



# Middletown

## VIRTUAL MEETING AGENDA FOR THE TOWN MEETING

August 10, 2020

7:00 p.m.

### PLEDGE TO THE FLAG

### CALL TO ORDER

### PERSONAL REQUESTS FOR AGENDA:

### CONSENT AGENDA

- Financial Statements <sup>1</sup>
- Town Meeting Minutes
  - July 27, 2020 – Town Meeting <sup>2</sup>

### UNFINISHED BUSINESS:

- Community Parks & Playgrounds – Priority List for Projects <sup>3</sup>
- Comprehensive Plan – Chapter Review <sup>2</sup>
- Discussion of Community Groups Budget Funding <sup>2</sup>

### REPORT OF COMMITTEES:

- |                               |                         |
|-------------------------------|-------------------------|
| • Water/Sewer                 | Commissioner Falcinelli |
| • Public Works                | Commissioner Bussard    |
| • Sustainability              | Commissioner Dietrick   |
| • Planning Commission Liaison | Commissioner LaPadula   |
| • Parks & Recreation          | Commissioner Goodman    |
| • Public Information          | Commissioner Falcinelli |

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# Identifies the Number of Times the Item has been on a Town Workshop and/or Town Meeting Agenda

## NEW BUSINESS:

- **Design Proposal for Wiles Branch Park Stream Restoration** <sup>2</sup>
- Request for Handicap Space – 10 Boileau Court <sup>2</sup>
- **Introduction of Ordinance 20-08-01 – Building Height Definition Amendment** <sup>2</sup>
- **Review of Preliminary Design for Washington Street – Streetscape** <sup>2</sup>
- **Review of Middletown’s Emergency Plan** <sup>2</sup>
- Discussion of Use of Municipal Center for Organizations <sup>2</sup>
- Discussion of Main Street Sidewalk Inspections <sup>2</sup>

## PUBLIC COMMENTS:

## ANNOUNCEMENTS:

- *Please Complete Your Census Information*

## ADJOURNMENT

## EXECUTIVE SESSION

*Employee Salaries*

### **Zoom Invitation Information:**

**Topic: Town Meeting - August 10, 2020**

**Time: Aug 10, 2020 07:00 AM Eastern Time (US and Canada)**

### **Join Zoom Meeting**

**<https://us02web.zoom.us/j/85998582600?pwd=bnlMcVl1ZWVRK2pGVmVBcHdmcng1dz09>**

**Meeting ID: 859 9858 2600**

**Passcode: 329217**

**One tap mobile**

**+13017158592,,85998582600#,,,,,0#,,329217# US (Germantown)**

**+13126266799,,85998582600#,,,,,0#,,329217# US (Chicago)**

**Dial by your location**

**+1 301 715 8592 US (Germantown)**

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

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

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

**Meeting ID: 859 9858 2600**

**Passcode: 329217**

**Find your local number: <https://us02web.zoom.us/j/85998582600?pwd=bnlMcVl1ZWVRK2pGVmVBcHdmcng1dz09>**

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Town of Middletown  
Statement of Revenue & Expenditures  
General Fund  
Fiscal Year 2020  
For the 11 Months Ended May 31, 2020

	<u>ANNUAL BUDGET</u>	<u>YTD ACTUAL</u>	<u>OVER (UNDER) BUDGET</u>
<b><u>REVENUE</u></b>			
<b><u>LOCAL TAX</u></b>			
Real Property	\$ 1,326,170	\$ 1,369,232	\$ 43,062
Tangible Personal Property	56,392	50,709	(5,683)
Franchise (Cable)	54,750	39,217	(15,533)
Penalties & Interest	<u>11,201</u>	<u>9,725</u>	<u>(1,476)</u>
	\$ 1,448,513	\$ 1,468,883	\$ 20,370
<b><u>STATE SHARED TAX</u></b>			
Admission & Amusement	\$ 28,339	\$ 28,847	\$ 508
Highway Gasoline & Licenses	<u>225,440</u>	<u>139,308</u>	<u>(86,132)</u>
	\$ 253,779	\$ 168,155	\$ (85,624)
<b><u>COUNTY SHARED TAX</u></b>			
Income Taxes	\$ 1,118,764	\$ 882,059	\$ (236,705)
Tax Equity Grant	<u>674,672</u>	<u>674,672</u>	
	\$ 1,793,436	\$ 1,556,731	\$ (236,705)
<b><u>LICENSES AND PERMITS</u></b>			
Business / Traders	\$ 4,900	\$ 1,893	\$ (3,007)
Planning / Zoning Fees	<u>13,574</u>	<u>9,230</u>	<u>(4,344)</u>
	\$ 18,474	\$ 11,123	\$ (7,351)
<b><u>PARKS AND RECREATION</u></b>			
Pavillion Fees	<u>\$ 3,046</u>	<u>\$ 2,069</u>	<u>\$ (977)</u>
	\$ 3,046	\$ 2,069	\$ (977)
<b><u>POLICE PROTECTION</u></b>			
State Grant	<u>\$ 26,197</u>	<u>\$ 23,955</u>	<u>\$ (2,242)</u>
	\$ 26,197	\$ 23,955	\$ (2,242)
<b><u>MISCELLANEOUS</u></b>			
Bank Shares Grant	\$ 2,500	\$ 1,491	\$ (1,009)
FredCo Reccling Reimbursement	8,060		(8,060)
Miscellaneous & Donations	<u>5,000</u>	<u>2,029</u>	<u>(2,971)</u>
	\$ 13,060	\$ 2,029	\$ (11,031)
<b>OPERATING REVENUES</b>	<b>\$ 3,556,505</b>	<b>\$ 3,232,945</b>	<b>\$ (323,560)</b>
State Grants & Interest	\$ 64,382	\$ 26,846	\$ (37,536)
<b>TOTAL REVENUE</b>	<b>\$ 3,620,887</b>	<b>\$ 3,259,791</b>	<b>\$ (361,096)</b>

Town of Middletown  
**Statement of Revenue & Expenditures**  
 General Fund  
 Fiscal Year 2020  
 For the 11 Months Ended May 31, 2020

	<u>ANNUAL BUDGET</u>	<u>YTD ACTUAL</u>	<u>OVER (UNDER) BUDGET</u>
Legal - Development			
Legal - Ordinances	9,395	1,657	(7,738)
	\$ 26,895	\$ 19,157	\$ (7,738)
 <b><u>PLANNING &amp; ZONING</u></b>			
Salary & Fees	\$ 66,630	\$ 61,442	\$ (5,188)
Other Expenses	2,529	3,939	1,410
	\$ 69,159	\$ 65,381	\$ (3,778)
 <b><u>MAIN STREET PROGRAM</u></b>			
Manager Salary	\$ 48,914	\$ 45,454	\$ (3,460)
Town Contribution	10,000	10,000	
Main Street Capital Purchases	6,900		(6,900)
	\$ 65,814	\$ 55,454	\$ (10,360)
 <b><u>PUBLIC SAFETY</u></b>			
Fire Dept. Donation	\$ 20,000	\$ 20,000	
School Crossing Guards	29,961	12,314	(17,647)
Community Deputy Program	388,063	290,319	(97,744)
	\$ 438,024	\$ 322,633	\$ (115,391)
 <b><u>SANITATION &amp; WASTE REMOVAL</u></b>			
Resident Trash & Yard Waste	\$ 290,811	\$ 253,529	\$ (37,282)
 <b><u>RECREATION AND CULTURE</u></b>			
Park Salary	29,961	31,910	1,949
Maintenance & Repairs	50,478	21,320	(29,158)
Mowing	37,547	33,930	(3,617)
Park Electric	7,172	10,689	3,517
Remsberg Park - Interest	918	16,391	15,473
Remsberg Park - Principal	81,448	81,448	
	\$ 207,524	\$ 195,688	\$ (11,836)

Town of Middletown  
**CIP Funds & Expenditures**  
 General Fund  
 Fiscal Year 2020  
 For the 11 Months Ended May 31, 2020

	<u>ANNUAL BUDGET</u>	<u>YTD ACTUAL</u>	<u>OVER (UNDER) BUDGET</u>
<b>OPERATING REVENUE</b>			
Revenue	\$ 3,556,505	\$ 3,232,945	\$ (323,560)
<b>OPERATING EXPENSES</b>			
Expenses	3,106,214	2,506,096	(600,118)
<b>OPERATING SURPLUS (DEFICIT)</b>	<u>\$ 450,291</u>	<u>\$ 726,849</u>	<u>\$ 276,558</u>
<b><u>OTHER FUND</u></b>			
POS - Development	\$ 64,382	\$ 25,000	\$ (39,382)
Community Legacy Grants		2,000	2,000
RETAINED EARNINGS	418,612		(418,612)
Interest	1,421	1,846	425
Improvement Fees	<u>259,000</u>	<u>7,000</u>	<u>(252,000)</u>
<b>TOTAL OTHER FUNDS</b>	<u>\$ 743,415</u>	<u>\$ 35,846</u>	<u>\$ (707,569)</u>
<b>TOTAL FUNDS AVAILABLE</b>	<u>\$ 1,193,706</u>	<u>\$ 762,695</u>	<u>\$ (431,011)</u>
<b><u>CIP PROJECTS &amp; PURCHASES</u></b>			
Broad Street Reconstruction	\$ 111,000	\$ 19,426	\$ (91,574)
Washington Street Engineering &	15,000		(15,000)
Boileau Court - TCS	120,000	29,783	(90,217)
Martha Mason Drive - TCS	12,600		(12,600)
Manda Drive - TCS	95,000	60,822	(34,178)
Manda Court - TCS	52,000		(52,000)
Schoolhouse Drive - TCS	30,000		(30,000)
LED Pedestrian Signs	45,000	26,707	(18,293)
Remsberg Park - Walking Trail Pa	65,842	86,142	20,300
Remsberg Park - Bleacher Repair	20,000	29,721	9,721
Remsberg Park - Parking Lot		19,307	19,307
Remsberg Park - Bathroom			
Municipal Center - HVAC Replacem	51,765	33,606	(18,159)
Municipal Center - ADA Improve	30,000	5,868	(24,132)
Maintenance Facility at EWWTP	106,000		(106,000)
IT Computer Equipment Lease	<u>37,000</u>	<u>42,265</u>	<u>5,265</u>
<b>OPERATING &amp; CIP SURPLUS (DEFICIT)</b>	<u>\$ 1,193,706</u>	<u>\$ 762,695</u>	<u>\$ (431,011)</u>
Cash Reserves	\$ 568,285	\$ 259,936	\$ (308,349)
<b>TOTAL CASH SURPLUS</b>	<u>\$ 1,761,991</u>	<u>\$ 1,022,631</u>	<u>\$ (739,360)</u>

Town of Middletown  
**STATEMENT OF REVENUE and EXPENDITURES**  
**WATER & SEWER**  
**Fiscal Year 2019**  
**For the 11 Months Ended May 31, 2020**

	ANNUAL BUDGET	YTD ACTUAL	OVER (UNDER) BUDGET
<b><u>REVENUE</u></b>			
Water Revenue	\$ 623,593	\$ 504,853	\$ (118,740)
Sewer Revenue	627,213	497,255	(129,958)
Penalties/Reconnects	13,584	12,628	(956)
Rain Barrel Sales	1,000		(1,000)
General Fund Grant/Misc			
<b>TOTAL OPERATING REVENUE</b>	<b>\$ 1,265,390</b>	<b>\$ 1,014,736</b>	<b>\$ (250,654)</b>
 <b><u>EXPENDITURES</u></b>			
<b><u>ADMINISTRATIVE</u></b>			
Office Salaries	\$ 33,963	\$ 31,283	\$ (2,680)
Communications	12,409	9,184	(3,225)
Postage	8,173	8,000	(173)
Office Supplies/Expense	11,560	7,245	(4,315)
Legal - Other	9,800	5,405	(4,395)
Meetings & Seminars	3,500	3,928	428
Advertising	500		(500)
Uniforms	2,835	2,861	26
Dues/Subscrip/Certifications	500	599	99
Travel	200	7	(193)
Payroll Taxes	22,027	22,369	342
Insurance - Prop. & Liability	8,958	11,395	2,437
Insurance - Workers Comp	6,616	13,534	6,918
Insurance - Health	37,474	35,663	(1,811)
Retirement/Pension	11,007	13,661	2,654
Real Estate Taxes	292	389	97
Rain Barrel/Educational Programs	2,000		(2,000)
I & I Loan Principal and Interest	32,927	32,497	(430)
Sub-Total	\$ 204,741	\$ 198,020	\$ (6,721)
<b><u>Vehicles &amp; Equipment</u></b>			
2016 Truck (Pearl)	\$ 2,400		\$ (2,400)
2008 Truck (Hightman)	7,300	3,228	(4,072)
2012 Truck (Miller)	2,400	2,441	41
2013 Truck (Walt)	5,300	2,875	(2,425)
2015 Meter Van	3,500	1,041	(2,459)
Misc Equipment		2,331	2,331
Bobcat Mini-Excavator		805	805
Case Backhoe	3,000	358	(2,642)
Sub-Total	\$ 23,900	\$ 13,079	\$ (10,821)

Town of Middletown  
**CIP FUNDS and EXPENDITURES**  
**WATER & SEWER**  
**Fiscal Year 2020**  
**For the 11 Months Ended May 31, 2020**

	<u>ANNUAL BUDGET</u>	<u>YTD ACTUAL</u>	<u>OVER (UNDER) BUDGET</u>
<b><u>FUNDING SOURCES</u></b>			
Operating Revenue	\$ 1,265,390	\$ 1,014,736	\$ (250,654)
Operating Expenses	<u>1,199,795</u>	<u>1,074,798</u>	<u>(124,997)</u>
<b>OPERATING SURPLUS (DEFICIT)</b>	<b>\$ 65,595</b>	<b>\$ (60,062)</b>	<b>\$ (125,657)</b>
Cash Reserves	\$ 800,079	\$ 910,187	\$ 110,108
Debt Service Fee - New Homes	160,800	122,606	(38,194)
Capital Improvement Fees	178,800	138,567	(40,233)
Inflow & Infiltration - Reserve A	200,000	68,750	(131,250)
Tap Fees	666,000	18,000	(648,000)
Water Tower & Land Leases	195,669	167,877	(27,792)
Main Street Waterline Loan	853,871	230,399	(623,472)
Reservoir Tank Loan	<u>1,984,146</u>	<u>51,390</u>	<u>(1,932,756)</u>
<b>TOTAL OTHER REVENUE</b>	<b>\$ 5,039,365</b>	<b>\$ 1,707,776</b>	<b>\$ (3,331,589)</b>
<b>TOTAL FUNDS AVAILABLE</b>	<b>5,104,960</b>	<b>1,647,714</b>	<b>(3,457,246)</b>
<b><u>DEBT SERVICE COSTS</u></b>			
<b>Principal Payments</b>			
MDE - East WWTP	\$ 239,265	\$ 225,530	\$ (13,735)
Main Street Waterline Loan	138,165		(138,165)
Reservoir Loan	<u>43,598</u>		<u>(43,598)</u>
<b>TOTAL DEBT SERVICE COSTS</b>	<b>\$ 421,028</b>	<b>\$ 225,530</b>	<b>\$ (195,498)</b>
<b><u>WATER &amp; SEWER PROJECTS</u></b>			
Main Street Waterline	\$ 853,871	\$ 447,007	\$ (406,864)
Reservoir Improvements	2,274,095	134,873	(2,139,222)
BS - Upgrade; Pumps; VFDs, Piping	48,500	36,153	(12,347)
Inspection Vehicle (Subaru)	30,000	27,672	(2,328)
Water Meter Replacements	65,250	15,982	(49,268)
West WWTP - Curtain Replacement	25,000		(25,000)
West WWTP - Roof Replacement, Adm	16,000	15,750	(250)
Sewer Push Camera	11,000	9,957	(1,043)
Inflow and Infiltration	250,000	6,872	(243,128)
Water Distribution		<u>43,597</u>	<u>43,597</u>
<b>TOTAL WATER &amp; SEWER PROJECTS</b>	<b>\$ 3,573,716</b>	<b>\$ 737,863</b>	<b>\$ (2,835,853)</b>
<b>TOTAL FUNDS REMAINING</b>	<b><u>\$ 1,952,272</u></b>	<b><u>\$ 1,135,381</u></b>	<b><u>\$ (816,891)</u></b>

Town of Middletown  
**STATEMENT OF REVENUE and EXPENDITURES**  
**WATER & SEWER**  
**Fiscal Year 2019**  
**For the 11 Months Ended May 31, 2020**

	<u>ANNUAL BUDGET</u>	<u>YTD ACTUAL</u>	<u>OVER (UNDER) BUDGET</u>
<b>Wastewater Treatment Plants</b>			
<b>East Wastewater Treatment Plant</b>			
Supplies	\$ 5,576	\$ 11,880	\$ 6,304
Repairs & Maintenance	23,100	13,874	(9,226)
Chemicals	44,133	38,258	(5,875)
Tools & Equipment	3,414	1,196	(2,218)
Testing & Analysis	27,789	20,430	(7,359)
Sludge Hauling Expense	<u>60,336</u>	<u>47,700</u>	<u>(12,636)</u>
Sub-Total	\$ 164,348	\$ 133,338	\$ (31,010)
<b>West Wastewater Treatment Plant</b>			
Supplies	\$ 2,378	\$ 849	\$ (1,529)
Repairs & Maintenance	17,600	4,962	(12,638)
Chemicals	57,862	38,225	(19,637)
Tools & Equipment	1,426	3,949	2,523
Testing & Analysis	9,908	7,492	(2,416)
Sludge Hauling Expense	<u>17,250</u>	<u>15,812</u>	<u>(1,438)</u>
Sub-Total	\$ 106,424	\$ 71,289	\$ (35,135)
<b>Sewer Electric</b>	<b>\$ 94,395</b>	<b>\$ 53,797</b>	<b>\$ (40,598)</b>
<b>TOTAL SEWER EXPENSES</b>	<b>\$ 601,008</b>	<b>\$ 487,110</b>	<b>\$ (113,898)</b>
<b>TOTAL WATER/SEWER EXPENSES</b>	<b>\$ 1,199,795</b>	<b>\$ 1,038,452</b>	<b>\$ (161,343)</b>
<b>CONTINGENCY FUND - 3.5%</b>	<b>\$ 41,993</b>	<b>\$ 36,346</b>	<b>\$ (5,647)</b>
<b>ADJUSTED WATER/SEWER EXPENSES</b>	<b>\$ 1,241,788</b>	<b>\$ 1,074,798</b>	<b>\$ (166,990)</b>
<b>NET INCOME (LOSS)</b>	<b>\$ 23,602</b>	<b>\$ (60,062)</b>	<b>\$ (83,664)</b>

**BURGESS AND COMMISSIONERS  
OF MIDDLETOWN MARYLAND**

**TOWN WORKSHOP MEETING MINUTES  
VIRTUAL MEETING**

**REGULAR MEETING**

**July 27, 2020**

The virtual regular meeting of the Burgess and Commissioners of Middletown was called to order on July 27, 2020, by Burgess Miller at 7:00 p.m. Present were: Commissioners Larry Bussard, Christopher Goodman, Jennifer Falcinelli, Jean LaPadula and Rick Dietrick.

**PERSONAL REQUESTS FOR AGENDA:**

**MVAA Request for Installation of Scoreboard at Remsberg Park** – MVAA is interested in having the scoreboard the Town received from Middletown High School placed at Remsberg Park. It has been repaired and is in working order. Although MVAA plans on having a football season, they have not heard whether FCPS will have a season or not. MVAA would like to move football games to the field at Remsberg Park. Currently games help on FCPS property cost approximately \$1200/day. If held at Remsberg Park monies raised could go back into the park maintenance. Drew reviewed an overhead aerial of Remsberg Park and where the scoreboard could be placed. Town engineers would have to design the footings and they could be poured by Town employees. The placing of the scoreboard would require the use of a crane to lift into place. Preliminary costs for that have been estimated to be \$3000-\$5000 to erect. An electrician would have to advise as to the best way to run electricity to the scoreboard once installed. There are currently enough spaces on the panel at the park for the scoreboard. The Town Board would like to know what the total costs for this installation would be. MVAA was hoping that the costs would be shared with the Town. MVAA was instructed to have other plans if the costs to place the scoreboard at its preferred location was too costly. Frederick County will be contacted regarding the permitting process for the scoreboard.

MVAA requested if the Town would provide assistance in moving the storage sheds they have at the Middletown Community Park. MVAA has been notified that the area will be closed for renovations by the County. They would like the Town to move 1 of the sheds closer to the County Park batting cages, and that a second shed could be moved to Remsberg Park so that soccer teams can use them. The Superintendent of Streets and Parks will review the situation and give his opinion to MVAA. It was noted that due to COVID-19 the town is working with split crews so that must be taken into consideration. MVAA has until September 30<sup>th</sup> to move the sheds.

**CONSENT AGENDA:**

- **Town Meeting Minutes**
  - *June 13, 2020 – Town Meeting*

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

**UNFINISHED BUSINESS:**

**Speed Sign Data Review**

- **Tobias Run** – The 5-days of speed sign data collected for Tobias Run was reviewed. 872 vehicles were recorded. The average speed was 14mph. The 85<sup>th</sup>% speed was 19mph. The highest recorded speed was 28mph.
- **South Jefferson Street** - The speed sign data collected for South Jefferson Street northbound traffic was reviewed. 1390 vehicles were recorded. The average speed was 17mph. The 85<sup>th</sup>% speed was 25mph. The highest recorded speed was 45mph. The Thursday traffic was high due to construction on Main street and traffic being diverted onto South Jefferson.

There is no information on Deputy activity in each neighborhood currently. It was noted that Deputy Chudoba did spend time with the children on Tobias Run talking about bike and road safety. The solutions for each neighborhood would be different depending on the identified issues.

Lacey Gordon, 101 Tobias Run, stated that the speed limit on Tobias Run needs to be reviewed, and the safety of the children crossing the street to go to the playground with no crosswalks in place is another issue. Burgess Miller mentioned several options that could be put in place on Tobias Run. These included: installing “Children at Play” signs and 25mph signs, temporary speed bumps could be installed (and removed in the winter) and crosswalks could be added at identified intersections. Raised speed humps could not be installed (budget constraints). Temporary speed bumps are 4 inches tall and could be installed on streets 22 feet wide or larger. The Town currently has enough for 3.

Jessica Moore, 10 Tobias Run, asked if the speed sign could be moved to measure the speed of those leaving the neighborhood. People tend to speed as they drive toward Glenbrook Drive to exit Tobias Run.

Susan Powell, 108 Tobias Run, asked if it was possible to install multiple speedbumps and crosswalks for safety. Commissioner Falcinelli stated that currently Town policy does not allow multiple speed bumps. The policy would have to be amended to allow that to occur.

Jonathan Pembroke, 18 Tobias Run, asked if it was possible to install painted rumble strips instead of speed bumps. He is willing to get cost estimates for the Town.

**Motion:** Commissioner LaPadula motioned for the Town to install 3 crosswalks at the identified intersection of Tobias Run next to the park. Seconded by Commissioner Goodman. Motion carried (5-0).

Discussion of if the stop sign at the end of Tobias Run leading into the cul-de-sac could then be removed. It was determined that it could lead to right-of-way confusion at that intersection and its removal would be a safety hazard.

Evan Moore, 10 Tobias Run, asked if there is any notification when new signs are installed. New signs are flagged so they are noticed.

**Motion:** Commissioner LaPadula motioned for the Town to install 2 stop signs at the identified intersection of Tobias Run next to the crosswalks. Seconded by Commissioner Dietrick. Motion carried (5-0).

Commissioner Falcinelli stated that the Town will need criteria on temporary speed bumps. Commissioner Bussard asked if the residents had spoken with their neighbors who had been speeding. That is what prompted this agenda item. Residents are trying to take mitigating steps to reduce the safety hazard. The Tobias Run neighborhood will wait for the rest of the speed data collected to see if lowering the speed limit is warranted.

**South Jefferson Street** – Speed limit signs have been installed. Speed sign data for south bound traffic on South Jefferson Street will be captured in “stealth mode”. Any other action will be determined after the August workshop.

**Discussion of Speed Control Measures for Tobias Run/Traffic Mitigation Speed Policy** – The Town Board reviewed a draft policy developed by Burgess Miller. It organizes and formalizes many of the informal practices currently in place. Steps 1-3 can occur concurrently. The speed sign can be moved unless it is currently in use somewhere else. The goal is to have the issue addressed within a 6-week time frame.

**Motion:** Commissioner Falcinelli motioned to approve the Traffic Speed Mitigation Policy as presented. Seconded by Commissioner Dietrick. Motion carried (5-0).

Mrs. Lain, 330 Ingalls Drive, stated she was glad to see the speed study done on Route 17 North and that the 85% speed was 38mph. Speed is still up, so how can ticketing speeders be enough. Since Route 17 I a State road the Town is limited in what it can do.

#### **NEW BUSINESS:**

**Request from Glenbrook Residents for Additional Stop Sign on Glenbrook Drive at Hollow Creek Circle** – The Town has received 12 emails requesting a stop sign at the intersection of Glenbrook Drive and Hollow Creek Circle.

Colleen Sherman, 2 Hollow Creek Circle, stated that once drivers pass the golf course, they speed down the rest of Glenbrook Drive. There is a need for an additional stop sign at that intersection to slow this from happening.

It was noted that Glenbrook Drive is designated a collector road so there are other things the Town must consider. Glenbrook Drive was added to the list of streets using the speed sign to gather data.

**Bee City USA Resolution** – This is a mechanism for the Town to be recognized for what has happened and planned to happen regarding to promote pollinator habitats within Town limits. The language came from Bee City USA. It incorporates more integrated pest management strategies. One of the advantages is a decrease in the amount of mowing that the Town does. The Burgess and Commissioners would be the sponsors for the Town. Middletown Pollinator Conservation efforts would be coordinated with the Department of Public Works. The cost is \$100 per year for the designation. The Sustainability Committee would identify potential habitat areas, like Cone Branch pocket park.

**Motion:** Commissioner Dietrick motioned to approve Resolution No. 20-05 as presented. Seconded by Commissioner LaPadula. Motion carried (5-0).

**MML Statement on Racial Justice Endorsement** – The Town Board is tabling the MML statement endorsement and is creating one of their own. Commissioners Falcinelli and LaPadula have taken the lead on this. Commissioner LaPadula reviewed the draft statement they had created. One of the goals is to incorporate this into Chapter 1 of the 2020 Comprehensive Plan thereby giving this statement more weight. It is complementary to the vision statement. The timing for this is right. The Planning Commission will review and discuss this statement and provide input to the Town Board.

**PUBLIC COMMENTS:** None.

**ANNOUNCEMENTS:**

- *Please Complete Your Census Information* – Residents will now have to mail in their information.

Meeting adjourned at 9:54 PM.

Respectfully submitted,

Annette Alberghini,  
Office Manager



Larry Hogan, Governor  
Boyd Rutherford, Lt. Governor  
Jeannie Haddaway-Riccio, Secretary  
Charles Glass, Deputy Secretary

June 2020

Dear Maryland municipal corporations and Baltimore City,

The Maryland Department of Natural Resources is now accepting grant proposals for the Community Parks and Playgrounds Program (CP&P). These proposals will be reviewed and considered for inclusion in the Department's FY 2022 capital budget request.

Maryland's CP&P Program is designed to restore existing and create new park and green space systems in Maryland's cities and towns. The Community Parks and Playgrounds Program provides flexible grants to municipalities to respond to the unmet need for assistance to rehabilitate, expand or improve existing parks, create new parks, develop environmentally oriented parks and recreation projects, or purchase and install playground equipment in older neighborhoods and intensely developed areas throughout the state.

The CP&P Program FY 2022 Grant Proposal Guide and all application materials are available at <http://dnr.maryland.gov/land/Pages/ProgramOpenSpace/PPP-Grant-Process.aspx>. If you would like to apply for CP&P project assistance, please complete the following items: Grant Proposal List, Community Parks and Playgrounds Application and Project Agreement, Project Details, and Supporting Documents. Please e-mail all required forms and attachments by 3:00 p.m. on August 26, 2020 to the program administrator for your County.

After reviewing the online information, if you have any questions concerning the Program or would like a printed copy of the materials, please contact your Program Administrator on the following list. We look forward to working with you to enhance the quality of life in your communities through environmentally sustainable park and recreation facilities.

Sincerely,

Carrie R. Lhotsky  
Grants and Stewardship Manager  
Land Acquisition and Planning

# Chapter 1 INTRODUCTION

## *Vision Statement for the Town of Middletown*

Middletown is a historic small town with strong community spirit. The small town, family-friendly essence of Middletown is valued, as are those aspects that contribute to maintaining that which makes the Town unique while giving access to more urban amenities. The diversification of the economy and opportunities for growth will be pursued with thoughtful planning and citizen involvement. Stewardship of the environment and preservation of our heritage are embraced as we strategize for the future. The historic town center of Middletown will be the social and cultural heart of the community and neighborhoods will exude a small-town charm where people feel safe and secure.

## **PURPOSE OF THE PLAN**

The Middletown Comprehensive Plan provides a framework to guide future decision-making concerning growth, development and the provision of public services. The Plan for the Town reflects the community values of its residents and elected officials. These values are expressed through the Plan's goals and objectives which envision a desired future condition for the community. The goals and objectives are the basis for recommendations contained in the Plan and are the basis for future actions the Town will take regarding development proposals, rezonings, annexations and public works projects.

The adoption of a Comprehensive Plan is important in that it provides the framework for consistent decisions. The Plan gives succeeding administrations a better idea of what values have been expressed through the public planning process.

The Comprehensive Plan (Comp. Plan) has value to the staff planner, the Town Planning Commission, the Board of Appeals, the Burgess and Commissioners, and the citizens of the Town of Middletown. The staff planner uses the Comp. Plan to evaluate land use proposals and to inform property owners about appropriate areas for development. The Planning Commission uses the Comp. Plan to review the present conditions and evaluate proposed land use proposals and projections of future growth of the Town. It also evaluates its progress on issues identified in the Comp. Plan. The Board of Appeals uses the Comp. Plan in approving special exception applications and considers the Comp Plan when attaching conditions that protect the resident's property rights and welfare. The Burgess and Commissioners use the Comp. Plan to make decisions which are consistent with the adopted course of sustainable development and growth of the Town. Citizens can use the Comp. Plan to judge the decisions of the planning bodies and elected officials, and to gauge the progress made in important areas of growth and development. Equally important is the coordination with County planning efforts since much of the public facility planning efforts, such as parks, schools and libraries, are controlled at the County level.

Coordination with the Town's Comp. Plan will enable the County to provide public facilities sufficient to meet the needs of the Town.

The Comprehensive Plan is also used to coordinate planning activities with other levels of government and regional planning agencies.

**MARYLAND LAND USE ARTICLE**

The state of Maryland requires comprehensive plans to be updated at specified intervals and each municipal comprehensive plan is to include elements that align with the state's core growth and development visions.

These 12 core growth and development visions from the state are as follows:

1. A high quality of life is achieved through universal stewardship of the land, water and air resulting in sustainable communities and protection of the environment;
2. Citizens are active partners in the planning and implementation of community initiatives and are sensitive to their responsibilities in achieving community goals;
3. Growth is concentrated in existing population and business centers, growth areas adjacent to these centers, or strategically selected new centers;
4. Compact, mixed-use, walkable design consistent with existing community character and located near available or planned transit options is encouraged to ensure efficient use of land and transportation resources and preservation and enhancement of natural systems, open spaces, recreational areas, and historical, cultural, and archeological resources;
5. Growth areas have the water resources and infrastructure to accommodate population and business expansion in an orderly, efficient, and environmentally sustainable manner;
6. A well-maintained, multimodal transportation system facilitates the safe, convenient, affordable, and efficient movement of people, goods, and services within and between population and business centers;
7. A range of housing densities, types, and sizes provides residential options for citizens of all ages and incomes;
8. Economic development and natural resource-based businesses that promote employment opportunities for all income levels within the capacity of the State's natural resources, public services, and public facilities are encouraged;
9. Land and water resources, including the Chesapeake and coastal bays, are carefully managed to restore and maintain healthy air and water, natural systems, and living resources;
10. Waterways, forests, agricultural areas, open space, natural systems, and scenic areas are conserved;
11. Government, business entities, and residents are responsible for the creation of sustainable communities by collaborating to balance efficient growth with resource protection; and
12. Strategies, policies, programs, and funding for growth and development, resource conservation, infrastructure, and transportation are integrated across the local, regional, state, and interstate levels to achieve these visions.

In 2006, the Maryland General Assembly enacted legislation that affects the laws governing municipal annexation and the makeup of municipal and county comprehensive plans. HB 1141,

Land Use-Local Government Planning, amended Article 23A (which provides most of the powers and limitations for municipalities in MD) and the Land Use Article (formerly Article 66B), Annotated Code of Maryland. It created new responsibilities for municipalities and counties related to annexations, and established new mandatory elements in all municipal and county comprehensive plans. A few of the legislation's key components are listed below.

1. Every municipal comprehensive plan must have a Municipal Growth Element and annexations must be consistent with these elements.
2. All municipal and county comprehensive plans must have a Water Resources Element.
3. Sensitive Areas Elements must address agricultural and forestlands intended for resource protection or conservation as well as wetlands.

## GOALS

All successful planning begins with an idea of a desirable end result. These desired end results are the goals toward which actions are directed. The goals provide the framework for policies and objectives to carry out the goals. The framework for the Plan can be stated in the five major goals below:

### A. Provide for Quality Living Environment

Preserve and promote quality residential developments with adequate provision of public facilities and services and explore opportunities for safe and affordable housing. In addition, new development should be directed to designated development areas and shall be encouraged only where it can be served at a satisfactory level by existing or planned public improvements including roads, sewer, schools, water and park facilities. It is essential that in order to promote and ensure a quality living environment, improvements to the transportation system must be made. Specifically, extension of the Middletown Parkway to address traffic coming from the west should be kept as a priority in Town and County plans. (State visions #'s 3, 4, 5, 6, 7, 12)

### B. Protection of Important Natural Resources and Historic Landmarks

The Town should require that the adverse impacts on the environment from development, including the impact on provision of public utilities, be minimized. It is important that the Town continue to ensure that flooding and erosion control steps are taken and that stormwater management and sediment control regulations are followed. The Town should also encourage the preservation of unique or historic landmarks, protection of the Town watershed and protection of Catoctin Creek and its tributaries. Promote concepts of a sustainable community to meet the needs of the present while ensuring that future generations have the same or better opportunities. (State visions #'s 1, 9, 10, 12)

### C. Encouragement of Sound Economic Base

The Town should provide for a variety of commercial and industrial areas which will be located to minimize the impact on adjoining land uses. It may also be helped by actions and recommendations of Main Street Middletown. The Town's natural and historic assets should also be fully utilized by encouraging tourism through promotions such as the

Heart of the Civil War Heritage Area. The Town will provide for an efficient and streamlined development review process. (State visions #'s 8, 11, 12)

D. Management of Middletown's Future Growth

The Town should ensure that its future growth is managed properly, per the Town's residential and commercial growth policies, by requiring new development provide the necessary water and sewer resources, traffic impact studies and subsequent needed improvements to the Town's transportation infrastructure, and recreational resources for the Town's residents, as determined by the Planning Commission and the Town Board. Additionally, developments will receive a set number of permits per year. (State visions #'s 2, 3, 4, 5, 6, 11, 12)

E. Sustainability of Middletown's Future Growth

The Town of Middletown is committed to fiscally, socially and environmentally responsible land use development. Sustainable development integrates the needs of the Town and its residents in the present generation without sacrificing the ability of future generations to meet their needs by balancing the economy, society and the environment in the process. In looking towards the future, the Town of Middletown will strive towards sustainable living and planning. (State visions #'s 1, 4, 5, 9, 10, 11, 12)

## **PLANNING IN MIDDLETOWN**

This document is structured around 9 major components; population and housing, physical features, sensitive areas, water resources, sustainability, municipal growth, land use, transportation and community facilities. Each of these components is a chapter in the Plan. Chapters 2 through 9 include background information, issues, objectives, policies, and implementation recommendations. The implementation recommendations include specific actions which are necessary to carry out the goals and objectives of the Plan. This Middletown Comprehensive Plan is the fifth comprehensive update since the original Master Plan was adopted in 1969.

Prior Middletown Comprehensive Plans sought to achieve a diversified community which avoided mixed land uses, provided easily accessible recreational facilities, and encouraged industrial and commercial development. The Plans also intended to provide for improved traffic patterns including a parkway around the downtown area. The Plans also intended for schools to serve as activity centers.

Some of the goals of the previous Plans were achieved in the segregation of new residential development from other commercial and industrial uses. In addition, this residential development became a larger share of the Town's total land use acreage. However, other goals of the Plans were not achieved such as the provision of a complete parkway around Middletown or generally improved transportation patterns.

## **NEEDS AND OPPORTUNITIES**

The Needs and Opportunities section addresses what the Town of Middletown needs to

make it what it wants to become and what it currently lacks to achieve its vision. This section also showcases existing opportunities available within the community which should be utilized and supported to implement the vision.

Middletown held a community conversation in March 2020 for residents and neighbors to attend and share their goals, visions and wants and needs for the Town. The purpose in having this conversation was to gather broad input describing how attendees viewed the Town currently and their hopes and wants for the future – the vision for Middletown. The facilitator of the community conversation used the input from citizens to construct a SWOT (Strengths, Weaknesses, Opportunities, and Threats) to help gain a more accurate and balanced list of needs and opportunities.

## SWOT Analysis (Strengths, Weaknesses, Opportunities, Threats)

### Strengths

- Rural character
- Mountain views
- Quality of life
- Small town essence, charm
- Activities for all ages - family-focused
- Family friendliness, welcoming nature
- Overall cleanliness
- Lack of crime
- **Walkability**
- Proximity to good health care, highways
- Business community consistent w/character
- Fiscal soundness
- Good schools
- Long-standing community events
- Emphasis on preservation
- Well-kept parks

### Weaknesses

- Management of growth and taxes
- Empty and blighted buildings
- Commuter traffic and congestion
- **No bike paths**
- Parking downtown
- Lack of consistent community involvement
- Not enough trees
- Not enough activities for seniors
- Stormwater management program
- Impacts of growth

### Opportunities

- Increased coordination with the county on issues that impact the town
- Senior volunteer program
- Preservation success tours/events
- Recreation center/Senior center space
- Sustainability efforts
- **Sidewalk expansion**
- Sewer system
- Parking
- Renovation of old town hall
- Indoor/outdoor pool
- **Walking and biking paths**

### Threats

- Climate change and threats to dark sky
- Growth outside of town
- Insufficient coordination with Frederick County and surrounding government

DRAFT

## **Mission Statement**

At the Town of Middletown we focus every day on enriching the lives of our citizens by creating an exceptional environment and providing exemplary services that enable our community to thrive and prosper.

## **Statement of Values**

To achieve our mission, we will uphold the following values:

- Our organization exists to serve our citizens. We will be open, ensure access, encourage involvement and be accountable to our citizens.
- Middletown strives to be welcoming and respectful to all people. We will treat everyone with dignity, respect and fairness. We condemn racism, bigotry, and hatred in all forms.
- Employees are our most important resource. We will attract and retain the best employees possible and invest in their personal and professional growth.
- We will be honest, ethical and diligent. Our actions will comply with local, state and federal laws.
- We are committed to the values written into the U.S. Constitution that express freedom, justice, and equality, which should be at the heart of every level of government in America, especially the municipal governments that are closest to the People. We are committed to continuing to improve our own organizational operations to align with these principles.
- We strive to achieve the best results through effective teamwork, strategic partnerships and community participation.
- We will provide outstanding customer service that is polite, friendly and responsive.
- We value creative thinking and innovation. We will continue to be recognized in Maryland for excellence in local government.
- We value growth that balances maintaining the small town charm and preservation of the historic character of our town with desired service levels, economic benefits and continued stability for our community.
- We are cost conscious. We spend public funds responsibly and effectively to ensure the short- and long-term financial strength of our town.
- We are committed to proactive, comprehensive planning that includes our residents in creating a guide for the future of our community.
- We will preserve and protect our environment by actively being good stewards of our finite natural resources.

## Chapter 3

### NATURAL FEATURES/SENSITIVE ENVIRONMENTAL AREAS

~~The purpose of the Natural Features/Sensitive Environmental Areas. This chapter is to identify~~ those physical characteristics, natural resources and sensitive areas existing within the Middletown area and ~~to formulate~~ policies and proposals to protect them. ~~The Economic Growth, Resource Protection and Planning Act of 1992, amended Article 66B of the Code of Maryland to require local jurisdictions to incorporate a sensitive areas element into their plans and to adopt corresponding implementing regulations.~~

#### BACKGROUND INFORMATION

The use and intensity of development on land is often a function of the land itself. Physical characteristics of land such as steep slopes, floodplains and wetlands help determine the pattern of development. Middletown ~~is fortunate to have~~ physical characteristics that have minimal constraints on development. However, the variation of relief and physical features require careful development design in order to protect and enhance the property. Some physical features such as wetlands and woodlands serve an important ecological function and, therefore, should be protected from development. Other features such as floodplains should be protected from development due to the potential hazards from natural disasters. Some physical features can influence what land use types are appropriate for an area of Town. ~~The purposes of (~~This chapter ~~will be to~~ provides basic background information; identifies constraints to development; identifies issues and makes proposals.

#### TOPOGRAPHY/STEEP SLOPES

The Town of Middletown is centrally located in the Middletown Valley which is best described as an inter-mountain area of steeply, rolling land, narrow streams and rapid fall from north to south. The fall is about 14 ft. per mile (Catoctin Creek) or about five times that for the Frederick Valley. Surrounding the Middletown Valley on three sides are the Catoctin and South Mountains with elevations over 1,700 ft. above sea level.

The land within the corporate limits is rolling with elevations from 430 ft. along Catoctin Creek in the south west part of Town to 810660 ft. above sea level at the northeast corner of the recent Memar annexation north of the Middletown County Park, near Middletown High School in the northeast part of Town. There are several large areas on the east side of Town both north and south of Main Street which are relatively level.

The steepest slopes in Middletown occur in the stream valley areas. Because of the proximity to streams, protection of steep slopes as a sensitive area is extremely important. Slopes provide the environment for soil and pollutants to move into the stream system very quickly and at great speeds which can increase erosion and increase the dangers of flooding to human life and

**Commented [CU1]:** If anyone has suggestions on a photo to use for this section, please let me know.

property values. Protection of steep slopes along the stream valley is the first step in protecting water quality. Steep slopes with undisturbed vegetative cover slows runoff, filters sediment and can provide cooler streams by the presence of shade. In addition, the steep slopes along the floodplains provide a natural area for the Town to obtain the benefits of re-forestation. Reforestation along steep slopes also provides aesthetically pleasing areas and habitats for the local plant and animal populations.

The general slopes in Middletown are in the direction of two areas, Catoctin Creek on the west and Cone Branch which flows through the eastern-central portion of Town. The easternmost area of Town slopes to Hollow Creek which is a tributary of Cone Branch. There are two tributaries to Catoctin Creek - Wiles Branch and Tanners Branch, which parallels Main Street and Washington Street and runs from Main's Alley to Walnut Street. Most of the undeveloped land in and around Middletown is open with very little tree cover due to the existing farming in the area. Most of the tree cover is found along the stream valleys.

### **FLOODPLAINS & WETLANDS**

Commented [CU2]: Potential photo locations again appreciated!

Identification of floodplain/wetlands is important since these are areas that perform important functions such as water recharge, diversified habitat for plants and wildlife, and storage and channeling of water during high stream flow. Floodplains are defined in several ways and two types of floodplains are ~~found~~ in the Middletown area; the ~~one hundred year~~ one-hundred-year floodplain and the annual floodplains. One-hundred-year floodplains are defined as the area that will be inundated by the flood event having a 1-percent chance of being equaled or exceeded in any given year. The 1-percent annual chance flood is also referred to as the base flood or 100-year flood, those floods that could occur once in 100 years on average. One hundred year floodplains are delineated by the Federal Emergency Management Agency (FEMA) for inclusion in their flood insurance program. Middletown adopted the State Model Floodplain Ordinance on April 13, 1992, and updated its floodplain regulations on June 8, 2015 based on the State model regulations. The annual floodplain is the area which includes soils identified in the Soil Conservation Survey as soils of generally wet land which provides natural water retention.

The four major streams through Middletown all have floodplains. Catoctin Creek and Hollow Creek have been categorized as having a ~~100 year~~ 100-year floodplain. ~~One hundred year~~ One-hundred-year floodplain information also exists for Cone Branch and Wiles Branch up to the southern limits of Middletown. All ~~four~~ three streams also have associated floodplain soils.

Wetlands are those areas which are inundated with water for a significant part of the year and/or have the plant species and soils ~~are~~ typical of those found in wet areas. Frederick County's wetlands are non-tidal wetlands. Non-tidal wetlands perform an important function in controlling floods, supporting wildlife and filtering runoff before it enters the groundwater system. Non-tidal wetlands can also retain water like sponges through the dry times of year.

There are six major areas in Middletown which have been identified as wetlands. These include: two areas along Wiles ~~Branch-Creek~~ both north and south of West Main Street; an area along Cone Branch on the north side of Town, west of Coblenz Road; an area south of East Main

Street, along Hollow Creek, areas throughout the Glenbrook Subdivision and Foxfield at Hollow Road and Layla Drive. See Figure 3-1 for wetland and floodplain locations.

It is important to note that additional wetlands may be identified through the development review process as specific properties develop and engineering is undertaken.

## SOILS

The soils in and around Middletown are classified as prime soils. These are the lands best suited to producing food, feed forage, and fiber. The predominate soil types in Middletown are from the Myersville and Fauquier soil series which makes up over 90% of the soil in Middletown. Both the Fauquier and the Myersville-Fauquier soils are described as deep, well-drained and highly productive. These soils are commonly associated with the Catoclin soils. There are four areas in Middletown with soils which are classified as floodplain soils and these naturally are along the five streams running through Town: Catoclin Creek; Cone Branch; Wiles Branch; Hollow Creek; and Tanner's Branch. Soils in the Middletown area have been mapped and categorized in the Frederick County Soil Survey according to productivity, resistance to erosion and other factors. A breakdown of these soils indicates that nearly 70% of the land in Middletown is in Class I and II soils which are the two best agricultural soil types.

## STREAMS & BUFFERS



Catoclin Creek

Streams and buffers are valuable to people and vital to our natural resources. They provide drinking water, recreational fishing, water for irrigation, and habitat for local plant and animal species. The streams which flow through Middletown are part of the larger network of streams which flow to the Potomac River and to the Chesapeake Bay. Protection of stream quality on the local level is important in preserving not only the local resource but the regional resources such as water quality, flora and fauna, crabs, clams and rockfish. Stream buffers are essential to preserving stream quality. ~~As stated earlier,~~ vegetative buffers provide soil stabilization, filtration of sediment and shading of the stream which maintains stream quality and mitigate stream temperatures.

**Commented [CU3]:** I have some photos of streams in Middletown to include in this chapter, but if anyone has a particular wonderful one, please send it to me.

The primary waterbody in the Middletown Region is Catoclin Creek which is a winding stream with a ~~30-year~~ 30-year average flow of 72.3 cubic feet per second. In comparison, the Monocacy River in the Frederick Region has a ~~50-year~~ 50-year average flow of 931 cubic feet per second. Although Catoclin Creek is a significant perennial stream, historical records show a low flow of zero during the drought of 1966 (the drought of record.)

**Commented [CU4]:** This paragraph has been sent to the County to be checked and/or updated.

The Catoclin Creek watershed contains 121 square miles and drains 78% of the Middletown Valley. All of those areas around Middletown are within the Catoclin Creek watershed with only those areas in the very southern portion of the Middletown Valley not in this watershed. Catoclin Creek and Hollow Creek serve as the Town discharge for sewage effluent. Catoclin Creek also serves as a recreational resource. ~~Tributaries of Catoclin Creek include Middle~~

**Commented [DL5]:** Shouldn't this discussion be limited to the the area of Middletown and not the entire valley?

**Commented [CU6R5]:** This paragraph contains just some basic information with much more discussion of the watersheds in the Water Resource Element.

Creek, Bolivar Branch, Frostown Branch, Little Catoctin Creek, Hawbottom Branch, Wiles Branch, Tanner's Branch, Cone Branch, and Hollow Creek.

Little Catoctin Creek meets Catoctin Creek just west of Middletown. This area has been proposed in the past for a possible dam site. However, no further studies have been done on this proposal since 1981. The 1969 Frederick County Water & Sewerage Plan included a recommendation for a reservoir on Little Catoctin Creek. However, the 2008 Frederick County Water and Sewerage Plan does not contain a recommendation for a reservoir on Little Catoctin Creek.

Stream restoration work was completed in 2019 on Hollow Creek north of Layla Drive to restore and stabilize the stream channel. Substantial stream bank erosion along Hollow Creek was threatening four of the Town's wells which provide drinking water to the Town residents.



Stream bank stabilization of 450 linear feet was also done on Wiles Branch and Catoctin Creeks back in 1996. Inspections done by the State had found serious problems with wash-out, especially around the discharge line into Catoctin Creek. That project was located in the vicinity of the West Wastewater Treatment Plant.

## GROUNDWATER

The other important water source in the Middletown Valley is groundwater. The Middletown water supply comes from a series of 4 springs ~~and 20 wells~~ located on the western ridge of Catoctin Mountain near Coxe Brown Road ~~and 20 wells~~. The Town of Middletown including the springs are delineated community wellhead protection areas on the County's Wellhead Protection Areas map dated July 26, 2016. These springs and wells are carried by a pipe to the Town's water ~~tank/reservoir~~ off Hollow Road. It should be noted that soils of the valley are generally of low porosity and, therefore, unable to store quantities of water large enough to adequately feed the streams during long extended periods of drought. Well yields in the entire Region range from 1 to 225 gallons per minute. The two rock formations, the Catoctin Metabasalt and Mica Schist, have average well yields of 14 and 7 gallons per minute respectively. The Catoctin Metabasalt rock formation is in Hydrologic Unit II which is an average water bearing rock formation. The Mica Schist is in Hydrologic Unit III which is a poor water bearing rock formation.

**Commented [DL7]:** Shouldn't it be stated which watersheds these exist in and whether Middletown has any additional capability to take water from these watersheds?

**Commented [CU8R7]:** There is much more information about the wells and watersheds in the Water Resource Element.

**Commented [CU9]:** The sentences at the end of this paragraph have been sent to the County to verify numbers in this paragraph as well.

## HABITATS OF THREATENED & ENDANGERED SPECIES

The Maryland Natural Heritage Program has identified a number of rare plant and animal species in Frederick County. Rare species which occur in Frederick County are often found in wetlands and rich forest lands. Some of the rare species are on the State's official threatened and endangered species list, and others are proposed to be added to it. According to the Maryland Department of Natural Resources, there are no known threatened or endangered plant or wildlife species in the Middletown area.

## GEOLOGY & MINERAL RESOURCES

Geologic information is important in several ways. First, rock structure influences land form and drainage pattern. Secondly, rock structure also determines groundwater availability. Geology also determines the available resources for mining purposes.

The Middletown Valley is part of the Blue Ridge Province which is one of two major physiographic regions in Frederick County. There are two predominate geologic strata in and around the Town of Middletown. The Catoctin Metabasalt formation (MB) comprises 80% of the sub-strata north of Middletown and the Mica Schist comprises 80% of the sub-strata south of Middletown. In addition, there is a narrow band of Rhyolite tuff ([volcanic rock with quartz](#)) which cuts through the center of Middletown.

Many geologic resources in Frederick County are currently mined, although none are located in the Middletown Region. Limestone, shale, and stone aggregate are mined in the Frederick Valley, east of Catoctin Mountain. No mineral resources in the Middletown Region have been identified as having commercial value in the Frederick County Comprehensive Plan,

**Commented [CU10]:** County staff have been asked whether this is still true.

## FOREST CONSERVATION

In 1991, the State of Maryland enacted the *Forest Conservation Act* to protect forests by making forest conditions and character an integral part of the site planning process. It is regulated by the Maryland Department of Natural Resources but implemented and administered by local governments. The law's intent is to maximize the benefits of forests and slow the loss of forest land, while allowing development to take place. In 2006, the Burgess and Commissioners adopted Subtitle 16 of Title 5 of the Natural Resources Article of the Annotated Code of Maryland as the "Middletown Forest Resource Ordinance." Prior to the approval of any subdivision of land or development which results in the cumulative disturbance of 40,000 square feet or greater, developers must submit a Forest Stand Delineation and a Forest Conservation Plan which are reviewed and approved by the Middletown Planning Commission.

The Town makes every effort to plant trees along stream banks and within floodplains, and in other areas owned by the Town. If forest is being protected as part of a development project, the area must be put into an easement for long term protection.

## EROSION & SEDIMENT CONTROL/STORMWATER MANAGEMENT

Clearing or grading land in excess of 5,000 square feet is not permissible without first obtaining approval of an Erosion and Sediment Control Plan from the Frederick County Soil Conservation District. Frederick County also requires developers to submit a "Stormwater Management Plan" with proposed design and calculations for capacities of stormwater drainage systems for any new subdivision or site development. Current stormwater management requirements address both the quantity and quality of stormwater runoff leaving the development site.

The goal of stormwater management plans is to manage stormwater by using environmental site design to the maximum extent practicable to maintain after development, as nearly as possible, the predevelopment runoff characteristics. This would reduce stream channel erosion, pollution, siltation, sedimentation, and local flooding. The goal is also to use appropriate structural best management practices only when necessary. This helps to restore, enhance, and maintain the chemical, physical, and biological integrity of streams, minimize damage to public and private property, and reduce impacts of land development.

### **NATURAL FEATURES ISSUES**

As development interest increases in Middletown and the value of natural resources becomes more widely known, the potential for conflict will arise. ~~One of the~~ purposes of this plan is to identify issues which may need to be addressed. Some of the natural resource issues in Middletown are as follows:

1. The primary tools for protecting natural resources are the Open Space Zoning District and specific restrictions applied during the subdivision review process. ~~One of the~~ purposes of the Open Space District ~~is~~are to preserve natural resources, and prevent erosion, and limit development on excessive slopes and floodplains. The Open Space District up to this point has been used primarily for large institutional and park properties. The Open Space District could also be applied more to areas which meet specific criteria for floodplain and steep slopes.
2. The Town of Middletown relies on ground water resources in the Catoclin Mountains east of Middletown. As additional areas are considered for development, large areas should be reserved for future water needs. Identification of these areas would occur through the planning process and review of the water and sewer plan.
3. The Town ~~has~~ adopted a wellhead protection policy ~~in 1996~~ to protect our water resources. This policy needs to be further supported by the County strengthening its wellhead protection program, adopted in 2007, as most of our resources exist outside of the municipal boundaries, in the County. The Town has acquired land around its wells and springs outside of the town limits to protect its groundwater resources, however this is a costly endeavor and a stronger county wellhead protection ordinance is needed.
4. ~~New~~ Forest conservation laws ~~have been~~ enacted by the State ~~which~~ require implementation by the Town when applicable. The Town should preserve and increase the tree canopy within the developed areas of the Town.

5. The Town enacted the State required floodplain regulations which cover FEMA ~~100 year~~100-year floodplains. There are additional areas in Town which are floodplain soils such as along Cone Branch. Additional regulations ~~should be~~ were enacted in 2015 to protect these areas.
6. To the extent possible, the natural resource areas such as stream valleys should be incorporated into recreational uses and as areas for reforestation to meet forestry regulations.
7. ~~The water quality standards for sewage discharge to Catoctin Creek and Hollow Creek need to be identified to determine the constraints to development potential.~~
8. The Environmental Protection Agency approved on July 31, 2009, a Total Maximum Daily Load (TMDL) for sediment in the Catoctin Creek Watershed to reduce sediment runoff and discharges into Catoctin Creek and its tributaries. This TMDL could have future quantitative sediment loading limits or caps for all land uses in the Catoctin watershed.

## NATURAL FEATURES, OBJECTIVES & POLICIES

Two of the goals of the Middletown Comprehensive Plan are to: Provide for a Quality Living Environment, and Protection of Important Natural Resources and Landmarks. Certainly, both of these goals are related to any policies regarding the natural environment. More specific objectives for these goals are as follows:

**Commented [DL11]:** I do not believe Middletown should suggest any future loading limits if MDE has not specifically stated limits.

**Commented [CU12]:** Look into whether this has been determined.

**Commented [CU13R12]:** More discussion about the TMDL is in the Water Resource Element and that information will need to be updated.

**Commented [DL14]:** Point #3 below: suggests promoting groundwater recharge to lessen the overall demand...awkward statement...please review. Conservation by itself will reduce the demand on the aquifer...promoting recharge is also good but has no effect on "overall demand"

A. Protect and Conserve Water Resources

1. The Town shall review development plans outside municipal limits which may impact Town water sources. The Town will keep the County informed of Town's interest in the Middletown Watershed and Catocin Creek Watershed as an area of critical concern to the Town to protect water resources.
2. The Town shall require environmental waterway easements or designation of open space setbacks along all perennial streams and wetlands for the purpose of natural resource protection and potential recreational use during the development review process.
3. The Town shall continue to encourage use of water conservation practices through various techniques and devices to promote on-site groundwater recharge ~~to lessen the overall demand on the aquifer.~~
4. The Town shall regulate development in the floodplain according to the adopted Town floodplain regulations.

B. Encourage Compatibility with Man-Made Development & Natural Environment

1. New development shall minimize the extent of grading and tree cutting ~~as much as possible. If development is to occur on slopes between 15% and 25%, good engineering practices should be required to ensure sediment and erosion control and slope stabilization before, during, and after disturbance activities and to minimize cut and fill.~~
2. ~~Development plans for new development shall indicate t~~The extent of all natural features shall be considered in new development plans in order for the Planning Commission to consider the impact.
3. Annexation policies should encourage continued agricultural uses until development occurs.
4. Protect the Town's natural scenic vistas by working with Frederick County to encourage strong land use controls on rural lands adjacent to Middletown.
- 3.5. Reduce the amount of impervious cover in new developments by reviewing and adjusting parking standards and encouraging shared parking facilities.
- 4.6. Town shall encourage an agricultural or environmental buffer around the corporate limits.

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## NATURAL FEATURES IMPLEMENTATION RECOMMENDATIONS

In order to carry out the goals and ~~objectives~~<sup>policies</sup> of the Natural Features/ Sensitive Areas element, the following actions ~~have been approved~~ <sup>are proposed</sup>:

1. Town shall restrict development along all creeks and streams and require a minimum 100 ft. buffer from each bank. This shall be carried out through site plan review by the Planning Commission ~~in accordance with the and adoption of an amendment to the~~ Town Zoning and Subdivision Regulations. The buffer shall include the 100-year floodplain, adjacent non-tidal wetlands, annual floodplain soils, adjacent steep slopes, and in the absence of any of those sensitive areas, a setback measured from the centerline of the stream channel.
2. No development shall be allowed on floodplain soils, or on non-tidal wetlands.
3. Steep slopes along streams shall be priority areas for reforestation under the Middletown Forest Resource Ordinance. This shall be implemented by identification of reforestation areas.
4. The zoning ordinance and subdivision regulations ~~shall have been~~ examined for ~~other~~ possible protections for steeply sloped areas ~~and amendments have been enacted~~.

I think a good job has been done in identifying what the Town needs to do to protect the natural features and environmental elements...I think this needs to be more complete by listing the actions the town has adopted to actually achieve these points...a numbered section would show the town has been diligent in establishing policies and regulations to achieve these goals.

Thanks, Dave

### Actions that the Town has taken to achieve protection of natural features:

1. Yard waste program – Since 1991, Middletown has provided paper yard waste bags to its residents. Yard waste bags are picked up once a week from April thru December by the town's trash hauler. The yard waste is taken to the Frederick County landfill where it is turned into mulch. Also, Christmas trees are collected in January.
2. Improvements to town streets – Various town streets have been upgraded with stormwater management features that include Filterra stormwater biofiltration systems.
3. Stream restoration projects –
4. Pet waste program – The Town implemented a pet waste program beginning in 2008 with dog bag waste stations that have been installed in all of the town parks and along all of the walking trails within the town.
5. Water conservation programs – A Water Conservation Public Alert System was created in the early 2000's to keep the public informed as to the current status of the Town's public drinking water system, and established an ordinance that places restrictions on water use which includes penalties for violating water restrictions.

4.6. Rain barrels – In order to promote water conservation and decrease runoff to the Chesapeake Bay, the Town has offered rain barrels for sale to town residents at a reduced cost.

DRAFT



## Community Events - Contributions

Organizations	Board Approved 2017	Board Approved 2018	Board Approved 2019	Board Approved 2020	FY2021 Approved
<b>Middletown Arts and Activities</b>					
Movie Nights in the Park	\$ 6,570.00	\$ 6,700.00	\$ 6,700.00	\$ 4,550.00	\$ 4,480.00
Scarecrow Event	\$ 1,150.00	\$ 730.00	\$ 730.00	\$ 730.00	\$ 930.00
Memorial Day Celebration	\$ 3,620.00	\$ 2,520.00	\$ 2,520.00	\$ 3,045.00	\$ 3,050.00
General Expenses	\$ 50.00				
Less: Charity Golf Tournament					
Remaining Funds	\$ (1,650.00)	\$ (990.00)	\$ (990.00)	\$ (800.00)	\$ (7,500.00)
Sub-Total	\$ 9,740.00	\$ 8,960.00	\$ 8,960.00	\$ 7,525.00	\$ 960.00
<b>Lions Club</b>					
Halloween Parade	\$ 2,000.00	\$ 2,300.00	\$ 2,300.00	\$ 2,300.00	\$ 2,300.00
Less: Charity Golf Tournament					
Sub-Total	\$ 2,000.00	\$ 2,300.00	\$ 2,300.00	\$ 2,300.00	\$ 2,300.00
<b>Christmas in the Valley</b>	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Heritage Weekend**</b>	\$ 8,000.00	\$ 9,000.00	\$ 8,000.00	\$ 8,000.00	\$ 8,000.00
Sub-Total	\$ 8,000.00	\$ 9,000.00	\$ 8,000.00	\$ 8,000.00	\$ 8,000.00
<b>Middletown Rec Council</b>					
4th of July Celebration	\$ 7,500.00	\$ 7,500.00	\$ 8,500.00	\$ 8,500.00	\$ 8,500.00
	\$ -				
Sub-Total	\$ 7,500.00	\$ 7,500.00	\$ 8,500.00	\$ 8,500.00	\$ 8,500.00
<b>National Night Out</b>	\$ 2,010.00	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00	\$ -
<b>Green Expo/Sustainability</b>		\$ 1,500.00	\$ 2,250.00	\$ 1,450.00	\$ 1,450.00
<b>Childrens Police Junior Academy</b>	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00
<b>Middletown Valley Historical Society</b>	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00
<b>Community Events Total</b>	\$ 30,250.00	\$ 32,760.00	\$ 33,510.00	\$ 31,275.00	\$ 22,210.00

7/30/2020



**Town of Middletown**  
Wiles Branch Creek Stream Restoration - MS-4



November 8, 2019

Burgess and Commissioners of Middletown  
ATTN: Mr. Bruce Carbaugh, Town Engineer  
31 West Main Street  
Middletown, MD 21769

RE: Wiles Branch Stream Restoration & Stream Crossing  
Middletown

Dear, Mr. Bruce Carbaugh

Attached is the survey and design proposal for 1,600 linear feet of stream restoration for the main stem of Wiles Branch and its tributary. A proposed new stream crossing to the WWTP will be designed and include all the necessary documentation, such as the Hydrology & Hydraulic report and soil boring reports. FSA will conduct the necessary surveying and design for the stream restoration and the removal of the four existing 60 inch CMP, to be replaced with a bridge span or bottomless arch. Once all work is completed, it will be included in the submittal to MDE, Army Corps of Engineers, Frederick County Conservation District, and Frederick County Development Review for their approval. FSA will provide any revisions during agencies review (excludes any fees).

#### SCOPE OF WORK

Conduct a survey of proposed stream restoration area, produce a base map, and collect stream data for restoration design. Investigate the site for any wetlands. Provide a stream restoration design to provide a stable stream channel and provide any needed engineering for the stream crossing.

#### WORK NOT INCLUDED

Boundary surveys, floodplain studies, geotechnical engineering, wetland delineation, construction oversight, construction stake-out, as-built surveys or other specialty engineering services are not included in this proposal. FSA can provide these services, if requested, for an additional charge.

#### COMPENSATION AND TERMS

Our estimated fee for the above work is:

Site visit, Preliminary Design & Coordination	\$ 1,960.00
Field Survey & Stream Data Collection	\$11,850.00
Geomorphic Design & Engineering	\$21,900.00
<u>Agency Processing and Revisions</u>	<u>\$ 5,742.00</u>
<b>TOTAL</b>	<b>\$41,452.00</b>
Geotech Soil Testing (Budget)	\$ 5,000.00

The survey will be provided in electronic format as a PDF file. Hardcopies will be provided on request for additional cost at the following unit prices:

Size of drawing	Blue Print Cost	Mylar Reproduction Cost	CAD Plot on Translucent Bond*	CAD Plot on Mylar
18" x 24"	\$3.00	\$3.60	\$6.00	\$7.50
24" x 36"	\$6.00	\$7.25	\$12.00	\$15.00
30" x 42"	\$8.75	\$9.25	\$17.50	\$21.50

\*CAD plots on translucent bond will be used for producing prints for interim agency review submittals.

This proposal and its associated cost is based on the rules and regulations in affect at the date of this proposal offer. Should any rules and regulations change during the life of the contract, and should the regulations require additional work by Frederick, Seibert and Associates in order to comply with same, then the estimated cost will need to be readjusted to reflect the extra work required by the new regulations. Plan approval cannot be guaranteed by Frederick, Seibert and Associates, Inc.

Any additional work that may be requested and is not included in the contract will be billed at our unit costs.

All original plans, plats, descriptions and records are the sole property of the firm. No liability is assumed by Frederick, Seibert and Associates, Inc. for the accuracy of the data provided by the client or of data obtained or available from public or governmental records or sources in the public domain. Client shall obtain from the owner thereof any and all consents required to reproduce

data protected by patent, trademark, service mark, copyright or trade secret, and client indemnifies and holds Frederick, Seibert and Associates, Inc. harmless from any claims against Frederick, Seibert and Associates, Inc. for the reproduction of such materials.

The standard of care for all professional services performed or furnished by Frederick, Seibert and Associates, Inc. (Consultant) under this Agreement will be the skill and care used by members of Consultant's profession practicing under similar circumstances at the same time and in the same locality. Consultant makes no warranties, express or implied, under this Agreement or otherwise, in connection with Consultant's services. Liability of Frederick, Seibert and Associates, Inc. shall be limited to the amount paid by client for the services provided and Frederick, Seibert and Associates, Inc. obligations hereunder shall not include any liability for special, direct, indirect, or consequential damages.

The undersigned by acceptance of this proposal, agrees to pay all attorney's and court costs incurred by Frederick, Seibert and Associates, Inc. if the matter is referred to an attorney to collect all or any portion of the actual fee for services performed.

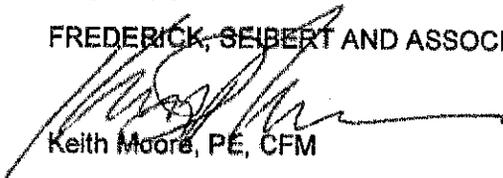
**INVOICES METHOD**

- A. Frederick, Seibert and Associates, Inc. will bill the client monthly on a percentage of the job completed.
- B. Any invoices still unpaid after 30 days will be subject to a 1 1/2% per month interest rate.
- C. We reserve the right to stop work on all projects with an outstanding invoice of more than 45 days.

If the above is acceptable to you, please sign at the bottom where indicated. Return one signed set to us for our files. Please call and inform us when we can start the design work.

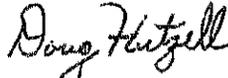
Very truly yours,

FREDERICK, SEIBERT AND ASSOCIATES, INC.



Keith Moore, PE, CFM

Director of Engineering



Doug Hutzell

Environmental Project Manager

\*\*\*\*\*

The terms and price above outlined meet with my and/or our approval and you are hereby authorized to proceed with the work.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Title

MEMORANDUM

Date: 8/6/2020

To: Burgess & Commissioners

From: Cynthia K. Unangst, Middletown Staff Planner

RE: BUILDING HEIGHT ORDINANCE

---

The Town Board previously reviewed recommended changes by the Planning Commission to building heights in the Town Code at their meeting held on Monday, July 13<sup>th</sup>. The commissioners approved of the changes as shown in the attached ordinance which deletes references to the number of stories allowed and limits buildings in all districts to a maximum of thirty-six (36) feet as suggested by Commissioner LaPadula instead of thirty-five feet which is presently the limit in most districts. Thirty-six feet was suggested so the need for variances from the Board of Appeals is decreased. The building height and story definitions used by Frederick City are proposed to be used instead of our current definitions. A public hearing will need to be scheduled.



"Story" [~~means that portion of a building included between the surface of any floor and the surface of the floor next above it or, if there is no floor above it, the space between such floor and the ceiling next above it. A basement shall be counted as a story if it is used for business or dwelling purposes. A mezzanine floor shall be counted as a story if it covers more than one-third of the area of the floor next below it or if the vertical distance between the floor next below it and the floor next above it is twenty (20) feet or more.~~] **MEANS THAT PORTION OF A BUILDING INCLUDED BETWEEN THE UPPER SURFACE OF A FLOOR AND THE UPPER SURFACE OF THE FLOOR OR ROOF NEXT ABOVE AS ILLUSTRATED IN THE BELOW DRAWING:**



**SECTION II. BE IT ORDAINED AND ENACTED** by the Burgess and Commissioners of the Town of Middletown, Maryland that Title 17, Chapter 16.050 be and is hereby amended as follows. Language being deleted is designated by being ~~in brackets and stricken through~~. New language is designated by being in **BOLD CAPITAL LETTERS**.

Chapter 17.16 – RESIDENTIAL DISTRICTS

17.16.050 – Building height regulations and unit limitations for structures in residential districts.

No building ~~will~~ **SHALL** exceed ~~two and one-half stories or~~ thirty-~~five~~ **SIX** (3~~5~~**6**) feet in height. No one structure in any residential district may contain or include more than twelve (12) individual and separate dwelling units within the structure.

**SECTION III. BE IT ORDAINED AND ENACTED** by the Burgess and Commissioners of the Town of Middletown, Maryland that Title 17, Chapter 17.150 be and is hereby amended as follows. Language being deleted is designated by being ~~in brackets and stricken through~~. New language is designated by being in **BOLD CAPITAL LETTERS**.

Chapter 17.17 – RESIDENTIAL DISTRICTS

17.17.150 - Development standards. (Overlay zoning districts)

- A. {Unchanged}
- B. {Unchanged}

- C. *{Unchanged}*
- D. Height Limitation. Building height is limited to a maximum of ~~[two and one half stories or]~~ thirty-~~[five]~~ **SIX** (3~~[5]~~**6**) feet in height ~~[whichever is greater]~~.
- E. *{Unchanged}*

**SECTION III. BE IT ORDAINED AND ENACTED** by the Burgess and Commissioners of the Town of Middletown, Maryland that Title 17, Chapter 20.015 be and is hereby amended as follows. Language being deleted is designated by being ~~[in brackets and stricken through]~~. New language is designated by being in **BOLD CAPITAL LETTERS**.

Chapter 17.20 – COMMERCIAL DISTRICTS

17.20.015 - MB mixed business district.

- A. *{Unchanged}*
- B. *{Unchanged}*
- C. Required Lot Area, Lot Width, and Yards in the MB District. The following requirements apply in the MB district:
  1. Minimum area of lot size: one acre;
  2. Setback requirements for front, rear, and side yard: thirty (30) feet; provided, however, that for any lot on which a structure exceeding thirty (30) feet in height is situated, the thirty (30) foot setback requirement shall be increased by one foot for every foot of the structure which exceeds thirty (30) feet in height. Additionally, for any portion of a structure which is adjacent to a residential district or state highway, the setback requirement is one hundred (100) feet for that portion of the structure which is adjacent to such residential district or state highway;
  3. Structure height: ~~[fifty (50)]~~ **THIRTY-SIX (36)** feet;
  4. Lot width: one hundred (100) feet. The planning commission may, however, permit a lot width of not more than fifty (50) feet if the planning commission approves a landscaping plan which, in the commission's opinion, provides an adequate buffer for adjacent property.
- D. *{Unchanged}*
- E. *{Unchanged}*
- F. *{Unchanged}*
- G. *{Unchanged}*

**SECTION IV. BE IT ORDAINED AND ENACTED** by the Burgess and Commissioners of the Town of Middletown, Maryland that Title 17, Chapter 20.030 be and is hereby amended as follows. Language being deleted is designated by being ~~[in brackets and stricken through]~~. New language is designated by being in **BOLD CAPITAL LETTERS**.

Chapter 17.20 – COMMERCIAL DISTRICTS

17.20.030 – Building regulations in commercial districts.

No building shall exceed ~~[three stories or]~~ thirty-~~[five]~~ **SIX** (3~~5~~**6**) feet in height or exceed sixty thousand (60,000) square feet in size.

**SECTION V. BE IT ORDAINED AND ENACTED** by the Burgess and Commissioners of the Town of Middletown, Maryland that Title 17, Chapter 24.020 be and is hereby amended as follows. Language being deleted is designated by being ~~[in brackets and stricken through]~~. New language is designated by being in **BOLD CAPITAL LETTERS**.

Chapter 17.24 – INDUSTRIAL DISTRICTS

17.24.020 – Building height regulation in industrial districts.

No building in the SC/LM district shall exceed ~~[three stories or forty-five (45)]~~ **THIRTY-SIX (36)** feet in height.

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

**INTRODUCED ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020**  
**PASSED ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020**  
**EFFECTIVE DATE: \_\_\_\_\_, 2020**

**ATTEST:**

**BURGESS AND COMMISSIONERS  
OF MIDDLETOWN**

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

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



**Town of Middletown**  
Washington Street - Streetscape Project

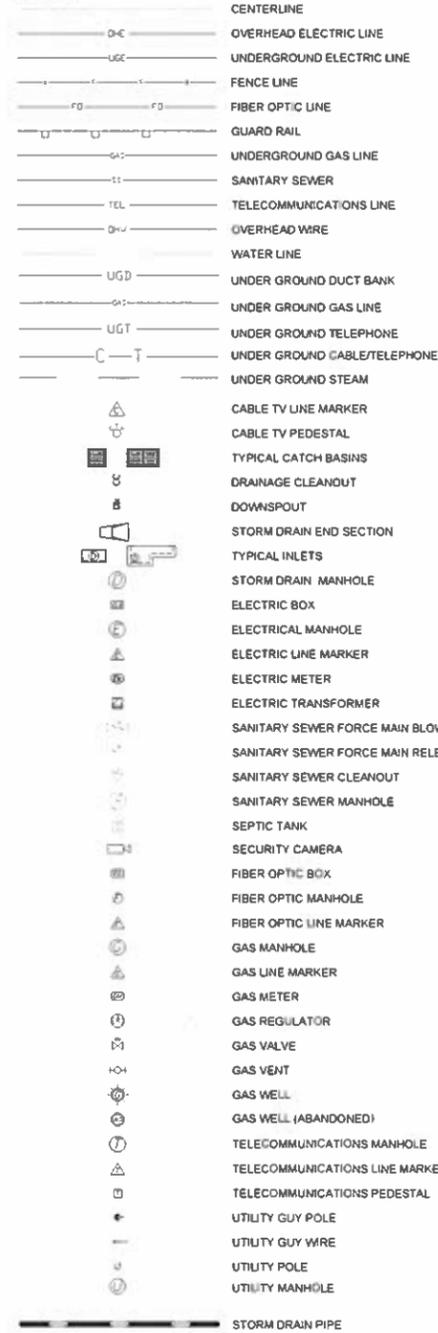


**LEGEND:**

EXISTING



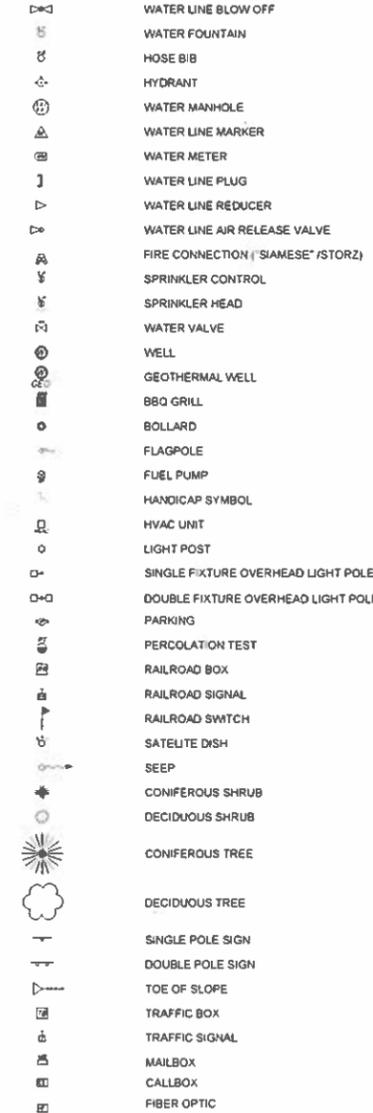
PROPOSED



EXISTING



PROPOSED



**PROJECT NOTES:**

- NO SUBSURFACE INVESTIGATION HAS BEEN PERFORMED BY TRIAD ENGINEERING, INC. TO DETERMINE THE EXISTENCE OR LOCATION OF GROUND WATER, ROCK, OR OTHER NATURAL OR MAN-MADE FEATURES EXCEPT AS SPECIFICALLY INDICATED. NO ENVIRONMENTAL STUDIES HAVE BEEN CONDUCTED BY OUR FIRM.
- EXISTING UTILITY INFORMATION SHOWN HEREON IS FROM NUMEROUS SOURCES INCLUDING, BUT NOT LIMITED TO PROPERTY OWNER, UTILITY OWNER, PAST SITE PLANS AND DRAWINGS AND LOCATION OF SURFACE FEATURES. EXACT LOCATIONS SHALL BE DETERMINED IN THE FIELD BEFORE BEGINNING CONSTRUCTION. THE CONTRACTOR SHALL NOTIFY MISS UTILITY AND ANY OTHER UTILITY AND SUBSURFACE INVESTIGATIVE SERVICES AT (1-800-257-7777) A MINIMUM OF 48 HOURS BEFORE BEGINNING ANY WORK SHOWN ON THESE DRAWINGS. ANY DAMAGE TO UTILITIES BY THE CONTRACTOR SHALL BE REPAIRED BY THE CONTRACTOR AT HIS EXPENSE AND TO THE SATISFACTION OF THE UTILITY OWNER. HAND PIT EXCAVATION SHALL BE PROVIDED AS NEEDED BY CONTRACTOR TO LOCATE EXISTING UNDERGROUND UTILITIES.
- THE CONTRACTOR SHALL NOTIFY THE APPLICABLE MUNICIPAL, COUNTY AND/OR STATE AUTHORITIES AT LEAST 48 HOURS BEFORE BEGINNING ANY WORK WITHIN PUBLIC RIGHT (S) OF WAY.
- THE CONTRACTOR SHALL VERIFY ALL SURFACE AND SUBSURFACE CONDITIONS (LOCATIONS AND ELEVATIONS) PRIOR TO BIDDING AND START OF CONSTRUCTION. ANY DISCREPANCIES BETWEEN THE DRAWINGS AND ACTUAL FIELD CONDITIONS SHALL BE REPORTED TO THE OWNER AND/OR ENGINEER BEFORE PROCEEDING IF THEY AFFECT THE DESIGN FEASIBILITY OF THIS PROJECT. ANY DAMAGE TO FACILITIES, STRUCTURES, PAVEMENT OR OTHER MAN-MADE ITEMS ON OR ADJACENT TO THE SITE OR NOT SPECIFICALLY INDICATED FOR DEMOLITION SHALL BE REPAIRED OR REPLACED AT CONTRACTOR'S EXPENSE AND TO THE SATISFACTION OF THE OWNER.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR COMPLYING WITH ALL APPLICABLE LEGAL AND REGULATORY REQUIREMENTS. CONTRACTOR SHALL OBTAIN ANY BONDS REQUIRED BY COUNTY/STATE FOR WORK WITHIN COUNTY/STATE RIGHT-OF-WAYS.
- TEMPORARY EROSION CONTROL MEASURES WILL BE USED TO CORRECT CONDITIONS THAT DEVELOP DURING CONSTRUCTION THAT ARE UNFORESEEN DURING THE DESIGN STAGE OR THAT ARE NEEDED TO TEMPORARILY CONTROL EROSION THAT DEVELOPS DURING NORMAL CONSTRUCTION PRACTICES.
- TRIAD ENGINEERING, INC. WILL NOT BE RESPONSIBLE FOR ANYTHING TO DO WITH CONSTRUCTION UNLESS CONTRACTED BY THE OWNER OR CONTRACTOR TO PERFORM A SPECIFIC SERVICE.
- JOB SITE SAFETY SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR.
- NO TITLE REPORT HAS BEEN CONDUCTED BY THIS COMPANY OR FURNISHED TO US BY OTHERS. PROPERTY LINE INFORMATION HAS BEEN TAKEN FROM DEED (S) OF RECORD AND NOT FIELD VERIFIED.
- IT SHALL BE THE SOLE RESPONSIBILITY OF THE OWNER AND/OR DEVELOPER TO OBTAIN ALL NECESSARY EASEMENTS AND/OR RIGHT OF WAYS NECESSARY IN ORDER TO COMPLETE THE PROJECT SHOWN ON THESE PLANS. TRIAD ENGINEERING, INC. WILL ASSUME NO RESPONSIBILITY OR LIABILITY ASSOCIATED WITH THE ACQUIRING OF OFFSITE EASEMENTS AND RIGHT OF WAYS.
- SITE CONTRACTOR MAY HAVE TO MODIFY FINISH GRADES SHOWN NEXT TO BUILDINGS DUE TO TYPE OF WALL CONSTRUCTION PROVIDED. GENERALLY A MINIMUM FINISH GRADE 6 INCHES BELOW FINISH FLOOR FOR MASONRY CONSTRUCTION AND 12 INCHES BELOW FINISH FLOOR FOR WOOD/SIDING CONSTRUCTION SHOULD BE MAINTAINED. CONTRACTOR MUST PROVIDE POSITIVE SURFACE DRAINAGE AWAY FROM ALL UNITS.
- IF A STORMWATER MANAGEMENT STRUCTURE IS PRESENT ON THIS SITE, CONSTRUCTION INSPECTION AND ASBUILT CERTIFICATION OF THIS STRUCTURE OR STRUCTURES BY A REGISTERED PROFESSIONAL ENGINEER WILL BE REQUIRED. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO NOTIFY THE INSPECTING ENGINEER PRIOR TO THE START OF CONSTRUCTION IN ORDER TO DETERMINE WHEN INSPECTIONS WILL BE REQUIRED. IT SHALL ALSO BE THE RESPONSIBILITY OF THE CONTRACTOR TO NOTIFY THE ENGINEER WHEN THE STRUCTURE HAS BEEN COMPLETED AND STABILIZED IN ORDER THAT THE ASBUILT SURVEY MAY BE PERFORMED. STABILIZATION IS DEFINED AS HAVING A STAND OF GRASS OR OTHER SUITABLE VEGETATIVE COVER AS SPECIFIED ON THESE PLANS.
- FINAL APPROVAL OF A STORMWATER MANAGEMENT STRUCTURE MUST BE GRANTED BY THE APPROPRIATE GOVERNMENT AGENCY/AGENCIES. APPROVAL BY THE INSPECTING ENGINEER DOES NOT GUARANTEE THAT ADDITIONAL WORK WILL NOT HAVE TO BE PERFORMED ON A STORMWATER MANAGEMENT STRUCTURE IN ORDER FOR IT TO COMPLY WITH THE STANDARDS OF THE GOVERNMENT AGENCY OR AGENCIES THAT ARE RESPONSIBLE FOR APPROVING THE STRUCTURE. TRIAD ENGINEERING, INC. ITS PERSONNEL AND ITS SUBCONTRACTORS WILL NOT BE LIABLE FOR ANY ADDITIONAL WORK ASSOCIATED WITH A STORMWATER MANAGEMENT STRUCTURE IN ORDER TO HAVE IT CONFORM TO NECESSARY STANDARDS.
- ALL SPECIFICATIONS SHOWN HEREIN SHALL BE USED AND LOCAL, STATE AND FEDERAL SPECIFICATIONS SHALL BE MINIMUM STANDARD.
- THE TOWN OF MIDDLETOWN WILL OBTAIN THE GRADING PERMIT.

**TRIAD ENGINEERING, INC.**  
 1075 D. SHERMAN AVENUE  
 HAGERSTOWN, MD 21740  
 PH: 301.797.8400 FAX: 301.797.2424  
 OFFICE LOCATIONS  
 MARYLAND - PEINSTEAD, VIRGINIA - WEST VIRGINIA

REV #	DATE	DESCRIPTION

CADD FILE: 03190717-C-1.1.dwg	CHECKED BY: B.J.S.	SCALE: AS SHOWN
DRAWN BY: STAFF	DATE: 05-27-20	AS SHOWN

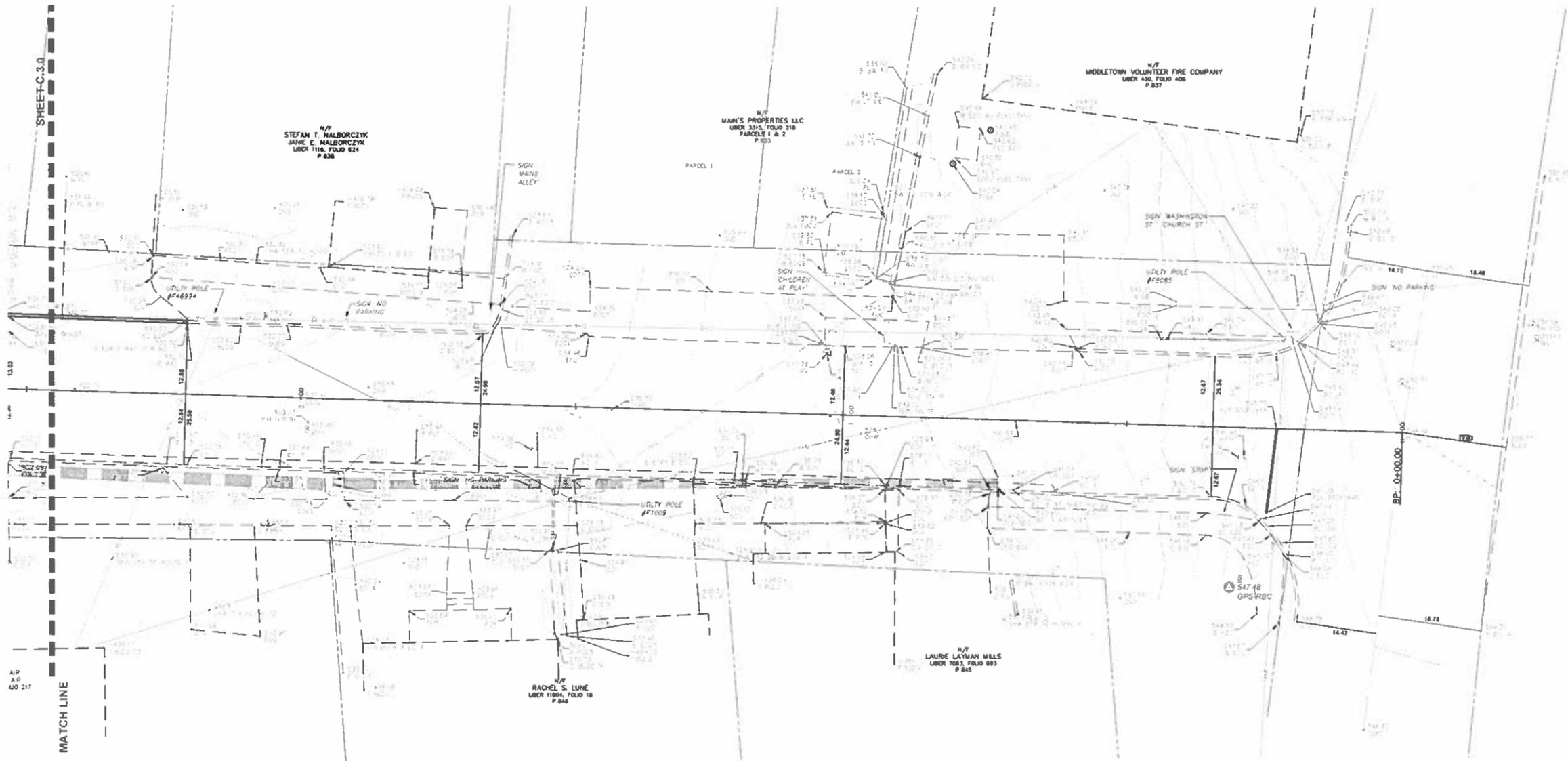
I HEREBY CERTIFY THAT THESE DOCUMENTS AND THE REVISIONS OR AMENDMENTS TO THEM ARE THE WORK OF A LICENSED PROFESSIONAL ENGINEER UNDER THE JURISDICTION OF THE STATE OF MARYLAND LIC ENG NO. 14664 EXPIRES DATE 01/01/21

TOWN OF MIDDLETOWN  
**WASHINGTON STREET  
 SIDEWALK IMPROVEMENTS**  
**NOTES AND LEGEND**



SHEET NUMBER:  
**C.1.1**  
 JOB NO. 03-19-0717

TRAVERSE				
Point #	Elevation	Northing	Easting	Description
5	547.48	647294.67	1158230.96	GPS-RBC



- General Notes:**
- No data report performed by or provided to Triad Engineering, Inc. regarding the property shown herein. This plot makes no attempt to locate any easements or rights of way, if any exist, other than those shown herein.
  - No boundary survey has been performed by Triad Engineering, Inc.
  - The horizontal datum is NAD 83/2011 Maryland State Plane Coordinate System, vertical datum is NAVD83, both derived from GPS observations.
  - The topography shown herein is based on a field run survey by Triad Engineering, Inc. October 29, 30 & 31, 2019.



**TRIAD ENGINEERING, INC.**  
 1075-D SHERMAN AVENUE  
 HAGERSTOWN, MD 21740  
 PH: 301.787.6400 FAX: 301.787.2424  
 OFFICE LOCATION: MARYLAND - PENNSYLVANIA - VIRGINIA - WEST VIRGINIA

REV. #	DATE	DESCRIPTION	BY

CADD FILE	03190717-C-2.0.dwg
DRAWN BY	BJ S
CHECKED BY	
STAFF	
DATE	02-14-20
SCALE	1" = 30'

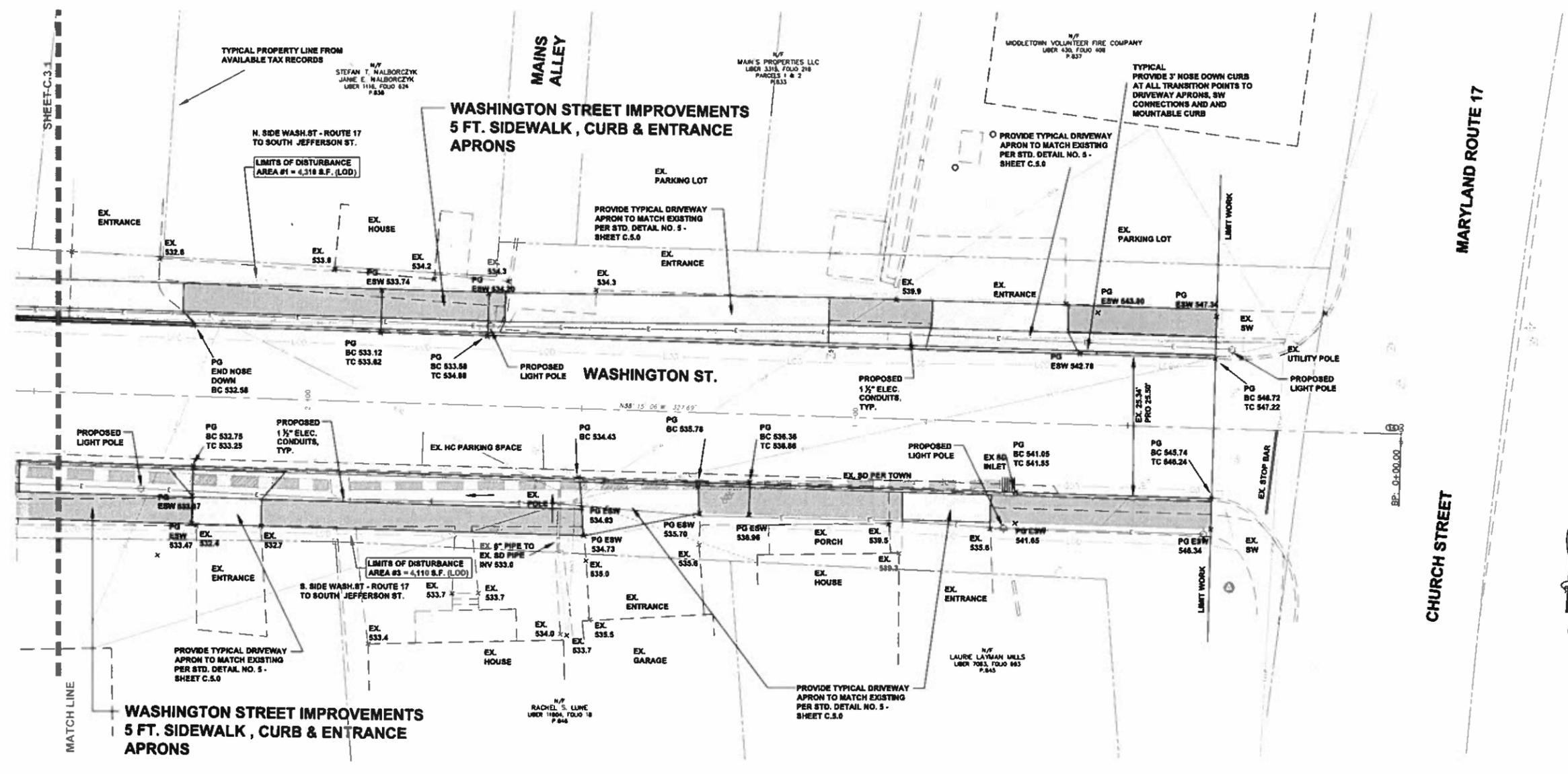
I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME AND THAT I AM A FULLY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND LICENSE NO. 14666 EXPIRATION DATE 07/06/21

TOWN OF MIDDLETOWN	GRID	PARCEL	ELEC. DIST.
WASHINGTON STREET			
SIDEWALK IMPROVEMENTS			
EXISTING CONDITIONS			
ZONING #	WATERSHED CODE		
TAX MAP			

**TRIAD ENGINEERING, INC.**  
 www.triadeng.com  
**C.2.0**  
 JOB NO. 03-19-0717

**OWNER/DEVELOPER**  
 TOWN OF MIDDLETOWN, MD  
 31 WEST MAIN STREET  
 MIDDLETOWN, MARYLAND 21769  
 ATTENTION J.R. HAWKINS, P.E.  
 (CIP PROJECT MANAGER)

Point #	Northing	Easting	Bearing
13	847332.51	1157034.93	N 88°15'06" W
14	847322.51	1158262.47	



SHEET-C-3.1

MATCH LINE

**TRIAD ENGINEERING, INC.**  
 1075-D SHERMAN AVENUE  
 HAGERSTOWN, MD 21740  
 PH: 301.787.6400 FAX: 301.787.2424  
 OFFICE LOCATIONS  
 MARYLAND - PENNSYLVANIA - VIRGINIA - WEST VIRGINIA

REV. #	DATE	DESCRIPTION

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DRAWN BY	STAFF
DATE	05-22-20
SCALE	1"=10'

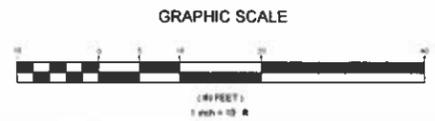
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TOWN OF MIDDLETOWN	WASHINGTON STREET
SIDEWALK IMPROVEMENT PLAN	
ZONING R-1	WATERSHED CODE 07403050718
TAX MAP 501	GRID
PARCEL	ELEC. DIST. 03

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**OWNER/DEVELOPER**  
 TOWN OF MIDDLETOWN MD  
 31 WEST MAIN STREET  
 MIDDLETOWN, MARYLAND 21769  
 ATTENTION: J.R. HAWKINS, P.E.  
 (CIP PROJECT MANAGER)

**SHEET NUMBER**  
**C.2.1**  
**JOB NO. 03-19-0717**

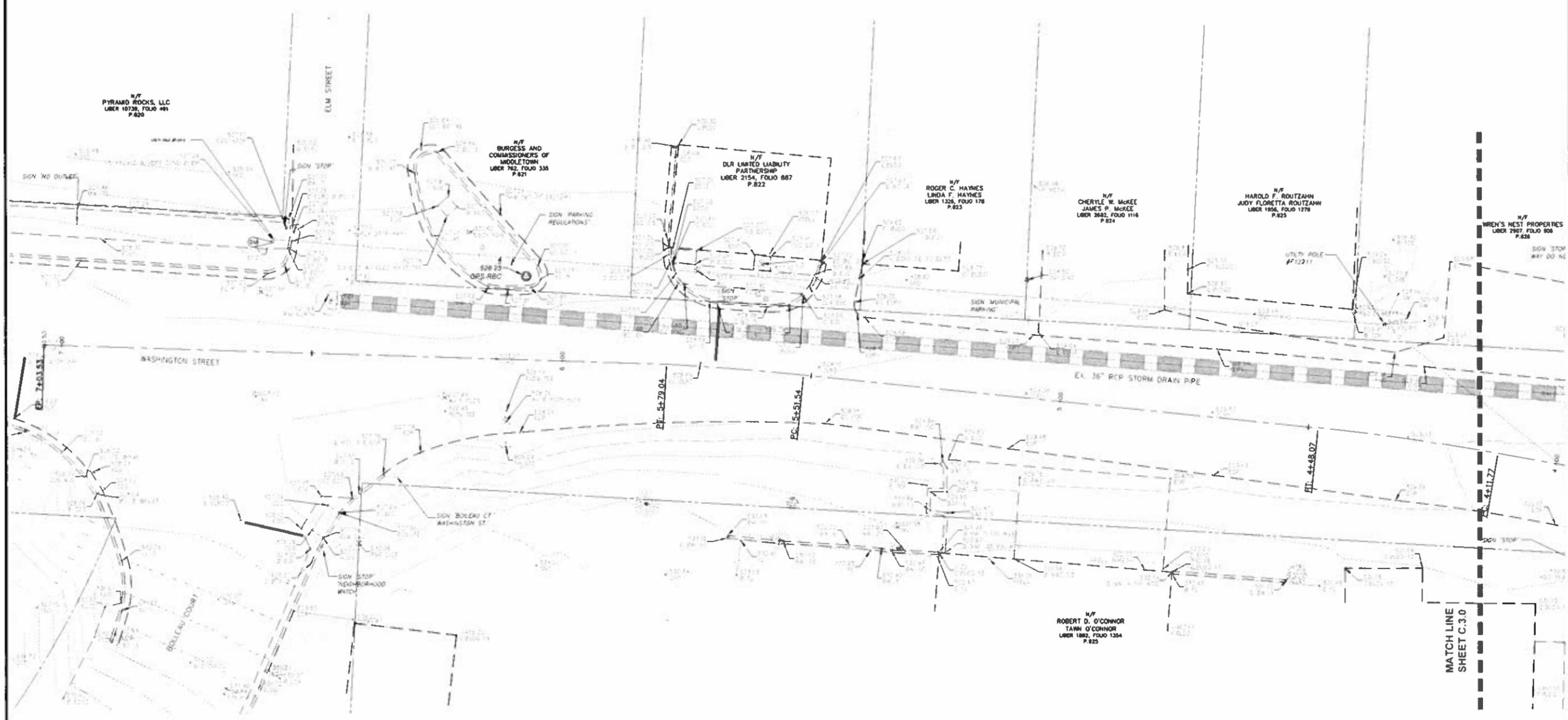






TRAVERSE				
Point #	Elevation	Northing	Eastng	Description
4	528.25	647379.11	1157657.35	GPS-RBC

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 HAGERSTOWN, MD 21740  
 PH. 301.787.8400 FAX 301.787.2424  
 OFFICE LOCATION  
 MARYLAND PENNSYLVANIA VIRGINIA WEST VIRGINIA



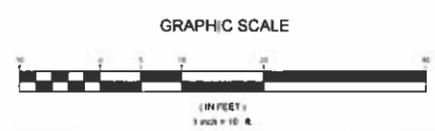
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CHECKED BY	BJS
DATE	09-22-20
SCALE	1"=10'

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TOWN OF MIDDLETOWN	WASHINGTON STREET	EXISTING CONDITIONS	WATERSHED CODE 021403060218	GR. #	PARCEL	ELEC. DIST. 03
ZONING R 1	TAX MAP 501					

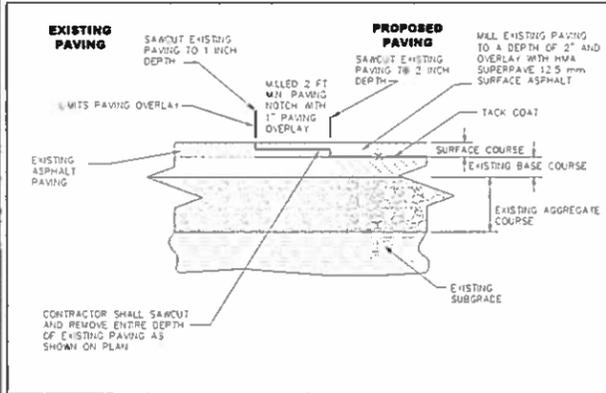
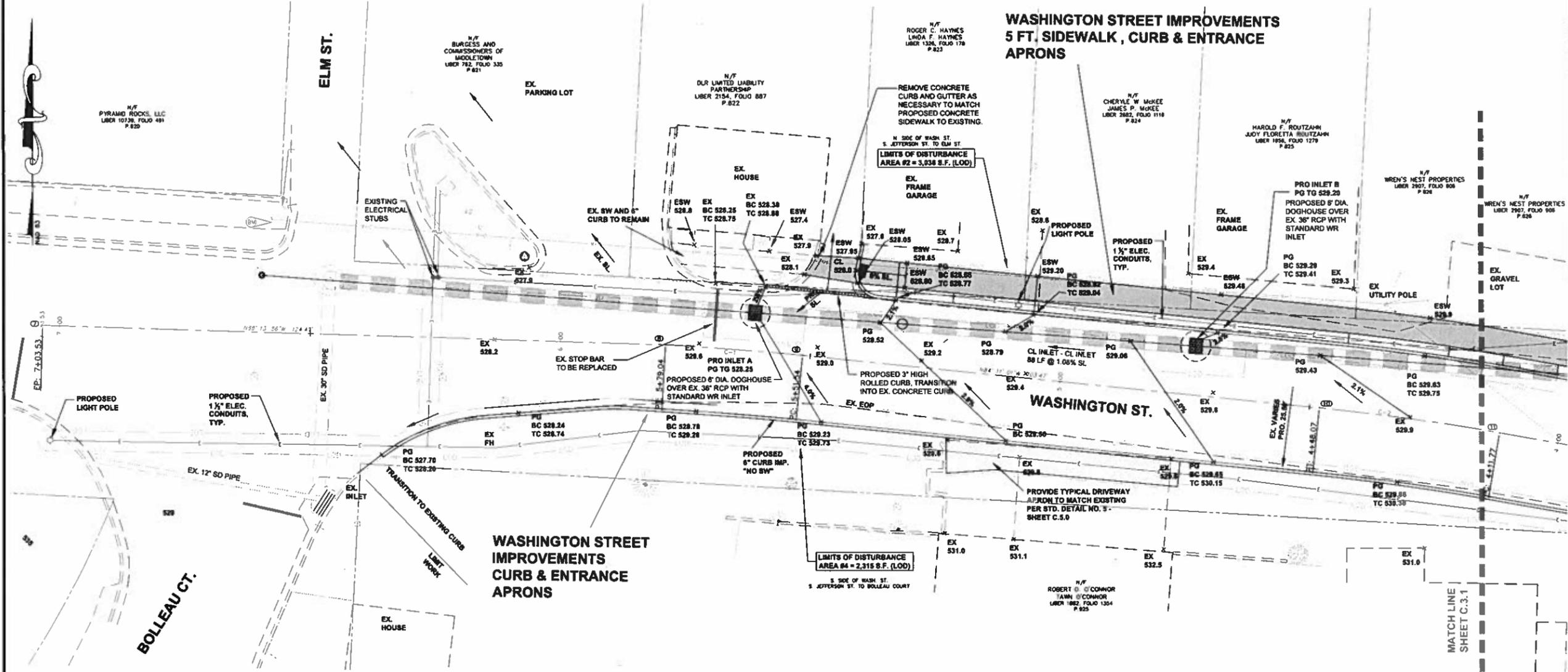
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 SHEET NUMBER  
**C.4.0**  
 JOB NO. 03-19-0717



**OWNER/DEVELOPER**  
 TOWN OF MIDDLETOWN, MD  
 31 WEST MAIN STREET  
 MIDDLETOWN, MARYLAND 21769  
 ATTENTION: J.R. HAMKINS, P.E.  
 (CIP PROJECT MANAGER)

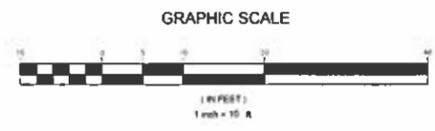
Centerline Curve Data					
Curve #	Radius	Length	Chord Direction	Start Point	End Point
C-1	625.38	27.50	N85° 30' 18" W	(1157712.85, 647359.48)	(1157885.43, 647361.84)
C-2	500.00	36.30	N82° 08' 14" W	(1157851.73, 647344.01)	(1157815.78, 647349.00)

Centerline Data			
Point #	Northing	Eastng	Bearing
7	647365.48	1157561.04	N86°13'56"W
8	647361.84	1157885.43	
9	647359.48	1157712.85	N84°11'01"W
10	647349.00	1157815.78	
11	647344.01	1157851.73	



- General Road Overlay Notes**
- No subsurface investigation has been performed by TRIAD Engineering, Inc.
  - Utility lines shown hereon were derived from existing records.
  - The Contractor shall be responsible for all coordination with all utility companies.
  - All disturbed areas are to be stabilized with topsoil, seed and mulch. Additional topsoil shall be placed if needed as directed by the Town of Middletown.
  - Feathering of "HMA" will not be allowed.
  - Subgrade deficiencies must be corrected using methods approved by the Town of Middletown.
  - All material incorporated into the work (i.e. HMA, aggregate, seed, etc.) shall meet all applicable SHA specifications.
  - Contractor must get Town of Middletown approval before making any changes to approved plans.
  - The Contractor shall contact "Miss Utility" a minimum of 72 hours before starting work.
  - "HMA" shall be inspected by the Town. Compaction to be done by an independent third party inspection firm.
  - Any damage to adjoining roads, utilities, private property, etc. caused by the Contractor, will be repaired or replaced in kind by the Contractor to the satisfaction of the Town of Middletown.
  - Anything that needs to be removed or relocated to complete the work as shown will be the Contractor's responsibility.
  - Limits of work shall be marked on the pavement.
  - Traffic control shall be the responsibility of the Contractor.
  - All saw cuts shall be painted in the field by the Contractor and approved by the Town of Middletown before any cutting is permitted.
  - Tack coat required between existing and new paving surface.
  - Pavement markings to be removed from the site by the contractor at their expense and placed on the markings pile located at Remsburg Park.
- General Notes**
- At completion of paving overlay the roadway paint striping is to be replaced as per pre construction conditions.

**1 PAVING OVERLAY DETAIL**  
NOT TO SCALE



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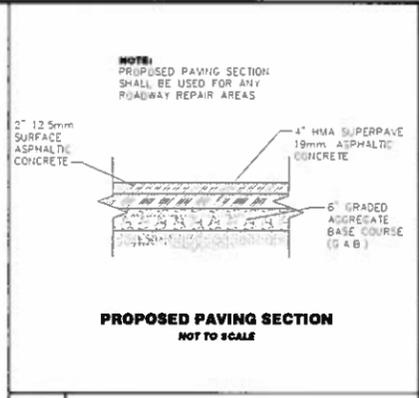
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CHECKED BY	STAFF
DATE	05-22-20
SCALE	1"=10'

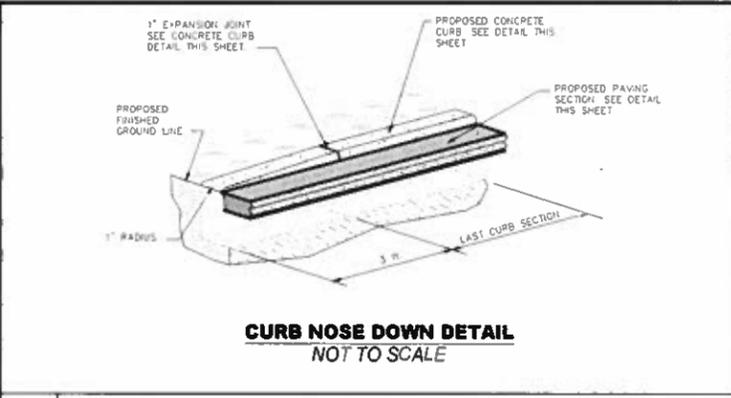
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TOWN OF MIDDLETOWN  
**WASHINGTON STREET**  
SIDEWALK IMPROVEMENT PLAN  
ZONING R-1 WATERSHED CODE 02140009216  
TAX MAP 501 GRID PARCEL ELEC. DIST. 03

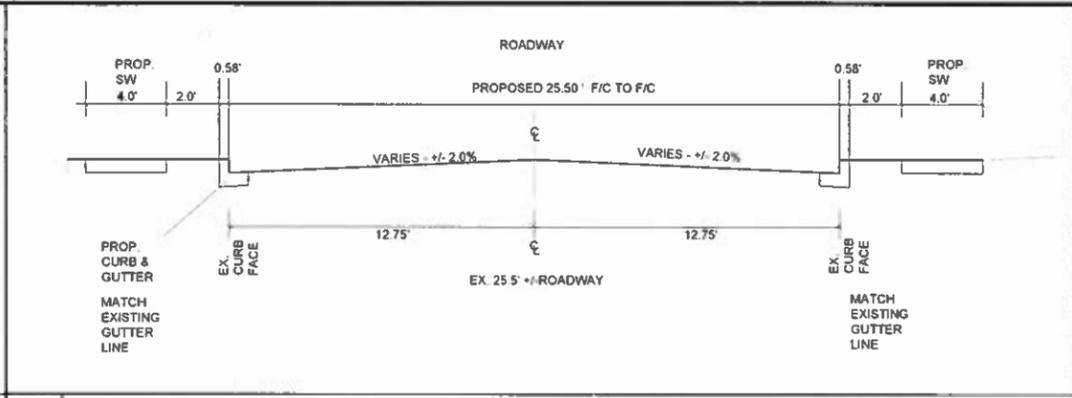
**TRIAD**  
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www.triadeng.com  
OWNER/DEVELOPER  
TOWN OF MIDDLETOWN, MD  
31 WEST MAIN STREET  
MIDDLETOWN, MARYLAND 21769  
ATTENTION: J.R. HAWKINS, P.E.  
(CIP PROJECT MANAGER)  
SHEET NUMBER  
**C.4.1**  
JOB NO. 03-19-0717



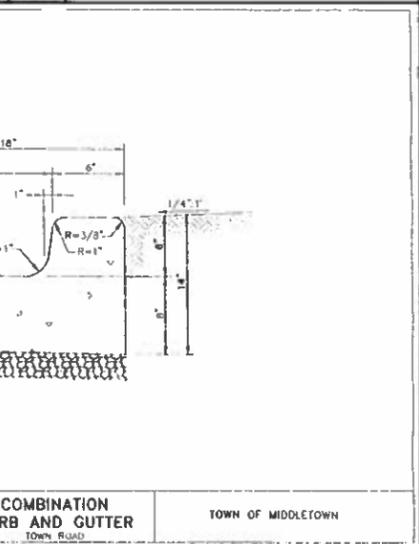
**1 PAVING SECTION DETAIL**  
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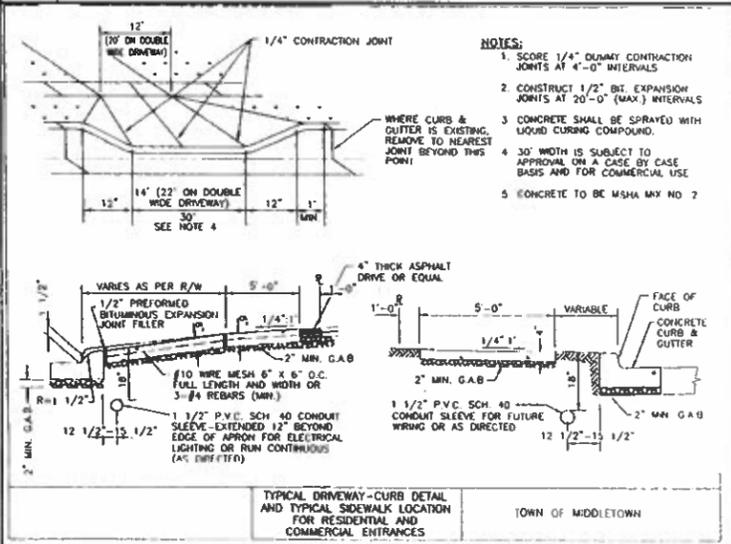
**2 CURB NOSE DOWN DETAIL**  
NOT TO SCALE



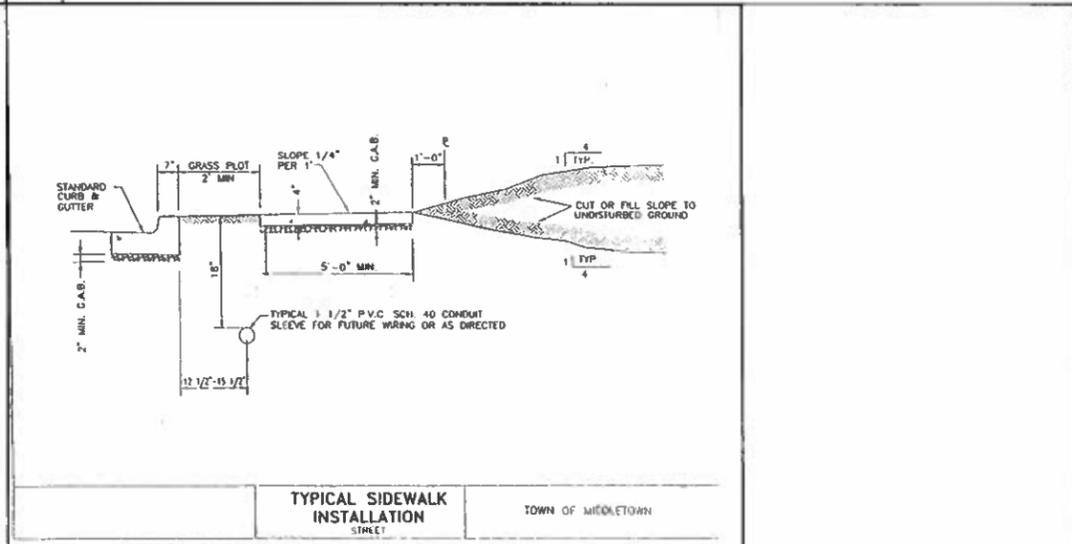
**3 TYPICAL ROADWAY SECTION WASHINGTON STREET SIDEWALK IMPROVEMENTS**  
NOT TO SCALE



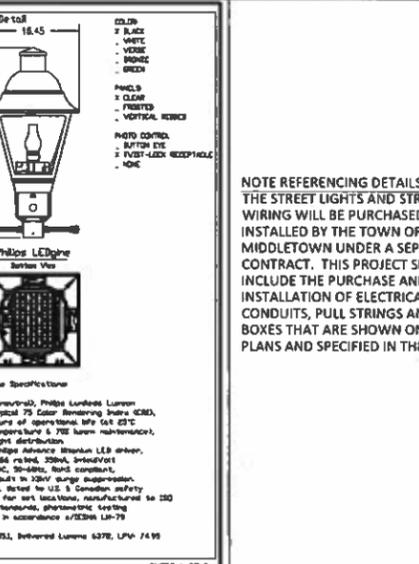
**4 TOWN OF MIDDLETOWN COMBINATION CURB AND GUTTER DETAIL**  
NOT TO SCALE



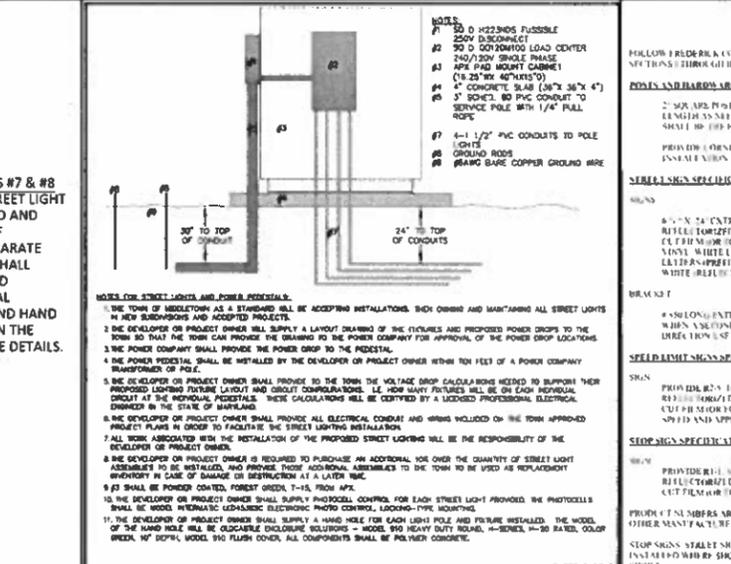
**5 TOWN OF MIDDLETOWN TYPICAL DRIVEWAY APRON DETAIL**  
NOT TO SCALE



**6 TOWN OF MIDDLETOWN TYPICAL SIDEWALK DETAIL**  
NOT TO SCALE



**7 TOWN OF MIDDLETOWN LIGHT DETAIL**  
NOT TO SCALE



**8 TOWN OF MIDDLETOWN PEDESTAL DETAIL**  
NOT TO SCALE

**SIGNAGE NOTES**  
NOT TO SCALE

**PAVING AND STRIPING NOTES**  
NOT TO SCALE

1. ALL CONSTRUCTION METHODS AND MATERIALS USED SHALL CONFORM TO THE LATEST REQUIREMENTS OF THE MSHA STANDARD SPECIFICATIONS FOR CONSTRUCTION AND MATERIALS (LATEST EDITION UNLESS NOTED OTHERWISE).

2. ALL CURB RADIUS SHALL BE AS SHOWN ON THE PLANS.

3. FIELD ADJUSTMENTS SHALL BE MADE AS NECESSARY TO PROVIDE A SMOOTH TRANSITION BOTH VERTICALLY AND HORIZONTALLY FROM EXISTING TO PROPOSED PAVING SECTIONS.

4. GUTTERS AND PAVING SHALL BE INSTALLED IN SUCH A MANNER AS TO ENSURE PROPER DRAINAGE IN ALL WEATHER CONDITIONS.

5. ALL CURB & GUTTER SHALL BE PER CURB & GUTTER DETAIL, THESE PLANS.

6. WHERE PROPOSED PAVEMENT AND OR CURB & GUTTER IS INSTALLED TO ADJUT EXISTING PAVEMENT, THE EXISTING PAVEMENT EDGE SHALL BE SAW CUT AND BACK COATED TO INSURE PROPER BONDING WITH THE CONSTRUCTION. ALL EXISTING SIDEWALK, CURB & GUTTER TO BE REMOVED SHALL BE REMOVED TO THE NEAREST POINT PROPOSED PAVEMENT, CURB & GUTTER SHALL BE REINSTATED BOTH HORIZONTALLY & VERTICALLY, PROVIDING A SMOOTH TRANSITION.

7. WHEN THE FINAL CURB OR GUTTER IS INSTALLED OVER EXISTING JOINTS BY A MINIMUM OF 12 INCHES, SEAL ALL TRANSVERSE JOINTS WITH NEW MLETS OLD WITH M-20.

8. ALL STRIPING SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF THE MSHA STANDARD SPECIFICATIONS FOR CONSTRUCTION AND MATERIALS.

9. MATERIALS FOR CROSSWALKS AND STOP BARS SHALL BE MORTON DURA-STRIP METHYL METHACRYLATE 40 MIL THICKNESS.

**9 SIGNAGE NOTES**  
NOT TO SCALE

**10 PAVING AND STRIPING NOTES**  
NOT TO SCALE

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DATE	05-27-20
SCALE	AS SHOWN
CHECKED BY	BJS
DRAWN BY	BJS
DATE	05-27-20
SCALE	AS SHOWN
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SCALE	AS SHOWN

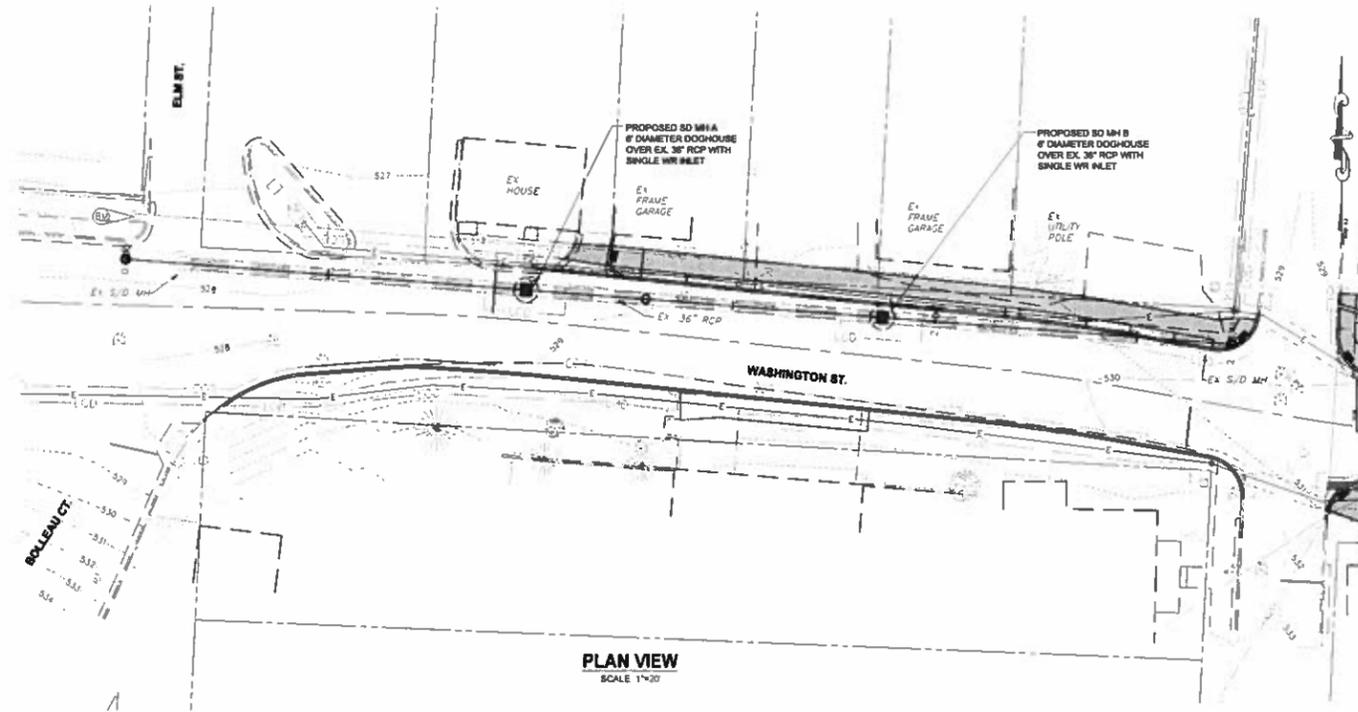
**TOWN OF MIDDLETOWN**  
**WASHINGTON STREET**  
**SIDEWALK IMPROVEMENTS**

**STREET CURB & SIDEWALK**  
**NOTES AND DETAILS**

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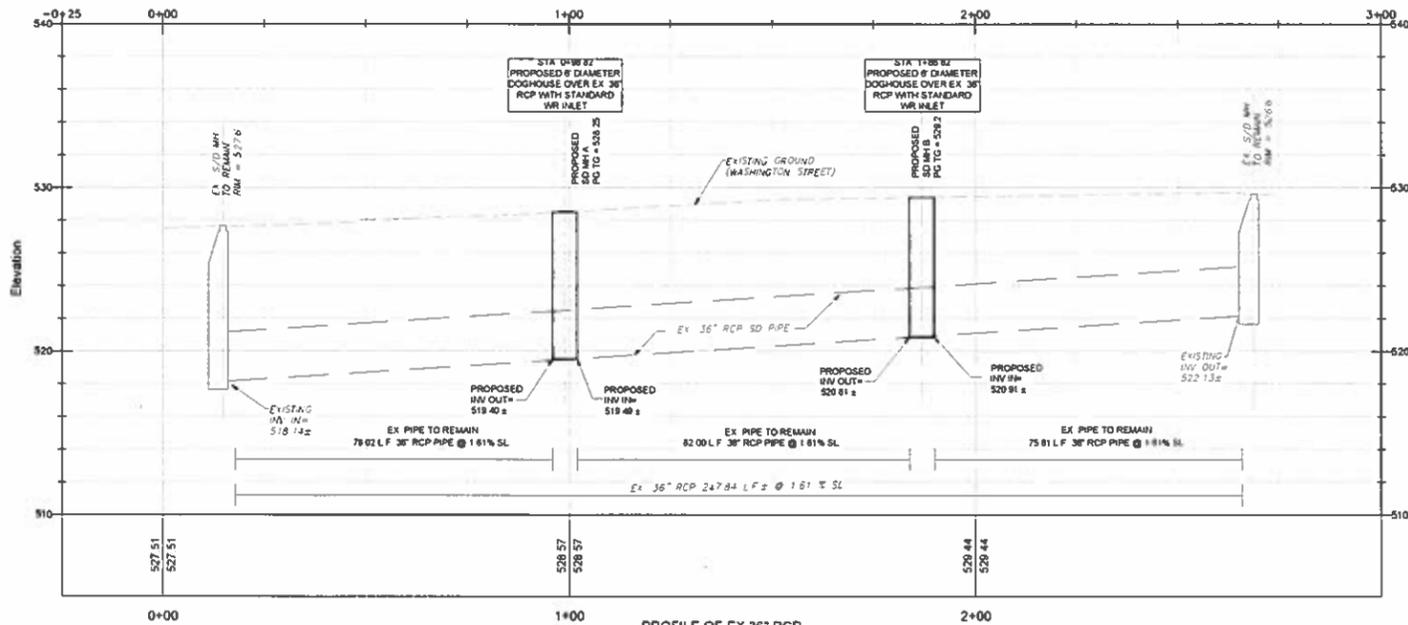
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**C.5.0**

**JOB NO: 03-19-0717**

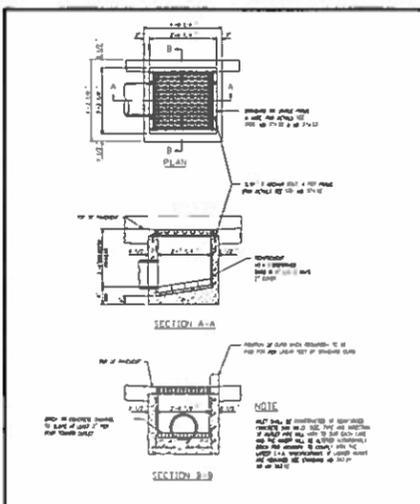


PLAN VIEW  
SCALE 1"=20'

GRAPHIC SCALE

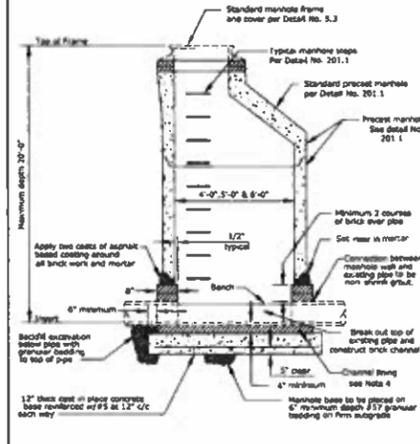


PROFILE OF EX 36" RCP  
SCALE: HORIZ 1"=20'  
VERT 1"=5'

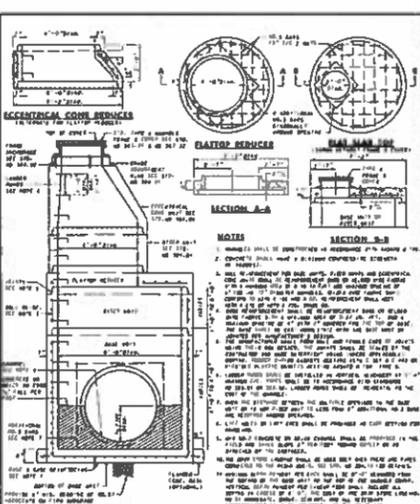


PROPOSED	EXISTING	REVISIONS

Notes:  
 1. Maximum depth 20'-0"  
 2. For P.V.C. pipe, construct manhole per detail No. 201.4.  
 3. Engineer may at his option allow precast variation of detail shown. See Detail No. 201.6.  
 4. Channel must be constructed to permit "TV" equipment to be pulled through manhole.

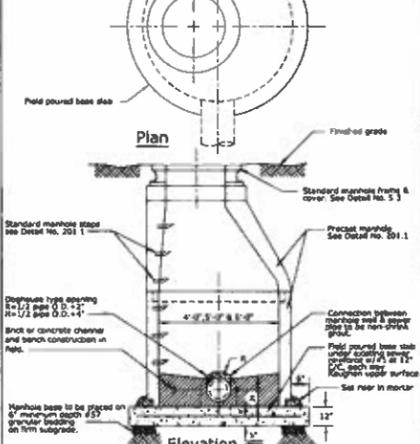


Frederick County Division of Utilities & Solid Waste Management Department of Engineering & Planning	Revisions Date 	Precast Concrete Manhole Built Over Existing Sewer Type I	Detail No. 201.5 Date 02.21.20
--	-----------------------	---	---



PROPOSED	EXISTING	REVISIONS

Notes:  
 1. Maximum depth 20'-0" (top of man to lower).  
 2. For P.V.C. pipe construction, manhole per Detail No. 201.4.



Frederick County Division of Utilities & Solid Waste Management Department of Engineering & Planning	Revisions Date 	Precast Concrete Manhole Built Over Existing Sewer Type II	Detail No. 201.6 Date 02.21.20
--	-----------------------	--	---

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TOWN OF MIDDLETOWN  
 WASHINGTON STREET  
 STORM DRAIN IMPROVEMENTS  
 AND NOTES & DETAILS  
 ZONING R-1  
 TAX MAP 501  
 WATERSHED CODE 021403050216  
 PARCEL -  
 ELEC. DIST. 03

**TRIAD ENGINEERING, INC.**  
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 SHEET NUMBER  
**C.6.0**  
 JOB NO. 03-19-0717

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 TOWN OF MIDDLETOWN MD  
 31 WEST MAIN STREET  
 MIDDLETOWN, MARYLAND 21769  
 ATTENTION: J.R. HAWKINS P.E.  
 (CIP PROJECT MANAGER)



**Burgess and Commissioners of  
Middleton, Maryland**

**Emergency Management Plan**

## **I. Purpose**

The purpose of Middletown's Emergency Management Plan is to identify the municipality's responsibilities in preparing for, mitigating, responding to, and recovering from an emergency. These emergencies are unplanned events that can cause deaths or significant injuries to the public, disrupt the daily operations of the municipality, cause physical or environmental damage, or threaten the municipality's financial abilities.

For the purpose of this plan, all references to Middletown are the municipal boundaries of the Town. This is due to the fact that the Burgess and Commissioners do not have any jurisdiction outside the Town limits.

## II. Contact List

The following list includes points of contact and their phone numbers for different emergency situations.

Central Alarm (Fire, Rescue & Police) -	911 Emergency 301-694-1603 Non-Emergency	24 Hour 24 Hour
Frederick County Sheriff's Office -	301-694-2071	24 Hour
Frederick County Water & Sewer -	301-694-2194	24 Hour
Maryland State Police -	301-663-3101	24 Hour
Maryland Department of the Environment -	410-243-8700	24 Hour
Middletown Town Office -	301-293-3818 Emergency 301-371-6171 Non-Emergency	24 Hour
Red Cross -	301-662-5131	24 Hour
State Highway Administration, Statewide Operations Center -	1-800-543-2515 or 410-582-5650	24 Hour

### **III. Situation and Assumptions**

#### ***A. Situation***

1. Middletown is a small residential community with a downtown commercial/residential area that is located in Frederick County, Maryland. Two state roads serve as the main intersecting streets – U.S. Alternate Route 40 and MD Route 17. The area surrounding the town is mostly farming with some county residential subdivisions. Middletown is the regional center for the Middletown Planning Region and is situated in a valley area to the west of Frederick, the county seat for Frederick County.
2. Potential emergencies include fire, lightning, severe winter storms, tornadoes, severe winds, drought, excess rain and floods, downed wires, water contamination, water treatment chemical accidents, hazardous materials vehicle accidents, major traffic accident, and malfunctioning systems for traffic control, water and sewer, and electricity.

#### ***B. Assumptions***

1. This plan has been developed as the initial reference for local authorities. It assumes that outside assistance will be available for most major disaster situations. This plan is to allow Middletown to be prepared to carry out disaster response and short-term recovery operations on an independent basis.
2. Most emergency situations will be handled routinely by the emergency services agencies of Frederick County. Frederick County has its own Emergency Operations Plan to which this plan refers.
3. When the emergency exceeds the local government's capability to respond, assistance will be requested from the County first and then the State government through the Maryland Emergency Management Agency (MEMA).

### **IV. Concept of Operations**

- A. It is the duty of Middletown government to protect life and property from the effects of hazardous events. Local government has the primary responsibility for emergency management activities. Middletown must depend initially upon its own and locally available resources.

B. If Middletown has committed all of its resources and still cannot cope with the emergency or disaster, the Town requests assistance from the County.

C. The County will determine if additional assistance is needed from the State or Federal government according to their Concept of Operations section.

D. The Town Administrator will be responsible for coordinating all emergency operations. In the event that the Town Administrator is not available, the Town's Water & Sewer Superintendent will be responsible for coordinating all emergency operations.

E. Response and recovery operations will be governed by the following priorities:

- Protecting and saving lives.
- Protecting the public health.
- Alleviating hardship.
- Protecting property.

## **V. Responsibilities**

### **A. Town Administrator**

The Town Administrator is responsible for coordinating all emergency efforts. He or she will notify the Burgess and Commissioners of all emergency situations.

### **B. Burgess and Commissioners**

The Burgess and Commissioners are responsible for exercising overall responsibility for plans and operations for emergency and disaster assistance within Middletown through the Town Administrator.

They have the authority to order evacuations and to implement this plan.

### **C. Frederick County Sheriff's Department**

The Town deputies from the Frederick County Sheriff's Department provide police services necessary to assure the safety and welfare of the residents of Middletown in coordination with Frederick County Sheriff's office and the Maryland State Police.

They provide for search and rescue in coordination with the Maryland State Police and other agencies.

They assist the Town Administrator in disseminating emergency alert and warning notifications.

### **D. Support Organizations**

These organizations include those County, State, Federal, and emergency agencies identified in the Frederick County Emergency Operations Plan.

## **VI. Continuity of Government**

### ***A. Lines of Succession***

- Burgess
- Burgess Pro Tempore
- Commissioners

### ***B. Preservation of Record***

1. Records deemed essential to the continuation of government functions, and records required to protect the rights and interests of individuals, are kept in a sealed vault in the Middletown Municipal Center at 31 W. Main Street and are stored in the State Archives in Annapolis.
2. Copies of the important Emergency Management documents and work products of Middletown are kept on file at the Middletown Municipal Center at 31 W. Main Street.

## **VII. Administration and Logistics**

### ***A. Financial Administration***

1. Expenditures necessitated by emergencies will first be made by the use of funds regularly appropriated in the annual budget.
2. Records of time, supplies, and other resources expended in an emergency shall be maintained by the Town Administrator.
3. If private property is used by the Town under a declared State of Emergency, the owner may be compensated for its use and for any damage.

### ***B. Administrative Policies***

1. Protecting and saving lives, protecting the public health, alleviating hardship, and protecting property will be the main priorities of response and recovery operations.
2. To the extent consistent with law, no administrative process will be permitted to interfere with operations essential to preventing injury, loss of life, and significant property damage.

3. All emergency assistance available shall be provided without discrimination as to race, religion, sex, color, age, economic status, or national origin.

4. Emergency operations will be conducted utilizing all practical means to protect the environment.

### ***C. Mutual Aid Agreements***

Should local government resources prove to be inadequate during an emergency, requests will be made for assistance from other local jurisdictions, higher levels of government, and private organizations, in accordance with existing or emergency negotiated mutual aid agreements. Such assistance may take the form of personnel, equipment, supplies, or other capabilities. All agreements will be entered into by duly authorized officials and will be formalized in writing whenever possible. Copies of any mutual aid agreements will be on file in the Town office at the Municipal Center once executed.

### ***D. Resources***

These include the local volunteer fire company, the Director of the Frederick County Public Safety Division, the Frederick County Board of Education, and local churches. Also included are those resources listed in the Frederick County Emergency Operations Plan.

### ***E. Reports and Records***

1. During emergency operations, every effort will be made to document each occurrence/transaction sufficiently so that complete records can be reconstructed and claims properly verified after the emergency period has passed.

2. Required records will be submitted to the appropriate authorities.

3. Records of expenditures and obligations in emergency operations must be maintained, including time, supplies, and other resources expended.

### ***F. Use of Town Employees During Emergencies***

1. While response and recovery tasks will be in keeping with their normal, day-to-day jobs, most of the time, the Town Administrator

may assign any employee to perform work that is not within the scope of their usual employment and may be at any location in the Town.

2. Employees assigned to emergency duties shall be reimbursed for reasonable and necessary expenses and shall receive appropriate overtime, if necessary, in accordance with State laws, regulations, and procedures.

**G. Description of water system's characteristics**

1. Attached to the appendices are maps showing the following:
  - a) Maps showing water intake, well locations, and spring location.
  - b) A description of the treatment provided.
  - c) A map showing distribution area for the Town.

**VIII. Plan Development and Maintenance**

**A.** The Town Administrator will be responsible for developing, reviewing, and updating this plan.

**B.** The Burgess and Commissioners will be responsible for giving the Town Administrator the authority to implement this plan.

**C.** This plan applies to all local agencies, boards, commissions, and departments assigned emergency responsibilities and to all elements of local government.

**D.** This plan shall be effective upon approval by the Burgess and Commissioners of Middletown, Maryland.

**E.** Updating and training staff with regard to this Emergency Plan will be conducted on a yearly basis.

## **IX. Authorities and References**

### ***A. Authorities***

1. Article 16A, Maryland Annotated Code, State Emergency Management and Civil Defense Act.
2. PL 93-288, Disaster Relief Act of 1974.
3. Frederick County Resolution 75-8-4.
4. Local Resolution

### ***B. References***

1. Emergency Operations Plan, Frederick County, MD

## **X. Definitions**

See Frederick County Emergency Operations Plan.

## **XI. Appendices**

See the Contact List at the beginning of this document. Following is a list of possible emergencies. Middletown will in most cases utilize the assistance of those responsible for the Frederick County Emergency Operations Plan which contains Frederick County's procedures for dealing with these emergencies.

- A. Fire**
- B. Lightning**
- C. Severe Winter Storm**
- D. Tornado**
- E. Severe Wind**
- F. Drought**
- G. Excess Rain and Flooding**
- H. Downed Wires**
- I. Water Contamination**
- J. Water Treatment Chemical Accident**
- K. Hazardous Materials Vehicle Accident**
- L. Major Traffic Accident**
- M. Malfunctioning Systems**
  - 1. Traffic Control
  - 2. Water and Sewer
  - 3. Electricity