MIDDLETOWN PLANNING COMMISSION

Middletown Municipal Center
31 West Main Street
Middletown, MD 21769

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

I.	**Public Comment**	
II.	**Minutes of July 2020 Planning Commission workshop**	**Approval**
	Minutes of July 2020 Planning Commission meeting	**Approval**
III.	**Plan Review - none**	
IV.	**Zoning**	
	Temporary sign regulations	**Review/Recommendation**
V.	**Comprehensive Plan Update**	
	Mission Statement	**Review**
	Chapter 3 Natural Resources	**Review**
	Chapter 4 Land Use	**Review**
VI.	**Additional Public Comment**	

Cindy Unangst is inviting you to a scheduled Zoom meeting.

Topic: August Planning Commission meeting
Time: Aug 17, 2020 07:00 PM Eastern Time (US and Canada)

Join Zoom Meeting
https://us02web.zoom.us/j/83962356109?pwd=K0duMnhDQVhMTVZoVGRYNE9nVW9adz09

Meeting ID: 839 6235 6109
Passcode: 565780

One tap mobile
+13017158592,,83962356109#,,,,,,0#,,565780# US (Germantown)

Dial by your location
+1 301 715 8592 US (Germantown)

Meeting ID: 839 6235 6109
Passcode: 565780
Find your local number: https://us02web.zoom.us/u/kqevEXwXq

**** All requests to be on the Planning Commission agenda must be received at the Middletown Municipal Center, 31 W. Main Street, Middletown by 12:00pm on the Monday two weeks prior to the monthly meeting held on the third Monday of each month. All plans being submitted for review must be folded, and an electronic plan is required as well.**

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

MIDDLETOWN PLANNING COMMISSION
31 West Main Street
Middletown, Maryland

Virtual Workshop **July 15, 2020**

The virtual workshop of the Middletown Planning Commission took place on Wednesday, July 15, 2020 at 7:00 p.m. via a Zoom meeting. Those present (quorum) were Commission Chairman Mark Carney, Ex-officio member Jean LaPadula, Commission Members Rich Gallagher, Bob Miller, David Lake, Dixie Eichelberger, Alternate, and Eric Ware, Temporary Alternate. Others present in official capacity: Cindy Unangst (Staff Planner).

JULY MONTHLY PLANNING COMMISSION WORKSHOP:

PLAN REVIEW –

MVAA Memorial Park Shed Relocation site plan – Cindy reviewed her staff report noting that the proposal now shows a shed size of 10-feet by 14-feet, 6 inches instead of the previous size of 10 x 15.

ZONING –

Temporary sign regulations – Commission members reviewed and discussed proposed edits for signage for new businesses as well as other changes to existing temporary sign regulations.

MISCELLANEOUS –

2019 Annual Planning and Zoning Report – Cindy reviewed the changes she made to the report since last month based on comments from Commission member Gallagher. There was discussion about the water capacity section of the report which will be revised.

COMPREHENSIVE PLAN UPDATE

Chapter 3 Natural Resources – Cindy reviewed her comments and proposed changes to the chapter, and there was discussion of those items, including the highest point in Middletown, floodplain definitions, and revisions to the list of recommendations that were completed since the last Plan was adopted.

Workshop adjourned at 8:10pm.

Respectfully submitted,

Cynthia K. Unangst, AICP
Middletown Staff Planner

DRAFT

MIDDLETOWN PLANNING COMMISSION
31 West Main Street
Middletown, Maryland

Regular Meeting **July 20, 2020**

The regular meeting of the Middletown Planning Commission took place on Monday, July 20, 2020 at 7:00 p.m. via a Zoom meeting. Those present (quorum) were Commission Chairman Mark Carney, Commission members David Lake, Rich Gallagher, Commissioner Jean LaPadula (Ex-officio), Bob Miller, Dixie Eichelberger (Alternate) and Eric Ware (Temp Alternate). Others present in official capacity: Cindy Unangst (Staff Planner) and Patty Guyton (Recording Secretary). Others present: Jon Lobenstine (MVAA) and Ana Lomb (Resident at 9 Washington Street).

JULY MONTHLY PLANNING COMMISSION MEETING:

I. PUBLIC COMMENT – None.

II. Minutes of the June 2020 Planning Commission Workshop – Approved as submitted.

Minutes of the June 2020 Planning Commission Meeting – Approved as submitted.

III. PLAN REVIEW

MVAA Memorial Park Shed Relocation – The proposed use is for a 10-foot by 14'6"-foot storage shed to be erected at Memorial Park to replace a 6'x8' shed which is in poor condition. The new shed would be able to store the lawn tractor used regularly for conditioning the field, which is currently stored at a neighbor's house. The proposed shed would be placed out of sight of park users behind the bathroom building where the horseshoe pits are currently located. Town officials have stated that the horseshoe pits are essentially never used.

The building setbacks for the open space district are 50-foot front and rear yards and 15-foot side yards. The request materials do not indicate the proposed distance from the side lot line, but a visit to the site with a measuring wheel showed the distance to the property line to be about 30-feet. The height of the proposed storage shed is 10'10".

Action: Commission member Lake motioned to approve the new shed for MVAA that was presented tonight. Motion was seconded by Commission member Gallagher. Motion carried (5-0)

IV. ZONING

Temporary Sign Regulations – The proposed changes are to modify the language of the Middletown Municipal code by changing the height and square footage of Construction, Non-Profit Advertising Events, and Business Identification signs to not exceed 4 feet in height and 16 square feet and should be taken down after the allowed duration of time. Also proposed were regulations for signage of new businesses.

17.36.150 - Temporary signs.

B. A permit is not required for the following types of temporary signs:
   3. Temporary Business Identification. A temporary sign which identifies the opening or existence of a new business. Such signs shall not exceed sixteen~~twenty-four~~ (16~~24~~) square feet in size, four (4) feet in height, and shall be valid for a period of no longer than six~~two~~ months from the date of issuance.

4. Construction signs. Such signs may only be installed after the issuance of a zoning permit, may not exceed one sign per street frontage, may not exceed four~~six~~ (4~~6~~) feet in height and may not exceed sixteen ~~twenty-four~~ (16~~24~~) square feet in size. A construction sign shall be removed prior to the issuance of a certificate of occupancy.

6. Temporary non-profit signs advertising events, activities~~, recruiting~~ or fundraising efforts by community service groups, religious groups, children's or youth organizations, or student organizations. Such signs shall not exceed sixteen~~twenty-four~~ (16~~24~~) square feet in size and four~~six~~ (4~~6~~) feet in height, and shall be removed after four (4) weeks from installation ~~upon completion of the effort being advertised~~.

9. Signs advertising new businesses shall be allowed to advertise the opening of the establishment for the first three months from certificate of occupancy. Such signs shall not exceed six (6) square feet in size and the business shall be limited to three (3) in number.

C. A permit is required for the following types of temporary signs:

3. Temporary Business Identification. A temporary sign which identifies the opening or existence of a new business. Such signs shall not exceed sixteen~~twenty-four~~ (16~~24~~) square feet in size, four (4) feet in height, and shall be valid for a period of no longer than six~~two~~ months from the date of issuance.

There was discussion after reviewing the changes to the Temporary sign regulations, that some of the language needs to be changed and defined more clearly. Some regulations and information will need to be moved to other sections of the temporary sign regulations for more clarity. Cindy will apply these changes and share them with the Zoning Administrator for review. Once the Zoning Administrator reviews the changes, Cindy will re-submit them to the Planning Commission.

Action: Tabled until next month so Cindy can make the changes that were proposed and have the Zoning Administrator review the changed regulations.

V. MISCELLANEOUS

2019 Annual Planning and Zoning Report -The Planning Commission has the most current version of the draft 2019 Annual Planning Report for review. The report is missing wastewater average daily flow measurements. Mark reviewed the new Water Capacity calculations to be inserted in the chart.

Action: Commission member Gallagher motioned to conditionally approve the 2019 Annual Report, once the Town Administrator sends the wastewater data to Mark and he will email the Planning Commission members for review and approval. Seconded by Commission member Miller. Motion carried (5-0)

VI. COMPREHENSIVE PLAN UPDATE

Chapter Three - Natural Resources – The Planning Commission received the proposed changes to the Comprehensive Plan Chapter 3 Natural Resources. There was discussion about the watershed paragraph needing to be re-worded/re-worked. Cindy was asked to get in touch with a GIS specialist on how to clear up the stream information at the county park. Cindy will make the edits and the Planning Commission will review it at the August meeting.

Comp Plan Update Timeline – Cindy will contact Frederick County to see when the Census data will be ready and add it to the Comp Plan update timeline. There was discussion on adding a joint meeting in December since the next meeting after October will not be until April. Cindy will talk to the Town Administrator about scheduling.

DRAFT

Citizens Survey – There was discussion on putting the survey on Google drive so that the Planning Commission members could see each other's comments and edits. Commission members added that some of the questions could be combined into one question instead of having two that are similar. Cindy and Mark will work on getting the survey out to the members for review and comments.

VII. ADDITIONAL PUBLIC COMMENT - None.

Meeting adjourned at 8:30 PM.

Respectfully submitted,

Patty Guyton
Recording Secretary

DRAFT

MEMORANDUM

Date: 8/13/2020

To: Middletown Planning Commission

From: Cynthia K. Unangst, Middletown Staff Planner

RE: Temporary sign regulations

CURRENT REGULATIONS

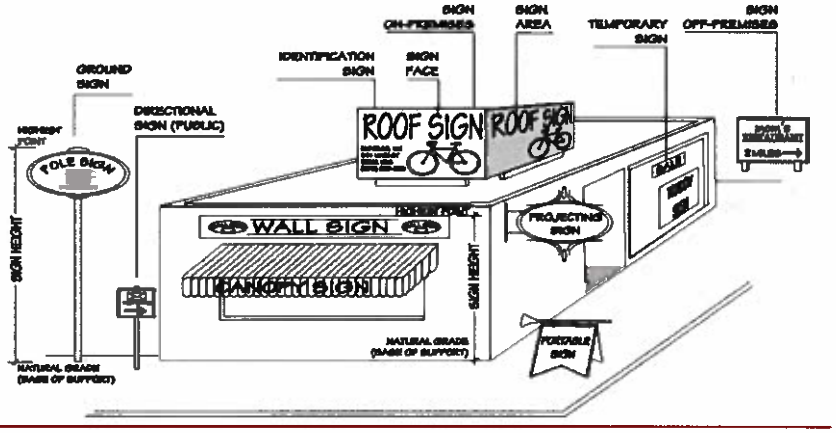
"Temporary sign." Any sign or banner which has for its purpose the advertising, announcement or display of information pertaining to an event, condition or situation that is intended to be limited in scope, duration of time not to exceed forty-five (45) days, including, but not limited to, commercial sales events, concerts, plays and other commercial or cultural events.

Frederick City definition:

- **Sign, Temporary**

  A sign that is movable, not permanently attached to the ground, a structure, or another sign, designed or constructed in such a manner that it can be moved or relocated without involving any structural support changes, intended for a limited period of display or constructed of cloth, canvas, plastic sheet, cardboard, or other like materials, and including but not limited to banners, streamers, pennants, freestanding signs, air and gas filled balloons and figures.

Frederick City Code signage diagram:



Mt. Airy definition:

TEMPORARY SIGNS

A sign that is not permanently attached or designed to be permanently attached to the ground, a building, or a pole staff or other permanent support anchored to a building or into the ground; includes a banner sign and a sign that is affixed to a stake or rod driven into the ground without any other anchor, such as concrete; includes a sign that is cardboard, paper or which is laminated, but does not include portable signs.

Brunswick definition:

Temporary Sign. Any sign, banner, poster, or other nonpermanent sign that is erected for no more than forty-five (45) days.

Thurmont definition:

Temporary Sign: is a display constructed of paper, cloth, canvas, plastic sheet, cardboard, wallboard, plywood or that like material that appears to be intended to be or is determined by the Zoning Administrator to be displayed for a limited period of time. A banner sign is a temporary sign unless enclosed completely in a solid frame.

"A-frame/sandwich board/T-frame sign." A sign that is constructed in the shape of an "A", also referred to as a "sandwich board" sign, or an upside-down "T" and which is composed of two back to back sign faces oriented in opposing directions aligned in the shape of the letter "A" or an upside-down "T" and which is generally used to identify goods and services available at the business establishment or other entity displaying or sponsoring the sign.

"Construction sign." A temporary sign erected on the site where the construction is taking place, during the period of such construction, indicating the name of individuals of firms having a role or interest in such project.

"Feather flag." A vertical portable temporary sign that contains a harpoon-style pole or staff driven into the ground that is used to advertise a company and draw attention to an event or business, and has a maximum height of 12 feet.

17.36.140 - Exempt signs.

A sign permit shall not be required for the following signs; provided, however, that all such signs shall comply with the other applicable requirements of this chapter:

A. Any public notice or warning required by a valid and applicable federal, state, or local law, regulation or ordinance;

B. Signs erected by the town, county, state, or federal government in furtherance of their governmental responsibility;

C. Signs prepared by or for the local, state or federal government marking sites or buildings of historical significance;

D. Incidental signs as defined herein;

E. Ballfield/sports complex signs and scoreboards.

F. Government sponsored banners affixed to light standards promoting community events.

17.36.150 - Temporary signs.

A. Temporary commercial advertising signs of any size are not permitted in any district unless they comply with the requirements of this chapter, and such signs are deemed to be and shall constitute a public nuisance. The town may immediately remove any such sign(s), without prior notice to the owner or other responsible person(s). The erection or installation of such signs shall be deemed a violation of this chapter and the owner or other person responsible for the sign shall be subject to a fine and enforcement measures as provided for in this chapter.

B. A permit is not required for the following types of temporary signs:

1. A temporary real estate sign advertising the sale or lease of the property on which the sign is displayed. For residential, commercial or industrial property, the sign shall not exceed six (6) square feet in size. ~~For commercial and industrial property, the sign shall not exceed thirty-two (32) square feet in size.~~

2. Signs advertising subdivision openings, open houses or other real estate events being held within the town limits. Such signs may not exceed four (4) square feet in size per sign, and such sign(s) may only be displayed between the Friday before the event after 12:00 noon and 8:00 a.m. on the following Monday morning after the event. In the event that the Monday is a legal holiday, the sign must be removed by 8:00 a.m. on the following Tuesday morning. In the event that Friday is a legal holiday, the sign may be placed on the Thursday before the event after 12:00 noon.

3. Temporary and seasonal produce stand signs. Such signs shall not exceed twenty-four (24) square feet in size and no such sign shall exceed six (6) feet in height.

4. Construction signs. Such signs may only be installed after the issuance of a zoning certificate~~permit~~, may not exceed one sign per street frontage located no closer than twenty-five (25) feet to the property line, may not exceed four~~six~~ (4~~6~~) feet in height and may not exceed sixteen ~~twenty-four~~ (16~~24~~) square feet in size. A construction sign shall be removed prior to the issuance of a certificate of occupancy.

5. Contractor/artisan job site sign. Such signs shall not exceed six (6) square feet in size, shall be installed only on the property at which the work is being performed and shall be removed upon completion of the job or construction.

6. Temporary non-profit signs advertising events, activities~~, recruiting~~ or fundraising efforts by community service groups, religious groups, children's or youth organizations, or student organizations. Such signs shall not exceed sixteen~~twenty-four~~ (16~~24~~) square feet in size and four~~six~~ (4~~6~~) feet in height, and shall be removed after four (4) weeks from installation ~~upon completion of the effort being advertised~~.

7. Political signs shall not exceed six (6) square feet in size.

8. Garage/yard sale signs shall not exceed six (6) square feet in size. Such signs may be displayed only one day prior to the sale and must be removed within one day after the sale;

9. Signs advertising new businesses shall be allowed to advertise the opening of the establishment for the first three months from date of certificate of occupancy. Such signs shall not exceed six (6) square feet in size and the business shall be limited to three (3) in number. Location limitations?

10~~9~~. A-frame/sandwich board/T-frame signs which are placed in front of or adjacent to a business establishment for the announcement of daily specials or featured promotions provided that the following conditions are met:

a. The sign is situated on the same property as the business which it is advertising;

b. The sign is only displayed during the business hours of the establishment and is removed and stored within the principal or covered accessory building of the establishment during non-business hours;

c. The sign is not placed in a location that impedes vehicular or pedestrian traffic, impedes access to parking or obstructs the sightlines of either;

d. The sign is not fastened to or erected on a sign pole;

e. The sign is only placed at grade and is not elevated or suspended above grade and does not protrude or project from any other structure;

f. The placement of the sign complies with the setback requirements of its respective zoning district;

g. The sign is no greater than thirty (30) inches wide and forty-eight (48) inches high in size.

C. A permit is required for the following types of temporary signs:

1. Temporary Residential Subdivision Signs. A temporary real estate sign advertising a subdivision within which the sign is located not exceeding seventy (70) square feet in size and located no closer than twenty-five (25) feet to the property line. Temporary shall be until construction is complete.

2. Special Event Sign. A temporary sign noting an event of general interest, such as a locally sponsored carnival or grand openings. Such signs shall be removed within five days after the conclusion of the event. A permit shall be valid for a period of no longer than ninety (90) days from the date of issuance. Such signs shall not exceed thirty-two (32) square feet in size. A maximum of one (1) feather flag is allowed per business in a multi-tenant building; and one (1) feather flag is allowed per 50 feet of frontage with a maximum of three (3) flags. Feather flags may be displayed on private property for a period of fourteen consecutive days per calendar quarter up to four times per calendar year, with a temporary sign permit required for each display period.

3. A temporary real estate sign for commercial and industrial properties advertising the sale, development or lease of the property on which the sign is displayed shall not exceed thirty-two (32) square feet in size.

4~~3~~. Temporary Business Identification. A temporary sign which identifies the opening or existence of a new business. Such signs shall not exceed sixteen~~twenty-four~~ (16~~24~~) square feet in size, four (4) feet in height, and shall be valid for a period of no longer than six~~two~~ months from the date of issuance.

5~~4~~. [A-Frame/Sandwich Board/T-Frame Signs.] A-frame/sandwich board/T-frame signs which are placed at a location other than the property location of the business sponsoring the sign and which announces daily specials, featured promotions, or the location of the business. the issuance and holding of a permit for such signs is subject to the following conditions being met:

a. The sign is situated in a TC town commercial district or a GC general commercial district and is situated within a one thousand five hundred (1,500) feet radius of the business which it is advertising;

b. Only one sign is permitted for any one street;

c. Only two off-site signs are permitted for any one business establishment;

d. The individual, owner, or other person or entity sponsoring the sign must provide to the town written authorization from the property owner permitting the placement of the sign on the owner's property;

e. The sign is only displayed during the business hours of the establishment sponsoring the sign, after which hours the sign must be removed;

f. The sign is not placed within any public right-of-way and is not placed in a location that impedes vehicular or pedestrian traffic, impedes access to parking or obstructs the sightlines of either;

g. The sign is not fastened to or erected on a sign pole;

h. The sign is only placed at grade and is not elevated or suspended above grade and does not protrude or project from any other structure;

i. The placement of the sign complies with the setback requirements of its respective zoning district;

j. The sign is no greater than thirty (30) inches wide and forty-eight (48) inches high in size.

D. Signs shall not be mounted on any type of utility pole or pole used to display or support traffic control signs or devices.

E. A sign shall be removed when the circumstances leading to its erection no longer apply.

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~~ identifies~~y~~ those physical characteristics, natural resources and sensitive areas existing within the Middletown area and ~~to~~ formulates 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~~ has~~ve~~ 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 t~~This chapter ~~will be to~~ provides basic background information; identifies~~y~~ constraints to development; identifies~~y~~ issues and makes proposals.

TOPOGRAPHY/STEEP SLOPES

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

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 810~~660~~ 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 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~~used~~ 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. ~~these 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 Coblentz 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 Catoctin 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: Catoctin 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

Catoctin 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, v~~Vegetative buffers provide soil stabilization filtration of sediment and shading of the stream which maintains stream quality and mitigate stream temperatures.

The primary waterbody in the Middletown Region is Catoctin Creek which is a winding stream with a ~~30-year~~30-year average flow of 76.7~~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 Catoctin Creek is a significant perennial stream, historical records show a low flow of zero during the drought of 1966 (the drought of record.)

The Catoctin Creek watershed contains 121 square miles and drains 78% of the Middletown Valley. All of those areas around Middletown are within the Catoctin Creek watershed with only those areas in the very southern portion of the Middletown Valley not in this watershed. Catoctin

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.

Commented [DL4]: Shouldn't this discussion be limited to the the area of Middletown and not the entire valley?

Commented [CU5R4]: This paragraph contains just some basic information with much more discussion of the watersheds in the Water Resource Element.

Creek and Hollow Creek serve as the Town discharge for sewage effluent. Catoctin Creek also serves as a recreational resource. ~~Tributaries of Catoctin Creek include Middle 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 Coxey 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

Commented [DL6]: Shouldn't it be stated which watersheds these exist in and whether Middletown has any additional capability to take water from these watersheds?

Commented [CU7R6]: There is much more information about the wells and watersheds in the Water Resource Element.

Commented [CU8]: The sentences at the end of this paragraph have been sent to the County to verify numbers in this paragraph as well.

average water bearing rock formation. The Mica Schist is in Hydrologic Unit III which is a poor water bearing rock formation.

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 [CU9]: 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

Proper stormwater management is important in protecting natural features such as soils and waterways, as is suitable erosion and sediment control. The Sustainability Chapter addresses these regulated activities which are executed at the County level.

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 p~~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 Catoctin 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 f~~Forest conservation laws ~~have been~~ enacted by the State ~~which require implementation~~ are included in the Town's regulations by amendment as necessary~~by the Town~~. 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~~is~~ 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 [DL10]: I do not believe Middletown should suggest any future loading limits if MDE has not specifically stated limits.

Commented [CU11]: Look into whether this has been determined.

Commented [CU12R11]: More discussion about the TMDL is in the Water Resource Element and that information will need to be updated.

Commented [DL13]: 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"

DRAFT

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 Catoctin 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 shall 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. The amount of impervious cover in new developments should be minimized to the extent feasible.

~~4.~~6. Town shall encourage an agricultural or environmental buffer around the corporate limits.

NATURAL FEATURES IMPLEMENTATION RECOMMENDATIONS

In order to carry out the goals and objectivespolicies of the Natural Features/ Sensitive Areas element, the following actions have been approved are proposed:

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.

The Town has taken numerous actions over the years to achieve protection of natural features. These actions are described in the Sustainability chapter of this Comprehensive Plan.

DRAFT

Chapter 4 LAND USE

Since one of the major purposes of the Comprehensive Plan is to guide future decision making on development, it is important to look at past and existing patterns of land use as background information for future land uses. Existing land uses will, to a large extent, determine future land use decisions.

Middletown has developed similarly to many small towns with a mixture of residential and commercial development along the main intersecting streets in Town (Main Street, Church Street, and Jefferson Street). Most of the commercial activity is concentrated in two primary locations: along West Main Street from Church Street to Elm Street which is considered the ~~central business~~ town commercial district (TC~~BD~~) and on the eastern side of Town along and adjacent to Middletown Parkway. Residential development predominated on the edges of the town commercial district ~~CBD~~ and on the surrounding parallel streets to Main and Church Streets. More recent development has included residential on the east and north~~west~~ edge of Town, ~~a County park to the north, and~~ the development ~~purchase~~ of Remsberg Park land to the south with~~for future~~ ballfields and other recreational activities~~.~~, and the Cross Stone Commons commercial area on Middletown Parkway.

While Middletown is the focus for development in the Middletown Valley, substantial development has occurred beyond the limits of the Town both east and west. To the east is the Fountaindale Subdivision and commercial development along US 40A. To the west are the Brookridge North Subdivision, West Middletown Estates and Picnic Woods Estates. The entire Middletown Valley has continued to be a desirable area for residential development, often conflicting with the existing agricultural activities.

EXISTING LAND USE

The existing land use in the Town of Middletown shows the predominate land use is residential with 51.1% in this category. This compares with 26% of the land in residential use in 1969. The majority of the residential use is single-family dwellings which are located throughout the entire Town. Multi-family residential and townhouse development is located in several specific locations. The Chesterbrook Apartments are located at the south end of Broad Street in Middletown with other multi-family development located closer to the center of Town. Townhouse developments are located in two areas on the west side of Town and include Jefferson Village and Creamery Row, and on the east side of Town in the Glenbrook Planned Unit Development (PUD).

Commented [CU1]: This will need to be updated.

Commercial development accounts for 3.9% of the land use in Middletown compared to 2.8% in 1969. Primary locations of commercial activity include the downtown area along Main and Church Streets, ~~and~~ the ~~Valley Shopping~~ Town Center Plaza located on the eastern edge of Town, and the Cross Stone Commons shopping center on Middletown Parkway. Commercial uses in the downtown area are interspersed with residential and institutional uses, however, and there are specific pockets of separate commercial areas. The commercial area near the intersection of Church and Main Streets extends along Main Street from Church Street to Summers Drive and along Church Street from Green to Washington Streets. On the western edge of Town, commercial uses are located near Main Street

Commented [CU2]: This will need to be updated.

and Walnut Street. Other spots of commercial activity are located at the intersection of Boileau Drive and Church Street and on East Main Street and Broad Street.

Public and semi-public land accounts for 14.2% of the land area in Middletown. This category includes churches, cemeteries, and other institutional or non-profit land holdings. The percentage of public and semi-public land has decreased in Middletown since 1969. Open space/recreation and parkland is approximately 30.8% of the land in Middletown as compared to 1% in 1969. This category includes land specifically dedicated or reserved for open space, as well as undeveloped land which has the potential for development. Undeveloped land includes ~~the Coblentz property on East Green Street,~~ land owned by the Fire Department off Fireman's Way~~on Franklin Street~~, ~~properties fronting Middletown Parkway,~~ and the Dowd property east of the Town Center Plaza which is slated for development as a professional center with some additional retail uses.

The Existing Land ~~use~~Use Map, Figure 4-1, following this section shows the existing land use as of 202~~009~~.

ZONING

The first official Middletown Zoning Ordinance was adopted in 1969. It outlined different zoning districts and provided development regulations for those districts. Since that time, the Zoning Ordinance and Zoning Map have gone through numerous amendments to further refine and reflect the objectives of the Town. For example, provisions for the Industrial zone were amended in 1985 changing the zoning to the Service Commercial/Light Manufacturing District which included both map changes and text changes. Another example was the addition of the R-20 Residential District in 1988 which provided a transition zone from the Town's denser development to the County's less dense residential development.

There are 8 zoning districts in use in Middletown which encompass all the land area in Town. There are four residential districts, three commercial districts, and an open space district. The largest zoning district in terms of land area is the OS Open Space District which includes the Richland~~Hollow Creek~~ Golf Course. The second largest zoning district in terms of land area is the R-1 Residential zone which includes approximately 289 acres (27% of the total land area in Town). An overlay district was added to the zoning code in 2008 and is known as the Neo-Traditional Residential Overlay District. This district can be overlain only on the R-3 zoning district and provides for smaller setbacks and the inclusion of alleys with greater design guidelines than the other residential districts. The Current Zoning Map, Figure 4-2, following this section shows the existing zoning as of 202~~009~~.

It is important to note the difference in land use and zoning. A particular zoning on a property can provide for different land uses and in some cases the existing land use is non-conforming and would not be permitted under present regulations. A non-conforming use is one which existed prior to the adoption of the specific regulation. There is one remaining non-conforming use property in Middletown which is the BP Station located on East Main Street. ~~An example of this would be Ingall's Lumber Supply which is zoned R-1 Residential. Other examples of the difference between land use and zoning would be the residential development along West Main Street in the areas zoned Town Commercial.~~

Commented [CU3]: Will need to update.

Commented [CU4]: This will need to be updated and will include the County Park.

Commented [CU5]: This will need to be updated as well as the paragraph as a whole.

Table 4-1 shows the eight zoning districts in Town with the amount of developed and undeveloped acreage in each category. This table includes acreage of some parcels which are developed but not to the fullest extent allowed by the zoning regulations.

TABLE 4-1
MIDDLETOWN, MARYLAND
DEVELOPED & UNDEVELOPED ACREAGE BY ZONING DISTRICT

Commented [CU6]: This table needs to be updated.

Zoning District	Acres Developed	Acres Percentage	Undeveloped	Percentage	Total
Open Space	0	0%	436	100%	436
R-20 Residential	114	88%	15	12%	129
R-1 Residential	273	94%	16	6%	289
R-2 Residential	63	84%	12	16%	75
R-3 Residential + NTR	36	57%	27	43%	63
Town Commercial	27	100%	0	0%	27
General Commercial	18	56%	14	44%	32
Service Commercial/ Light Manufacturing	4	100%	0	0%	4
Total Acres	535	51%	520	49%	1055

Source: Frederick County Planning Department and Middletown Planning Staff 2009

SUBDIVISION ACTIVITY

History

Major subdivision activity took place in the late 1970's with the development of the Woodmere Subdivision and the Jefferson Village Subdivision. However, by the 1980's, subdivision activity was minimal due in part to a sewer moratorium in the early 1980's. This restraint on development continued to have an impact on Town growth thru the 1980's although several properties proposed annexation. During the years 1982 to 1989, there were a total of 57 lots created averaging 7 new lots per year. By 1990, subdivision activity increased due to three large developments which had been in the planning stages since the late 1980's. From 1990-2000 subdivision activity averaged 29 new lots per year. In addition, approved but not recorded lots accounted for another 595 lots. In the 1990's, the average lot size generally increased from the 1980's except for 1992 which included several small parcels in the older downtown area. In the late 1990's, subdivision activity declined while the town constructed the new east end sewerage facility and upgraded its water distribution facilities. The 400,000 gallon elevated water storage tank was erected to the rear of the school complex. The distribution lines were pressure zoned throughout town while new wells were added to the system and improvements were made in the watershed area. With consciously planned efforts and the subdivisions of Glenbrook and Foxfield moving forward, an ~~With these improvements in place, a huge~~ increase in subdivision activity began in 2000, as can be seen in Table 4-2.

Table 4-2

FINAL APPROVED SUBDIVISION PLATS: 2000-2009

Commented [CU7]: This table will need to be updated.

	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
# of Lots	45	106	237	120	0	0	60	0	2	0
Avg. Lot Size (acres)	0.5	0.3	0.3	0.2			0.2		0.3	

Source: Frederick County Planning Department 2000 and Middletown Planning Staff 2009

~~Due to a state imposed moratorium on development approvals in 2003 due to water allocation and use issues, the adoption of the Residential Growth Policy, and the will of the town board, there has been little subdivision activity in the past six years.~~

Site Plans

Whenever a new commercial or industrial use, or a change of use, is proposed, a site plan for development of the property must be approved by the Middletown Planning Commission, unless criteria are met in which it can then be approved by the Zoning Administrator. A site plan may include road access, parking, lighting, signage, stormwater management, landscaping, architectural review and trash dumpsters. The purpose of the site plan is to coordinate permitted activities on the site and to minimize the impact the proposed use will have on neighboring properties. ~~Since 1983, 41 site plans have been approved by the Middletown Planning Commission. Most of the 41 approvals involved existing buildings in the downtown area either on Main Street or Church Street. Twenty two of the approvals were for properties on Main Street and 11 site plans were for properties on Church Street. Major site plan approvals include the 47,000 sq.ft. Town Center Plaza (Valley Shopping Center) which was approved in 1985; 3,200 sq.ft. office space in the Church Street Business Center; 4,500 sq.ft. for renovation and addition to Granger's Mutual Insurance Company; 1,800 sq. ft LDS Convenience Store, and 3,908 sq.ft. for a Middletown Branch library.~~

ANNEXATIONS

Another major aspect of development is the annexation of land into the Town. Annexations increase the size of the corporate limits typically through landowner petition. All annexations require a public hearing process and referral to the County and State for comment. The County must review the annexation in light of the current county zoning classification. If the proposed annexation is inconsistent with the current county zoning, then the County must decide whether to grant a waiver of zoning consistency. If the County does not grant the waiver then the five-year rule applies in which the municipality must wait five years before the new zoning classification is applied. When the zoning change is from one residential zone to another, the five-year rule will not kick in unless the density change of the proposed zoning is denser by 50 percent or greater. Since 1972, there has been

over 691 acres of land annexed into Middletown and 33 acres de-annexed from Middletown. The annexed area has more than doubled the size of the corporate limits of Middletown.

Commented [CU8]: Need to update.

The changes to the zoning district acreage as a result of annexation are as follows:

TABLE 4-3

Commented [CU9]: Need to update.

CHANGES IN ZONING AS A RESULT OF ANNEXATION

Commented [CU10]: Add county park acreage

Open Space	+105 acres
R-20 Residential	+168 acres
R-1 Residential	+407 acres
R-2 Residential	-30 acres
R-3 Residential	+21 acres
GC General Commercial	+11 acres

Source: Frederick County Planning Dept. and Middletown Planning Staff 2009

TABLE 4-4

Commented [CU11]: Need to update. County Park and Farhad's annexation in 2018.

ANNEXATIONS: 1972-2009

Approved Year	Name	Acreage	Location	Zoning
1972	Woodmere South	5	S Woodmere S. Subd.	R-1
1973	Airview/Valley Center	48	N & S side Main St.	R-1, GC
1973	Board of Education	50	Green St.	O-S
1979	De-Annexation Middletown South	-33	W MD 17, S Town	R-2
1988	Egon Elsner	.776	Val-E-Drive (Jesserong Dr.)	R-1
1989	Lancaster	3	Washington St.	R-2
1989	Valley Land Investors	72	S US 40-A, W Town	R-1
1990	Middletown Sewer Plant	16	S US 40-A, S Town	O-S
1991	Coblentz Ltd Ptnrshp	30	E Coblentz RD	R-20
1991	Glenbrook	289	S US 40-A, E Town	R-1, R-3, GC
1992	Routzahn	10	N E. Main St., W Coblentz Rd	R-1
1992	Coblentz Ltd Ptnrshp	14	W Coblentz Rd	R-20
1993	J.H. Remsberg	13	W Holter Rd	R-1
1994	Cone Branch pump stn	.5		OS
1997	Coblentz Ltd Ptnrshp	118	E. Coblentz Rd	R-20
2000	Johnson (Foxhole)	6	E. Coblentz Rd	R-20
2000	Well Fields (4 Parcels)	16	W. Hollow Rd	OS
2002	Fred. Co. Public Schools	17	Franklin St.	OS
2002	Middletown Vol. Fire Dept.	4	Franklin St.	OS

Source: Frederick County Planning Department and Middletown Planning Staff 2009

The location of annexed and de-annexed land is shown on Figure 4-3.

HISTORIC SITES

The historical past of Middletown is easily recognized even to the casual observer in both the Town and the surrounding Region. This evidence of the past is seen throughout Frederick County, but especially in Middletown with its early development as a turnpike town. The 1990 Frederick County Comprehensive Plan recognized the importance of the historic past and in 1991, the County began a four year project to complete a county-wide historic sites inventory. This project began in the late 1970's, but lapsed in the early 1980's because of loss of funds. The survey was resumed in February 1991 with the aid of a matching grant from the Maryland Historical Trust, the state historic preservation agency.

The benefits of historic preservation are both tangible and intangible. The tangible benefits include: construction related jobs, increased tourism, and returning vacant structures to the tax rolls. The intangible benefits include a greater appreciation of historic heritage and stability of the neighborhood. ~~Among the s~~Sites recognized in and around the Middletown corporate limits during the survey are as follows:

Airview Survey District (F-4-38): Airview, an early 20th century private real estate development at the east end of Middletown, has large residences in the vernacular, Queen Anne, Colonial Revival, and bungalow styles built about 1898-1930. Among the houses is an outstanding example of the Queen Anne style, the George Gaver House (1898-99), at 701 E. Main Street, and the first documented concrete block house in Frederick County, "Gray Haven" (1906), 709 East Main Street. The development was a direct result of the opening of the 1896 trolley line which linked Middletown and Frederick.

Middletown Survey District (F-4-39): Middletown's Survey District is centered on the intersection of Main Street and Church Street and includes the original 1767 planned town west of the intersection, the early 19th Century additions of Keller, Wise, and Grove, and the late 19th and early 20th Century extensions of East Main Street and the Prospect Street development. The later additions were partly influenced by the 1896 Frederick and Middletown Electric Railway and other factors such as the building of a school with necessary street access. The district involves 338 buildings and structures and includes 118.5 acres. The architecture of the different sections is clearly distinguishable, with the log, stone, and brick buildings of the pre-1850 period concentrated in the original section and along Jefferson Street through Keller's Addition. Late 19th Century commercial buildings are clustered along Main Street in the original section. The eclectic residential styles of the 1890's through the 1930's are apparent in the East Main Street and Prospect Street areas. Middletown is an excellent representative of turnpike town development, with the added influence of the electric trolley, which opened the Middletown Region to wider contact with other parts of the County and the larger interstate region. Middletown is also significant for its role as a hospital center after the 1862 Battles of South Mountain and Antietam and as the 18th and 19th Century religious center of the middle and upper Middletown Valley.

Spoolsville Survey District (F-4-44): Spoolsville was a rural industrial community established about 1800 around the Bowlus Flour Mill (demolished) on Little Catoctin Creek, west of Middletown. It presently includes mostly residential buildings of log, stone, brick, and frame, built from about 1800-1870. Among the 24 contributing structures are two remnants of the commercial life of the community which developed from the mill industry and the location of the village on the busy National Road, a blacksmith shop and a wagon shop. The principal dwellings are the Bowlus Mill House, a circa 1800 stone house with fine interior craftsmanship in the German vernacular style evident in its trim and mantels, and the Adam Koogle House, a brick house of about 1830-40 on the old National Road, which is associated with the wagon shop. The district also includes several late 19th Century agricultural buildings and a circa 1920 steel truss bridge. This 1920 steel truss bridge was~~has been~~ removed and replaced with a more modern bridge with larger capacity. The old bridge was~~has been~~ relocated to the Glenbrook subdivision for use as a bridge in the golf cart path, and stream crossing.

J. Harmon Remsberg Farmstead (F-4-23)
The Remsberg Farmstead is located on both sides of Holter Road, just outside the southeastern town limit of Middletown. The domestic group consists of a circa 1857 brick dwelling with a two-bay main section and a side wing with a two-story porch. The domestic outbuildings include a deteriorated brick smokehouse, a frame summer kitchen, two chicken houses, and other structures. On the north side of Holter Road is the agricultural group centered on a large frame bank barn of about the same date as the house. The bank barn was burned by arsonists in July 1992 after the survey documentation was completed. Other agricultural buildings include a circa 1923 concrete block dairy barn, a wagon shed/corn crib, a hog barn and two silos. The farmstead represents the agricultural development of Frederick County from principally grain-producing farms in the mid-19th Century to the dairy operations of the 20th Century.

In 2007, the Town Code was modified to~~ now~~ require a demolition site plan be reviewed and approved by the Middletown Planning Commission along with the demolition permit application. Although the~~ new~~ regulations represent an increase in public review, they do not prohibit the demolition of a building be it historic or otherwise. Increased development pressure can be expected to be a threat to historic structures and sites as economic considerations may encourage demolition rather than re-use. (See Section 17.32.160, Middletown Municipal Code)

Historic Sites and Survey District Map – Figure 4-4

~~Protection of Historic Structures~~

~~At a Public Hearing on January 19, 2000 scheduled to review proposals for the creation of historic district(s) in Middletown, negative response from citizens present caused the Town Board to drop the matter and look for alternative ways to protect historic areas and structures by Zoning Ordinances, Building Codes and the use of a conservation district.~~

TABLE OF CONTENTS

	Chapter
Introduction	1
Housing & Population	2
Natural Features/Sensitive Environmental Areas	3
Land Use	4
Transportation	5
Community Facilities	6
Sustainability	7
Water Resources Element	8
Municipal Growth Element	9
Plan Implementation	10

Town of Middletown Planning Department

To: Burgess & Commissioners and Middletown Planning Commission

From: Cindy Unangst, Staff Planner

Date: 8/3/2020

RE: Monthly Planning Update – August

Major Subdivisions:

Foxfield Section 6 (Coblentz Road) – Active-adult special exception use recommended approval by PC to BOA – January 21, 2020
Board of Appeals hearing date – August 31, 2020

Site Plans, Plats and Minor Subdivisions:

Caroline's View/Horman Apartments (East Green Street)- Site Plan approved – April 21, 2008 (no sunset provisions prior to November 14, 2010)
Improvement Plans conditionally approved – May 17, 2010 (no sunset provisions prior to 11/10)
Revised Improvement Plan mylars signed – July 21, 2017
Next step – submittal of PWAs for approval and apply for building and grading permits

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

Hollow Creek Professional Center (Alt. 40A)– Forest Stand Delineation approved – April 16, 2018
Revised Site plan conditionally approved by PC – October 21, 2019 (Plans expire 10/21/22)
Revised Preliminary Forest Conserv. Plan conditionally approved – November 18, 2019
Board of Appeals approved self-storage use – February 26, 2020 (Expires Feb. 26, 2021)
Architectural renderings approved by PC – June 15, 2020
Next step – submission of FFCP and Improvement plans for PC review

Franklin Commons (Franklin Street) -
Resubmitted site plan conditionally approved – May 21, 2018 (Plans expire May 21, 2021)
BOA approved height variance request – July 12, 2018 (**BOA approval expired July 12, 2019)**
BOA variance request submitted July 27, 2020
Improvement plans conditionally re-approved – March 18, 2019 (Plans expire March 18, 2022)
Next step – BOA approval of height variance request, then submittal of letter of credit and signing of PWA's

Jiffas (Summers Drive) – Forest Conservation Plan approved & Improvement Plan conditionally approved for commercial use – October 20, 2008 (no sunset provisions prior to November 14, 2010)
Architectural plans approved by PC for duplex – March 16, 2015
BOA approval for variance requests for duplex – March 29, 2016 (**Expired March 29, 2017)**
Next step – apply for variance requests for siting of duplex building

Memorial Park – Shed relocation revised plans approved by PC – July 20, 2020

Middletown County Park (Coblentz Road) – FSD and FCP approved – Feb. 17, 2020

Middletown Water Storage Tank (Ashky Ct.) –
Final Forest Conservation Plan conditionally approved by PC – June 17, 2019
Improvement Plans conditionally approved – July 15, 2019 (Plans expire July 15, 2022)

Miller Property (East Main Street) – Phase III Revised Site plan approved by PC – June 17, 2019
Phase III Redline Site & Improvement Plans conditionally approved – Sept. 16, 2019
Next step – submittal of Phase IV site plan for review and approval

Richland Driving Range (Glenbrook Drive)– Concept plan reviewed by PC – January 18, 2016
Revised Site Plan conditionally approved – January 15, 2018 (Plans expire January 15, 2021)
Improvement Plans reviewed and tabled by PC – September 17, 2018
Next step – submittal of improvement plans for review and approval

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

St. Thomas More Academy Site Plan revision (Prospect St) –
Revised site plan conditionally approved – April 20, 2020 (Expires April 20, 2023)
Revised site plan to be revisited in five years – April 2025

Annexations:

A.C. Jets Property- PC approval of annexation petition of 35.96 acres – December 21, 2009
Public hearing date - Monday, October 11, 2010
Annexation petition denied by Town Board – October 11, 2010

Admar Property – PC approval of consistency with zoning/comp plan – February 20, 2017
Public Hearing - April 5, 2018
Town Board passed annexation resolution – April 9, 2018

Text Amendments: Accessory structures and parking requirements– Approved July 13th

Building height regulation changes – Public hearing to be scheduled

Liquor store text amendment inquiries

Reports: **Annual Planning Report conditionally approved by PC – July 20, 2020**

Grants:

Meetings: **Next Middletown Green Team Meeting – August 18, 2020**

Next Joint town board/planning commission workshop – October 5, 2020