

# MIDDLETOWN PLANNING COMMISSION

Middletown Municipal Center  
31 West Main Street  
Middletown, MD 21769

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

- I. **Public Comment**
- II. Minutes of February 2017 Planning Commission workshop **Approval**  
Minutes of February 2017 Planning Commission meeting **Approval**
- III. **Plan Review**  
Technology MD Network Antenna Facility Plan **Tabled**
- IV. **Zoning**  
Memar Annexation Plan **Review**
- V. **Miscellaneous**  
Annual Planning Report **Review/Approval**
- 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**

**February 15, 2017**

The regular workshop of the Middletown Planning Commission took place on Wednesday, February 15, 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, David Lake, Meredith McKittrick and Rich Gallagher. Others present in official capacity: Cindy Unangst (Staff Planner). Other applicants present: Hubert Brown and Hubert Brown, Jr. (219 S. Jefferson Street demolition plan), and Farhad Memarsadeghi and Fred Frederick (Memar annexation petition).

**FEBRUARY MONTHLY PLANNING COMMISSION WORKSHOP:**

**PLAN REVIEW –**

**219 S. Jefferson Street Demolition** – Cindy went thru her staff report as well as JR's comments regarding the public works conditions of approval. The applicant stated that he could not apply for the demolition permit from the County until after the purchase of the property goes thru, which is conditioned on getting the demolition approval from the Town as well as the approval of the variance requests. Mark asked if an asbestos survey had been done for the property and the applicant stated that one had not been done. That could be a condition of approval.

**Right-A-Way Powder Coating** – Cindy explained that the applicant requested, and paid for, three extensions from the County for the needed modifications to the C-container that was one of the conditions of approval from the Planning Commission. After the third extension had expired, Cindy turned the issue over to the zoning administrator who sent out a zoning ordinance violation letter to the applicant that has since been resolved.

**ZONING –**

**Memar Annexation Petition** – There was extensive discussion regarding the growth boundary and conservation boundary as shown in the town's comprehensive plan; the need to look at the septic tiers in relation to the annexation petition review; the concept plan for the property; proposed roads and need for better graphic of adjacent roadways in vicinity of property; as well as proposed R-20 zoning and cluster development regulations. The applicants discussed the various attributes of the concept plan in relation to the layout and housing types. Mark indicated that there would be discussion of the draft annexation plan at the meeting on Monday.

**Annual Planning Report** – Cindy briefly went thru the components of the annual report and stated that she would appreciate any feedback on the Planning Commission Recommendations included in the report. The draft map will be available at next month's meeting.

**MISCELLANEOUS** –

**Welcome to new member-Meredith McKittrick** – Meredith gave us some background information on herself and how she became interested in planning issues.

Cindy went thru her monthly report and gave the members some updated information.

**Workshop adjourned at 8:30pm.**

Respectfully submitted,

Cynthia K. Unangst, AICP  
Middletown Staff Planner

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

**Regular Meeting**

**February 20, 2017**

The regular meeting of the Middletown Planning Commission took place on Monday, February 20, 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, Meredith McKittrick and David Lake. Others present in official capacity: Cindy Unangst (Staff Planner). Others present: Barbara Reeder (Resident), Todd Gouker (Resident), Hubert Brown and Eric Moore (Eric Moore General Contracting LLC), Farhad Memarsadeghi and Fred Frederick (Memar Corp and Frederick Seibert Associates), Francis Suhre (Foxfield HOA President and Resident), Bob Smart (Resident).

**FEBRUARY MONTHLY PLANNING COMMISSION MEETING:**

**I. PUBLIC COMMENT – None**

**II. MISCELLANEOUS**

**Welcome new temporary alternate member – Meredith McKittrick** – Mark welcomed Meredith and stated that she is filling in the remainder of Dixie’s term who is now filling in the remainder of Rich’s term as alternate. Rich was appointed in December as a regular member of the commission.

**Elect chairman and vice chairman for 2017** – The Staff Planner opened the floor for nominations for Chairman of the Planning Commission for 2017. Commissioner Lake nominated Mark Carney to continue as chairman. Commissioner Gallagher seconded the motion. There were no other nominations. Motion carried (4-0).

The Staff Planner then opened the floor for nominations for Vice Chairman of the Planning Commission for 2017. Commission Chairman Carney nominated Bob Miller. Commissioner Lake seconded the motion. There were no other nominations. Motion carried (4-0).

**III. Regular Workshop Minutes of January 11, 2017 – Approved with minor edit.**

**Regular Meeting Minutes of January 16, 2017 – Approved as submitted.**

**IV. PLAN REVIEW**

**219 S. Jefferson Street Demolition** – (Hubert Brown and Eric Moore of Eric Moore General Contracting were present). This proposal is to remove an existing 1 ½ story house and a small frame shed on the property at 219 S. Jefferson Street. It was formerly a dwelling which at this time is not suitable for inhabitants or renovations. A permit will be needed from the County for the demolition to

occur. Letters were sent to the adjacent property owners informing them of the proposed demolition and the property was posted as well. The property owner, Charles Jeremy Kelly, has given permission to Eric Moore General Contracting, LLC to apply for the demolition permit per an addendum. Review comments were given by the Town's CIP Project Manager concerning the existing water and sewer service lines. Commissioner Lake asked for clarification about who the CIP Project Manager was and why the review comments were not completed by Town Engineer Bruce Carbaugh who usually does the reports. Cindy stated that Bruce gave the assignment to JR Hawkins who is also a registered engineer.

- **Comments from Barbara Reeder (4 Groff Court)** - Mrs. Reeder brought up a few concerns about the proposed demolition in relation to the fact that the building sits right on the property line of her nephew's property at 217 S. Jefferson. She wondered how the demolition would be done without affecting the neighboring property; how the common wall would not be demolished in the process; the proposed timeline; and was concerned about the grading on the property and water run-off becoming worse than it already is. She asked to be notified of the demolition date.
- **Comments from Todd Gouker (217 S. Jefferson Street)** – Mr. Gouker stated that he has some concerns about water coming into his basement due to the proposed demolition on the neighboring property.
- **Comments from Brenda Coblentz (208 S. Jefferson Street)** – Ms. Coblentz stated that her driveway is across S. Jefferson Street from the property of the proposed demolition. She is concerned about being able to access her driveway with her large truck if there is a dumpster in the road for the demolition work. She also is concerned about drainage problems stemming from the proposed demolition.
- **Comments from Hubert Brown (Eric Moore General Contracting)** – Mr. Brown stated that he has the same concerns as the others who spoke before him. He has been in this business for 50 years, has a lot of experience, and will do his best to address all the issues. The property will be all cleaned up, and the new house location should help with any water issues going forward. Ms. Coblentz will have access to her driveway while the work is being done. If the wall adjacent to the neighboring property is damaged during the demolition work, he will replace it. Mr. Brown stated that Specialized Engineering will be doing the survey work for any hazardous materials on the property.
- **Comments from Eric Moore (Eric Moore General Contracting)** – Mr. Moore stated that this business is licensed, insured and bonded.

Commissioner Lake thanked the residents for raising the issues that they had concerns with and for coming to the meeting. Chairman Carney thanked them as well and encouraged them to document any issues they have and to take photos for documentation purposes as well.

**Action:** Commissioner Lake motioned to approve the Demolition of the structures at 219 S. Jefferson Street with the following conditions as amended:

- 1) Conditional on JR's comments being provided for.
- 2) Notification to town and neighboring residents a minimum of 48 hours ahead of the demolition work being done.
- 3) Dumpster location to be approved by the zoning administrator prior to the demolition work.
- 4) County permit approval.
- 5) Report from Specialized Engineering to determine whether any hazardous materials are present and submittal of a plan to comply with any hazardous materials removal if any are found.

Seconded by Commissioner Gallagher. Motion carried (4-0).

**Right-A-Way Powder Coating** - Chairman Carney reviewed the information received by the Zoning Administrator, Ron Forrester, which was sent to the Planning Commission in regards to the business at 116B North Church Street. After receiving three extensions from the County for the needed modifications to the site, per the conditions of approval given by the Planning Commission, the applicant is now in compliance with those conditions.

## V. ZONING

**Admar Annexation Petition** – The Staff Planner and the Planning Commission members reviewed the memo dated February 7, 2017 from the staff planner. It was agreed that the first course of action should be to determine whether the petition is consistent with the town’s comprehensive plan.

**Action:** After review, Commissioner Lake moved to adopt the finding that the requested zoning is consistent and the proposed annexation is consistent with the Municipal Growth Element of the Middletown Comprehensive Plan. The motion was seconded by Commissioner Miller. Motion carried (4-0).

The annexation policies as stated in the Municipal Growth Element (page 4 of the memo dated February 7, 2017) were reviewed and discussed, as well as a review of the concept map. The commission then reviewed the draft annexation plan prepared by the staff planner. There was a question about the number of wells drilled on the property in relation to the discussion about water availability, and Farhad stated that two wells had been tested out of the six wells that were drilled. Commission members made some comments on the draft document, but Chairman Carney stated that he would like to discuss it further at the next planning commission meeting before sending the comments to the Town Board. Farhad stated that he would be interested in knowing at what stage certain items in the annexation plan should be addressed. Bob Smart (Coblentz Road) said he understood the compliance with the R-20 zoning request, but has concerns about the potential traffic increase on Coblentz Road. Francis Suhre (4 Lauber Court) stated that he is the HOA President for the Villages of Foxfield and the traffic issue is a major concern of the HOA members. They strongly support the necessity of a comprehensive traffic study. The Staff Planner reviewed the enrollment projections thru 2025 for the Middletown schools, and also discussed her memo dated February 17, 2017 concerning the Frederick County Septic Tier Map and its implications for the proposed annexation.

## VI. ANNUAL PLANNING REPORT

The Staff Planner reviewed the draft annual report and Commissioner Lake had a few comments and proposed edits. The document will be reviewed again at the March meeting along with the corresponding map which will be prepared by that time.

**Staff Planner Monthly Planning Update** – Planning Commission members appreciated the additional information that the Staff Planner is including in her monthly report, but asked that additional information be added for the developments that have no sunset provisions. The Staff Planner informed the members about new information that was received from Frederick County in relation to the Horman Apartments plans. It was noted that due to the fact that bonding and/or financing has not been secured by the Town based on the final plans for the development, that the SWM plans for that property will expire on May 4, 2017, at which time the applicant would have to reapply for SWM County approval and Planning Commission Site Plan Approval, unless that financing is secured by that date.

**VII. ADDITIONAL PUBLIC COMMENT – None.**

**Meeting adjourned at 9:00pm.**

Respectfully submitted,

Cynthia K. Unangst  
Staff Planner

**Memorandum**

To: Middletown Burgess and Commissioners

From: Cindy Unangst, Staff Planner

Date: February 27, 2017

**RE: MEMAR ANNEXATION PETITION**

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**MIDDLETOWN ANNEXATION**

**Annexation Plan**

Petitioner: Memar Corporation

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

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

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

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

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

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

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

**Streets & Roads:** The subject property totals 537.47 ft. of frontage on Coblentz Road, which is a 22ft. wide bituminous concrete County road with no curb and gutter. The Middletown Comprehensive Plan designates Coblentz 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 Coblentz Road to Town standards,**
- only one access point serving this entire development**

## Community Facilities

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

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

**Primary School – additional 24 students**  
**Elementary School – additional 24 students**  
**Middle School – additional 12 students**  
**High School – additional 19 students**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Growth Policy:

The adequate public facilities policy requires the following:

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

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

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

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

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

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

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

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

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

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

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

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

Staff Comments:

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

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

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

**Recommendations:**

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

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

DRAFT

## Chapter 17.42 - RESIDENTIAL CLUSTER DEVELOPMENT

### Sections:

#### 17.42.010 - Purpose.

The purpose of this chapter is to permit such flexibility and provide performance criteria, which can result in residential cluster developments in order to:

- A. Encourage creative and flexible site design that is sensitive to the land's natural features and adapts to the natural topography;
- B. Protect environmentally sensitive areas of a development site and preserve on a permanent basis common open space and natural features;
- C. Decrease or minimize nonpoint source pollution impacts by reducing the amount of impervious surfaces in site development;
- D. Promote cost savings in infrastructure installation and maintenance by such techniques as reducing the distance over which utilities, such as water and sewer lines, need to be extended or by reducing the width or length of streets;
- E. Provide opportunities for social interaction and walking and hiking in common open space areas; and
- F. Provide a more desirable environment than would be possible through the strict application of other sections of this title. A residential cluster development shall be a separate entity with a distinct character in harmony with surrounding development. Common open space must be an essential and major element of the plan, which is related to and affects the long-term value of the homes and other developments.

(Ord. No. 14-08-04, § II, 9-8-2014)

#### 17.42.020 - Definitions.

As used in this ordinance, the following words and terms shall have the meanings specified herein:

"Buffer" means land maintained in either a natural or landscaped state and used to screen and/or mitigate the impacts of development on surrounding areas, properties, or rights-of-way.

"Cluster" or "clustering" means a site-planning technique that concentrates buildings and structures in specific areas on a lot, site, or parcel to allow the remaining land to be used for recreation, common open space, and/or preservation of features and/or structures with environmental, historical, cultural, or other significance. The techniques used to concentrate buildings may include, but shall not be limited to, reduction in lot areas, setback requirements, and/or bulk requirements, with the resultant common open space being devoted by deed restrictions for one or more eligible uses.

"Cluster development, residential" means a land development project in which the site planning technique of clustering dwelling units is employed.

"Common open space" means the portion of the site set aside in perpetuity as open space. This area may include wetlands, floodplains or flood-hazard areas, stream corridors, scenic views, historical or cultural features, archaeological sites, or other elements to be protected from development, as well as easements for public utilities.

"Eligible uses" means parkland, recreational fields, trails, community buildings or similar-type uses or as approved by the Middletown Planning Commission.

"Gross buildable area" means the total area of the site minus the areas that are not buildable, such as wetlands, floodplains, steep slopes, buffers and other environmental features. This resulting area is used to determine the maximum number of units to be built.

"Infrastructure" means the facilities and services needed to sustain residential, commercial, industrial, institutional, and other activities.

"Land development project" means a project in which one or more lots, tracts, or parcels of land are to be developed or redeveloped as a coordinated site for a complex of uses, units, or structures, including, but not limited to, planned unit development and/or cluster development for residential, commercial, institutional, recreational, common open space, and/or mixed uses as are provided for in the zoning ordinance.

"Street, private" means a local roadway serving only abutting lots, not publicly dedicated or maintained by the town but meeting specific municipal improvement standards, and providing access for service and emergency vehicles.

(Ord. No. 14-08-04, § II, 9-8-2014)

17.42.030 - Applicability; general provisions.

- A. A residential cluster development shall be permitted in the R-20 residential zoning district. All principal and accessory uses authorized in the R-20 district shall be allowed in the cluster development.
- B. The following provisions shall apply to any residential cluster development, regardless of the general requirements of the R-20 zoning district:
  - 1. The minimum area of the cluster development shall be thirty (30) acres.
  - 2. Total density shall be two or fewer units per acre.
  - 3. A minimum width of sixty (60) feet per dwelling unit shall apply unless requested by the applicant and approved by the planning commission.
  - 4. A minimum side yard setback of five feet shall be provided between all principal buildings and structures.
  - 5. A minimum yard or common open space of at least twenty-five (25) feet in depth shall be provided as measured from all streets and from the side and rear lot lines at the boundaries of the entire cluster development.
  - 6. The maximum height limitation shall be that established for the R-20 zoning district.

(Ord. No. 14-08-04, § II, 9-8-2014)

17.42.040 - Contents of site development plan.

- A. The preliminary and final site development plans for a residential cluster development shall include, but shall not be limited to, the following information:
  - 1. The maximum number and type of dwelling units proposed.
  - 2. The areas of the site on which the dwelling units are to be constructed and their building envelope size showing the general area in which the dwelling unit is to be located.
  - 3. The calculations for the permitted number of dwelling units based on gross buildable area.
  - 4. The areas of the site on which non-residential principal and accessory uses may be located and their size.
  - 5. The areas of the site designated for common open space and their size.

6. The areas of the site designated for parking and loading and the size of the spaces.
7. The location of sidewalks, trails, and bike paths.
8. The proposed landscaping for the development.
9. A phasing plan for the construction of the development.

(Ord. No. 14-08-04, § II, 9-8-2014)

17.42.050 - Review criteria.

- A. In reviewing a residential cluster development, the planning commission shall determine whether:
  1. The site plan satisfies all requirements of Section 17.42.040 above;
  2. Buildings and structures are adequately grouped so at least twenty-five (25) percent of the total area of the site is set aside as common open space. To the greatest degree practicable, common open space shall be designed as a single block and not divided into unconnected small parcels located in various parts of the development;
  3. Pedestrians can easily access common open space;
  4. The site plan establishes, where applicable, an upland buffer of vegetation of at least fifty (50) feet in depth adjacent to wetlands and surface waters, including creeks, streams, springs, lakes, and ponds;
  5. Individual lots, buildings, structures, streets, and parking areas are situated to minimize the alteration of natural features, natural vegetation, and topography;
  6. Existing scenic views or vistas are permitted to remain unobstructed, especially from public streets;
  7. The site plan accommodates and preserves any features of historic, cultural, or archaeological value;
  8. Floodplains, wetlands, and areas with slopes in excess of twenty-five (25) percent are protected from development; and
  9. The cluster development advances the purposes of this ordinance as stated in Section 17.42.010 above.
- B. The planning commission may, in its opinion, apply such special conditions or stipulations to its approval of a residential cluster development as may be required to maintain harmony with neighboring uses and to promote the objectives and purposes of the comprehensive plan and the zoning and subdivision ordinances.
- C. In approving a residential cluster development, the planning commission may reduce the pavement width of any public or private streets that would otherwise be required by the subdivision regulations if the town engineer is in concurrence. An applicant who wants the reduction of pavement width of public or private streets shall submit a statement of justification for the reduction along with the site plan.
- D. Common open space. At least twenty-five (25) percent of the entire tract of land to be developed in a residential cluster development must be devoted to common open space purposes. Areas that are reserved as common open space shall be shown on the plat and approved by the planning commission.
- E. Public utilities and facilities. Public water and public sewer must be provided to the development. The planning commission may require the reservation of development sites for other public facilities (schools, fire or police stations, library, etc.) if the need of the development justifies the facilities.

(Ord. No. 14-08-04, § II, 9-8-2014)

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

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

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

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

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

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

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

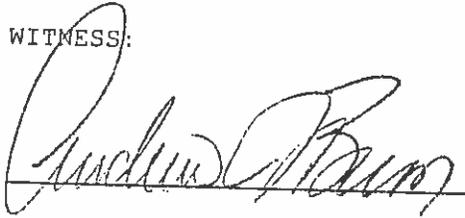
4. Subject to all appropriate laws and administrative requirements, the Property shall be zoned by the Town, at the time of annexation, to the R-20 (Low Density Residential) District.

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

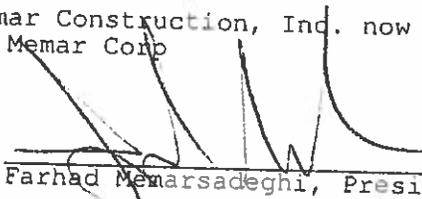
6. The annexation shall be subject to the terms, conditions, and provisions to be negotiated between town and petitioner in an annexation agreement.

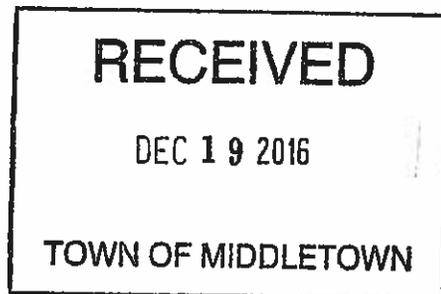
WITNESS the execution of this Petition by the undersigned Petitioner on the 19<sup>TH</sup> day of December, 2016.

WITNESS:



Admar Construction, Inc. now known  
as Memar Corp

By:  (SEAL)  
Farhad Memarsadeghi, President



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



# Foxfield Section 6

Master Plan  
Middletown, Maryland

11-22-2016



**LOT TABLE**  
Single Family Estate Lot

Lot	Acres
Lot 1	1.03
Lot 2	1.23
Lot 3	0.87
Lot 4	0.87
Lot 5	0.87
Lot 6	0.87
Lot 7	0.87
Lot 8	0.87
Lot 9	0.87
Lot 10	0.87
Lot 11	0.87
Lot 12	0.87
Lot 13	0.87
Lot 14	0.87
Lot 15	0.87
Lot 16	0.87
Lot 17	0.87
Lot 18	0.87
Lot 19	0.87
Lot 20	0.87
Lot 21	0.87
Lot 22	0.87
Lot 23	0.87
Lot 24	0.87
Lot 25	0.87
Lot 26	0.87
Lot 27	0.87
Lot 28	0.87
Lot 29	0.87
Lot 30	0.87
Lot 31	0.87
Lot 32	0.87
Lot 33	0.87
Lot 34	0.87
Lot 35	0.87
Lot 36	0.87
Lot 37	0.87
Lot 38	0.87

**DEVELOPMENT NOTES**

Total Development Area: 32.87 Acres

Front: 30'

Side: 15'

Back: 30'

Minimum Lot Area: 20,000 SF (0.454 Acres)

Minimum Lot Width: 100'

Acres: 186.6



## Middletown Planning Office

### MEMORANDUM

To: Middletown Planning Commission  
From: Cindy Unangst, Middletown Staff Planner  
RE: **DRAFT ANNUAL REPORT**

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Date: 2/8/2017

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 Middletown 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

### **Middletown 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)

### **Middletown 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 Department 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 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. **(Plan and plat names are shown on attached map.)**

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 – 704 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. Fire Station	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 Catoctin 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 that are listed in the National Register of Historic Places. Properties that are listed as "Contributing" to the significance of the historic districts may voluntarily participate in government programs that provide financial benefits to property owners who undertake maintenance projects that comply with the Secretary of the Interior's Standards for Rehabilitation. In order to provide a certain level of customer service to property owners in Middletown, the Town established a Historic Commission to act as a conduit between the property owner and the available programs. The Historic Commission only meets when a property owner wishes to take advantage of these specific programs.

The Town formerly managed a historic plaque program that has been passed onto Main Street Middletown, MD, Incorporated to manage and implement. Main Street Middletown is a 501c3 organization that supports the economic development of the Town. In 2016, seven properties were invited to receive honorary plaques. Main Street Middletown is in the process of selecting one more property to reach the goal of 20 properties with plaques by the end of 2017. Main Street Middletown received funding from the Heart of the Civil War Heritage Area through a Mini-Grant to help off-set the expenses of each plaque.

## **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. The Maryland Department of Planning now requires a ten-year review instead of a seven-year review.

### **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 RECOMMENDATIONS:

1. Work on town regulations to address blighted properties.
2. Work on wireless communication facilities siting ordinance.
3. Work on the promotion of energy-saving and renewable energy policies for the town.

## Permits Issued

TYPE	1996-2000	2001	2002	2003	2004	2005	5 yr.	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	4	39	8			
Multi-Family	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	1	0			
Duplex	0	0	0	0	0	0	0	1	0	0	0	0	1	0	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	0			
Apartments	1	0	1	0	0	0	1	0	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	17	70	16			
Additions	0	6	15	15	28	20	84	8	12	2	6	2	30	6	7	4	2	4	4	23	1			
Pools & Hot Tubs	23	7	9	9	16	4	45	8	12	7	4	3	34	2	6	5	2	1	1	16	2			
Decks & Porches	106	18	38	36	64	39	195	37	41	31	27	28	164	32	19	9	15	21	21	96	14			
Accessory Structure	66	14	15	24	23	16	92	18	13	14	9	9	63	6	5	7	8	15	15	41	11			
Fences	66	18	27	41	36	29	151	23	16	25	24	20	108	16	24	13	15	16	16	84	23			
Demolitions	7	1	1	0	1	2	5	0	2	0	2	1	5	2	1	2	1	3	3	9	5			
Propane Tanks	0	1	1	3	6	6	17	3	4	2	2	1	12	6	2	4	1	0	0	13	0			
Trailers	0	3	2	0	0	3	8	0	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	0			
Signs	16	8	6	4	4	7	29	5	7	2	5	6	25	7	8	6	10	8	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	0	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	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>				

**Town of Middletown Planning Department**

To: Burgess & Commissioners and Middletown Planning Commission

From: Cindy Unangst, Staff Planner

Date: 2/28/2017

RE: Monthly Planning Update - March

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**Major Subdivisions:**

**Middletown Glen** - Preliminary plans signed – May 29, 2013  
Improvement plans conditionally approved – October 16, 2013  
Final Plats conditionally approved – November 17, 2014  
Plats 1 & 2 recorded at Courthouse – May 17, 2016  
**FRO planting at Remsburg Park completed – February 2017**  
**Next step – record additional final plats**

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

**Cross Stone Commons** – 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  
**Next step – submit architectural renderings for buildings #2 and 4 for review/approval**

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

**Fire Station** – 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 7, 2017**  
**Next steps – submittal of PWAs for approval and apply for building and grading permits**

**Franklin Commons** - Site Plan conditionally approved – January 19, 2015 (Plans expire 1/19/2018)  
FRO plan conditionally approved – January 19, 2015  
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**

**Caroline's View/Horman Apartments**- Site Plan approved – April 21, 2008 (no sunset provisions prior to November 14, 2010)  
Improvement Plans conditionally approved – May 17, 2010 (no sunset provisions prior to 11/10)  
Currently approved SWM plans remain valid until May 4, 2017  
Mylars signed – September 11, 2015

**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 prior to November 14, 2010)

Forest Conservation Plan approved – October 20, 2008

Architectural plans approved by PC – March 16, 2015

BOA hearing for variance requests (approval received) – March 29, 2016 (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 – additional materials submitted for review – February 24, 2017**

#### **Annexations:**

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

Public hearing date - Monday, October 11, 2010

Annexation petition denied by Town Board – October 11, 2010

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

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

#### **Text Amendments:**

**Reports:** Draft Annual Planning Report – submittal to PC – March 10, 2017

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

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

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