



## **AGENDA FOR THE TOWN WORKSHOP**

**April 5, 2018**

**6:30 p.m.**

### **Budget Workshop**

**General Fund FY 2019 Operating Fund**

### **Community Deputy Report**

#### **7:00PM PUBLIC HEARING**

##### **Memar Annexation**

**RESOLUTION 18-01 TO CHANGE THE BOUNDARIES OF THE TOWN OF MIDDLETOWN, MARYLAND BY THE ANNEXATION INTO THE CORPORATE LIMITS OF THE TOWN OF 93.9380 ACRES OF REAL PROPERTY, MORE OR LESS, UPON THE PETITION OF MEMAR, CORP.**

### **Meeting with MVAA Representatives**

Scott Farrow, President of MVAA

Don Delauter, Corporate Sponsors/Fundraising

### **STAFF REPORTS:**

**Staff Planner**

**Engineer's Report**

**Main Street Manager**

**Zoning Administrator**

### **Regular Workshop Items**

**TOWN OF MIDDLETOWN  
GENERAL FUND  
BUDGET FY 2019**

DESCRIPTION	AUDIT FY2015	AUDIT FY2016	Budget FY 2017	AUDIT FY2017	Budget FY 2018	Preliminary Budget FY 2019
<b>REVENUE</b>						
<b>LOCAL TAXES</b>						
Real Property	1,125,061	1,133,834	1,244,642	\$1,229,017	1,283,670	1,322,180
Tangible Personal Property	38,043	39,544	37,108	\$40,735	38,248	44,063
Public Utilities	11,609	9,400	12,841	\$12,869	9,827	14,192
Franchise (Cable)	46,222	48,405	49,940	\$50,981	50,615	55,145
Discounts	(13,458)	(14,112)	(16,182)	(14,852)	(16,647)	(17,255)
Penalties & Interest	8,540	8,085	10,357	10,494	10,654	11,043
	<b>1,216,017</b>	<b>1,225,156</b>	<b>1,338,705</b>	<b>1,329,244</b>	<b>1,376,368</b>	<b>1,429,369</b>
<b>STATE SHARED TAXES</b>						
Amusement Taxes	20,856	9,565	22,500	31,547	21,526	34,125
Highway User Taxes	137,530	156,127	162,421	154,057	160,606	160,606
	<b>158,386</b>	<b>165,692</b>	<b>184,921</b>	<b>185,604</b>	<b>182,132</b>	<b>194,731</b>
<b>COUNTY SHARED TAXES</b>						
Income Taxes	788,153	915,506	883,990	\$880,538	995,025	1,024,876
Tax Equity	581,111	555,964	566,687	\$566,687	610,423	610,423
	<b>1,369,264</b>	<b>1,471,470</b>	<b>1,401,624</b>	<b>1,447,225</b>	<b>1,605,448</b>	<b>1,635,299</b>
<b>LICENSES, PERMITS &amp; FEES</b>						
Filing/Permit Fees	6,501	6,013	6,500	8,871	6,500	9,599
Beer, Wine & Liquor	-	-	1,950	-	-	-
Traders	4,899	4,752	4,900	\$4,645	4,900	4,900
Planning & Zoning	34,881	11,450	13,691	\$11,691	21,450	11,691
	<b>46,281</b>	<b>22,215</b>	<b>27,041</b>	<b>25,207</b>	<b>32,850</b>	<b>26,189</b>
<b>PARKS &amp; RECREATION</b>						
Pavilion Fees	1,860	3,158	1,900	4,315	3,158	4,315
<b>POLICE PROTECTION</b>						
State Grant	24,066	24,987	26,187	\$26,320	26,187	26,187
<b>MISC INCOME</b>						
Other (Bank Grant, Animal, Citations)	21,909	4,910	2,500	\$13,047	1,491	2,500
LGIT Health Insurance Rebate	-	-	-	-	-	-
FredCo Municipal Recycling Reimbursement	-	-	5,000	-	-	-
MISC	21,909	4,910	7,500	13,047	1,491	2,500
<b>OPERATING REVENUE</b>	<b>2,837,782</b>	<b>2,917,587</b>	<b>2,987,878</b>	<b>3,030,962</b>	<b>3,227,633</b>	<b>3,318,590</b>
<b>EXPENSES</b>						
<b>LEGISLATIVE</b>						
Commissioner's Fees	12,000	12,900	15,600	15,800	16,500	21,000
Communications	3,127	3,185	3,480	3,376	9,480	3,480
Dues & Subscriptions	7,525	7,226	7,400	6,838	7,400	7,400
Office Supplies/Expenses	3,343	7,359	3,600	9,328	7,500	7,500
Advertising	613	2,331	750	1,560	2,500	500
Meetings & Conventions	6,403	15,048	9,000	6,963	15,000	7,500
	<b>33,011</b>	<b>48,049</b>	<b>39,830</b>	<b>39,830</b>	<b>58,380</b>	<b>47,380</b>
<b>EXECUTIVE</b>						
Burgess	6,000	7,050	10,200	-	10,200	10,200
<b>ELECTION EXPENSES</b>						
Clerk Fees	-	450	-	-	450	-
Printing, Supplies, Advertising	-	223	-	-	250	-
	-	<b>673</b>	-	-	<b>700</b>	-
<b>GENERAL/ADMINISTRATIVE SERVICES</b>						
Capital Outlay	-	-	-	-	-	-
Administration Salary	216,763	248,153	247,131	247,268	254,512	272,402
Postage & Printing	36	16	200	114	200	200
Communications	6,774	6,788	6,977	6,932	7,205	10,300
Computer Expenses	24,355	27,814	28,400	29,534	29,512	21,800
Supplies & Expense	24,396	26,345	26,000	37,364	27,953	42,232
Maintenance & Repairs	32,801	30,325	13,400	34,620	29,600	23,500
Professional Services	4,845	5,470	4,600	4,088	4,600	4,600
Dues & Subscriptions	-	-	150	-	150	150
Meetings & Seminars	132	161	100	345	100	100
Water and Sewer Grant	203,219	80,000	-	-	-	-

**TOWN OF MIDDLETOWN  
GENERAL FUND  
BUDGET FY 2019**

DESCRIPTION	AUDIT FY2015	AUDIT FY2016	Budget FY 2017	AUDIT FY2017	Budget FY 2018	Preliminary Budget FY 2019
<b>OPERATIONS/MAINTENANCE</b>	<b>513,321</b>	<b>425,072</b>	<b>326,958</b>	<b>360,265</b>	<b>353,833</b>	<b>375,284</b>
Maintenance - Capital Outlay						
Director Salary	91,351	97,515	97,355	179,432		
Operations Salary	40,064	90,045	126,742	47,602	231,766	247,722
Communications	7,564	8,830	9,000	8,258	9,000	10,200
Supplies	10,426	11,631	17,000	11,154	17,960	19,500
Dues/Training/Certifications	449	2,299	1,500	215	1,500	1,500
Maintenance & Repairs	11,963	15,514	8,000	15,581	14,540	13,849
Mowing	12,047	11,780	12,133	11,780	12,133	12,133
Tools & Equipment	1,288	1,726	500	8,362	2,544	3,166
	<b>175,152</b>	<b>239,340</b>	<b>272,230</b>	<b>282,384</b>	<b>289,443</b>	<b>308,070</b>
<b>PROFESSIONAL SERVICES</b>						
Independent Accounting	28,100	13,000	16,000	13,000	16,000	16,000
Legal - Development & Ordinance	5,852	9,309	7,796	13,594	7,388	9,130
	<b>33,952</b>	<b>22,309</b>	<b>23,796</b>	<b>26,594</b>	<b>23,388</b>	<b>25,130</b>
<b>PLANNING &amp; ZONING</b>						
Salaries	41,194	41,672	44,072	43,163	43,997	46,874
Bd Members Compensation	7,800	7,950	7,800	7,800	7,800	7,800
Zoning Expenses	3,114	1,716	3,207	2,606	1,778	2,684
	<b>52,108</b>	<b>51,338</b>	<b>55,079</b>	<b>53,569</b>	<b>53,575</b>	<b>57,358</b>
<b>MAIN STREETS MANAGER</b>						
Mainstreet - Capital Outlay						
Salary	43,720	41,716	43,680	45,761	45,482	47,147
Town Contribution	10,366	10,970	10,000	10,260	10,000	10,000
Wayfinding Signs Grant Contribution						
	<b>54,086</b>	<b>52,686</b>	<b>53,680</b>	<b>56,021</b>	<b>55,482</b>	<b>57,147</b>
<b>PUBLIC SAFETY</b>						
Fire Department Donation	20,000	20,000	20,000	2,000	20,000	20,000
School Crossing Guards	14,812	15,694	15,758	18,422	16,338	21,910
Deputy Contract Services	333,374	352,149	401,611	366,406	385,232	403,967
	<b>368,186</b>	<b>387,843</b>	<b>437,369</b>	<b>386,828</b>	<b>421,570</b>	<b>445,877</b>
<b>SANITATION &amp; WASTE REMOVAL</b>						
Trash Collection & Disposal						
Recycling Pickup Station	7,459	6,876	5,000	6,991	5,000	8,060
Regular Pick-up	130,862	128,862	133,126	128,862	133,126	136,900
Landfill - Tipping Fees	82,595	84,356	84,830	85,687	84,798	86,918
Yard Waste (April - Dec)	30,024	27,832	30,672	32,681	30,672	31,104
Eco-Bags	19,566	19,610	20,260	20,074	18,200	21,948
	<b>270,507</b>	<b>267,536</b>	<b>273,888</b>	<b>274,295</b>	<b>271,796</b>	<b>284,930</b>
<b>RECREATION &amp; CULTURE</b>						
Park Capital Outlay						
Park Interest	17,847	14,632	11,320	11,320	7,906	4,389
Park Loan Payments	105,702	108,917	112,230	112,230	115,643	119,161
Park Salary	42,320	50,350	34,807	59,863	45,030	49,000
Park Electric	2,289	1,104	2,358	2,532	1,175	2,505
Park Supplies/Equipment	15,574	1,143	1,500	2,601	1,500	1,500
Park Mowing Contract	23,964	26,692	26,215	27,628	32,319	33,935
Park Repairs & Maintenance	24,439	45,351	24,950	53,151	35,990	29,650
	<b>232,135</b>	<b>248,189</b>	<b>213,379</b>	<b>269,324</b>	<b>239,564</b>	<b>240,140</b>
<b>HIGHWAYS &amp; STREETS</b>						
Streets Capital Outlay						
Vehicle/Equipment Capital Outlay						
Salaries - Regular	76,647	73,748	48,841	62,668	71,226	70,232
Street Lighting	160,973	167,897	161,916	205,316	203,160	182,300
Storm Water Management	1,673	2,299	7,800	5,385	7,800	7,545
Snow Removal	100,830	72,612	75,000	32,725	83,100	85,300
Mowing (SWM & Streets)	29,696	31,744	32,696	31,744	33,440	33,440
Repairs & Resurfacing	166,470	6,794	67,195	98,079	92,000	92,000
Signs	3,904	5,083	6,200	4,010	12,400	5,300
Truck Repair & Maintenance	35,615	35,693	48,600	39,127	42,600	28,000
Equipment Repairs & Maintenance	3,135	3,511	10,000	6,961	26,675	21,172
Street Loan - Principal	11,500	12,000	78,460	111,505	79,300	100,000
Street Loan - Interest	7,418	85,447	60,927	123,174	59,874	77,358
Case Loader -Principal & Interest	28,352	-	15,159	14,730	-	-

**TOWN OF MIDDLETOWN  
GENERAL FUND  
BUDGET FY 2019**

<b>DESCRIPTION</b>	<b>AUDIT FY2015</b>	<b>AUDIT FY2016</b>	<b>Budget FY 2017</b>	<b>AUDIT FY2017</b>	<b>Budget FY 2018</b>	<b>Preliminary Budget FY 2019</b>
	<b>626,213</b>	<b>496,828</b>	<b>612,795</b>	<b>735,424</b>	<b>711,575</b>	<b>702,647</b>
<b>MISCELLANEOUS</b>						
MT Historical Society	5,000	5,000	5,000	5,000	5,000	5,000
Donations	-	1,000	100	500	100	100
Mileage - Travel	3,436	1,957	4,578	1,301	2,732	2,278
Web Page / Directory / Public Information	3,625	15,097	1,400	2,833	3,890	3,755
Community Events	37,855	51,772	30,250	105,453	33,140	33,140
Community Events (Town Share)						19,780
Payroll Taxes	42,269	54,019	56,578	53,572	58,923	63,139
Insurance						
Property	12,986	12,477	14,064	14,265	13,499	15,433
Health	96,741	122,055	111,243	121,637	115,842	142,627
Worker's Compensation	15,487	14,456	11,921	19,264	20,372	22,698
Professional	946	946	688	946	946	473
Pension	56,298	49,784	75,062	56,115	68,184	71,102
Real Estate Taxes	712	800	1,242	800	800	800
Miscellaneous	1,231	12,688	3,500	4,061	3,500	4,000
	<b>276,586</b>	<b>342,051</b>	<b>314,938</b>	<b>385,747</b>	<b>326,929</b>	<b>384,324</b>
<b>TOTAL OPERATING EXPENSES</b>	<b>2,636,256</b>	<b>2,583,964</b>	<b>2,634,143</b>	<b>2,870,281</b>	<b>2,816,434</b>	<b>2,938,487</b>
<b>TOTAL OPERATING SURPLUS</b>	<b>201,526</b>	<b>333,623</b>	<b>353,735</b>	<b>160,681</b>	<b>411,199</b>	<b>380,103</b>
<b>TOTAL SURPLUS</b>						

**RESOLUTION NO. 18-01**

**A RESOLUTION TO CHANGE THE BOUNDARIES OF THE TOWN OF MIDDLETOWN, MARYLAND BY THE ANNEXATION INTO THE CORPORATE LIMITS OF THE TOWN OF 93.9380 ACRES OF REAL PROPERTY, MORE OR LESS, UPON THE PETITION OF MEMAR, CORP.**

**WHEREAS**, the Petitioner, Memar Corp., has petitioned to have certain property hereinafter described annexed into and made a part of the Town of Middletown, Maryland; and

**WHEREAS**, Memar Corp. was formerly known as “Admar Construction, Inc.” which changed its name to “Memar Corp.” by Articles of Amendment dated March 10, 2006 filed with the Maryland State Department of Assessments and Taxation on March 15, 2006; and

**WHEREAS**, the property to be annexed consists of 93.9380 acres of real property, more or less, (hereinafter referred to as “the Subject Property”), and the Subject Property is more fully described on the metes and bounds description prepared by Catoclin Mountain Surveys, Inc. dated May 20, 2003 which is attached hereto and incorporated by reference herein as Exhibit “A”; and

**WHEREAS**, it has been ascertained that the Petitioner is the owner of over 25% of the assessed valuation of the Subject Property and that there are no persons residing in the Subject Property; and

**WHEREAS**, the Subject Property is adjacent to and contiguous with the existing corporate limits of the Town of Middletown and its annexation will not create any unincorporated area completely surrounded by land now located or to be located within the corporate limits of Middletown.

**NOW, THEREFORE, BE IT ENACTED AND RESOLVED** by the Burgess and Commissioners of Middletown as follows:

**SECTION I:** The boundaries of the Town of Middletown, Maryland are extended and enlarged by adding to the Town of Middletown and making a part thereof all that real property consisting of 93.9380 acres, more or less, which is described on the metes and bounds description entitled “Lands of Admar Construction, Inc., Liber 2956, folio 1159” prepared by Catoctin Mountain Surveys, Inc. and dated May 20, 2003 which description is attached hereto and incorporated by reference herein as Exhibit "A" (“the Subject Property”). The Subject Property is further shown and depicted on a plat entitled “Annexation Plat for Lands of Admar Construction, Inc.” prepared by Catoctin Mountain Surveys and dated May 2003, which plat is attached hereto and incorporated by reference herein as Exhibit “B”.

**SECTION II:** Except as otherwise provided herein, the Subject Property and any persons now or in the future residing on all or any part of the Subject Property shall be subject to the provisions of the Charter of the Town of Middletown and all ordinances and regulations enacted pursuant thereto.

**SECTION III:** The Subject Property shall be annexed into the corporate limits of the Town of Middletown on the following conditions:

A. The Petitioner shall pay or reimburse the Town all of the expenses and costs incurred by the Town for the annexation of the Subject Property, including but not limited to the Town’s attorney’s fees and advertising expenses.

B. Except as hereinafter provided, the Subject Property shall be classified in the Town’s “R-20 (Residential) District” zoning classification pursuant to Title 17 of the Middletown Municipal Code; provided, however, that in the event that the Frederick County Council fails or declines to give its express approval to waive the inconsistency restrictions of *Local Government* Article, §4-416(b), then for five (5) years from the effective date of this Annexation Resolution,

no development will be allowed on the Subject Property for land uses substantially different than the authorized use, or at a substantially higher density, not exceeding 50%, than could be granted for the Subject Property under the Frederick County zoning laws and regulations.

C. An Annexation Agreement dated \_\_\_\_\_, 2018 was entered into between the Burgess and Commissioners of Middletown and Memar Corporation, and said Annexation Agreement is attached to this Resolution as Exhibit "C". The Annexation Agreement and all of the terms and conditions thereof are incorporated by reference herein and are made a part of this Resolution as though fully set forth herein.

**SECTION IV:** The Corporate Boundaries of the Town of Middletown, as established by Article II, Section 201 of the Town Charter (as amended), are hereby amended to add thereto the Subject Property annexed by this Resolution.

**SECTION V:** This Resolution shall become effective on the forty-fifth (45th) day following its enactment, unless a Petition for Referendum, in proper form and in conformity with the requirements of *Local Government* Article. Division II, Title 4, Subtitle 4 of the Annotated Code of Maryland, is submitted to the Burgess of the Town of Middletown.

**RESOLVED, PASSED AND ENACTED** this \_\_\_\_ day of \_\_\_\_\_,  
2018 by the Burgess and Commissioners of the Town of Middletown by a vote of \_\_\_\_\_ **FOR**,  
\_\_\_\_\_ **AGAINST** and \_\_\_\_\_ **ABSTAINING** and \_\_\_\_\_ **ABSENT**.

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**ATTEST:**

**BURGESS AND COMMISSIONERS  
OF MIDDLETOWN**

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

By: \_\_\_\_\_  
John Miller, Burgess

**I HEREBY CERTIFY THAT A PUBLIC HEARING WAS HELD ON THIS RESOLUTION NO. \_\_\_\_\_ ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018. I FURTHER CERTIFY THAT NOTICE OF THE TIME, DATE, PLACE AND PURPOSE OF THE PUBLIC HEARING WAS PUBLISHED IN THE VALLEY CITIZEN NEWSPAPER ON THE FOLLOWING DATES:**

\_\_\_\_\_, 2018  
\_\_\_\_\_, 2018  
\_\_\_\_\_, 2018  
\_\_\_\_\_, 2018.

**THE PUBLIC HEARING WAS HELD NOT LESS THAN FIFTEEN DAYS AFTER THE LAST PUBLICATION OF NOTICE.**

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

Date: \_\_\_\_\_

PETITION FOR ANNEXATION  
OF 93.9380 ACRES, MORE OR LESS  
INTO THE TOWN OF MIDDLETOWN

BY THIS PETITION, request is herewith made to the Burgess and Commissioners of the Town of Middletown, Maryland, to annex 93.9380 acres of land, more or less (sometimes hereinafter called "the Property"), into the corporate limits of the Town of Middletown, Maryland (hereinafter "the Town"). The area to be annexed is contiguous to and adjoins the existing corporate boundaries of the Town on its north and northwestern boundary; and this annexation will not create any area completely surrounded by the corporate boundaries of the Town, which is not included within the said corporate area (commonly called "an enclave"). The area to be annexed is more particularly described in attached plan called EXHIBIT I, and made a part of this Petition, and called annexation plat.

1. Petitioner shall pay the costs of any required advertising of the Annexation Petition or Resolution.

2. Any persons residing in the area to be annexed and their property, and the property of the Petitioner shall be added to the corporate boundaries of the Town and be subject to the provisions of the Charter of the Town, subject, however, to the provisions of paragraph 3. below.

3. Municipal ad valorem real estate taxes ("Town taxes") shall not be imposed on the Property (or any future subdivided lot or portion of the Property) until the earlier to occur of the following: (a) the owner(s) or developer(s) of any such lot or parcel, or their heirs, personal representatives, successors or assigns, requests that the Town provide to that lot or parcel public water or sanitary sewer and/or other municipal services not available to that lot or parcel as of the Effective Date of the Annexation Resolution, and, pursuant to such request, such services requested are made available to that lot or parcel; or (b) ten (10) years from the Effective Date of the Annexation Resolution.

3.1. Extension of sanitary sewer, water and storm drain lines, streets, curbs, and all other public improvements typically provided by the Town within the area to be annexed, to the extent allowed by law and unless provided otherwise by the Annexation Resolution or by written agreement, shall be at the expense of the owner(s) or developer(s) of the Property ("the Developer") requesting the same and shall be at no cost to the Town. Provided such extensions are requested under the terms outlined above, the Town will extend water and sewer service to the land in the area to be annexed. The Town will allocate water taps to the Developer at the time building permits are

obtained. All water tap fees will be paid by the Developer to the Town, and all water engineering plans will be submitted to the Town for review and approval. The Town will allocate sewer taps to the Developer at the time building permits are obtained. All sewer tap fees will be paid by the Developer to the Town, and the Developer will submit all sewer engineering plans to the Town for review and approval. Developer agrees to take, at its expense, whatever steps are required to extend sewer and water service in ample supply to the area to be annexed.

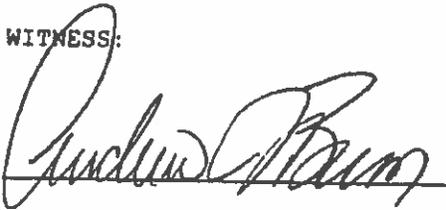
4. Subject to all appropriate laws and administrative requirements, the Property shall be zoned by the Town, at the time of annexation, to the R-20 (Low Density Residential) District.

5. There are no persons who currently reside in the area to be annexed and who are registered voters in the precinct in which the real property to be annexed is located. Petitioner is the owner of at least twenty-five percent (25%) of the assessed valuation of the real property located in the area to be annexed.

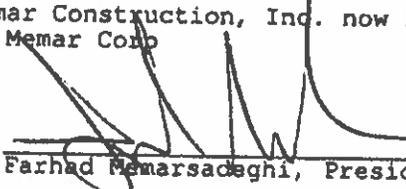
6. The annexation shall be subject to the terms, conditions, and provisions to be negotiated between town and petitioner in an annexation agreement.

WITNESS the execution of this Petition by the undersigned Petitioner on the 19<sup>TH</sup> day of December, 2016.

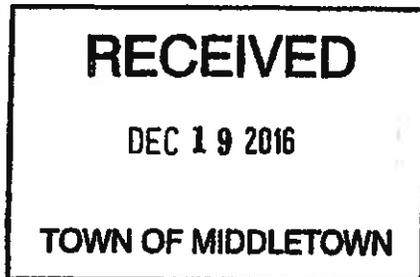
WITNESS:



Admar Construction, Inc. now known as Memar Corp

By:  Farhad Memarsadeghi, President

SEAL)



- BURGESS
- ADMINISTRATION
- PUBLIC WORKS
- PLANNING & ZONING
- WATER & SEWER

# CATOCTIN MOUNTAIN SURVEYS, INC

8425 HORNETS NEST ROAD

EMMITSBURG, MD 21727

PHONE: 301-447-8844

FAX: 301-447-9444

## LANDS OF ADMAR CONSTRUCTION, INC. LIBER 2956 FOLIO 1159

Situated East of Coblenz Road, in the Middletown Election District No. 3, Frederick County, Maryland, and being more particularly described as follows:

Beginning at rebar and cap#8644 found being the northeast most property corner of a parcel of land conveyed from Charles W. Coblenz and Margaret H. Coblenz, his wife, and Charles W. Coblenz, Jr. and Ardell S. Coblenz, his wife unto the Board of Education of Frederick County by deed dated December 20, 1967 and recorded at liber 777 folio 321, said point also being the southeast most corner of a parcel of land conveyed from Lorenzo C. Lighter and Ida E. Lighter, his wife unto Russell P. Wiles and Letha A. Wiles, his wife by deed dated April 2, 1932 and recorded at liber 382 folio 289, said point also being the point of beginning of a parcel of land conveyed from BGS Joint Venture and BGS LLP unto Admar Construction, Inc. by deed dated September 21, 2001 and recorded at liber 2956 folio 1159 among the land records of Frederick County, Maryland, thence running with and containing the above mentioned lands of Admar Construction, Inc. the twenty-four (24) following courses and distances, corrected as now surveyed, the first being, and also running with and binding on the above mentioned lands of Russell P. & Letha A. Wiles, the following course and distance

1. N 13° 14' 42" E 532.98' to a rebar and cap#8644 found, said point being the found at the end of the thirteenth (13th) line as described in a deed of easement for a parcel of land conveyed unto the State of Maryland, to the use of the Department of Agriculture on behalf of the Maryland Agricultural Land Preservation Foundation dated March 8, 2001 and recorded at liber 2935 folio 165, thence running with and binding on the above mentioned parcel, reversed, the following five (5) courses and distances, the first being
2. N 13° 13' 41" E 275.89' to a point, thence
3. N 12° 23' 33" E 615.21' to a rebar and cap#8644 found, thence
4. S 87° 16' 52" E 631.38' to a P.K. nail found in the top of a corner fence post, thence
5. N 10° 11' 11" E 508.19' to a rebar and cap#8644 found, thence
6. S 87° 02' 43" E 671.03' to a rebar found, said rebar being the found at the end of the N 77° 36' 56" W 721.55' line as shown on a plat entitled "Farm Lot Plat, Mid-Valley Farm", recorded at Plat Book 27 Page 85, thence running with and binding on the above mentioned plat, reversed, the following course and distance
7. S 86° 38' 56" E 721.53' to stone found, said stone being the found at the end of the N 11° 45' 50" W 58.00' line of Lot 305 as shown on a plat entitled "Final Plat, Section III - Lots 304, 305, 307, Addition Plat, Parcel 'E' P/O 2593/741 - Parcel 4 Addition to 2593/741 - Parcel 3, Parcel 'F' P/O 2593/741 - Parcel 4 Addition to 2593/741 - Parcel 3, Valley View Estate", recorded at Plat Book 72 Page 196, and also described as the Third parcel of land as conveyed from Branch Banking and Trust Company, trustee of the Robert D. Crouch Self Directed IRA unto Omeritsch Brothers, Inc. by deed dated June 11, 2002 and recorded at liber 3180 folio 381, thence running with and

binding on the above mentioned Third parcel, and also with the sixth parcel as described in the above mentioned deed, reversed, the following two (2) courses and distances, the first being

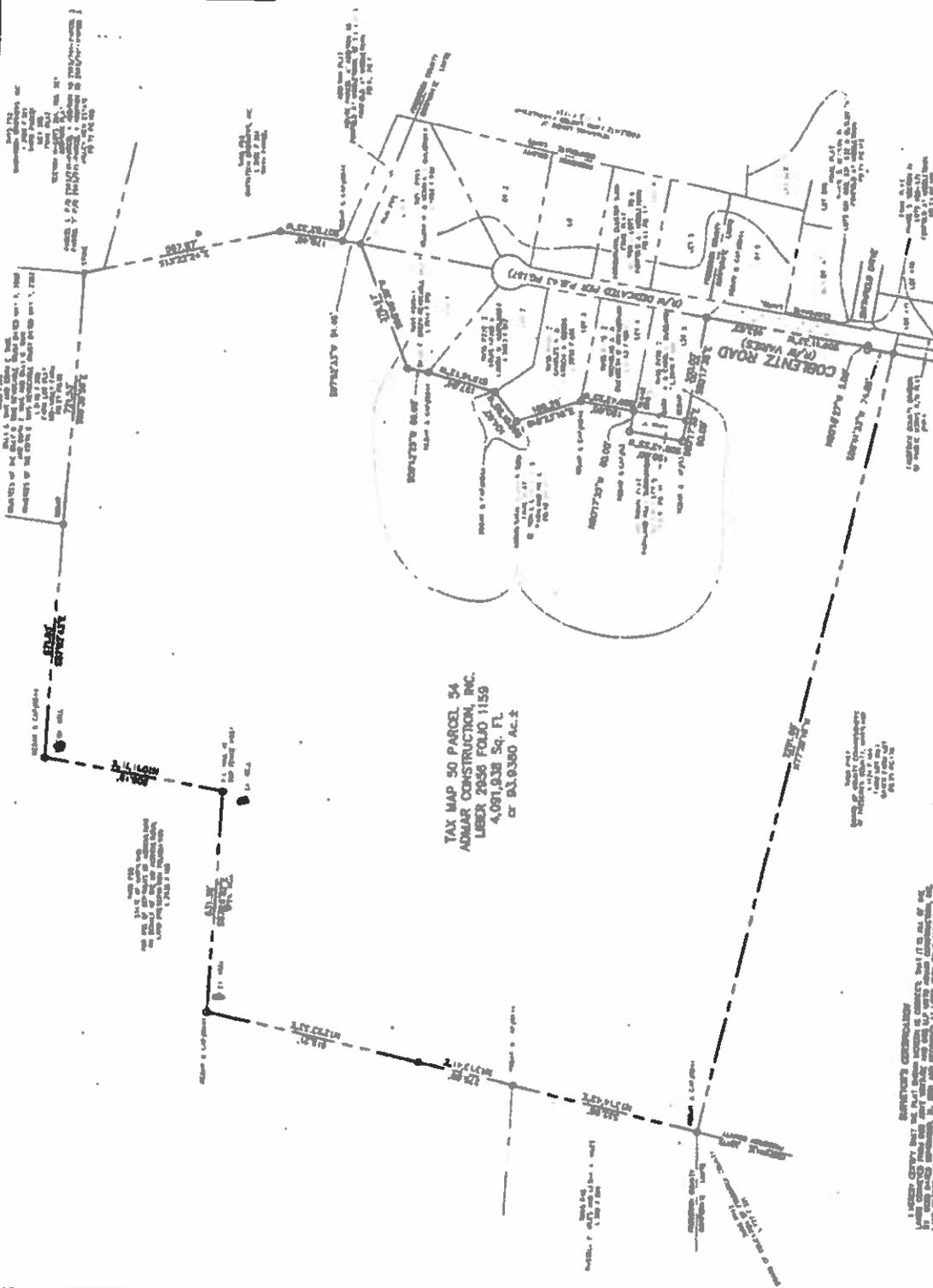
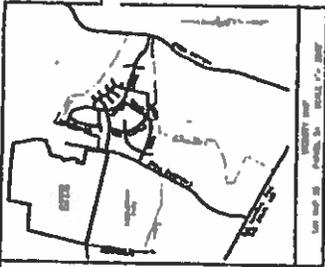
8. S 13° 22' 24" E 557.97' to a point, thence
9. S 07° 52' 33" W 178.48' to a rebar and cap#8644 found at the end of the N 07° 53' 01" E 51.54' or "L-1" line as shown on a plat entitled "Addition Plat, House Parcel 'A' Addition to Foxfield at Middletown, Section I - Lot 1, previously recorded in Plat Book 49 Page 144, Foxfield at Middletown", recorded at Plat Book 62 Page 7, thence running with and binding on the above mentioned plat, reversed, the following course and distance
10. S 07° 52' 33" W 51.46' to an iron pipe found at the end of the N 68° 46' 28" E 378.88' line of Lot 1, as shown on a plat entitled "Agricultural Cluster Subdivision, Final Plat, Section I, Lots 1 to 5, Parkland Hills", recorded at Plat Book 46 Page 77, thence running with and binding on the above mentioned plat, reversed, the six (6) following courses and distances, the first being
11. S 68° 46' 39" W 378.97' to a point, thence
12. S 09° 42' 25" W 60.00' to a rebar & cap#8644 found, thence
13. S 15° 16' 12" W 197.04' to a rebar & cap#8644 found, thence
14. S 52° 01' 55" W 104.02' to a rebar & cap#8644 found, thence
15. S 18° 23' 16" E 189.29' to a rebar & cap#8644 found, thence
16. S 09° 42' 25" W 150.00' to a rebar found, disturbed, at the end of the S 80° 17' 48" E 60.00' line as shown on a plat entitled "Addition Plat, Section I Lot 5, Parkland Hills Subdivision", recorded at Plat Book 61 Page 111, thence running with and binding on the above mentioned plat, reversed, the three (3) following courses and distances, the first being
17. N 80° 17' 35" W 60.00' to a rebar & cap#53 found, thence
18. S 09° 42' 25" W 150.00' to a rebar & cap#53 found, thence
19. S 80° 17' 35" E 60.00' to a rebar found at the end of the N 80° 17' 48" W 300.00' line of Lot 5, as shown on a plat entitled "Agricultural Cluster Subdivision, Final Plat, Section I, Lots 1 to 5, Parkland Hills", recorded at Plat Book 46 Page 77, thence running with and binding on the above mentioned plat, reversed, the following course and distance
20. S 80° 17' 35" E 300.00' to a rebar and cap#8644 found on the N 09° 42' 12" E 972.62' right of way line for Coblenz Road as shown on a plat entitled "Agricultural Cluster Subdivision, Final Plat, Section I Lots 1 to 6, Foxfield at Middletown", recorded at Plat Book 43 Page 157, thence running with and binding on the above mentioned plat and right of way, reversed, the three (3) following courses and distances, the first being
21. S 09° 41' 33" W 462.62' to a point, thence
22. N 80° 18' 27" W 5.00' to a point, thence
23. S 09° 41' 33" W 74.85' to a point on the S 77° 28' 01" E 2320.96 line as shown on a plat entitled "Boundary Survey Farmland, Farm Lot No. 1. Gaver Farm Lot", recorded at Plat Book 25 Page 170, thence running with and binding on the above mentioned plat, reversed, the following course and distance

May 20, 2003

24. N 77° 29' 16" W 2291.98' to the point of beginning

Containing 4,091,938 square feet or 93.9380 acres of land more or less

Being all of the lands conveyed from BGS Joint Venture and BGS LLP unto Admar Construction, Inc. by deed dated September 21, 2001 and recorded at Liber 2956 folio 1159 among the land records of Frederick County, Maryland



TAX MAP 50 PARCEL 54  
 ADMAR CONSTRUCTION, INC.  
 LIBER 2056 FOLIO 1159  
 4,091,938 Sq. Ft.  
 or 93.0300 Ac.±

DIRECTOR'S CERTIFICATION  
 I HEREBY CERTIFY THAT THE ABOVE DESCRIBED PROPERTY IS CORRECTLY SHOWN AS BEING THE PROPERTY OF ADMAR CONSTRUCTION, INC. AS SHOWN ON THE ABOVE MAP AND AS SHOWN ON THE TAX MAP 50 PARCEL 54, LIBER 2056 FOLIO 1159, AND AS SHOWN ON THE TAX MAP 50 PARCEL 54, LIBER 2056 FOLIO 1159, AND AS SHOWN ON THE TAX MAP 50 PARCEL 54, LIBER 2056 FOLIO 1159.

*[Signature]*  
 DIRECTOR



AMERICAN PLAT  
 FOR LANDS OF  
**ADMAR CONSTRUCTION, INC.**  
 8 UNITED STATES COLLETT ROAD  
 WASHINGTON DISTRICT NO. 3  
 PRINCE GEORGE COUNTY, MARYLAND  
 SCALE: 1" = 200' (MAY 2003)  
 GEORGETOWN SURVEYING, INC.  
 10000 WOODBURN ROAD  
 WASHINGTON, DC 20015

NO. 1	NO. 2	NO. 3	NO. 4

# Foxfield Section 6

Master Plan  
Middletown, Maryland

1-30-2016



## LOT TABLE

Lot 1	8,100 SF
Lot 2	7,823 SF
Lot 3	7,800 SF
Lot 4	7,800 SF
Lot 5	7,800 SF
Lot 6	7,800 SF
Lot 7	7,800 SF
Lot 8	7,800 SF
Lot 9	7,800 SF
Lot 10	7,800 SF
Lot 11	7,800 SF
Lot 12	7,800 SF
Lot 13	7,800 SF
Lot 14	7,800 SF
Lot 15	7,800 SF
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Lot 75	7,800 SF
Lot 76	7,800 SF
Lot 77	7,800 SF
Lot 78	7,800 SF
Lot 79	7,800 SF
Lot 80	7,800 SF
Lot 81	7,800 SF
Lot 82	7,800 SF
Lot 83	7,800 SF
Lot 84	7,800 SF

**DEVELOPMENT NOTES**  
 Open Space: 40 Acres ±  
 Zoning: R-30  
 Minimum Lot Area: 3,000 SF (0.07 Acre)



## Memorandum

To: Middletown Burgess and Commissioners

From: Cindy Unangst, Staff Planner

Date: February 27, 2017

RE: MEMAR ANNEXATION PETITION

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### MIDDLETOWN ANNEXATION

#### Annexation Plan

Petitioner: Memar Corporation

Request: Annexation of 93.938 acres of land to be zoned R-20.

Location: West side of Coblenz Road, and north of Middletown County Park

Land Use & Zoning: The subject property is currently open, undeveloped farmland with drainage predominately to the south. The property is currently zoned A-Agricultural under the Frederick County jurisdiction. County A-Agricultural zoning adjoins this property to the north and west. Middletown R-20 Residential zoning is to the east and Middletown OS – Open Space is to the south for the County Park and southwest for the school complex.

Land use adjoining the subject property is a combination of agricultural, residential, open space and institutional. A large agricultural tract remains to the north, which is in the county's Agriculture Preservation program. Single-family homes adjoin the property to the east, and the remainder of the property adjoins institutional property owned by the Frederick County Board of Education and parkland owned by Frederick County Board of County Commissioners.

**The petition under item #4 requests a change of zoning upon annexation to R-20 Residential. This request is not consistent with the *Frederick County's Future – Many Places, One Community - A Comprehensive Plan for Frederick County, Maryland* (Adopted April 2010) classification as outlined on the 2010 Adopted Countywide**

**Comprehensive Land Use Plan which designates Agricultural/Rural land use where the R-20 zoning is proposed and the Zoning Plan designates the parcel as Agricultural zoning. The request is consistent with the Middletown 20-Year Land Use Comprehensive Plan map which indicates Low Density Residential land use for the parcel in question and which is within the municipal growth boundary.**

Comprehensive Plan: The *Frederick County's Future – A Comprehensive Plan for Frederick County, Maryland* (Frederick County Comprehensive Land Use Plan) designates this property as Agricultural/Rural and does not show the parcel within the growth boundary for the municipality. The County Land Use Plan shows a proposed collector road running east/west thru the southern portion of the property. The *Middletown Comprehensive Plan*, adopted March 2010, designates the property as Low Density Residential. *Middletown Comprehensive Plan* maps show an unnamed stream running north to south through the property, and the transportation map shows a future roadway running east/west thru the southern boundary of the property. The proposed annexation is within the growth boundary established by the Middletown Comprehensive Plan. **Due to the fact that the annexation petition is not consistent with the County's Comprehensive Plan, this petition would trigger the need for an Express Approval review by the County Council. The Middletown Town Board would need to request that the County Council conduct that review, which can occur before or even after the town board public hearing.**

Streets & Roads: The subject property totals 537.47 ft. of frontage on Coblenz Road, which is a 22ft. wide bituminous concrete County road with no curb and gutter. The Middletown Comprehensive Plan designates Coblenz Road as a county road. Improvements to this property with access to this road would require approval from appropriate agencies. Both the Frederick County Comprehensive Plan and the Middletown Comprehensive Plan show a proposed collector road running east/west at the southern end of the property.

**Although the petition does not address this item, the concept plan does provide for the collector road which aligns to the east with Smithfield Drive. Consideration should also be given to the following:**

- a traffic impact study should be required as part of the annexation agreement,**
- upgrading Coblenz Road to Town standards,**
- only one access point serving this entire development**

## **Community Facilities**

### **Schools:**

The subject property is located in the Middletown Primary, Middletown Elementary, Middletown Middle and Middletown High School districts. The current enrollment of each school as of December 30, 2016 is 99%, 83%, 93%, and 95% respectively. FCPS projections out to 2025 show the Primary, Elementary and Middle schools to remain at 80-99% of capacity for that time frame. There are three years during the time frame given that show the High School to be at 100-119% of capacity. Those years are projected to be at 100%, 102% and 103% of capacity. Both Middletown Middle School and Middletown High School are to have modernization projects completed by 2025, but neither will include increased student capacity.

**The requested zoning of R-20 Residential (without consideration of active adult housing) could yield the following densities according to the Pupil Yield Rates Report done by Frederick County Public Schools:**

**Primary School – additional 24 students**

**Elementary School – additional 24 students**

**Middle School – additional 12 students**

**High School – additional 19 students**

### **Water/Sewer:**

The subject property, if annexed, would be required to be served by Middletown water and sewer systems. Water and sewer taps are made available for new developments through annexation agreements with the Town.

**The adequate public facilities policy for the Town now requires that all development provide 250 gpd/unit of water into the system. The policy also requires that any upgrades to the sewer system to serve development be funded at the sole cost of the developer. The developer agrees to such conditions under item #3.1 in the petition.**

The Town has adopted a Water/Sewer Certification Ordinance that requires that resources be available in the system prior to approval of Improvement Plans.

**The petitioner requested an appropriation from MDE for a total of 57,000 gpd, but received a water rights evaluation from MDE for 34,200 gpd. This would provide for approximately 137 units based on 250 gpd/unit. The Town would need to determine whether the water must be appropriated or connected prior to the development moving**

**forward, whether the entire amount must be achieved before allowing development to move forward, and whether the Town would provide any existing reserve to support any “other” component of this development.**

The Town has adopted a Water Resources Element and associated water and sewer service maps as a component of the Middletown Comprehensive Plan adopted in 2010. Under this plan, the property is classified a PS – Planned Service, which projects development for this property to occur within the 11-20 year time frame (2021-2030).

**The designation of PS – Planned Service is not consistent with the County Master Plan for water and sewer which shows NPS – No Planned Service. The petition does not address the timeframe in which to proceed with development of the property.**

Fire Service: This property would be served by the Middletown Fire and Ambulance service currently located less than 1 mile southwest of the site. The average calls for service have increased by 20-30 per year over the last decade, while the increase in residents over the last decade has been about 200 total residents.

Police Service: Police service would be provided by the Frederick County Sheriff’s Department. Due to continued growth, the Town now has three deputies as well as an additional resource deputy who works out of the Middletown High School.

Solid Waste Disposal: The Town of Middletown contracts with a private hauler for trash service for residential and some smaller commercial customers. This service would be extended to this property if annexed.

Electric: Allegheny Power currently provides service to the area. This service would continue.

Parks: The Middletown Community Park adjoins this property to the south. Additional park facilities are further south and west in Town.

**Although the petition does not address parkland, the concept plan shows 40 acres of open space with a proposed walking trail and gazebo. This proffer of open space should be subject to review by the Planning Commission as expressly stated in the Town residential growth policy. Further, FRO and SWM can no longer be counted as open space and each development must provide a minimum of .05 acres/ unit. Please note that based on the proposed development of 116**

**units, 5.8 acres would be required to meet the requirements of all policies and ordinances subject to that acreage not including FRO, SWM, and unusable areas as determined by the Planning Commission.**

Growth Policy:

The adequate public facilities policy requires the following:

- Must provide 250 gpd/unit for water/sewer prior to water/sewer certification being approved.

**Based on the petition and the water rights analysis from MDE, the developer could build 137 units.**

- Schools cannot be greater than 105% over State-rated capacity at time of Preliminary approval.

**None of the schools is projected to be over 105% of the State-rated capacity prior to 2025.**

- Must provide traffic impact study at time determined by Town.

**There is no mention of providing a traffic impact study as part of this petition, but given the road connections, staff would assume one should be required early in the plan review process.**

- Must provide .05 acre/unit of usable open space as determined by the Planning Commission.

**As stated above, the concept plan does appear to meet the requirement, subject however to review and agreement on usable space provided.**

- No development will receive more than 20 of the available 30 permits per year.

**This phasing would be worked out under petition item #6.**

- All off-site improvements will be negotiated through public works agreements with the Town.

**This would be worked out under petition item #6.**

Staff Comments:

The requested annexation and zoning for R-20 Residential on the subject property is consistent with the adopted 2010 Middletown Comprehensive

Plan. Annexation would ensure that development occurs under Town standards and that the Town gets the tax benefits of this growth. The staff generally supports municipal annexations where facilities and services are in place to support development.

As stated in connection with other annexations, the staff is of the opinion that any future development in and around existing municipalities should first be considered for annexation. This is stated County and State policy. This proposal is within a logical area for annexation into the Town limits. In addition, this property already has water and sewer in close proximity.

**Recommendations:**

1. Given the most recent information regarding the Level of Service as it pertains to roads, schools, water and sewer, as well as other services, staff would recommend that all outstanding issues, affected by this proposal, be addressed and/or resolved before development of this proposed annexation is considered.
2. The Town Board will need to determine whether to request an Express Approval review by the Frederick County Council in order to avoid having to wait the five years for any development to occur.
3. Because of the amount of growth currently in the development pipeline for the Town of Middletown, it would appear to be in the Town's best interest for future growth and development to maintain the orderly process of phasing in any and all future development proposals. As the Town attempts to address infrastructure needs at all levels, this process of phasing should be updated to assure that growth remains congruent with the services that are available.
4. This site appears to contain a location for a collector road with future connection to extend west toward MD Route 17, which should be considered in the timing of development of this property. The staff would also recommend that consideration be given to Coblenz Road for improvements to Town standards.
5. Consideration should be given for this property's connectivity to the County Park adjacent to the south, and the Town should consider requiring that some open space be provided for usable recreational activities, as requested by the Middletown Parks and Recreation Committee.
6. Public Works agreements are needed to be in place so that the development of this property does not occur prior to any needed water and sewer system improvements.

7. Consideration should also be given for the development of a certain percentage of homes to be moderately-priced dwelling units in order to provide some much-needed entry-level homes within the Town.



## Memorandum

To: Middletown Burgess and Commissioners

From: Middletown Planning Commission

Date: April 17, 2017

**RE: MEMAR ANNEXATION PLAN - COMMENTS**

At their meeting held on Monday, March 20, 2017, the Planning Commission (PC) reviewed and discussed the draft annexation plan for the 94+ acre Memar Property.

The discussion centered on density, traffic and open space – issues the PC determined were appropriate for them to provide comments on to the Town Board. PC agreed that the maximum density for the site using the R-20 proposed zoning would be 186 units. The PC understands that other considerations would decrease the final number of units, i.e. . The members also strongly feel that there will be a significant impact to town roads (including Coblentz Road) with the proposed annexation and have additional concerns regarding the limited ingress and egress from the property.

The comments of the Planning Commission are:

- A traffic impact study should be completed prior to an annexation agreement being finalized using a maximum density number of 186 dwellings. The Town should be review, revise and approve the assumptions used in the study and be allowed to fully review and evaluate its results.
- Coblentz Road should be upgraded to town standards and the ownership of the road (from County) should be considered as part of the annexation agreement.
- More than one access point for ingress and egress (for emergency purposes) from the property should be identified prior to finalization of the annexation agreement.
- At least 9.3 acres should be provided of usable open space (not including wetlands, stormwater management areas, forest conservation areas, etc) as determined by the maximum number of units using the R-20 zoning.

The Planning Commission appreciates the opportunity to comment on this annexation agreement and is available to answer any questions regarding these comments.

Dale Haines  
3919 Valley View Road  
Middletown, MD 21769

3/22/2018

RECEIVED

MAR 23 2018

TOWN OF MIDDLETOWN, MD

Burgess and Commissioners  
Middletown Municipal Center  
31 West Main Street  
Middletown, MD 21769

I am writing you to go on public record regarding concerns and the possible impact of the proposed annexation by Memar Corporation, on 93 +/- acres off of Coblenz Road, would have on my property a WORKING FARM.

I own two AGRICULTURE PROPERTIES that adjoin the Admar property. The addresses are 3919 Valley View Road and 4005 Valley View Road Middletown, MD 21769. The two properties total 154 +/- acres, of which 116+/- is enrolled in AG LAND PRESERVATION. (Attached map showing where Haines and Admar property lines meet).

- 1) I want the town to be advised that I OPERATE A WORKING FARM which includes but is not limited to: noise, odors, dust, flies, chemical application, smoke, fumes, operation of machinery of any kind, including aircraft, during any 24 hour period, vibrations, tillage of the soil, spreading of manure, lime, and application of chemical fertilizer, harvesting and processing of crops, raising poultry, production of livestock, pasturing livestock, agritourism and the like. I want to ensure that the proposed new home owners know that the prevailing winds come from the west meaning they can certainly expect dust, farm odors, and yes corn stalks blowing into and around their yards. This is why I would like you to consider Item 7. For your information, Frederick County has in place a Right to Farm Ordinance. (Copy attached.)
- 2) Proposed Walking Trail:  
The proposed trails are very close to my property line. I would like them moved closer to the backyard property lines of the houses. At the very least, I would like to see some type of signage or deterrent to keep people on their side of the property line. I know from other farm land that I rent near homes that people see an open field and think they can just walk through it, throw their lawn clipping and tree limbs on it, and let their dogs/pets and kids run freely through it.
- 3) Location of the Four Existing Wells on the Admar property :

Three of the four wells are less than 40 feet from my property line. The 4<sup>th</sup> is approximately 65 feet. With the herbicides that are used for crop farming, there is a label that gives you the requirements of how far you need to be away when applying the herbicides. Most of the chemicals that I use are 50 feet from a well however they can range from 50 feet to 500 feet. I should not be restricted from utilizing all of the acreage of my farmland to benefit a developer. The developer should be required to move the wells farther away from the property line. In the future, Middletown should require well placement to be farther from agricultural property lines to avoid this situation.

4) Drainage:

A portion of Admar property that is proposed for the development slopes toward my property. As it is today, it is the way God made it and the farmland absorbs much of the rain water. If it becomes covered with blacktop and house roofs the water run-off will be significantly greater. The excess or extra storm water should not be allowed to dump onto my property. There needs to be some type of storm water management.

5) Tree Line:

I would like to see the tree line stay to help keep a buffer between the properties.

6) Well Water Supply:

I would like to reference a well Hydrogeological Assessment and Evaluation of wells completed in May of 2005 by SAIC for MDE of behalf of Admar Homes. They tested two of the Admar wells #FR-94-3450 and FR-94-3452 at that time Admar was asking to use an annual average of 57,000 gallons per day. That is a lot of water per day. SAIC completed a 72 hour drawdown test along with an Aquifer Monitoring test on all of the residential wells within 1500 feet of the four well sites. (See the attached SAIC Report for details). With this monitoring, the two wells on the 3919 Valley View Road farm property were affected. That was just the 72 hour test. What will happen if the Admar wells are pumped continuously?

I feel that if my wells are in any way dramatically affected, that the town should have to stop using the Admar wells and/or pay that total cost to provide me with water (i.e. drill new well and new equipment needed to get water out of ground with equal quantity and quality I have now).

I also have two spring developments SAIC was going to include the one spring in the Aquifer test but the meter washed out of the pipe and no data was collected.

I want to be assured that if my springs dry up due to the continuous pumping of the wells on the Admar property that the town would have to stop using the wells or provide water in the amount that the springs produced before and pay for all the cost of the well/pump, piping, and equipment. I should be compensated for the electric to operate the pump because the spring was gravity flow, free water.

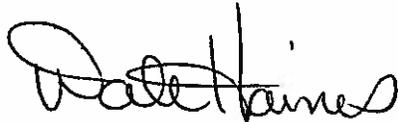
7) Common Sense Suggestion:

As the Foxfield Section 6 is proposed it leaves a large open space of land area to maintain between the current homes along Coblenz Road and the proposed new homes. I would like to suggest that you move the proposed homes east, closer to Coblenz Road behind the existing homes. That would move the open space beside the operating working farms of Haines and Wiles, creating a very nice buffer between the working farms and the proposed

homes. The open space land could then possibly be farmed to keep maintained. Also by moving the houses east to the Coblentz Road side of the property the elevation would be higher which means that you should be able to gravity flow the sewage and storm water to the existing town system rather than having pumps to maintain and supply electric to operate at a costly expense to the town from now on.

Another thing to think about with the proposed well site is how much is it going to cost to maintain a water supply from them? How far is the nearest hook up to a raw water line? It has to be a long distance. Will you need a booster/transfer pump system to get it into the raw water line or build another treatment plant? All of these things would cost the town money to operate and maintain year after year.

In conclusion, I want to thank you for including a 50 foot proposed access easement. It is great to have forward thinking as this could be a great benefit in the future. I also thank you for taking the time to review and consider my concerns and possible ways the proposed development of Admars' Foxfield Section 6 could be less of an impact on my agricultural property.

A handwritten signature in cursive script that reads "Dale Haines". The signature is written in black ink and is positioned above the printed name.

Dale Haines



Haines along entire North Property Line  
& most of West Property Line

**Town of Middletown Planning Department**

To: Burgess & Commissioners and Middletown Planning Commission

From: Cindy Unangst, Staff Planner

Date: 4/2/2018

RE: Monthly Planning Update - April

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**Major Subdivisions:**

**Middletown Glen** - Preliminary plans signed – May 29, 2013  
Improvement plans conditionally approved – October 16, 2013  
Plats 1 & 2 recorded at Courthouse – May 17, 2016  
FRO planting at Remsberg Park completed – February 2017  
Plat 3 recorded at Courthouse – March 1, 2017  
Plat 4 recorded at the Courthouse – November 13, 2017  
**Plat 5 recorded at the Courthouse – March 16, 2018**

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

**Cross Stone Commons** – Final FRO Plan approved – May 19, 2014  
Revised Site Plan conditionally approved – October 20, 2014  
Improvement Plan mylars signed – November 6, 2015  
**Redline revisions of site & improvement plans approved–March 19, 2018**  
**Architectural renderings for Building #5 approved – March 19, 2018**  
**Next step – submit architectural renderings for building #2 for review/approval**

**Fire Station** – BOA approved height variance request - October 20, 2016  
Revised Site Plan conditionally approved – October 17, 2016 (Plans expire 10/17/19)  
Improvement Plans conditionally approved – December 19, 2016 (Plans expire 12/19/19)  
Improvement Plan mylars signed – May 30, 2017  
Building permit conditionally approved – June 29, 2017

**Franklin Commons** - Site Plan conditionally approved – January 19, 2015 (Plans expired 1/19/2018)  
FRO plan conditionally approved – January 19, 2015  
Improvement Plans conditionally approved – Sept. 21, 2015 (Plans expire 9/21/2018)  
Improvement Plan mylars signed – January 4, 2016  
**Next step – resubmittal of site plan for review/approval**

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

**Dowd Property** – Forest Stand Delineation submitted for review/approval – March 27, 2018

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

Forest Conservation Plan approved – October 20, 2008

Architectural plans approved by PC – March 16, 2015

BOA hearing for variance requests (approval received) – March 29, 2016 (**Expired 3/29/17**)

SWM plans submitted to SCD and Frederick County – December 5, 2016

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

**Miller (Ingalls)** – Concept and Phase I & II Plan approved & signed – September 27, 2010

Revised Concept Plan reviewed by PC – September 16, 2013

Site plan conditionally approved by PC – July 20, 2015 (Plans expire July 20, 2018)

Improvement plans conditionally approved by PC – June 19, 2017 (Plans expire June 29, 2020)

Improvement plan mylars signed – January 2, 2018

**Building permit submitted – January 22, 2018**

**Grading and SWM permits approved – March 26, 2018**

**Moody – Demolition plan of shed approved – March 19, 2018**

**Richland Driving Range** – Concept plan reviewed by PC – January 18, 2016

Site Plan conditionally approved by PC – June 20, 2016 (Plans expire June 20, 2019)

Revised Site Plan conditionally approved – January 15, 2018

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

**School Complex roadway plans** – Improvement plans and FCP plans reviewed and approved by Town Board – May 8, 2017

(informed in June 2017 that funding was not approved for project)

SWM plans re-submitted to Frederick County and SCD for review/approval – 8/3/17

#### **Annexations:**

**A.C. Jets Property-** PC approval of annexation petition of 35.96 acres – December 21, 2009

Public hearing date - Monday, October 11, 2010

Annexation petition denied by Town Board – October 11, 2010

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

PC approval of consistency with zoning/comp plan – February 20, 2017

**Public Hearing scheduled for April 5, 2018**

#### **Text Amendments:**

**Reports:** 2017 Annual Planning Report – submitted to PC for review/approval – March 2018

2017 Annual FRO Report – submitted to MD DNR – March 7, 2018

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

**Meetings:** Next Middletown Green Team Meeting – April 14, 2018

**Next Joint town board/planning commission workshop** – May 7, 2018

**Public Works Monthly Report  
April 5, 2018**

**COMPLETED WORK**

**Streets and Utilities, Facilities**

Well 6 meter setter installed and valve, major snow event. Equipment serviced.

**Water and Sewer**

CBPS Pump 1 out of service being rebuilt. Pump 2 serviced to verify correct operation. Pump 4 Booster Station motor will be removed from service and checked for bearings rebuild possibility.

**New Projects**

**Patching Contract: Bids March 23, 2018**

**Unbudgeted Expenses:**

CBPS soft start replacement \$3,000.00 (17 years old), Replaced 15KW heater at CBPS \$1075.00. Foxfield Pump Rebuild \$8,000.00

**Budgets:** Water and Sewer Operating and CIP Completed. General Fund in progress.

Sludge cost for FY \$ 32,982.67, 36,000 gal hauled, 41,659 gal bedded Total hauled 341,200 gal Bedded 255,859 gal

**Water Use (Average Daily for the Month, Flows stated in gallons per day)**

**Permit Limits (gal) 387,000/504,000 AD/MMU 250,000 AD 250,000 AD**

MONTH	WATER USE		SPRING FLOW		East WWTP		West WWTP	
	past yr	present yr	past yr	present yr	past yr	present yr	past yr	present yr
January	289,000	305,633	69,258	64,653	177,000	247,000	234,000	201,000
February	278,000	294,927	72,648	100,583	141,000	337,000	188,000	386,000
March **	289,200	290,701	90,151	126,481	190,000	294,000	170,000	229,000
April **	277,000	316,880	128,000	128,000	186,633	203,000	132,000	259,000
May	292,000	315,849	138,000	137,800	337,000	285,000	236,600	280,000
June	293,000	322,922	139,000	136,899	326,900	249,600	212,000	169,500
July	300,577	302,332	114,032	116,889	247,841	261,000	178,000	171,900
August	304,000	295,202	89,000	94,195	234,000	250,000	171,000	212,000
September	306,759	323,961	60,420	74,907	161,000	240,000	165,000	191,000
October **	312,000	335,860	59,000	61,054	138,000	231,000	223,000	172,000
November**	261,000	301,245	52,000	63,598	176,000	219,000	136,000	246,000
December	275,000	294,560	53,000	56,430	139,000	192,000	206,000	258,000

Avg Daily/yr	289795	308339	88709	96791	204531	250717	187633	231283
Avg Yr Flw	105.78	112.54	32.38	35.33	74.65	91.51	68.49	84.42

\*\*Hydrants flushed this month

April 14 709,560 October 14 725,913, October 16 938,000 April 17 732,649. October 17 691,524

**Planned Work**

WWTP weir flowmeter out of service, will require replacement (20+ yrs old).SCADA conversion, Remsburg Park Path, I&I Project's. Reservoir Tank Design. Lowering of water line at Boileau Paving Projects, Reed Bed Sludge Removal.

## PROJECTS

### Open Projects

**Washington St Retaining Wall Replacement:** Replace existing timber retaining wall with concrete. Price Proposal received from ARRO (budget \$10,000 price \$9,940.00). Consultant has surveyed the area.

**ADA sidewalk ramp reconstructions:** Maps and priority list for Board to review and approve are included in this month's meeting agenda.

**Well Field Stream Improvements:** NTP given for 11/6/17. Project 100% complete. Punch list in spring – yard work.  
**W WWTP.** Final pond baffle is malfunctioning, Investigation needed. Needs review. MDE dam safety is still reviewing, consultant is proceeding with site and building design. Design meeting setup for 4/5/18.

**Develop Grease Trap Ordinance and Education Program:** No Action

**West Green Street:** Warranty period ends 9/15/2018.

**Water System:** Booster Station piping leak has been repaired but pipe is very thin. Will get proposal for replacement  
Water system SCADA, antenna's installed, electrical work for flow meters completed this month.

**Hydraulic Model:** The model has been sent to WRA for review, it is operable we will likely move forward with additions to the model. **System:** Now metering cover waste July 250,036 gal diff 3.77% August 206,776 gal diff 3.2%. Sept. 238,000 3.1% Oct 100,000 1.2% Nov 255,000 2.8% Dec 227,463 3.4% Jan 189,995 2.79%, Feb 182,952 3.0%

**Streetscape/ Main St. Waterline Replacement:** Water and Sanitary Sewer conflicts being resolved as storm drain is installed. Review of future phases for conflicts will be performed. Phase 5 waterline has begun, existing services are being excavated.

**Broad St Streetscape:** Consultant has received notice of reactivation of project. Board will receive design options from Consultant to consider as next step. Project Engineering moved to FY 2019. No action.

**Reservoir Tank:** Consultant has provided DRAFT of Phase 1 report to staff for review. A meeting with the Board will be scheduled for April.

**SSO and I&I:** Interceptor Project, Contractor has started, rain is delaying progress. N Church St contractor Mr. Rehab 90% complete.

**Drainage Issues:** Foxfield swale behind Ali needs maintenance, holding water (Simonoff). Inspected this swale and there is significant maintenance to be done and will require a budget item or authorization by the Board to compete. Current ballpark estimate to add new underdrain and recondition sand filter is \$10,000. Notified Mr. Simonoff that the Board would consider multiple solutions and place in FY 2018 budget. Engineering has reviewed and is considering several options to present to Board for budget funding. RFP to consultant. Topographic survey has been performed as of 6/1/17. At this time the swale is dry and will be monitored monthly for wet conditions. Engineering on hold until monitoring is completed in the Summer of 2018.

**MDE /Permits:** Lead and Copper sampling is complete, we are unable to get 21 samples from residents due to unwillingness to participate. Town reported results based on the samples that were returned. We had no results over the 85<sup>th</sup> percentile. No action.

**Meter Installations:** No action.

**MDE MS4 Permit Reports:** The Town will need to comply regarding some of our operational procedures in the future to meet the permit requirements. These are related to facility maintenance. No action

**Franklin St Conceptual Sidewalk Plans:** Placed in 2017 budget. Action required by B&C to release for design.

**Remsburg Park:** The remainder of the path has been constructed with millings to a width of 6 feet to match Remsburg Park Path. The side slopes and side ditches remain to be graded.

**Chemical Pipe Chase:** Completed, new pipe manifold and process water tubes cleaned on March 1.

**Municipal Center:** Received proposals for replacement of the last 3 AC units. Need to review and execute PO.

**Street Mill & Overlay:** Awarded to Wastler and Son. Start date pending.

**Maintenance Facility:** Proposals received March 28, 2018. Staff reviewing proposals for recommendation to Board.

### Developments

**Cross Stone:** Cinco de mayo.

**Coblentz Property:** Street lights being installed in Phase 2.

**406 W Green St:** No action

**Chesterbrook IP's:** No action.

**Carolines View:** No action.

### Planned Work

Streets:

Water System: relocation of line at Jefferson Village and new valve installation (17" deep). FY 18 budget item.

Budget purchases and contracts

Continue Fire Hydrant ID tag and numbering system installation

Regulatory: Grease Ordinance completion.

E WWTP: design spray system for clarifier,

Bid Sludge Hauling and Chemicals.

Reed Bed Development cost analysis.



**TO: The Burgess and Commissioners**  
**FROM: Becky Axilbund, Main Street Manager**  
**RE: April Workshop Report**  
**DATE: Thursday, April 5, 2018**

### **DATES & EVENTS:**

Saturday, April 14, 2018 – Green Expo 10am at Memorial Park  
Saturday, April 28, 2019 – Coloring the Street – Main Street 9:30am  
Thursday, May 3, 2018 – Presentation from Preservation Maryland to Main Street Middletown

### **ORANIZATION:**

#### **Volunteers and Staff**

- Thank you for allowing me to attend the National Main Street NOW conference last week that was held in Kansas City, MO. Like most conferences, this one was filled with speakers, educational programs, and lots of ideas. There were two big concepts that were evident as thematic in this conference; equity and friendliness. The friendliness was immediately evident, loud, and clear, and sincere. The speaker at the awards dinner talked about development, development and workforce trends, transportation, and how the way we live and conduct business has changed over the last decade. We were urged to reflect on leadership and entrepreneurial skill development. We were also urged to look at public spaces and ask – is this a place that we would feel good about for an 8-year old child – and an 80-year old parent/grandparent in this public space.
- Main Street Middletown is committed to strengthening our volunteer program. So far, we have had positive feedback from our Bi-weekly email geared to our volunteers. And to let the Board know how much they too are appreciated for all of their work, I picked out little presents from the conference.

#### **Assets**

- Main Street is in the process of preparing our budget for FY 2019 to present to the Burgess and Commissioners on April 23<sup>rd</sup>.
- Main Street Middletown is in the process of applying for a Community Legacy Grant in the to help with the purchase and rehabilitation of 19 West Main Street.
- Main Street Middletown will concurrently apply for a Community Legacy Grant to continue offering the Façade Improvement Program for buildings within the Main Street District that are contributing historic resources to the Middletown National Register Historic District. Contributing resources were identified through the National Register nomination process. Contributing resources are reviewed by architectural historians that meets professional qualifications outlined in Federal codes protecting historic resources. Recommendations on contributing buildings are reviewed by staff at the state level through the Maryland Historical Trust (the State Historic Preservation Office), and through National Park Service staff.

### **DESIGN COMMITTEE:**

- The Design Committee is working on the upcoming Walking Tour event that is tied to the Sustainability Committee's May Green Talks. We have mapped out a set of properties in which not only will the docents be able to tell you brief facts about the historic building but emphasize aspects that are inherent in older

buildings that are actually very “green.” For example, visitors will be able to tour the inside of 20 West Main and learn how that particular building takes advantages of the natural westward blowing winds and can experience how the historic-double hung windows create air circulation. I do not know of any other historic building tour that emphasizes the sustainable aspects of historic buildings. Other properties to be highlighted include 19 West Main Street (Bussard’s Barbershop), Zion Lutheran’s innovative project with rebuilding the columns, the Middletown Valley Historical Society, the Lamar House, the Harbaugh-Shafer building, 20 West Main, and end at the Main Cup.

- The Design Committee is also working with the Promotions Committee on ways to decorate for the Coloring the Street and adding decorative details for the participants of the Walking Tour.

#### **ECONOMIC DEVELOPMENT COMMITTEE:**

- The Economic Development Committee has reached out to one of the new businesses within the Main Street district, Deb’s Bagels to schedule a ribbon cutting celebration! More details to follow!
- The Economic Development Committee is scheduled to meet with a new volunteer group to create some synergy and a list of ideas for downtown parking. The meeting date is Friday, April 20<sup>th</sup>. This group of business owners has been tapped for their unique perspectives on parking in the Main Street district and will be generating ideas for the Burgess and Commissioners to consider for implementation.
- The Economic Development Committee has picked the following dates for business mixers: Friday, May 11, Friday, August 10, and Friday, October 12<sup>th</sup>. Details on the May mixer will be sent out via newsletter in mid-April.
- Main Street Manager will be out visiting with business owners on Friday (looks like the best weather day!) and will have Guidelines for businesses to get more involved with the upcoming event, Coloring the Street. We normally provide ideas on how to get more involved on festival days, but this year, we are personalizing it more to each business and to the Coloring the Street event. Main Street is also offering each business in the area of the Coloring the Street festival ideas on decorations to fit into the overall theme of the event with leaning on the arts.
- The EDC is also working on the last product with Garrett Glover, while his work with individual businesses will continue. This last product will be a type of guideline for businesses on creating in-house promotions, whether you are a retail or service business.

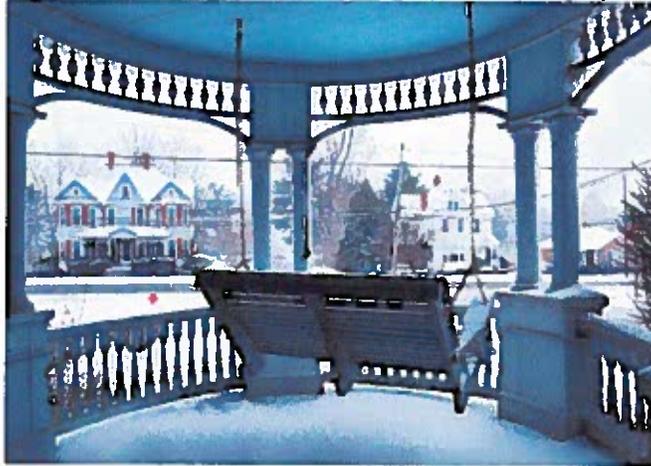
#### **PROMOTIONS COMMITTEE**

##### **Communications:**

Main Street continues to have a strong Facebook following and we are happy to announce the winners of the Beauty of Winter Photography Contest. Two were chosen for their skill and ability to illustrate the theme of the contest, and one is recognized for having the most Likes.

And in no particular order, the two winners for skill are:

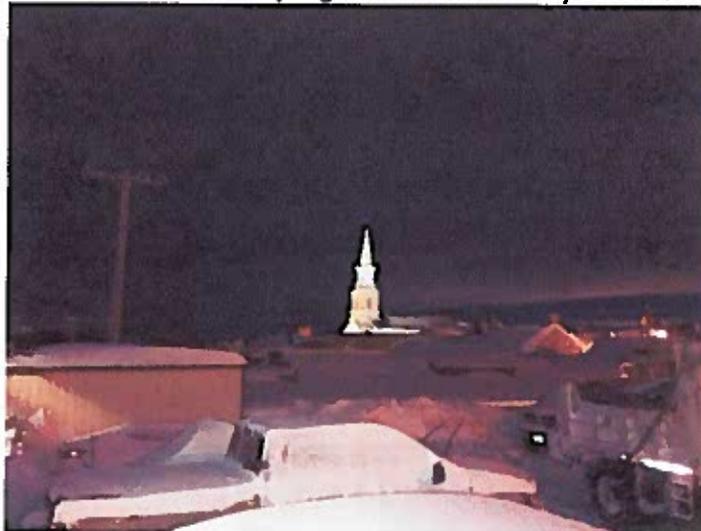
**Watching the Snow Fall on Main Street – Patiently Waiting for Spring by Kimberly Plank Edwards**



**Ice Storm Reflections by Greg Keppley**



**And the most Likes – Snowy Night In Middletown by Leonard Kesner**



At the end of the year, Main Street Middletown and its panel of professional photographers will select 4 Grand Prize winners. Each Grand Prize winner will win a cash prize and have their photos printed on a professionally created poster that we will sell on Small Business Saturday. The Spring Photo contest is starting in Mid-April!

#### **Advertising –**

We finalized the results of the marketing study performed by Platinum PR and are working with the digital department of the Frederick News Post so that we are advertising in a way that is called Programmatic Marketing. What this means is that instead of purchasing space on a website, or space in a magazine, we are bidding for the attention of an audience. This audience is a mix of people within about 75-miles of Middletown. Data is constantly being collected on what people search with key words. We are advertising to the people who use certain key words. Another way programmatic marketing works is that we can also look at a specific site near Middletown, and each person who has a cell phone, they would have our Middletown advertisement pop up.

This type of ad campaign is flexible, budget dollars can be shifted in the middle of the campaign because analytics can be examined every day, although the recommendation is to examine about 2-weeks of data.

Getting this started has taken a lot of coordination to have the website ready and Facebook posts scheduled to coordinate with the campaign. Please note, that unlike a print ad, we may not see the Middletown ads.

#### **HERITAGE GALLERY**

##### **New Exhibit Opening!**

To kick off spring, please visit the Heritage Museum in Town Hall and enjoy Middletown's history related to baseball legend, Charlie Keller.

*Thank you for your continued support and enthusiasm for  
Main Street Middletown!*

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

To: Burgess and Commissioners

From: Ron Forrester, Zoning Administrator

Date: 4/5/18

RE: Monthly Zoning Administrator Staff Report for March 2018

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**Board of Appeals (BoA) Meeting:** No BoA public meetings / hearings conducted during month of March 2018.

**Zoning Violations:**

(1) Recreational vehicle parked in driveway. 102 Ali Drive. A zoning ordinance violation notification letter was sent to property owner on September 19, 2017 for parking a utility trailer in the driveway of their residential property in violation of Section 17.32.140 – Recreational equipment – of the Middletown Municipal code. The code states that parking or storage of any recreational equipment in the side and rear yards of residentially zoned properties shall be appropriately screened from adjoining properties. Such screening shall be reviewed and approved by the zoning administrator. I talked with home owner on September 23, 2017 regarding screening options, etc. He was given 30 days to provide a screening plan. I'm still waiting to receive screening plan. I visited properties on Ali Drive in November and December 2017 and January 2018. During these visits, I noted the trailer was still parked on driveway and was not screened from adjoining properties. A second zoning ordinance violation was sent to the owner on January 29, 2018 informing the owner that he is still in violation of the municipal code and that if the trailer is not screened from adjoining properties within ten days from the date of this second violation notification letter or the trailer is not removed from his property, that a fine will be assessed by the Zoning Administrator of \$100 a day for every day the violation continues to exist. I discussed situation with property owner in February 6, 2018 telephone call. He is looking at various options in coordination with his neighbors. Based on the shape of the utility trailer to be screened, I suggested he investigate a cover that would screen it from other properties and meet the spirit and intent of the municipal code. I told the property owner that time was running out to resolve this violation. Open.

(2) Recreational equipment parked in front yard of residential property. 331 South Church Street. A zoning ordinance violation notification letter was sent to property owner on October 5, 2017 for parking a camper trailer in front of his detached garage in the front yard setback of his residential property (corner lot – two front yards) in violation of Section 17.32.140 – Recreational equipment – of the Middletown Municipal code. The code states that parking or storage of any recreational equipment is not permitted in the front yard setback areas of any lot. Additionally, in subsequent conversations with homeowner, it was noted that the camper trailer is thirty (30) feet long which makes it a restricted vehicle. Sections 17.32.065 – On-Street parking of restricted vehicles in residential districts – and 17.32.150 – Restricted vehicles – of the municipal code state that it is a violation of the municipal code to park a restricted vehicle in a residential neighborhood except upon approval of a special exception by the Middletown BoA (See Section 17.48.320 of municipal code). I advised the homeowner that there is no certainty that the BoA would approve his petition for a special exception to the municipal code to park restricted recreational equipment on his property. Homeowner is considering his options. A follow-on letter was sent to homeowner on December 7, 2017 for this violation. I had a meeting with homeowners on December 20<sup>th</sup> at the town municipal center regarding the costs and paperwork required to file

a special exception petition with the Middletown BoA. At the meeting, the filing fee and associated BoA petition / application paperwork along with a timeline for how the petition paperwork is processed for a Special Exception were discussed. The homeowners expressed a degree of uncertainty on being able to proceed and may elect to wait until new year to submit their application for a Special Exception to the BoA. The homeowner sent an email to Burgess requesting approval of a payment plan to pay the \$250 fee required for filing a Special Exception to the BoA. Homeowner contacted Zoning Administrator who directed homeowner to discuss payment plan options with the Town Administrator. The homeowner discussed payment plan options with Town Administrator via telephone. No other actions taken by homeowner to date to file application to BoA for a Special Exception. Owners have been provided with a payment plan contract by Town Administrator. The property owners have made the initial payment of their payment plan. They have no applied or contact the Zoning Administrator reference their intent to proceed with applying for a Special Exception to the BoA. An email was sent to the home owners on March 13, 2018 requesting they contact the Zoning Administrator regarding this matter, No response to email has been received from homeowners to date. Open.

(3) Inoperable / unregistered vehicle parked in driveway. 105 South Jefferson Street. A zoning ordinance violation notification letter was sent to property owner on October 10, 2017 for parking an unregistered / inoperable motor vehicle (Mercedes Sedan) on driveway that was not screened from adjoining properties in accordance with Section 17.32.060(J)(2) – Off Street Parking in Residential Districts and for Residential Use Property in the TC (Town Commercial) District – of the Middletown Municipal Code. A second zoning ordinance violation notification letter was sent to homeowners on February 1, 2018 via certified mail. On The certified letter was returned to the town office by the post office as being undeliverable though the outside of the envelope indicated they tried to deliver the letter on three separate occasions. Open.

(4) Flashing / Moving Business Sign. 811 East Main Street. A zoning ordinance violation notification letter was sent to SUPERCuts on February 20, 2018 for having a “moving arrows / dots” on the OPEN sign displayed in their store window in violation of Section 17.36.030(B) of the municipal code. The code states that “No flashing sign, rotating or *moving sign*, animated sign or sign with *moving lights or lights which create the illusion of movement are permitted* and that the term “flashing, rotating, animated or moving signs” shall include, but not be limited to. Flashing, rotating, animated or moving window signs.” Open.

(5) Accessory Building / Structure Built in Rear Yard of Property Without Obtaining Zoning Certificate. 9 Hoffman Drive. A zoning ordinance violation notification letter was sent to property owner on February 26, 2018 for installing an accessory building / structure on their residential property without applying for and receiving a zoning certificate from the Zoning Administrator. Section 17.08.030 – Zoning certificate required – of the Middletown Municipal Code states that “*it is unlawful to commence the construction of any building, including accessory building, signs and fences ...until the zoning administrator has issued a zoning certificate for such work.* Additionally, under Section 17.32.170 – Modifications to yard requirements – of the municipal code, paragraph D – Allowable Projects of Accessory Buildings into Yards - states that accessory structures / buildings can be constructed “*...no closer than six feet to the side or rear lot lines....*” It appears that the accessory structure is closer than six feet from both the side and rear lot lines which is a violation of the municipal code. Owner submitted zoning certificate for accessory building on property and provided a plat that showed the building was not erected within the 6 feet setback for side and rear property lines. Closed.

(6) Restricted Vehicle / Recreational equipment parked on residential property. 701 East Main Street. A zoning ordinance violation notification letter was sent to property owner on March 6, 2018 for parking a boat on a trailer (recreational equipment) in the front yard setback of his residential property (corner lot – two front yards) in violation of Section 17.32.140 – Recreational equipment – of the Middletown Municipal code. The code states that parking or storage of any recreational equipment is not permitted in the front yard setback areas of any lot. Recreational equipment can be parked in the side or rear yard of residentially zoned property as long as it is effectively screened from adjoining properties and the screening is approved by the Zoning Administrator.

Additionally, there was a Sprinter van parked on his property. Sections 17.32.065 – On-Street parking of restricted vehicles in residential districts – and 17.32.150 – Restricted vehicles – of the municipal code state that it is a violation of the municipal code to park a restricted vehicle in a residential neighborhood except upon approval of a special exception by the Middletown BoA (See Section 17.48.320 of municipal code). I subsequently discussed this matter with homeowner on March 12, 2018 and told him the type of screening that would be acceptable for parking the boat on a trailer in a side yard. I told him the Sprinter van would need to be removed from his property unless he wanted to apply for a Special Exception from the Middletown Board of Appeals. The homeowner said that he has removed the Sprinter van from his property and will discuss with his wife what type of screening they want to use for the boat on a trailer. Open.

(7) Recreational equipment parked on residential property. 9 Layla Drive. A zoning ordinance violation notification letter was sent to property owner on March 8, 2018 for parking a utility trailer (recreational equipment) in the driveway of his residential property (corner lot – two front yards) in violation of Section 17.32.140 – Recreational equipment – of the Middletown Municipal code. The code states that parking or storage of any recreational equipment is not permitted in the side or rear yard of residentially zoned property unless it is effectively screened from adjoining properties and the screening is approved by the Zoning Administrator. I talked with the homeowner on March 13, 2018 and he said the trailer would be off his property by March 19, 2018 at the latest. Closed.

(8) Trash Dumpster stored on property after permit had expired. 210 Lombardy Court. A zoning ordinance violation notification letter was sent to property owner on March 14, 2018 for continuing to store a large trash dumpster on their property in violation of Section 17.32.045 – Storage and disposal containers – of the municipal code after the permit for dumpster had expired on March 1, 2018. I subsequently received an email from property owner saying the dumpster would be removed not later than March 26, 2018. Closed.

(9) Motor Vehicle Parked on grass in front yard of residential property. 104 Linden Blvd. A zoning ordinance violation notification letter was sent to property owner on March 15, 2018 for parking a motor vehicle (Saturn Station Wagon) on grass in the front yard of their residentially zoned property. Under Section 17.32.060(J)(3) of the Middletown Municipal Code, a person in a residential district and for residential use property in the TC (Town Commercial) district may only park a motor vehicle on an impervious surface. An impervious surface is defined in Section 17.04.030 – Definitions - as a man-made surface that prevents the infiltration of storm water into the ground below the surface. Examples of an impervious surface are asphalt, concrete or gravel. Grass or mulch is not considered an impervious surface. Closed.

(10) Recreational equipment parked on residential property. 101 Lombardy Drive. A zoning ordinance violation notification letter was sent to property owners on March 15, 2018 for parking a utility trailer (recreational equipment) in the driveway (side yard) of their residential property which is a corner lot in violation of Section 17.32.140 – Recreational equipment – of the Middletown Municipal code. The code states... “any recreational equipment which is stored in the side and rear yards shall be appropriately screened from adjoining properties, and such screening shall be reviewed and approved by the zoning administrator in order to comply with this subsection.” Open.

(11) Recreational equipment parked on residential property. 307 Washington Street. A zoning ordinance violation notification letter was sent to property owner on March 15, 2018 for parking a utility trailer (recreational equipment) in front of his garage in the front yard setback of his residential property in violation of Section 17.32.140 – Recreational equipment – of the Middletown Municipal code. The code states that parking or storage of any recreational equipment is not permitted in the front yard setback areas of any lot. Open.

(12) Freestanding business sign erected on property without sign permit being issued. 803 East Main Street. A zoning ordinance violation notification letter was sent to the Director of Bank Support Services at Middletown

Valley Bank (MVB) on March 22, 2018 for placing a freestanding business sign in the right front section of their property in the Town Center Shopping Center in violation of Section 17.36.130 – Sign permits procedures – which states that it is a violation of the municipal code “...to erect, construct, install a sign without an approved sign permit being issued by the zoning administrator. The sign approval includes the location, placement and size of the sign. The bank director subsequently submitted a zoning certificate (sign permit application) via email. Permit for sign is in-process. Open.

**Miscellaneous Zoning Issue:**

Home occupation questionnaire and zoning certificate approved on March 23, 2018 for Home Family Child Care (Little Crickets Nursery) located at 208 Broad Street in accordance with Section 17.32.220 – Home occupations – of the Middletown Municipal Code.

<b>March 2018 Zoning Certificates - completed</b>	<b>Address</b>	<b>Permit #</b>	<b>M-town Received ZC</b>	<b>RForrester Approved</b>	<b>County Approval</b>
Ann Miller – construction of core building to enclose area of warehouse and interior renovations to existing building. Building systems, Inc. is primary contractor for project.	203 East Main Street	164249	1/22/18	3/28/18	yes
Middletown Commons Holdings (Middletown Glen) - new single-family dwelling (SFD). (Lot 13); Ryan Homes. Style: Torino; Elevation N with covered front porch, partially finished basement (rec room, media room, bedroom and full bathroom), gas fireplace, and two-car garage. .	105 Ingalls Drive	171362	2/26/18	3/8/18	yes
Middletown Commons Holdings (Middletown Glen) - new single-family dwelling (SFD). (Lot 52); Ryan Homes. Style: Torino; Elevation B with partially finished basement (recreation room, media room, bedroom and full bathroom), rear morning room, gas fireplace, rear deck and two-car garage. Partial stone veneer on front of house.	211 Ingalls Drive	171363	2/26/18	3/8/18	yes

<b>March 2018 Zoning Certificates – completed (continued)</b>	<b>Address</b>	<b>Permit #</b>	<b>M-town Received ZC</b>	<b>RForrester Approved</b>	<b>County Approval</b>
Jeffrey Zerhusen - Accessory building built in rear yard of residential property. Shed/playhouse is 11' x 12' (132square feet). Building built without obtaining a zoning certificate. Owner submitted zoning certificate after receiving zoning violation letter.	9 Hoffman Drive	Town	3/7/18	3/7/18	no
Danny Mallast – add an enclosed (screened in) covered deck / porch on rear of SFD, Structure is 10' x 14'. River Valley Construction (Jim Weaver) is prime contractor.	2 Fink Lane	171742	3/7/18	3/14/18	yes
Doug Domalik – finishing room/space above attached garage. Expansion will include a larger closet and expansion of existing bedroom. Electrical and additional HVAC ducting required. No plumbing will be added.	18 Young Branch Drive	172057	3/7/18	3/23/18	yes
Prashanthi S. Duvvuri – final inspection for 20' x 20' dek – reference permit #122141.	512 Glenbrook Drive	171886	3/9/18	3/14/18	yes
Glenn Scott Dewitt – install a 20' x 12' TREX translucent deck with vinyl railings and steps to grade. Demolition of existing deck required before new deck can be constructed. Demolition permit and approval required. Albaugh & Sons is primary contractor for both the deck demolition and the construction of new deck.	116 Mariam Pass	171938	3/9/18	3/14/18 3/19/18 demolition plan approved	yes

<b>March 2018 Zoning Certificate- completed (continued)</b>	<b>Address</b>	<b>Permit #</b>	<b>M-town Received ZC</b>	<b>RForrester Approved</b>	<b>County Approval</b>
Middletown Commons Holdings (Middletown Glen) - new single-family dwelling (SFD). (Lot 9); Ryan Homes. Style: Venice; Elevation C with partially finished basement (recreation room), rear morning room, and two-car garage.	3 Fink Lane	172069	3/12/18	3/19/18	yes
Middletown Commons Holdings (Middletown Glen) - new single-family dwelling (SFD). (Lot 15); Ryan Homes. Style: Torino; Elevation B with partially finished basement (rec room with full bathroom), gas fireplace, and two-car garage. Four bedrooms with 4.5 baths.	109 Ingalls Drive	172076	3/12/18	3/19/18	yes
Middletown Commons Holdings (Middletown Glen) - new single-family dwelling (SFD). (Lot 53); Ryan Homes. Style: Brentwood; Elevation A with partially finished basement (rec room, media room, full bedroom), optional second floor bedroom with full bathroom, gas fireplace, and two-car garage. Partial stone veneer on front of house.	213 Ingalls Drive	172090	3/12/18	3/23/18	yes
Charles F. Leuthold – install approximately 30 feet of vinyl tongue-in-groove fencing to enclose rear yard. Fencing to be installed will match existing fencing. Sections to be installed are 5 feet or 6 feet tall, Frederick Fence Company is contractor	2 Crone Lane	Town	3/15/18	3/15/18	no

<b>March 2018 Zoning Certificate- completed (continued)</b>	<b>Address</b>	<b>Permit #</b>	<b>M-town Received ZC</b>	<b>RForrester Approved</b>	<b>County Approval</b>
Amanda O'Neal – finish half of basement to include studs, drywall and electrical. Ridge Craft Builders, LLC is prime contractor.	105 Foxfield Pass	172789	3/28/18	3/29/18	yes

<b>Zoning Certificate submitted- in progress</b>	<b>Address</b>	<b>Permit #</b>	<b>M-town Received ZC</b>	<b>RForrester Approved</b>	<b>County Approval</b>
Fran Walsh – replace existing 12' x 7' deck on town house	72 Boileau Ct		7/26/17		yes
Annalisa Geiger – replace old metal shed with same size shed at same location. <i>(need BoA approval)</i>	307 West Main Street		7/20/17		no
Draper McGinley – change incoming electric service from one to two meters to reflect current usage which is commercial enterprise (Dog Groomer) and second floor apartment.	405 West Main Street		12/8/17		yes
Brian & Kim Horman – install hot tub on patio under existing deck. Also includes final inspection for permit #24301 issued on 6/10/05 for basement and deck construction.	4 Farmstead Place		12/21/18		no
Jairo A. Tamayo – remodel finished basement to include converting two rooms to bedrooms, adding small kitchen and a laundry. This work includes adding new electrical panel and extra plumbing for laundry.	312 Washington Street		2/23/18		yes
Adam Martin – install a new wood and composite deck on rear of SFD. River Valley Construction (Jim Weaver) is prime contractor.	115 Ingalls Drive	172536	3/26/18		yes

Zoning Certificate submitted -- actions pending and/or suspended	Address	Permit #	M-town Received ZC	RForrester Approved	County Approval
Kevin & Adele Air – house renovation. Request a trash dumpster for three months during renovations.	10 Washington Street		3/24/17	<u>Expired Permit</u>	yes
Eric Watson - to construct a new 24' x 14' composite deck with steps to grade on rear of SFD. Construction of deck requires a variance from rear yard building restriction line (BRL). Needs to submit paperwork for BoA public hearing.	5 Tile Silo Court		6/1/17		yes