was amended in 2019 to require that comprehensive plans contain a housing element. This element must address the needs for “affordable workforce” and “low-income housing”, where affordability is measured in relation to the Area Median Income (AMI), a measure set by the federal Department of Housing and Urban Development. The “area” in the term AMI, for Middletown, is meant to be the region of Washington’s suburbs: Washington-Arlington-Alexandria Metro. The median annual income for the region is \$129,000.

This section of Chapter 2 provides a summary and evaluation of existing conditions, with recommended housing goals and policies to follow. By way of introduction to the topic of affordability, Table \_\_ shows pertinent statistics on housing values and costs for owners and renters in Middletown.

Value, Costs, Income	
Owner Occupied Units	1,275
Median value, owner occupied unit	\$416,900
Median sale price	\$379,900
Median monthly owner occupied costs <sup>1</sup>	\$2,453
Renter Occupied Units	292
Median gross rent	\$1,366

<sup>1</sup> For households with a mortgage

Source: U.S. Census, American Community Survey (2015-2019), Source

for Median Sales Price, a composite of sale prices advertised in Summer of 2020

## Affordability in Middletown

A “housing cost burden” standard, from the U.S. Department of Housing and Urban Development, is the most frequently used measure of housing affordability in the United States<sup>2</sup>. According to the standard, households that are cost-burdened pay 30% or more of their gross income for housing expenses (such as

<sup>2</sup> This derives from the Brooke Amendment, Section 213(a) of the Housing and Urban Development Act of 1969, which amended the federal Housing Act of 1937. It capped the rent in public housing at 25% of a tenant’s income. It was revised to 30% in 1981 through another amendment. The 30% standard has since been commonly used as the criteria to measure the affordability of housing generally. This method of measuring housing affordability is mostly effective at describing the problem of affordability for the lower- and middle-income households. Households with higher incomes generally have the capacity to take on higher housing costs without impacting the ability to provide for the other necessities. It is in this way the standard can exaggerate the affordability problem so care must be taken to evaluate household incomes of those classified as “housing cost burdened”.



rent, mortgage, utilities, condominium and HOA fees, and taxes) and thus have difficulty affording other necessities such as food, clothing, transportation, and medical care. Not surprising then, those that are most cost burdened are those with the lowest incomes.

In Middletown, 34.6 percent of the Town's 292 renter households, or 97 households, pay more than 30 percent of their income on housing. This is considerably less than the State and region, where about 50 percent of renter households pay more than 30 percent. For owner households, 24.9 percent or 260 households pay more than 30 percent of their income on housing. Again, this is less than the State and region where 26.5 and 28 percent, respectively, pay more than 30 percent. Relative to the State and region, a lower share of the Town's households is burdened by housing costs.

Table \_\_ shows the distribution of the Town's households by income. The Town's median household income is \$97,730, meaning that one-half of all 1,567 of the Town's households have incomes below \$97,730 and one-half have incomes above \$97,730. At the outer ranges, 9.4% of Middletown's households earn less than \$25,000 per year and 26.5 percent earn more than \$150,000 per year.

Workforce housing is housing that is affordable for a household making between 60 and 120 percent of AMI. For Middletown this means an income of \$77,400 to \$154,800. Households making incomes in this range should be able to find an apartment that rents for less than 30% of their income, and they generally can in Middletown. On an annual basis this range implies that there is \$23,220 to \$46,440 per year available for gross rent or in monthly terms it means a rent payment of \$1,935 to \$3,870. Since the median monthly rent in Middletown is only \$1,366, rental housing in Middletown is very affordable to the workforce of the region<sup>3</sup>. The same applies with respect to owner occupied housing. At Middletown's current median sales price of \$379,000, a household would pay about \$2,453 per month in mortgage, insurance, and taxes, which again is very affordable to the region's workforce.

Low-income housing is housing affordable for a household making below 60% of AMI. A household earning below 60% of AMI has an income of \$77,400 or less. An affordable rental or owner-occupied unit house would therefore cost less than \$820 and \$1,472 per month, respectively. Housing in Town is often affordable to the region's low-income residents too.

### Population Projections

Population projections have been developed for the Town of Middletown in order to plan for the impact of growth on new facilities and to help define the extent of land use needed for development

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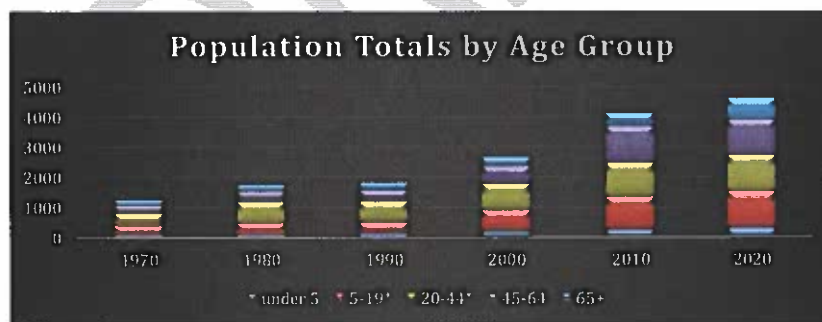
<sup>3</sup>

in the future. Projections are based on assumptions about the economy, public facilities, household size, and public policy. The projections are also based on past growth trends and possible building permit activity. All of these factors are subject to change over time and may exert pressure on other factors which could affect the extent of development. Further discussion of population projections is found in the Municipal Growth chapter of this document.

#### Population & Household Characteristics

Characteristics of the population are evaluated to determine trends which might indicate future service and facility needs to serve a certain population type. Changes in the structure of the Town may indicate a change in services such as an aging population requiring more senior citizen services. For this reason, comparison of previous Census information is presented where possible. Since 1970, the basic character of the Town in regard to age, race and sex has remained basically the same with a slight aging of the population. These figures are based on 2020 Census Reports, which are the latest available data.

TABLE 2-1  
POPULATION BY AGE





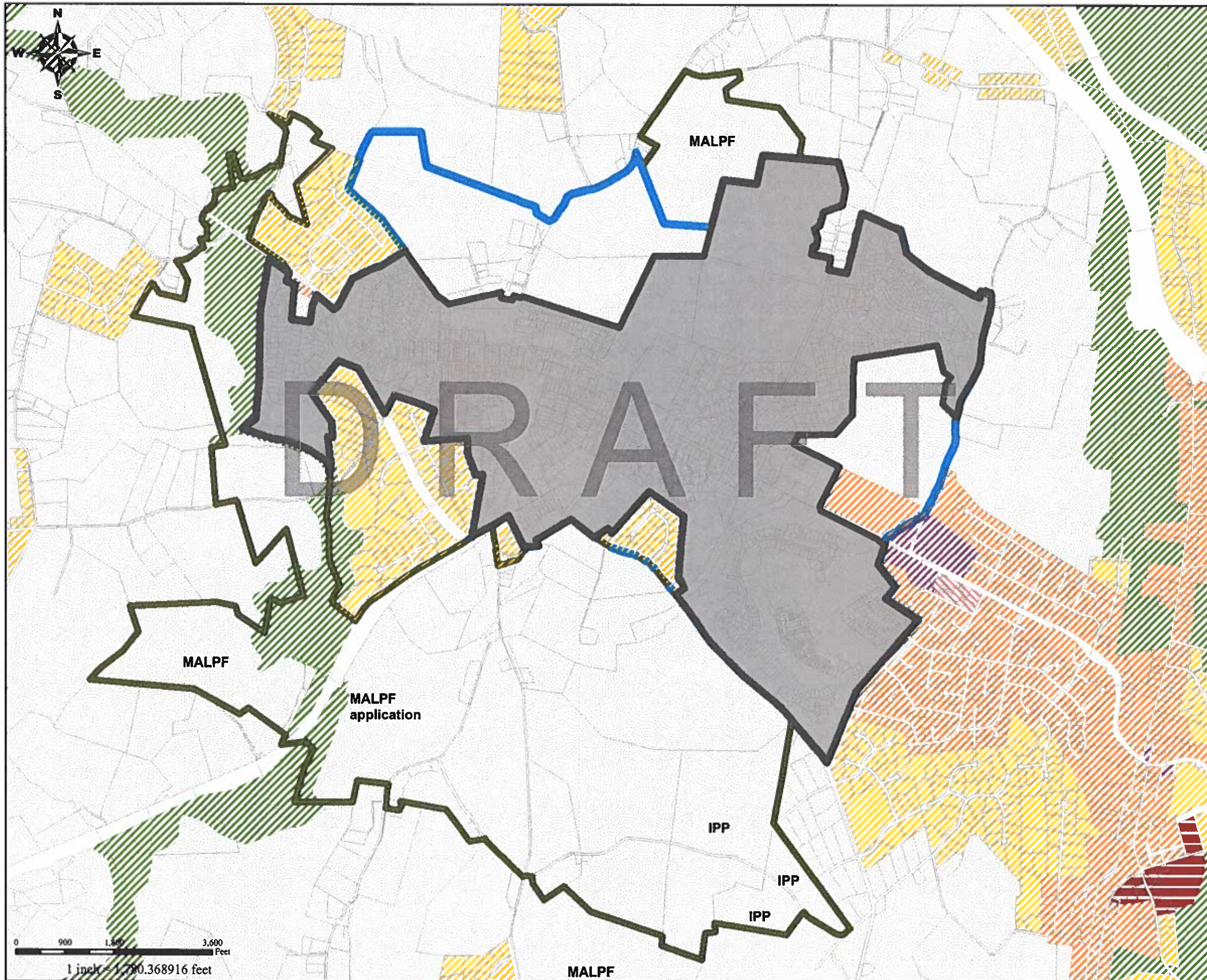


Figure 8-1  
07/09/2021

## Growth Boundary Map Middletown, Maryland



### Legend

- Town Boundary
- Growth Boundary
- Conservation Boundary
- County Zoning**
  - A - Agriculture
  - RC - Resource Conservation
  - R1 - Low Density Residential
  - R3 - Low Density Residential
  - R8 - Medium Density Residential
  - VC - Village Center
  - GC - General Commercial

This revised growth boundary is 116 acres less than the 2010 growth boundary.

**MALPF - MD Agricultural Land  
Preservation Foundation**  
**IPP - Installment Purchase Program**

Source: Middletown Planning Department.



## **Middletown Planning Office**

### **MEMORANDUM**

Date: 3/31/2021

To: Middletown Planning Commission

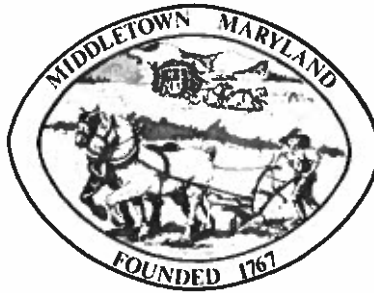
From: Cindy Unangst, Middletown Staff Planner

RE: **DRAFT ANNUAL REPORT**

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The following document is enclosed for your review and direction:

- Draft Annual Report for the year ending 2020, and all planning and zoning activity reflected for that year, conducted by the PC, staff, zoning administrator, and Board of Appeals. This report must be reviewed, and staff would request comments, especially on goals for the new year, before approving and forwarding to the Town Board for their information and submitting to the State and Frederick County.



## TOWN OF MIDDLETOWN PLANNING COMMISSION

### CERTIFICATE OF ADOPTION

IN ACCORDANCE WITH DIVISION 1, TITLE 1-207 OF THE LAND USE ARTICLE OF THE ANNOTATED CODE OF MARYLAND, THE PLANNING AND ZONING ENABLING ACT, THE TOWN OF MIDDLETOWN PLANNING COMMISSION OFFICIALLY ADOPTS THE FOLLOWING 2020 ANNUAL REPORT, FILING SAME WITH THE MIDDLETOWN BURGESS AND COMMISSIONERS AND THE SECRETARY OF STATE PLANNING.

TOWN OF MIDDLETOWN PLANNING COMMISSION

BY: \_\_\_\_\_

Mark Carney, Chairman

July 19, 2021

# MIDDLETOWN PLANNING COMMISSION

## 2020 ANNUAL REPORT

Approved \_\_\_\_\_, 2021 by Middletown Planning Commission

### **BURGESS & COMMISSIONERS**

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

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

Larry Bussard (4/2018-9/2020)

Richard Dietrick (4/2018-4/2022)

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

Tom Catania (4/2016-4/2020)

Jean LaPadula (4/2020-4/2024)

Andrew J. Bowen, Town Administrator

### **Middletown Planning Commission**

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

David Lake (1/2017-1/2022)

Bob Miller (5/2018-5/2023)

Rich Gallagher (12/2016-12/2021)

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

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

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

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

### **Middletown Board of Appeals**

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

Thomas Routzahn (1/2017-1/2020)

Tim Coakley (1/2017-1/2020)

Alex Kundrick (10/2019-10/2022)

Jean LaPadula (10/2019-4/2020)

Sean Mahar (6/2020-6/2023)

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

### **Planning Department Staff**

Cynthia K. Unangst

### **Town Zoning Administrator**

Mark Hinkle

### **Engineering Staff**

Bruce Carbaugh, Director of Public Works

J.R. Hawkins, Project Manager

## **INTRODUCTION**

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

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

### **POPULATION IN MIDDLETOWN**

<b><u>YEAR</u></b>	<b><u>POPULATION</u></b>	<b><u>INCREASE OR DECREASE</u></b>
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
2019 Estimate	4,514	75
2020 Estimate	4,516	2

\*Estimates are from Frederick County government staff

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

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

### **MIDDLETOWN PLANNING COMMISSION**

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

Planning Commission also makes recommendations to the Middletown Board of Appeals on cases involving special exceptions.

### **PLAN REVIEWS - 2020**

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

### **CONCEPT PLANS**

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

### **SITE PLANS**

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

### **MASTER PLANS**

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

### PRELIMINARY PLANS

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

### MASS GRADING/SWM PLANS

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

### IMPROVEMENT PLANS

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

### FOREST CONSERVATION PLANS

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

### SUBDIVISION PLATS

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

### ADDITION PLATS

<u>Name</u>	<u>Units</u>	<u>Zoning</u>	<u>Request for:</u>
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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 commented on to Burgess & Commissioners for adoption. (Municipal Code #)

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

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

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

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

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

## **INFRASTRUCTURE PROJECTIONS:**

### **TRANSPORTATION:**

Action taken by the Town in the year 2020 has been consistent with the Town Comprehensive Plan and best management planning practices.

The Town Comprehensive Plan includes roadway alignments both north and south of town that will be requirements of any future annexation agreements. It states that future development should incorporate roadway dedication and construction to provide minimum collector type road links from east to west. With the development of Foxfield Section 6, a section of northern alignment, west of Coblenz Road, will be built by the developer.

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

### **WATER SUPPLY AND DISTRIBUTION:**

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

#### **Middletown Water Capacity Calculations**

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

<sup>1</sup> Hollow Creek, Catocin Creek and Cone Branch Watersheds

<sup>2</sup> 2018 -2020

<sup>3</sup> Calculated (10% reserve + expected future demand)

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

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



### WASTE WATER TREATMENT FACILITIES:

The East Wastewater Treatment Plant (WWTP) on the south side of Holter Road at Hollow Creek is designed to process 350,000 gpd of sewerage. The current discharge permit for the plant is 250,000 gpd. The Town has requested from MDE an increase in our permit capacity to the full design capacity. Average daily flows for 2020 were 273,750 gpd. The discharge permit for the West WWTP at Catoctin Creek in the southwest section of Town is 250,000 gpd. Average daily flows for 2020 were 206,583 gpd. In calculating the capacity for the Town, the design and permit capacities were combined for an overall total of 600,000 gpd and 500,000 gpd respectively.

### **Middletown Wastewater Capacity Calculations**

	<b>East WWTP (gallons/day)</b>	<b>West WWTP (gallons/day)</b>
Annual Permit Limit	250,000	250,000
Current Sewer Demand (3-yr avg) <sup>1</sup>	267,000	301,000
Design Capacity	350,000	250,000
Percent Capacity	76.19%	120.32%

<sup>1</sup> 2018 -2020

### **Combined Capacity<sup>2</sup>**

Design capacity	600,000gpd
3-year average demand	567,473gpd
Percent capacity	94.5%

<sup>2</sup> Cone Branch Pump Station can send flows to either plant

In addition to asked for an increase in the permit at the East WWTP to the full design capacity, the Town is currently conducting an I&I Study to make recommendations on repairs and improvements. This I&I work is expected to substantially increase sewer capacity. Additionally, the three (3) year average will not include 2018 flows which were substantially higher due to an extremely wet year with rainfall significantly above a typical year. It is recommended that the Planning Commission limit the number of approved subdivision lots to no more than 110 lots to stay within the Town's design capacity until the completion of the I&I Study and Improvements are completed.

### PARKS AND GREENWAYS:

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

### PROTECTION OF HISTORIC STRUCTURES:

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

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

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

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

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

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

## **STRATEGIC PLANNING INITIATIVES**

### **ZONING ORDINANCE UPDATE**

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

### **COMPREHENSIVE PLAN REVIEW**

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

## **PLANNING COMMISSION RECOMMENDATIONS:**

### **ONGOING RECOMMENDATIONS:**

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

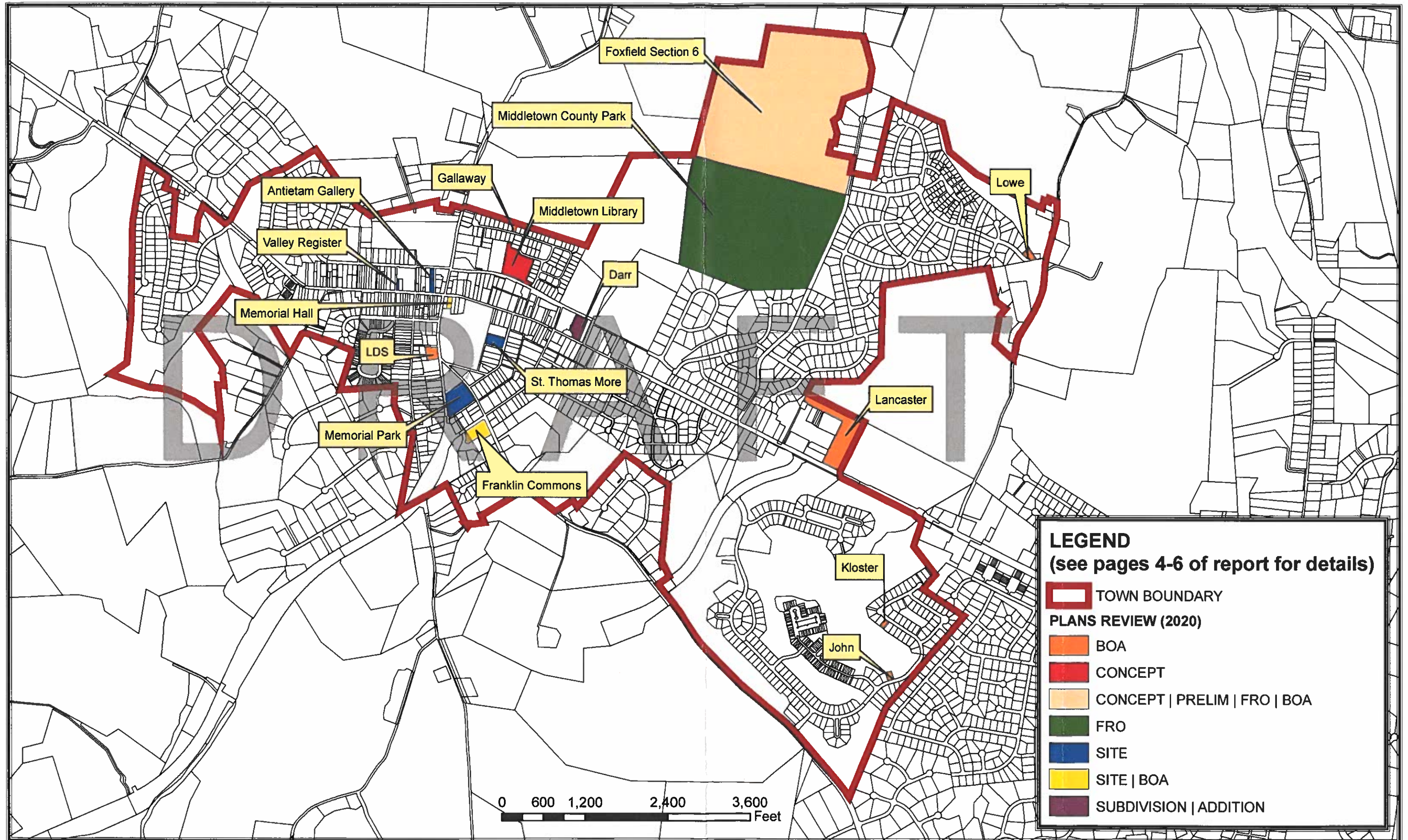
### **NEW RECOMMENDATIONS:**

1. Work with the Sustainability Committee on implementing energy-saving and renewable energy strategies and policies for the town.
2. Review policies that would provide guidance for sustainability and climate change resiliency as it effects the town and future annexations.
3. Develop a dark-sky policy for future and replacement lighting in the town.
4. Review and develop policies/regulations that would provide guidance for affordable housing and senior care centers.
5. Develop policies and design guidelines for review of architectural plans and for site plan reviews.
6. Work with Cable Committee to recommend locations for 5G antennas with input from Radio-Frequency engineers.

### Permits Issued

TYPE	2001	2002	2003	2004	2005	5 yr.	2006	2007	2008	2009	2010	5 yr.	2011	2012	2013	2014	2015	5 yr.	2016	2017	2018	2019	2020	5 yr.
Single - Family	75	106	92	45	22	340	30	31	12	17	23	113	10	12	5	8	4	39	8	25	28	23	0	84
Multi-Family	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	1	0	0	0	0	0	0
Duplex	0	0	0	0	0	0	1	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0
Townhouse	0	0	42	15	0	57	16	19	23	24	0	82	0	0	0	0	0	0	0	0	0	0	0	0
Apartments	0	1	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Interior Improvements	9	11	20	19	22	81	18	20	19	12	19	88	15	11	12	15	17	70	16	25	19	17	19	96
Additions	6	15	15	28	20	84	8	12	2	6	2	30	6	7	4	2	4	23	1	4	4	4	0	13
Pools & Hot Tubs	7	9	9	16	4	45	8	12	7	4	3	34	2	6	5	2	1	16	2	6	3	6	17	34
Decks & Porches	18	38	36	64	39	195	37	41	31	27	28	164	32	19	9	15	21	96	14	16	18	23	20	91
Accessory Structure	14	15	24	23	16	92	18	13	14	9	9	63	6	5	7	8	15	41	11	15	10	20	14	70
Fences	18	27	41	36	29	151	23	16	25	24	20	108	16	24	13	15	16	84	23	19	15	27	47	131
Demolitions	1	1	0	1	2	5	0	2	0	2	1	5	2	1	2	1	3	9	5	5	2	3	0	15
Propane Tanks	1	1	3	6	6	17	3	4	2	2	1	12	6	2	4	1	0	13	0	1	2	2	3	8
Trailers	3	2	0	0	3	8	0	0	0	0	0	0	0	0	0	0	0	0	2	0	1	1	1	5
Pump Station	1	0	0	0	0	1	0	0	1	0	0	1	0	0	0	0	0	0	0	0	0	0	1	1
Signs	8	6	4	4	7	29	5	7	2	5	6	25	7	8	6	10	8	39	3	4	7	6	3	23
Solar panels	0	0	0	0	0	0	0	0	0	0	0	0	0	0	4	37	20	61	25	7	8	4	4	48
New Commercial	2	4	0	0	0	6	0	0	0	0	1	1	0	0	2	0	2	4	1	0	4	2	2	9
Commercial Conversion	4	5	7	6	8	30	1	2	7	3	3	16	4	6	5	5	8	28	1	4	4	4	5	18
Industrial Conversion	2	0	0	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Office Conversion	4	4	0	1	4	13	14	3	0	5	2	24	0	3	0	0	3	6	0	1	3	1	0	5
Other								2	1	2	2	7	5	4	4	6	4	23	1	4	5	4	3	17
<b>Total Permits</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>	<b>147</b>	<b>140</b>	<b>669</b>





# Middletown 2020 Annual Report Map



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

**Regular Meeting**

**July 20, 2015**

The regular meeting of the Middletown Planning Commission took place on Monday, July 20, 2015 at 7:00 p.m. at the Middletown Municipal Center, 31 West Main Street, Middletown, MD 21769. Those present (quorum) were Commissioners Mark Carney (Chairman), Chris Goodman (Ex-Officio), Bob Miller, Bob Smart, and David Lake. Others present in official capacity: Commissioners Rich Gallagher (Alternate), Dixie Eichelberger (Temp. Alternate), Cindy Unangst (Staff Planner), and Annette Alberghini (Recording Secretary). Others present: Geoffrey Ciniero (CMS Associates LLC), and Ann Miller (Property Owner).

**I. PUBLIC COMMENT** – None.

**II. Regular Meeting Minutes of May 18, 2015** – Approved as submitted.

**III. PLAN Review**

**Miller Property Site Plan** – (Ann Miller (property owner), and Geoffrey Ciniero, representative for CMS Associates, L.L.C. (the developer) were present.) The Planning Commission reviewed the Concept Plan for the Miller property September 2013. This Site Plan includes the additional insets showing details for the utilities, stormwater management, grading, etc. per comments received from Frederick County and State Highway. The Site Plan was approved by State Highway. A stormwater management plan was approved by Frederick County. Lighting and signage will be included in the Improvement Plan. The buildings on the property pre-date the zoning ordinance and do not meet current setback requirements.

- **Parking** – Fifty two (52) spaces are provided on the plan. Based upon the proposed usage for the various buildings, the parking requirements per the Town Code would be much greater. The Planning Commission will waive the required number of parking spaces beyond the fifty two provided. The Planning Commission is asking the developer for a table as an addendum to the Site Plan which indicates the number of parking spaces proposed and the number required per the Town Code for the various uses. This table will also be included in the Improvement Plan. The applicant will provide the number of employees using the parking area for Phase 1 of the development
- **Building Usage** – The proposed restaurant will not utilize the whole building. The applicant must identify the total square footage to be used for the restaurant and the total square footage to be used by the proposed market.
- **Parking Spaces** – The site plan shows 52 parking spaces of varying sizes. Per the previous review, the Director of Public Works stated that wider aisles beside the shorter parking spaces in the revised plan would qualify for the same square footage.
- **Suggestions for the Improvement Plan** – It was suggested the applicant not limit their identified operation hours on the Improvement Plan. If the proposed business is open too late that could also have an impact as it is located next to a residential area.

**Action:** Commissioner Smart motioned to conditionally approve the Miller property Site Plan. Conditional upon the applicant providing a table with the requested parking data as an addendum as soon as possible or before the submission of the Improvement Plan and include with it the waiver of the required parking spaces based upon the information provided in that table. Seconded by Commissioner Goodman.

Motion carried (5-0)

#### **IV. ZONING**

**Political Signs** – The Staff Planner corresponded with Stuart Harvey of the Frederick County Board of Elections for input regarding political signs. Mr. Harvey stated that the State Highway Administration is very lax in enforcing any rules it has on this issue. He could not provide clear guidance as to how to proceed and referred the Town to seek input from the State Attorney General.

- **Zoning Code** - The Staff Planner provided information from the Frederick County Zoning Code, division 3, sect. 1-19-6.310 General Regulations,(E) which stated that each sign will be removed when the circumstances leading to its erection no longer apply. It was suggested to add this to the general sign regulations section of the Town Code. Subparagraph H of that same section of Frederick County code also states that each sign shall be located within the owner's property boundaries and not within the public right-of-way. This will also be added to the general sign regulations section of the Town Code.
- **Definition** – It was determined that the definition of a political sign is a sign for a legally recognized election at the municipality, County, State or Federal level or for Special Elections or Special Districts.
- **Violations** – If a resident is in violation of this code, the Planning Commission suggests leaving it to the discretion of the Zoning Administrator to resolve the issue.

The Staff Planner will bring this item before the Town Board for consideration.

**Subdivision Regulations Update Review** – Proposed changes to sections 16.28 and 16.32 took place at workshop. The Staff Planner presented the timeline for going forward with the changed to the subdivision regulations.

#### **V. MISCELLANEOUS –**

**Planning Commission Members Term of Office** – According to the Maryland Land Use Articles (Article 66B), the term of office for Planning Commission members is five (5) years. The Staff Planner will provide the Town Board this information.

#### **VI. ADDITIONAL PUBLIC COMMENTS – None.**

**Meeting adjourned at 7:35pm.**

Respectfully submitted,

Annette Alberghini  
Recording Secretary



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

**Regular Meeting**

**June 19, 2017**

The regular meeting of the Middletown Planning Commission took place on Monday, June 19, 2017 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, Dixie Eichelberger and David Lake. Others present in official capacity: Cindy Unangst (Staff Planner) and Annette Alberghini (Recording Secretary). Others present: Ann Miller (property owner), Geoffrey Ciniero (C.M.S. Associates), Jane Tamagna (town resident) and Parker Ranniger (town resident).

**JUNE MONTHLY PLANNING COMMISSION MEETING:**

**I. PUBLIC COMMENT – None**

**II. Regular Workshop Minutes of April 12, 2017 – Approved as submitted.**

**Regular Meeting Minutes of April 17, 2017 – Approved as submitted.**

**III. PLAN REVIEW**

**Miller Property Improvement Plan** – (Ann Miller (property owner), Geoffrey Ciniero (C.M.S. Associates, the developer), present). This is the proposed re-development of existing buildings in phases into new retail and/or restaurant uses. These improvement plans are for Phase III of the re-development project which includes the renovation of the existing main building, construction of a new brick patio in front of the existing building, installation of a new stormwater facility and associated piping, and construction of new grassed islands around the stormwater facility and building. The property is located at 121 and 203 East Main Street. The Site Plan was conditionally approved by the Planning Commission in July 2015. The stormwater management plan has been conditionally approved by Frederick County and the plans have been reviewed by State Highway. The applicant sent updated improvement plans and architectural drawings, but the staff planner did not receive them. Many of the suggested changes from the June workshop have been addressed on those plans and drawings. The zoning classification for the property needs to be indicated somewhere on the plans, per the staff report.

- **Parking** – The parking chart should be revised to indicate that of the total 53 spaces indicated, there are 3 handicap spaces and 50 regular spaces.
- **Lighting** – Current lighting associated with the site consists of flood lights directed to the interior of the lot from buildings located in the rear of the lot, and residential-type outdoor lights on the front of the old retail building in the front of the lot. The property owner states that the lighting will eventually change, but at the moment is not sure what it will be. Changes to lighting shall be approved by the Planning Commission and are typically shown on plans at the Improvement Plan stage.
- **Architectural Renderings** – The applicant had a copy of the updated architectural renderings and provided it to the planning commission to refer to in the discussion. It



was noted that any signage would have to go to the zoning administrator for approval. The applicant should submit architectural plans for the building renovations for review and approval to the Planning Commission.

- **Town Engineer Comments** – Copies of the Town Engineer's comments were sent to the developer to address. They were water and sewer comments.
- **Green Street Access** - Access to the property from the rear of the lot from East Green Street will be limited to commercial deliveries only. The applicant is currently working on addressing what type of gate/barrier to use. The fencing at the rear and side of the property will be improved to limit access points onto the rear of the property and to funnel foot traffic to more appropriate access points.
- **Neighbor Concerns** – Residents who reside on either side of the Miller property attended the meeting and voiced the concerns they had. Their concerns included traffic volume and parking, fencing materials used and its placement, lighting and how it would affect their personal property, business hours of operation, and noise volume from the new business. Many of their concerns could be addressed as part of the architectural review. The Staff Planner recommended that these neighbors sign up for the town's list serve for information regarding future meetings on this property development.

**Action:** Commission Member Miller motioned to conditionally approve the Miller Property Improvement Plan, conditional upon providing additional submittals and documentation addressing; the cover sheet update to reflect the correct number and type of parking spaces, zoning classification, architectural renderings, property lighting, town engineer comments, and East Green Street access. Seconded by Commission Member Eichelberger. Motion carried (4-0).

**Miller Property Demolition Plan** – (Ann Miller (property owner), Geoffrey Ciniero (C.M.S. Associates, the developer), present). This is the proposed removal of the large shed-like structure attached to the back of the main building (old retail building) and the removal of identified concrete structures near the main building. This is to be done to prepare for the re-development of the existing main building for future tenants and to address additional parking as part of the Phase III development. 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. The demolition plan was updated to reflect comments from the June workshop.

- **30 Day Submittal Requirement** – Town Code requires that demolition site plans be submitted 30 days prior to a regularly scheduled planning commission meeting. The demolition plan was submitted in conjunction with the Phase III Improvement Plan and does not meet this 30-day requirement. Since the proposed demolition involves a building facing the interior of the property, and cannot be seen from Main Street, the Planning Commission decided to continue the review and approval of this demolition plan.
- **Town Engineer Comments** – Copies of the Town Engineer's comments were sent to the developer to address.
- **Hazardous Material Inspection** - The property owner has had the proposed demolition area professionally inspected and no hazardous materials were identified. The Planning Commission asked that a copy of that report be sent to the town for review.
- **Demolition Hours** – Adjacent property owners asked what time of day the proposed demolition would take place and over what time period. The Planning Commission can include that information as part of its motion to approve.

**Action:** Commission Member Lake motioned to conditionally approve the Miller Property Demolition Plan conditional upon; addressing the town engineer comments, submitting a copy of the hazardous material report for town staff to review, and that demolition will take place between the hours of 8:00am and 5:00pm. Seconded by Commission Member Gallagher. Motion carried (4-0).

**IV. ZONING – None**

**V. MISCELLANEOUS**

**School Complex Roadway Improvements - Forest Preservation–** The Staff Planner reported that DNR has not replied to the question regarding monitoring and enforcement of the proposed forest preservation area identified as part of the school complex roadway improvement. Middletown follows guidelines set forth by the state of Maryland. Some municipalities have stricter guidelines that they follow. The Staff Planner will research this issue and provide feedback to the planning commission.

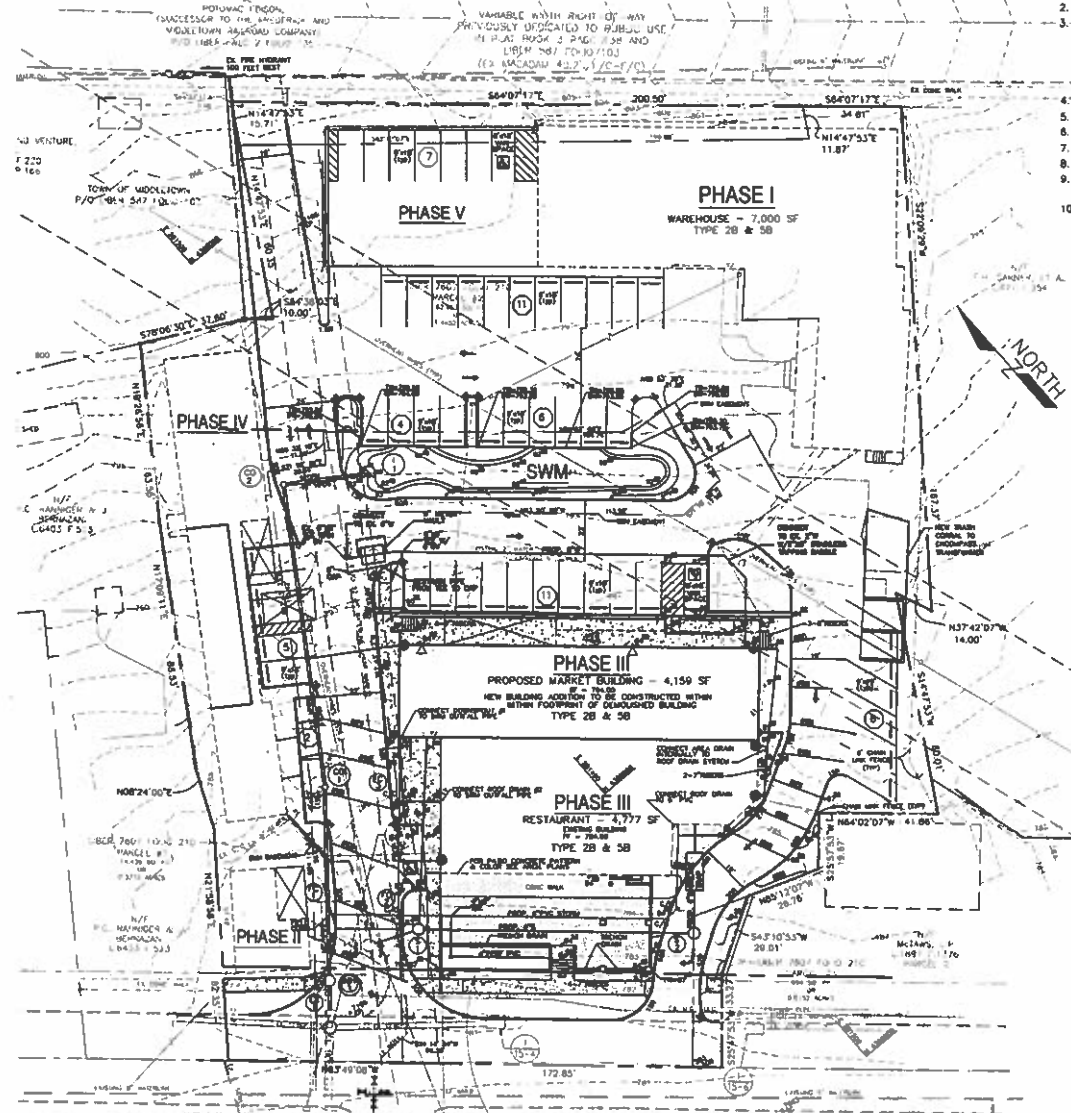
**VI. ADDITIONAL PUBLIC COMMENT – None.**

**Meeting adjourned at 8:12pm.**

Respectfully submitted,

Annette Alberghini  
Recording Secretary

# EAST GREEN STREET



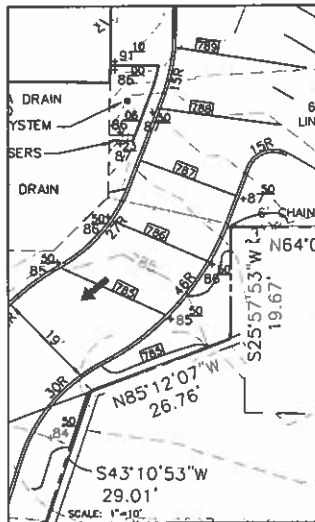
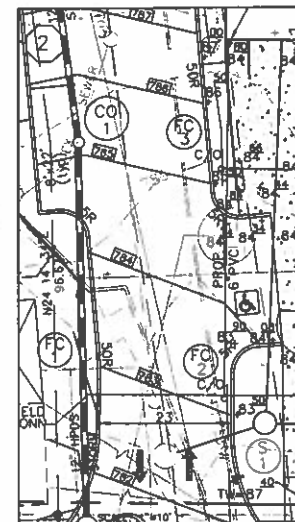
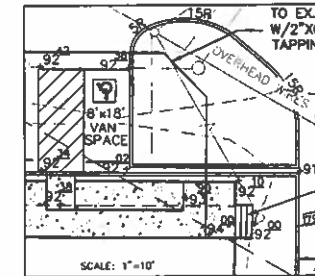
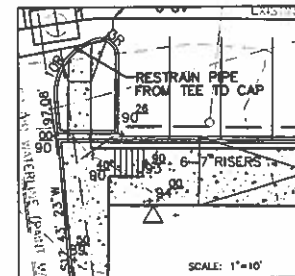
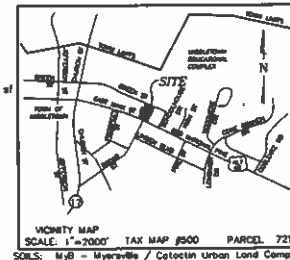
## EAST MAIN STREET

(U. S. ROUTE 40A; OLD NATIONAL PIKE)  
(EX MACADAM 51.7' F/C-F/C)  
(66' Right-of-Way)

SCALE: 1"=20'

### SITE ANALYSIS

1. SITE AREA: 1.839 Acres or 80,107 sf
2. EXISTING USE: Warehouse = 7,000 sf & Hardware Store 4,194 sf
3. PROPOSED USE: Phase I - Warehouse = 7,000 sf  
Phase II - Residential House = 1,200 sf  
Phase III - Restaurant/Market Cust. area = 4,194 sf  
Phase IV - Vacant  
Phase V - Vacant
4. WAREHOUSE EMPLOYEES: 8
5. PROPERTY ZONING: (TC) Town Commercial
6. MINIMUM LOT AREA: None
7. MINIMUM LOT WIDTH: None
8. FRONT YARD DEPTH: Determined by Planning Commission
9. SIDE YARD: 5 Feet (Adjacent to Residential side yard to equal to proposed building height)
10. REAR YARD: 25 Feet (Adjacent to Residential side yard to equal to proposed building height)



NOTES:  
CONTRACTOR IS RESPONSIBLE FOR ADJUSTING FRAME AND COVERS AND VALVE BOXES, AS NEEDED WHERE GRADE ELEVATIONS WILL CHANGE.

Professional Certification  
I hereby certify that these documents were prepared or supervised by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland.  
Signature: [Signature]  
Date: 03/19/2014

OWNER/APPLICANT  
MILLER COMMERCIAL PROPERTIES LLC  
8800 WILSONVILLE ROAD  
MIDDLETOWN, MD. 21769  
ATTN: ANN MILLER  
(P) (703) 803-9537

TOWN OF MIDDLETOWN PLANNING COMMISSION  
APPROVED: [Signature]  
DATE: 03/19/2014  
SHEET 1 OF 1  
FILE NO: 13-005

ARCHITECT  
SETH HARRY & ASSOCIATES, INC.  
605 MORGAN STATION ROAD  
WILSONVILLE, MD 21797  
TEL: 410-489-4235 FAX: 410-489-7554  
www.sethharry.com  
B. PROGRESSIVE AE

CIVIL ENGINEER  
CNS  
CNS ASSOCIATES LLC  
4925 Edis Lane  
Middletown, MD 21769  
Tel: (410) 808-3435  
Contact: Geoffrey L. Chelaro, PE  
www.cns-engineers.com

MILLER COMMERCIAL PROPERTY  
SITE PLAN  
121 & 203 EAST MAIN STREET  
TAX ID: 03-136094 & 03-136108  
TOWN OF MIDDLETOWN  
MIDDLETOWN ELECTION DISTRICT 3  
FREDERICK COUNTY, MARYLAND



PLAN NO: C-1  
SCALE: AS NOTED  
DATE: 03/19/2014  
SHEET 1 OF 1  
FILE NO: 13-005

**Town of Middletown Planning Department**

To: Burgess & Commissioners and Middletown Planning Commission

From: Cindy Unangst, Staff Planner

Date: 7/7/2021

RE: Monthly Planning Update – July

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**Major Subdivisions:**

**Foxfield Section 6 (Coblentz Road)** – Board of Appeals approved special exception use – August 31, 2020  
Forest Stand Delineation conditionally approved – December 21, 2020 (expires 12/21/2025)  
Preliminary Forest Conservation Plan approved – January 19, 2021  
Preliminary plat approved by PC – January 19, 2021 (expires January 19, 2024)  
**Next steps – submittal of Improvement plans for PC review**

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

**Caroline's View/Horman Apartments (East Green Street)**- Site Plan approved – April 21, 2008  
Improvement Plans conditionally approved – May 17, 2010  
Revised Improvement Plan mylars signed – July 21, 2017  
(new sunset provisions put in place on May 2, 2021 – plans expire May 2, 2024)  
**Next steps – submittal of LOCS/PWAs for approval and apply for building & grading permits**

**Cross Stone Commons (Middletown Parkway)** – Revised Site Plan conditionally approved – 10/20/14  
Improvement Plan mylars signed – November 6, 2015  
FRO plantings completed – December 23, 2019  
**Next step – submittal of architectural renderings for building #2 for review/approval**

**Hollow Creek Professional Center (Alt. 40A)**–  
Revised Site plan conditionally approved by PC – October 21, 2019 (Plans expire 10/21/22)  
Board of Appeals approved self-storage use – April 27, 2021 (Expires April 27, 2022)  
Architectural renderings approved by PC – June 15, 2020  
FRO plantings completed – March 23, 2021  
**Redline Site Plan conditionally approved by PC – June 21, 2021 (Plans expire 6/21/24)**  
**Revised architectural renderings submitted for review – June 7, 2021**  
**Next steps – approval of revised renderings by PC and then submittal of improvement plans**

**Franklin Commons (Franklin Street)** -  
Improvement plans conditionally re-approved – March 18, 2019 (Plans expire March 18, 2022)  
Redline drawings conditionally approved by PC – November 16, 2020

**Jiffas (Summers Drive)** – Forest Conservation Plan approved & Improvement Plan conditionally approved for commercial use – October 20, 2008 (new sunset provisions put in place on May 2, 2021 – plans expire May 2, 2024)  
Architectural plans approved by PC for duplex – March 16, 2015  
BOA approval for variance requests for duplex – March 29, 2016 (Expired March 29, 2017)  
**Next step – apply for variance requests for siting of duplex building**



**Memorial Hall Redevelopment Plan (E. Main St)**– conditionally approved by PC – December 21, 2020  
(expires 12/21/23)

**Middletown County Park (Coblentz Road)** – FSD and FCP approved – Feb. 17, 2020 (expires 2/17/25)

**Middletown Library (E. Green Street)** –Revised Concept plan reviewed – December 21, 2020  
Site Plan and Architectural Renderings approved by PC – March 15, 2021(expires March 15, 2024)  
Lighting Plan approved by PC – April 19, 2021

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

**Middletown Water Storage Tank (Ashky Ct.)** – FRO plantings completed – May 18, 2021

**Miller Property (East Main Street)** –  
Phase III Redline Site & Improvement Plans conditionally approved – Sept. 16, 2019

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

**Newton (800 E. Main Street)** – addition plat approved by PC – June 21, 2021

**Richland Driving Range (Glenbrook Drive)**–  
Revised Site Plan conditionally approved – January 15, 2018 (Plans expired January 15, 2021)  
Improvement Plans reviewed and tabled by PC – September 17, 2018

**Next step – re-submittal of site plans for review and approval**

**School Complex roadway plans (Schoolhouse Drive)** – Improvement plans and FCP plans reviewed &  
approved by Town Board – May 8, 2017 (informed June 2017 funding was not approved for project)  
SWM plans re-submitted to Frederick County and SCD for review/approval – 8/3/17  
(Planning Commission reviewed plans as courtesy to Town Board. No expiration date of approval  
due to type of plans – i.e., no structures, etc. – just changes to roadways, sidewalks.)

**St. Thomas More Academy Site Plan revision (Prospect St)** –  
Revised site plan approved – September 21, 2020 (Expires September 21, 2023)  
Revised site plan to be revisited in five years – September 2025

#### **Annexations:**

**A.C. Jets Property-** Petition for annexation of 144 acres with R-20 and GC zoning– May 10, 2021

**Admar Property** – PC approval of consistency with zoning/comp plan – February 20, 2017  
Town Board passed annexation resolution – April 9, 2018 - **Five-year wait for lot recordation**

**Text Amendments:** Temporary sign regulations – Cindy working on this with town attorney

**Reports:** Annual Planning & Zoning Report – due July 1, 2021

#### **Grants:**

**Meetings:** Next Middletown Green Team Meeting – July 20, 2021

**Next Joint town board/planning commission workshop** – Monday, December 6, 2021



**Town of Middletown**  
**Zoning Administrator Monthly Staff Report**

**To:** Burgess and Commissioners

**From:** Mark Hinkle, Zoning Administrator

**Date:** June 30, 2021

**RE:** Monthly Zoning Administrator Staff Report for June 2021

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**BOA Hearings:** June 30, 2021 – Lancaster – Variance to allow a 42' tall building in a commercial district.

Scheduling two more for July 21, 2021

**Storage Container & Dumpster Permit:** 100 Prospect Blvd – POD and 213 Linden Blvd - POD

**Home Occupation Permit:** None

***Zoning Violations and Complaints:***

- 1/14/2019 – 819 East Main Street, BB & T bank – Complaint received about unscreened dumpster, investigated, and sent letter. Spoke with branch manager and agreed to allow them an extra 30 days so they can deal with their headquarters in North Carolina. The dumpster became obvious once the property next to them was cleared. Spoke with construction company and advised them what would be needed to be properly screened. ***Plan being submitted to headquarters in North Carolina to correct issue. On hold due to Parking lot realignment efforts. Spoke with facilities maintenance 10/7/2019 and they are waiting on a decision on the lot realignment before moving forward. 5/31/21 BBT will be updating their signage to Truist.***
- 4/24/2019 – 5 East Main Street, Subway – Deteriorating signpost and signage for business no longer on site, letter sent, spoke with owner. Subway will be assigning a new Franchisee in the next 6 months and they plan on renovating and improving the building and signage at that time. ***Working toward renovation of building and signage at same***

*time. 7/15/2020 reached out again to check status of project and updates, no response. 4/12/2021 and 5/5/2021 letters of violation sent again. Sending letter to owner to advise that the sign and post will be removed by Town staff if action is not taken. Looking for verification that staff is able to accomplish that.*

- 5/26/21-213 Liden Blvd.-Moving pod in front yard, investigating- **Permit issued for POD, owner is being deployed**
- 6/18/21-Dunkin Donuts-Flag signs on poles-Investigating and will update during meeting.

**Miscellaneous:**

- Working with owner of Church St. Business Center regarding questions about change of tenant.
- Addressing multiple residence questions regarding setbacks etc.
- Received a request as to whether permits had been issued for Richland Golf driving range, as of yet, no plans have been submitted

**Permits:**

June 2021 Zoning Certificates	Address	Permit #	M-town Received	M. Hinkle Approved	County Approval
Keele-Interior renovations	8 Larch Ln.	348986	6/1/2021	6/3/2021	Yes
Purdy-Deck	4 Manda Ct.	348992	6/1/2021	6/3/2021	Yes
Routzahn-Interior work fire related	400 E. Main St.	350440	6/8/2021	6/9/2021	Yes
Stuart-Bathroom	7 Gladhill Dr.	350447	6/8/2021	6/9/2021	Yes
Wise-Fence	211 W. Main St	Town	6/10/2021	6/11/2021	No
Jackson-Shed	30 E. Main St.	Town	6/7/2021	6/11/2021	No
Hodor-Bathroom	706 Glenbrook Dr.	353026	6/14/2021	6/14/2021	Yes
Henry-Pool	15 Woodmere Cir.	351674	6/16/2021	6/18/2021	Yes
Watkins-POD	100 Prospect St.	Town	6/21/2021	6/21/2021	No
Cunningham-POD	213 Linden Blvd.	Town	6/21/2021	6/23/2021	No
Tamana-Darr-Solar	519 W. Main St	354545	6/25/2021	6/25/2021	Yes
Johnson-Deck	5 Hollow Creek Cir.	354605	6/15/2021	6/25/2021	Yes
Kimmel-Porch	327 S. Church St.	354758	6/11/2021	6/14/2021	Yes

## MEMORANDUM

To: Middletown Planning Commission members  
Annette Alberghini  
Drew Bowen  
Burgess Miller

From: Cynthia K. Unangst, Staff Planner

Date: July 14, 2021

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### **Middletown Planning Commission Terms**

**Mark Carney**, Chairman (12/2016 – 12/2021) began service 3/2000

**David Lake** (1/2017-1/2022) began service 1/2007

**Bob Miller** (5/2018-5/2023) began service 5/2008

**Rich Gallagher** (12/2016 – 12/2021) began service 2/2011

**Jean LaPadula**, Town Board liaison (4/2020-4/2024) began service 4/2020

**Eric Ware, Alternate** (2/2021-2/2026) began service 12/2018

**Robert Wilkes – Temporary Alternate will finish Eric Ware's term of office** (6/2017-5/2022) began service 5/2021

### **2.16.020 - Composition.**

**The commission shall consist of five members appointed by the burgess with confirmation by the commissioners, each to serve five years, or until a successor takes office. In addition, the burgess and commissioners may designate one alternate member to the commission who may sit on the commission in the absence of any member of the commission. When the alternate is absent, the burgess and commissioners may designate a temporary alternate to sit on the commission. The alternate and temporary alternate will serve for five years from the date of original appointment.**