

MIDDLETOWN PLANNING COMMISSION

Middletown Municipal Center
31 West Main Street
Middletown, MD 21769

AGENDA
Monday, January 16, 2017
7:00 p.m.

- I. **Public Comment**
- II. Minutes of December 2016 Planning Commission workshop **Approval**
Minutes of December 2016 Planning Commission meeting **Approval**
- III. **Plan Review**
East Green Street Addition Plat **Review/Approval**
- IV. **Zoning**
None
- V. **Miscellaneous**
Planning Commission member terms memo **Information**
- VI. **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

December 14, 2016

The regular workshop of the Middletown Planning Commission took place on Wednesday, December 14, 2016 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, David Lake, and Rich Gallagher. Others present in official capacity: Cindy Unangst (Staff Planner). Others present included: John Bankard (Adtek Engineering), Sue Barthol and Chuck Nipe (Frederick County Government), Tom Owens (Division of Fire & Rescue Services), and Brent Harne and Richard Keyser (Middletown Volunteer Fire Company).

DECEMBER MONTHLY PLANNING COMMISSION WORKSHOP:

PLAN REVIEW –

Fire Station Demolition Site plan – There was discussion about the fact that the demolition would not occur until after the notice to proceed was determined. Sue Barthol will send staff an e-mail outlining when that might occur along with a potential timeline for the project. The site plan will be revised to include a reference regarding the sequence of construction.

Fire Station Improvement plans – Staff Planner, Cindy Unangst, reviewed some of her staff report. Items discussed included the details of the lighting plan, other agency review status, and the location of the silt fence shown on Sheet C-2A. According to Mr. Bankard, re-submittals to SCD, OLS and DPW will be taking place within the next couple of days to address comments from those agencies.

ZONING –

None

MISCELLANEOUS –

None

Workshop adjourned at 7:45pm.

Respectfully submitted,

Cynthia K. Unangst, AICP
Middletown Staff Planner

MIDDLETOWN PLANNING COMMISSION
31 West Main Street
Middletown, Maryland

Regular Meeting

December 19, 2016

The regular meeting of the Middletown Planning Commission took place on Monday, December 19, 2016 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: Commissioner Dixie Eichelberger (Alternate), Cindy Unangst (Staff Planner), Bruce Carbaugh (Director of Public Works) and Annette Alberghini (Recording Secretary). Others present: Sue Barthol (Frederick County Office of Project Management), Tyler Muntz (Frederick County Office of Project Management), Charles Nipe (Frederick County Office of Project Management), Greg Gilbert (architect, Bignell Watkins and Hasser), Tom Owens (Frederick County Division of Fire and Rescue Services), Jason Fritz (Adtek Engineering) and John Bankard (Adtek Engineering).

DECEMBER MONTHLY PLANNING COMMISSION MEETING:

I. PUBLIC COMMENT – Chairman Carney recognized that Rich Gallagher has been appointed as a full member of the Planning Commission. He was formerly the Alternate to the Planning Commission.

II. Regular Workshop Minutes of November 16, 2016 – Approved as submitted.

Regular Meeting Minutes of November 21, 2016 – Approved as submitted.

III. PLAN REVIEW

Fire Company Pavilion Demolition Site Plan – (Sue Barthol (Frederick County Office of Project Management), Tyler Muntz (Frederick County Office of Project Management), Charles Nipe (Frederick County Office of Project Management), Greg Gilbert (architect, Bignell Watkins and Hasser), Tom Owens (Frederick County Division of Fire and Rescue Services), Jason Fritz (ADTEK Engineering) and John Bankard (ADTEK Engineering) were present.) This is the removal of an existing 4,446 square-foot pavilion in order to prepare the site for construction of a new Fire Station. The pavilion sits on the property line between the fire department's activity center and the land to be deeded to the County for the construction of the new fire station. All requirements for the demolition have been met except for the identification of the person(s) or entity that will perform the demolition along with their credentials. Letters were sent to the adjacent property owners informing them of the proposed demolition. The applicant has submitted the demolition plan to the County for review and approval. A zoning certificate application was submitted to the Town for approval.

- **Construction Schedule** – The applicant provided the Planning Commission with a tentative schedule for the Middletown Fire Station project. Since the same contractor will be used by the applicant for both the demolition work and the construction of the new facility, the applicant requested permission to conduct the pavilion demolition within 90 days of the County's issuing Notice to Proceed to the general contractor awarded the Middletown Fire Station project. The applicant will provide the Planning Commission the name and credentials of the contractor upon award.

Action: Commissioner Lake motioned to conditionally approve the Fire Company Pavilion Demolition Site Plan conditional upon the demolition occurring within 90 days of the County issuing Notice to Proceed, the identification of the entity that will perform the demolition will be conveyed to the Town by the County as soon as it is known, and approval of the demolition by the Town Zoning Administrator and Frederick County Permits Department. Seconded by Commissioner Gallagher. Motion carried (4-0).

Fire Station Improvement Plan – (Sue Barthol (Frederick County Office of Project Management), Tyler Muntz (Frederick County Office of Project Management), Charles Nipe (Frederick County Office of Project Management), Greg Gilbert (architect, Bignell Watkins and Hasser), Tom Owens (Frederick County Division of Fire and Rescue Services), Jason Fritz (ADTEK Engineering) and John Bankard (ADTEK Engineering) were present.) The Staff Planner reviewed her staff report and recommendations. This is regarding the proposed construction of a fire station on Franklin Street adjacent to the Middletown Primary School. The prior use of this property was as the carnival grounds for the fire department. All requirements have been met. The Board of Appeals met and granted a variance request for the proposed 28.5 feet tall height of the building.

- **Super Silt Fence** - There was minor discussion concerning the location of the super silt fence on sheet C-2A. That sheet should be revised with the correct location.
- **Dumpster Enclosure** – There was discussion concerning the materials for the dumpster enclosure. The architect stated it would be a brick enclosure. This is not indicated on the plans.
- **Director of Public Work Comments** –
 1. General
 - A. Please use Middletown Standard Details that can be downloaded from the Town Website http://www.middletown.md.us/index.asp?SEC=7F72ECF9-1ACF-4515-B522-B8279031E12F&DE=EEDA034A-1421-4ACB-868E-9702FD7E7C86&Type=B_BASIC . Where details are the same as Frederick County, the Frederick County details may be used. All castings shall be Town of Middletown specification and detail. Please use Middletown Standard Road Patching details.
 - B. Please use Town of Middletown standard notes also located at the same web page. Water, Sewer, Storm Drain and Roadway.
 - C. The Town of Middletown has a Cross Connection Ordinance and will need to be informed if any backflow prevention devices are to be installed in the facility.
 2. Sheet C-1B
 - A. Include in the LOD the area for the removal of the existing 18” and 24” RCP. The 18” will need to remain since it is connected to a COG on Franklin St. Penetrations in the inlet structure shall be bricked shut and parged on both sides.
 3. Sheet C-3A
 - A. Sanitary sewer lines and profiles conflict with pipe size (e.g. 6” on plan 4” on sewer).
 - B. Additional detail is required for manhole S-1 connection. The manhole shall be core drilled and a press seal boot installed in the core opening. The existing concrete bench shall be core drilled (bench cut) to provide for a smooth flow channel. If the bench is brick it shall be rebuilt with a flow channel.
 - C. Grease Interceptor Details shall be submitted prior to building permit. Sizing shall be based on the interior kitchen layout with no waste stream other than kitchen, food prep and associated floor and utility sinks connected. Other waste stream shall be connected ahead of the interceptor. The Town utilizes the Town of Cary, NC sizing spreadsheet and we can provide for your use.

- D. There is an existing storm drain outfall from the Activities Center that is not shown on the plan. There are two manholes indicated but no pipe connections. An easement should be recorded for this outfall.
- 4. Sheet C-3D
 - A. General Notes need to include reference to Town of Middletown Standard Details and Notes for the "Public Work". All castings shall be in accordance with Middletown Standards and Specifications.
 - B. Waterline profile shall include the restrained zone shown on the profile. The Town of Middletown restrained length table shall be included in this sheet. Use leaders or shading to indicate the restrained zone.
 - C. Correct S-3 to S-3 Sewer, should read Profile to S-3 to S-2.
 - 5. Sheet C-4A
 - A. Town Standard for tactile warning is EJ Duralast Detectable Warning Plate, product number 00700571. We do not accept surface applied rubber mats for sidewalk within the ROW.
 - B. Verify that the existing sanitary sewer serving the Activities Center has enough cover to sustain the 6 ft cut shown on the plan. The existing manhole and or cleanout will need to be adjusted to grade. Previous design records indicate the invert as 545.5 and 544.9. Proposed grade is 544. The existing topo in this area precedes the construction of the activities center.
 - C. The existing waterline to the pavilion will need to be excavated at the activities center and the corporation stop turned off. Remove the portion of the waterline in the proposed grading area.
 - D. Any proposed storm drain within the Town ROW shall be RCP. Since the proposed pipe is out the paved area you may request a waiver from the Town Board of Commissioners.

Action: Commissioner Gallagher motioned to conditionally approve the Fire Station Improvement Plan based upon addressing comments provided by the Staff Planner, the Middletown Director of Public Works and obtaining the outstanding approvals from Frederick County. Seconded by Commissioner Lake. Motion carried (4-0).

IV. ZONING - None

V. MISCELLANEOUS

Joint Town Board / Planning Commission Meeting Dates 2017 – The Staff Planner reviewed the four dates scheduled for the Joint Town Board/Planning Commission Meetings in 2017. Planning Commission members remarked how they found the joint meetings very useful and informative.

VI. ADDITIONAL PUBLIC COMMENT – None.

Meeting adjourned at 7:53pm.

Respectfully submitted,

Annette Alberghini
Recording Secretary

Middletown Planning Office

MEMORANDUM

Date: 1/11/2017
Hansen# n/a

To: Middletown Planning Commission

From: Cynthia K. Unangst, Middletown Staff Planner

RE: **EAST GREEN STREET ADDITION PLAT**

Tax Map Identification #03-125807, 03-150526 and 03-138143

Applicant: Tim Witter of Shelly, Witter & Fox for the Burgess & Commissioners of Middletown
Property Owners: Burgess & Commissioners of Middletown, Jason and Angela Moser,

William and Betty Williams

Plan Dated: December 7, 2016

Date Received: December 20, 2016

GENERAL INFORMATION

Proposal: 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; property currently owned by the Town will retain a small remainder of 516± square feet

Location: Situated on East Green Street a few hundred feet east of North Church Street

Zoning: R-2 Residential. This district is intended to encourage and promote compact development and the optimum utilization of land appropriate for residential use by encouraging higher-density communities free from land usage which might adversely affect such development.

Present Use: Residential

COMMENTS

The following issues should be considered in your review of this Addition Plat:

1. **Addition plat requirements** – According to Chapter 16.12.040 of the Municipal Code, when the owner of a lot or parcel wishes to add additional land to said lot or parcel, the following requirements only need apply:

A. A survey plat showing the following:

1. Boundary survey of additional land; *Shown*

2. The lot or parcel to which the addition is being made. *Shown*
 3. The original lot or parcel as required below:
 - a. If five acres or under remains, a boundary survey shall be made; *Shown*
 - b. If over five acres remain, a deed plotting can be used; *n/a*
 4. Signature of a registered surveyor certifying it as an accurate survey; *Shown*
 5. A signature block for the planning commission's approval; *Shown*
 6. A note on the plat stating the following: "Application is hereby made for your approval of the indicated transfer of land solely for adding to adjoining holdings and not for development. Any future subdivision of this land or building development will be submitted in the regular manner for approval in accordance with the existing Subdivision Regulations;" *Shown*
 7. A road dedication, if applicable. *n/a*
- B. No transfer of land shall be approved if the original lot from which the transfer was made causes said lot to be less than the minimum lot size for its zoning district or causes the lot to be in violation of any other applicable zoning or health requirements. *The original parcel owned by the Burgess and Commissioners of Middletown currently does not meet the minimum lot size at just over 3,000 square feet so this requirement would not apply. The parcel in question is a leftover piece of the old trolley right-of-way that was given to the Town decades ago.*
- C. The approved survey plat shall be recorded with the clerk of the circuit court. *Acknowledged*
2. **Subdivision requirements** – Although the plat is labeled as an Addition Plat and 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. According to Section 16.12.030 Minor subdivisions, in addition to final plat data, a minor subdivision shall also show topography at two- or five-foot contour intervals (which provision may be waived by the planning commission), all existing permanent features, natural or man-made, and the location of existing, recorded and proposed utility lines and easements. All applicable requirements of Section 16.24 Final Plat have been met.
 3. **Minimum building restriction lines** – 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.
 4. **Sale of Parcels A and B** – Contracts of sale for Parcels A and B have been signed by the buyers (Moser's and Williams') and are attached to this staff report. Assuming the Addition Plat is approved by the Planning Commission, the plat will be recorded and then Town Attorney John Clapp 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 property. The draft ordinance was introduced at the October 10, 2016 Town Meeting. The contracts of sale indicate (item #3) 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.

RECOMMENDATION

Staff recommends that the Planning Commission 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 planning commission waiver of the required contour intervals.

This review will be included in the Middletown Planning Commission materials for the January 16, 2017 public meeting. The applicant is encouraged to attend this meeting and the workshop on the Wednesday prior to the meeting which will be January 11, 2017.

cc: Tim Witter, Shelly, Witter & Fox
Burgess and Commissioners of Middletown
Drew Bowen, Town Administrator
Jason and Angela Moser
William and Betty Williams



100 NORTH CHURCH STREET
19 EAST GREEN STREET
25 EAST GREEN STREET

17 EAST MAIN STREET
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CHURCH STREET
10 EAST MAIN STREET
12 EAST MAIN STREET
14 EAST MAIN STREET

RECEIVED
NOV 16 2016
TOWN OF MIDDLETOWN

CONTRACT OF SALE

This Contract of Sale is made this 17TH day of NOVEMBER,
2016 by and between the **Burgess and Commissioners of Middletown** (hereinafter referred to
as "Seller") and **Jason A. Moser and Angela M. Moser** (hereinafter referred to as "Buyers").

WITNESSETH, that for and in consideration of the mutual promises and covenants set forth herein, the parties hereto, for themselves, their personal representatives, heirs, successors and assigns, do agree as follows:

1. Seller agrees to sell to Buyers and Buyers agree to buy from Seller, all of Seller's interest in and to a parcel of unimproved real estate situate, lying and being in the Town of Middletown, Frederick County, Maryland and which is located immediately adjacent to and north of Buyer's property located at 17 East Main Street, Middletown, Maryland. The property to be conveyed is currently a part of a larger parcel of real estate owned by Seller, which larger parcel is shown and depicted on Exhibit #1 attached hereto and incorporated by reference herein. Seller is in the process of undertaking a subdivision of the larger parcel into three separate parcels. The parcel to be conveyed hereunder consists of approximately 1,385 square feet and is generally shown and depicted as Parcel A on Exhibit #2 attached hereto and incorporated by reference herein. The parties understand and agree that the precise location and dimensions of the property being conveyed hereunder is subject to and shall be established by the final subdivision survey and plat being prepared by Seller and that said plat will be recorded among the land records of Frederick County. The deed of conveyance shall identify the property being conveyed by reference to said plat of subdivision. Neither party shall be entitled to a rescission or avoidance of this Contract by virtue of any deviation between Parcel A on Exhibit #2 and the property as shown on the final subdivision plat unless such deviation is substantial and unreasonably deprives such party of the intended purposes of this contract. In the event that the subdivision plat is not approved by the Town of Middletown Planning Commission or other governmental agency whose approval is required, then this Contract shall be deemed null and void and of no further force and effect. The property to be conveyed is hereinafter referred to as "the Property".

2. The purchase price is Six Hundred Dollars (\$600.00) which shall be paid by Buyers to Seller upon delivery to Buyer of an executed deed at settlement on the closing date.

3. The closing date for the delivery of the deed and the payment of the purchase price shall be no later than thirty (30) days from the date on which the survey plat referred to in paragraph #1 above is recorded among the land records of Frederick County. On the closing date, Seller will deliver to Buyer at Seller's expense a good and sufficient special warranty deed conveying good and marketable fee simple title to the Property, free and clear of all liens and encumbrances. Failure of either party to either pay the purchase price or deliver the deed, as the case may be, will, at the option of the party not in default, render this Contract null and void.

4. Possession of the Property shall be delivered to Buyers at the time of settlement in substantially the same physical condition as of the date hereof.

5. If Seller shall be unable to convey title in accordance with the provisions of this Contract, Seller shall be entitled to an adjournment of the closing of title hereunder for a period of not more than thirty (30) days for the purpose of removing the defect or defects in title. If the defect or defects are not removed within such period, Buyers shall have the option of taking such title as Sellers can give without abatement of the purchase price, or rescinding this Contract, in which latter case all payments made on account of the purchase price shall be refunded to Buyers, Seller shall not be liable for any damages by reason of any defect in title. Upon rescission by Buyer, and refund and payment by Seller to Buyers, as set forth above, the parties shall have no further rights or liabilities under this Contract, and it shall become null and void.

6. Any real estate taxes which may be required to be paid at the time of recording the deed shall be paid by Buyers. Buyers shall be responsible for the payment of any survey, title examination and title insurance (if any), and other closing costs. The Buyers shall be responsible for recording the deed and shall pay any recording costs including, but not limited to, the cost of revenue stamps and transfer taxes..

7. Time is of the essence in the performance of this Contract.

WITNESS our hands and seals.

{Signatures on following page}

SELLER:

ATTEST:

**BURGESS AND COMMISSIONERS
OF MIDDLETOWN**

Andrew J. Bowen
Town Administrator

By: _____ (SEAL)
John D. Miller, Burgess

Date

WITNESS:

[Handwritten Signature]

BUYERS:

[Handwritten Signature] _____ (SEAL)
Jason A. Moser

11/17/16

Date

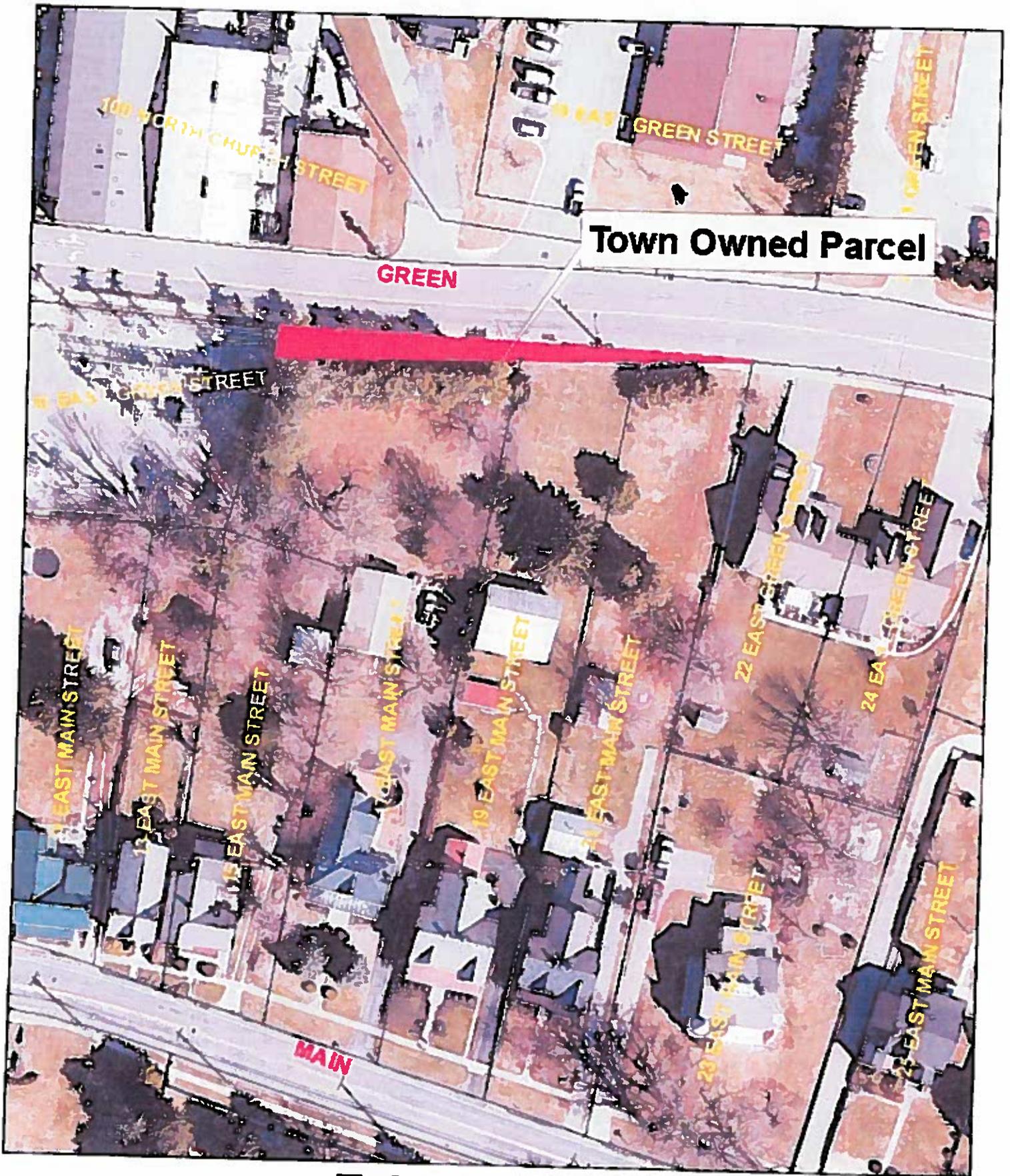
WITNESS:

[Handwritten Signature]

[Handwritten Signature] _____ (SEAL)
Angela M. Moser

11/17/16

Date



Town Owned Parcel

Exhibit #1

Town of Middletown - Frederick County

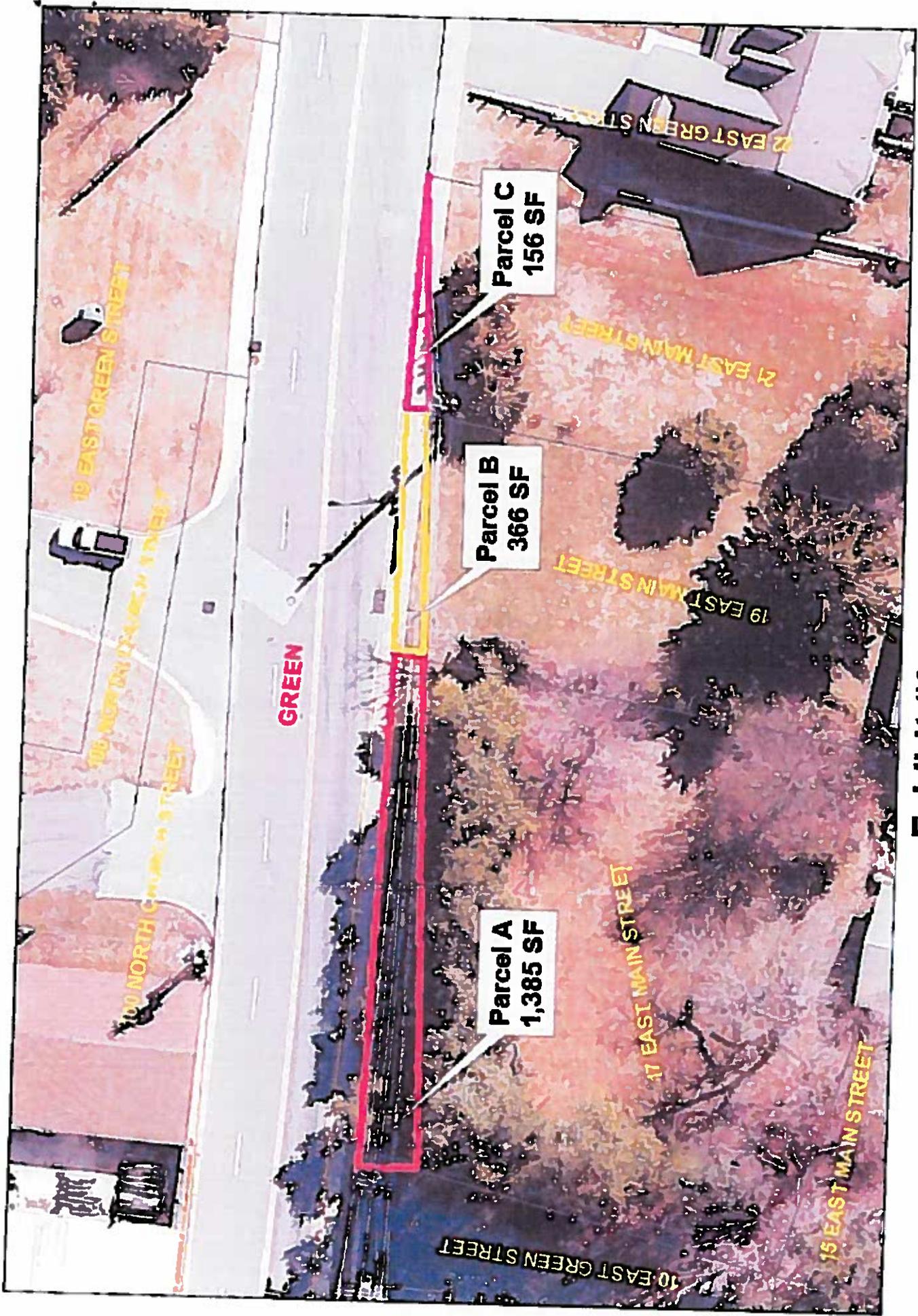


Exhibit #2
Town of Middletown - Frederick County

RECEIVED

NOV 11 2016

CONTRACT OF SALE

This Contract of Sale is made this 5th day of TOWN OF MIDDLETOWN 2016 by and between the **Burgess and Commissioners of Middletown** (hereinafter referred to as "Seller") and **William A. Williams and Betty J. Williams** (hereinafter referred to as "Buyers").

WITNESSETH, that for and in consideration of the mutual promises and covenants set forth herein, the parties hereto, for themselves, their personal representatives, heirs, successors and assigns, do agree as follows:

1. Seller agrees to sell to Buyers, and Buyers agree to buy from Seller, all of Seller's interest in and to a parcel of unimproved real estate situate, lying and being in the Town of Middletown, Frederick County, Maryland and which is located immediately adjacent to and north of Buyer's property located at 19 East Main Street, Middletown, Maryland. The property to be conveyed is currently a part of a larger parcel of real estate owned by Seller, which larger parcel is shown and depicted on Exhibit #1 attached hereto and incorporated by reference herein. Seller is in the process of undertaking a subdivision of the larger parcel into three separate parcels. The parcel to be conveyed hereunder consists of approximately 366 square feet and is generally shown and depicted as Parcel B on Exhibit #2 attached hereto and incorporated by reference herein. The parties understand and agree that the precise location and dimensions of the property being conveyed hereunder is subject to and shall be established by the final subdivision survey and plat being prepared by Seller and that said plat will be recorded among the land records of Frederick County. The deed of conveyance shall identify the property being conveyed by reference to said plat of subdivision. Neither party shall be entitled to a rescission or avoidance of this Contract by virtue of any deviation between Parcel B on Exhibit #2 and the property as shown on the final subdivision plat unless such deviation is substantial and unreasonably deprives such party of the intended purposes of this contract. In the event that the subdivision plat is not approved by the Town of Middletown Planning Commission or other governmental agency whose approval is required, then this Contract shall be deemed null and void and of no further force and effect. The property to be conveyed is hereinafter referred to as "the Property".

2. The purchase price is Three Hundred Dollars (\$300.00) which shall be paid by Buyers to Seller upon delivery to Buyer of an executed deed at settlement on the closing date.

3. The closing date for the delivery of the deed and the payment of the purchase price shall be no later than thirty (30) days from the date on which the survey plat referred to in paragraph #1 above is recorded among the land records of Frederick County. On the closing date, Seller will deliver to Buyer at Seller's expense a good and sufficient special warranty deed conveying good and marketable fee simple title to the Property, free and clear of all liens and encumbrances. Failure of either party to either pay the purchase price or deliver the deed, as the case may be, will, at the option of the party not in default, render this Contract null and void.

4. Possession of the Property shall be delivered to Buyers at the time of settlement in substantially the same physical condition as of the date hereof.

5. If Seller shall be unable to convey title in accordance with the provisions of this Contract, Seller shall be entitled to an adjournment of the closing of title hereunder for a period of not more than thirty (30) days for the purpose of removing the defect or defects in title. If the defect or defects are not removed within such period, Buyers shall have the option of taking such title as Sellers can give without abatement of the purchase price, or rescinding this Contract, in which latter case all payments made on account of the purchase price shall be refunded to Buyers, Seller shall not be liable for any damages by reason of any defect in title. Upon rescission by Buyer, and refund and payment by Seller to Buyers, as set forth above, the parties shall have no further rights or liabilities under this Contract, and it shall become null and void.

6. Any real estate taxes which may be required to be paid at the time of recording the deed shall be paid by Buyers. Buyers shall be responsible for the payment of any survey, title examination and title insurance (if any), and other closing costs. The Buyers shall be responsible for recording the deed and shall pay any recording costs including, but not limited to, the cost of revenue stamps and transfer taxes..

7. Time is of the essence in the performance of this Contract.

WITNESS our hands and seals.

{Signatures on following page}

SELLER:

ATTEST:

**BURGESS AND COMMISSIONERS
OF MIDDLETOWN**

Andrew J. Bowen
Town Administrator

By: _____ (SEAL)
John D. Miller, Burgess

Date

WITNESS:

BUYERS:

Michael B. Williams

William A. Williams (SEAL)
William A. Williams

11-5-2016
Date

WITNESS:

Michael B. Williams

Betty H. Williams (SEAL) *foa*
Betty J. Williams

11-5-2016
Date

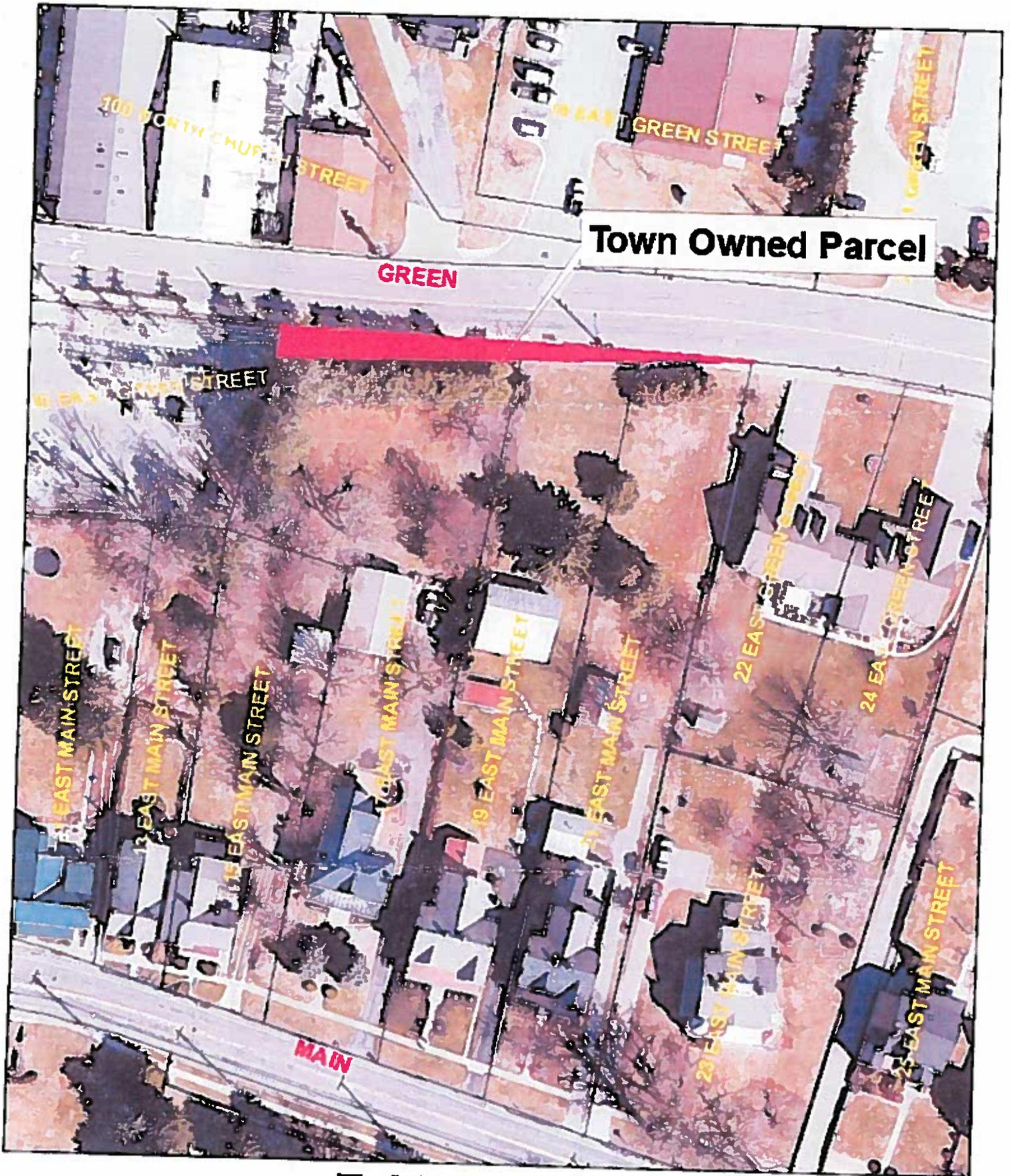


Exhibit #1
Town of Middletown - Frederick County

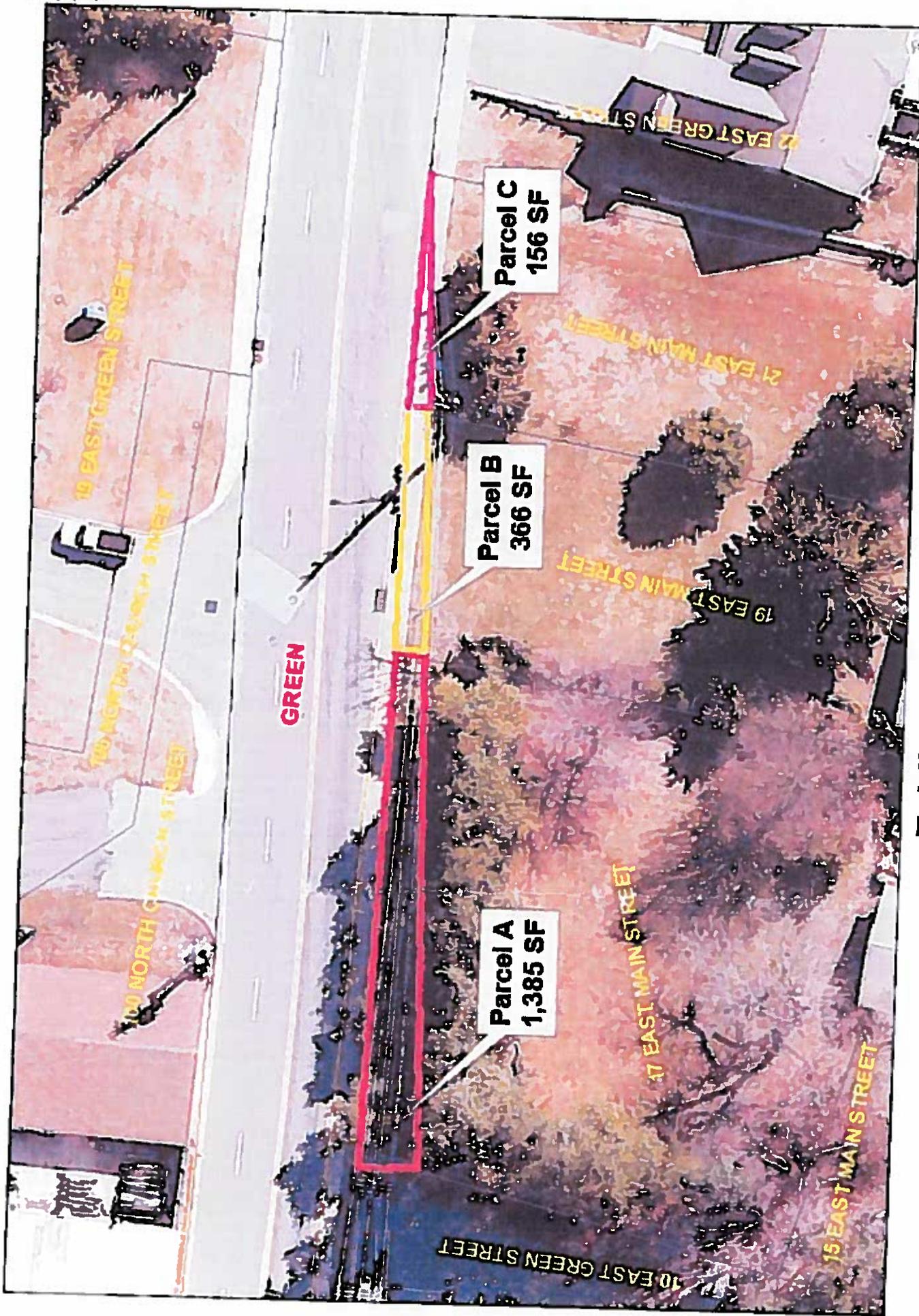
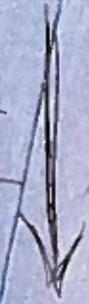
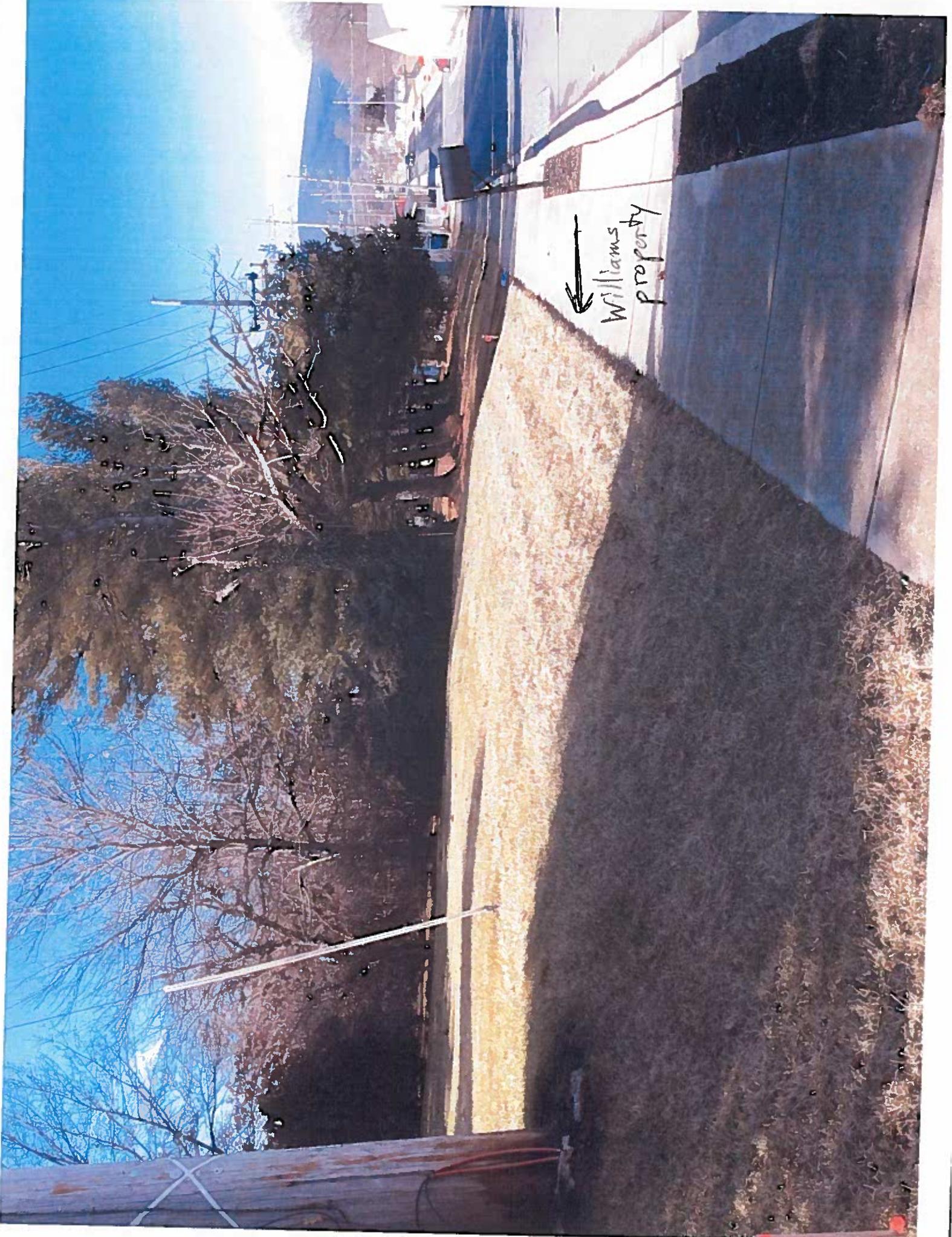


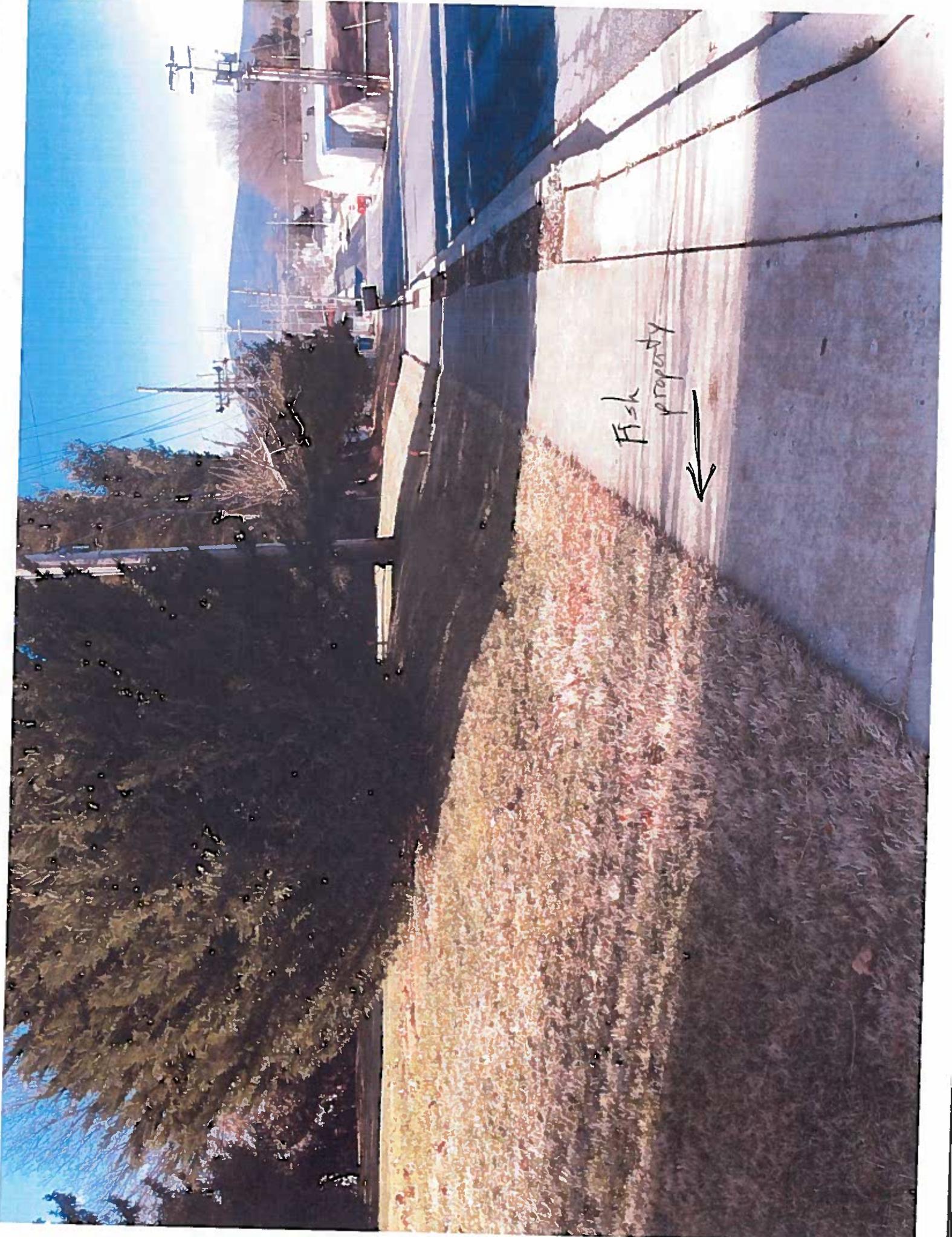
Exhibit #2
Town of Middletown - Frederick County

Moser
property





Williams
property



Fish property

MEMORANDUM

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

From: Cynthia K. Unangst, Staff Planner

Date: January 6, 2017

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

New Temporary Alternate 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.

Town of Middletown Planning Department

To: Burgess & Commissioners and Middletown Planning Commission

From: Cindy Unangst, Staff Planner

Date: 1/3/2017

RE: Monthly Planning Update - January

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
Plats 1 & 2 recorded at Courthouse – May 17, 2016

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

East Green Street - Addition plat submitted for review and approval – December 20, 2016

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

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

Caroline's View/Horman Apartments- Site Plan approved – April 21, 2008
Improvement Plans conditionally approved – May 17, 2010
Currently approved SWM plans remain valid until May 4, 2017
Mylars signed – September 11, 2015
Letter sent out to property owner – August 25, 2016

Jiffas – Site Improvement Plan conditionally approved – October 20, 2008
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
SWM plans submitted to SCD and Frederick County – December 5, 2016

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)

Nicholson - Final Plat submitted for review – March 2, 2015
Subdivision plat conditionally approved by PC – June 20, 2016
Plat recorded at the courthouse – December 29, 2016

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)

School complex – PC reviewed plans for comment to Town Board – June 20, 2016

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

Text Amendments: **Outdoor lighting regulations** – recommendation by PC to Town Board

Reports:

Meetings: **Next Middletown Green Team Meeting** – January 18, 2017

Next Joint town board/planning commission workshop – February 6, 2017

Town of Middletown Planning Department

To: Burgess & Commissioners and Planning Commission members

From: Cindy Unangst, Staff Planner

Date: 1/3/2017

RE: Tracking of Past Plan Approvals

Jiffas – Site Improvement Plan conditionally approved for commercial building – October 20, 2008
Architectural plans for duplex approved by PC – March 16, 2105
BOA hearing for variance requests for duplex (approval received) – March 29, 2016
Next step – continue application process for duplex building permit including necessary approvals by the County for stormwater management and PWAs

Horman Apartments- Site Plan approved – April 21, 2008
Improvement Plans conditionally approved – May 17, 2010
Currently approved SWM plans remain valid until May 4, 2017
Mylars signed – September 11, 2015
Next step – submit PWAs and apply for building and grading permits (see note above in red)

Sunset Provisions text amendment approved by the Town Board – Effective November 14, 2010

Middletown Glen - Master Plan Amendment approved - March 11, 2013
Planning Commission conditionally approved preliminary plan – March 18, 2013
Improvement plans conditionally approved – October 16, 2013
Final Plats conditionally approved – November 17, 2014
Plats 1 and 2 recorded – May 17, 2016
Next step – record additional final plats

Fire Station – Concept plan submitted to PC for comments – April 22, 2013
BOA approved height variance request - October 20, 2016
Revised Site Plan conditionally approved – October 17, 2016 (Plans expire 10/17/19)
Improvement Plans conditionally approved – December 19, 2016
Next step – submit PWAs and apply for building and grading permits

Cross Stone Commons – BOA Special Exception Use Hearing – May 8, 2013
Revised Site Plan conditionally approved – October 20, 2014 (Plans expire Oct. 20, 2017)
Phase 1 Improvement Plans conditionally approved – October 20, 2014 (Plans expire 10/20/17)
Phase 2 Improvement Plans conditionally approved – March 16, 2015 (Plans expire 3/16/2018)
Next step – submit architectural renderings for buildings #2 and 4 for review/approval

Franklin Commons/Chesterbrook Apts- 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 Improvement Plans conditionally approved – Sept. 21, 2015 (Plans expire 9/21/18)
Mylars signed – January 4, 2016
Next step – submit PWAs and apply for building and grading permits

Miller (Ingalls) – 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