

# MIDDLETOWN PLANNING COMMISSION

Middletown Municipal Center  
31 West Main Street  
Middletown, MD 21769

AGENDA  
Monday, February 20, 2017  
7:00 p.m.

- I. **Public Comment**
- II. **Miscellaneous**  
  
Welcome new temporary alternate member – Meredith McKittrick  
  
Elect chairman and vice chairman for 2017
- III. Minutes of January 2017 Planning Commission workshop **Approval**  
  
Minutes of January 2017 Planning Commission meeting **Approval**
- IV. **Plan Review**  
  
219 S. Jefferson Street Demolition **Review/Approval**  
  
Right-A-Way Powder Coating **Review**
- V. **Zoning**  
  
Admar Annexation Petition **Review/Recommendation**
- VI. Annual Planning Report **Review**
- VII. **Additional Public Comment**

**\*\* All requests to be on the Planning Commission agenda must be received at the Middletown Municipal Center, 31 W. Main Street, Middletown by 4:00pm on the Monday two weeks prior to the monthly meeting held on the third Monday of each month. All plans being submitted for review must be folded, and an electronic plan is required as well.**

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

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

**Workshop**

**January 11, 2017**

The regular workshop of the Middletown Planning Commission took place on Wednesday, January 11, 2017 at 7:00 p.m. at the Middletown Municipal Center, 31 West Main Street, Middletown, MD 21769. Those present (quorum) were Commission members Mark Carney (Chairman), Tom Catania (Ex-Officio), Bob Miller, and Rich Gallagher. Others present in official capacity: Cindy Unangst (Staff Planner).

**JANUARY MONTHLY PLANNING COMMISSION WORKSHOP:**

**PLAN REVIEW –**

**East Green Street Addition plat** – There was discussion about the listing of the applicant in the staff report and the addition of the parcel sizes to the proposal information. The members discussed the fact that the property owner for Parcel 693 could still ingress and egress his property using East Green Street even if he didn't purchase Parcel C unless the Town were to block him from doing so. There was discussion about conditioning the approval of the plat on the sale of Parcels A and B taking place, and also about a time frame such.

**ZONING –**

None

**MISCELLANEOUS –**

**Planning Commission member terms memo** – Cindy stated that the memo provided information to the members regarding the terms of office for each, and a temporary alternate would be named by the Town Board on January 23<sup>rd</sup>.

Commissioner Catania asked Cindy whether she could include the 'next steps' information that is provided in the 'Tracking of Past Plan Approvals' memo in the monthly planning updates in the future.

**Workshop adjourned at 7:45pm.**

Respectfully submitted,

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Cynthia K. Unangst, AICP  
Middletown Staff Planner

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

**Regular Meeting**

**January 16, 2017**

The regular meeting of the Middletown Planning Commission took place on Monday, January 16, 2017 at 7:00 p.m. at the Middletown Municipal Center, 31 West Main Street, Middletown, MD 21769. Those present (quorum) were Commissioners Mark Carney (Chairman), Tom Catania (Ex-Officio), Bob Miller, Rich Gallagher and David Lake. Others present in official capacity: Annette Alberghini (Recording Secretary). Others present: Meredith McKittrick (Resident)

**JANUARY MONTHLY PLANNING COMMISSION MEETING:**

- I. PUBLIC COMMENT – None**
- II. Regular Workshop Minutes of December 14, 2016 – Approved as submitted.**  
**Regular Meeting Minutes of December 19, 2016 – Approved as submitted.**

**III. PLAN REVIEW**

**East Green Street Addition Plat –** (No one present for the applicant). This is the addition of small parcel areas along East Green Street to two lots which also front East Main Street – Parcel A which is 1,825 square feet to be added to Parcel 690 resulting in a lot area of 32,059 square feet, and Parcel B which is 674 square feet to be added to Parcel 692 resulting in a lot area of 23,572 square feet. The property currently owned by the Town will retain a small remainder of 516 square feet. The original Town property is a leftover piece of the old trolley right-of-way that was given to the Town decades ago. This area is zoned R-2 Residential. The addition Plat meets all requirements of the Municipal Code. The plat has a note stating that any future subdivision of this land or building development will be submitted in accordance with the existing subdivision regulations. Although this is an Addition Plat it is also a subdivision of the parcel owned by the Town. Parcels A and B are being subdivided from the Town parcel to be added to those adjoining lots, with Parcel C being the remainder of the subdivided lot. The owner of the property adjacent to Parcel C was contacted by Town officials regarding interest in purchasing Parcel C. The property owner declined. The minimum building restriction lines have been specified on the plat and the resulting 35-foot front yard minimum building restriction lines for East Green Street are shown for Parcels A and B.

- **Sale of Parcels A and B –** Contract of sale for Parcels A and B have been signed by the buyers (Moser's and Williams). If the addition plat is approved by the Planning Commission, the plat will be recorded with the County Land Records Office and then the Town Attorney will prepare the final ordinance for the sale of the property to be brought before the Town Board for approval. The Town is required to pass an ordinance for sale of town property. The draft ordinance was introduced at the October 10, 2016 Town Meeting. The contracts of sale indicate that the closing date for the delivery of the deed and the payment of the purchase price shall be no later than 30 days from the date on which the survey plat is recorded among the land records of Frederick County.

- **Contour Intervals** – Due to this being a subdivision of the parcel owned by the Town, according to Town code, a minor subdivision shall show topography at two or five foot contour intervals. This contour requirement can be waived by the Planning Commission.

**Action:** Commissioner Lake motioned to approve the East Green Street Addition Plat with the understanding that any future subdivision of the parcels on this plat for building development will be submitted in the regular manner for approval in accordance with the provisions of the existing subdivision regulations, and the required contour intervals are waived. Seconded by Commissioner Miller. Motion carried (3-0-1) Commissioner Catania abstained.

**IV. ZONING - None**

**V. MISCELLANEOUS**

**Planning Commission Member Term Memo** – The Staff Planner memo indicating Planning Commission member term dates was reviewed. It was noted that the incoming replacement Temp Alternate completing the term vacated by Dixie Eichelberger, who moved into the Alternate member position on the Planning Commission, will face reappointment in June 2017.

**Staff Planner Monthly Planning Update** – Planning Commission members appreciated the additional information that the Staff Planner is including in her monthly report.

- **Horman Apartments** – It was noted that the SWM plans for this property expire May 4, 2017, at which time the applicant would have to reapply for SWM County approval and Planning Commission Site Plan Approval. The Planning Commission has asked the Staff Planner to contact the County regarding the process if the applicant provided the bare minimums to continue compliance.

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

**Meeting adjourned at 7:29pm.**

Respectfully submitted,

Annette Alberghini  
Recording Secretary

## Middletown Planning Office

### MEMORANDUM

Date: 1/20/2017

Hansen# n/a

To: Middletown Planning Commission

From: Cynthia K. Unangst, Middletown Staff Planner

RE: **219 S. JEFFERSON DEMOLITION SITE PLAN**  
Tax Map Parcel #03-0127184  
Applicant: Hubert Brown, Eric Moore General Contracting LLC.  
Property Owner: Charles Jeremy Kelley  
Plan Dated: January 18, 2017  
Date Received: January 18, 2017

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#### GENERAL INFORMATION

Proposal: Remove an existing 1 1/2-story house (approx. 666 square feet with a tin roof, a brick chimney and a basement) and one small frame shed on the property

Location: 219 South Jefferson Street

Zoning: R-3 Residential

Present Use: former dwelling and storage shed

#### COMMENTS

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

1. All of the requirements of Section 17.32.160 (Demolition site plan – Required in all districts.) of the Middletown Municipal Code have been met.
  2. It is staff's understanding from the applicant that the dwelling is not suitable for inhabitants or renovations. The building is of poor construction and unable to be restored, and the ceilings are only five and a half feet tall.
  3. A permit will need to be received from the County for the demolition to occur. Application to the County can take place concurrent with the site plan approval process by the Planning Commission.
-

4. An aerial photograph of the buildings to be demolished as well as a boundary survey showing the buildings have been attached to this memo along with numerous photos.
5. Letters were sent to the adjacent property owners informing them of the proposed demolition. The property has also been posted.
6. Review comments by the Town's CIP Project Manager are attached to this memo. Approval of the demolition plan should be conditional on his comments being addressed.
7. The property owner, Charles Jeremy Kelly, has given permission to Eric Moore General Contracting, LLC to apply for the demolition permit per the submitted addendum.

This review will be included in the Middletown Planning Commission materials for the February 20, 2017 public meeting. The applicant is encouraged to attend this meeting and the workshop on the Wednesday prior to the meeting which will be February 15, 2017.

cc: Charles Jeremy Kelley  
Ron Forrester, Zoning Administrator

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Burgess and Commissioners of Middletown 31 W Main St Middletown, MD 21769 Phone 301-371-6171 Fax 301-371-6474  
J.R. Hawkins, P.E. CIP Project Manager Email: rhawkins@ci.middletown.md.us

## MEMORANDUM

**TO:** Cindy Unangst, Town Planner

**FROM:** J. R. Hawkins, PE CIP Project Manager

**DATE:** February 6, 2017

**RE: 212 S Jefferson St Demolition**

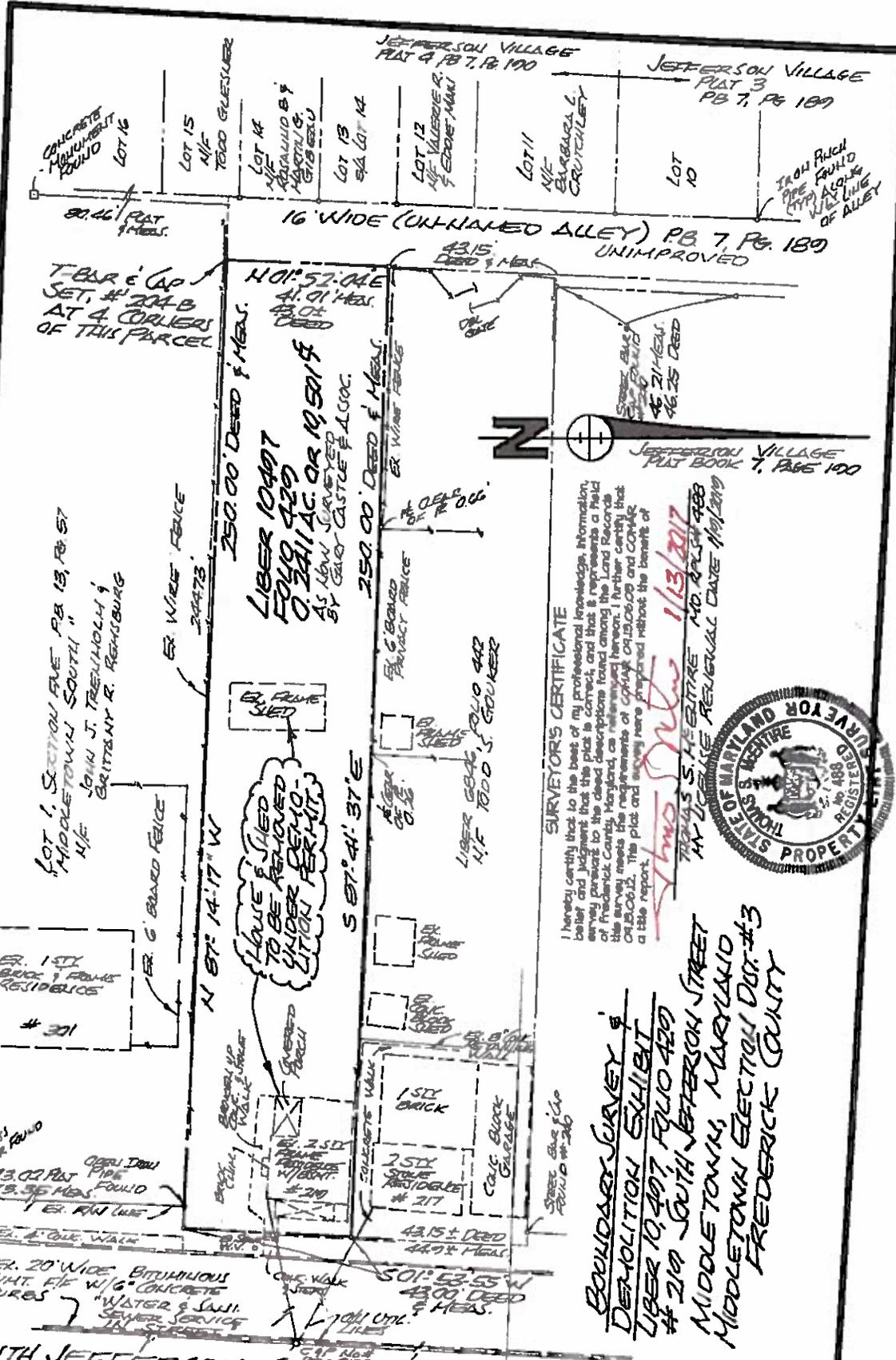
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Public Works conditions for approval of demolition.

1. The Town of Middletown Utilities Department shall be contacted prior to demolition of the water and sewer service lines so that the Town can inspect their location.
2. The existing waterline shall be disconnected and capped by the Contractor outside the building and outside the demolition area. The Contractor shall make this location findable by placing a 2"x4" at the capped location. A water meter and meter pit will be installed by the Town at a location to be determined after the Site Plan has been submitted.
3. The sanitary sewer lateral shall be disconnected and capped by the Contractor at the property line or a location designated by the Town and outside the demolition area. The Contractor shall make this location findable by placing a 2"x4" at the capped location. Any future improvements will be able to connect to the new cleanout assembly being constructed by the Town at a location to be determined after the Site Plan has been submitted.
4. Any damage to existing curb, sidewalk, or roadway during demolition shall be repaired.
5. Provide dust control as needed.

End of Comments

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T-BAR & CO  
SET. # 204 B  
AT 4 CORNERS  
OF THIS PARCEL

LOT 1, SECTION FIVE, PB 13, PG 57  
MIDDLETOWN SOUTH  
M/F  
JOHN J. TRENKLE &  
BRITANNY R. REHSBURG

LIBER 10497  
FOLIO 429  
0.241 AC. OR 10,801 sq  
AS NOW SURVEYED  
BY GARY CASTLE & ASSOC.

HOUSE TO BE REMOVED  
UNDER DEMOLITION PERMIT

SURVEYOR'S CERTIFICATE  
I hereby certify that to the best of my professional knowledge, information, belief and judgment that this plat is correct, and that it represents a field survey prepared to the above descriptions found among the Land Records of Frederick County, Maryland, as referenced herein. I further certify that this survey meets the requirements of COMAR 09.02.06.09 and COMAR 09.02.06.12. This plat and survey were prepared without the benefit of a title report.

THOMAS S. HEWITT  
MAY 13 2017  
REGISTERED SURVEYOR  
RENEWAL DATE 11/13/2019



BOULDER SURVEY &  
DEMOLITION EXHIBIT  
LIBER 10,497, FOLIO 429  
# 219 SOUTH JEFFERSON STREET  
MIDDLETOWN, MARYLAND  
MIDDLETOWN ELECTION DIST. #3  
FREDERICK COUNTY

SOUTH JEFFERSON STREET (50' R/W)  
**Gary Castle & Associates**  
Land Surveyors  
13631 John Cline Road Smithsburg, Maryland 21783  
Phone/Fax 301 416 0142 Res. 301 662 6190

SCALE: 1" = 30'  
DATE: 11/13/2017



B15222

References: Liber 10,497, Folio 429

Job No. 2866



8 BOILEAU COURT

9 BOILEAU COURT

10 BOILEAU COURT

11 BOILEAU COURT

12 BOILEAU COURT

13 BOILEAU COURT

14 BOILEAU COURT

15 BOILEAU COURT

16 BOILEAU COURT

17 BOILEAU COURT

211 SOUTH JEFFERSON STREET

213 SOUTH JEFFERSON STREET

217 SOUTH JEFFERSON STREET

219 SOUTH JEFFERSON STREET

301 SOUTH JEFFERSON STREET

303 SOUTH JEFFERSON STREET

209 SOUTH JEFFERSON STREET

203 SOUTH JEFFERSON STREET

212 SOUTH JEFFERSON STREET

211 SOUTH CHURCH STREET

## Eric Moore General Contracting, LLC

1040 Pecher Road  
Fairfield, PA 17320  
301/304-5796

Addition Site plan information for 219 South Jefferson Street, Middletown, MD 21769.

Timeline – We hope to have the building demolished and lot graded by the end of March. Eric Moore General Contracting, LLC, will do the grading and will oversee the reseeded of the property. The demolition process should take no more than three days once started. Eric Moore General Contracting, LLC, have been in business since 2005, and has a solid reputation in the area.

The main building will be demolished from the south and east side as to protect the property on the north. We will use an excavator with thumb (picture enclosed) to remove home, also we will have manual laborers to help to protect the neighbor's property. There will be no explosive or incendiary device used in the demolition. There is ample space to the rear and south side of the property to cause no harm to the properties to the north of the property. The shed poses no issues to utilities or persons.

We will be in contact with Potomac Edison and the Town of Middletown in regard to temporary disconnection of service while the demolition takes place. We will retain the water and sewer tap for future use on the property.



Hubert R. Brown – Eric Moore General Contracting, LLC



Date



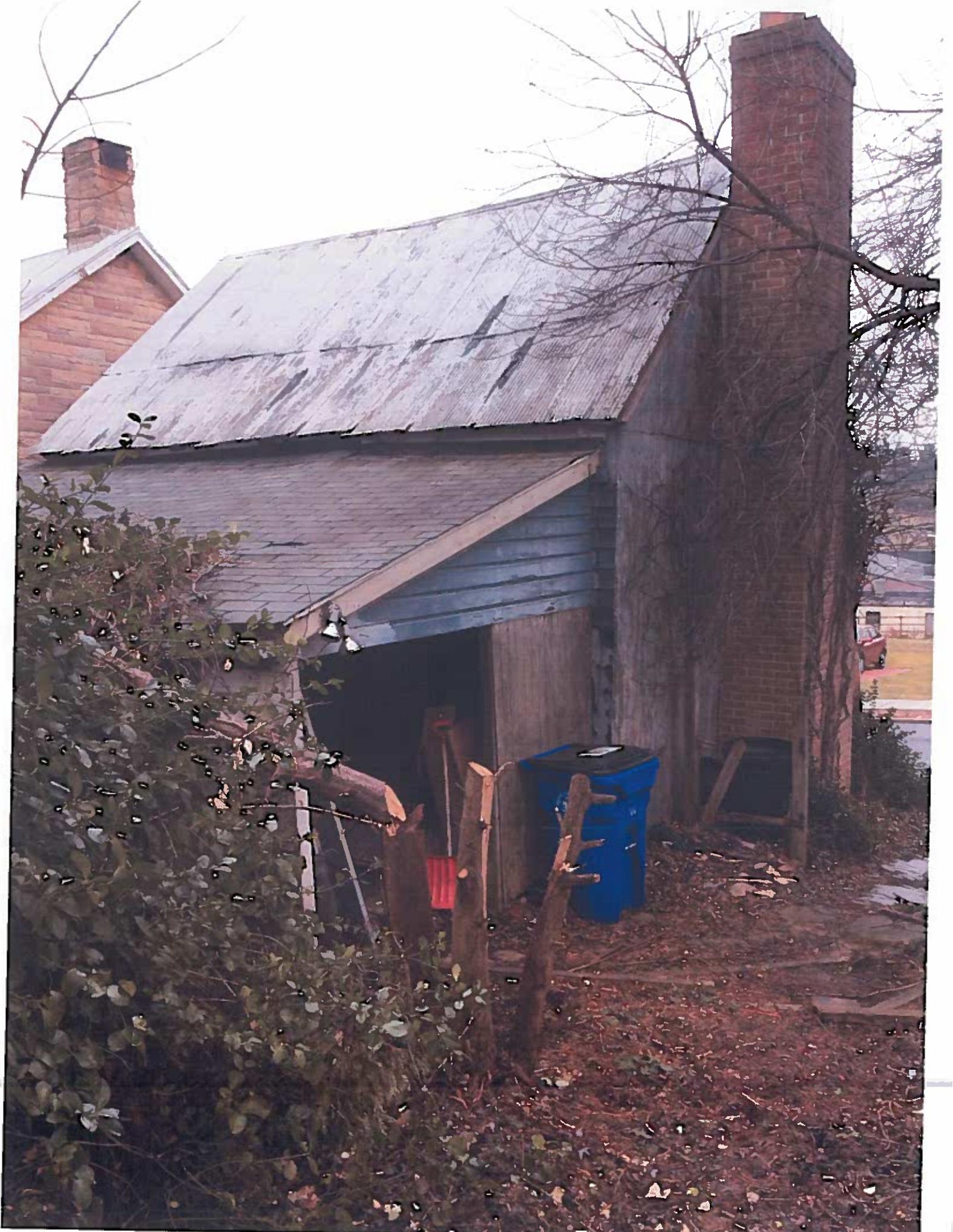




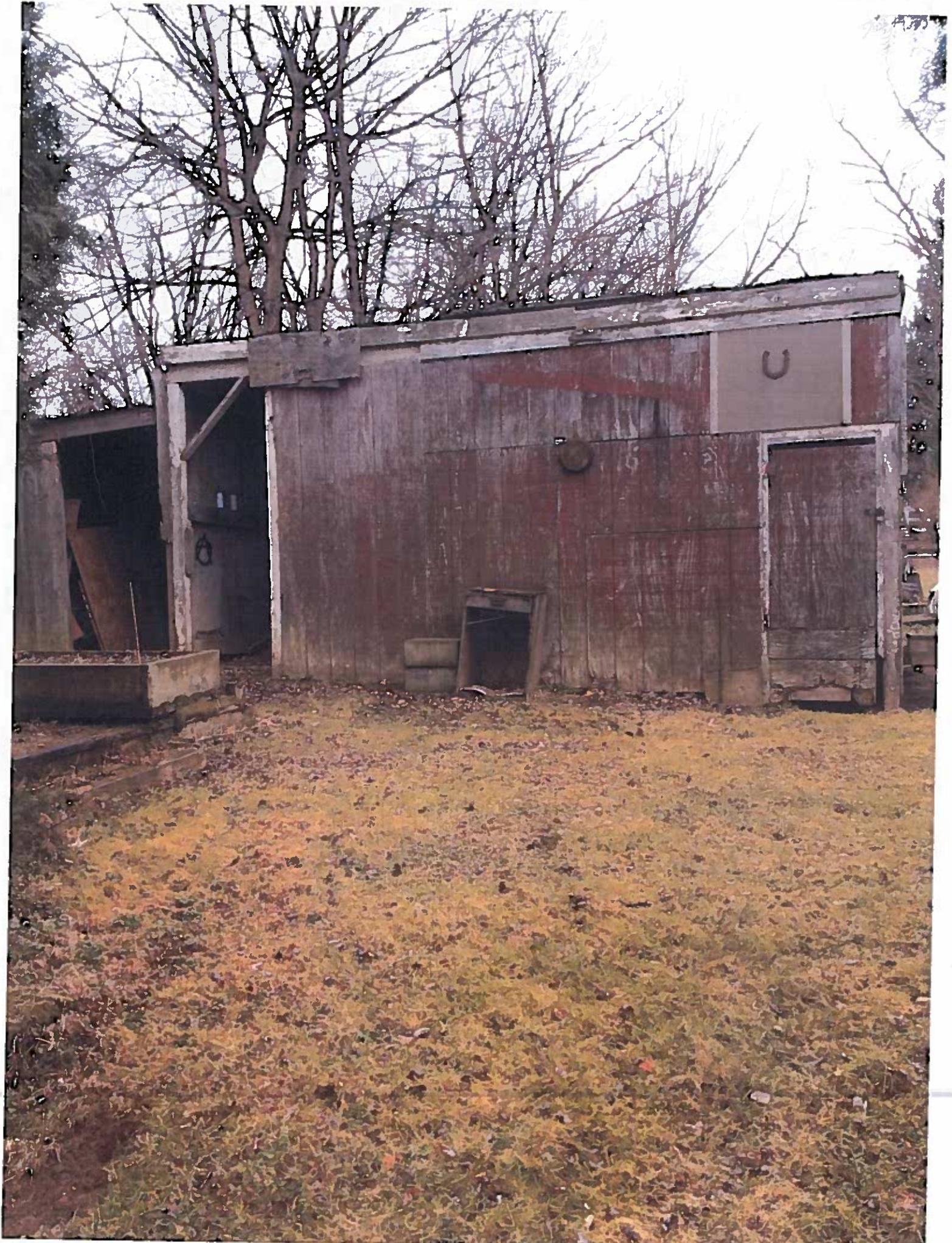
**KELLEY**  
**FOR SALE**  
800.350.0132 TOLL FREE  
401.476.7811 CONTACT  
WWW.KELLEYREALTY.COM

**SUE KELLEY**  
240-674-1089

**JEFF COSGROVE**  
301-639-7181







Eric Moore General Contracting, LLC

1040 Pecher Road  
Fairfield, PA 17320  
301/304-5796

January 17, 2017

This letter is to inform you of Eric Moore General Contracting, LLC's intention to demolish the home and shed at 219 South Jefferson Street. The permit approval will be on the agenda for February 20 Planning Commission meeting. Our company has many years of experience demolishing buildings. The work will be done by hand and machine, no explosives or incendiary devices will be used in the demolition.

Any questions, please call Hubert Brown - 304-995-2544 or the office.

Best Regards,

Hubert Brown - Partner

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### GENERAL ADDENDUM

Special provisions attached to and hereby made a part thereof, the Contract dated December 22, 2016  
 on Lot \_\_\_\_\_, Block \_\_\_\_\_, Subdivision \_\_\_\_\_,  
219 Jefferson Street, Middletown, MD 21769  
 located in Frederick County, Maryland between  
 (Purchasers) Eric Moore General Contracting, LLC  
 and (Sellers) Charles Jeremy Kelley

I the seller of 219 Jefferson St. Middletown Charles Jeremy Kelley agrees to allow the contract purchaser Eric Moore General Contracting LLC. to apply for a variance to build a new home on my lot.

Also I agree to allow Eric Moore General Contracting LLC to apply for a demo permit for the existing house on the lot.

Authenti  
Jeremy Kelley  
 Seller Charles Jeremy Kelley  
 Seller \_\_\_\_\_  
1/12/2017  
 Date \_\_\_\_\_

DocuSigned by:  
Eric Moore  
 Purchaser Eric Moore General Contracting,  
 Purchaser \_\_\_\_\_  
1/12/2017  
 Date \_\_\_\_\_

## Cindy Unangst

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**From:** Mark Carney <mcarney@e3rmlc.com>  
**Sent:** Monday, January 30, 2017 9:20 AM  
**To:** Cindy Unangst  
**Subject:** Fwd: Right-A-Way Powder Coating \_ C Container Modifications \_ in compliance - 27 Jan 17  
**Attachments:** Right A Way Powder Coating\_27Jan17.jpg; Right A Way Powder Coating1\_27Jan17.jpg

Please add this to the Feb PC Meeting discussion.

Thanks  
Mark

----- Forwarded message -----

**From:** Zoning <[zoning@ci.middleton.md.us](mailto:zoning@ci.middleton.md.us)>  
**Date:** Fri, Jan 27, 2017, 2:14 PM  
**Subject:** Right-A-Way Powder Coating \_ C Container Modifications \_ in compliance - 27 Jan 17  
**To:** [rightawaypc@comcast.net](mailto:rightawaypc@comcast.net) <[rightawaypc@comcast.net](mailto:rightawaypc@comcast.net)>  
**Cc:** Zoning <[zoning@ci.middleton.md.us](mailto:zoning@ci.middleton.md.us)>, Drew Bowen <[Drew@ci.middleton.md.us](mailto:Drew@ci.middleton.md.us)>, Cindy Unangst <[Cindy@ci.middleton.md.us](mailto:Cindy@ci.middleton.md.us)>, Planning Commission <[PlanningCommission@ci.middleton.md.us](mailto:PlanningCommission@ci.middleton.md.us)>, John Miller <[John@ci.middleton.md.us](mailto:John@ci.middleton.md.us)>, Larry Bussard <[lbussard@ci.middleton.md.us](mailto:lbussard@ci.middleton.md.us)>, Tom Catania <[TCatania@ci.middleton.md.us](mailto:TCatania@ci.middleton.md.us)>, Rick Dietrick <[rdietrick@ci.middleton.md.us](mailto:rdietrick@ci.middleton.md.us)>, Jennifer Falcinelli <[jfalcinelli@ci.middleton.md.us](mailto:jfalcinelli@ci.middleton.md.us)>, Chris Goodman <[CGoodman@ci.middleton.md.us](mailto:CGoodman@ci.middleton.md.us)>

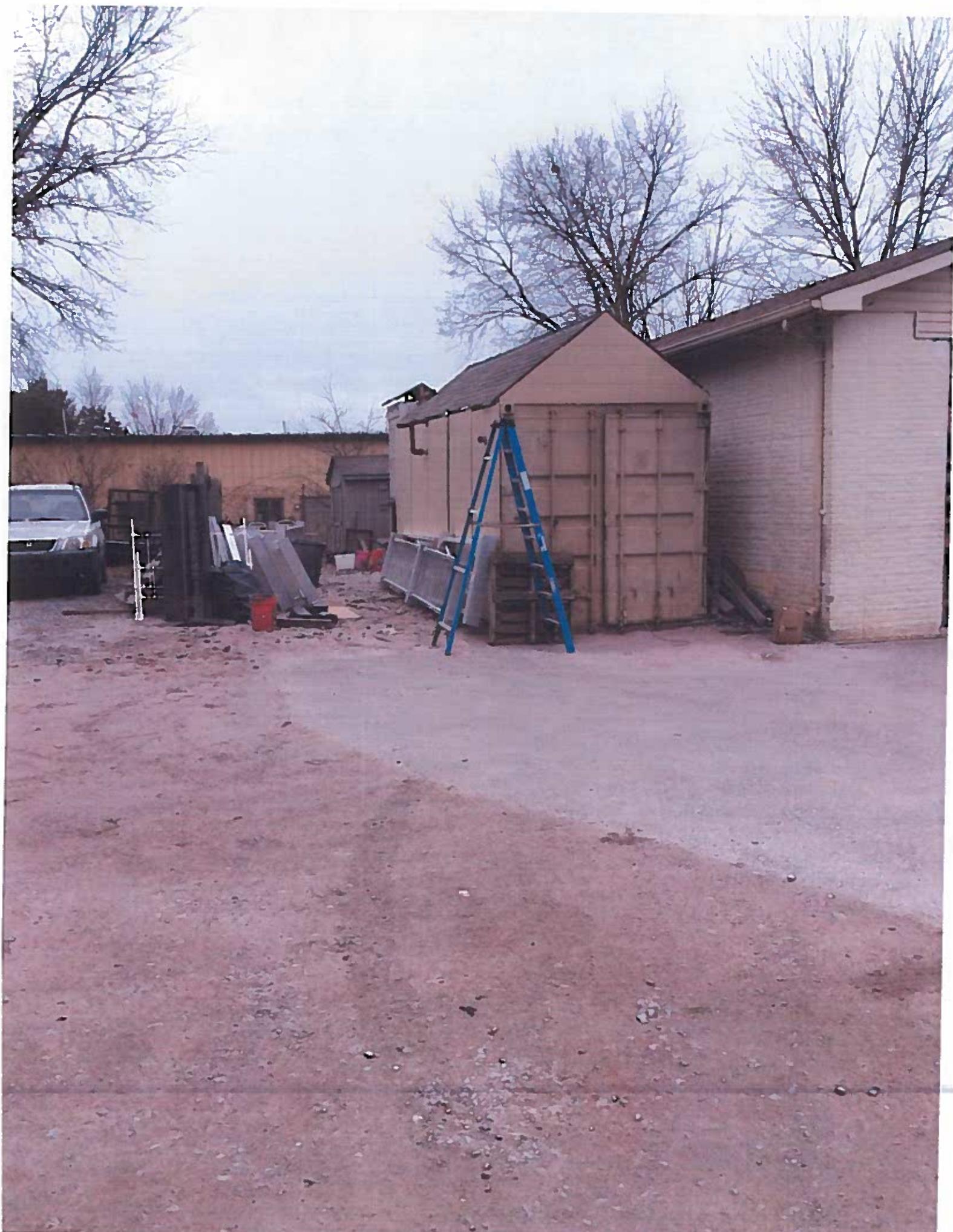
Jason Smith

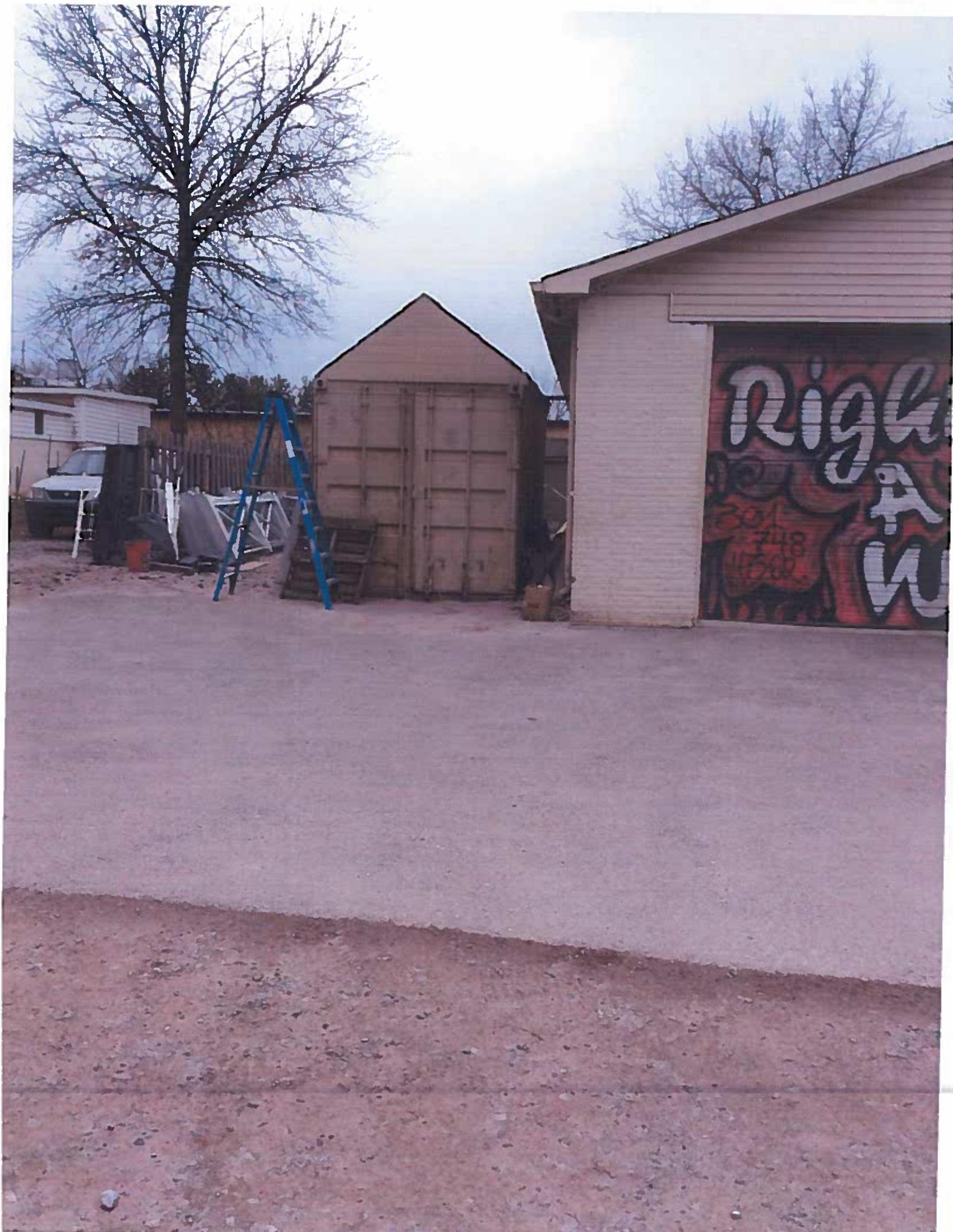
I visited your business site at 116B North Church Street on January 27, 2017 and viewed the modifications (adding a roof and siding) you made to the C Container parked next to your business' warehouse (see photographs). It is my determination in coordination with Cindy Unangst, Staff Planner, that you have met to the best of your ability the second condition stipulated in the conditional approval letter issued for your business by the planning commission on June 18, 2013 and that you are now in compliance with the planning commission's change of use / change of tenant approval letter.

Therefore, the violations summarized in the zoning ordinance violation letters issued to AJTA Properties, LLC on December 12, 2016 and January 12, 2017 for your business have been corrected.

Please contact me if you have any questions.

Sincerely,  
*Rox*





Report Date 02/10/2017 09:25 AM

Submitted By

A/P # 111987

Application Information

Stages

	Date / Time	By		Date / Time	By
Processed	08/21/2013 19:13	BSP	Temp COO		
Issued	08/29/2013 14:26	WEB	COO		
Final			Expires	02/09/2016	

Associated Information

Type of Work	ACCESS ACCESSORY	# Plans	3	<b>Valuation</b>	
Dept of Commerce	NRSBUS NONRESIDENTIAL BUSINESS	# Pages	0	Declared Valuation	1500.00
Priority	<input checked="" type="checkbox"/> Auto Reviews	Bill Group	COUNTY	Calculated Valuation	0.00
Square Footage	160.00	Name	RIGHT A WAY POWDER COATING	Actual Valuation	0.00

Description of Work

PLACEMENT OF 8X20 C CONTAINER W/ROOF AND SIDING TO REAR OF EX.BLDG. FOR STORAGE OF SAND BLASTING EQUIPMENT.  
 OCCUPANCY FOR THE BUSINESS IS #109796  
 \*\*EXT PAID 9/9/15 - EXTENSION UNTIL 8/29/16-PLEASE SEE LOG-AB \*\*  
 \*\*\* ext. for 3 month 01/04/2016 \*\*\*

Parent A/P # 111984 The parent is not dependent upon this child application.

Project #	Project/Phase Name	Phase #
Size/Area 0.00	Size Description	

Property/Site Information

Address 116 N CHURCH ST B  
 MIDDLETOWN MD 21769-

Location

Owner/Tenant

Contact ID AC22250	Name AJTA PROPERTIES LLC	Organization	
Mailing Address 7809 RIDGE RD		State/Province MD	
City FREDERICK		Country	<input type="checkbox"/> Foreign
ZIP/PC 21702		Evening Phone	
Day Phone		Mobile #	
Fax			

Linked Addresses

No Addresses are linked to this Application

A/P Linked Addresses

, MD 00000-

Linked Parcels

03146332

A/P Linked Parcels

No Parcels are linked to this Application

Item Description

Item Status

Check Fees	Fees Successful
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Report Date 02/10/2017 09:26 AM

Submitted By

Item Description	Item Status
EXTEND PERMIT (\$45.00)	Paid
EXTEND PERMIT (\$45.00)	Paid
EXTEND PERMIT (\$45.00)	Paid
AUTOMATION ENHANCEMENT FEE (\$10.00)	Paid
BUILDING FEE FOR NEW/ADD/REPLACE/ACCESS (\$45.00)	Paid
FILING FEE (\$25.00)	Paid
LIFE SAFETY REVIEW FEE (\$110.00)	Paid
Check Inspections	Inspections Failed
547265 BLDG-BACK #1 BACKFILL INSPECTION	No Action
547262 BLDG-CEIL #1 CEILING INSPECTION	No Action
547263 BLDG-FINAL #1 FINAL INSPECTION	No Action
547264 BLDG-FOOT #1 FOOTING INSPECTION	No Action
547266 BLDG-FOUND #1 FOUNDATION AND SLAB INSP	No Action
547267 BLDG-FRAME #1 FRAMING INSPECTION	Failed
682175 BLDG-FRAME #2 FRAMING INSPECTION	No Action
547269 BLDG-INSUL #1 INSULATION / CLOSE-IN	No Action
547268 FIRE-FIN #1 FIRE FINAL INSPECTION	No Action
547270 FIRE-PF #1 FIRE PRE FINAL INSPECTION	No Action
Check Reviews	Reviews Successful
358121 DOLS DEPARTMENT OF LIFE SAFETY	Cond Apprv
358120 ECS ECS REVIEW	Cond Apprv
358026 MIDDLEDTL MIDDLETOWN DETAIL REVIEW	Approved
358117 MIDDLETOWN TOWN OF MIDDLETOWN REVIEW	Approved
358118 PLNREV BUILDING PLAN REVIEW	Cond Apprv
358116 PLOTPLAN PLOT PLAN REVIEW	Approved
358119 PWDR PUBLIC WORKS DEVELOPMENT REV	Cond Apprv
Check Conditions	Conditions Failed
ELECPERMIT (ELECTRICAL PERMIT REQ)	Unapproved
Check Alert Conditions	Alert Conditions Successful
Check Licenses	Not Checked
Check Children Status	Children Successful
113864	Relation Met
Check Open Cases	0

Fees	Status	Paid Date	Amount
AUTOMATION ENHANCEMENT FEE	P	08/21/2013 10:03	10.00
BUILDING FEE FOR NEW/ADD/REPLACE/ACCESS	P	08/21/2013 10:03	45.00
FILING FEE	P	08/21/2013 10:03	25.00
LIFE SAFETY REVIEW FEE	P	08/21/2013 10:03	110.00
EXTEND PERMIT	P	08/07/2014 12:27	45.00
EXTEND PERMIT	P	09/09/2015 15:30	45.00
EXTEND PERMIT	P	01/04/2016 12:38	45.00
<b>Total Unpaid</b>		0.00	<b>Total Paid</b> 325.00

Inspections						
Inspection #	547265	Inspection Type	BLDG-BACK #	1	Assigned To	Call
Inspected By		Order/Group	0	Scheduled	Preference	
Started		Completed		Status	No Action	Waived <input type="checkbox"/>
Comments						

Inspection Details

No Inspection Details

Report Date 02/10/2017 09:26 AM

Submitted By

**Inspections**

Inspection # 547262 Inspection Type BLDG-CEIL # 1 Assigned To Call  
 Inspected By Order/Group 0 Scheduled Preference  
 Started Completed Status No Action Waived   
 Comments

**Inspection Details**

No Inspection Details

Inspection # 547263 Inspection Type BLDG-FINAL # 1 Assigned To Call  
 Inspected By Order/Group 0 Scheduled Preference  
 Started Completed Status No Action Waived   
 Comments

**Inspection Details**

No Inspect on Details

Inspection # 547264 Inspection Type BLDG-FOOT # 1 Assigned To Call  
 Inspected By Order/Group 0 Scheduled Preference  
 Started Completed Status No Action Waived   
 Comments

**Inspection Details**

No Inspection Details

Inspection # 547266 Inspection Type BLDG-FOUND # 1 Assigned To Call  
 Inspected By Order/Group 0 Scheduled Preference  
 Started Completed Status No Action Waived   
 Comments

**Inspection Details**

No Inspection Details

Inspection # 547267 Inspection Type BLDG-FRAME # 1 Assigned To MHAMMOND Call 12/09/2015 15:26  
 Inspected By MHAMMOND Order/Group 0 Scheduled 12/10/2015 15:26 Preference  
 Started 12/10/2015 13:43 Completed 12/10/2015 13:43 Status Failed Waived   
 Comments

Roof framing not complete.MH

**Inspection Details**

No Inspection Details

Inspection # 682175 Inspection Type BLDG-FRAME # 2 Assigned To Call  
 Inspected By Order/Group 0 Scheduled Preference  
 Started Completed Status No Action Waived   
 Comments

**Inspection Details**

No Inspection Details

Report Date 02/10/2017 09:26 AM

Submitted By

Page 4

**Inspections**

Inspection # 547269 Inspection Type BLDG-INSUL # 1 Assigned To Call  
 Inspected By Order/Group 0 Scheduled Preference  
 Started Completed Status No Action Waived   
 Comments

**Inspection Details**

No Inspection Details

Inspection # 547268 Inspection Type FIRE-FIN # 1 Assigned To Call  
 Inspected By Order/Group 0 Scheduled Preference  
 Started Completed Status No Action Waived   
 Comments

**Inspection Details**

No Inspection Details

Inspection # 547270 Inspection Type FIRE-PF # 1 Assigned To Call  
 Inspected By Order/Group 0 Scheduled Preference  
 Started Completed Status No Action Waived   
 Comments

**Inspection Details**

No Inspection Details

**Review Activities**

Act #	Act Type	Status	Waived	Issued	Started	Completed
358026 CUNANGST	MIDDLEDTL	1	N	08/21/2013 09:50	08/21/2013 11:24	08/21/2013 11:24
358116 BHUFFMAN	PLOTPLAN	1	N	08/21/2013 19:13	08/22/2013 07:27	08/22/2013 07:27
358120 RMASER	ECS	3	N	08/21/2013 19:13	08/22/2013 08:40	08/22/2013 08:40

CONDITIONAL APPROVAL: Upon there being NO earth disturbance\*\* in excess of 5,000 square feet of surface area or 100 cubic yards of volume. If either amount is exceeded, at a minimum, a [MINOR] grading permit [Standard Plan Agreement for Sediment Control and/or Stormwater Management] is REQUIRED.

\*\*Frederick County Code Chapter 1-10-2 defines [GRADE] "To cause disturbance of the earth. This shall include but not be limited to any excavating, filling, stockpiling of earth material, grubbing, root mat or topsoil disturbance, or any combination of them."

Please call or E-Mail for additional details.

Rick Masser, 301-600-3507 (RMasser@FrederickCountyMD.gov)

Report Date 02/10/2017 09:26 AM

Submitted By

Review Activities

Act # Comp By	Act Type Comments	Status	Waived	Issued	Started	Completed
358121 RRIDGELL	DOLS	3	N	08/21/2013 19:13	08/23/2013 00:00	08/23/2013 00:00

This office has no exceptions to the placement of a storage container on property located at 116 N. Church Street. The plans are Approved with the following provisional comment.

1. A fire extinguisher shall be placed in the container.

The review of these plans/calculations does not relieve the owner, architect, engineer or contractor of any responsibility whatsoever for compliance with applicable codes and laws whether pointed out in the review or not. The Office of Life Safety plan reviewer can be contacted at (301)-600-1643 for information regarding the above comments. An inspection by the Frederick County Office of Life Safety is required in order to obtain a use and occupancy permit. To schedule an inspection please call (301)-600-1090.

Any changes to the reviewed plans are to be addressed to:

Department of Permits and Development Review/Office of Life Safety  
 30 North Market Street  
 Frederick, MD 21701  
 Sincerely,

Richard Ridgell MCP/CBO  
 Building Plan Reviewer II  
 Frederick County Office of Life Safety

358119 VKAPOOR	PWDR	3	N	08/21/2013 19:13	08/26/2013 12:29	08/26/2013 12:29
Permit is approved for proposed land disturbance less than 5000 SF. If proposed land disturbance increases 5000 SF, SWM in accordance with MD SWM act of 2007 will be required.						
358118 RRIDGELL	PLNREV	3	N	08/21/2013 19:13	08/29/2013 00:00	08/29/2013 00:00
WAIVED TO FIELD FINAL APPROVAL SUBJECT TO FIELD VERIFICATION/RR						
358117 CUNANGST	MIDDLETOWN	1	N	08/21/2013 19:13	08/29/2013 13:16	08/29/2013 13:16
C-container placement approved by the Middletown Planning Commission on June 18, 2013 with conditions that it be placed on the east side of the warehouse building and that it have a roof and siding that matches the warehouse building.						

Activity Review Details

**Detail BUILDING**  
 Comments Modified By SWALTERS Modified Date/Time 08/21/2013 09:50  
 No Comments

**Detail LIFE SAFETY APPROVAL COMMENTS**  
 Comments Modified By RRIDGELL Modified Date/Time 08/23/2013 10:37  
 No Comments

Report Date 02/10/2017 09:26 AM

Submitted By

Page 6

LIFE SAFETY COMMENTS

Darin King August 23, 2013  
Village Carpentry Inc.  
9206 Bessie Clemson Rd.  
Union Bridge, MD 21791

Re: Plans for Right a Way Powder Coating  
8'x20' Storage container  
116 N. Church St.  
Middletown, Md 21769  
Permit Number: 111987

Dear Sir or Madam:

Thank you for investing in Frederick County. The plans that were submitted were reviewed based on the following legally adopted codes and standards:

- Title 29 Subtitle 06 of the Annotated Code of Maryland
- International Building Code, 2012 Edition
- National Fire Protection Association (NFPA) Life Safety Code TM, 2012 ed.
- NFPA 1, Fire Code, 2012 Edition
- NFPA 10, Standard for Portable Fire Extinguishers, 2010 Edition

This office has no exceptions to the placement of a storage container on property located at 116 N. Church Street. The plans are Approved with

Report Date 02/10/2017 09:26 AM

Submitted By

Page 7

the following provisional comment.

- 1. A fire extinguisher shall be placed in the container.  
Life Safety Comments

The review of these plans/calculations does not relieve the owner, architect, engineer or contractor of any responsibility whatsoever for compliance with applicable codes and laws whether pointed out in the review or not. The Office of Life Safety plan reviewer can be contacted at (301)-600-1643 for information regarding the above comments. An inspection by the Frederick County Office of Life Safety is required in order to obtain a use and occupancy permit. To schedule an inspection please call (301)-600-1090.

Any changes to the reviewed plans are to be addressed to:

Department of Permits and Development Review/Office of Life Safety  
30 North Market Street  
Frederick, MD 21701  
Sincerely,

Richard Ridgell MCP/CBO  
Building Plan Reviewer II  
Frederick County Office of Life Safety

Detail TOWN DETAILS

Modified By CUNANGST

Modified Date/Time 08/29/2013 13:17

Comments

C-container placement approved by Middletown Planning Commission on June 18, 2013 with conditions that container be placed on the east side of the warehouse building and it must have a roof and siding that matches the warehouse building.

Check Conditions Condition Supervisor	Approval Required	Approved By Comments	Approved Date	Applied By	Applied Date	Assigned
ELECPERMIT N				JENSOR	09/09/2015 13:40	

Planning Condition	Description	Effective	Expire	Comments
	There is no planning condition for this project.			

Model Home Details Type	Model #/Option	Comments
There are no items in this list		

Employee ID	Last	First	MI	Comments
No Employee Entries				

Log Action Comments	Description	Entered By	Start	Stop	Hours
TELEPN	TELEPHONE CALL	ABONOMO	01/04/2016 07:35		0.00
SPOKE TO DARRIN- THEY ARE STILL LOOKING FOR A PART. HE IS GOING TP PAY FOR ANOTHER EXT ONLINE- GRANT 3 MTHS.					

Report Date 02/10/2017 09:26 AM

Submitted By

Page 8

Log Action Comments	Description	Entered By	Start	Stop	Hours
TELEPN	TELEPHONE CALL LM FOR CUSTOMER - CALLED REGARDING PERMIT EXPIRATION LETTER	ABONOMO	12/31/2015 14:44		0.00
TELEPN	TELEPHONE CALL SPOKE TO DARRIN - PAID EXT ON 9/9/15 TO EXT THE PERMIT UNTIL 8/29/16- NO INSPECTIONS HAVE BEEN CALLED IN- NOTIFIED THAT HE HAS 3 MTHS TO GET AN INSPECTION SCHEDULED BEFORE THE PERMIT WILL BE VOID- SET EXP FOR 3 MTHS TO GENERATE A LETTER.	ABONOMO	09/09/2015 13:08	09/09/2015 13:08	0.00

June 18, 2013

Jason Smith  
7716 Edgewood Church Road  
Frederick, MD 21702

**RE: 116B NORTH CHURCH STREET SITE PLAN CONDITIONAL APPROVAL**

Dear Mr. Smith:

We have reviewed the Right A Way Powder Coating Change of Use Plan for 116B North Church Street for your proposed powder coating business. It has been conditionally approved by the Middletown Planning Commission with the following conditions:

- There be no additional lighting provided for the business;
- If the C-container is used outside the warehouse building, it must have a roof and have siding that matches the warehouse building;
- The Planning Commission waives the parking requirements in relation to the paved surface condition, thus the applicant will not need to pave the existing gravel lot.

If there are any questions or concerns, please feel free to contact the Middletown office at 301-371-6171.

Sincerely,  
**Burgess & Commissioners**  
**Middletown, Maryland**

Cynthia K. Unangst, AICP  
Middletown Staff Planner

CC: Mark Carney, Planning Commission Chairman  
Herb and Marilyn Dennison, AJTA, LLC

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**Memorandum**

To: Middletown Planning Commission  
From: Cindy Unangst, Middletown Staff Planner  
Date: 2/7/2017  
**RE: MEMAR ANNEXATION 2017**

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Per Section 17.12.040 of the Middletown Municipal Code, the proposed annexation of 93+ acres of land by Memar Corp into the Town of Middletown is before you for review and recommendation.

**17.12.040 Posting and zoning of annexed areas.**

A. During the two-week period prior to the date of the hearing required by Article 23A, Section 19 of the Annotated Code of Maryland on any proposed annexation of land, the land which is proposed to be annexed shall be continuously posted with a sign to provide public notice of the date, time, place and subject matter of the annexation hearing. The sign shall be at least three (3) square feet in area, shall identify the name of the person or entity seeking the annexation and shall be posted in a conspicuous place on the property fronting a public right of way. The owner of the land, applicant or other person or entity seeking the annexation shall be solely responsible for providing and posting the sign which shall be subject to the approval of the town administrator.

B. Prior to the hearing required by Article 23A, Section 19 of the Annotated Code of Maryland on any proposed annexation of land, the proposed annexation shall be submitted to the planning commission for review and recommendation regarding the proposed zoning for the property and the consistency of that zoning with the comprehensive plan. The planning commission shall submit its written report and recommendation to the burgess and commissioners within ninety (90) days of referral. The ninety-day period may be extended by the burgess and commissioners. In the event that the planning commission fails to submit its report within the required ninety (90) days, and no extension has been granted, then the burgess and commissioners may proceed with the public hearing on the annexation without such report or recommendation.

Here is the section of the MD Code for your reference as well:

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LOCAL GOVERNMENT  
DIVISION II. MUNICIPALITIES

TITLE 4. IN GENERAL  
SUBTITLE 4. ANNEXATION

Md. LOCAL GOVERNMENT Code Ann. § 4-415 (2017)

§ 4-415. Annexation plan

(a) In general. -- In addition to, but not as part of, an annexation resolution, the legislative body of the municipality shall adopt an annexation plan for the area to be annexed.

(c) Annexations on or after October 1, 2009. -- Except as provided in subsection (e) of this section, for annexation that begins on or after October 1, 2009, the annexation plan shall be consistent with the municipal growth element of the comprehensive plan of the municipality.

(e) Extension for inclusion of municipal growth element. --

(1) On or after October 1, 2009, a municipality may submit an annexation plan under subsection (b) of this section if the municipality is granted an extension for the inclusion of a municipal growth element under § 3-304 of the Land Use Article.

(2) After the expiration of a final extension granted under § 3-304 of the Land Use Article for the inclusion of a municipal growth element, an annexation plan shall be submitted in accordance with subsection (c) of this section.

(f) Copies of annexation plan. -- At least 30 days before the public hearing on an annexation resolution required under § 4-406 of this subtitle, a copy of the annexation plan shall be provided to:

(1) the governing body of any county in which the municipality is located;

(2) the Department of Planning; and

(3) any regional or State planning agency with jurisdiction in the county.

**HISTORY:** An. Code 1957, art. 23A, § 19(o); 2013, ch. 119, § 2.

Staff notes that the property does adjoin the existing corporate boundary; the property does not create an enclave of any unincorporated area; the property does not exceed 1.5% of the present corporation area; and the request for zoning of R-20 is consistent with the Middletown Comprehensive Plan. The request for zoning of R-20 is not consistent with the Frederick County Comprehensive Plan. The subject property is shown on the Frederick County Land Use Plan as Agricultural/Rural and not within the Community Growth Area; the subject property has a zoning classification of Agricultural on the Frederick County Zoning Map.

**Below are excerpts from the Municipal Growth Element of the Middletown Comprehensive Plan for review purposes in relation to the Memar Annexation Petition Request:**

**Municipal Growth Goals**

- *Manage the rate of growth to be consistent with the provision of adequate services and infrastructure.*
- *Maintain the historical rural community nature of the Town.*
- *Continue to provide a sustainable quality of life for residents of the town.*

Middletown adopted a Policy on Residential Growth for all new residential development, on July 17, 2003, and a Policy on Commercial Growth for all new commercial development on June 14, 2005. The growth criteria under these policies include the provision for adequate water and sewer, adequate school capacity, a traffic impact study identifying all traffic issues related to the requested development (and the correction of those issues), usable recreation space, written Public Works Agreements, a limit on the number of residential permits per calendar year, and the payment of municipal real estate taxes for all properties requesting annexation for commercial development. These policies (attached in Appendix A) address municipal growth issues through 2015 and have established elements of an adequate public facilities ordinance. These policies have proven to be very effective in the last six years in controlling growth in the Town of Middletown. Currently, the Town is evaluating the development of these growth policies into an Adequate Public Facilities Ordinance.

***Annexation & Growth Area***

Middletown's Growth Area has the potential for approximately 829 dwelling units with an estimated population of 2,196 using the Town's R-20 zoning household size. Additional water and sewer demand associated with this level of growth is 248,700 gallons per day (gpd) respectively (see Table 8-9). Twenty-six acres in the growth area are designated on the 20-Year Plan as commercial land use along Route 40-A.

All land within the Middletown Growth Area currently has a county land use plan designation other than Agricultural/Rural, which generally indicates that development would be appropriate on these properties within a 20-year timeframe subject to completion of other staging mechanisms (according to the Frederick County Middletown Region Plan adopted December 1997). The vast majority of residentially designated land within the Growth Boundary is zoned Agricultural on the County's zoning map.

Within the Middletown Growth Area, the annexation process will be the primary staging mechanism used by the Town in relation to its growth. Annexation agreements negotiated between the Town and the petitioner will address development phasing, development limits, and responsibilities for public facilities and transportation improvements.

***Annexation Policies***

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Annexation of properties located within Middletown's Growth Boundary will be subject to site specific annexation agreements. The following annexation policies will apply to all future annexations:

1. Proposed annexation areas will be economically self-sufficient and will not result in larger municipal expenditures than anticipated revenues, which would indirectly burden existing Town residents with the costs of services or facilities to support the area annexed.
2. The costs of providing roads, utilities, parks, other community services will be borne by the developer gaining the most value from such facilities through income, profits, or participation.
3. Specific conditions of annexation will be made legally binding in an executed annexation agreement. Such agreements will address, among other things, consistency with the goals, objectives and recommendations contained in the Middletown Comprehensive Plan, planning, zoning and development expectations, responsibility for appropriate studies, and preliminary agreements concerning responsibilities for the cost of facilities and services provided by the Town.
4. For annexations involving larger parcels of land, the Burgess and Commissioners and/or the Planning Commission may require appropriate impact studies, including a traffic impact study, fiscal impact study and an environmental impact assessment that addresses the potential impacts of the proposed annexation and planned development on the environment of the site and surrounding area.
5. Applicants for annexation shall pay the cost of completing all studies related to expanding capacity in existing public facilities and/or services and fund needed capacity expansions.
6. Proposed development must provide 300 gallons of allocable water per unit, and may be required to cover all costs of physical connection to the Town water and sewer system.
7. Proposed development must pay a proportionate share of cost to upgrade/increase sewer capacity, based on all factors at time of Water/Sewer certification.
8. Proposed residential development must provide usable recreation space, as determined by the Town's Planning Commission, at 0.05 acres/unit for the total number of units in the development.
9. Proposed residential developments will receive no more than 20 residential units per year. However, the Town shall not approve more than 30 residential permits per calendar year for all residential development within the Town, and all residential permit allocations for each residential development will be determined by the Town.
10. Proposed commercial development may receive Plan approval from the Town for uses creating a trip generation rating at or above level D as defined in the most recent edition of the Highway Capacity Manual.
11. Proposed commercial development must provide usable contiguous recreation space, as determined by the Planning Commission, at 0.2 acres/gross acreage, which may not be allowed to include required setback, Forest Conservation areas, stormwater management areas, or buffer areas.
12. All property requesting annexation for commercial development shall pay municipal real estate taxes at time of annexation.

***Potential Impacts Associated with the Growth & Annexation Area***

Annexation of most of the Middletown Growth Area is not anticipated within the planning period from 2010 to 2030. The Middletown Growth Area is approximately 538 acres, not including the established subdivisions outside of the town limits, land reserved for parkland and a 20-acre church parcel.

**IMPACTS OF MIDDLETOWN GROWTH ON PUBLIC FACILITIES & SERVICES**  
**GROWTH AREA PLANNING PERIOD – BEYOND 2030**

<b>Classification</b>	<b>Growth Boundary Areas</b>
<b>Dwelling Units</b>	<b>829</b>
<b>Population</b>	<b>2,196</b>
New Residential Water/Sewer Demand (gpd)	248,700
New Non-residential Water/Sewer Demand (gpd)	2,226
<b>School (new students)</b>	<b>363</b>
- High School	157
- Middle School	99
- Elementary/Primary School	107
<b>Library (gfa)</b>	<b>1,650</b>
<b>Police (personnel)</b>	<b>2</b>
<b>Recreation Land (acres)</b>	<b>None</b>
<b>Fire &amp; Rescue</b>	
- Personnel	Info still needed
- Facilities (gfa)	Info still needed

The hypothetical impacts for the Middletown Growth Area are calculated based on potential additional dwelling units and population. The Growth Area includes a potential total of 829 dwelling units. In addition, population is estimated at 2,196 new Town residents.

Accommodating growth in the Growth Area will require an expansion of school facilities, increases in personnel for police services, and water and sewer demand will increase substantially. Increases might also be needed in personnel for fire and rescue emergency services. Development of the Middletown Growth Area will require new water and wastewater systems.

The Land Use Plan Concept

The overriding concepts behind the Middletown Comprehensive Plan are: for the Town of Middletown to be the focus for the development which takes place in the Region; and, that Middletown remains an identifiable and distinct community. This Municipal Plan coincides with the Frederick County Comprehensive Plan's "Community Growth Area". This concept prescribes that development should be located in and around the existing communities where public facilities and services are in place to

efficiently serve new development, and where these communities already have a sense of identity and community focus. Middletown realizes its importance to the Middletown Planning Region and shares the responsibility for growth management in the Region. It is the intent of this Plan that all new major growth in the vicinity of the Town will first be considered for annexation in cooperation with the Frederick County Board of Commissioners.

To this end, the Town has adopted a growth boundary that includes lands outside the Town boundaries which shall be considered for annexation. It is the intent of the Plan that all properties located within the growth boundary are to develop according to the needs and timing of the Town. It is also the intent of the Plan that properties beyond the growth boundary are not to be developed for new residential, commercial or industrial use except as permitted by existing County zoning. Any rezoning's or water and sewer changes outside the corporate limits should be done in full cooperation with the Town.

The ultimate growth limits for the Town of Middletown as defined by this Plan include the Town boundaries to extend ultimately west to Catoclin Creek, generally south along Hollow Creek, east to Hollow Road, and north to those properties which would include a potential northern parkway or collector. These growth limits are intended to be a limit to the eventual expansion of the Town boundaries. Properties within this growth boundary are not necessarily appropriate for annexation or development within 5 or even 20 years, but will be appropriate for development as facilities and services are in place to serve this area. Of prime importance is that major new areas will not be added to the Town ahead of a road system to support the development. New annexations will not be encouraged which will increase the congestion in downtown Middletown. It is envisioned that new annexations will occur from east to west in order for the roads to be built which will carry traffic to Frederick and Interstate 70 to the east.

Middletown desires to remain as a distinct community. In order to ensure this, the Plan proposes a greenbelt or conservation boundary around the growth boundary. The Town's definition for its conservation boundary as shown on Figures 8-1 and 8-6 is: a greenbelt around the designated growth area that defines the community and maintains its rural character, and limits its growth. All new development will be required through the subdivision review process or annexation process to reserve or dedicate lands for open space. The other intent of the greenbelt is to look at the ability to secure water recharge easements on properties in the greenbelt which are under agricultural preservation easements.

A Low Density zoning district was created in 1988 in order to give the Town more of a transition from the rural densities found outside of town with the more concentrated development densities in Town. The corresponding zoning classification for the Low Density Residential Plan category is the R-20 Residential zone with an average minimum lot size of 20,000 sq.ft. This is to be located on most of the land within the unincorporated growth boundary. Development in the Low Density Residential area is proposed at approximately two dwelling units per acre, but may include increased levels of density through flexible design of subdivisions that minimize the impact on municipal resources.

The Middletown Comprehensive Plan includes the following matters in relation to Municipal Growth:

1. The Town's design for growth at the edges of Town is at a lower density than required by the Smart Growth Plan.

2. The Town does not have adequate services and resources for dense growth i.e., police, schools, roads, water and sewer.
3. Development and revitalization of commercial areas need to be consistent with the character of the Town.
4. Preservation of Open Space and establishing a buffer zone or greenbelt around the Town should be explored through the established Agricultural District and Land Trusts.
5. Preserve Natural Resources and Sensitive Areas found in and around Middletown such as Catoclin Creek, Cone Branch, Hollow Creek and prime farm land.
6. The most probable residential growth areas are located north of Town. West of Town would not be appropriate for development in the near future. Development of commercial areas north of Town may be acceptable in the future, but must be done on Town water and sewer and not on well & septic systems in the County.

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.

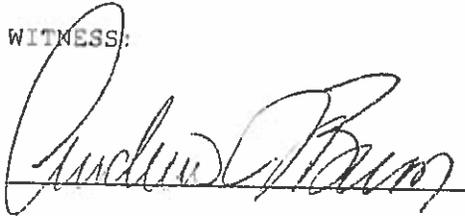
4. Subject to all appropriate laws and administrative requirements, the Property shall be zoned by the Town, at the time of annexation, to the R-20 (Low Density Residential) District.

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.

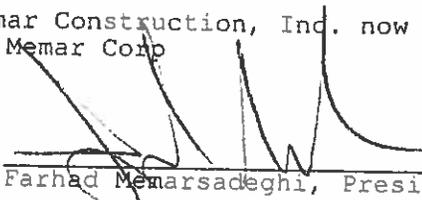
6. The annexation shall be subject to the terms, conditions, and provisions to be negotiated between town and petitioner in an annexation agreement.

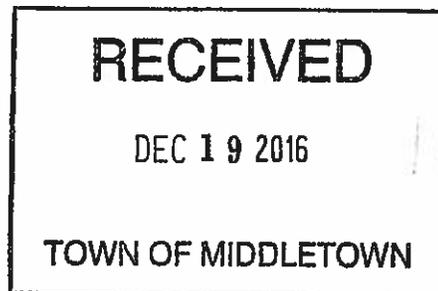
WITNESS the execution of this Petition by the undersigned Petitioner on the 12<sup>TH</sup> day of DECEMBER, 2016.

WITNESS:



Admar Construction, Inc. now known  
as Memar Corp

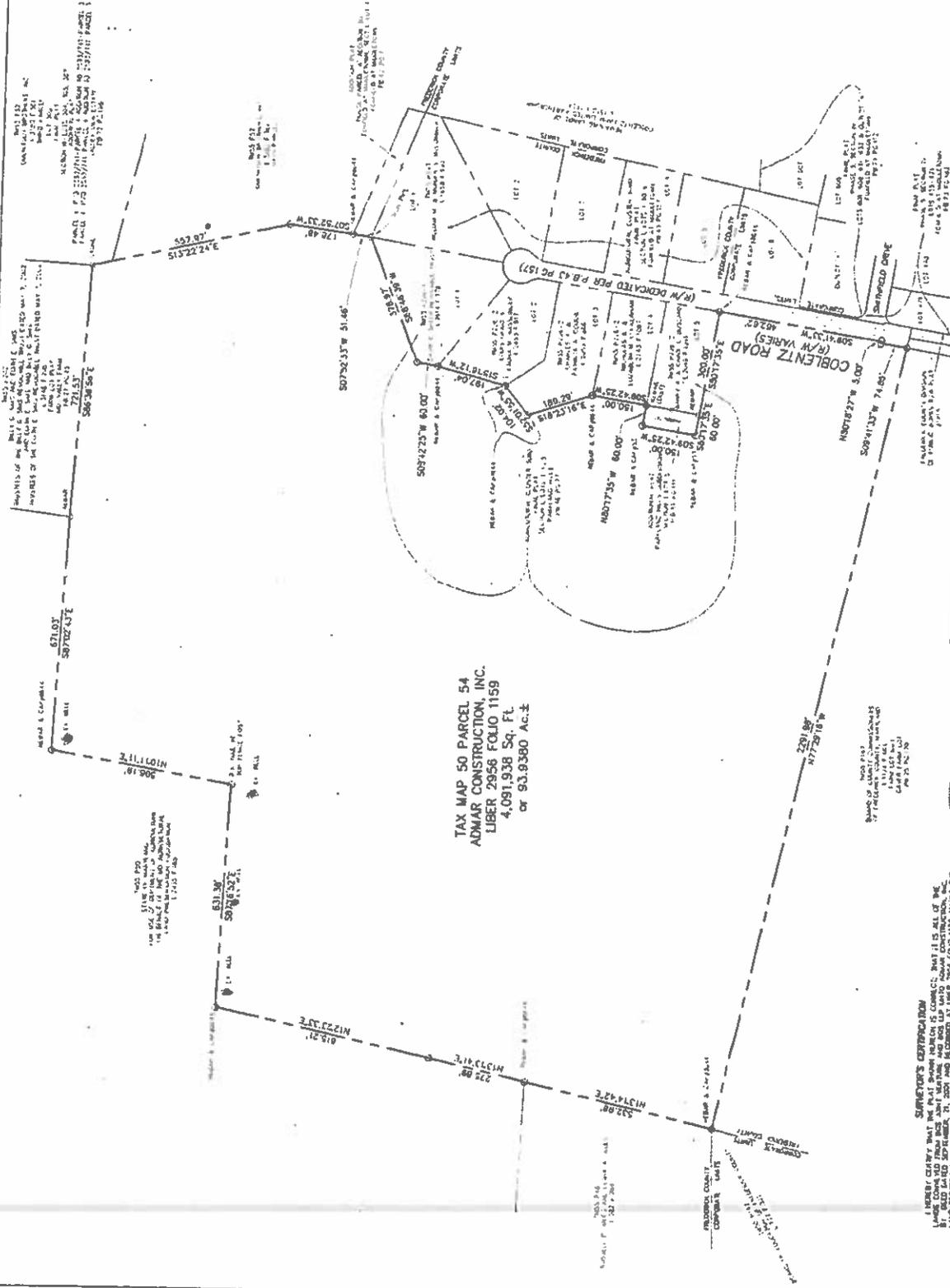
By:  (SEAL)  
Farhad Memarsadeghi, President



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



1/4 MAP 35 PARCEL 54 SCALE 1" = 200'



TAX MAP 50 PARCEL 54  
 ADMAR CONSTRUCTION, INC.  
 LIBER 2958 FOLIO 1159  
 4,091.938 Sq. Ft.  
 or 93.9380 Ac.±



**SURVEYOR'S CERTIFICATION**  
 I HEREBY CERTIFY THAT THE PLAT SHOWN HEREON IS CORRECT, THAT IT IS ALL OF THE  
 LAND BELONGING TO ADMAR CONSTRUCTION, INC. AS SHOWN BY THE  
 RECORDS OF FREDESHICK COUNTY, VIRGINIA, AND THAT THE TOTAL AREA OF THE  
 LAND SHOWN IS 4,091.938 SQ. FT. OR 93.9380 AC.±.  
 Date: May 20, 2003  
 Signature: [Signature]  
 Title: Surveyor General

DATE	REVISIONS

PREPARED BY  
**ADMAR CONSTRUCTION, INC.**  
 10000 WOOD COBLENZ ROAD  
 WASHINGTON, VIRGINIA 22192  
 SCALE 1" = 200'  
 DATE: MAY 20, 2003  
 CHECKED BY  
 CATROTTA MIDDLEBURN SURVEYORS, INC.

## 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 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, 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).

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**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.

**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.



## **Burgess and Commissioners of Middletown, Maryland**

### **Adequate Public Facilities Policy**

**Adopted July 17, 2003**

**Amended on August 22, 2011**

**Amended on December 8, 2014**

#### **Policy Statement**

It is the policy of the Town of Middletown that all new residential subdivision development must adhere to.

Existing lots of record for single-family units are excluded from this policy, provided that adequate water and sewer capacity exists at the time of requested residential development.

#### **Development Criteria**

For development to be considered, all of the following criteria must be met:

- ✓ Developer must provide 250 gallons of allocable water per unit, and may be required to cover all costs of physical connection to the Town system,
  - ✓ Developer must pay a proportionate share of cost to upgrade/increase sewer capacity, based on all factors at time of Water/Sewer certification,
  - ✓ Prior to Preliminary Site Plan approval, all Middletown schools located within the corporate limits of Middletown must be less than 105% capacity as rated at the time of the most recently submitted Frederick County Public Schools Quarterly Enrollment report, and approval will only be valid for two years after the Plan is signed by the Middletown Planning Commission,
  - ✓ Developer must provide a Traffic Impact Study at the request of the Town, to be conducted during a period of time approved by the Town, and solutions to all identified problems related to the requested development must be corrected at the cost to the developer,
  - ✓ Developer must provide usable recreation space, as determined by the Planning Commission, at .05acres/unit for the total number of units in the development,
  - ✓ No development will receive more than 20 residential permits per year.
  - ✓ The Town will determine and negotiate through Public Works Agreements all necessary off-site improvements that will be required to be constructed by and at the cost to the developer,
  - ✓ Other factors as determined by the Town that may be applicable to each individual development request in addition to those listed herein.
-

## FREDERICK COUNTY PUBLIC SCHOOLS Enrollments and Capacities December 30, 2016

<u>Elementary Schools</u>	<u>Total Enrollment</u>	<u>Equated* Enrollment</u>	<u>State Rated Building Capacity</u>	<u>Percent Capacity</u>
1 Ballenger Creek Elem.	673	655	663	99%
2 Brunswick Elem.	660	628	611	103%
3 Carroll Creek Charter	222	199	210	95%
4 Carroll Manor Elem.	561	538	618	87%
5 Centerville Elem.	1006	1006	675	149%
6 Deer Crossing Elem.	747	733	587	125%
7 Emmitsburg Elem.	258	248	316	78%
8 Frederick Classical Charter	239	239	255	94%
9 Glade Elementary	679	644	638	101%
10 Green Valley Elem	376	376	504	75%
11 Hillcrest Elem.	969	900	670	134%
12 Kemptown Elem.	392	392	435	90%
13 Lewistown Elem.	177	177	242	73%
14 Liberty Elem.	285	285	364	78%
15 Lincoln Elem.	604	569	633	90%
16 Middletown Elem. (See Note 1)	435	435	526	83%
17 Middletown Primary (See Note 1)	501	479	482	99%
18 Monocacy Elem.	601	580	567	102%
19 Monocacy Montessori (See Note 2)	217	202	180	112%
20 Myersville Elem.	339	339	458	74%
21 New Market Elem.	712	702	659	107%
22 New Midway/Woodsboro	312	294	340	86%
23 North Frederick Elem.	659	638	679	94%
24 Oakdale Elem.	639	619	692	89%
25 Orchard Grove Elem.	703	672	639	105%
26 Parkway Elem.	211	211	248	85%
27 Sabillasville Elem.	124	124	160	78%
28 Spring Ridge Elem.	473	441	577	76%
29 Thurmont Elem. (See Note 1)	310	310	483	64%
30 Thurmont Primary (See Note 1)	369	339	528	64%
31 Tuscarora Elem.	785	785	662	119%
32 Twin Ridge Elem.	500	482	674	72%
33 Urbana Elem.	727	716	511	140%
34 Valley Elem.	405	394	504	78%
35 Walkersville Elem.	685	685	662	103%
36 Waverley Elem.	648	605	416	145%
37 Whittier Elem.	763	710	671	106%
38 Wolfsville Elem.	159	149	226	66%
39 Yellow Springs Elem.	481	481	456	105%
Total Elementary	19606	18981	19421	98%

*All elementary schools have all-day kindergarten*

<u>Middle Schools</u>	<u>Total Enrollment</u>	<u>Equated Enrollment</u>	<u>State Rated Building Capacity</u>	<u>Percent Capacity</u>
1 Ballenger Creek Mid.	781	781	870	90%
2 Brunswick Middle	583	583	884	66%
3 Carroll Creek Montessori	46	46	90	51%
4 Crestwood Middle	509	509	600	85%
5 Frederick Classical Charter	117	117	120	98%
6 Gov. Thomas Johnson Middle	557	557	900	62%
7 Middletown Middle	853	853	914	93%
8 Monocacy Middle	743	743	860	86%
9 Monocacy Valley Montessori	80	80	90	89%
10 New Market Middle	509	509	881	58%
11 Oakdale Middle	644	644	600	107%
12 Thurmont Middle	561	561	900	62%
13 Urbana Middle	872	872	900	97%
14 Walkersville Middle	824	824	1051	78%
15 West Frederick Middle	843	843	955	88%
16 Windsor Knolls Middle	767	767	924	83%
Total Middle	9289	9289	11539	81%

1/9/2017

High Schools

	<u>Total Enrollment</u>	<u>Equated Enrollment</u>	<u>State Rated Building Capacity</u>	<u>Percent Capacity</u>
1 Brunswick High	739	739	893	83%
2 Catocin High	804	804	1135	71%
3 Frederick High	1473	1473	1603	92%
4 Gov. Thomas Johnson High	1370	1370	2091	66%
5 Linganore High	1382	1382	1635	85%
6 Middletown High	1112	1112	1169	95%
7 Oakdale High	1246	1246	1532	81%
8 Tuscarora High	1512	1512	1606	94%
9 Urbana High	1698	1698	1636	104%
10 Walkersville High	1090	1090	1197	91%
<b>Total High</b>	<b>12426</b>	<b>12426</b>	<b>14497</b>	<b>86%</b>

Special Schools

	<u>Total Enrollment</u>	<u>Equated Enrollment</u>	<u>State Rated Building Capacity</u>	<u>Percent Capacity</u>
1 Heather Ridge	57	57	148	39%
2 SUCCESS Program	42	42	N/A	
3 Rock Creek	76	76	242	31%
4 Frederick County Virtual School (See Note 3)	16	16	N/A	
	<b>191</b>	<b>191</b>	<b>390</b>	<b>49%</b>
<b>TOTALS (PreK - 12)</b>	<b>41512</b>	<b>40887</b>	<b>45847</b>	<b>89%</b>

\* Equated Enrollments count Special Ed Pre-K, and Pre-K students as 1/2 a full time student.

Note 1: Middletown ES and Thurmont ES are grades 3, 4 and 5 only. Middletown Primary and Thurmont Primary are PK, K, 1 and 2 only

Note 2: The Monocacy Montessori School is located in the former First Baptist Church, located on Dill Avenue in Frederick City. The capacity is based on program limitations.

Note 3: This program used to be known as Evening High School.

**Table 4A: FCPS Equated Enrollment Projections**

	State Rated Capacity	Actual				Projected							
		2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	
1 Ballenger Creek Elementary	663	636	644	648	640	628	623	630	635	647	660	678	
2 Brunswick Elementary	611	627	621	635	610	610	607	609	621	629	649	660	
3 Carroll Creek Montessori (1)	210	194	203	207	208	209	209	209	209	210	210	210	
4 Carroll Manor Elementary	618	548	532	534	525	522	520	519	523	531	540	556	
5 Centerville Elementary	675	997	1024	977	950	942	910	920	930	952	978	994	
6 Deer Crossing Elementary	587	732	749	739	735	726	736	743	748	761	777	790	
7 Emmitsburg Elementary	316	289	272	274	275	260	256	260	262	266	270	274	
8 Frederick Classical (2)	255	240	240	240	240	239	239	239	238	239	240	240	
9 Glade Elementary	638	608	607	609	595	577	579	581	587	601	622	640	
10 Green Valley Elementary	504	365	360	365	369	369	365	370	374	378	384	390	
11 Hillcrest Elementary	670	939	955	951	922	914	912	942	953	991	1028	1060	
12 Kemptown Elementary	435	358	368	366	368	365	365	365	370	380	391	403	
13 Lewistown Elementary	242	177	161	154	150	142	137	142	147	148	161	156	
14 Liberty Elementary	364	283	280	272	262	266	260	262	270	278	287	295	
15 Lincoln Elementary	633	539	564	568	583	583	580	558	559	563	576	590	
16 Middletown Elementary	526	423	424	439	440	447	429	437	447	451	460	466	
17 Middletown Primary	482	425	425	420	426	426	428	434	440	452	460	469	
18 Monocacy Elementary	567	571	556	549	524	502	504	505	510	535	565	587	
19 Monocacy Valley Montessori	200	208	203	201	201	198	199	197	196	197	198	197	
20 Myersville Elementary	458	316	302	291	282	278	269	272	276	280	288	293	
21 New Market Elementary	659	690	696	660	694	622	648	614	619	626	640	652	
22 New Midway/Woodsboro Elementary	340	315	301	291	287	284	283	282	284	289	292	296	
23 North Frederick Elementary	679	614	645	655	650	654	645	640	645	650	660	669	
24 Oakdale Elementary	692	589	570	534	530	523	530	545	567	595	607	619	
25 Orchard Grove Elementary	639	602	616	622	623	621	620	620	625	635	645	651	
26 Parkway Elementary	248	223	231	228	214	216	224	215	215	219	222	221	
27 Sabillasville Elementary	160	112	104	101	98	91	90	91	92	93	95	97	
28 Spring Ridge Elementary	577	441	437	443	440	428	429	438	443	447	459	467	
29 Thurmont Elementary	483	332	313	339	315	313	292	294	293	299	303	307	
30 Thurmont Primary	528	338	340	318	320	322	325	328	330	340	346	350	
31 Tuscarora Elementary	662	774	741	712	676	642	648	656	668	680	696	716	
32 Twin Ridge Elementary	674	610	477	471	463	444	447	445	446	450	463	470	
33 Urbana Elementary	511	689	667	651	645	639	636	642	655	660	680	692	
34 Valley Elementary	504	398	397	379	377	383	385	387	390	397	404	410	
35 Walkersville Elementary	662	681	668	656	650	641	647	647	652	659	675	687	
36 Waverley Elementary	416	568	597	622	633	633	626	634	642	646	657	669	
37 Whitier Elementary	671	693	689	672	659	647	664	677	698	715	736	745	
38 Wolfsville Elementary	226	153	154	152	155	152	148	149	150	151	155	158	
39 Yellow Springs Elementary	456	495	492	489	481	479	478	471	474	480	490	500	
<b>ELEMENTARY SCHOOL TOTAL</b>	<b>19,441</b>	<b>18,671</b>	<b>18,615</b>	<b>18,425</b>	<b>18,120</b>	<b>17,909</b>	<b>17,843</b>	<b>17,969</b>	<b>18,183</b>	<b>18,518</b>	<b>18,959</b>	<b>19,334</b>	
<b>TOTAL PERCENT OF CAPACITY*</b>		<b>96%</b>	<b>96%</b>	<b>95%</b>	<b>90%</b>	<b>89%</b>	<b>85%</b>	<b>85%</b>	<b>86%</b>	<b>88%</b>	<b>90%</b>	<b>92%</b>	

Elementary enrollments are equated for half day Pre-K programs

(1) Carroll Creek Montessori Public Charter School opened in August 2012 with grades preK through 4. Additional classes added each year until full enrollment in 2018.

(2) Frederick Classical School opened in August 2013 with grades K-5. Additional classes added each year until full enrollment in August 2019.

\*Includes projects with construction funding approved.

Percent SRC



	Current SRC	Actual					Projected					
		2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025
40 Ballenger Creek Middle	870	718	731	708	712	729	725	718	690	685	680	671
41 Brunswick Middle	884	557	596	593	630	610	622	591	607	598	589	577
42 Carroll Creek Montessori (1)	90	17	52	90	90	90	90	90	90	90	90	90
43 Crestwood Middle	600	505	497	516	580	589	579	551	524	522	515	519
44 Fredenck Classical (2)	120	113	119	120	120	120	120	120	120	120	120	120
45 Gov. Thomas Johnson Middle	900	532	549	551	589	629	644	636	620	604	607	609
46 Middletown Middle	914	816	818	798	751	761	768	760	753	715	738	738
47 Monocacy Middle	860	723	718	724	794	837	847	825	791	785	768	770
48 Monocacy Valley Montessori	70	77	78	80	81	80	80	79	79	77	78	76
49 New Market Middle	881	497	520	538	559	566	540	514	507	496	480	479
50 Oakdale Middle	600	648	645	720	755	810	771	756	720	722	720	737
51 Thurmont Middle	900	543	547	540	566	562	584	563	535	506	504	505
52 Urbana Middle	900	834	834	899	921	942	912	870	867	842	851	857
53 Walkersville Middle	1051	804	821	853	876	870	869	851	833	818	809	808
54 West Fredenck Middle	955	856	803	830	890	946	937	895	880	895	880	884
55 Windsor Knolls Middle	924	777	756	730	712	700	693	708	690	686	669	669
<b>MIDDLE SCHOOL TOTAL</b>	<b>11,519</b>	<b>9,018</b>	<b>9,084</b>	<b>9,282</b>	<b>9,806</b>	<b>9,841</b>	<b>9,781</b>	<b>9,527</b>	<b>9,306</b>	<b>9,184</b>	<b>9,098</b>	<b>9,109</b>
<b>TOTAL PERCENT OF CAPACITY*</b>		<b>78%</b>	<b>79%</b>	<b>81%</b>	<b>83%</b>	<b>85%</b>	<b>85%</b>	<b>83%</b>	<b>81%</b>	<b>80%</b>	<b>79%</b>	<b>79%</b>

\*Includes projects with construction funding approved.

Percent SRC



	Current SRC	Actual					Projected					
		2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025
56 Brunswick High	893	737	753	810	823	862	886	925	942	930	943	906
57 Catoctin High	1135	856	815	800	786	793	779	822	853	855	833	814
58 Frederick High	1603	1,317	1,430	1,463	1,445	1,465	1,458	1,532	1,593	1,601	1,592	1,557
59 Gov Thomas Johnson High	2091	1,408	1,357	1,344	1,302	1,288	1,312	1,360	1,431	1,477	1,472	1,437
60 Linganore High	1635	1,423	1,379	1,379	1,390	1,414	1,460	1,472	1,451	1,445	1,386	1,362
61 Middletown High	1169	1,139	1,131	1,182	1,170	1,160	1,190	1,145	1,205	1,160	1,131	1,108
62 Oakdale High	1531	1,218	1,263	1,267	1,308	1,332	1,339	1,396	1,438	1,510	1,568	1,585
63 Tuscarora High	1606	1,447	1,447	1,489	1,478	1,480	1,503	1,530	1,564	1,558	1,532	1,498
64 Urbana High	1636	1,635	1,669	1,701	1,708	1,711	1,798	1,803	1,824	1,854	1,749	1,721
65 Walkersville High	1197	1,071	1,080	1,072	1,080	1,132	1,170	1,201	1,221	1,219	1,199	1,190
<b>HIGH SCHOOL TOTAL</b>	<b>14,496</b>	<b>12,251</b>	<b>12,324</b>	<b>12,467</b>	<b>12,466</b>	<b>12,637</b>	<b>12,895</b>	<b>13,186</b>	<b>13,522</b>	<b>13,809</b>	<b>13,405</b>	<b>13,178</b>
<b>TOTAL PERCENT OF CAPACITY*</b>		<b>85%</b>	<b>88%</b>	<b>85%</b>	<b>85%</b>	<b>86%</b>	<b>88%</b>	<b>90%</b>	<b>92%</b>	<b>92%</b>	<b>91%</b>	<b>90%</b>

\*Includes projects with construction funding approved.

Percent SRC



Other:

(Rock Creek, Heather Ridge, Virtual School, SUCCESS)	390	195	195	195	195	195	195	195	195	195	195	195
<b>TOTAL EQUATED</b>	<b>45,846</b>	<b>40,135</b>	<b>40,218</b>	<b>40,389</b>	<b>40,387</b>	<b>40,582</b>	<b>40,714</b>	<b>40,877</b>	<b>41,206</b>	<b>41,488</b>	<b>41,657</b>	<b>41,816</b>
<b>TOTAL PERCENT OF CAPACITY*</b>		<b>88%</b>	<b>88%</b>	<b>88%</b>	<b>88%</b>	<b>88%</b>	<b>88%</b>	<b>89%</b>	<b>89%</b>	<b>90%</b>	<b>90%</b>	<b>91%</b>

\*Includes projects with construction funding approved.

Source: Fredenck County Public Schools, Facilities Services Division, July 2016

## GEOGRAPHIC LOCATIONS OF ENROLLMENT GROWTH

Although enrollment growth is expected to increase system-wide in the next decade, this growth will be widely distributed. Enrollment growth will be influenced by the location of major residential development activity. In order to determine where such development may occur, FCPS continuously monitors county and municipal plans.

## Memorandum

To: Middletown Planning Commission  
Burgess and Commissioners

From: Cindy Unangst, Middletown Staff Planner

Date: 2/17/2017

RE: MEMAR ANNEXATION and SEPTIC TIER MAP

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**Subject: Memar property**

### **Frederick County Growth Tier map: Tier II A**

The Frederick County Growth Tier map was adopted by the Board of County Commissioners on February 26, 2013. The county established definitions for the references to “served” by public sewerage and “planned” to be served by public sewer based on the County’s Water and Sewerage Plan classifications. Planned to be served by public sewerage system is defined as classifications S-4, S-5, or PS. For areas that do not fit the general criteria described by the state, the state allows for the identification of sub-categories such as Tier I A, Tier II A, etc. The county has several areas that are designated in such sub-categories and the subject property is one of them. As indicated in the draft Annexation Plan, the subject property has a classification of NPS – No Planned Service in the Frederick County Water and Sewerage Plan.

### **Tier II Criteria:**

Tier II – areas planned to be served by public sewerage systems

#### **Municipal Growth Areas**

1. Within current municipal boundary, AND
  2. Designated Priority Funding Area (PFA), AND
  3. Sewer Classification of S-4, S-5, or PS
- OR
4. Outside current municipal boundary AND within municipal growth area/Municipal Growth Element boundary

#### **Tier II A**

1. Areas planned for public sewer NOT in a growth area
    - Village of Rosemont
  2. Areas within a Municipal Growth Element (MGE) NOT planned for sewer service
    - Includes properties around Mt. Airy, **Middletown**, Walkersville, Woodsboro, and Thurmont
  3. Areas within an Unincorporated Growth Area NOT planned for sewer service
-

- 
- Applied to Future Growth Areas as described in the County Comprehensive Plan (as amended September 2012) and includes areas within the Ballenger Creek, Urbana, Jefferson and Eastalco growth areas.

### **Implications of the Growth Tier Mapping**

#### **Tiers I and II**

Properties within Tiers I and II will not experience any impediments to develop or have additional steps in the development review process. Municipalities will be able to consider annexation petitions regardless of which Tier the subject property is designated. Since the County's Water and Sewer Plan already prohibits properties from using individual septic systems if they have a sewer classification of S-1 to S-4, being in a Tier I or II would not have any additional implications.

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# Foxfield Section 6

Master Plan  
Middlestown, Maryland

11.22.2014



### LOT TABLE

Single Family - Estate Lots

Lot	Area
Lot 1	1.03 Acres
Lot 2	1.03 Acres
Lot 3	1.23 Acres
Lot 4	0.37 Acres
Lot 5	0.37 Acres
Lot 6	0.37 Acres
Lot 7	0.37 Acres
Lot 8	0.37 Acres
Lot 9	0.37 Acres
Lot 10	0.37 Acres
Lot 11	0.37 Acres
Lot 12	0.37 Acres
Lot 13	0.37 Acres
Lot 14	0.37 Acres
Lot 15	0.37 Acres
Lot 16	0.37 Acres
Lot 17	0.37 Acres
Lot 18	0.37 Acres
Lot 19	0.37 Acres
Lot 20	0.37 Acres
Lot 21	0.37 Acres
Lot 22	0.37 Acres
Lot 23	0.37 Acres
Lot 24	0.37 Acres
Lot 25	0.37 Acres
Lot 26	0.37 Acres
Lot 27	0.37 Acres
Lot 28	0.37 Acres
Lot 29	0.37 Acres
Lot 30	0.37 Acres
Lot 31	0.37 Acres
Lot 32	0.37 Acres
Lot 33	0.37 Acres
Lot 34	0.37 Acres
Lot 35	0.37 Acres
Lot 36	0.37 Acres
Lot 37	0.37 Acres
<b>Total:</b>	<b>28.88 Acres</b>

Open Space  
Number: 40.8 Acres

### DEVELOPMENT NOTES

Total Development Area: 121.9 Acres  
 Density: R-20  
 Zoning: Residential  
 Subdivided:  
 Phase: 35'  
 Phase: 40'  
 Minimum Lot Area: 20,000 SF (0.46 Acre)  
 Minimum Lot Width: 100'  
 Actual 2014:  
 Streets:  
 Phase: 20'  
 Phase: 15'  
 Minimum Lot Area: 3,200 SF (0.07 Acre)



## Middletown Planning Office

### MEMORANDUM

Date: 2/8/2017

To: Middletown Planning Commission

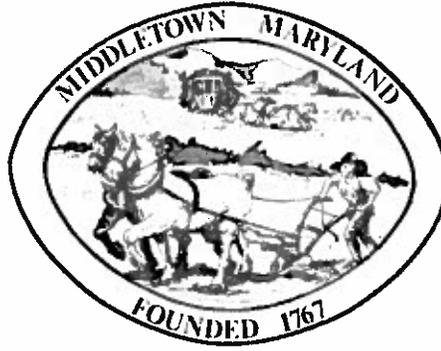
From: Cindy Unangst, Middletown Staff Planner

RE: **DRAFT ANNUAL REPORT**

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The following document is enclosed for your review and direction:

- Draft Annual Report for the year ending 2016, and all planning and zoning activity reflected for that year, conducted by the PC, staff, zoning administrator, and Board of Appeals. This report must be reviewed, and staff would request comments, especially on goals for the new year, before approving and forwarding to the Town Board for their information and submitting to the State and Frederick County. The map has not been completed yet but should be available for review for the March meeting.
-



## MIDDLETOWN PLANNING COMMISSION

# 2016 ANNUAL REPORT

Approved \_\_\_\_\_, 2017 by Middlestown Planning Commission

### **BURGESS & COMMISSIONERS**

John Miller, Burgess (4/2012-4/2016, 4/2016-4/2020)

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

Larry Bussard (4/2014-4/2018)

Richard Dietrick (4/2014-4/2018)

Anthony Ventre (4/2012-4/2016)

Chris Goodman (4/2012-4/2016, 4/2016-4/2020)

Tom Catania (4/2016-4/2020)

Andrew J. Bowen, Town Administrator

### **Middlestown Planning Commission**

Mark Carney, Chairman (12/2011-12/2016)

Robert Smart (12/2011-12/2016)

David Lake (2/2012-2/2017)

Bob Miller (5/2013-5/2018)

Chris Goodman, Comm. Ex-Officio (4/2012-4/2016)

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

Rich Gallagher, Alt. (2/2016-2/2021)

Dixie Eichelberger, Temp. Alt (2/2014-6/2017)

### **Middlestown Board Of Appeals**

Fred Rudy, Chair (6/2013-6/2016, 6/2016-6/2019)

Thomas Routzahn (2/2014-2/2017)

Tim Coakley (2/2015-2/2017)

Alex Kundrick, Alternate (2/2014-2/2017)

### **Planning Department Staff**

Cynthia K. Unangst

### **Town Zoning Administrator**

Ron Forrester

### **Engineering Staff**

Bruce Carbaugh, Director of Public Works

J.R. Hawkins, Project Manager

## INTRODUCTION

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

### POPULATION IN MIDDLETOWN

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

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

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

### MIDDLETOWN PLANNING COMMISSION

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

### PLAN REVIEWS - 2016

All plans reviewed and approved were consistent with the Middletown Comprehensive Plan adopted in 2010, the Middletown Zoning Code, and the Middletown Subdivision Regulations.

CONCEPT PLANS

<u>Name</u>	<u>Units</u>	<u>Zoning</u>	<u>Request for:</u>
1A. Richland Driving Range	1	GC	Discussion of new structure on driving range

SITE PLANS

<u>Name</u>	<u>Units</u>	<u>Zoning</u>	<u>Request for:</u>
1A. POD – 714 E. Main St.	1	R-1	Approval of temporary storage container (Approval 1/18)
1B. Kaleta Addition Demolition Jesserong Drive	1	R-2	Approval of demolition of an addition (Approved 5/16)
1C. Wachter Shed Demolition Prospect Street	1	R-1	Approval of demolition of shed (Approved 5/16)
1D. Richland Driving Range Glenbrook Drive	1	GC	Approval of driving range structure (Approved 6/20)
1E. Middletown School Complex Schoolhouse Drive	n/a	OS	Review of school complex roadway improvements (Commented 6/20)
1F. Zion Lutheran Demolition West Green Street	1	R-2	Approval of demolition of dwelling and shed (Approved 8/15)
1G. Fire Station Franklin Street	1	OS	Approval of new fire station building (Approved 10/17)
1H. Zion Lutheran Demolition West Green Street	1	TC	Approval of demolition of garage (Approved 11/21)
1I. Fire Depart. Pavilion Demolition Franklin Street	1	OS	Approval of demolition of carnival grounds pavilion (Approved 12/19)

MASTER PLANS

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

PRELIMINARY PLANS

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

**MASS GRADING/SWM PLANS**

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

**IMPROVEMENT PLANS**

<u>Name</u>	<u>Units</u>	<u>Zoning</u>	<u>Request for:</u>
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2. Fire Station Franklin Street	1	OS	Approval of improvement plans for fire station (Approved 12/19)
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**FOREST CONSERVATION PLANS**

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

**SUBDIVISION PLATS**

<u>Name</u>	<u>Units</u>	<u>Zoning</u>	<u>Request for:</u>
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3. Nicholson Walnut Street	2	TC	Approval of subdivision plat for two lots (Approved 6/20)
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**ADDITION PLATS**

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

**FINAL PLATS**

<u>Name</u>	<u>Units</u>	<u>Zoning</u>	<u>Request for:</u>
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4. Cross Stone Commons East Main Street	1	GC	Approval of plat of correction required by SHA (Approved 9/19)
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**RE-ZONING REQUESTS:**

None

**ANNEXATIONS:**

None

**TEXT AMENDMENTS:**

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

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**Town Commercial off-street parking and vehicle sales** – Planning Commission reviewed and commented on regulations for off-street parking of motor vehicles for property used for residential uses in the town commercial district; to provide screening requirements for the parking of unregistered

or inoperable motor vehicles in residential districts and for residential use property in the town commercial district and to limit the permitted number of such vehicles; to regulate the sales of motor vehicles for property used for residential uses in the town commercial district (Sections 17.32.060 and 17.32.125) [PC commented 6/20; B&C adopted 8/8]

Storage containers ordinance revisions – Planning Commission reviewed and commented on adoption of revisions to provide that the zoning administrator, instead of the planning commission, is the person charged with reviewing and approving applications to place storage and disposal containers on property; to provide a definition for the term “disposal container”; to delete enforcement provisions as being superfluous. (Section 17.32.045) [PC commented 6/20; B&C adopted 8/8]

Outdoor lighting regulations – Planning Commission reviewed and commented on adoption of regulations pertaining to outdoor lighting design standards; to establish regulations and requirements relating to general lighting; to authorize the planning commission to require a lighting plan as part of the submission of certain site plans; and to provide for certain exemptions from the lighting regulations and requirements. (Section 17.32.245) [PC commented 11/21]

Ballfield signs – Planning Commission commented on adoption of revisions to the exemption standards for signs located on ballfields and sports complexes. (Section 17.36.140) [PC commented 11/7; B&C adopted 12/12]

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

<u>Applicant</u>	<u>Request</u>	<u>Location</u>	<u>Motion</u>	<u>Date</u>
A. Jiffas	variance of 22' from front yard setback for duplex	corner of Summers and West Green	Approved	3/29
B. Wilson	variances of 8' from required 18' setback for a pool	101 N. Pointe Terr.	Approved	3/29
C. Frederick Co.	variances from side setbacks for height of fire station building	401 Franklin Street	Approved	10/20

**INFRASTRUCTURE PROJECTIONS:**

**TRANSPORTATION:**

Action taken by the Town in the year 2016 has been consistent with the Town Comprehensive Plan and best management planning practices.

The Town Comprehensive Plan includes roadway alignments both north and south of town that will be requirements of any future annexation agreements. Future development should incorporate roadway dedication and construction to provide minimum collector type road links from east to west, and a collector from US 40-A north to I-70.

The State Highway Administration has funded the Main Street streetscape project and construction began in FY 2016. The limits of the project extend from the western edge of town to the eastern edge of town, and includes the replacement of water mains from Coblenz Road to Eastern Circle. The SHA

scope of the work includes replacement of storm water lines in the Main Street SHA right-of-ways and relocating some utility lines, new signage, traffic patterns, and replacement or installation of curb, gutter and sidewalks. The project also includes landscaping and planting of new trees. The project is expected to take up to two years to complete.

Improvements to West Green Street were started in FY 2016 and will be completed by June of 2017. The project is currently 87% complete with storm drain, curb and gutter completed. Approximately 50% of the sidewalks have been finished and base paving has been installed.

#### WATER SUPPLY AND DISTRIBUTION:

The Town depends on 22 wells, 4 groups of springs, two reservoirs, and a water tower to supply water to the Town. The current total withdrawal permitted by the Town is 387,000 gallons per day (gpd). The average daily use for 2016 was 290,120 gpd. The water system is routinely monitored for possible contaminants in accordance with Federal and State laws, and there were no violation levels in 2016.

#### WASTE WATER TREATMENT FACILITIES:

The East End Wastewater Treatment Plant (WWTP) on the south side of Holter Road at Hollow Creek is designed to process 350,000 gpd of sewerage. The current discharge permit for the plant is 250,000 gpd. Average daily flows for 2016 were 222,083 gpd.

The discharge permit for the West End WWTP at Catocin Creek in the southwest section of Town is 250,000 gpd. Average daily flows for 2016 were 221,500 gpd.

There were no violations for either plant in 2016.

#### WATER/SEWER MASTER PLAN

Although the Town developed a Water/Sewer Master Plan as a Subsidiary Plan to the County Water/Sewer Master Plan, it was denied by the State in 2004, and consequently the Town complies with the County's Water and Sewer Master Plan.

#### PARKS AND GREENWAYS:

In 2016, the Town completed a replacement of children's equipment at Memorial Park to bring it up to ADA and today's safety standards.

#### PROTECTION OF HISTORIC STRUCTURES:

At the present time, the only regulations regarding the demolition of buildings are a zoning control (Section 17.32.160, Zoning, Middletown Municipal Code), which requires a Demolition Permit. This permit allows a building to be inventoried prior to the demolition but does not prohibit demolition.

The Town has two historic districts approved by the National Register, allowing for property owners to voluntarily participate in government programs to recognize and improve properties. This process required establishment of a Historic Commission, which acts as a conduit between property owners and available programs. The Town also worked with private citizens to implement an identification plaque program for placement of plaques on historically significant structures in the historic districts. No plaques were placed on historically significant structures in 2016.

## **STRATEGIC PLANNING INITIATIVES**

### **ZONING ORDINANCE UPDATE**

No updates to the Zoning Code were completed in 2016 aside from the few text amendments listed above.

### **COMPREHENSIVE PLAN REVIEW**

Due to the fact that there have been no policy changes made in recent years to warrant an update to the Town's Comprehensive Plan at this time, the Plan will most likely begin the update process in 2020 in conjunction with the 2020 Census data.

### **PLANNING COMMISSION RECOMMENDATIONS:**

#### **ONGOING RECOMMENDATIONS:**

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

#### **NEW RECOMMENDATION:**

1. Work on town regulations to address blighted properties.

### Permits Issued

TYPE	1996-2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	5 yr.	2011	2012	2013	2014	2015	5 yr.	2016	2017	2018	2019	5 yr.
Single - Family	168	75	106	92	45	22	340	30	31	12	17	23	113	10	12	5	8	4	39	8			
Multi-Family	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	1	0			
Duplex	0	0	0	0	0	0	1	1	0	0	0	0	1	0	0	0	0	0	0	0			
Townhouse	0	0	0	42	15	0	57	16	19	23	24	0	82	0	0	0	0	0	0	0			
Apartments	1	0	1	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0			
Interior Improvements	0	9	11	20	19	22	81	18	20	19	12	19	88	15	11	12	15	17	70	16			
Additions	0	6	15	15	28	20	84	8	12	2	6	2	30	6	7	4	2	4	23	1			
Pools & Hot Tubs	23	7	9	9	16	4	45	8	12	7	4	3	34	2	6	5	2	1	16	2			
Decks & Porches	106	18	38	36	64	39	195	37	41	31	27	28	164	32	19	9	15	21	96	14			
Accessory Structure	66	14	15	24	23	16	92	18	13	14	9	9	63	6	5	7	8	15	41	11			
Fences	66	18	27	41	36	29	151	23	16	25	24	20	108	16	24	13	15	16	84	23			
Demolitions	7	1	1	0	1	2	5	0	2	0	2	1	5	2	1	2	1	3	9	5			
Propane Tanks	0	1	1	3	6	6	17	3	4	2	2	1	12	6	2	4	1	0	13	0			
Trailers	0	3	2	0	0	3	8	0	0	0	0	0	0	0	0	0	0	0	0	2			
Pump Station	0	1	0	0	0	0	1	0	0	1	0	0	1	0	0	0	0	0	0	0			
Signs	16	8	6	4	4	7	29	5	7	2	5	6	25	7	8	6	10	8	39	3			
Solar panels	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	4	37	20	61	25			
New Commercial	15	2	4	0	0	0	6	0	0	0	1	1	1	0	0	2	0	2	4	1			
Commercial Conversion	0	4	5	7	6	8	30	1	2	7	3	3	16	4	6	5	5	8	28	1			
Industrial Conversion	0	2	0	0	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0			
Office Conversion	0	4	4	0	1	4	13	14	3	0	5	2	24	0	3	0	0	3	6	0			
Other									2	1	2	2	7	5	4	4	6	4	23	1			
<b>Total Permits</b>	<b>468</b>	<b>173</b>	<b>245</b>	<b>293</b>	<b>264</b>	<b>182</b>	<b>1157</b>	<b>182</b>	<b>184</b>	<b>146</b>	<b>142</b>	<b>120</b>	<b>774</b>	<b>111</b>	<b>108</b>	<b>83</b>	<b>125</b>	<b>126</b>	<b>553</b>	<b>113</b>			

MEMORANDUM

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

From: Cynthia K. Unangst, Staff Planner

Date: January 24, 2017

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**Middletown Planning Commission Terms**

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

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

**Bob Miller** (5/2013-5/2018) began service 5/2008

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

**Tom Catania**, Town Board liaison (4/2016-4/2020) began service 4/2016

**Dixie Eichelberger** (2/2014-6/2017 finishing Ron Forrester's term of office); (new term of office ends 2/2021 to finish Rich Gallagher's five-year term of office) began service 2/2014

**Meredith McKittrick** will finish **Dixie Eichelberger's** term of office (2/2014-6/2017)

2.16.020 - Composition.

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

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**Town of Middletown Planning Department**

To: Burgess & Commissioners and Middletown Planning Commission

From: Cindy Unangst, Staff Planner

Date: 2/16/2017

RE: Monthly Planning Update - February

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**Major Subdivisions:**

**Middletown Glen - Master Plan Amendment approved - March 11, 2013**  
Preliminary plans signed – May 29, 2013  
Improvement plans conditionally approved – October 16, 2013  
Final FRO Plan approved – April 21, 2014  
Final Plats conditionally approved – November 17, 2014  
**Plat 3 submitted to the Health Department for signature – February 14, 2017**  
**FRO planting at Rensberg Park completed – February 10, 2017**  
**Next step – record additional final plats**

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

**Cross Stone Commons – BOA Special Exception Use Hearing – May 8, 2013**  
Final FRO Plan approved – May 19, 2014  
Revised Site Plan conditionally approved – October 20, 2014  
Phase 1 Improvement Plans conditionally approved – October 20, 2014  
Phase 2 Improvement Plans conditionally approved – March 16, 2015 (Plans expire 3/16/2018)  
Building permit for Building #3 applied for – June 24, 2016  
Plat of Correction recorded at Courthouse – November 8, 2016  
**Next step – submit architectural renderings for buildings #2 and 4 for review/approval**

**East Green Street - Addition plat approved – January 16, 2017; recorded February 13, 2017**

**Fire Station – Fire Station plat conditionally approved – October 16, 2013**  
BOA approved height variance request - October 20, 2016  
Revised Site Plan conditionally approved – October 17, 2016 (Plans expire 10/17/19)  
Demolition plans conditionally approved – December 19, 2016  
Improvement Plans conditionally approved – December 19, 2016  
**Final plat recorded at Courthouse – February 3, 2017**  
**Next steps – submittal of PWAs for approval and apply for building and grading permits**

**Franklin Commons/Chesterbrook Phase 2 - Site Plan approved – July 17, 2006**  
Improvement Plans approved and signed – September 16, 2008  
Phase 2 Site Plan conditionally approved – January 19, 2015 (Plans expire 1/19/2018)  
Phase 2 FRO plan conditionally approved – January 19, 2015  
Phase 2 Improvement Plans conditionally approved – Sept. 21, 2015 (Plans expire 9/21/2018)  
Mylars signed – January 4, 2016  
**Next step – submittal of PWAs for approval and apply for building and grading permits**

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**Caroline's View/Horman Apartments-** Site Plan approved – April 21, 2008 (no sunset provisions)  
Improvement Plans conditionally approved – May 17, 2010 (no sunset provisions)  
Currently approved SWM plans remain valid until May 4, 2017  
Mylars signed – September 11, 2015  
Letter sent out to property owner – August 25, 2016  
**Next step – submittal of PWAs for approval and apply for building and grading permits**

**Jiffas** – Site Improvement Plan conditionally approved – October 20, 2008 (no sunset provisions)  
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 (expires 3/29/17)  
SWM plans submitted to SCD and Frederick County – December 5, 2016  
**Next step – continue application process for duplex building permit including necessary approvals by the County for stormwater management and PWAs**

**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)  
**Next step – submit improvement plans for review/approval**

**Richland Driving Range** – Concept plan reviewed by PC – January 18, 2016  
Site Plan reviewed by PC – May 16, 2016  
Revised Site Plan conditionally approved by PC – June 20, 2016 (Plans expire June 20, 2019)  
**Next step – submit improvement plans for review/approval**

**Technology MD Network Company permit application** – tabled by PC on November 21, 2016

**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

**Text Amendments:** Outdoor lighting regulations – Public hearing held February 2, 2017  
Outdoor lighting regulations approved by Town Board – February 13, 2017

**Grants:** MEA Smart Energy Communities grant application – due February 16, 2017

**Meetings:** Next Middletown Green Team Meeting – February 15, 2017

**Next Joint town board/planning commission workshop** – June 5, 2017