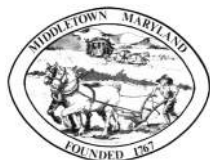




# MIDDLETOWN COMPREHENSIVE PLAN 2023

*Effective ???? ??, ???? ?*



# MIDDLETOWN COMPREHENSIVE PLAN

ADOPTED BY ORDINANCE NO. 10-03-01 | Effective March 28, 2010

## **2023 Burgess & Commissioners**

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Jennifer Falcinelli  
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## **Board of Appeals**

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Jonathan Minchoff  
Rodney O'Neal, Alternate  
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# Chapter 1: INTRODUCTION

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## **VISION STATEMENT FOR THE TOWN OF MIDDLETOWN**

Middletown is a historic small town with strong community spirit and is committed to controlling its own destiny as a distinct sustainable, sovereign entity. The small town, family-friendly essence of Middletown is valued, as are those aspects that contribute to maintaining that which makes the Town unique while giving access to more urban amenities. The diversification of the economy and opportunities for growth will be pursued with thoughtful planning and citizen involvement. Stewardship of the environment and preservation of our heritage are embraced as we strategize for the future.

## **MISSION STATEMENT FOR THE TOWN OF MIDDLETOWN**

Middletown's government exists to help citizens in maintaining the town's unique qualities and to provide superior services to every resident.

## **CORE VALUES FOR THE TOWN OF MIDDLETOWN**

- Citizens are the heart of Middletown, so town government will treat all people fairly, with courtesy and respect. We will be honest, ethical, and diligent, promote open communication, ensure access, encourage involvement and be accountable to our citizens. Our actions will comply with local, state, and federal laws.
- We will seek and provide accurate, timely information and promote public discussion of important issues. We strive to achieve the best results through effective teamwork, strategic partnerships, and community participation. We condemn racism, bigotry, and hatred in all forms.
- Middletown must be a safe place to live, work, and raise a family, so the town will work in partnership with the community to prevent crime and protect lives, property, and the public realm.
- Middletown's traditional character is that of a small, historic rural town, so comprehensive planning will reflect its historic patterns of town-centered growth including connection of neighborhoods, preservation of our historic resources, conservation of rural areas, and provision of public spaces.
- We are cost conscious. We spend public funds responsibly and effectively to ensure the short- and long-term financial strength of our town. We will preserve and protect our environment in a sustainable manner by actively being good stewards of our finite natural resources.

## PURPOSE OF THE PLAN

The Middletown Comprehensive Plan provides a framework to guide future decision making concerning growth, development and the provision of public services. The Plan for the Town reflects the community values of its residents and elected officials. These values are expressed through the Plan's goals and objectives which envision a desired future condition for the community. The goals and objectives are the basis for recommendations contained in the Plan and are the basis for future actions the Town will take regarding development proposals, rezonings, annexations and public works projects.

The adoption of a Comprehensive Plan is important in that it provides the framework for consistent decisions. The Plan gives succeeding administrations a better idea of what values have been expressed through the public planning process.

The Comprehensive Plan (Comp Plan) has value to the staff planner, the Town Planning Commission, the Board of Appeals, the Burgess and Commissioners, and the citizens of the Town of Middletown. The staff planner uses the Comp Plan to evaluate land use proposals and to inform property owners about appropriate areas for development. The Planning Commission uses the Comp Plan to review the present conditions and evaluate proposed land use proposals and projections of future growth of the Town. It also evaluates its progress on issues identified in the Comp Plan. The Board of Appeals uses the Comp Plan in approving special exception applications and considers the Comp Plan when attaching conditions that protect the resident's property rights and welfare. The Burgess and Commissioners use the Comp Plan to make decisions which are consistent with the adopted course of sustainable development and growth of the Town. Citizens can use the Comp Plan to judge the decisions of the planning bodies and elected officials, and to gauge the progress made in important areas of growth and development. Equally important is the coordination with County planning efforts since much of the public facility planning efforts, such as parks, schools and libraries, are controlled at the County level. Coordination with the Town's Comp Plan will enable the County to provide public facilities sufficient to meet the needs of the Town.

The Comprehensive Plan is also used to coordinate planning activities with other levels of government and regional planning agencies.

## MARYLAND LAND USE ARTICLE

The state of Maryland requires comprehensive plans to be updated at specified intervals and each municipal comprehensive plan is to include elements that align with the state's core growth and development visions.



West Main Street buildings

## STATE CORE GROWTH AND DEVELOPMENT VISIONS

1. A high quality of life will be achieved through universal stewardship of the land, water and air resulting in sustainable communities and protection of the environment.
2. Citizens will be active partners in the planning and implementation of community initiatives and will be sensitive to their responsibilities in achieving community goals.
3. Growth will be concentrated in existing population and business centers, growth areas adjacent to these centers, or in strategically selected new centers.
4. Compact, mixed-use, walkable design consistent with existing community character and located near available or planned transit options will be encouraged to ensure efficient use of land and transportation resources and preservation and enhancement of natural systems, open spaces, recreational areas, and historical, cultural, and archeological resources.
5. Growth areas will have the water resources and infrastructure to accommodate population and business expansion in an orderly, efficient, and environmentally sustainable manner.
6. A well-maintained, multimodal transportation system will facilitate the safe, convenient, affordable, and efficient movement of people, goods, and services within and between population and business centers.
7. A range of housing densities, types, and sizes will provide residential options for citizens of all ages and incomes.
8. Economic development and natural resource-based businesses that promote employment opportunities for all income levels within the capacity of the State's natural resources, public services, and public facilities will be encouraged.
9. Land and water resources, including the Chesapeake and coastal bays, will be carefully managed to restore and maintain healthy air and water, natural systems, and living resources.
10. Waterways, forests, agricultural areas, open space, natural systems, and scenic areas will be conserved.
11. Government, business entities, and residents will be responsible for the creation of sustainable communities by collaborating to balance efficient growth with resource protection.
12. Strategies, policies, programs, and funding for growth and development, resource conservation, infrastructure, and transportation will be integrated across the local, regional, state, and interstate levels to achieve these visions.

In 2006, the Maryland General Assembly enacted legislation that affects the laws governing municipal annexation and the makeup of municipal and county comprehensive plans. HB 1141, Land Use-Local Government Planning, amended Article 23A (which provides most of the powers and limitations for municipalities in MD) and the Land Use Article (formerly Article 66B), Annotated Code of Maryland. It created new responsibilities for municipalities and counties related to annexations and established new mandatory elements in all municipal and county comprehensive plans. A few of the legislation's key components are listed below.

1. Every municipal comprehensive plan must have a Municipal Growth Element and annexations must be consistent with these elements.
2. All municipal and county comprehensive plans must have a Water Resources Element.
3. Sensitive Areas Elements must address agricultural and forestlands intended for resource protection or conservation as well as wetlands.



## GOALS

All successful planning begins with an idea of a desirable end result. These desired end results are the goals toward which actions are directed. The goals provide the framework for policies and objectives to carry out the goals. The framework for the Plan can be stated in the five major goals below:

### **A. Provide for Quality Living Environment**

The Town should preserve and promote quality residential developments with adequate provision of public facilities and services and explore opportunities for safe and affordable housing. In addition, new development should be directed to designated development areas and shall be encouraged only where it can be served at a satisfactory level by existing or planned public improvements including roads, sewer, schools, water and park facilities. It is essential that in order to promote and ensure a quality living environment, improvements to the transportation system must be made. Specifically, extension of the Middletown Parkway to address traffic coming from the west should be kept as a priority in Town and County plans. (State visions #'s 3, 4, 5, 6, 7, 12)

### **B. Protection of Important Natural Resources and Historic Landmarks**

The Town should require that the adverse impacts on the environment from development, including the impact on provision of public utilities, be minimized. It is important that the Town continue to ensure that flooding and erosion control steps are taken, and that stormwater management and sediment control regulations are followed. The Town should also encourage the preservation of unique or historic landmarks, the protection of the Town watersheds and protection of Catocin Creek and its tributaries. In addition, the Town should promote concepts of a sustainable community to meet the needs of the present while ensuring that future generations have the same or better opportunities. (State visions #'s 1, 9, 10, 12)

### **C. Encouragement of Sound Economic Base**

The Town should provide for a variety of commercial and industrial areas which will be located to minimize the impact on adjoining land uses. It may also be helped by actions and recommendations of Main Street Middletown. The Town's natural and historic assets should also be fully utilized by encouraging tourism through promotions such as the Heart of the Civil War Heritage Area. The Town will provide for an efficient and streamlined development review process. (State visions #'s 8, 11, 12)

### **D. Management of Middletown's Future Growth**

The Town should ensure that its future growth is managed properly, per the Town's residential and commercial growth policies, by requiring new development provide the necessary water and sewer resources, traffic impact studies and subsequent needed improvements to the Town's transportation infrastructure, and recreational resources for the Town's residents, as determined by the Planning Commission and the Town Board. Additionally, developments will receive a set number of permits per year. (State visions #'s 2, 3, 4, 5, 6, 11, 12)

### **E. Sustainability of Middletown's Future Growth**

The Town is committed to fiscally, socially and environmentally responsible land use development. Sustainable development integrates the needs of the Town and its residents in the present generation without sacrificing the ability of future generations to meet their needs by balancing the economy, society and the environment in the process. In looking towards the future, the Town of Middletown will strive towards sustainable living and planning. (State visions #'s 1, 4, 5, 9, 10, 11, 12)

## PLANNING IN MIDDLETOWN

This document is structured around nine major components: population and housing, physical features, sensitive areas, water resources, sustainability, municipal growth, land use, transportation and community facilities. Each of these components is a chapter in the Comp Plan. Chapters 2 through 9 include background information, issues, objectives, policies, and implementation recommendations. The implementation recommendations include specific actions which are necessary to carry out the goals and objectives of the Plan. This Middletown Comprehensive Plan is the fifth comprehensive update since the original Master Plan was adopted in 1969.

Prior Middletown Comprehensive Plans sought to achieve a diversified community which avoided mixed land uses, provided easily accessible recreational facilities, and encouraged industrial and commercial development. The Plans also intended to provide for improved traffic patterns, including a parkway around the downtown area, and for schools to serve as activity centers.

Some of the goals of the previous Plans were achieved in the segregation of new residential development from other commercial and industrial uses. In addition, this residential development became a larger share of the Town's total land use acreage. However, other goals of the Plans were not achieved such as the provision of a complete parkway around Middletown or generally improved transportation patterns.

## NEEDS AND OPPORTUNITIES

The Needs and Opportunities section addresses what the Town of Middletown needs to achieve what it wants to become and what it currently lacks to achieve its vision. This section also showcases existing opportunities available within the community which should be utilized and supported to implement the vision.

Middletown held a community conversation in March 2020 for residents and neighbors to attend and share their goals, visions and wants and needs for the Town. The purpose in having this conversation was to gather broad input describing how attendees viewed the Town currently and their hopes and wants for the future – the vision for Middletown. The facilitator of the community conversation used the input from citizens to construct a SWOT (Strengths, Weaknesses, Opportunities, and Threats) to help gain a more accurate and balanced list of needs and opportunities.

### SWOT ANALYSIS [Strengths, Weaknesses, Opportunities, Threats]

#### Strengths

- Rural character
- Mountain views
- Quality of life
- Small town essence, charm
- Activities for all ages – family-focused
- Family friendliness, welcoming nature
- Overall cleanliness
- Lack of crime
- Walkability
- Proximity to good health care, highways
- Business community consistent w/character
- Fiscal soundness
- Good schools
- Long-standing community events
- Emphasis on preservation
- Well-kept parks

#### Weaknesses

- Management of growth and taxes
- Empty and blighted buildings
- Commuter traffic and congestion
- No bike paths
- Parking downtown
- Lack of consistent community involvement
- Not enough trees
- Not enough activities for seniors
- Stormwater management program
- Impacts of growth

#### Opportunities

- Increased coordination with the county on issues that impact the town
- Senior volunteer program
- Preservation success tours/events
- Recreation center/Senior center space
- Sustainability efforts
- Sidewalk expansion
- Sewer system
- Parking
- Renovation of old town hall
- Indoor/outdoor pool
- Walking and biking paths

#### Threats

- Climate change and threats to dark sky
- Growth outside of town
- Insufficient coordination with Frederick County and surrounding government

# Chapter 2: HISTORY & LAND USE

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Welcome sign on Holter Road

## INTRODUCTION

### Description of the Town & Regional Context

Middletown, located on the Maryland Historic National Scenic Byway, can be described as a historic small town which, over the last 35 years, has become increasingly linked with the Washington Metropolitan area as growth from this area has spread into Frederick County. It is included in the Heart of the Civil War Heritage Area, as designated by the State, and boasts a large number of historic residences along the Old National Pike. An especially unique characteristic of Middletown is the view from Braddock Mountain. Due to the inter-mountain terrain, many views of Middletown are available. Depending on traffic, both Baltimore and Washington are within an hour's drive from Town. Frederick County is considered part of the Washington Metropolitan Statistical Area and has a county population of 271,717 (2020) persons according to the Frederick County Planning Department. This is expected to increase to 331,700 by 2040. Middletown is located 40 miles northwest of Washington D.C. and 45 miles west of Baltimore and has a 2020 population of 4,943 persons. The projected population for 2040 is 6,116 people.

Middletown encompasses 1,350 acres and has the sixth largest population of 12 incorporated towns in Frederick County. It is largely a residential community within the agriculturally dominated Middletown Valley. Land uses near the Town include large scale residential development east of its border with agricultural and scattered residential north, west and south of the corporate limits. The downtown area includes small specialty commercial establishments and there is a small shopping center with a grocery store on the eastern edge of Town as well as a new shopping center with a CVS, restaurants, and other services. Frederick City provides a wide range of goods and services and is located 8 miles to the east over Braddock Mountain. Another city, Hagerstown (43,527 population), is located 14 miles west over South Mountain. Other incorporated areas in the Middletown Valley include Brunswick City (7,762 population), 8 miles south and Myersville (2,225 population), 5 miles north. The Town Limits Map, Map 2-1, following this chapter shows the layout of the Town.

## Historic Development

Development in the Middletown Valley began about 1740 with English settlers. These were soon followed by German immigrants who came to dominate the Valley. The Town of Middletown was originally laid out by Michael Jessorong, who deeded building lots described as being in the Town of Middletown [George C. Rhoderick, Jr., *The Early History of Middletown*, 1989]. The origin of the name is unclear, perhaps owing to the central location of the Town in the valley between the Catoctin and Blue Ridge (or South) Mountains. Middletown was incorporated in 1834 with Jacob Hoffman serving as the first Burgess.

Recent development trends in the Middletown area show development east and west of Town and continued low density residential development in the annexed areas that were previously zoned agricultural. Since 1972, the corporate limits of Middletown have changed through both annexation and de annexation of properties. As of July 2022, the land area of Middletown is 843 acres larger than the 1972 corporate limits, which was 502 acres.

In 2017, the Town commemorated its 250th anniversary of its official founding in 1767. To use the 250th as an opportunity to create long term tourism product(s), the Town converted an under-utilized room in Town Hall into a gallery with permanent interpretative panels explaining the Town's history via locations, people, and events. In addition, the Town converted an empty lot at the corner of Jefferson and Main Street and created Heritage Park, complete with landscape, hardscape, and another large interpretative panel that was installed on the side of 28 West Main Street. This intersection is the historic "square corner" of Town. It is now a focal point for town-wide events.



Heritage Park

## HISTORICAL EVENTS

Middletown has experienced many historical events that occurred during our nation's development. In 1755 Colonel George Washington accompanied General Braddock on the old Indian Trail that ran through the valley on his way to Fort Cumberland. Westward expansion occurred on Main Street including the construction of the Old National Pike in 1806 and in 1896 Car 11 of the Frederick Middletown Railway made its first run to Middletown. The Civil War brought both armies passing through Town on their way to the battles of South Mountain and Antietam. In the aftermath of those battles, Middletown opened its churches and homes to care for the wounded. Confederate General Jubal Early held the Town for ransom as recreated annually during the Heritage Days celebration.

## Heart of the Civil War Heritage Area

Middletown is part of the Heart of the Civil War Heritage Area, which stretches across much of western Maryland and provides recognition and funding for places whose history is intertwined with the Civil War. The Heritage Areas program encourages communities to identify, protect, and promote their unique heritage and to capitalize on that heritage through economic development tourism initiatives. State funds and assistance are made available for interpretive and infrastructure improvements in State-approved heritage areas.

The Management Plan of the Heart of the Civil War Heritage Area (HCWHA) was adopted and made a part of the comprehensive plans of Carroll, Frederick, and Washington counties in 2006 and included the Town of Middletown within the boundaries of the certified HCWHA. The HCHWA Plan recognized Middletown as the first Target Investment Zone (TIZ) for Frederick County, a designation indicating high potential for enhanced visitor services that creates opportunities for additional

heritage area benefits. For the Middletown TIZ to be activated – and to receive the funding associated with having an active TIZ – the Town submitted a detailed work program showing how Heritage Area funds would be used. The Town endorses the Maryland Heritage Areas Authority’s Management Plan for the Heart of the Civil War Heritage Area.

### **Historic Sites**

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

### **JOURNEY THROUGH HALLOWED GROUND**

Middletown is also a part of the Journey Through Hallowed Ground National Heritage Area. Citizens wishing to become involved in the Town’s historical heritage activities can contact the Middletown Valley Historical Society and the Central Maryland Heritage League both located in downtown Middletown.

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

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

### **BYGONE BUSINESSES**

In the early days, Middletown had large and thriving businesses owing a great deal to its location on the Old National Highway. At one time, Middletown was the voting place for the entire valley from the Mason Dixon Line to the Potomac River. There were various trades and other business in addition to those serving the outlying agricultural area. Among the major businesses which were located in the Town were the Hanover Shoe Company, the Valley Register Publishing Company, C.F. Main & Sons Ice Cream, Gladhill Furniture, Southern States Co-op, the Granger’s Mutual Insurance Company, the South Mountain Creamery, L.Z. Derr General Store, Shafer’s Plumbing & Heating, American Store, Arnett’s Grocery and the Middletown Cannery. For a variety of reasons, most of these companies have closed.



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

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



Historic bridge on Richland Golf Course

#### **J. Homer Remsberg Farmstead (F 4 23)**

The Remsberg Farmstead is located on both sides of Holter Road, just outside the southeastern town limit of Middletown. The domestic group consists of a circa 1857 brick dwelling with a two bay main section and a side wing with a two story porch. The domestic outbuildings include a deteriorated brick smokehouse, a frame summer kitchen, two chicken houses, and other structures. On the north side of Holter Road is the agricultural group centered on a large frame bank barn of about the same date as the house. The bank barn was burned by arsonists in July 1992 after the survey documentation was completed. Other agricultural buildings include a circa 1923 concrete block dairy barn, a wagon shed/corn crib, a hog barn and two silos. The farmstead represents the agricultural development of Frederick County from principally grain producing farms in the mid 19th Century to the dairy operations of the 20th Century. The Historic Sites and Survey District Map, Map 2-2, following this chapter shows the location of the sites and districts.



Middletown County Park pond

## LAND USE

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

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

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

### Existing Land Use

The existing land use in the Town of Middletown shows the predominate land use is residential with 52% in this category. This compares with 26% of the land in residential use in 1969. The majority of the residential use is single family dwellings which are located throughout the Town. Multi-family residential and townhouse development is located in several specific locations. The Middletown Valley (formerly Chesterbrook) Apartments are located at the south end of Broad Street in Middletown with other multi family development located closer to the center of Town. Townhouse developments are located in two areas on the west side of Town and include Jefferson Village and Creamery Row, and on the east side of Town in the Glenbrook Planned Unit Development (PUD).

Commercial development accounts for 4% of the land use in Middletown compared to 2.8% in 1969. Primary locations of commercial activity include the downtown area along Main and Church Streets, the Town Center Plaza located on the eastern edge of Town, and the Cross Stone Commons shopping center on Middletown Parkway. Commercial uses in the downtown area are interspersed with residential and institutional uses, however, and there are specific pockets of separate commercial areas. The commercial area near the intersection of Church and Main Streets extends along Main Street from Church Street to Summers Drive and along Church Street from Green to Washington Streets. On the western edge of Town, commercial uses are located near Main Street and Walnut Street.



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

Public and semi-public land accounts for 12% of the land area in Middletown. This category includes churches, cemeteries, and other institutional or non-profit land holdings. The percentage of public and semi-public land has decreased in Middletown since 1969. Open space/recreation and parkland is approximately 32% of the land in Middletown as compared to 1% in 1969. This category includes land specifically dedicated or reserved for open space, as well as undeveloped land which has the potential for development. Undeveloped land includes land owned by the Fire Department off Fireman's Way, and the property east of the Town Center Plaza which is slated for development as a professional center with some additional retail uses.

The Existing Land Use Map, Map 2-3, following this chapter shows the existing land use as of 2023.

### **Existing Zoning**

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

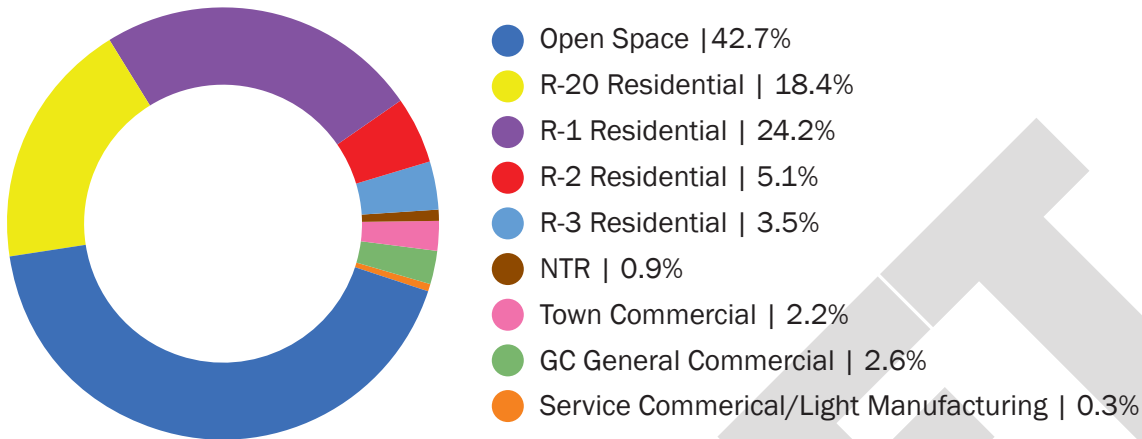
There are eight zoning districts in use in Middletown which encompass all the land area in Town. There are four residential districts, three commercial districts, and an open space district. The largest zoning district in terms of land area is the OS Open Space District which includes the Richland Golf Course. The second largest zoning district in terms of land area is the R-1 Residential zone which includes approximately 294 acres (24% of the total land area in Town). An overlay district was added to the zoning code in 2008 and is known as the Neo-Traditional Residential (NTR) Overlay District. This district can be overlain only on the R-3 zoning district and provides for smaller setbacks and the inclusion of alleys with greater design guidelines than the other residential districts. The Middletown Glen subdivision off East Green Street was developed using the NTR regulations. The Current Zoning Map, Map 2-4, following this chapter shows the existing zoning as of 2023.

It is important to note the difference in land use and zoning. A particular zoning on a property can provide for different land uses and, in some cases, the existing land use is non-conforming and would not be permitted under present regulations. A non-conforming use is one which existed prior to the adoption of the specific regulation. There are two remaining non-conforming use properties in Middletown which are the BP Station and the funeral home located on East Main Street.



Figure 2-1 shows the eight zoning districts in Town with the amount of developed and undeveloped acreage in each category. This figure includes acreage of some parcels which are developed but not to the fullest extent allowed by the zoning regulations.

**Figure 2-1 | Percent of Total Acreage by Zoning District (as of July 2023)**



**Table 2-1 | Developed and Undeveloped Acreage by Zoning District (as of July 2023)**

ZONING DISTRICT	ACRES DEV	ACRES %	UNDEVEL	PERCENT	TOTALS
Open Space	N/A	N/A	N/A	N/A	518
R-20 Residential	129	58%	94 <sup>1</sup>	42%	223
R-1 Residential	273	94%	16	6%	289
R-2 Residential	63	84%	12	16%	75
R-3 Residential + NTR <sup>2</sup>	63	100%	0	0%	63
Town Commercial	27	100%	0	0%	27
General Commercial	24	75%	8 <sup>3</sup>	25%	32
Serv. Comm/Lt Manuf.	4	100	0	0%	4
Total Acres	583	82%	130	130	1231

Source: Frederick County Planning Department and Middletown Planning Staff 2020

<sup>1</sup> Annexation of 94 acres occurred in 2018

<sup>2</sup> NTR – Neo Traditional Residential

<sup>3</sup> Site plan approval of 6 acres occurred in 2020

## SUBDIVISION ACTIVITY

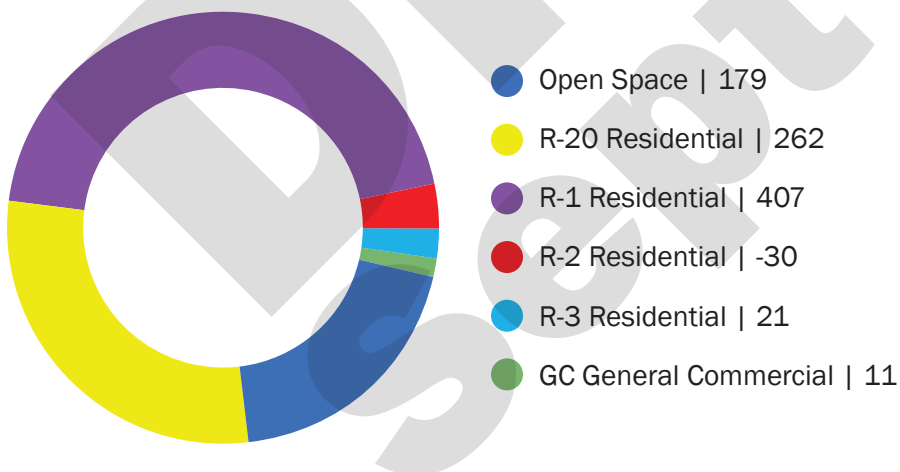
Major subdivision activity took place in the late 1970's with the development of the Woodmere Subdivision and the Jefferson Village Subdivision. However, by the 1980's, subdivision activity was minimal due in part to a sewer moratorium in the early 1980's. This restraint on development continued to have an impact on Town growth thru the 1980's although several properties proposed annexation. During the years 1982 to 1989, there were a total of 57 lots created averaging seven new lots per year. By 1990, subdivision activity increased due to three large developments which had been in the planning stages since the late 1980's. Those subdivisions were Brookridge South, North Pointe and Sections I and II of Foxfield. From 1990-2000 subdivision activity averaged 29 new lots per year. In addition, approved but not recorded lots accounted for another 595 lots. In the 1990s, the average lot size generally increased from the 1980s except for 1992 which included several small parcels in the older downtown area. In the late 1990s, subdivision activity declined while the town constructed the new east end sewerage facility and upgraded its water distribution facilities. The 400,000-gallon elevated water storage tank was erected to the rear of the school complex. The distribution lines were pressure zoned throughout town while new wells were added to the system and improvements were made in the watershed area. With consciously planned efforts and the subdivisions of Glenbrook and Foxfield moving forward, an increase in subdivision activity began in 2000. Over 500 lots were approved between 2000-2003, with an additional 60 lots approved in 2006. Since that time, subdivision activity has been limited with just 88 lots approved between 2008 and 2022 in four subdivisions. Average lot size has remained steady the past two decades at 0.3 acres.

## ANNEXATIONS

Another major aspect of development is the annexation of land into the Town. Annexations increase the size of the corporate limits typically through landowner petition. All annexations require a public hearing process and referral to the County and State for comment. The County must review the annexation in light of the current county zoning classification. If the proposed annexation is inconsistent with the current county zoning, then the County must decide whether to grant a waiver of zoning consistency if requested. If the County does not grant the waiver, then the five-year rule applies in which the municipality must wait five years before the new zoning classification is applied. When the zoning change is from one residential zone to another, the five-year rule will not kick in unless the density change of the proposed zoning is denser by 50 percent or greater. Since 1972, there has been over 859 acres of land annexed into Middletown and 33 acres de-annexed from Middletown. The annexed area has more than doubled the size of the corporate limits of Middletown.

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

**Figure 2-2 | Changes in Zoning due to Annexation (acres): 1973-2020**

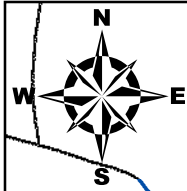


The location of annexed and de-annexed land is shown on Figure 2-3 following this chapter.

**Table 2-2 | Annexations: 1972-2020**

APPROVED YR	NAME	ACREAGE	LOCATION	ZONING
1972	Woodmere South	5	S Woodmere S Subdivision	R-1
1973	Airview/Valley Center	43	N & S side of Main St.	R-1; GC
1973	Board of Education	50	Green St.	O-S
1979	De-annexation Middletown South	-33	W MD-17; S Town	R-2
1988	Egon Elsner	0.776	Val-E-Drive (Jesserong Dr.)	R-1
1989	Lancaster	3	Washington St.	R-2
1989	Valley Land Investors	73	S US 40-A; W Town	R-1
1990	Middletown Sewer Plant	16	S US 40-A; S Town	O-S
1991	Coblentz Limited Partnership	30	E Coblentz Rd.	R-20
1991	Glenbrook	289	S US 40-A; E Town	R-1; R-3; GC
1992	Routzahn	10	N E Main St.; W Coblentz Rd	R-1
1992	Coblentz Limited Partnership	14	W Coblentz Rd.	R-20
1993	J.H. Remsburg	13	W Holter Rd.	R-1
1994	Cone Branch Pump Station	0.5		O-S
1997	Coblentz Limited Partnership	118	E Coblentz Rd	R-20
2000	Johnson (Foxhole)	6	E Coblentz Rd	R-20
2000	Well Fields (4 parcels)	16	W Hollow Rd	O-S
2002	Frederick County Public Schools	17	Franklin St	O-S
2002	Middletown Volunteer Fire Department	4	Franklin St	O-S
2013	Middletown County Park	74	Coblentz Rd	O-S
2018	Memar Corp (Admar)	94	Coblentz Rd	R-20

Source: Middletown Planning Staff 2022






Map 2-1  
9/14/2023

# Town Limits Map Middletown, Maryland

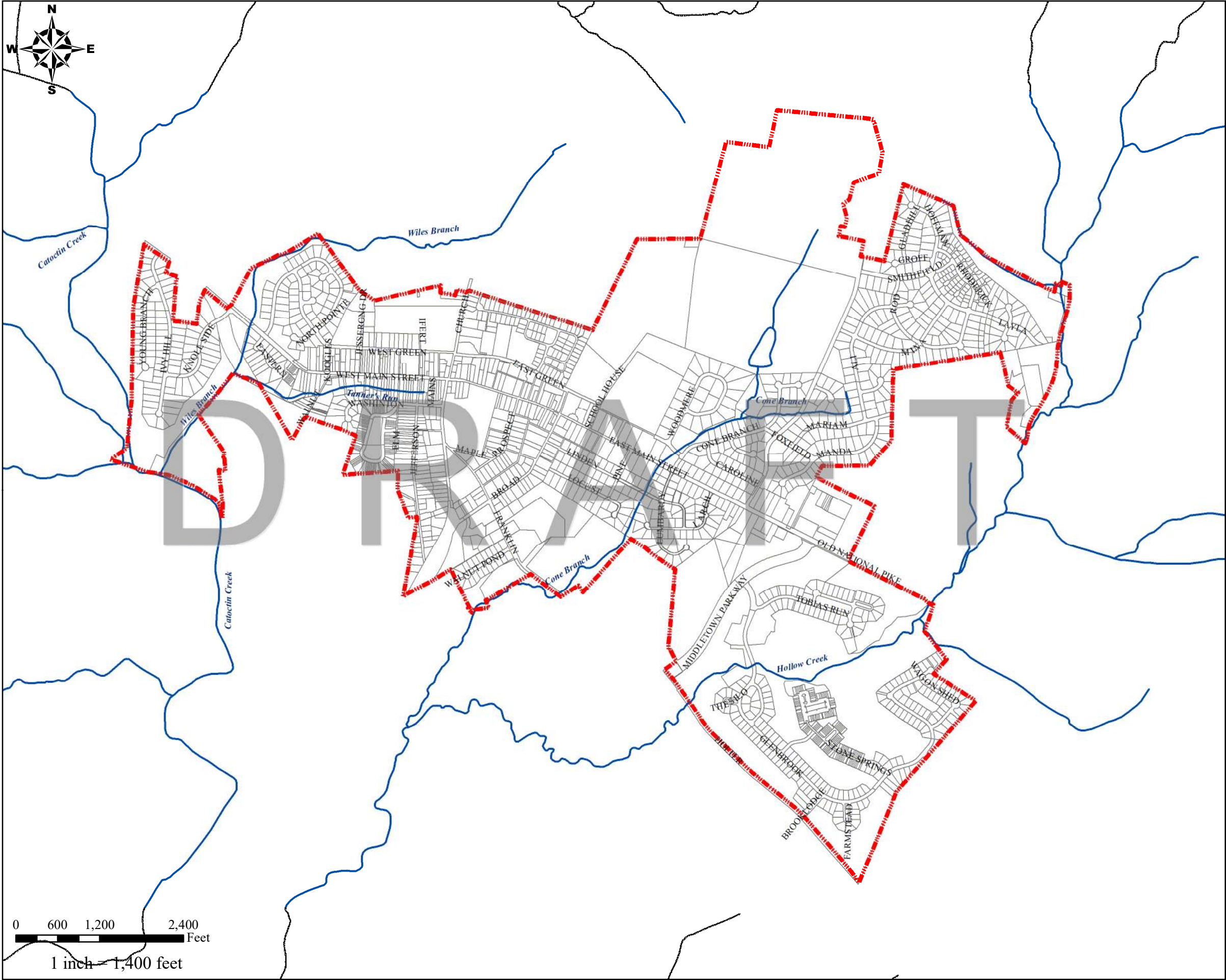


### Legend

-  Stream
-  Town Boundary
-  Parcel

0 600 1,200 2,400 Feet  
1 inch = 1,400 feet

Source: Frederick County and Middletown Planning Department.

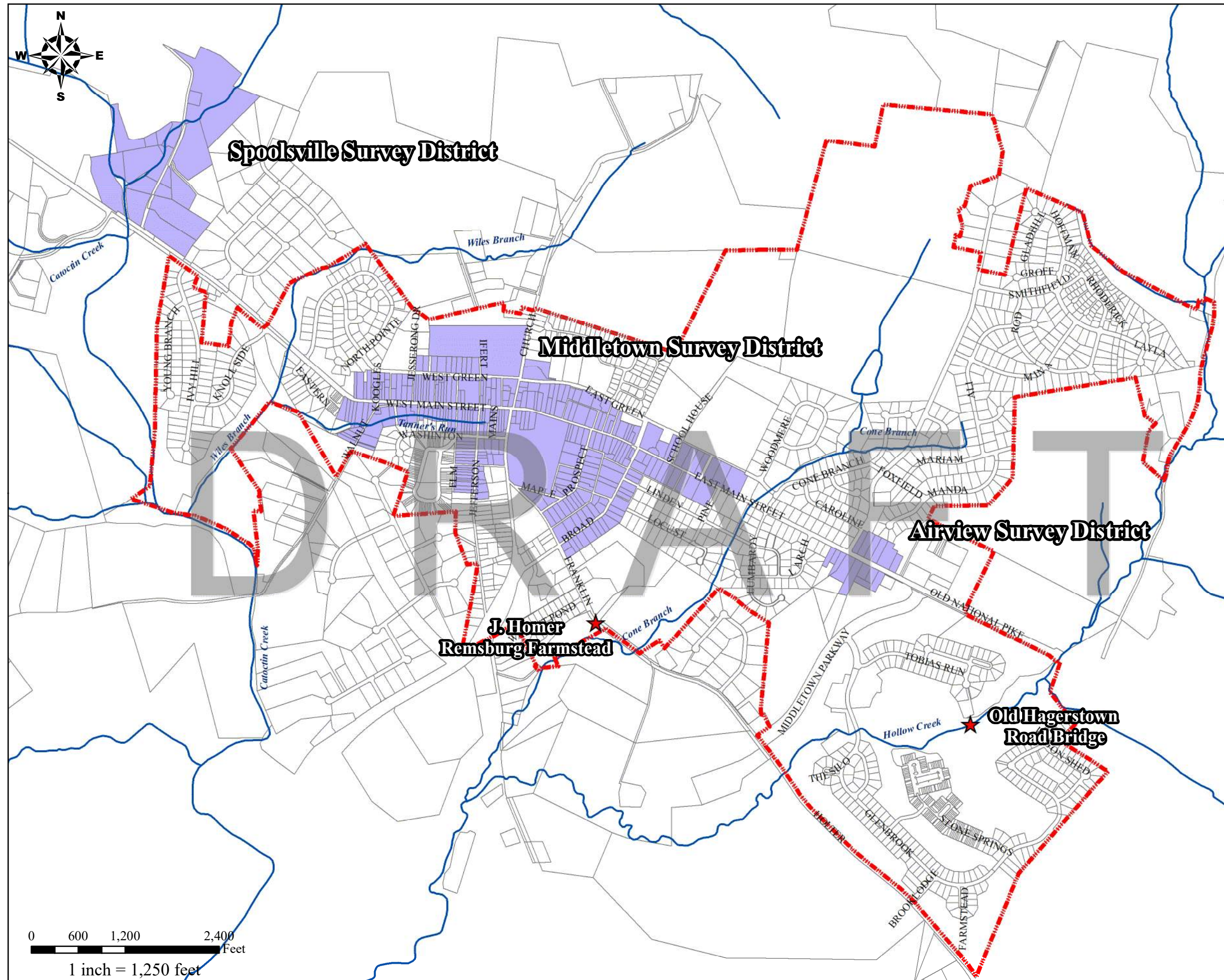


# Historic Sites and Survey Districts Map Middletown, Maryland



### Legend







- ★ Historic Site
- Stream
- ▭ Town Boundary
- ▭ Parcel
- ▭ Historic District

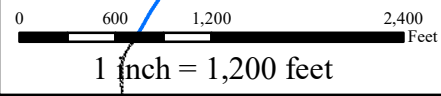
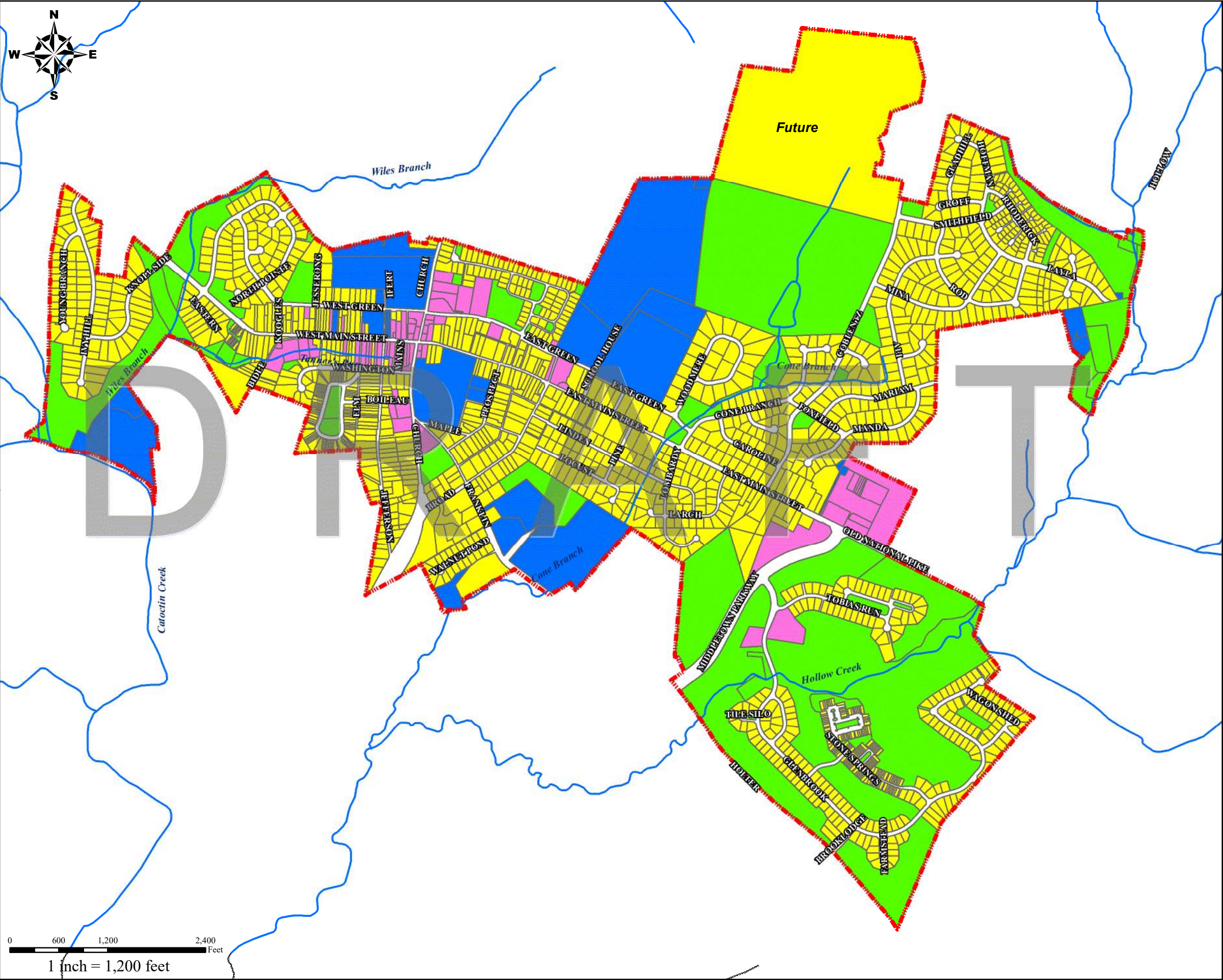


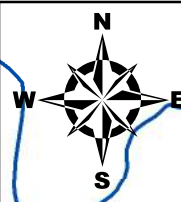
# Existing Land Use Map Middletown, Maryland



### Legend

-  Streams
-  Town Boundary
- Land use**
-  Commercial
-  Institutional
-  Open Space
-  Residential












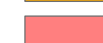



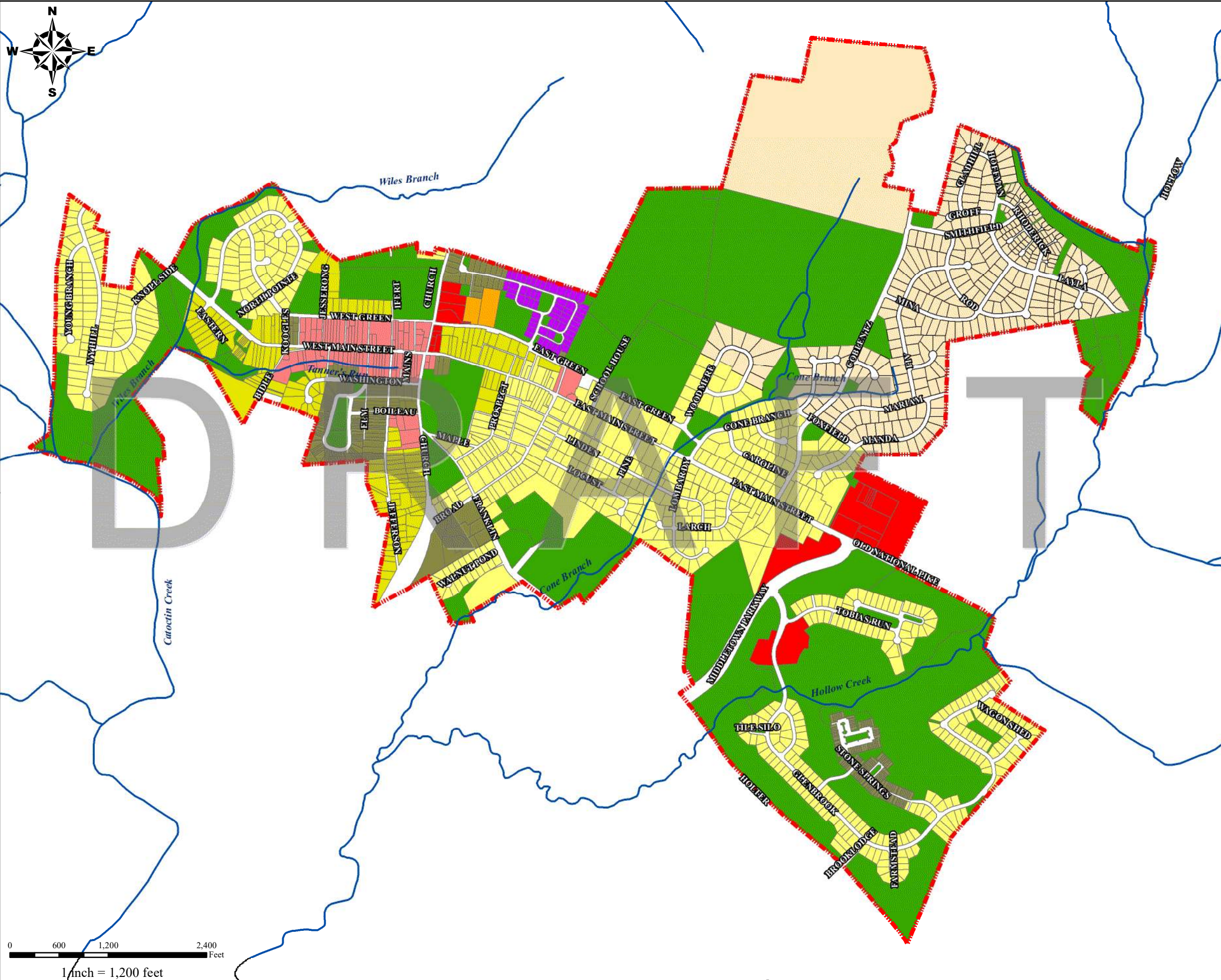
Map 2-4  
9/14/2023

## Current (2010) Zoning Map Middletown, Maryland



### Legend

-  Stream
-  Town Boundary
- Town Zoning**
-  General Commercial
-  Open Space
-  R-1 Residential
-  R-2 Residential
-  R-20 Residential
-  R-3 Residential
-  R-3/Neo. Traditional Res.
-  Service Comm./Lt. Manu.
-  Town Commercial



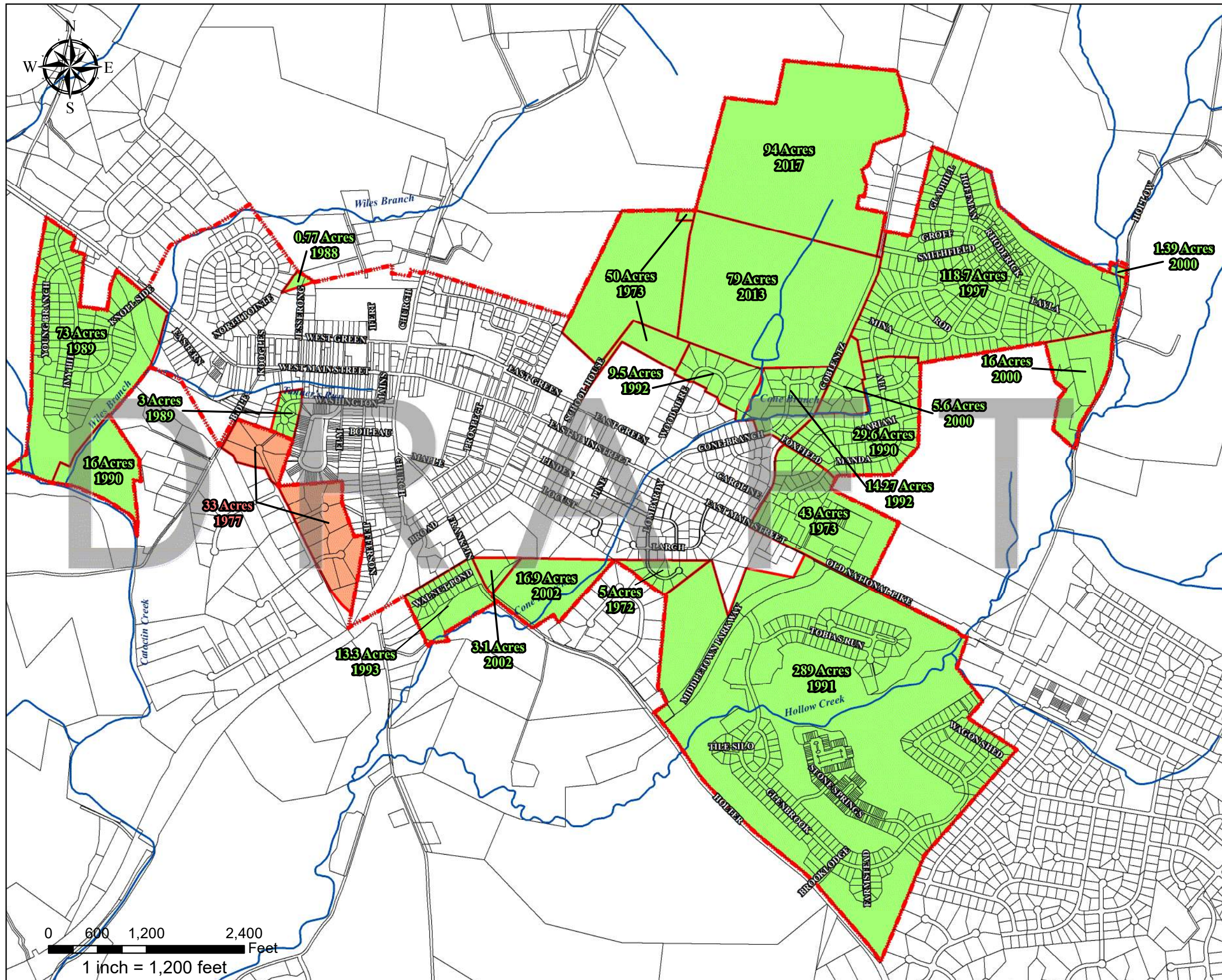
0 600 1,200 2,400  
Feet  
1 inch = 1,200 feet

# Annexations Map Middletown, Maryland



### Legend

- Town Boundary
- Streams
- Parcel
- Annexation
- Deannexation





# Chapter 3: HOUSING & POPULATION



## INTRODUCTION

The purpose of this chapter is to look at past and projected growth trends and characteristics of the population. The past trends indicate a history of the pace of development. The population characteristics will help determine the type of facilities and services needed to serve the population, and the household characteristics describe the living conditions of the population.

## HOUSING GOALS

1. Redevelopment or renovation of old homes and reuse of existing properties.
2. Regulate a variety of housing types to maintain the Town as an inter-generational community and provide a range of housing types for citizens of all incomes and ages.
3. Establish safe and permanent affordable housing as a long-term strategy to meet the needs of the Town's households that face a high-cost burden.
4. Maintain quality and character of existing neighborhoods.
5. Remain flexible to accommodate changing housing needs over time.

## EXECUTIVE SUMMARY

In order to meet the housing goals above, the Town will need to:

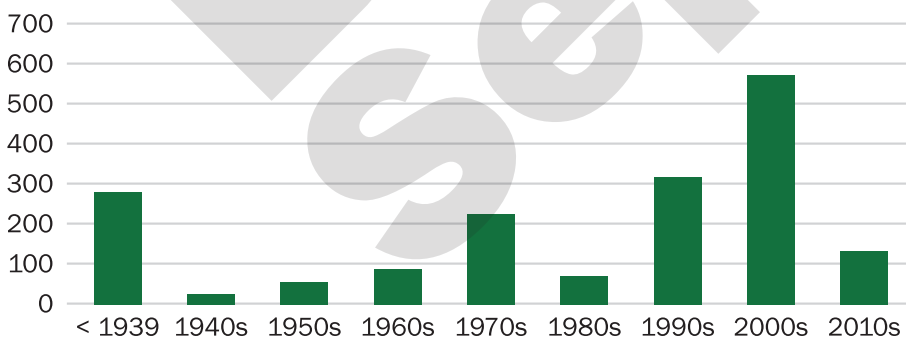
1. Facilitate public awareness of the town's tax credit and technical assistance programs.
2. Promote renovation and rehabilitation of existing housing stock for both owner-occupied and renter-occupied units, where needed.
3. Support a comprehensive land use program that encourages affordable housing types, varying densities and maintains the Town's historic heritage.
4. Continue to build relationships with builders and non-profit developers to increase the affordable housing stock.
5. Educate the community about the blighted property ordinance and any assistance programs that homeowners can apply for.
6. Promote the maintaining and sustaining of Middletown's historic architecture thru education and engagement.
7. Promote infill development and other redevelopment options for underutilized residential or commercial lots and promote the infill of the existing Main Street district with business and high-density residential uses.

## GOAL: REDEVELOPMENT OR RENOVATION OF OLD HOMES AND REUSE OF EXISTING PROPERTIES

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

Roughly 27% of the housing in Middletown was built before 1970. Generally, structures over 50 years old can qualify as historic buildings provided other criteria are met. Figure 3-1 below shows the share of housing units in Middletown constructed in each decade. Since 1970, the largest increase in housing units in one decade occurred between 2000 and 2009 when over 570 new housing units were built, for 33% of the town's total units. While a significant percentage of housing in Town was built within the last twenty years, a major share of the Town's housing stock - 58.3% - is well within the age when major and costly functional and even structural improvements become necessary making it especially important that the economic vitality and income of local households grows overtime to ensure needed reinvestment in housing.

**Figure 3-1 | Housing Units Constructed by Decades<sup>1</sup>**

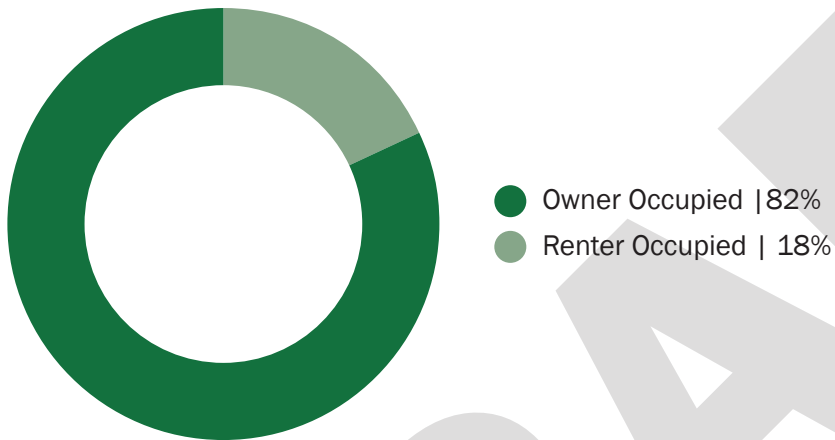


<sup>1</sup>Source: American Community Survey 2015-2019, US Census Bureau

The Town of Middletown has an estimated 1,830 housing units per the 2020 Census. As can be seen in the pie chart below, a large majority of dwelling units in Middletown are owner-occupied. The 2010 census indicated that 89% of housing units were owner-occupied and 11% were renter occupied. Thus, the data shows that owner-occupied units have decreased in the past decade.

Seventy-nine housing units or 4.3% are vacant according to the 2020 Census. The American Community Survey 2016-2020 indicates that the vacancy rate is exceptionally low at only 1.8 percent for owner units and is 7.8 percent for renter units. Limited vacancy is good because it allows for new and moving residents to find housing units, while too much vacancy may indicate a weaker market or substandard housing. Too little vacancy may indicate insufficient housing supply. An owner-occupancy rate below two or three percent indicates a tight market and unmet demand for additional homes, while a renter-occupancy rate below five percent indicates pressure on the rental market and the need for more rental units.

**Figure 3-2 | Housing Occupancy<sup>2</sup>**



<sup>2</sup> Source: American Community Survey 2016-2020, US Census Bureau

- 1. Facilitate public awareness of the town's tax credit and technical assistance programs.**
- 2. Promote renovation and rehabilitation of existing housing stock for both owner-occupied and renter-occupied units, where needed.**

### **GOAL: REGULATE A VARIETY OF HOUSING TYPES TO MAINTAIN THE TOWN AS AN INTER-GENERATIONAL COMMUNITY AND PROVIDE A RANGE OF HOUSING TYPES FOR CITIZENS OF ALL INCOMES AND AGES**

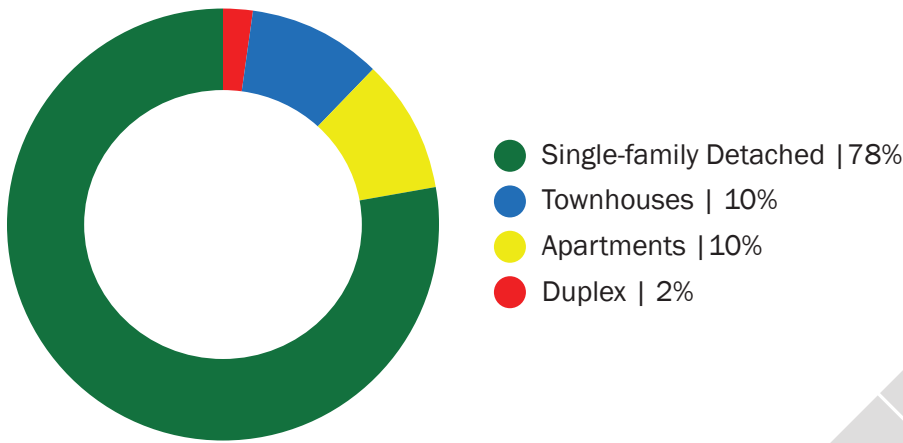
The future growth of Middletown depends upon the development of housing and its availability in quantity and variety within a broad price range. The 2020 Census shows that the number of housing units increased by 16.6% from 2010 to 2020 with 1,830 units from 1,569.

As you can see from the breakdown in the pie chart on the next page, the vast majority of housing within the Town is single-family detached dwelling units, which has increased by 6% in the past decade. There are very few duplex housing structures in Middletown. Although duplexes are allowed by right in the R-2 and R-3 districts, there are in short supply in Middletown. Dwelling units with multiple units within a structure should be fostered, but they should fit in with the existing single-family neighborhoods regarding scale and proportion.

With future developments, the Town should collaborate with developers to incorporate an element of multi-unit housing types, with emphasis on home-ownership opportunities. Fee-simple ownership is best because condominium-ownership has fees that are not tax-deductible.

MDP's housing vision states "A range of housing densities, types, and sizes provides residential options for citizens of all ages and incomes." Middletown does currently have a variety of housing types, including senior living since they are included in 30.4% of the households. An active-adult community of 81 units is located in the northeast

**Figure 3-3 | Housing Structure Breakdown**



section of town. Construction will begin on a 148-unit active adult community in 2023. Regarding households that include children, that percentage is currently 44.7%. Middletown has exemplary schools which appeal to families seeking to move here.

Increasing the supply of new housing, while conserving existing neighborhood character is possible and the Town should continue to encourage a mix of housing types by reducing unwarranted regulatory obstacles. Presently, duplexes are prohibited in the R-1 district and while they are allowed in the R-2 and R-3 districts, a duplex lot must be 50% larger than the standard minimum-sized lot. Accessory dwellings are not allowed at all. Duplexes and accessory dwellings can be delivered without land development and are compatible within all residential neighborhoods. Duplexes can be essentially indistinguishable from a single-family house as shown in the photographs on this page.



**3. Support a comprehensive land use program that encourages affordable housing types, varying densities and maintains the Town’s historic heritage.**

## GOAL: ESTABLISH SAFE AND PERMANENT AFFORDABLE HOUSING AS A LONG-TERM STRATEGY TO MEET THE NEEDS OF THE TOWN'S HOUSEHOLDS THAT FACE A HIGH-COST BURDEN

This goal focuses on the need for creating or preserving low-income and workforce housing for the lower income segments of the population in Middletown and offers possible solutions. Other factors, such as family income as correlated to age, and size of family, might corroborate the general statement that the elderly, the low-income family, and workforce families find it increasingly more difficult to purchase a home because of the rising cost of land and homes. Their ability to live and prosper in the Town is essential to the community's quality of life.

The Land Use Article of the Annotated Code of Maryland was amended in 2019 to require that comprehensive plans contain a housing element. This element must address the needs for "affordable workforce" and "low-income housing," where affordability is measured in relation to the Area Median Income (AMI), a measure set by the federal Department of Housing and Urban Development. The "area" in the term AMI, for Middletown, is meant to be the region of Washington's suburbs: Washington-Arlington-Alexandria Metro. The median annual income for the region is \$129,000.

By way of introduction to the topic of affordability, Table 3-1 shows pertinent statistics on housing values and costs for owners and renters in Middletown.

### AFFORDABILITY IN MIDDLETOWN

A "housing cost burden" standard, from the U.S. Department of Housing and Urban Development, is the most frequently used measure of housing affordability in the United States<sup>3</sup>. According to the standard, households that are cost-burdened pay 30% or more of their gross income for housing expenses (such as rent, mortgage, utilities, condominium and HOA fees, and taxes) and thus have difficulty affording other necessities such as food, clothing, transportation, and medical care. Not surprising then, those that are most cost-burdened are those with the lowest incomes.

In Middletown, 47.9% of the Town's 282 renter households, or 135 households, pay more than 30% of their income on housing. For owner households, 17.6 percent or 187 households pay more than 30% of their income on housing. Although less than the State and region where greater than 26.5% of owner households, and about 50% of renters, pay more than 30%, there is still a need for more affordable housing within the Town of Middletown especially for renters as recognized by the data for the Town.

Workforce housing is housing that is affordable for a household making between 60 and 120 percent of AMI for homeownership and between 50 and 120 percent for rental housing. For Middletown, this means an income of \$77,400 to \$154,800 for home-ownership housing. Households making incomes in the \$64,500 to \$154,800 range should be able to find an apartment that rents for less than 30% of their income. Since the median monthly rent in Middletown is only \$1,366, rental housing in Middletown is very affordable to the workforce of the region. Home-ownership housing should be \$1,935 to \$3,870 in monthly payments. Homeownership is not as affordable for workforce families as rental housing is. Since home ownership often leads to building household wealth, the Town should place an emphasis on homeownership. See Appendix 1 for additional information.

**Table 3-1 | Value, Costs, Income**

Owner Occupied Units	1275
Median Value, Owner Occupied Unit	\$416,900
Median Sale Price	\$379,900
Median Monthly Owner-Occupied Costs <sup>1</sup>	\$2453
<hr/>	
Renter Occupied Units	282
Median Gross Rent <sup>2</sup>	\$1366

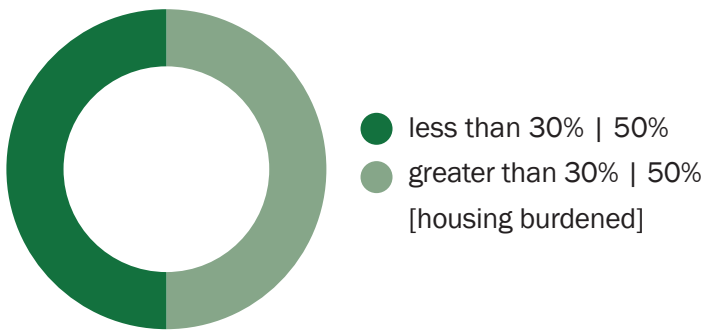
<sup>1</sup> For households with a mortgage

<sup>2</sup> Composite of advertised sale prices summer of 2020

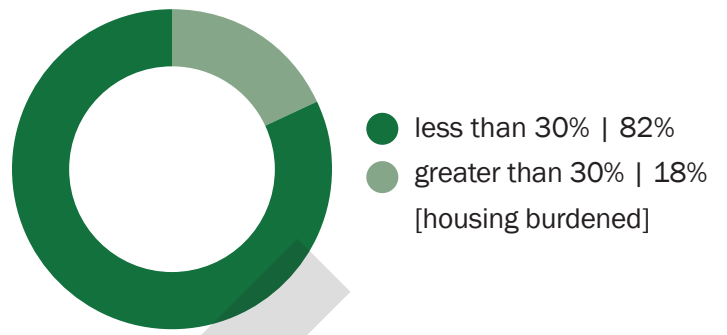
Source: American Community Survey 2015-2019, US Census

<sup>3</sup> This derives from the Brooke Amendment, Section 213(a) of the Housing and Urban Dev Development Act of 1969, which amended the federal Housing Act of 1937. It was revised in 1981 to cap the rent in public housing at 30% of a tenant's income. The 30% standard has been used as the criteria to measure the affordability of housing generally. This method is mostly effective at describing the problem of affordability for the lower- and middle-income households. Households with higher incomes generally have the capacity to take on higher housing costs without impacting the ability to provide for other necessities. This standard can exaggerate the affordability problem so care must be taken to evaluate household incomes of those classified as "housing cost burdened".

**Figure 3-4 | Gross Rent as % of Income**



**Figure 3-5 | Monthly Owner Costs as % of Income**



Low-income housing is housing affordable for a household making below 60% of AMI. A household earning below 60% of AMI has an income of \$77,400 or less. An affordable rental or owner-occupied unit house would therefore cost less than \$820 and \$1,871 per month, respectively. Rental housing in Town is often affordable to the region’s low-income residents, but homeownership is likely out of range for low-income families.

When developing lands annexed into the Town, various housing types should be incorporated including affordable dwelling units. Discussions of affordable housing options within a residential development should occur at the onset with terms set out within an annexation agreement.

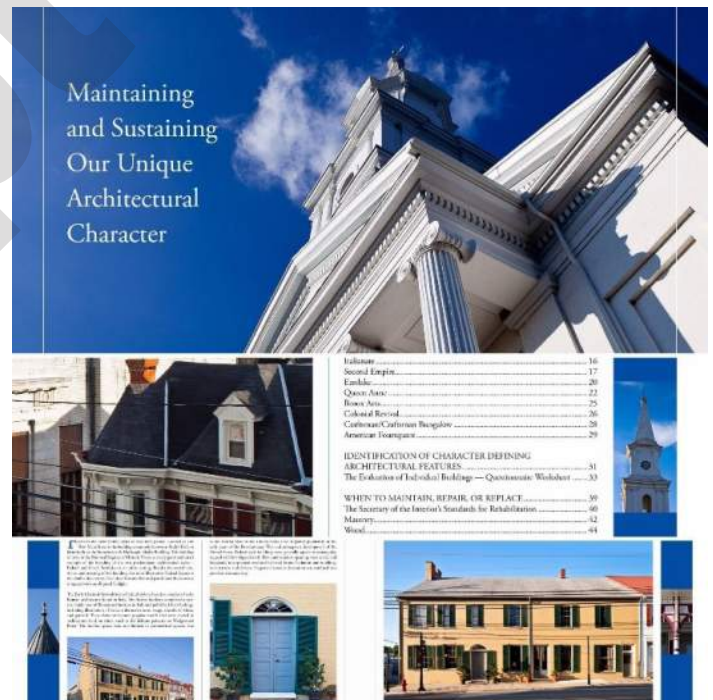
**4. Continue to build relationships with builders and non-profit developers to increase the affordable housing stock.**

**GOAL: MAINTAIN QUALITY AND CHARACTER OF EXISTING NEIGHBORHOODS**

In May of 2019, the Burgess and Commissioners passed an ordinance pertaining to unsafe buildings within the Town. Buildings and other structures which have been neglected or abandoned, have deteriorated or have been damaged can constitute a hazard to the health and safety of owners of the property or others in the vicinity of the property, can decrease property values, and can cause property damage and negatively impact the general welfare of the community at large. The ordinance is meant to prevent and alleviate such hazardous structures and to provide for the remediation of such structures. Key components of the ordinance include: applicable to buildings or structures, and not the property in general; blighted structure would need to be repaired within a reasonable time frame; and the Burgess and Commissioners can grant a property owner additional time to correct a violation where the owner establishes good cause and a written plan of action.

The preservation of existing housing will help ensure continued maintenance of residential units, by either the homeowner or the proprietor. Naturally occurring affordable housing is often found in older single-family detached neighborhoods where residential homeowners may have restricted income that prevents them from maintaining their homes as they once were able to. As the appearance of neglect in these communities may foster a sense of disregard, strategies to combat the loss of this type of existing affordable housing type will protect and enhance housing values.

Main Street Middletown’s book *Historic Middletown – Maintaining and Sustaining Our Unique Architectural Character* was printed in April 2016. Although it is meant to appeal to historic property owners, any



property owner in Town can find the concepts of maintain, repair, and when needed, replace in-kind as a way to organize any home maintenance issue. To empower the property owner, a worksheet is included in the book that provides a systematic way to inventory the characteristics of a property. As the Town is very progressive in its dedication to sustainability, the book also makes a strong connection about historic preservation and sustainability. Historic preservation is a desire of Main Street Middletown but is not a code-driven mandate.

**5. Educate the community about the blighted property ordinance and any assistance programs that homeowners can apply for.**

**6. Promote the maintaining and sustaining of Middletown’s historic architecture thru education and engagement.**

## **GOAL: REMAIN FLEXIBLE TO ACCOMMODATE CHANGING HOUSING NEEDS OVER TIME**

An accessory dwelling unit (ADU) is a small, self-contained living unit that typically have their own kitchen, bedroom(s), and bathroom space. They can be located within the walls of an existing or newly constructed single-family home or can be an addition to an existing home. They can also be freestanding cottages on the same lot as the principal dwelling unit or a conversion of a garage. ADUs provide the opportunity to offer an affordable housing option for seniors looking to downsize, young people ready to leave the nest of their parents’ home, or as supplemental rental income to the property owner. They can provide a low-impact way for a community to expand its range of housing choices.

**Detached ADU**



**Attached ADU**



**Attached (Above Garage) ADU**



**Interior (Basement) ADU**



**Interior (Converted Garage) ADU**



**Interior (Upper Floor) ADU**



Accessory units also support the evolving concept of “sustainable communities.” They can help make better use of existing housing resources, while making homeownership possible for more young households. They can also help recreate the extended family. Ultimately, they can turn a house into a flexible resource that can provide either income or living space, as required by the owner at the time. The Town of Middletown should look for ways to accommodate ADUs in existing neighborhoods as means to provide additional housing opportunities, and potentially the creation of lower-cost housing options.

The Town of Middletown, in its efforts to revitalize the historic downtown, has created the Downtown Revitalization Zone (DRZ) Incentive Program with specific incentives to attract investment in Middletown’s timeless, older buildings. The Zone mirrors the Main Street district to further illustrate the Town’s commitment to keeping the historic downtown thriving as the core of the community. The potential benefits of the program include revitalization of vacant buildings, increased jobs, increased property tax revenues, and preservation of building facades.

To qualify for the DRZ Incentive Program, a minimum of \$250,000 must be invested in the revitalization project, the façade of the building must be preserved, and a Concept Plan must be provided that demonstrates consistency of downtown character in size, scale, and materials. Incentives for developers include a reduction in water and sewer tap fees and improvement fees, deferred payments of water and sewer tap fees, parking requirement waivers, and expedited navigation through the planning commission and/or board of appeals.

**7. Promote infill development and other redevelopment options for underutilized residential or commercial lots and promote the infill of the existing Main Street district with business and high-density residential uses.**

## POPULATION PROJECTIONS

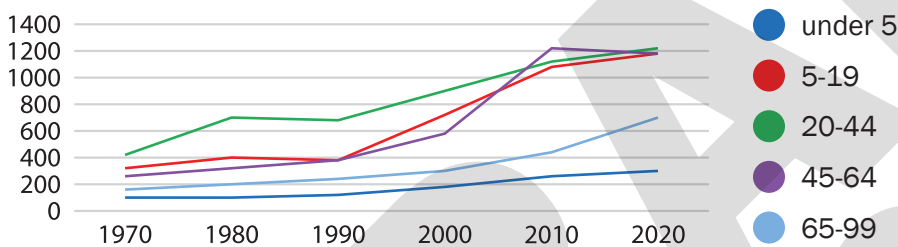
Population projections have been developed for the Town in order to plan for the impact of growth on new facilities and to help define the extent of land use needed for development in the future. Projections are based on assumptions about the economy, public facilities, household size, and public policy. The projections are also based on past growth trends and possible building permit activity. All of these factors are subject to change over time and may exert pressure on other factors which could affect the extent of development. Further discussion of population projections is found in Chapter 9 - Municipal Growth of this document.

## POPULATION TRENDS & HOUSEHOLD CHARACTERISTICS

Past population trends and the forces which have influenced them should be examined to determine the nature and direction of growth in the future. Demographic information which explains the characteristics of the population is important to the planning process.

Characteristics of the population are evaluated to determine trends which might indicate future service and facility needs to serve a certain population type. Changes in the structure of the Town may indicate a change in services such as an aging population requiring more senior citizen services. For this reason, comparison of previous Census information is presented where possible. Since 1970, the basic character of the Town in regard to age, race and sex has remained basically the same with a slight aging of the population. These figures are based on 2020 Census Reports, which are the latest available data.

**Figure 3-6 | Population by Age**



As can be seen in Figure 3-7, there has been an increase in the percentage of residents who are in the 'other' race category in recent years while the percentage of black residents has remained the same.

**Figure 3-7 | Minority Population by Race**

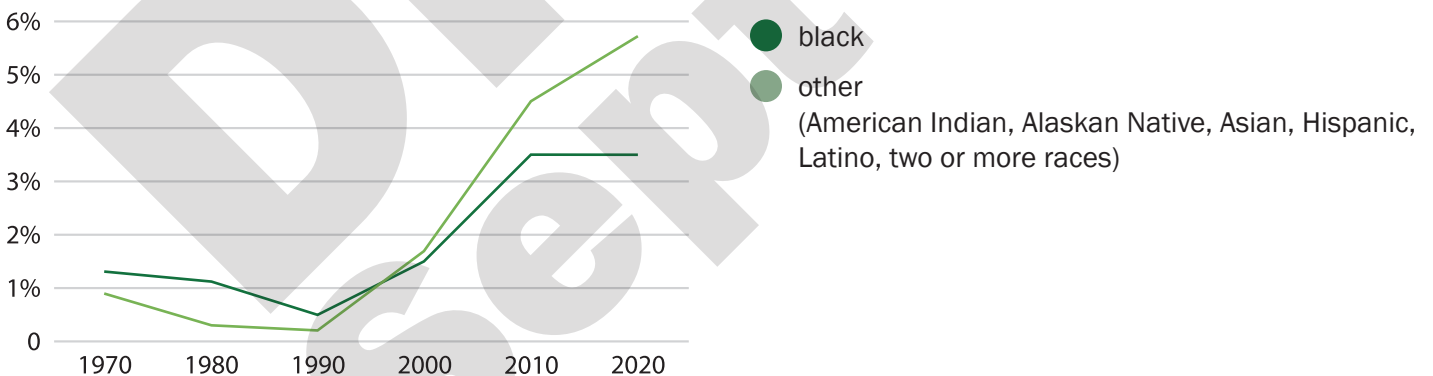
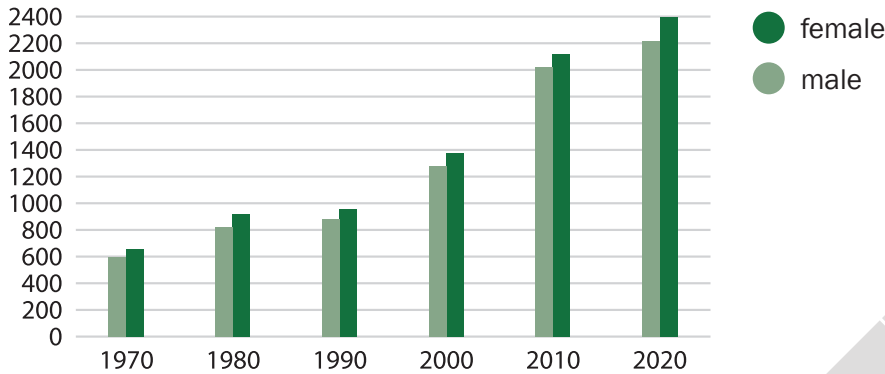




Figure 3-8 shows that the percentage of female residents has increased compared to male residents since 2010.

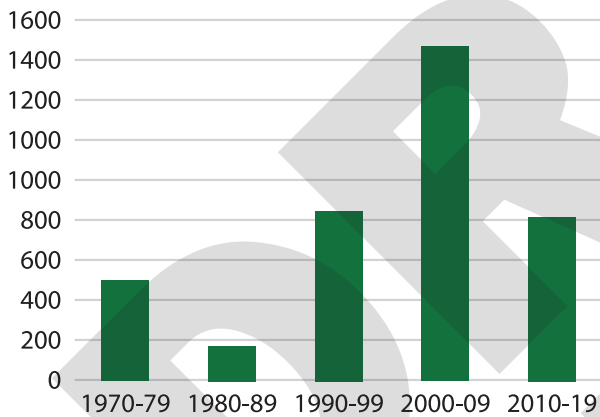
**Figure 3-8 | Population by Sex**



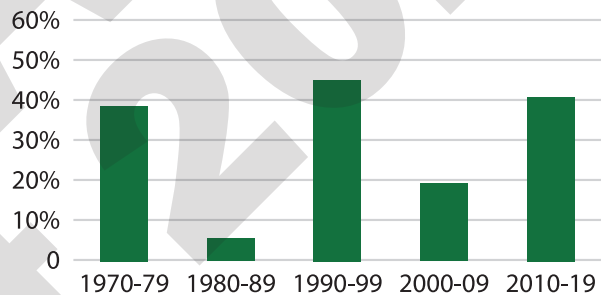
**CURRENT POPULATION**

The 2020 Census reported the population of Middletown increased 807 persons to 4,943 persons in a total of 1,569 housing units. In 1960, there was an average of 3.0 persons per household which decreased to 2.57 persons per household in 1990. This was due partly to the rise of non-family households, single parent households, single person households and smaller family size. Between 1990 and 2020 this trend has reversed, with the average persons per household now rising to 2.99. This might be attributed to the building of larger houses in recent years within the Town.

**Figure 3-9 | Population Growth (by total)**



**Figure 3-10 | Population Growth (by percentage)**



# Chapter 4: NATURAL FEATURES AND SENSITIVE ENVIRONMENTAL AREAS

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Middletown Valley

## INTRODUCTION

This chapter identifies those physical characteristics, natural resources and sensitive areas existing within the Middletown area and formulates policies and proposals to protect them.

## BACKGROUND INFORMATION

The use and intensity of development on land is often a function of the land itself. Physical characteristics of land such as steep slopes, floodplains and wetlands help determine the pattern of development. Middletown has physical characteristics that have minimal constraints on development. However, the variation of relief and physical features require careful development design in order to protect and enhance the property. Some physical features such as wetlands and woodlands serve an important ecological function and, therefore, should be protected from development. Other features such as floodplains should be protected from development due to the potential hazards from natural disasters. Some physical features can influence what land use types are appropriate for an area of Town. This chapter provides basic background information, identifies constraints to development, identifies issues and makes proposals. Two of the goals of the Middletown Comprehensive Plan are to: Provide for a Quality Living Environment, and Protection of Important Natural Resources and Landmarks. Certainly, both goals are related to any policies regarding the natural environment.

## NATURAL FEATURES GOALS

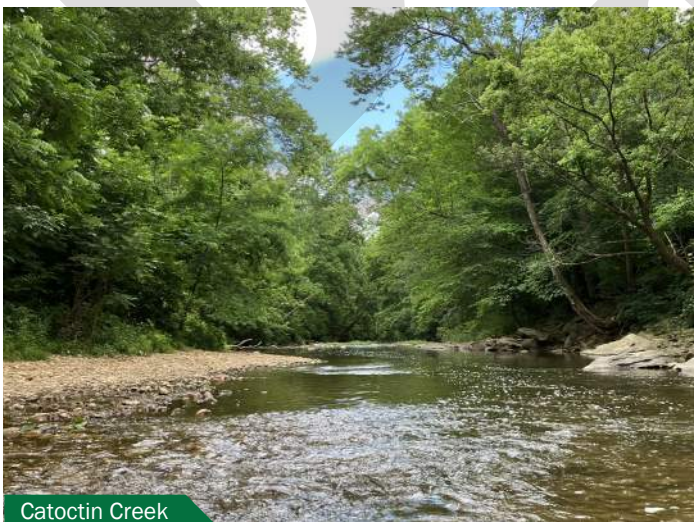
1. Protect and conserve water resources.
2. Encourage compatibility with the man-made development and the natural environment.

## EXECUTIVE SUMMARY

In order to meet the natural features goals above, the Town will need to:

1. Review development plans outside municipal limits which may impact Town water sources. Keep the County informed of Town's interest in the Middletown Watershed and Catoclin Creek Watershed as an area of critical concern to the Town to protect water resources.
2. Require environmental waterway easements or designation of open space setbacks along all perennial streams and wetlands for the purpose of natural resource protection and potential recreational use during the development review process.
3. Regulate development in the floodplain according to the adopted Town floodplain regulations.
4. Continue to encourage use of water conservation practices through various techniques and devices to promote on-site groundwater recharge.
5. Minimize the extent of grading and tree cutting. If development is to occur on slopes between 15% and 25%, good engineering practices shall be required to ensure sediment and erosion control and slope stabilization before, during, and after disturbance activities and to minimize cut and fill.
6. Consider all natural features in new development plans in order for the Planning Commission to consider the impact.
7. Encourage continued agricultural uses until development occurs per the Town's annexation policy.
8. Protect the Town's natural scenic vistas by working with Frederick County to encourage strong land use controls on rural lands adjacent to Middletown.
9. Minimize impervious cover in new developments to extent feasible.
10. Require agricultural or environmental buffers around the corporate limits.

## GOAL: PROTECT AND CONSERVE WATER RESOURCES



Catoclin Creek

### STREAMS & BUFFERS

Streams and buffers are valuable to people and vital to our natural resources. They provide drinking water, recreational fishing, water for irrigation and habitat for local plant and animal species. The streams which flow through Middletown are part of the larger network of streams which flow to the Potomac River and to the Chesapeake Bay. Protection of stream quality on the local level is important in preserving not only the local resource but the regional resources such as water quality, flora and fauna. Stream buffers are essential to preserving stream quality. Vegetative buffers provide soil stabilization, filtration of sediment and shading of the stream which maintains stream quality and mitigates temperatures.

The primary waterbody in the Middletown Region is Catoctin Creek, a winding stream with a 30-year average flow of 76.7 cubic feet per second. In comparison, the Monocacy River in the Frederick Region has a 50-year average flow of 931 cubic feet per second. Although Catoctin Creek is a significant perennial stream, historical records show a low flow of zero during the drought of 1966 (the drought of record.)

The Catoctin Creek watershed contains 121 square miles and drains 78% of the Middletown Valley. All of those areas around Middletown are within the Catoctin Creek watershed with only those areas in the very southern portion of the Middletown Valley not in this watershed. Catoctin Creek and Hollow Creek serve as the Town discharge for sewage effluent. Catoctin Creek also serves as a recreational resource.

Stream restoration work was completed in 2019 on Hollow Creek north of Layla Drive to restore and stabilize the stream channel. Substantial stream bank erosion along Hollow Creek was threatening four of the Town's wells which provide drinking water to the Town residents.

Stream bank stabilization of 450 linear feet was also done on Wiles Branch and Catoctin Creeks back in 1996. Inspections done by the State had found serious problems with wash-out, especially around the discharge line into Catoctin Creek. That project was located in the vicinity of the West Wastewater Treatment Plant.

Upcoming stream restoration work at Wiles Branch will assist the Town in completing credits towards Maryland's MS4 (Municipal Separate Storm Sewer System) requirements. MS4 requires towns to decrease their impervious areas within a town by up to 20%. This stream restoration project will be completed in multiple phases with the end goal of improving stormwater management quality and water quality of Wiles Branch.

**1. Review development plans outside municipal limits which may impact Town water sources. Keep the County informed of Town's interest in the Middletown Watershed and Catoctin Creek Watershed as an area of critical concern to the Town to protect water resources.**

**CATOCTIN CREEK TMDL**  
The Environmental Protection Agency approved on July 31, 2009, a Total Maximum Daily Load (TMDL) for sediment in the Catoctin Creek Watershed to reduce sediment runoff and discharges into Catoctin Creek and its tributaries.



Hollow Creek stream resotration

## FLOODPLAINS & WETLANDS

Identification of floodplain/wetlands is important since these are areas that perform important functions such as water recharge, diversified habitat for plants and wildlife, and storage and channeling of water during high stream flow. Floodplains are defined in several ways and two types of floodplains are found in the Middletown area: the one-hundred-year floodplain and the annual floodplains. One-hundred-year floodplains are defined as the area that will be inundated by the flood event having a one-percent chance of being equaled or exceeded in any given year. The one-percent annual chance flood is also referred to as the base flood or 100-year flood. One hundred-year floodplains are delineated by the Federal Emergency Management Agency (FEMA) for inclusion in their flood insurance program. Middletown adopted the State Model Floodplain Ordinance on April 13, 1992, and updated its floodplain regulations on June 8, 2015, based on the State model regulations. The annual floodplain is the area which includes soils identified in the Soil Conservation Survey as soils of generally wet land which provides natural water retention.

The four major streams through Middletown all have floodplains. Catoctin Creek and Hollow Creek have been categorized as having a 100-year floodplain.

One-hundred-year floodplain information also exists for Cone Branch and Wiles Branch up to the southern limits of Middletown. All four streams also have associated floodplain soils.

Wetlands are those areas which are inundated with water for a significant part of the year and/or have the plant species and soils typical of those found in wet areas. Frederick County's wetlands are non-tidal wetlands. Non-tidal wetlands perform an important function in controlling floods, supporting wildlife and filtering runoff before it enters the groundwater system. Non-tidal wetlands can also retain water like sponges through the dry times of year.

There are six major areas in Middletown which have been identified as wetlands. These include: two areas along Wiles Branch both north and south of West Main Street; an area along Cone Branch on the north side of Town, west of Coblenz Road; an area south of East Main Street, along Hollow Creek, areas throughout the Glenbrook Subdivision and Foxfield at Hollow Road and Layla Drive. See Map 4-1 following this chapter for wetland and floodplain locations.

It is important to note that additional wetlands may be identified through the development review process as specific properties develop and engineering is undertaken.



Hollow Creek

## FLOODPLAIN REGULATIONS

The Town enacted the State required floodplain regulations which cover FEMA 100-year floodplains. There are additional areas in Town which are floodplain soils such as along Cone Branch. Additional regulations were enacted in 2015 to protect these areas.

**2. Require environmental waterway easements or designation of open space setbacks along all perennial streams and wetlands for the purpose of natural resource protection and potential recreational use during the development review process.**

**3. Regulate development in the floodplain according to the adopted Town floodplain regulations.**

## GROUNDWATER

The other important water source in the Middletown Valley is groundwater. The Town water supply comes from a series of four springs located on the western ridge of Catoctin Mountain near Coxe Brown Road and 23 wells. The Town including the springs are delineated community wellhead protection areas on the County's Wellhead Protection Areas map dated July 26, 2016. These springs and wells are carried by a pipe to the Town's water tank off Hollow Road. It should be noted that soils of the valley are generally of low porosity and, therefore, unable to store quantities of water large enough to adequately feed the streams during long extended periods of drought. Well yields in the Region range from 1 to 89 gallons per minute. The two rock formations, the Catoctin Metabasalt and Mica Schist, have average well yields of 16 and 22 gallons per minute respectively. The Catoctin Metabasalt rock formation is in Hydrologic Unit II which is an average water bearing rock formation. The Mica Schist is in Hydrologic Unit III which is a poor water bearing rock formation. See Map 8-1 Watersheds following Chapter 8 for more detailed information.

**4. Continue to encourage use of water conservation practices through various techniques and devices to promote on-site groundwater recharge.**

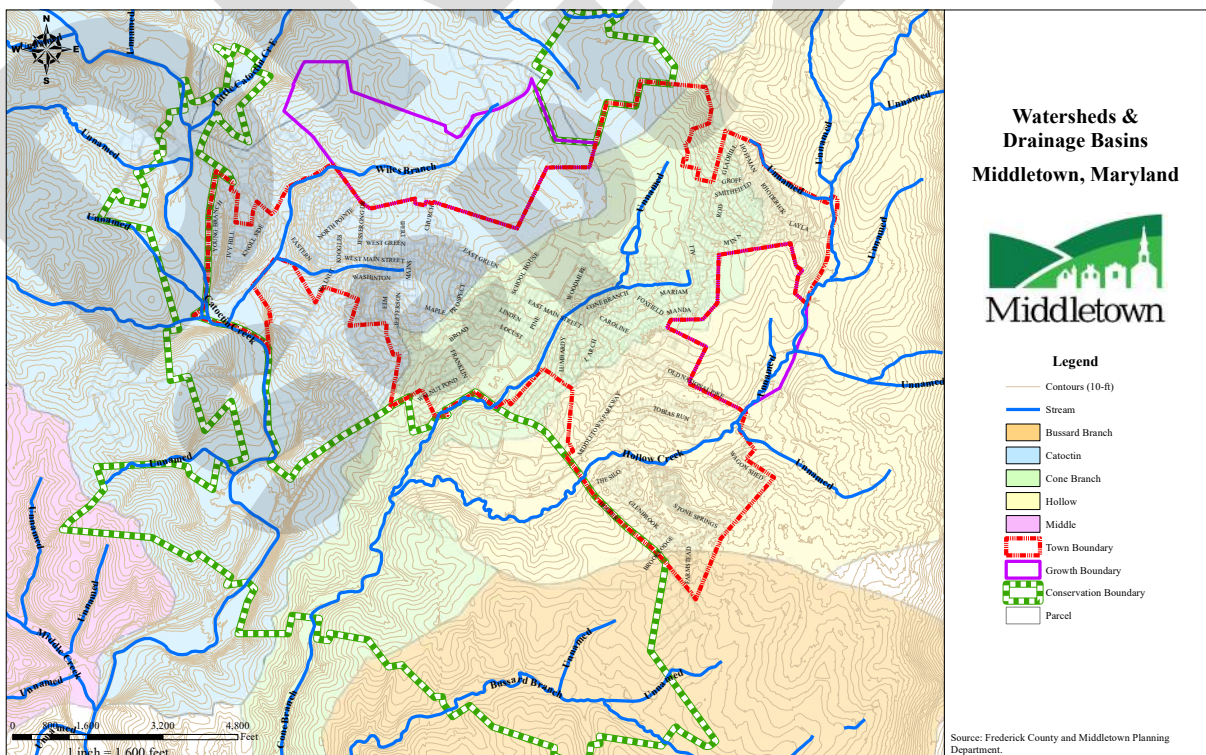
## GROUNDWATER RESOURCES

The Town relies on ground water resources in the Catoctin Mountains east of Middletown. As additional areas are considered for development, large areas should be reserved for future water needs. Identification of these areas would occur through the planning process and review of the water and sewer plan.

## WELLHEAD PROTECTION

The Town adopted a wellhead protection policy in 1996. This policy needs to be further supported by the County strengthening its program, adopted in 2007, as most of our resources exist outside of the municipal boundaries. The Town has acquired land around its wells and springs outside of the town limits to protect its groundwater resources, however this is a costly endeavor and a stronger county wellhead protection ordinance is needed.

**Figure 4-1 | Watersheds and Drainage Basins**



## **GOAL: ENCOURAGE COMPATABILITY WITH THE MAN-MADE DEVELOPMENT AND THE NATURAL ENVIRONMENT**

### **EROSION & SEDIMENT CONTROL/STORMWATER MANAGEMENT**

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

### **TOPOGRAPHY/STEEP SLOPES**

The Town of Middletown is centrally located in the Middletown Valley which is best described as an inter-mountain area of steeply rolling land, narrow streams and rapid fall from north to south. The fall is about 14 ft. per mile (Catoclin Creek) or about five times that for the Frederick Valley. Surrounding the Middletown Valley on three sides are the Catoclin and South Mountains with elevations over 1,700 ft. above sea level.

The land within the corporate limits is rolling with elevations from 430 ft. along Catoclin Creek in the southwest part of Town to 810 ft. above sea level at the northeast corner of the recent Memar annexation north of the Middletown County Park, in the northeast part of Town. There are several large areas on the east side of Town both north and south of Main Street which are relatively level.

The steepest slopes in Middletown occur in the stream valley areas. Because of the proximity to streams, protection of steep slopes as a sensitive area is extremely important. Slopes provide the environment for soil and pollutants to move into the stream system very quickly and at great speeds, which can increase erosion and increase the dangers of flooding to human life and property. Protection of steep slopes along the stream valley is the first step in protecting water quality. Steep slopes with undisturbed vegetative cover slow runoff, filter sediment and can provide cooler streams by the presence of shade. In addition, the steep slopes along the floodplains provide a natural area for the Town to obtain the benefits of re-forestation. Re-forestation along steep slopes also provides aesthetically pleasing areas and habitats for the local plant and animal populations.

The general slopes in Middletown are in the direction of two areas, Catoclin Creek on the west and Cone Branch which flows through the eastern central portion of Town. The easternmost area of Town slopes to Hollow Creek which is a tributary of Cone Branch. There are two tributaries to Catoclin Creek - Wiles Branch and Tanner's Branch, which parallels Main Street and Washington Street and runs from Main's Alley to Walnut Street. Most of the undeveloped land in and around Middletown is open with very little tree cover due to the existing farming in the area. Most of the tree cover is found along the stream valleys.

**5. Minimize the extent of grading and tree cutting for new development. If development is to occur on slopes between 15% and 25%, good engineering practices shall be required to ensure sediment and erosion control and slope stabilization before, during, and after disturbance activities and to minimize cut and fill.**

### **OPEN SPACE ZONING DISTRICT**

The primary tools for protecting natural resources are the Open Space Zoning District and specific restrictions applied during the subdivision review process. Purposes of the Open Space District are to preserve natural resources and prevent erosion and limit development on excessive slopes and floodplains. The Open Space District up to this point has been used primarily for large institutional and park properties. The Open Space District could also be applied more to areas which meet specific criteria for floodplain and steep slopes.

## **HABITATS OF THREATENED & ENDANGERED SPECIES**

The Maryland Natural Heritage Program has identified a number of rare plant and animal species in Frederick County. Rare species which occur in Frederick County are often found in wetlands and rich forest lands. Some of the rare species are on the State's official threatened and endangered species list, and others are proposed to be added to it. According to the Maryland Department of Natural Resources, there are no known threatened or endangered plant or wildlife species in the Middletown area.

## **GEOLOGY & MINERAL RESOURCES**

Geologic information is important in several ways. First, rock structure influences landform and drainage pattern. Second, rock structure also determines groundwater availability. Geology also determines the available resources for mining purposes.

The Middletown Valley is part of the Blue Ridge Province which is one of two major physiographic regions in Frederick County. There are two predominate geologic strata in and around the Town of Middletown. The Catoctin Metabasalt formation (MB) comprises 80% of the sub strata north of Middletown and the Mica Schist comprises 80% of the sub strata south of Middletown. In addition, there is a narrow band of Rhyolite tuff (volcanic rock with quartz) which cuts through the center of Middletown.

Many geologic resources in Frederick County are currently mined, although none are located in the Middletown Region. Limestone, shale, and stone aggregate are mined in the Frederick Valley, east of Catoctin Mountain.

### **6. Consider all natural features in new development plans in order for the Planning Commission to consider the impact.**

## **SOILS**

The soils in and around Middletown are classified as prime soils. These are the lands best suited to producing food, feed forage, and fiber. The predominate soil types in Middletown are from the Myersville and Fauquier soil series which makes up over 90% of the soil in Middletown. Both the Fauquier and the Myersville soils are described as deep, well drained and highly productive. These soils are commonly associated with the Catoctin soils. There are four areas in Middletown with soils which are classified as floodplain soils, and these naturally are along the five streams running through Town: Catoctin Creek; Cone Branch; Wiles Branch; Hollow Creek; and Tanner's Branch. Soils in the Middletown area have been mapped and categorized in the Frederick County Soil Survey according to productivity, resistance to erosion and other factors. A breakdown of these soils indicates that nearly 70% of the land in Middletown is in Class I and II soils which are the two best agricultural soil types.

### **7. Encourage continued agricultural uses until development occurs per the Town's annexation policy.**

## **FOREST CONSERVATION**

In 1991, the State of Maryland enacted the Forest Conservation Act to protect forests by making forest conditions and character an integral part of the site planning process. It is regulated by the Maryland Department of Natural Resources but implemented and administered by local governments. The law's intent is to maximize the benefits of forests and slow the loss of forest land, while allowing development to take place. In 2006, the Burgess and Commissioners adopted Subtitle 16 of Title 5 of the Natural Resources Article of the Annotated Code of Maryland as the "Middletown Forest Resource Ordinance." Prior to the approval of any subdivision of land or development which results in the cumulative disturbance of 40,000 square feet or greater, developers must submit a Forest Stand Delineation and a Forest Conservation Plan which are reviewed and approved by the Middletown Planning Commission.

## **FOREST REGULATIONS**

Forest conservation laws enacted by the State are included in the Town's regulations by amendment as necessary. The Town should preserve and increase the tree canopy within the developed areas of the Town. To the extent possible, the natural resource areas such as stream valleys should be incorporated into recreational uses and as areas for reforestation to meet forestry regulations.



The Town makes every effort to plant trees along stream banks and within floodplains, and in other areas owned by the Town. If forest is being protected as part of a development project, the area must be put into an easement for long term protection.

**8. Protect the Town's natural scenic vistas by working with Frederick County to encourage strong land use controls on rural lands adjacent to Middletown.**

**9. Minimize impervious cover in new developments to extent feasible.**

**10. Require agricultural or environmental buffers around the corporate limits.**



Tree seedlings along West Main Street

#### **NATURAL FEATURES IMPLEMENTATION MEASURES**

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

- 1. Town shall restrict development along all creeks and streams and require a minimum 100 ft. buffer from each bank. This shall be carried out through site plan review by the Planning Commission in accordance with the Town Zoning and Subdivision Regulations. The buffer shall include the one-hundred-year floodplain, adjacent non-tidal wetlands, annual floodplain soils, adjacent steep slopes, and in the absence of any of those sensitive areas, a setback measured from the centerline of the stream channel.**
- 2. No development shall be allowed on floodplain soils, or on non-tidal wetlands.**
- 3. Steep slopes along streams shall be priority areas for reforestation under the Middletown Forest Resource Ordinance. This shall be implemented by identification of reforestation areas.**
- 4. The zoning ordinance and subdivision regulations have been examined for possible protections for steeply sloped areas and amendments have been enacted.**





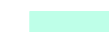
The Town has taken numerous actions over the years to achieve protection of natural features. These actions are described in the Sustainability chapter of this Comprehensive Plan.

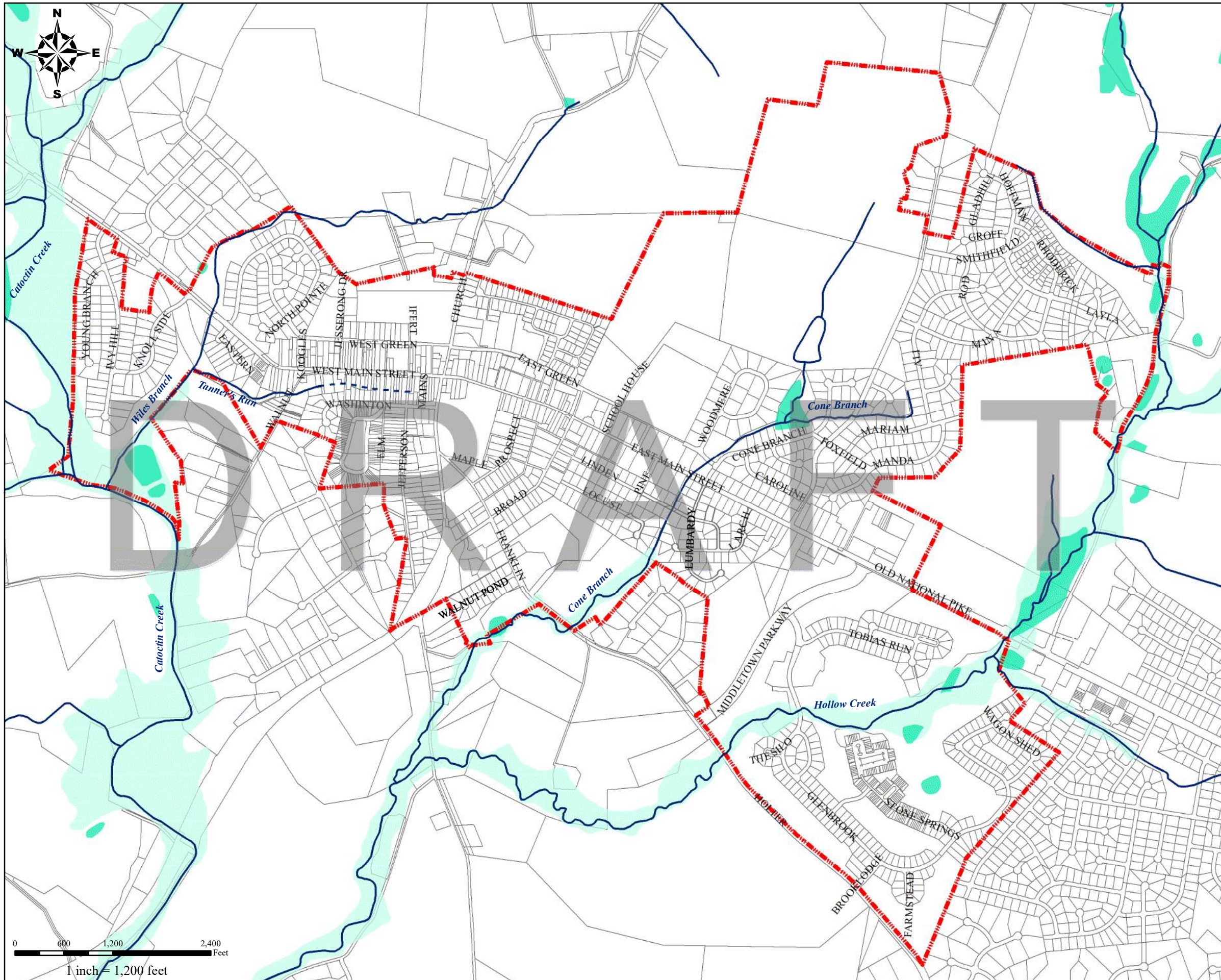
# Floodplain and Wetland Map

## Middletown, Maryland



### Legend

-  Water Feature
-  Parcel
-  Town Boundary
-  Wetland
-  Floodplain



Source: Floodplain from Maryland iMap created by FEMA and a given local community for the National Flood Insurance Program (NFIP) updated 2/25/2020. Wetland provided by Maryland iMap created by U.S. Fish and Wildlife Service, National Wetland Inventory modified 8/2/2019. Frederick County and Middletown Planning Department.

# Chapter 5: TRANSPORTATION



Main Street with South Mountain in the distance

## INTRODUCTION

The purpose of this chapter is to inventory and analyze the existing transportation system. The transportation system and community development are intertwined and the need for additional roads and other modes of transportation increase as development occurs along the existing transportation routes.

This chapter includes a review within the broader regional context, the existing local network of roads, traffic counts, the need for additional roads, pedestrian safety, problem areas, and other issues related to transportation in and around town.

While traffic movement is primarily related to the automobile, the Town can play a role in non-automobile related transportation efforts. Primarily, these efforts will be related to the movement of people within the Town limits for recreation, shopping, and schools.

## TRANSPORTATION GOALS

1. Improve transportation links with the roads outside of the Town limits.
2. Provide safe, reliable traffic patterns within the Town.
3. Obtain data necessary for future planning including establishing traffic count levels and inventory of available parking.
4. Reduce congestion and encourage environmentally friendly forms of transportation including walking, biking and ride sharing.

## EXECUTIVE SUMMARY

In order to meet the transportation features goals above, the Town will need to:

1. Facilitate the construction of a parkway by reserving road right-of-ways during the development review process. Parkway roads can also be built to standards determined by the Town and funded by development. The most likely way to get developer built roads is through properties approved for development.
2. The Town should study concepts for the revitalization of downtown streets.
3. Road construction is governed by street design standards found in the Middletown Design Manual. New road construction needs to be integrated into the character of the Town and the relationship with Main Street. New roads should complement the existing Town street pattern. The Town should consider the appropriate streets for bicycle lanes, or wider shoulders, and design streets accordingly.
4. The Town will continue the practice of surveying the condition of the local roads for input into the Capital Improvement Plan.
5. Ifert Drive, Coblenz Road, and the road through the County Park, are maintained by the County even though they mostly lie within the Town boundaries. These roads are not currently up to Town standards, as they do not have curb and gutter or any associated storm management. The Town has not desired to assume responsibility for these roads unless they are brought up to the Town's standards.
6. Planned road improvements shown in the Comprehensive Plan will be required to be provided during development review with an emphasis on construction and dedication over reservation. In addition, the development review process will consider transit, bicycle and pedestrian improvement requirements.
7. Inventory and study existing parking to establish a baseline, support opportunities for shared parking facilities, and monitor availability and need.
8. Pedestrian safety improvements at intersections may be accomplished in the form of pavement markings, signage, or signal improvements.
9. Lighting for enhanced pedestrian safety.
10. Install or improve sidewalks in accordance with the Pedestrian Safety Sidewalk Enhancement Plan of 2012. The Town will also continue to appeal to FCPS and the County to fund roadway and pedestrian improvements at the school complex.
11. The Town will support coordination with Frederick County to encourage shared use path connections between Middletown and the City of Frederick, Myersville and along Catocin Creek.
12. Maximize pedestrian and bicycle accessibility to schools, parks and residential areas of the community.
13. The Town should explore the role that could be played in ridesharing and carpooling. As a Town service, the Town could provide matching of people with destinations. This could be accomplished by simply matching individuals for pickup at homes or by provision of a rideshare parking lot.
14. As part of the statewide bikeway network, local officials should work with SHA to enhance opportunities to improve conditions for bicyclists including the provision of bicycle racks in the Main Street business district. No other on-road or off-road bicycle ways currently exist in the Town.
15. Consider transit, bicycle and pedestrian improvement requirements during the development review process.

## GOAL: IMPROVE TRANSPORTATION LINKS WITH ROADS OUTSIDE OF TOWN LIMITS

### REGIONAL CONTEXT OF THE TRANSPORTATION SYSTEM

The transportation system in the Middletown region contains both inter (outside the region) and intraregional (within the region) transportation connections. Three interregional road connections are I-70, US-40, and US-40 Alternate; all are east-west connections from Frederick west to Hagerstown and beyond. The existence of these interregional routes is important due to the limited access outside the Middletown region because of the mountains. This is a factor in evaluating transportation alternatives to improve traffic congestion.

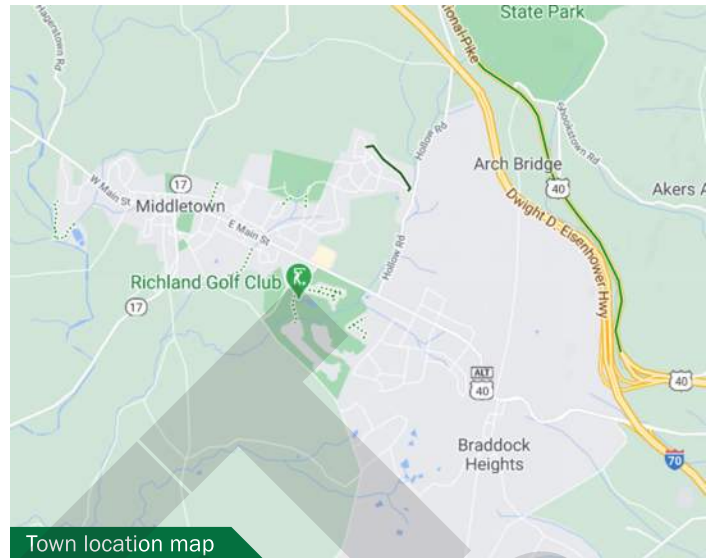
The oldest of the three, US-40A, becomes Main Street in Middletown and is a two-lane road for its entire length where it splits from US-40. The newest of the three, I-70, was built in the late 1960s and now carries most of the through County east-west traffic. The predominant north-south route through the Middletown region is MD Rt. 17 which is a two-lane State rural road that winds from Smithsburg in Washington County south to Brunswick. MD Rt. 17 becomes Church Street in Middletown and intersects with Main Street (US-40A) in the center of Town. Other major north-south roads in the region are Old Hagerstown Road, Old Middletown Road, Holter Road, and Harmony Road.

The developer of the Glenbrook Subdivision was required to construct a section of the southern parkway between East Main Street and Holter Road to State standards (150' right-of-way with 2 lanes of 24' wide pavement) and dedicate to the Town the entire right-of-way until such time the State would take over the road. The developer also constructed a street (Glenbrook Drive) which runs from the parkway in an eastward direction and connects with Holter Road, affording the development two accesses to Holter Road.

The developer of Foxfield constructed collector streets (Smithfield Drive and Layla Drive) between Coblentz Road and Hollow Road. These streets are north of US 40-A and parallel that State Highway. A 150' right-of-way running in a north/south direction is also reserved through the subdivision for future extension of a parkway route as shown in the accompanying maps.

Middletown has also actively requested County and State participation in further study for a Middletown road south of Town shown in both this Plan and the Frederick County Middletown Regional Comprehensive Plan for a road from US 40-A at Brookridge South to Rt. 40-A at the Town Plaza Shopping Center. The County no longer has listed this as a Secondary Road Priority.

**1. A major priority of the Middletown planning effort is the construction of a parkway to reduce through traffic in the center of Town. The Town can facilitate the construction of a parkway by reserving road right-of-ways during the development review process. Parkway roads can also be built to standards determined by the Town and funded by development. The most likely way to get developer built roads is through properties approved for development.**



## HISTORY OF THE HISTORIC NATIONAL ROAD

Middletown's Main Street is part of the Historic National Road, which was the first major improved highway in the US built by the federal government. Built between 1811 and 1837, the 620-mile road connected the Potomac and Ohio Rivers and was a main transport path to the West for thousands of settlers. When the National Road came through in the early 1800s, Middletown became a welcome respite between two steep mountain ridges. Harness, blacksmith and carriage shops joined the taverns and hotels that serviced the parade of travelers passing on Main Street. Locals began to refer to their street as "the main road from Baltimore to the western states."

Middletown participated in the Maryland National Road Partnership Program to nominate the Old National Pike (Main Street) from Baltimore to the Pennsylvania line as an "All American Road," which has since been designated as such. The National Road has also been designed as a Maryland Scenic Byway. Middletown became a thriving town along the road and was named due to its location between South Mountain and Braddock Mountains.

## **GOAL: PROVIDE SAFE, RELIABLE TRAFFIC PATTERNS WITHIN THE TOWN**

### **INVENTORY AND ANALYSIS OF LOCAL ROADS**

The local road network in Middletown is predominantly characterized by the relationship of the smaller streets to Main Street and to a lesser extent Church Street. The basic linear grid pattern with parallel streets is present in the Town street system but contains many interruptions that force traffic back to Main Street and Church Street. The street system has its origin in the original layout of the Town with some of the original streets being Jefferson, Church, Elm, North (now Green), and South (now Washington) Streets.

About 350 ft. north of Main Street is Green Street, which parallels Main Street. West Green Street has been upgraded with storm drains, curbs and gutter, and sidewalks from N. Church Street to just west of the AMVETS property.

**2. The Town should study concepts for the revitalization of downtown streets.**

**3. Road construction is governed by street design standards found in the Middletown Design Manual. New road construction needs to be integrated into the character of the Town and the relationship with Main Street. New roads should complement the existing Town street pattern. The Town should consider the appropriate streets for bicycle lanes, or wider shoulders, and design streets accordingly.**

The State Highway Administration (SHA) collects a gasoline tax from across the State and then distributes these funds to municipalities. Middletown is given a set amount of money for each mile of local roads that Middletown agrees to maintain. This means that repairing and maintaining local streets and roads is the town's responsibility. Middletown maintains 24.7 miles of roads. The Town's Director of Public Works inventories the state of the roads annually and prioritizes the roads that need work. Costs for road repairs are put in the Capital Improvement Program budget for approval by the Burgess and Commissioners.

**4. The Town will continue the practice of surveying the condition of the local roads for input into the Capital Improvement Plan.**

**5. Ifert Drive, Coblenz Road, and the road through the County Park, are maintained by the County even though they mostly lie within Town boundaries. These roads are not currently up to Town standards, as they lack curb and gutter or any associated storm management. The Town has not desired to assume responsibility for these roads unless they are brought up to the Town's standards.**

**6. Planned road improvements shown in the Comp Plan will be required to be provided during development review with an emphasis on construction and dedication over reservation. In addition, the development review process will consider transit, bicycle and pedestrian improvement requirements.**

In recent years, Manda Court, Manda Drive, Martha Mason, and Locust Boulevard were resurfaced. Washington Street will be resurfaced from Church Street to Elm Street in 2021, and will include new sidewalks, curb and gutter. Additionally, street lights will be added to that section of the street. Broad Street will undergo reconstruction in 2021, including new sidewalks. Streets in the subdivisions of Glenbrook, Foxfield, North Pointe and Cone Branch Estates, which were completed in more recent years, provide connections that have helped to alleviate traffic congestion at the intersection of US 40-A and MD Rt. 17 in downtown Middletown.



Walnut Street bridge

In 2013, the bridge on Walnut Street over Tanners Run was replaced due to its deterioration over time. The bridge is located approximately 500 feet from the intersection of Walnut Street and West Main Street. In addition to the replacement of the superstructure and the rehabilitation of the bridge abutments, roadway approaches and storm drainage improvements were made as well. See Map 5-1 following this chapter, Roads by Jurisdiction map.

## **GOAL: OBTAIN DATA NECESSARY FOR FUTURE PLANNING INCLUDING ESTABLISHING TRAFFIC COUNT LEVELS AND INVENTORY OF AVAILABLE PARKING**

### **PARKING**

The parking lot at the corner of East Green Street and North Church Street has recently been designated as a public parking lot and landscaping has been added to enhance the lot. The Elm Street parking lot was renovated in 2019 to add lighting, an EV charging station, planting beds and associated tree, shrub and flower plantings. A handicap access ramp was added to the back of the Municipal Center in 2020, and public parking spaces were added on West Green Street with the West Green Street improvements.

Although it has not been documented that there is a parking shortage in Town, efforts are made to increase parking in the downtown when and where feasible. In conjunction with the SHA Streetscape project, six parking spaces were made available on South Church Street in front of the Christ Reformed Church property.

### **7. Inventory and study existing parking to establish a baseline, support opportunities for shared parking facilities, and monitor availability and need.**

### **TRAFFIC VOLUMES**

Traffic volume data gives insight into the function of various roads throughout the Region and around the Town. Low traffic counts would indicate the function of the road is predominantly local access while higher counts indicate the function of the road is more than just local access and includes through traffic movements. Traffic counts are available on State roads and have in the past been available on certain County roads in the Middletown area.

Frederick County's 2019 Traffic Volume Map provides the Annual Average Daily Traffic (AADT) counts provided by SHA. The traffic counts are derived by taking 48-hour machine count data and applying factors from permanent count stations. It is interesting to note that the 2019 traffic counts are less than the counts done in 2007 at each of the three count stations within the town limits. See Map 5-2 following this chapter, Traffic Volume map.



Elm Street parking lot with EV charging station

## **GOAL: REDUCE CONGESTION AND ENCOURAGE ENVIRONMENTALLY FRIENDLY FORMS OF TRANSPORTATION INCLUDING WALKING, BIKING AND RIDE SHARING**

### **CONGESTION**

The extent of through traffic in the center of Town on US 40-A has generated several studies of existing and projected traffic volumes as well as alternatives to relieve the traffic congestion over time. The Middletown Downtown Revitalization Study conducted by Hyder (ARRO Engineering) was completed in connection with the (most recent) southern bypass study. It evaluated traffic movements through Middletown during the A.M. and P.M. peak (rush) hours. The results from the Origin & Destination Study indicated that the majority of the traffic through downtown in the A.M. peak was from the west and the south, heading east, and the reverse in the P.M. peak. The existing average daily traffic (ADT) in 1996 on US 40A through Town was 13,500, which was expected to increase to over 23,300 by the year 2010 without any highway improvements. Based on 2019 data from the State of Maryland, that expected increase did not occur. The traffic volume on US 40-A just east of MD 17 was 11,653, and just west of MD-17 it was 8,560. Over Braddock Mountain, there was an approximate 70%/30% split in the peak hours, with the majority of the traffic heading east in the A.M., and west in the P.M. The traffic volume just west of the I-70 ramps along US 40-A in 2019 was 20,810. Although vehicle traffic counts have increased at the Braddock location (east of town limits), all other vehicle counts in Middletown are lower by approximately 1.7 to 3.7%. This may be due to increased use of the Middletown Parkway which was completed in 2004. Given the lack of dependable traffic volume data within and outside of the town limits, it is difficult to discern the amount of traffic that is coming from Washington County or other areas outside of the town that might be contributing to traffic congestion during peak travel times.

While both southern and northern alternatives would relieve traffic congestion in downtown Middletown, the high traffic volumes through Braddock Heights would remain. The most recent study considered the possibility of an interchange on I-70 at Hollow Road, although it is not certain whether an interchange would be approved at this location. At the present time, the Town of Middletown has, through the annexation process, commitments for dedication of right of way through the Brookridge South subdivision, and the Middletown Parkway was built as part of the Glenbrook subdivision development. In addition, right of way has been reserved through the Middletown South Subdivision and Holy Family Catholic Church. Sections of a northern collection road have been included in the Foxfield Subdivision and with the annexation in 2018 of the property north of the County Park, more of that collection road going west from Coblenz Road will be constructed within the next few years. The Transportation Map (Figure 5-4) identifies a future road south of the center of Town that connects West Main Street to MD-17 and on to Old Middletown Road. A future road north of the center of Town would connect Smithfield Drive in the Foxfield subdivision west to MD-17 and then westward to Old Hagerstown Road. If this were also able to connect to the rear of the FCPS campus, this would alleviate traffic from Myersville and Wolfsville from going through Town and using Green St. and Schoolhouse Dr.

### **PEDESTRIAN SAFETY**

In addition to problems created by high traffic volumes and the need for an alternative route, other traffic problem areas exist. As with many Towns which developed prior to the automobile, the older streets are narrower than what would be required under current standards. Development occurred in close proximity to the traveled roadways leaving little room for road improvements. Increased traffic has increased the problem created by narrow roadways. In particular, intersections of narrow streets become problem areas. Intersection problems in Town include the West Main Street/Walnut Street intersection and the Washington Street/Church Street intersection. The difficulty with the Walnut Street intersection is the angle and grade of the intersection and the problem with the Washington Street intersection is the steep grade from Church Street. All of the older downtown streets are narrow including particular problems with South Jefferson Street, Koogle Drive and Summers Drive. Due to existing historic structures at the intersection of Church Street and Main Street, widening options to make geometric improvements for increased pedestrian safety are not possible.

**8. Pedestrian safety improvements at intersections may be accomplished in the form of pavement markings, signage, or signal improvements.**

**9. Lighting for enhanced pedestrian safety.**



## **SIDEWALKS**

Sidewalks provide a link for people and their community. Distances which could easily be traveled on foot will not be done if there isn't a safe, accessible sidewalk or path. As such, the sidewalk system can provide an important function in encouraging more pedestrian movements for nearby trips. The Town supports Frederick County in working with the Safe Routes to Schools Program to improve bicycle/pedestrian safety, in particular at intersection crossings, and provide pedestrian education and greater ADA accessibility.

### **10. Install or improve sidewalks in accordance with the Pedestrian Safety Sidewalk Enhancement Plan of 2012. The Town will also continue to appeal to FCPS and the County to fund roadway and pedestrian improvements at the school complex.**

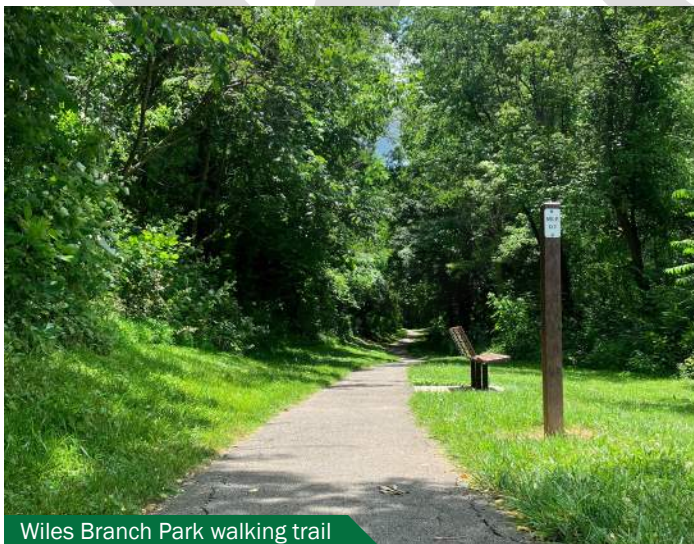
The existence of sidewalks in Middletown is predominately in the oldest and newest areas of Town although new sidewalks have been installed along West Green Street, East Main Street and Broad Street in recent years. Middletown now has about 54 miles of sidewalks. Church Street has sidewalks both north of Main and south of Main from Green Street south to Broad Street. Other streets which have sidewalks for a large portion of their length include Jefferson Street, Prospect Street and Broad Street. Major subdivisions which have been built since the 1970s which also have sidewalks include Jefferson Village, Brookridge South, North Pointe, Glenbrook, Cone Branch Estates and Foxfield. Notable areas where sidewalks are not present are in the Woodmere North and South Subdivisions, and Jefferson Street extended.

The Pedestrian Safety Sidewalk Enhancement Plan of 2012 outlines the procedures the Town will use to review and improve sidewalks throughout the Town for the general safety of pedestrians as well as the large portion of school children in Town required to walk to school by FCPS. Inspections of sidewalks are conducted by Town staff and recorded in inspection reports for each property. If any deficiencies are identified in the inspection report, the property owner will be sent the report and informed of the need to make the necessary repairs.

The Town has a dedicated line item in its budget for the installation of ADA compliant curb cuts at crosswalks throughout the town. This effort began in 2013 and is an ongoing effort. Crosswalk warning lights were installed on Middletown Parkway in 2020 in response to citizen concerns about school walkers and will be added in other locations if warranted.

## **GREENWAYS & PATHS**

The undeveloped lands around Middletown provide an opportunity for a shared path or greenway system. These greenways and paths would be located on a combination of stream valleys, public lands and existing public road right-of-way. Greenways would surround the town and connect with proposed county paths following the Catoctin Creek and following trolley lines from Myersville connecting Middletown to other communities.



Wiles Branch Park walking trail

### **11. The Town will support coordination with Frederick County to encourage shared use path connections between Middletown and the City of Frederick, Myersville and along Catoctin Creek. 12. Maximize pedestrian and bicycle accessibility to schools, parks and residential areas of the community.**

Beginning at Remsberg Park, a path has been constructed on the east side of the Middletown Parkway to Main Street. From there it would need to traverse through the AC Jets property and continue through the Foxfield development using land from the existing right-of-way of the Middletown Parkway. This path would connect with the existing Foxfield Path on the perimeter

of Foxfield. This existing Foxfield Path would continue through the newly annexed land west of Coblentz Road, and then continue behind the Middletown Middle/High School complex. This path would also connect to the existing and planned paths in the Middletown County Park.

After crossing Route 17, the path would connect with North Pointe and then southward across Route 40A to the Wiles Branch Park paths. These paths would then continue south of Middletown connecting with Remsburg Park, forming a Greenway around Middletown. In addition, a path was recently constructed that connects the walkway on Cone Branch to a path starting from Route 40A to the Middletown Primary School and then onward to Remsburg Park; this pathway ultimately connects Remsburg Park and the Middletown Primary School to the Middle/High School complex and the Middletown County Park. See Map 5-3 following this chapter, Greenway Map to see the existing and proposed trail alignments.

**13. The Town should explore the role that could be played in ridesharing and carpooling. As a Town service, the Town could provide matching of people with destinations. This could be accomplished by simply matching individuals for pickup at homes or by provision of a rideshare parking lot.**

### **ALTERNATE TRANSPORTATION OPTIONS**

Towns the size of Middletown generally cannot support public transportation services. At present, Frederick County's TransIT plus, which is a County operated transportation service, provides demand-response transportation service for medical assistance recipients (for medical appointments only, where public transit is not available), senior citizens and persons with disabilities. Local taxicab companies which operate 24-hour service, seven days a week, also serve Frederick County. Virtually all other transportation is either vehicular or pedestrian. US 40 Alternate is designated by SHA as an on-road bicycle route, and with the recent streetscape project marked bicycle lanes are provided.

**14. As part of the statewide bikeway network, local officials should work with SHA to enhance opportunities to improve conditions for bicyclists including the provision of bicycle racks in the Main Street business district. No other on-road or off-road bicycle ways currently exist in the Town.**

Commuter service to the Washington metropolitan areas is provided by Maryland Transit Administration (MTA) bus route 991 during weekdays at peak morning and evening hours. The service operates from the Park and Ride lot off MD Route 17 south of Myersville to the City of Frederick, Urbana and the Shady Grove Metro Station in Montgomery County. The 2015 Frederick County Transit Development Plan (TDP) has identified the Town of Middletown as a possible place for additional service needs due to potential demand. The TDP proposes a fixed-route TransIT shuttle beginning as two trips daily, five days a week, between Middletown and the Downtown Frederick Transit Center with a stop at Frederick Towne Mall. Suggested stops within Middletown include Town Center Plaza, Middletown High School, and the Main Street-Jefferson Street intersection. Assuming average ridership (six passenger trips per hour), service on the Middletown Shuttle per the TDP is likely to generate approximately 2500 trips per year.

In late 2019, the Frederick County Executive presented the concept to municipal officials of adding shuttle services around the towns one day a week for those communities that have no or limited service options. The concept of this free one day circulator could have the potential to provide residents and seniors a set day when they could go to the grocery store or run other errands. It would be run as a pilot program for a year to determine if the service is being utilized. See Map 5-4 following this chapter, Transportation map which is the comprehensive map showing the location for future roads in and around Middletown.

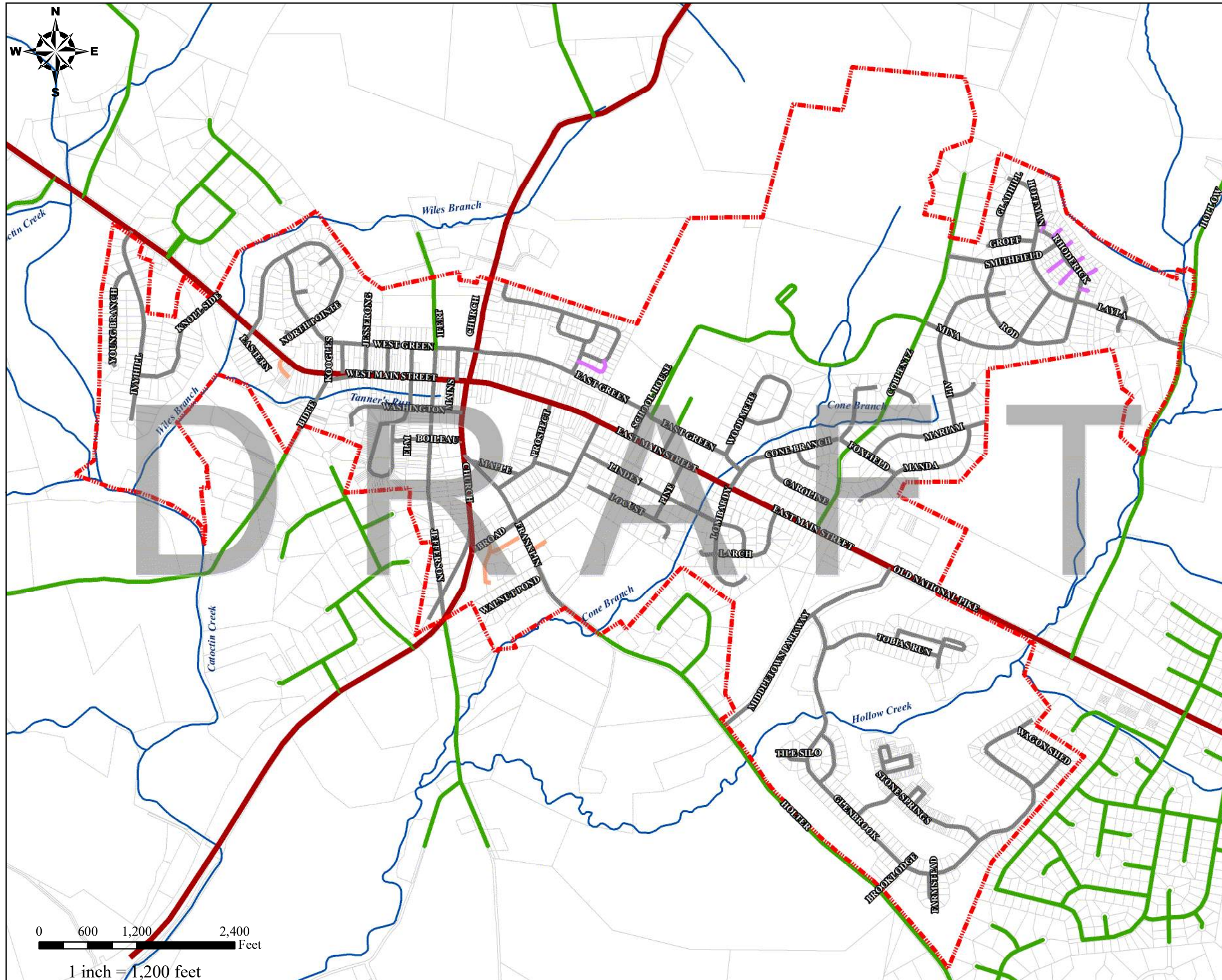
**15. Consider transit, bicycle and pedestrian improvement requirements during the development review process.**

# Roads by Jurisdiction Middletown, Maryland



## Legend

- Town Boundary
- Private
- Private / HOA Maintained
- Town
- County
- State
- Stream
- Parcel



0 600 1,200 2,400  
Feet

1 inch = 1,200 feet

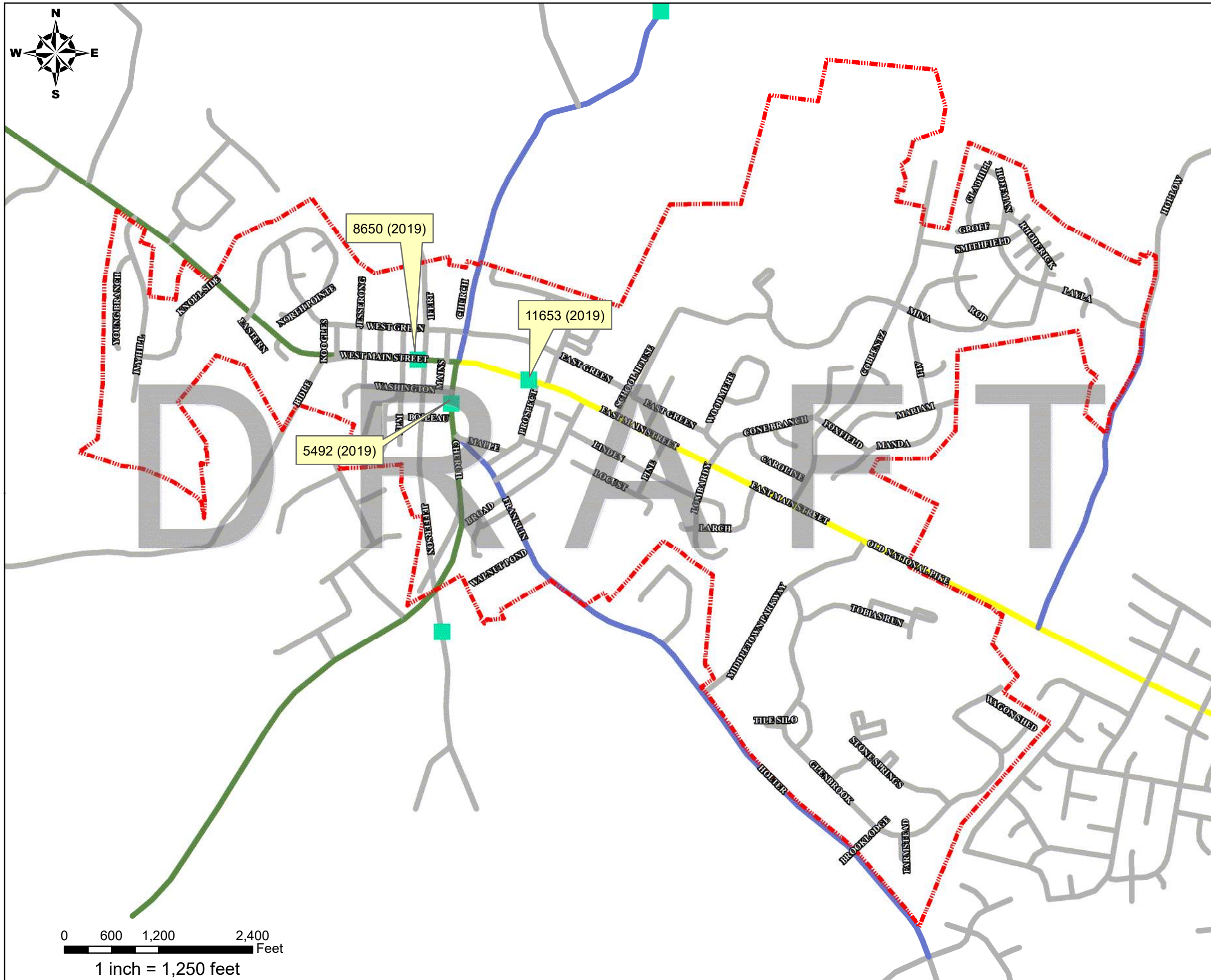
### Traffic Volume Map Middletown, Maryland



#### Legend

- MD SHA Count Station
- AADT-Average Annual Daily Traffic
  - 1-2,500
  - 2,500-5,000
  - 5,000-10,000
  - 10,000-25,000
- ▭ Town Boundary

Source: MD State Highway Administration, Frederick County Planning Department and Middletown Planning Department.

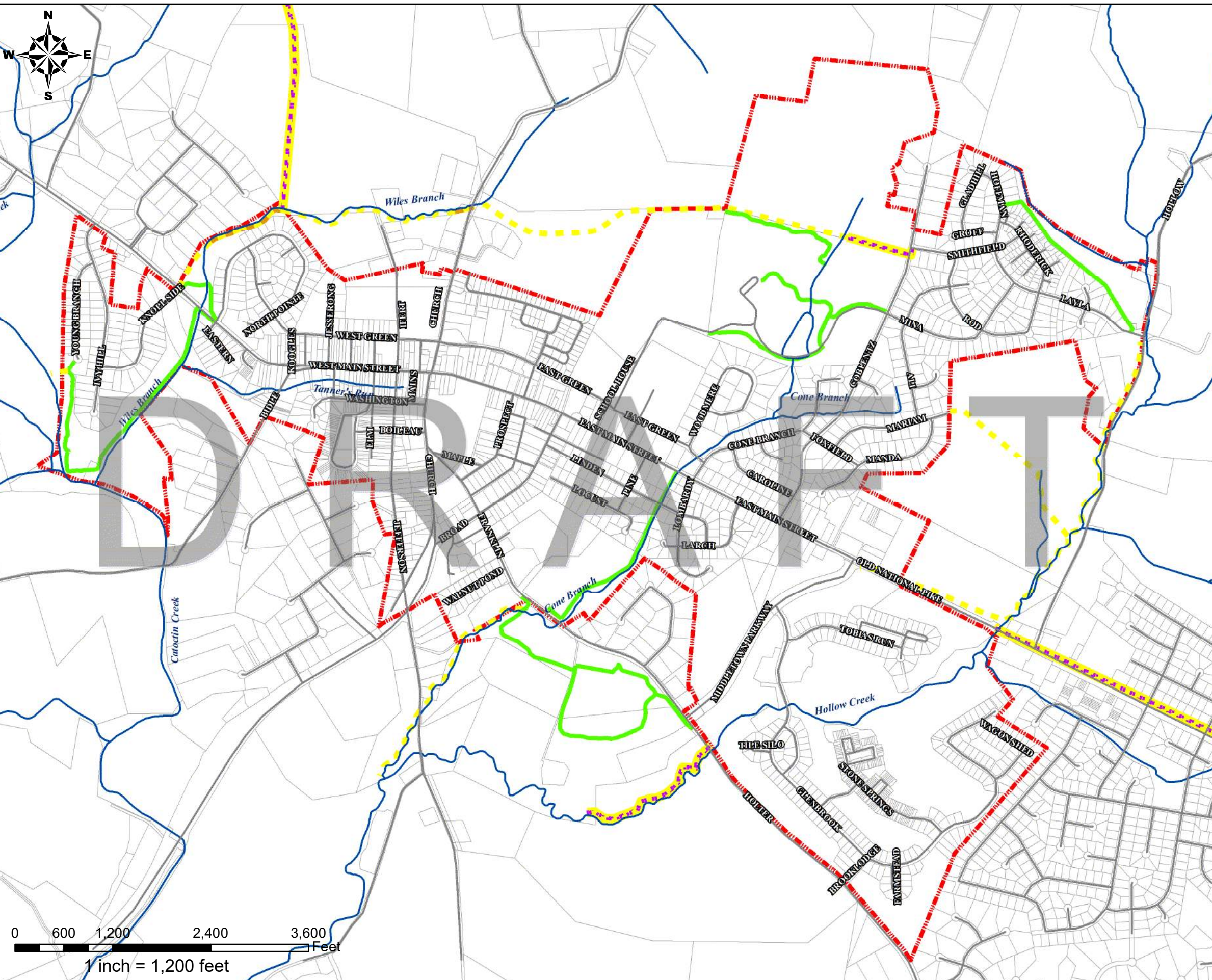


# Walkway and Trail Map Middletown, Maryland



## Legend

- Local roads
- Stream
- Greenway**
  - Built
  - Future
  - Easement/Town-Owned
  - County Proposed Pathways
- Town Boundary
- Parcel









0 600 1,200 2,400 3,600 Feet  
1 inch = 1,200 feet

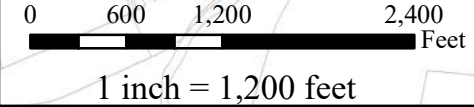
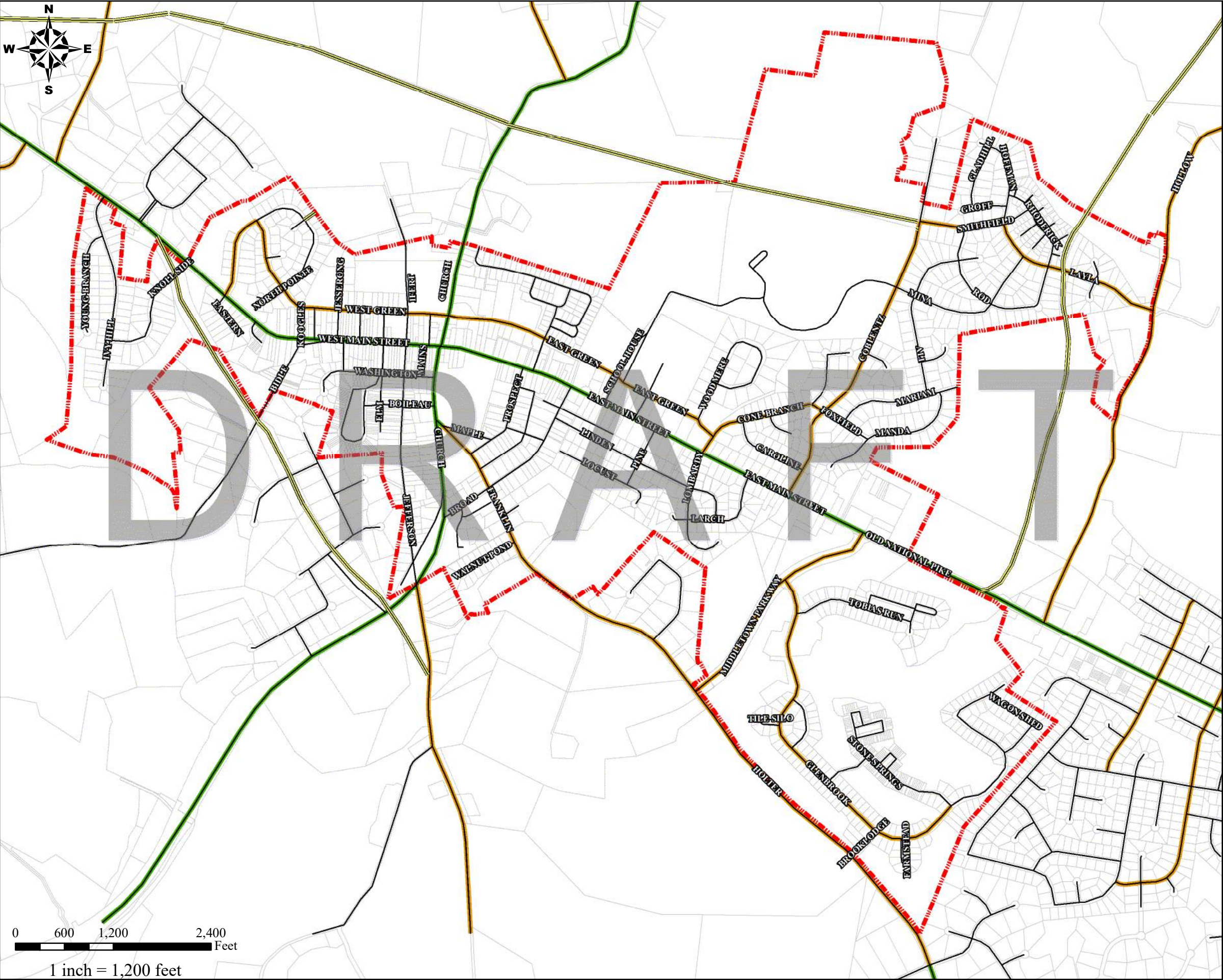
# Transportation Map Middletown, Maryland



## Middletown

### Legend

-  Future Road
-  Minor Arterial
-  Collector
-  Local Road
-  Town Boundary
-  Parcel



# Chapter 6: COMMUNITY FACILITIES



Cone Branch Pocket Park

## INTRODUCTION

The planning for future community facilities is a major part of the Comprehensive Plan. Future land use proposals will create a need for expanded public facilities. The growth projected in the Plan must be accompanied by a provision of adequate public facilities. In the case where public facilities are already inadequate, then the Community Facilities chapter must identify potential solutions to the problems.

In this chapter, there will be background information on the existing facilities and services and goals for the provision of public facilities. Where appropriate, there will be a recommendation for future actions to provide adequate public facilities. See Map 6-1, Public Facilities map following this chapter.

## COMMUNITY FACILITY GOALS

1. Assess County-owned facilities within the Town limits and advocate for the town residents when appropriate.
2. Provide safe park facilities and increase parkland as opportunities arise.
3. Prepare a prioritized list of opportunities for park linkages.
4. Provide opportunities for all citizens to gather and socialize.
5. Monitor cultural facilities and organizations that maintain assets and artifacts to ensure they are not lost or fall into disrepair.
6. Promote art-based and other cultural amenities that reflect the traditions and culture of the Town.

## EXECUTIVE SUMMARY

In order to meet the community facility goals above, the Town will need to:

1. Ensure that residential development plans are not approved unless the schools within the town limits are below 105% capacity, consistent with the current residential growth policy, according to the most recent Frederick County Public Schools Quarterly Enrollment report.
2. Continue to monitor all its park facilities to ensure all amenities are safe and secure.
3. Continue to look for locations for park facilities, such as pocket parks, as development and re-development occur.
4. Continue to connect existing walking and biking paths.
5. Work to identify possible locations and funding for community recreation and senior facilities, such as a senior center, as development and re-development occur.
6. Work with Main Street Middletown to engage with property owners and cultural organizations, such as the Middletown Historical Society, for opportunities to enhance both visitors and residents' enjoyment of the historic downtown including thru increased community access and advertising efforts.
7. Work together with Main Street Middletown to develop, promote, and support artistic and cultural experiences and amenities.

## GOAL: ASSESS COUNTY-OWNED FACILITIES WITHIN THE TOWN LIMITS AND ADVOCATE FOR THE TOWN RESIDENTS WHEN APPROPRIATE SCHOOLS

The Town of Middletown and the Middletown Valley are served by four schools: Middletown Primary, Middletown Elementary, Middletown Middle and Middletown High. All pupils within the corporate limits are currently within the Middletown feeder area. The elementary, middle, and high schools are located on one large campus north of Green Street on the northside of Town. Middletown Primary serves pre-k through 2nd grade and is located on the south side of Town on Franklin Street. Some of the students from outside of Town limits attend Myersville Elementary School in Myersville, which is a feeder school for Middletown Middle School. While the Town does not provide school services, Town growth will impact school capacities and the need for additional schools.

As of 2022, none of the Middletown schools exceeds capacity. The primary school is projected to exceed capacity beginning in 2026 according to projections from Frederick County Public Schools (FCPS). As shown in Table 6-1, FCPS expects the primary school to reach 105% capacity in 2029. Class sizes vary by grade level and program, and portables are sometimes required at a school to house general purpose classrooms or support services.





**Table 6-1 | Public School Enrollment Projections<sup>1</sup>**

SCHOOL (CAPACITY)	105%	Actual			Projected								
		2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	
Primary (432)	454	430	421	427	427	431	443	447	445	452	458	461	
Elementary (480)	504	435	410	400	396	385	392	393	400	414	418	416	
Middle (1052)	1105	807	803	764	766	732	732	731	748	732	738	734	
High (1328)	1394	1097	1102	1122	1132	1168	1146	1108	1104	1063	1077	1061	

● denotes above capacity Source: BOE Educational Facilities Master Plan, June 2022

<sup>1</sup>Prior to Preliminary Plan approvals by the Middletown Planning Commission, all Middletown schools located within the corporate limits of Middletown must be less than 105% capacity per the Middletown Residential Growth Policy (Appendix 2).

The students attending Middletown schools do not reside solely within the town limits. As can be seen from the numbers below using data from 2020, the percentage of students enrolled at each school that reside within town limits are:

- Middletown Primary School: 47%
- Middletown Elementary School: 49%
- Middletown Middle School: 32%
- Middletown High School: 29%

**1. Ensure that residential development plans are not approved unless the schools within the town limits are below 105% capacity, consistent with the current residential growth policy, according to the most recent Frederick County Public Schools Quarterly Enrollment report.**

**LIBRARY FACILITIES**

The Middletown Library was constructed in 1990 on a .87-acre lot adjoining the old elementary school on Prospect Street. The building consists of 2500 sq.ft. In fiscal year 2019 (July 1, 2019, to June 30, 2020), the Middletown Branch Library had a circulation of 174,288 items. In addition, the library offers regular programming for children, teens, and adults as well as a variety of physical and digital content. Frederick County is in the process of constructing a new 15,250 square-foot library to be built in 2022-23 on land deeded to the County adjacent to the Middletown Glen subdivision on East Green Street.

**FIRE & AMBULANCE SERVICE**

The Middletown Fire and Ambulance Company is located on Franklin Street adjacent to the Middletown Primary School. The firefighters have a service area of approximately 35 square miles for the fire company with a larger service area for the ambulance company. There are roughly 70 active volunteers, and the fire station is staffed 24 hours a day with five personnel.

The Fire Company building was constructed in 2018, and houses a tanker truck, two Class A pumper trucks, a brush truck, a ladder truck and two ambulances as

**PLANNED BOARD OF EDUCATION (BOE) IMPROVEMENTS**

There are three BOE future projects in the Middletown area included in the 2022 Educational Facilities Master Plan. They are modernizations of the three schools at the Middletown school complex – elementary, middle, and high schools. The Middletown Campus Feasibility study will determine priority order and timing of opening dates for MES, MMS and MHS. The elementary school project would not increase capacity; the middle school project would reduce capacity by 152 students, and the high school project would increase capacity by 272 students.



Middletown Volunteer Fire Station

well as a chief's vehicle. The Middletown Fire Company also owns 14 acres located off Franklin Street on Fireman's Way, which presently is used for carnivals and includes an Activities Building to benefit the Fire Company as well as a storage building.

An emergency siren tower about 60-feet tall was installed in the rear Municipal Center parking lot using money from a Homeland Security Grant Program. The area covered by the voice siren is most of the Town except for the Glenbrook Subdivision and part of the Foxfield and Woodmere Subdivisions and warns residents of any dangerous conditions that would cause people to take shelter.

### **POLICE SERVICE**

Law enforcement within the Middletown corporate limits is provided through the Frederick County Sheriff Community Deputy Program in which deputies are assigned to the Town and maintain office facilities within the Town Municipal Building. Middletown reimburses the County in an annual contract for this service with the Frederick County Sheriff's Department. Law enforcement outside the corporate limits is provided by the Frederick County Sheriff's Department and the Maryland State Police.

The Middletown Deputies duties include criminal investigations, traffic citations, and meetings and presentations with various community groups such as the Community Watch Programs. The community deputies regularly schedule assignments for traffic enforcement on local streets.

### **RECREATION FACILITIES**

Frederick County has a Recreation Center at the Middletown Primary School. It offers a number of programs for children and adults.

## **GOAL: PROVIDE SAFE PARK FACILITIES AND INCREASE PARKLAND AS OPPORTUNITIES ARISE**

### **PARKLAND INVENTORY**

Developed parkland resources available to Middletown residents in or near Middletown consist of Municipal parkland, County parkland, and Board of Education land. In addition, several parcels within developments have been preserved as open space for recreational uses.

Open space protects plant and wildlife habitat and wildlife migration corridors, helps to preserve groundwater recharge areas, maintains scenic views, and landscapes, and provides recreational opportunities. Open space used as parks or green space include health, environmental, social, and economic benefits. They can encourage physical activity, improve air quality, provide settings for social connection, bring visitors to the community, and they also provide pleasant places for groups to congregate and engage in team sports.

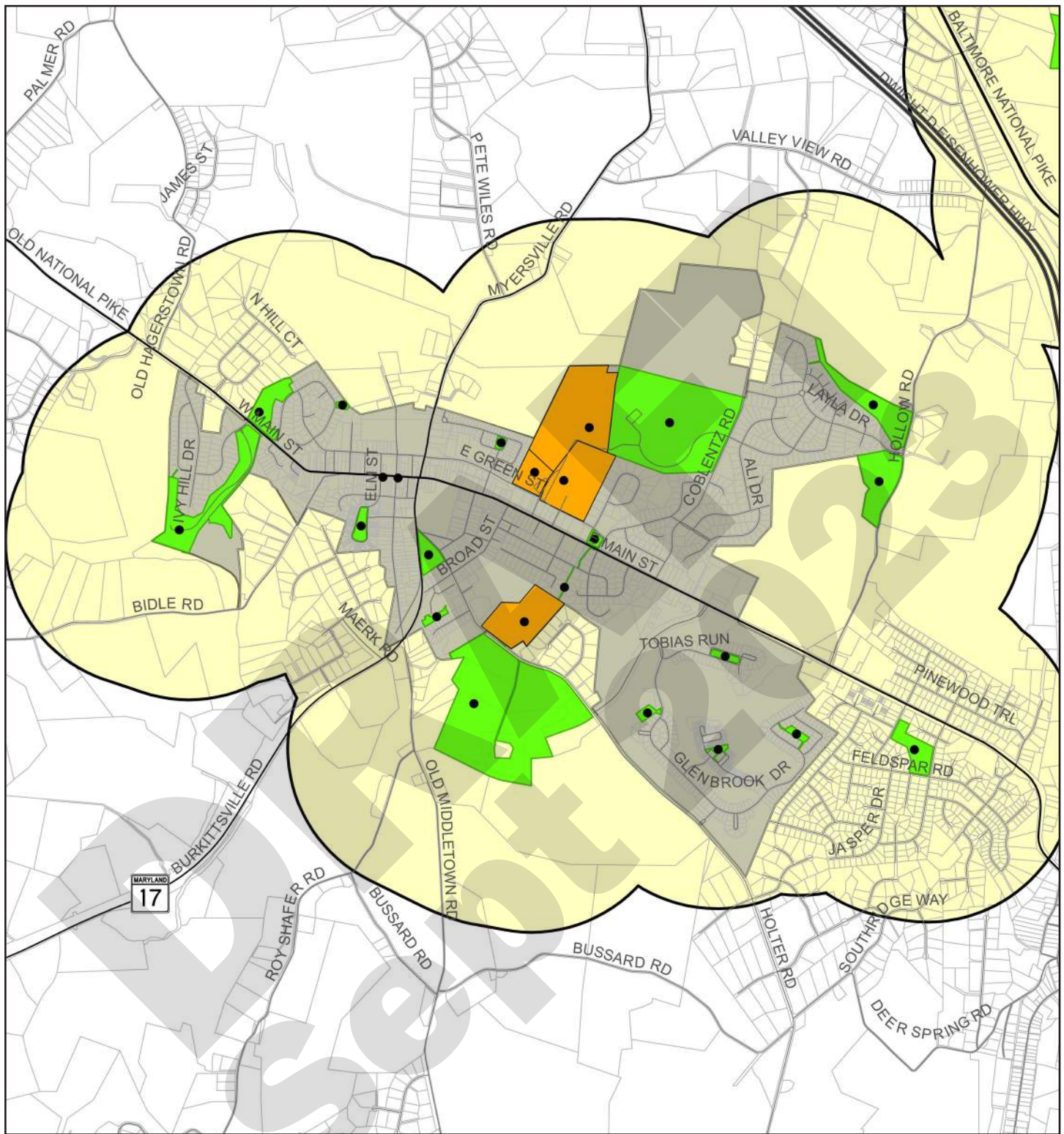
### **PRIVATE PARK FACILITIES**

Private park facilities exist at the Middletown Amvets. This 6-acre site includes picnic facilities with a pavilion and horseshoe courts. Also within the Town of Middletown are recreation facilities and fields on properties owned by the Board of Education.

Over many decades Middletown has created parks to meet the recreational needs of the community. Parkland and park facilities are funded through the Town's Capital Improvement Program. Today there is close to 2,200 square feet of parkland for every resident in town, which exceeds the 1,500 square feet average for towns and cities throughout America. In a study (2020) done by The Trust for Public Land, 85% of Middletown residents live within a 10-minute walk of a park. The national average is just 54%. A park proximity analysis for the Town done by Frederick County in September 2021 shows the entire town within a ½ mile radius of a park. Under the town's current development rules, new parkland will be added when future neighborhoods are built.

The developed parkland in Middletown is shown in tables 6-2 and 6-3 on page 6.

**Figure 6-1 | Middletown Park Proximity Map**



**Town of Middletown  
Park Proximity Analysis**

- Parks
- Schools
- Park Service Area- 1/2 Mile Radius
- Municipalities

**Table 6-2 | Parkland Inventory Maintained by the Town**

<b>SITE NAME</b>	<b>LOCATION</b>	<b>ACRES</b>	<b>FACILITIES USE</b>
Foxfield Greenway	Westside of Hollow Rd.	13.1	trails, gazebo
Elm Street Pocket Park	100 Block W. Main St.	0.003	bench, landscaping
Memorial Park	Eastside S. Church St.	5.46	softball field, basketball court, tot lot, pavilions, playground, bathrooms
Wiles Branch Park	Southside W. Main St.	23.39	basketball courts, tot lot, dog park, pavilions, multipurpose field, trails, bathrooms, community garden
North Pointe Tot Lot	Northside of North Pointe Terr.	0.61	tot lot
Heritage Park	Adjacent to 28 W. Main St.	0.09	fountain, benches, landscaping
Willow St. Pocket Park	Corner of Willow and W. Green	0.03	benches, landscaping
Glenbrook Soccer Field	Southside of Glenbrook Dr.	2.26	soccer field
Cone Branch Pocket Park	Westside of Cone Branch Dr.	1.35	gazebo, benches, lighted paths
Cone Branch Walk Trail Prop.	Southside of Linden Blvd.	1.22	undeveloped
North Pointe Park	Northside of W. Main St.	9.2	undeveloped, ponds, trails
Hollow Creek Park	7700 Hollow Rd.	12.44	undeveloped
Jefferson Village Green Area	Center of Boileau Dr.	2.35	tot lot, walking trails, picnic tables
Remsburg Park	Southside of Holter Rd.	87.8	athletic fields, walking trails, playgrounds, bathrooms

**Table 6-3 | Parkland Inventory Maintained by Others**

<b>SITE NAME</b>	<b>LOCATION</b>	<b>ACRES</b>	<b>FACILITIES USE</b>
Middletown Valley Apartments	Westside of Franklin St.	0.39	playground, dog park
Middletown Glen Park	Northside of Dean Lane	0.76	landscaping, hardscaping
Tobias Run Tot Lot	Center of Tobias Run	1.44	tot lot
Glenbrook Tot Lot	Eastside of Stone Springs Ln.	0.81	tot lot
Wagon Shed Lane Tot Lot	Center of Wagon Shed Ln.	1.39	tot lot
Middletown County Park	Westside of Coblentz Ln.	79.0	fields, pond, pavilions, frisbee golf, trails marbles court, playgrounds, basketball court, picnic facilities, bathrooms
<b>TOTAL MAINTAINED BY TOWN</b>		<b>161.4</b>	
<b>TOTAL MAINTAINED BY OTHERS</b>		<b>83.8</b>	
<b>TOTAL PARKLAND</b>		<b>245.2</b>	

Source: Middletown Staff 2022



Wiles Branch Park

- 2. Continue to monitor all its park facilities to ensure all amenities are safe and secure.**
- 3. Continue to look for locations for park facilities, such as pocket parks, as development and re-development occur.**

**GOAL: PREPARE A PRIORITIZED LIST OF OPPORTUNITIES FOR PARK LINKAGES GREENWAYS AND PATHS**

The open space parcels in Middletown provide an opportunity for a shared path or greenway system. These greenways and paths would be located on a combination of stream valleys, public lands, and existing public road rights-of-way. Greenways would surround the town and connect with proposed county paths following the Catoclin Creek and following trolley lines from Myersville connecting Middletown to other communities. More information can be found in Chapter 5 – Transportation.

- 4. Continue to connect existing walking and biking paths.**



**GOAL: PROVIDE OPPORTUNITIES FOR ALL CITIZENS TO GATHER AND SOCIALIZE FUTURE SENIOR CENTER**

With the growing number of active-adult dwellings within the Town, there have been efforts to create a senior center for the Town’s older residents. Town officials requested land for a possible senior center as part of the most recent annexation, the Foxfield Section 6 subdivision north of the County Park, and are working with the Frederick County Department of Senior Services to facilitate the ongoing effort.

- 5. Work to identify possible locations and funding for community recreation and senior facilities, such as a senior center, as development and re-development occur.**

**GOAL: MONITOR CULTURAL FACILITIES AND ORGANIZATIONS THAT MAINTAIN ASSETS AND ARTIFACTS TO ENSURE THEY ARE NOT LOST OR FALL INTO DISREPAIR PRESERVATION OF PREVIOUS COMMUNITY FACILITIES**

As older community facilities are replaced by newer ones, the Town will help to ensure that the older buildings will not remain vacant if possible. Memorial Hall on East Main Street was built in 1915 as a memorial to local servicemen who served in World War 1. In 1923, the theater and community center opened and became the heart of the community. It encompassed several offices and meeting rooms on both floors with a theater on the first floor. Patrons were able to watch a movie or live show including local plays, musicals, and concerts. It later became the local volunteer Fire Department building and was occupied by them until the mid-1970’s. Through the years it was

also home to the public library, American Legion Post, and the Middletown High School. Although it has been vacant for many decades now, it is now being renovated and will house 15 apartments and two retail spaces. As part of the development agreement with the Town, the façade of the building will be preserved. After a new library is built on East Green Street, the old library on Prospect Street has the potential for office space for St. Thomas More Academy which purchased the old high school building adjacent to the library recently.

## MUSEUMS

There are four museums highlighting local history and lore that are important to sustain:

- The Heritage Gallery is located in the upstairs of the Town Municipal Center and displays Middletown artifacts including a historic voting booth and ballot box.
- The Lamar Surgical Suite at 200 West Main Street looks just as it was when Dr. Lamar last used it in 1932. Considered state-of-the-art, Dr. Lamar’s medical center provided family practice and surgical services to the rural Middletown Valley. It is open by appointment and group trips; school programs and scouts are welcomed.
- The Middletown Valley Historical Society was founded in 1976 to preserve the rich historic and cultural background that shaped Middletown and the surrounding valley. The headquarters, Old Stone House circa 1840, is located at 305 West Main Street. The building was purchased by the Society in 1981 and has been restored. It serves as a museum with period pieces and contains a collection of historic artifacts, maps, photos, and documents on the history of the beautiful Middletown Valley.
- The Bill Moran Museum is a privately-owned museum located near one of our future growth boundaries.

**6. Work with Main Street Middletown to engage with property owners and cultural organizations for opportunities to enhance both visitors and residents’ enjoyment of the historic downtown including through increased community access and advertising efforts.**

## MAIN STREET MIDDLETOWN OFFICE AND WELCOME CENTER

Main Street Middletown received its designation in 2009 and strives to promote the Town of Middletown by strategically marketing our community and highlighting our businesses. The Main Street program brings citizens, businesses, government, and statewide partners together, working to support historic downtown areas.

The organization was able to purchase the former Bussard Barbershop to house its office and the vision is to use it as a place to welcome visitors and residents alike. The buildings began rehabilitation work in 2020.

## GOAL: PROMOTE ART-BASED AND OTHER CULTURAL AMENITIES THAT REFLECT THE TRADITIONS AND CULTURE OF THE TOWN

### COMMUNITY ART

With support from the Tourism Council, Frederick County’s five Main Street Programs collaborated on a project to bring public art to each of its five Main Streets. The Frederick Main Street partners sought out an Artist to design, fabricate, and install five public artworks at each of the Frederick Main Streets. The art was required to show commonalities, but also be unique to each location. The commonality was our agricultural heritage, and the artist was inspired with the overall feeling of these small towns being in relationship with the adjoining fields and natural resources, and the lushness of the county, and especially the Middletown Valley. The Main Streets included in the project are located in the following municipalities: Frederick, Brunswick, Thurmont, Middletown, and New Market. Main Street Middletown’s sculpture, installed in the fall of 2020, mimics the surrounding hills and valleys and the design is full of natural references including flowers, frogs, birds, and butterflies depicted in colorful mosaics. The art is located near the outdoor seating area for the Main Cup restaurant and is visible from South Church Street.

The Town should explore expanding art-based and other cultural opportunities by applying for inclusion as an Arts & Entertainment (A&E) District through the state of Maryland. The goal of the A&E Districts program is to develop, promote, and support diverse artistic and cultural centers in communities across Maryland that preserve a sense of place, provide unique local experiences, attract tourism, and spur economic revitalization and neighborhood pride.

## **7. Work together with Main Street Middletown to develop, promote, and support artistic and cultural experiences and amenities.**

### **TOWN MUNICIPAL CENTER**

The Municipal Center is the hub for doing business within the Town, and where the Town office staff works. The Burgess and Commissioners hold their monthly meetings and workshops in the Municipal Center, as do the Planning Commission, Board of Appeals, and the many committees of the Town Board. This is also the place where you can pay your water bill, submit zoning certificates, drop off unneeded medications, apply for a dog park permit, and submit requests for use of park facilities. Town residents can pick-up brown bio-degradable bags used for yard waste at the Municipal Center as well.

### **COMMUNITY FACILITIES OR ORGANIZATIONS THAT ARE NOT AFFILIATED WITH THE TOWN**

Although the facilities, organizations and services listed in this section are private, they are included here for informational purposes and as an assessment of services available to residents of the Town. If a critical service was not available, the Town may try to recruit a business to fulfill that need. No unavailable, critical services have been identified.

### **CHILD CARE FACILITIES AND EARLY LEARNING**

There are two facilities that offer preschool and daycare services within the Town in addition to the preschool program offered through the high school. In addition to those in town, there are three additional facilities within the Middletown Valley offering childcare and preschool programs.

### **OUTDOOR RECREATION**

In addition to numerous parks with playgrounds, sports fields, and a disc golf course, there is a privately-owned 18-hole golf course in a picturesque setting. There are two dog parks, one public and one private. As discussed in the Transportation chapter, the Town will continue to try to expand and connect its trail system for walking and biking.

### **COMMUNITY ASSISTANCE**

The Middletown Valley Food Bank offers food distribution twice per week. The Clothes Closet, hosted and staffed by Zion Lutheran Church, is open on Saturdays with gently used clothes and shoes. Middletown Valley People Helping People provides many community services including transportation for medical appointments, holiday assistance, local school supply drive, exercise classes for those 50+, local senior citizens group, drivers for the local Meals on Wheels, emergency financial assistance, and referrals to other agencies.

### **COMMUNITY CENTERS**

Zion Lutheran Church hosts a Middle School Safe House program once per week.

The Town does not currently have an open recreation center with a wider range of open drop-in programs for teens or adults after school or on weekends.

### **CHURCHES**

There are four churches with physical buildings within the Town's Growth Boundary: Zion Lutheran Church, Christ Reformed Church, Connection Church, and Fellowship Church.



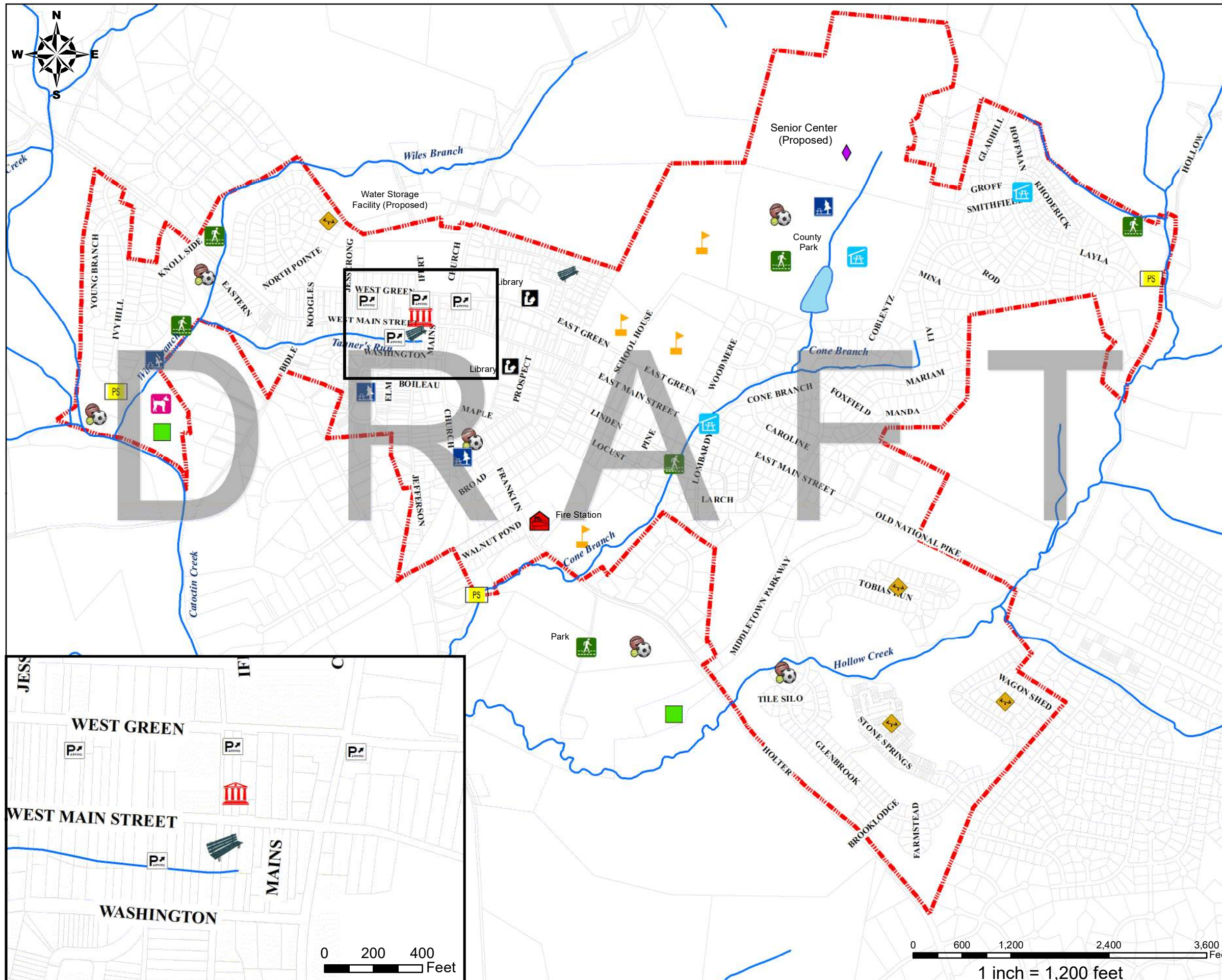
Zion Lutheran Church

Map 6-1  
9/14/2023

# Public Facilities Map Middletown, Maryland



- Benches
- Gazebo
- Playground/Picnic
- Trail
- Dog Park
- Tot Lot
- Sports Field
- Parking
- Town Hall
- Fire Station
- School
- Library
- Community Center
- Sewage Treatment Facility
- Pump Station
- Pond
- Stream
- Town Boundary
- Parcel



Source: Frederick County and Middletown Planning Department.



# Chapter 7: SUSTAINABILITY



## INTRODUCTION

The Town of Middletown is committed to fiscally, socially, and environmentally responsible land use development. Sustainable development integrates the needs of the Town and its residents in the present generation without sacrificing the ability of future generations to meet their needs by balancing the economy, society, and the environment in the process. In looking towards the future, the Town of Middletown will strive towards sustainable living and planning.

Recognizing the importance of sustainability, the Town Board created the Sustainability Committee as a standing committee of the Town in 2016 to manage the Town's sustainability goals and policies. The Committee is made up of members from diverse backgrounds who serve in an advisory capacity by providing input on initiatives, acting for the Town on assorted topics, and educating the public.

## SUSTAINABILITY GOALS

1. Preserve and increase the tree canopy coverage in Town and ensure that the location and scale of the future built environment preserves green infrastructure and other sensitive environmental resources.
2. Evaluate land development's overall ecological "footprint" and minimize its environmental impact, especially in relation to stormwater management and water quality.
3. Foster sustainability in resiliency through the improvement of ordinances and environmentally supportive policies.
4. Increase outreach and educational activities to promote recycling and composting.
5. Promote and communicate sustainability concepts and incentivize residents and businesses to implement relevant strategies.

## EXECUTIVE SUMMARY

In order to meet the sustainability goals above, the Town will need to:

1. Provide for the preservation of Open Space and environmental stewardship areas in Town to ensure that the natural environment and the views it provides citizens are preserved into the future. This would include preservation and expansion of fragmented or isolated woodlands into coherent greenways while providing water quality benefits for the Town's water resources.
2. Continue the preservation of the greenbelt of open spaces and farmland established around the Town. This greenbelt physically separates Middletown from sprawl development in other areas of the County.
3. Reduce the total amount of impervious surface area within the existing Town limits of Middletown through the use of the latest stormwater management and pervious pavement designs.
4. Continue the rain barrel program by finding organizations to partner with and investigate other sustainable stormwater management practices.
5. Reduce water consumption and wastewater production through enhanced water reuse programs and low-flow technologies.
6. Encourage energy-efficient and environmentally sustainable development through raising awareness and creating standards that support best practices.
7. Develop and implement a functional green infrastructure plan to protect, connect, and enhance the Town's natural assets and support their role in ensuring future resiliency.
8. Promote Frederick County's single stream recycling program for residents and develop and enhance government and business recycling programs in conjunction with the County program.
9. Continue the use of the brown biodegradable paper bags to all Town residents as part of its Yard Waste collection program that eliminates yard waste from the municipal solid waste disposal stream.
10. Promote sustainable building practices using the U.S. Green Building Council's LEED program or a similar system for government and commercial construction projects.
11. Reduce light pollution with a focus on night-time safety, decreasing the harmful effects on wildlife and residents, and conserving energy.
12. Protect pollinators by modeling pollinator friendly practices and by educating residents about pollinators, including disseminating information about the ways residents can help.
13. Cooperate with Main Street Middletown and Frederick County Public Schools to help educate the public, schools, professional associates, business, and industry about creating a sustainable community and to establish sustainable policies for all commercial and County buildings and operations in the Town.

## **GOAL: PRESERVE AND INCREASE TREE CANOPY COVERAGE IN TOWN AND ENSURE THAT THE LOCATION AND SCALE OF THE FUTURE BUILT ENVIRONMENT PRESERVES GREEN INFRASTRUCTURE AND OTHER SENSITIVE ENVIRONMENTAL RESOURCES**

### **FOREST CONSERVATION**

The Town makes every effort to plant trees along stream banks and within floodplains, and in other areas owned by the Town. If forest is being protected as part of a development project, the area must be put into an easement for long term protection. Since the inception of the Middletown Forest Resource Ordinance in 2006, over 120 acres of forest have been planted and put under forest conservation easements, and over \$12,000 has been collected for plantings to be executed by the Town. This is in addition to the street trees that developers have planted in recent subdivisions.

The Town will consider stricter guidelines for forest conservation regulations in line with the regulations that Frederick County has in place.



Foxfield reforestation

## FOREST CONSERVATION ACT

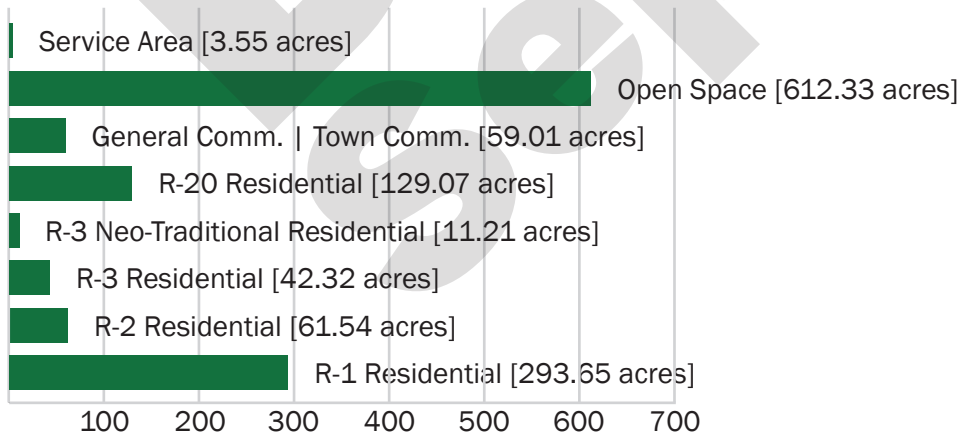
In 1991, the State of Maryland enacted the Forest Conservation Act to protect forests by making forest conditions and character an integral part of the site planning process. It is regulated by the Maryland Department of Natural Resources but implemented and administered by local governments. The law's intent is to maximize the benefits of forests and slow the loss of forest land, while allowing development to take place. In 2006, the Burgess and Commissioners adopted Subtitle 16 of Title 5 of the Natural Resources Article of the Annotated Code of Maryland as the "Middletown Forest Resource Ordinance." Prior to the approval of any subdivision of land or development which results in the cumulative disturbance of 40,000 square feet or greater, developers must submit a Forest Stand Delineation and a Forest Conservation Plan which are reviewed and approved by the Middletown Planning Commission.

## TREE CANOPY

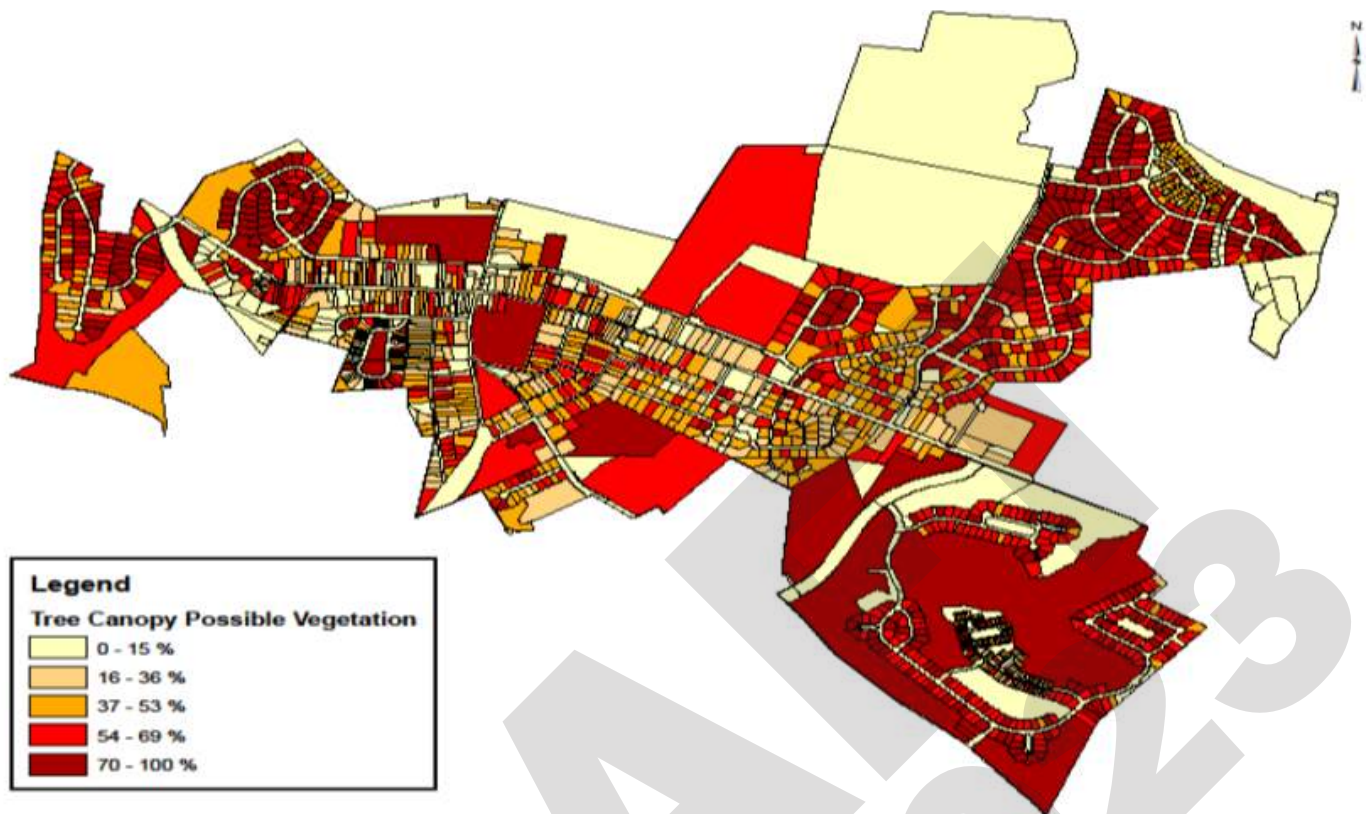
The Town is committed to increase its tree canopy, enlisting volunteers and staff to plant trees in public spaces around the Town. A tree canopy assessment done for Frederick County in 2016 showed the tree canopy percentage for Middletown to only be 18%. The Town has made a goal of reaching 25% coverage by 2025, and 40% coverage by 2040. Strategies to encourage residents to plant trees on their private properties include the distribution of free tree saplings at the Town's Green Expo in the spring, the promotion of Arbor Day, sponsoring tree planting events, and promoting coupons through the MD Department of Natural Resources for buying and planting native trees.

In 2020, the Town earned the designation of Tree City USA after meeting four standards including the creation of a Tree Board, implementation of a tree care ordinance, establishing a community forestry program with an annual budget of at least \$2 per capita, and observing Arbor Day with an annual ceremony.

**Figure 7-1 | Tree Canopy Potential Coverage by Acreage (compiled February 2020)**



**Figure 7-2 | Tree Canopy Potential Coverage Map (mapped December 2019)**



- 1. Provide for the preservation of Open Space and environmental stewardship areas in Town to ensure that the natural environment and the views it provides citizens are preserved into the future. This would include preservation and expansion of fragmented or isolated woodlands into coherent greenways while providing water quality benefits for the Town's water resources.**
- 2. Continue the preservation of the greenbelt of open spaces and farmland established around the Town. This greenbelt physically separates Middletown from sprawl development in other areas of the County.**

**GOAL: EVALUATE LAND DEVELOPMENT'S OVERALL ECOLOGICAL "FOOTPRINT" AND MINIMIZE ITS ENVIRONMENTAL IMPACT, ESPECIALLY IN RELATION TO STORMWATER MANAGEMENT AND WATER QUALITY**

**EROSION & SEDIMENT CONTROL/STORMWATER MANAGEMENT**

The goal of stormwater management plans is to manage stormwater by using environmental site design to the maximum extent practicable to maintain after development, as nearly as possible, the predevelopment runoff characteristics. This would reduce stream channel erosion, pollution, siltation, sedimentation, and local flooding. The goal is also to use appropriate structural best management practices only when necessary. This helps to restore, enhance, and maintain the chemical, physical, and biological integrity of streams, minimize damage to public and private property, and reduce impacts of land development.



Filterra system with chokeberry plant

Various town streets have been upgraded with stormwater management features that include Filterra stormwater biofiltration systems.



Hollow Creek stream restoration

## **EROSION & SEDIMENT CONTROL AND STORMWATER MANAGEMENT APPROVALS THROUGH FREDERICK COUNTY**

Clearing or grading land in excess of 5,000 square feet is not permissible without first obtaining approval of an Erosion and Sediment Control Plan from the Frederick County Soil Conservation District. Frederick County also requires developers to submit a “Stormwater Management Plan” with proposed design and calculations for capacities of stormwater drainage systems for any new subdivision or site development. Current stormwater management requirements address both the quantity and quality of stormwater runoff leaving the development site.

## **WATER CONSERVATION**

In order to promote water conservation and decrease runoff to the Chesapeake Bay, the Town of Middletown previously partnered with the Interstate Commission on the Potomac River Basin to create the Rain Barrel Program. The Town more recently joined with the Scott Key Center to offer rain barrels for sale to town residents for \$40. The Scott Key Center, a non-profit organization whose mission is to provide work for adults with developmental disabilities, produced rain barrels which provides meaningful wages for their employees who manufacture them. Rain barrels were offered each spring for sale to town residents for half of their normal price on a first come first served basis, with a limit of two per resident. The rain barrels were made from food-grade recycled terra cotta barrels that hold 55 gallons of rainwater. The high-quality barrels come with a lid for child safety and a screen to prevent mosquitoes from breeding. An overflow hose was also included. The rain barrel program has been advertised on the Town’s website, flyers were sent out with the quarterly town newsletter and e-mails about the program were sent to town residents on the Town’s list-serve. The Town is looking for a new group to partner with in order to continue offering this benefit to its residents.

**3. Reduce the total amount of impervious surface area within the existing Town limits of Middletown through the use of the latest stormwater management and pervious pavement designs.**

**4. Continue the rain barrel program by finding organizations to partner with and investigate other sustainable stormwater management practices.**

**5. Reduce water consumption and wastewater production through enhanced water reuse programs and low-flow technologies.**



Rain barrels

## **WATER SYSTEM LEAKS**

The Town contracts with an outside firm to periodically listen for and find leaks in our water system for early repair, thus saving both water and money. Also, the Town is phasing over to new water meters that can help to monitor water use in houses and verify if a specific home has a water system leak.

## WATER CONSERVATION PROGRAMS

A Water Conservation Public Alert System was created in the early 2000's to keep the public informed as to the current status of the Town's public drinking water system and established an ordinance that places restrictions on water use which includes penalties for violating water restrictions.

## GOAL: FOSTER SUSTAINABILITY AND RESILIENCY THROUGH THE IMPROVEMENT OF ORDINANCES AND ENVIRONMENTALLY SUPPORTIVE POLICIES

### SUSTAINABLE ENERGY

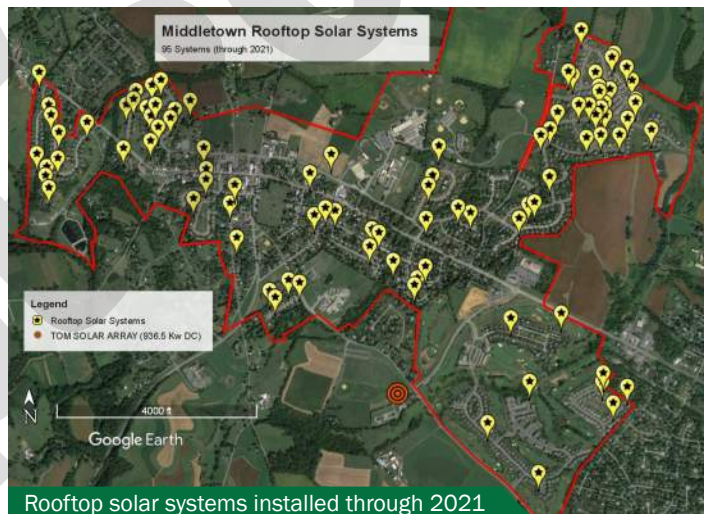
Middletown was awarded a \$25,000 grant from MEA in 2017 for a 7.2 kW solar PV system for installation on the town-owned food bank building. The panels were installed in the fall of 2019.

In the Spring of 2019, the Town replaced the central fuel oil furnace in the Municipal Center with a much more efficient natural gas-powered system that not only will be less expensive for heating the building, but also better for environment with a cleaner gas. The HVAC system in the Municipal Center was replaced in 2017. The more efficient system has been a cost savings to the Town.

Constructed in the fall of 2015 and commissioned on April 22, 2016, the Town of Middletown has a live 836-kilowatt solar array on 6.4 acres of municipal land. This photovoltaic solar installation is directly adjacent to the East Wastewater Treatment Plant and delivers 1,143 MWh of electricity annually to fully power Middletown's water and wastewater facilities. 100% solar energy is used to power Middletown's water and wastewater treatment facility, which provides 300,000 gallons of clean drinking water a day to Town residents. The solar project was financed using a Power Purchase Agreement (PPA), a third-party contract that enables Middletown to generate low-cost electricity without "out-of-pocket" expense. Frederick, MD's Empower Energies and Reading, PA-based RER Energy Group were co-developers of this project with Sol Systems serving as financing partner. Middletown's solar strategy will keep costs low and predictable for the next twenty years and is expected to save the Town \$10,000 per year. Based on the latest numbers from the solar array project, the Town is still saving money, but not as much as it did the first couple years due to lower electricity costs thru Potomac Edison.

In another part of the facility, 234,400 gallons of wastewater are treated each day. With pollutants removed, this treated water is then used to irrigate the nearby Richland Golf Course. Middletown's wastewater reuse supports the State of Maryland's "Zero Waste Maryland" initiative, which seeks to reduce, reuse, and recycle all waste generated in Maryland by 2040.

Many town residents have gone solar and put solar panels on their roofs. The map above shows all of the solar energy facilities within the Town as of December 2021.



## EV STATIONS

As a benefit to the community and the motoring public along our Main Street, the Town directed Potomac Edison to install an electric vehicle (EV) station in the Elm Street parking lot, and there are plans to install one in the municipal lot at the corner of East Green Street and North Church Street. Currently the Town does not own any E-vehicles.

## MUNICIPAL CARBON FOOTPRINT

A municipal greenhouse gas inventory was completed for the Town using 2018 as a baseline. A Greenhouse Gas (GHG) Inventory is an accounting of greenhouse gas emissions resulting from activities within a given boundary. These inventories help identify the greatest sources of GHG emissions, establish goals, and track progress towards reduction targets.



A municipal GHG Inventory, otherwise known as a Municipal Carbon Footprint, specifically focuses on the emissions associated with municipal government operations. It usually includes emissions from activities under the municipality's operational or financial control such as energy used by government-owned buildings, streetlights, and vehicles, plus emissions associated with other municipal operations such as solid waste, wastewater treatment, landscaping, etc.

Municipal GHG Inventories allow a local government to understand the major sources of its emissions, provide a basis for developing an action plan, and track changes in its carbon footprint over time. Inventories can also be compared to other municipalities; however, it is important to keep in mind that the scope of operations varies widely across different municipal governments. Thus, comparisons are most useful with municipalities of a comparable size and between those that provide similar services.

## EMISSIONS

Emissions are broken down into three categories, or scopes, by the Greenhouse Gas Protocol in order to better understand the source of emissions. Inventory results are typically expressed in Metric Tons of Carbon Dioxide Equivalent, or MT CO<sub>2</sub>e, for ease in comparison. This measure converts all greenhouse gases emitted into the equivalent amount of CO<sub>2</sub> by weighing its relative global warming potential.

**Table 7-1 | Town of Middletown GHG Emissions by Source (2019)**

SOURCE	CO <sub>2</sub>	CH <sub>4</sub>	N <sub>2</sub> O	TOTAL	%
Electricity	834.8	1.4	2.2	838.4	83%
Mobile Combustion	70.8	0.0	0.1	70.9	7%
Wastewater Treatment	NA	0.0	104.0	104	10%
Total Emissions	905.7	1.4	106.2	1013.3	100%

Source: Municipal Greenhouse Gas Inventory; Middletown, MD. Compiled by Sustainable MD staff using the Local GHG Inventory Tool; Government Operation Module

In addition to the emissions associated with energy use (electricity, gasoline, and diesel), Middletown's wastewater treatment processes generate emissions. These emissions, which result from the treatment processes themselves and not the energy used to power the treatment plants, represent about 10% of the total municipal emissions.

The town's water and wastewater operations are the largest contributors to municipal emissions. Within this category, electricity use is the largest component, followed by process emissions and emissions from the department's vehicles. To reduce electricity use for water treatment, Middletown could consider energy efficiency upgrades at its plants or energy recovery strategies. The municipality also pays electric bills for about 600 street and area lights, which contribute about 18% of the town's total emissions. While some municipally owned lights have been converted to LED, it is not clear how many of the utility-owned lights have been upgraded. If possible, working with the utility to replace streetlights that they own with LEDs could be another effective way to reduce carbon emissions.

**6. Encourage energy-efficient and environmentally sustainable development through raising awareness and creating standards that support best practices.**

**7. Develop and implement a functional green infrastructure plan to protect, connect, and enhance the Town's natural assets and support their role in ensuring future resiliency.**

## **GOAL: INCREASE OUTREACH AND EDUCATIONAL ACTIVITIES TO PROMOTE RECYCLING AND COMPOSTING**

### **SOLID WASTE MANAGEMENT**

The Town presently contracts with a private hauler for municipal collection of residential waste once per week. Large commercial and industrial users must contract for their own waste disposal.

The Town relies on Frederick County to provide recycling and landfill services. The County's landfill is at capacity and serves as a transfer station to haul waste to a facility in Pennsylvania. The curb-side recycling program is a single-stream program with 65-gallon containers that are collected bi-weekly and contracted by Frederick County. Accepted recycling materials include glass, paper, cans, cardboard, newspapers, magazines, books, aluminum food and beverage cans, juice cartons and plastic bottles, tubs, jars, and jugs. Recycling throughout the country has seen a major shift because overseas buyers will no longer purchase contaminated recycling. Containers with food or other residue, trash in the recycling bins, and non-recyclable items can quickly spoil an entire load of recyclables.

Compost is the heaviest part of the waste stream and could be diverted to reduce about 30% of all waste going to the landfill. To facilitate its use, the Town offers compost bins to residents at a reduced cost, and the Town has seen an increase in the number of residents taking advantage of the program. Considering the changes in recycling and the lack of landfill space, Town residents and businesses have an opportunity to reduce our waste stream.

In March 2022, the Town installed a community compost bin at Memorial Park for residents to use who do not have the space for a compost bin, like apartment dwellers. The bin is emptied every week and the usage to date has been impressive.

Since 1991, Middletown has provided paper yard waste bags for grass clippings and leaves to its residents. Yard waste bags are picked up once a week from April thru December by the Town's trash hauler. The yard waste is taken to the Frederick County landfill where it is turned into mulch. Christmas trees are collected in January.

**8. Promote Frederick County's single stream recycling program for residents and development and enhancement of government and business recycling programs in conjunction with the County program.**

**9. Continue the use of the brown biodegradable paper bags to all Town residents as part of its Yard Waste collection program that eliminates yard waste from the municipal solid waste disposal stream.**



## PET WASTE PROGRAM

The Town implemented a pet waste program in 2008 with dog bag waste stations that have been installed in all of the town parks and along all of the walking trails within the Town.

## GOAL: PROMOTE AND COMMUNICATE SUSTAINABILITY CONCEPTS AND INCENTIVIZE RESIDENTS AND BUSINESSES TO IMPLEMENT RELEVANT STRATEGIES.

### GREEN BUILDING

Environmentally sensitive building and site-design, following LEED Guidelines (Leadership in Energy and Environmental Design), should be encouraged to minimize the potential negative impacts of such things as forest and habitat disturbance as well as stormwater flows on adjacent sensitive areas, aquatic resources, and water quality. Incentive programs for private citizens to incorporate LEED principles in all home construction, repair and renovation projects can be developed. LEED initiatives can help educate the public and ensure that the natural environment is disturbed as little as possible by the impacts of the built environment.

### **10. Promote sustainable building practices using the U.S. Green Building Council's LEED program or a similar system for government and commercial construction projects.**

### DARK SKY POLICY

The problems of light pollution first became an issue in the 1970s when astronomers identified the degradation of the night sky due to the increase in lighting associated with development and growth. As more impacts to the environment by lighting have been identified, an international "dark sky" movement is advocating for the precautionary approach to outdoor lighting design.

Many communities have passed anti-light-pollution laws and ordinances. In passing a 'dark sky' ordinance, Middletown could drastically reduce light pollution and glare and lower excessive light levels. The recommended regulations for outdoor lighting could permit the use of outdoor lighting that does not exceed specified minimum levels for night-time safety, utility, security, productivity, enjoyment, and commerce; minimize adverse offsite impacts of lighting such as light trespass, and obtrusive light; curtail light pollution, reduce skyglow and improve the nighttime environment for astronomy; help protect the natural environment from the adverse effects of night lighting from gas or electric sources; and conserve energy and resources to the greatest extent possible.

Middletown will implement practical solutions to combat light pollution focusing on these three overarching areas:

**Effecting Crime and Safety** – The Town will encourage smart lighting that directs light where it is needed to create a balance between safety and starlight.

**Disrupting the Ecosystem and Wildlife** – The Town will decrease light pollution effects on wildlife and ecosystems where applicable and to the extent possible, as artificial lights disrupt the natural day-night pattern and shift the delicate balance of our environment.

**Harming Human Health** – Humans evolved to the rhythms of the natural light-dark cycle of day and night. The spread of artificial lighting means most of us no longer experience truly dark nights. Research suggests that artificial light at night can negatively affect human health, increasing risks for obesity, depression, sleep disorders, diabetes, breast cancer and more.

### **11. Reduce light pollution with a focus on night-time safety, decreasing the harmful effects on wildlife and residents, and conserving energy.**

## POLLINATOR CONSERVATION EFFORTS

The Town of Middletown was designated as a Bee City USA municipality in September 2020. As an affiliate, the Town is expected to maintain the certification by reporting on its achievements and celebrate being a Bee City USA affiliate every year. Bee City USA is part of nonprofit Xerces Society for Invertebrate Conservation. The program's mission is to galvanize communities to sustain native pollinators by providing them with healthy habitat, rich in a variety of native plants, and free to nearly free of pesticides.

The Town's Pollinator Resolution, approved in November 2017, supports pollinator populations by modeling pollinator friendly practices and by educating its citizens about pollinators, including disseminating information about the ways residents can help sustain the survival of pollinators.

Pollinators support Middletown's ecosystems and to some extent its economy. They pollinate one out of every three bites of our food. Pollinators also provide food and habitat for wildlife, sustain a variety of plants that themselves improve water quality, prevent soil erosion, store carbon, and color our landscape. Pollinators face a series of challenges including habitat loss and fragmentation, pesticides, climate change, pathogens, and parasites can all impact pollinator populations.



The Town intends to protect natural areas and encourage active management of existing natural areas, including removal of invasive species. Wherever possible, Middletown will restore and enhance pollinator habitat by designating areas to preserve as green space; by planting local, native wildflowers, shrubs and trees and connecting these areas through green corridors. Unused turf grass areas will be considered for pollinator habitat. Problem areas will be addressed through IPM (Integrated Pest Management) and Integrated Vegetation Management and will combine monitoring of unwanted insects or weeds with diverse control methods, such as manual removal or biological control. The Town will delay using pesticides until other strategies have proven to be insufficient.

Middletown will educate the public about the importance of pollinators and will educate homeowners about reducing lawn and adding pollinator friendly plantings by providing accurate information through newsletters and community events. The Town will look to connect natural areas, and plan for and create "green infrastructure" that connects pollinator habitats. These corridors help pollinators to disperse and find resources such as pollen, nectar, and nesting habitat.

### **12. Protect pollinators by modeling pollinator friendly practices and by educating residents about pollinators, including disseminating information about the ways residents can help.**



Monarch caterpillars at pollinator garden

## HISTORIC PRESERVATION

Historic preservation is an inherently sustainable practice. An immediate advantage of older and historic buildings is that the structure already exists. No energy or waste is necessary for its demolition and far fewer resources are needed for its reuse because much of the materials and infrastructure may already be in place. The repair and retrofitting of existing buildings can be considered the ultimate recycling project, but it also adds value to the community by protecting our neighborhood character and architectural heritage. After all, the greenest building is the one that is already built. EPA promotes downtown revitalization as a tool for improving air quality, more walkable, more dense concentration of uses.

The adaptive use of older buildings for a new purpose is a sustainable alternative to new construction. It conserves land, maximizes the use of existing materials and infrastructure, and reduces waste and consumption while also preserving local historic character. Also, according to the US Energy Information Agency, buildings constructed before 1920 are more energy efficient than buildings built between 1920 and 2000. Generally, buildings constructed before the advent of mechanical heating and cooling systems include energy-conserving features in the original design, such as transoms, lofty ceilings, and large windows for natural light and ventilation. Minor modifications can be made to existing buildings to accommodate their new use and systems can be upgraded to meet modern building codes. Often, these types of projects are subject to local review and are potentially eligible for local, state, and federal funding.

Middletown officials investigated the Maryland and National Main Street program and became a certified Main Street community in 2009. The Main Street program focuses on four programmatic areas: design, economic development, promotions, and organized as a nonprofit. This allows the Town and Main Street to work together for the overall betterment of the downtown district. As it relates to the Comprehensive Plan, the Town will continue to consider and weigh heavily on the prescriptive steps of the Main Street program. This includes promoting the benefits of preserving the historic character and buildings of the downtown district.



Aerial view of historic Middletown | Photo by Anthony Manco

The Town values historic preservation because:

1. Communities that maintain their historic character have the potential to attract heritage tourism travelers which is an economic driver.
2. Adaptive re-use of older buildings increases the tax base and raises the quality of living of others. Consider that new construction costs are about 50% materials and 50% labor, whereas adaptive re-use is about 65-70% labor.
3. Historic buildings tend to attract entrepreneurs.
4. Adaptive re-use demonstrates a concern for sustainability, promotes a shared past and a sense of community.

One way the Town has put this into action is through the newly created Downtown Revitalization program that requires developers, at a minimum, to maintain the historic front façade of the downtown buildings. The developer may choose to rehabilitate more than just the front façade, and may be eligible through the Main Street program, to obtain other financial incentives.

**13. Cooperate with Main Street Middletown and Frederick County Public Schools to help educate the public, schools, professional associates, business, and industry about creating a sustainable community and to establish sustainable policies for all commercial and County buildings and operations in the Town.**

## MIDDLETOWN POLICIES

1. Vegetated buffers are to be planted in species native to Middletown and the surrounding area.
2. Forested areas and steep slopes are not to be disturbed by development.
3. The use of native species landscaping will be supported and promoted in all subdivisions and site plans in the Town in order to diminish the negative impacts of drought-intolerant or invasive plant and tree species.
4. Adequate shading of paved surfaces will be provided in parking areas and along streets to the extent possible.
5. Natural areas and farming remain the dominant use in the greenbelt.
6. To the fullest extent practical, new development will use non-structural techniques and pervious paving to manage stormwater and otherwise comply with the highest standards of the Maryland Department of the Environment.
7. Wetlands, streams and floodplains are not to be disturbed by development.
8. The Town actively seeks ways to lessen its impact on the environment by minimizing energy use, carbon emissions, water consumption, stormwater runoff, and implementing green design standards.
9. All residents and businesses will participate in Frederick County's single stream recycling program.
10. Developers seeking annexation will plan their projects to the highest standards for community and environmental design using sustainable building practices.
11. An education program will be put into place that teaches the public, school children, and business owners about sustainable development and sustainable living.



Solar array at Remsburg Park

# TOWN OF MIDDLETOWN 2019 SUSTAINABILITY ANNUAL REPORT



Balancing the economic, social, and ecological needs of the Town's residents and businesses for today and future generations.

## SOLAR PANELS



A 7.2 Kw solar panel system was installed on the food bank building, at 301 West Main Street, in September, 2019, thanks to a \$25,000 grant from the Maryland Energy Administration.

## GREEN EXPO



Join us for our 5th annual Green Expo on Saturday, April 25th, 2020!!

## GREEN LECTURE SERIES

Look for more Green Lecture Series events in 2020!

## WASTEWATER



The wastewater from the East Wastewater Treatment Plant is used to irrigate the nearby Richland Golf Course after it is treated. This reuse supports Maryland's "Zero Waste MD" initiative, which seeks to reduce, reuse and recycle all waste generated in MD by 2040.

## SOLAR ARRAY



Commissioned in April 2016, the solar array adjacent to Remsburg Park delivers enough electricity annually to fully power Middlestown's water and wastewater facilities.



## COMPOST BINS



In 2019, close to 30 compost bins were distributed to town residents. 20 are available now for purchase! The bins help keep vermin out and heat the heap. It is estimated that hundreds of pounds of compost has been kept out of landfill.

## RAIN BARRELS

Rain barrels are offered each spring to town residents for half their normal price in order to promote water conservation and decrease runoff to the Chesapeake Bay. Over 300 rain barrels have been purchased within the past 10 years!

## BOILER REPLACEMENT

In Spring 2019, the central fuel oil furnace in the Municipal Center was replaced with a much more efficient natural gas-powered system. Less expensive for heating! Better for the environment with a cleaner gas!



## EV CHARGING STATIONS

A Level 2 charging station was installed in Spring 2019 in the Municipal Center parking lot. Look for additional stations in 2020 in the Elm Street Parking Lot and the municipal lot at the corner of East green Street and North Church Street.

## 44,000 BAGS

Since 1991, Middlestown has provided paper yard waste bags to its residents free of charge. Last calendar year close to 44,000 bags were picked up by town residents!



## STREETS & PARKING LOTS



West Green Street received a sustainable upgrade, with new sidewalk, curb, gutter and stormwater management. The lighting was also replaced with super-efficient LED lights.

The Elm Street parking lot received an upgrade in 2019 which included the addition of LED street lights and raised planting bed islands featuring native plants.

## TREE PLANTING



The Town received a \$1,000 grant towards the purchase of 58 native trees that were planted by lots of volunteers in November along Middlestown Parkway. Look for more tree planting opportunities in 2020!



More information is available on the Middlestown Green Team page of the town's website.

# Chapter 8: WATER RESOURCE



Water tower on Schoolhouse Drive

## INTRODUCTION

This Water Resource Element is to evaluate the land use plan for the town of Middletown (Chapter 9) and its potential impact on local water resources. These resources include groundwater supplies (including both springs and wells) and additionally our above-ground streams that are tributaries of the Chesapeake Bay. Achieving the Town's water resources goals will take a coordinated effort by its citizens, the Town's government, and its businesses. Each has a role to play in preserving the Town's water resources for future generations.

The Water Resource Element identifies drinking water and other water resources needs of the existing and planned development possibilities over the next 20 years, as well as identifying suitable receiving waters and land areas to meet the stormwater management and wastewater treatment and disposal needs thereof over the next 20 years. It is important that the Comprehensive Plan integrates water resources issues and potential solutions, and this chapter will outline how management of water, wastewater and stormwater will support planned growth, given water resource allocations and current limitations.

## WATER RESOURCES VISION

Maintain a safe, secure, and adequate drinking water supply to accommodate the needs of the current population as well as future generations, while protecting and enhancing the quality of the areas surface water, groundwater, and wetlands. Promote coordinated planning with other federal, state, and local agencies responsible for drinking water, wastewater water, and stormwater management.

## WATER RESOURCE GOALS

1. Continue to provide quality drinking water to our users and ensure water supply infrastructure is adequate, sound and efficient to provide current and future populations.
2. Continue to ensure water availability prior to growth, and reserve water capacity for existing lots of record.
3. Continue to mitigate for drought years by engaging Middletown's citizens in watershed conservation and by utilizing stormwater best management practices.

## EXECUTIVE SUMMARY

In order to meet the water resource goals above, the Town will need to:

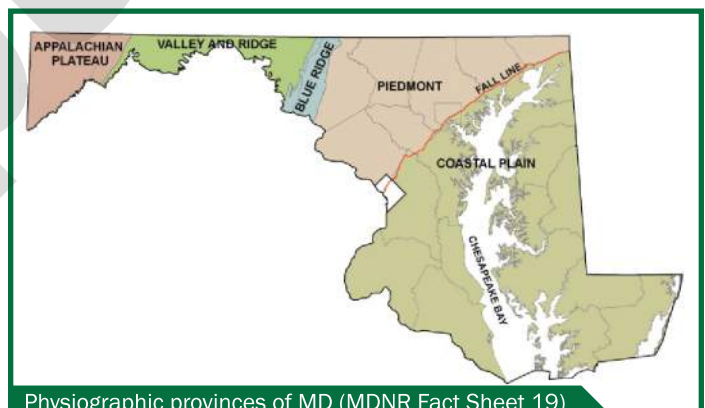
1. Continue to monitor and address water quality issues and ensure that water treatment plants have appropriate technology to address new mandates from the state as they arise. This includes but is not limited to manganese and iron which are common for our region.
2. Continue to replace aging waterlines to improve water quality.
3. Reserve water capacity, within current appropriations permits, for existing lots of record.
4. Ensure that for a proposed annexation, a developer must provide 250 gallons of allocable water per unit and shall be required to cover all costs of physical connection to the Town system. An annexation request will not be considered without developed wells and an appropriation permit from the Maryland Department of the Environment (MDE).
5. Address potential drought years by reserve capacity which will continue to be built into the system with a 10% reserve capacity and using 250 gallons per day (gpd) equaling 1 Equivalent Dwelling Unit (EDU). This number is higher than the average use in Middletown and used for all residential development including town houses and active adult homes which have a lower average use.

## DRINKING WATER SYSTEM BACKGROUND

### GEOLOGICAL AND CLIMATIC CONDITIONS

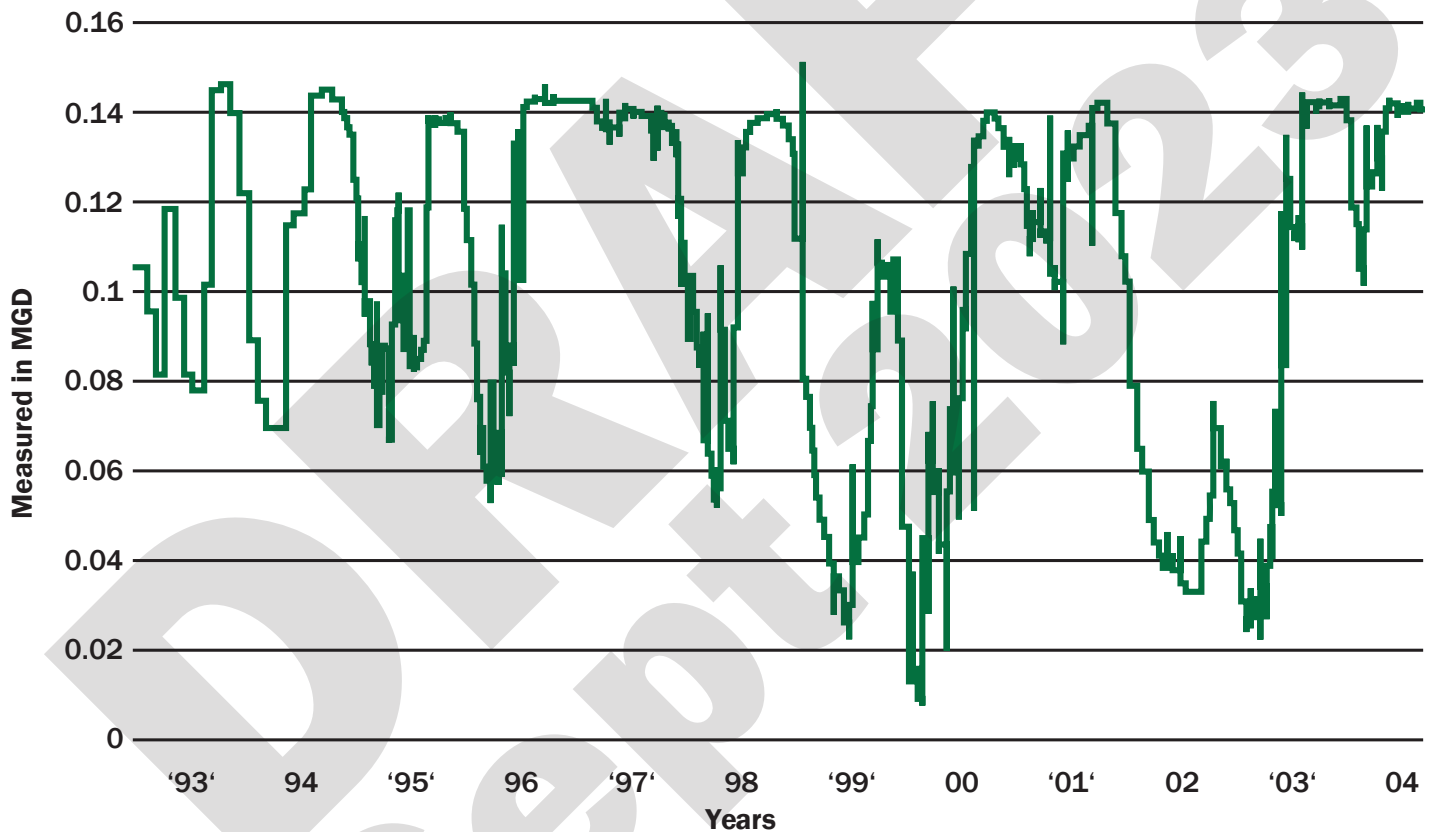
The Town of Middletown's drinking water supply is currently served exclusively from groundwater sources.

The available supply of groundwater in Middletown is dependent upon the underlying geologic conditions, local rainfall, and water demands. The United States Geologic Survey (USGS) and Maryland Geological Survey have generalized the water yielding character of Frederick County's aquifers and organized them by hydrogeomorphic region. Middletown is located in the Piedmont Crystalline region. The poorest aquifers, in terms of yield and capacity, include fractured rock aquifers which are typical in the Piedmont Crystalline regions. In most areas of the Piedmont Region, the underground characteristics are mountainous and have a lot of fractured rock, and therefore the water bearing characteristics of the geology offer low storage capacity and low transmissibility. An extensive underground stream network and the nature of fine particle soils contribute to these characteristics. This means that a well drilled in one area may not yield the same quantity/quality as other nearby wells based on several factors, and therefore the State, County, and Town all have rules and regulations on how groundwater is allocated.



In addition to geology, climatic conditions also impact groundwater supply. Seasonal variation in groundwater table level is a primary limitation to its use as a reliable water supply. In 2006 when MDE performed an evaluation of the Catoctin Creek watershed, it was concluded that groundwater may be an adequate source for the Town during average precipitation years, but under drought conditions, groundwater supplies are not adequate to meet existing demand and support the biological and natural resources of the watershed<sup>1</sup>. It is for this reason that the Town now requires that all new annexations must bring the water they need for their development along with a 10% reserve capacity. Groundwater supply limitations are typically accentuated annually from mid-June through mid-September which is historically the driest time of the year and groundwater supply declines significantly. The Middletown water system is supplied by twenty-three (23) wells and four (4) major groups of springs located on the west side of the Catoctin Mountain, north of town. Groundwater levels are monitored by manual measurement of well depths, spring flow and the USGS stream gauging station. These spring flows are an important part of Middletown water supply contributing up to 144,000 gpd at full recharge and are a valuable tool to monitor for drought for specifically Middletown and generally in the immediate downstream area as well. Fortunately, the Town has not recently seen drought years like the ones that occurred in 1999 and 2002. The historic spring flows for Middletown for the past twelve years are represented in the following graph.

**Figure 8-1 | Historic Spring Flows**



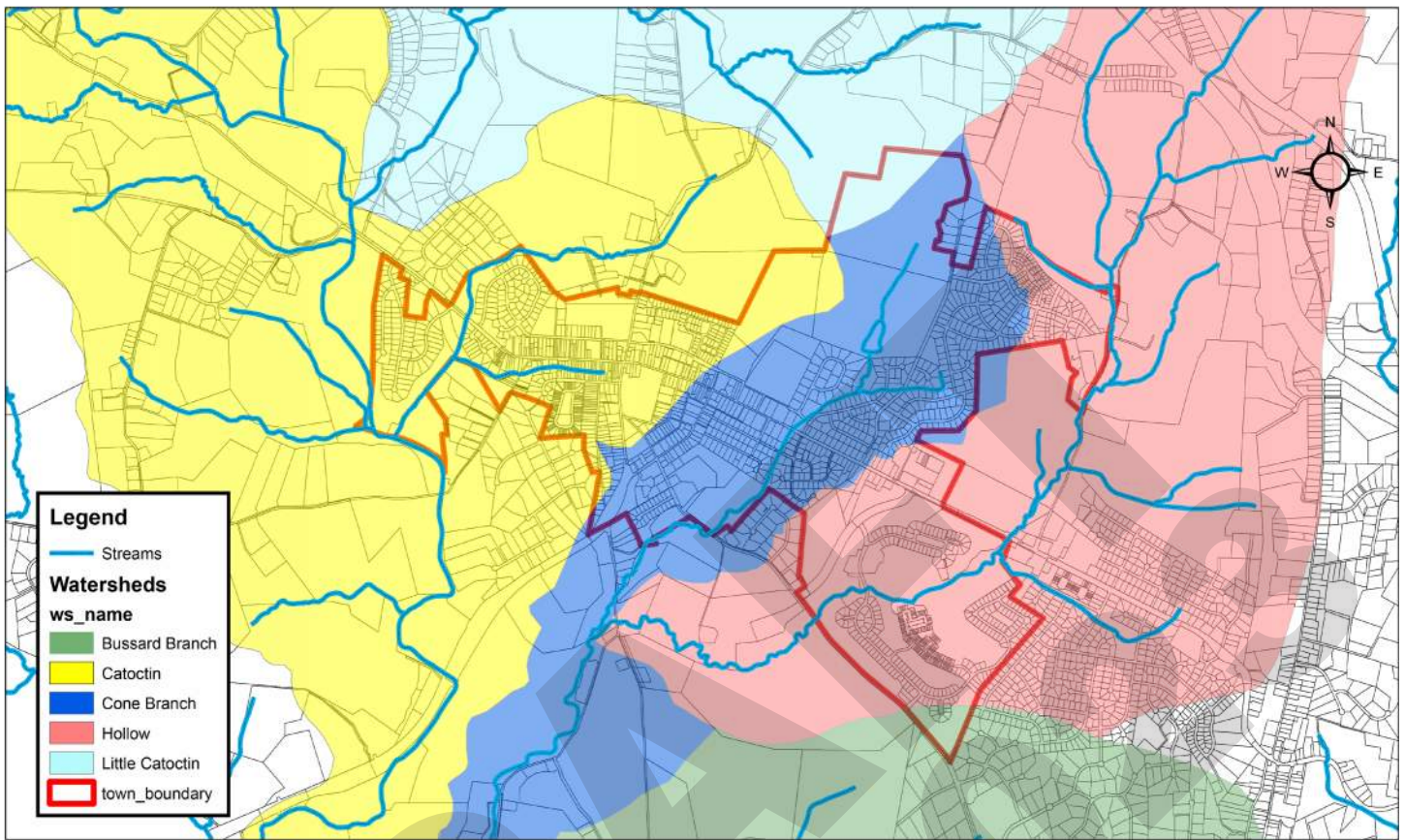
**WATERSHEDS**

The State of Maryland Department of the Environment (MDE) has further broken down the Regions described above into ‘Watersheds’ for purposes of water allocation and distribution. The Middletown Valley is surrounded on three sides by the Catoctin and South Mountain ridgelines. These mountain ranges form the boundary of the Catoctin Creek watershed, a part of the piedmont Crystalline Region, which accounts for approximately 25% of Frederick County’s total land area. Although Catoctin Creek Watershed is the watershed referred to in overviews regarding the Middletown Valley, for the purposes of allocation of water rights by (MDE), many sub-sections are used for the actual legal allocations of users in the watershed. The following graph shows the Middletown boundary overlaid on the MDE Watershed Map on the following page.

<sup>1</sup> 2006. MDE. *An Evaluation of Water Resources in the Catoctin Creek Watershed, Frederick County, Maryland.*



**Figure 8-2 | Watersheds**



MDE uses the principle that water rights are based on control/ownership of land within each watershed. Acreage is then calculated against a drought factor (1-in-10) and other watershed ownership rights are then reviewed through MDE to determine the water balance within each watershed. Middletown currently has MDE permit allocations in three (3) major watersheds, but showing all five (5) within Town limits (below) for planning purposes:

**Table 8-1 | Watershed Allocation**

	CATOCTIN CREEK	LITTLE CATOCTIN	CONE BRANCH	HOLLOW CREEK	BUSSARD CREEK
Gross Acreage by Digital Planimetry	384	32	504	631	14
Net Acreage Available for Allocation (assumes 10% impervious surface)	346	29	454	568	13
Drought (1-in-10) Ground Water Availability (432 gpd/ac)	149,366	12,442	195,915	245,318	5597
Set Aside for Maintenance of a 7Q10 Base Flow (15gpd/ac)	5186	432	6803	8518	194
Groundwater Potentially Allocable in the Watershed (gpd)	144,179	12,010	189,112	236,800	5402
Groundwater Potentially Allocable in the Watershed (gpm)	100.12	8.34	131.33	164.44	3.75
Existing Appropriation Permit Allocation (gpd)	25,500	-	53,500	308,000	-
Available Allocation (gpd)	118,679.38	12,009.6	135,612.17	-	5402.44
Potential Units (EDUs)	475	48	542	-	22

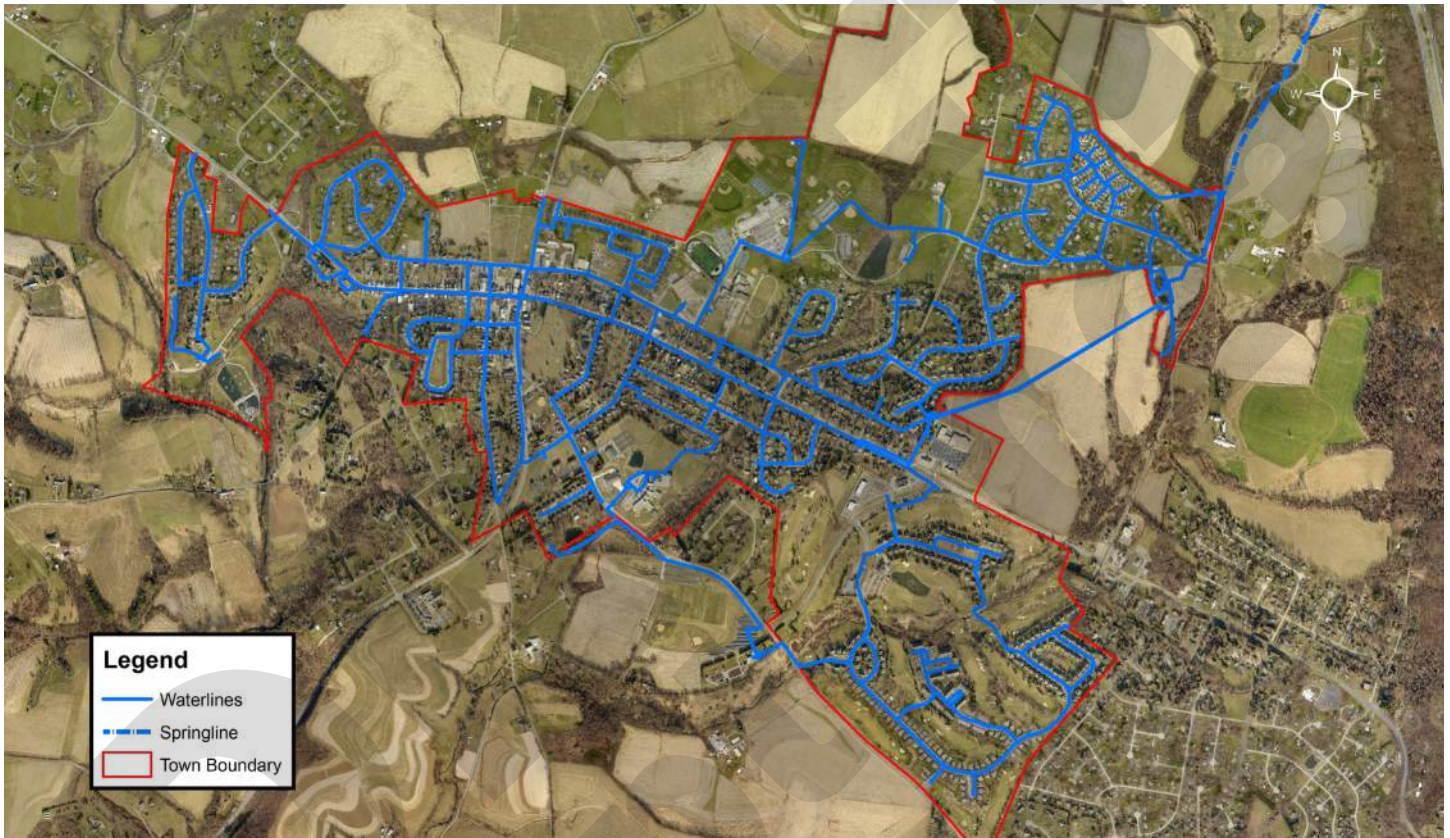
The Hollow Creek watershed is over-allocated due to the failure of the Braddock Heights' water system several years ago, and therefore future development in the Hollow Creek watershed seems extremely unlikely. Allocation was taken from the Hollow Creek watershed by MDE when Frederick County had to take over the Braddock Heights' water system. MDE will not allocate any additional water from the Hollow Creek watershed to Middletown.

It is important to recognize that the maximum allocation of water, using the MDE water balance for the Middletown Valley watersheds, makes it challenging to meet the Frederick County Smart Growth Density of 3.4 units/acre<sup>2</sup>. This factor must be considered in determining future growth areas and zoning densities for the Town. It should also be noted that Middletown's geology makes it difficult to find high producing wells as evidenced by past attempts and failures in the Catoctin watershed.

### EXISTING WATER RESOURCES

The Middletown water system is supplied by twenty-three (23) wells and four (4) major groups of springs in which raw water is drawn from 20 of the wells and all springs, then stored in a 1-million-gallon above-ground raw water storage tank. Raw water from this tank flows directly to the water treatment plant (WTP 01) and piped throughout town with all main lines generally shows on the map below.

**Figure 8-3 | Water Distribution System Map**



### **GOAL: CONTINUE TO PROVIDE QUALITY DRINKING WATER TO OUR USERS AND ENSURE WATER SUPPLY INFRASTRUCTURE IS ADEQUATE, SOUND, AND EFFICIENT TO PROVIDE FOR CURRENT AND FUTURE POPULATIONS**

The total water supply has a production capacity of 0.533 million gallons per day (mgd). In 1999, the Town completed a Surface Water Treatment Rule Testing program with the cooperation of MDE and received ground water certification of all the spring sets currently in use by the Town. The water treatment consists of adding caustic soda, for pH adjustment and chlorine as a disinfectant to protect against microbial contaminants. No fluoride is added.

Two other sources of raw water are treated with caustic soda and chlorine by independent water treatment plants and flow directly into the distribution system. Those wells are 15 & 16 (WTP 02) and 22 & 23 (WTP 03 – Brookridge). Both of these facilities also remove iron and manganese, which is a long-term goal for all of Middletown water. Currently levels are rising of these naturally occurring elements in the entire area and Middletown continues to monitor and investigate. These earthly elements can be removed locally by many water softening techniques at point

<sup>2</sup> 1992 Economic Growth, Resource Protection and Planning Act

of use. For example, a residential house may install a softener directly after the main shut-off valve and before the main water heater to service the entire home. The Town will continue to establish methods to remove manganese and iron from the water supply and investigate why levels of manganese and iron are increasing.

**1. Continue to monitor and address water quality issues and ensure that water treatment plants have appropriate technology to address new mandates from the state as they arise. This includes but is not limited to manganese and iron which are common for our region.**

**2. Continue to replace aging waterlines to improve water quality.**

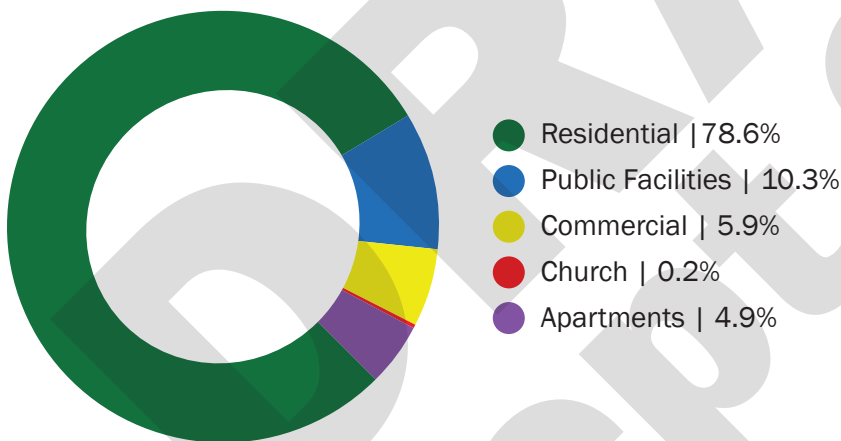
The Environmental Protection Agency (EPA), in March 2023, proposed new limits on toxic PFAS (polyfluoroalkyl and perfluoroalkyl substances) or what are commonly known as ‘forever chemicals’ in drinking water. It was the first time the government has introduced national drinking water standards for “forever chemicals.” PFAS are known as forever chemicals because they do not break down naturally in the environment, and have been linked to high cholesterol, infertility, lowered immune responses, and cancer. The EPA hopes to limit certain types of PFAS to the lowest levels that can be detected in drinking water. Although a final rule is not expected until the end of 2023, the Town will examine and consider options to protect the town’s residents from the potential effects of these chemicals in the Town’s water supply.

**CURRENT WATER DEMAND AND ALLOCATIONS**

As of 2022, the Town of Middletown has 1,702 water service accounts. The existing demand for these accounts varies seasonally, with a three (3) year average daily demand at 307,000 gallons per day (gpd).

Middletown’s current (2022) total water appropriation permit remains the same for 387,000 gpd (Annual Average) and 504,000 gpd (Month of Maximum Use). See the Water Capacity Management Plan – 2022 in Appendix 3 for more information.

**Figure 8-4 | Water Usage for October 2022 Billing**



**Table 8-2 | Current Water Appropriation Permits**

WATERSHED	ANNUAL AVG (GPD)	MONTH OF MAX USE (GPD)	PERMIT NUMBER	EXP DATE
Hollow Creek	308,000	390,800	FR1974G025 (07)	4/1/22*
Catoctin Creek	25,500	33,200	FR1974G125 (02)	9/30/22
Cone Branch	53,500	80,000	FR1974G225 (06)	5/1/23
Total	387,000	504,000		

\* Renewal appropriation permit submitted 2/17/2022; Awaiting issuance from MDE

## GOAL: CONTINUE TO ENSURE WATER AVAILABILITY PRIOR TO GROWTH, AND RESERVE WATER CAPACITY FOR EXISTING LOTS OF RECORD

### DRINKING WATER FUTURE DEMAND

As stated previously, the amount of water MDE will allow per acre is low in the context of land development and/or regardless of the land's ability to 'perk' or percolate. Because of that reason, it is critical that the Town consider carefully where and what density the Town applies to land within its growth area. Middletown's Adequate Public Facilities Policy states that land will be developed in the Town based on the water rights that the land to be developed brings with it. Although the transfer of water allocations between watersheds is permitted by MDE, the Town does not allow those transfers due to potentially being left with undeveloped land in an aquifer with no future allocations available under current state guidelines. The estimated total infill and redevelopment potential for Middletown by 2040 is an additional 203 residential dwelling units (see Table 8-6). The infill lots of record, along with the lots of approved site plans and the Foxfield Section 6 preliminary plan, total 101.6 acres. The vast majority of that (94 acres) is associated with the active adult subdivision which is the only infill lot that currently does not have a water allocation. All other lots are included in existing allocation levels.

**Table 8-3 | Infill Lots Available for Development**

APPROVED PRELIM PLATS	DEVELOPMENT	ACREAGE	UNITS	POPULATION <sup>1</sup>
R-20	Foxfield Section 6- Active Adult	94	148	296
EXISTING LOTS OF RECORD	DEVELOPMENT	ACREAGE	UNITS	POPULATION
R-1	204 Lombardy Court	0.49	1	2.8
R-1	216 East Green Street	0.41	1	2.8
R-1	500 East Main Street	0.70	1	2.8
R-1	502 East Main Street	0.94	1	2.8
R-2	18 East Green Street	0.24	1	2.8
R-2	28 East Green Street	0.21	1	2.8
R-2	28 Walnut Street	0.59	1	2.8
R-2	310 South Jefferson Street	0.28	1	2.8
R-2	312 South Jefferson Street	0.24	1	2.8
R-2	316 South Jefferson Street	0.33	1	2.8
R-3	114 East Main Street	0.25	1	2.8
R-3	406 West Green Street	0.29	2	5.6
APPROVED SITE PLANS <sup>2</sup>	DEVELOPMENT	ACREAGE	UNITS	POPULATION
TC	Memorial Hall Apts.	0	1	42
R-3	Caroline's View Apts. (Horman)	0	0	25.2
R-3	Franklin Commons Townhouses	0	0	50.4
Totals	387,000	101.6	203	450

<sup>1</sup> Based on population projections of 2.0 for R-20 active-adult zoning, and 2.8 for R1, R2, R3 and TC zoning districts.

<sup>2</sup> Hollow Creek Professional Center received site plan approval for commercial use 9/2022.

**Table 8-4 | Impacts of Infill/Redevelopment Growth on Public Facilities and Services  
[Based on population projections through 2040]**

<b>CLASSIFICATION</b>	<b>INFILL/REDEVELOPMENT AREAS</b>
Dwelling Units	148
Population	296
New Residential Water/Sewer Demand (gpd) <sup>1</sup>	37,000
New Non-Residential Water/Sewer Demand (gpd)	0
<b>TOTAL</b>	<b>37,000</b>

Because each watershed each has its own limit and appropriations permit, future Middletown development becomes directly related to future annexations. Current appropriations permits do not appear to allow any further significant development. New residential dwelling units are targeted to occur in Frederick County’s Community Growth Areas which includes the Town of Middletown. However, the Town must keep development balanced with available water and state water allocation policies which will limit the density that can occur within our growth limits.

**3. Reserve water capacity, within current appropriations permits, for existing lots of record.**

**PLANNED FUTURE WATER SOURCES**

Per Middletown’s Adequate Public Facilities Policy, Foxfield Section 6 has developed six wells and has applied for its own water appropriation permit that will allocate an additional 10% groundwater reserve capacity back into Middletown use limits. Any future annexation must find, develop, and appropriate the required amount of water (from MDE) from the property to be annexed prior to consideration of annexation by Middletown.

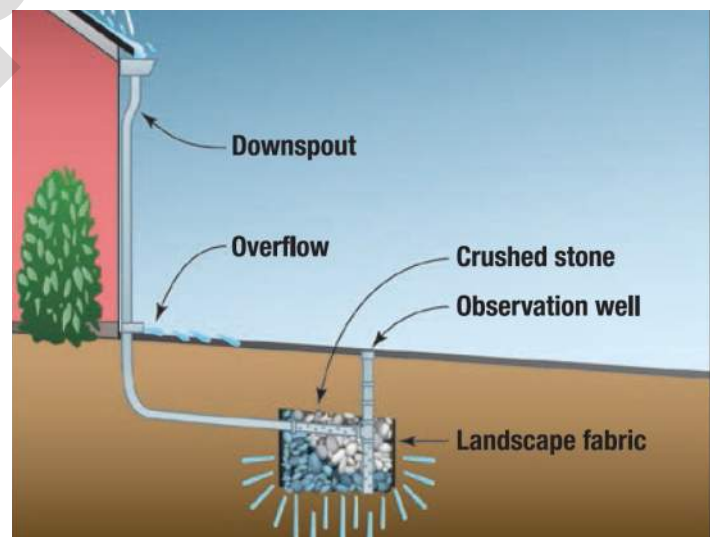
**4. Ensure that for a proposed annexation, a developer must provide 250 gallons of allocable water per unit and shall be required to cover all costs of physical connection to the Town system. An annexation request will not be considered without developed wells and an appropriation permit from the Maryland Department of the Environment (MDE).**

**GOAL: CONTINUE TO MITIGATE FOR DROUGHT YEARS BY ENGAGING MIDDLETOWN’S CITIZENS IN WATERSHED CONSERVATION AND BY UTILIZING STORMWATER BEST MANAGEMENT PRACTICES**

**POTENTIAL DROUGHT-REDUCING MEASURES**

The Town does not plan to seek any new water sources; however, the current sources may be improved/ upgraded as technology evolves, conditions warrant, and/or expansion is needed to help reduce the impact of drought periods. Individual residents can help reduce the impact of drought by helping increase groundwater availability. This can be done by controlling stormwater on individual properties year-round by installing residential drywells that introduce rainwater back into the ground. Frederick County, MD is responsible for permitting of these features, and also provides several standardized details on their website to aid residents in a specific design for their own property. With gravity adding water back into the ground, the natural filtration process can more adequately be accomplished while

**Figure 8-5 | Observation Well**



also making the local area more fertile with a higher chance of the town's wells continuing to yield at current capacities (in hopes of regardless of weather patterns).

All new developments, or any land disturbance above 5,000 sq/ft, require Storm Water Management (SWM) and generally also attempts to divert as much storm water as possible back into the ground through bioretention ponds and other similar practices. The Town will continue to explore methods to increase the quality and availability of groundwater, as it is the primary source of our drinking water. (See the water conservation and stormwater management sections in Chapter 7 Sustainability for further information.)

**5. Address potential drought years by reserve capacity which will continue to be built into the system with a 10% reserve capacity and using 250 gallons per day (gpd) equaling 1 Equivalent Dwelling Unit (EDU). This number is higher than the average use in Middletown and used for all residential development including town houses and active adult homes which have a lower average use.**

## SEWER RESOURCE GOALS

1. Increase capacity at the East and West Wastewater Treatment Plants by reducing Inflow and Infiltration (I&I) and by increasing the East Wastewater Treatment Plant permit.
2. Ensure that wastewater infrastructure is adequate, sound, and efficient to provide for current and future populations.
3. Sewer capacity must be adequate to consider proposed growth and proposed growth must pay a proportionate share of the cost.

## EXECUTIVE SUMMARY

In order to meet the sewer resource goals above, the Town will need to:

1. Increase the East Wastewater Treatment permit from 250,000 to 350,000 gpd (pending 2/2023).
2. Upgrade and/or explore alternatives for the West Wastewater Treatment Plant (study underway 2/2023).
3. Ensure that wastewater treatment plants have appropriate technology to remove algal toxins, priority pollutants, microplastics, and endocrine disrupting compounds.
4. Aggressively address Inflow & Infiltration (I&I) to provide additional capacity.
5. Ensure that for a proposed annexation, a developer must pay a proportionate share of the cost to upgrade/increase sewer capacity, based on all factors at the time of Water/Sewer certification.

## SANITARY SEWER BACKGROUND GEOLOGICAL CONDITIONS/WATERSHED

As described above, the town of Middletown is in the Catoctin Creek Watershed, and this also applies to how the Town treats discharges water back into the environment. There are only two locations where streams receive the treated wastewater, which are Hollow Creek on the east side of town, and Catoctin Creek on the west side of town. Hollow Creek flows into Catoctin Creek which flows into the Potomac River and to Chesapeake Bay. Each of these locations are controlled by Wastewater Treatment Plants. The Town sewer system is highlighted on the following page.

**Figure 8-6 | Middletown Sanitary Sewer System Map**



### **EXISTING SEWER RESOURCES**

The town of Middletown has two Wastewater Treatment Plants (WWTP). The East WWTP is located on Holter Road, discharges into Hollow Creek, and is an activated sludge plant built in 2000. The treated effluent is seasonally pumped to Richland Golf course as a conservation method to preserve drinking water and decrease discharge to Hollow Creek. The West WWTP is located in Wiles Branch Park, discharges into Catoctin Creek and is a lagoon plant built in 1976. There are three sewage pump stations that send sewage to the WWTP: Brookridge South Pump Station, Cone Branch Pump Station, and Foxfield Pump Station.

### **GOAL: INCREASE CAPACITY AT THE EAST AND WEST WASTEWATER TREATMENT PLANTS BY REDUCING INFLOW AND INFILTRATION (I&I) AND BY INCREASING THE EAST WASTEWATER TREATMENT PLANT PERMIT**

#### **CURRENT SEWER CAPACITY**

The Town has a total permitted capacity for discharge of treated wastewater of 500,000 gpd, as described below.

- East WWTP – The East WWTP has a current permitted capacity of 250,000 gallons per day (gpd) and a design capacity of 350,000 gpd. An application to increase the permitted capacity by 100,000 gpd is pending with the Maryland Department of the Environment (09/2022).
- West WWTP – The West WWTP has a current permitted capacity of 250,000 gpd and is at design capacity. Due to the age of this plant a study is underway (2022) to consider upgrades or other alternatives for this plant using state grant funds from the Bay Restoration Fee.

## **GOAL: ENSURE THAT WASTEWATER INFRASTRUCTURE IS ADEQUATE, SOUND AND EFFICIENT TO PROVIDE FOR CURRENT AND FUTURE POPULATIONS**

### **WASTEWATER TREATMENT PLANT UPGRADES**

Updated and environmentally responsible water and sewer infrastructure is more important than ever, to protect the health and wellbeing of residents and the future of our growing community. Both of the Town's WWTPs currently do not use "enhanced nutrient reduction" (ENR) treatment, capable of meeting the progressive treatment mandates of the Chesapeake Bay Agreements (1983, 1987, 2000 & 2014) and MDE's Nutrient Permitting Program Mandate (2004), limiting the nutrient and pollutant loads discharged by WWTPs into local watersheds and the Chesapeake Bay.

Middletown must upgrade the treatment facilities to achieve enhanced nutrient reduction (ENR), by reducing the amount of nitrogen and phosphorus released into local waterways. To meet these federal and state treatment mandates and provide our residents with a long-term and responsible investment in our wastewater utility system, we plan to expand and upgrade our 23-year-old East WWTP to treat all our wastewater and decommission the West WWTP's aerated lagoon, which is currently located in a floodplain and unsuited for renovation or new construction.

- 1. Increase the East Wastewater Treatment permit from 250,000 to 350,000 gpd (pending 2/23).**
- 2. Upgrade and/or explore alternatives for the West Wastewater Treatment Plant (study underway 2/23).**
- 3. Ensure that wastewater treatment plants have appropriate technology to remove algal toxins, priority pollutants, microplastics and endocrine disrupting compounds.**

Inflow and Infiltration (I&I) is an ongoing issue that is continuously addressed by the Town, and happens when water from the environment, which does not need to be treated, enters the sewage system for treatment. This water uses up permitted capacity and causes unnecessary treatment expenses. The Middletown sanitary sewer system has a large amount of I&I that affects the capacity of the system as evidenced by the increase in flow during heavy rains (stormwater). Two large I&I remediation projects are underway (09/22) to decrease the I&I impacts to permitted capacity and therefore should increase available capacity when complete.

- 4. Aggressively address Inflow & Infiltration (I&I) to provide additional capacity.**

### **CURRENT SEWER DEMAND**

The Town of Middletown's yearly average wastewater treatment is 247,440 gpd at the East WWTP and 191,781 gpd at the West WWTP. Based on the current permitted capacity of 500,000 gpd, the Town has capacity for an additional 243 EDU's. With the request for a permit increase at the East WWTP and the I&I remediation work in progress the town will continue to increase sewer capacity. The 100,000 gpd permit increase will increase sewer capacity by 400 taps/EDUs. See the Wastewater Capacity Management Plan – 2022 in Appendix 4 for more information.

## **GOAL: SEWER CAPACITY MUST BE ADEQUATE TO CONSIDER PROPOSED GROWTH AND PROPOSED GROWTH MUST PAY A PROPORTIONATE SHARE OF THE COST**

### **FUTURE SEWER DEMAND**

The estimated total infill and redevelopment potential for Middletown by 2040 is an additional 203 residential dwelling units (see Table 8-3 on page 8-7). The infill lots of record, along with the lots of approved site plans and the Foxfield Section 6 preliminary plan, total 101.6 acres. The vast majority of that acreage is the 94 acres associated with the active adult subdivision. The future sewer capacity for this projected growth is 37,000 gpd. With the increase in the East WWTP permit (100,000 gpd) and the I&I remediation projects, sewer capacity is more than adequate for this growth.

- 5. Ensure that for a proposed annexation, a developer must pay a proportionate share of the cost to upgrade/increase sewer capacity, based on all factors at the time of Water/Sewer certification.**



## **GROWTH TIER MAP**

As established under Title 1, Subtitle 5 of the Land Use Article (LU) of the Annotated Code of Maryland, local jurisdictions are required to include growth tiers (Md. Land Use Code Ann. §1-508. Designation) into their comprehensive plan. If the growth tiers are not incorporated into the comprehensive plan, the law indicates that the growth tiers may not be considered as adopted and the restrictions on major subdivisions outside sewer areas shall apply.

The Town of Middletown's Growth Tier Map shows that all properties within the town limits are classified as Tier 1 (served by public sewerage systems and mapped locally designated growth areas or a municipal corporation that is a priority funding area that is served by public sewerage systems). The properties outside the town limits but within the County's Community Growth Area as being in Tier II, (planned to be served by public sewerage systems and in the municipal growth element; or mapped locally designated growth areas; and needed to satisfy demand for development at densities consistent with the long-term development policy after consideration of the capacity of land areas available for development, including in-fill and redevelopment, within the local jurisdiction), which are planned to be served by public sewerage systems. Additionally, two properties to the north of the Town and within the Town's Growth Boundary are shown as being in the County's Tier IIA, (Areas within a Municipal Growth Element (MGE) NOT planned for sewer service), which also are planned to be served by public sewerage systems in the future. With this Comprehensive Plan update, the Town will request that the County to amend Town's Community Growth Area in their Growth Tier map to include those properties which are within the Town's Growth Boundary and thus also show those properties as being in Tier II instead of Tier IIA. The growth tier map constitutes a component of this comprehensive plan. See Map 8-4 Growth Tier map following this chapter.

## **STORMWATER MANAGEMENT GOAL**

1. Continue to meet the mandates, established by the State, for meeting Municipal Separate Storm Sewer System (MS4) permitting.

## **EXECUTIVE SUMMARY**

In order to meet the stormwater management goal above, the Town will need to:

1. Continue to manage stormwater by using environmental site design to the maximum extent practicable to maintain after development, as nearly as possible, the predevelopment runoff characteristics, and will hold developers to that standard as well.
2. Only use appropriate structural best management practices when necessary to help maintain the biological integrity of the local streams.

See Sustainability Chapter 7 and Natural Resources Chapter 4 for additional information on stormwater management as well as the MS4 budget in Appendix 5 for completed and planned projects to meet the requirements by 2025.

## **STORMWATER MANAGEMENT FACILITIES**

### **BACKGROUND**

Stormwater management facilities are located throughout the Town. These facilities vary in design from the early days of stormwater management to integral bio-retention style stormwater management. About half of the facilities in the Town are owned and maintained by the Town. The rest are owned and maintained by private ownership or homeowner's associations. These facilities discharge to local streams in the area including Hollow Creek, Cone Branch Creek, Wiles Branch Creek, Tanners Run, and Catoctin Creek. A list of all the stormwater management

facilities within the Town limits is provided in Appendix 6. The items highlighted in yellow are owned and maintained by the Town.

All future developments are required to follow the current regulations for stormwater management as prescribed by MDE and approved in writing by the County. These measures will continue to work to improve the health of the Chesapeake Bay.

Stormwater management or the treatment of road run-off is a primary tool used to help improve pollution reaching the local streams and eventually the Chesapeake Bay. The Maryland Department of the Environment, through the Environmental Protection Agency, in December of 1999 promulgated the Municipal Separate Storm Sewer System regulations called MS4. These regulations address pollution discharges from small MS4s in urbanized areas (UA). The Phase II Final Rule also required the NPDES (National Pollutant Discharge Elimination System) permitting authority to evaluate additional small MS4s located outside of UA's that should be regulated. Maryland expanded its MS4 permit program by issuing two general permits, one for municipalities (2003) and one for state and federal agencies (2004) operating small MS4s. These permits were reissued in 2018.

Maryland's Phase II program now covers over 90 small MS4 operators. The Phase II MS4 permits are similar to Phase I permits in that they require implementing stormwater best management practices and programs to reduce pollution discharges and to protect water quality. The work of Maryland's Phase I and Phase II MS4 programs demonstrate a significant commitment to stormwater management and improving local water quality and the Chesapeake Bay.

## **MS4 PROGRAM**

The MS4 Program is broken down into six sections:

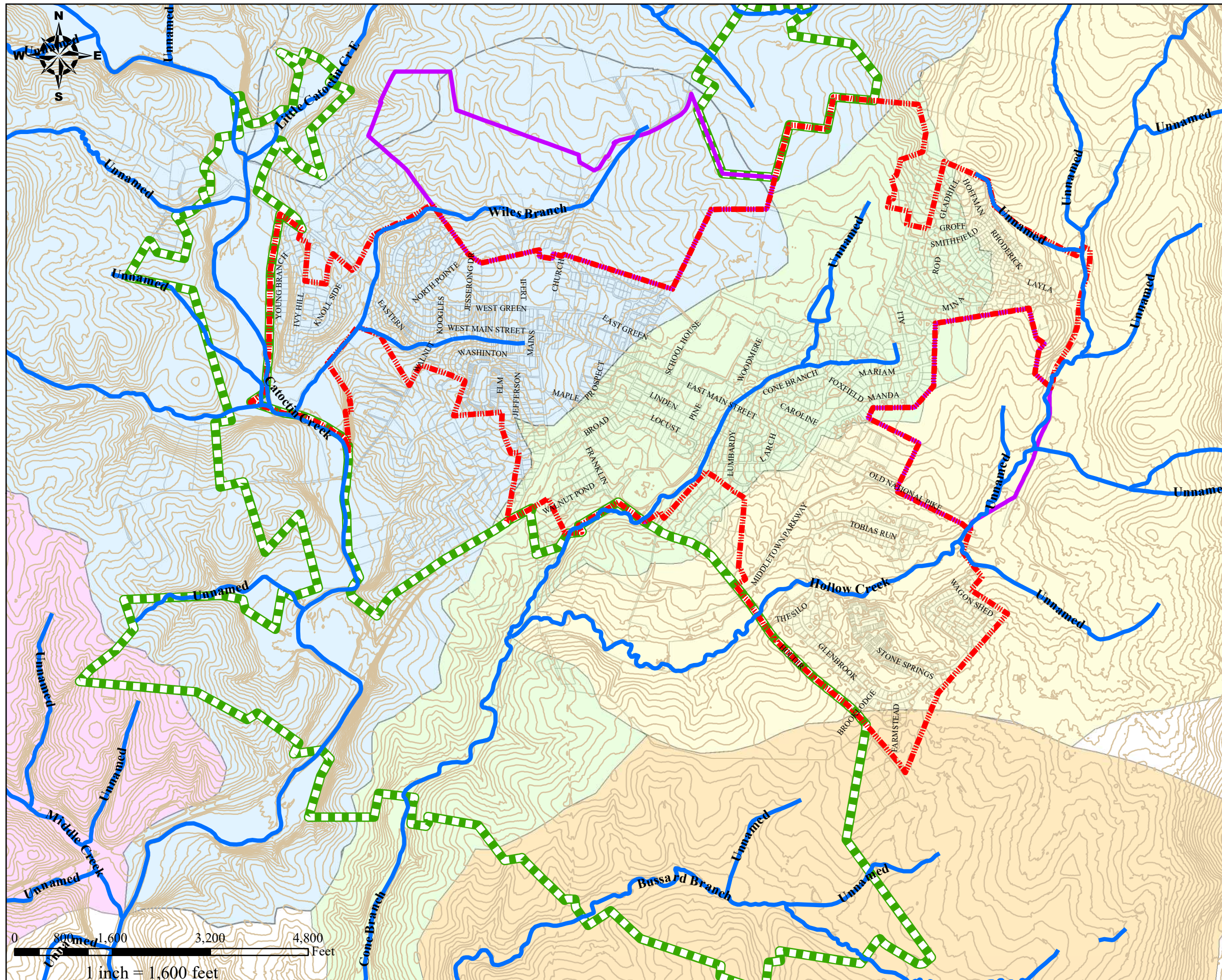
1. Public Education and Outreach Plan
2. Public Involvement and Participation Plan
3. Illicit Discharge Detection and Elimination Plan
4. Construction Site Stormwater Runoff Control Plan
5. Post Construction Stormwater Management Plan
6. Operation and Maintenance Program

# Watersheds & Drainage Basins Middletown, Maryland



## Legend

- Contours (10-ft)
- Stream
- Bussard Branch
- Catoctin
- Cone Branch
- Hollow
- Middle
- Town Boundary
- Growth Boundary
- Conservation Boundary
- Parcel



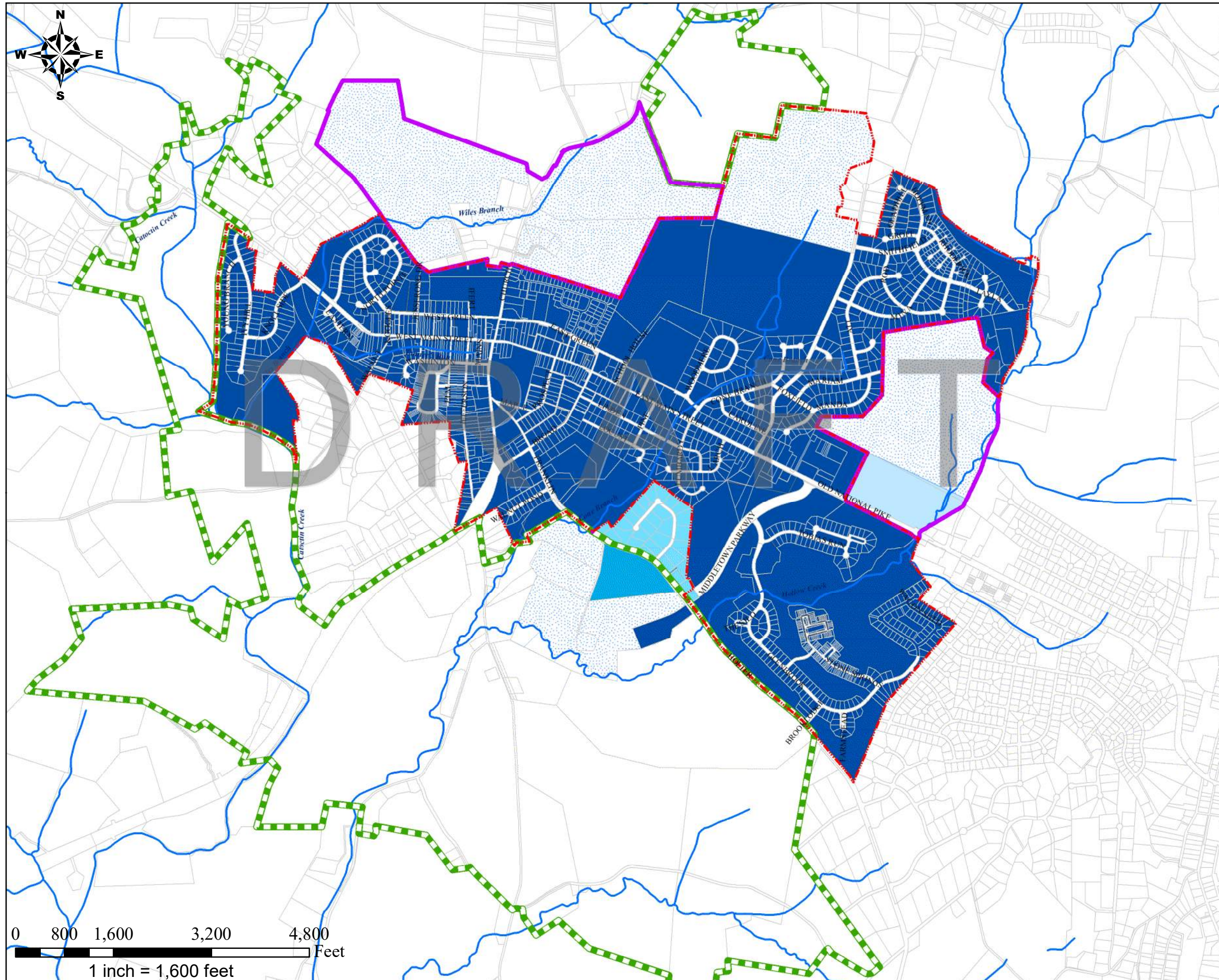
# Water Service Map Middletown, Maryland



Middletown

## Legend

- Stream
- Parcel
- Town Boundary
- Growth Boundary
- Conservation Boundary
- W-1 - Connected in Town
- W-3 - 1-3 Year
- W-4 - 4-6 Year
- W-5 - 7-10 Year
- PS - Planned Service - 11-20 Years
- NPS - No Planned Service

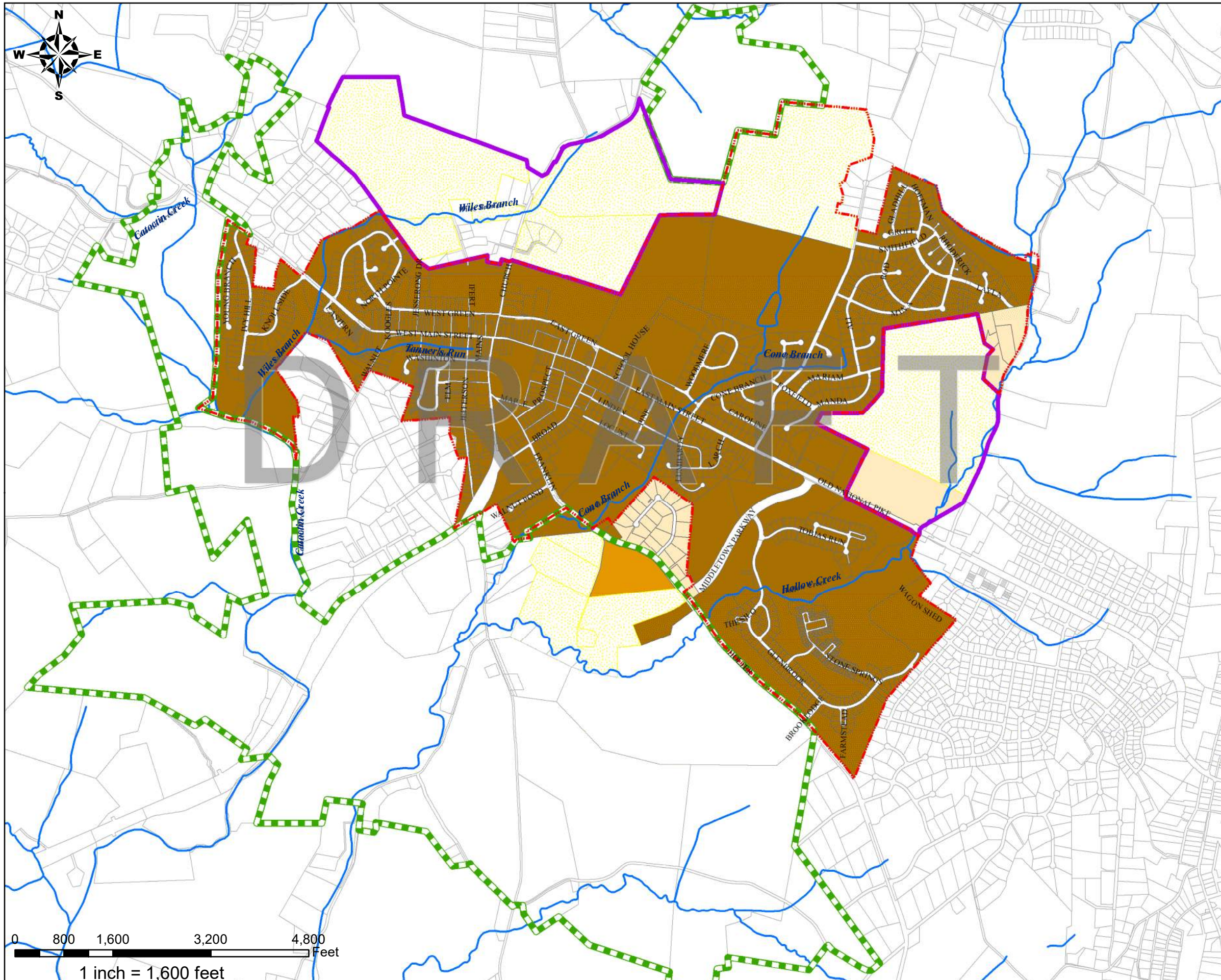


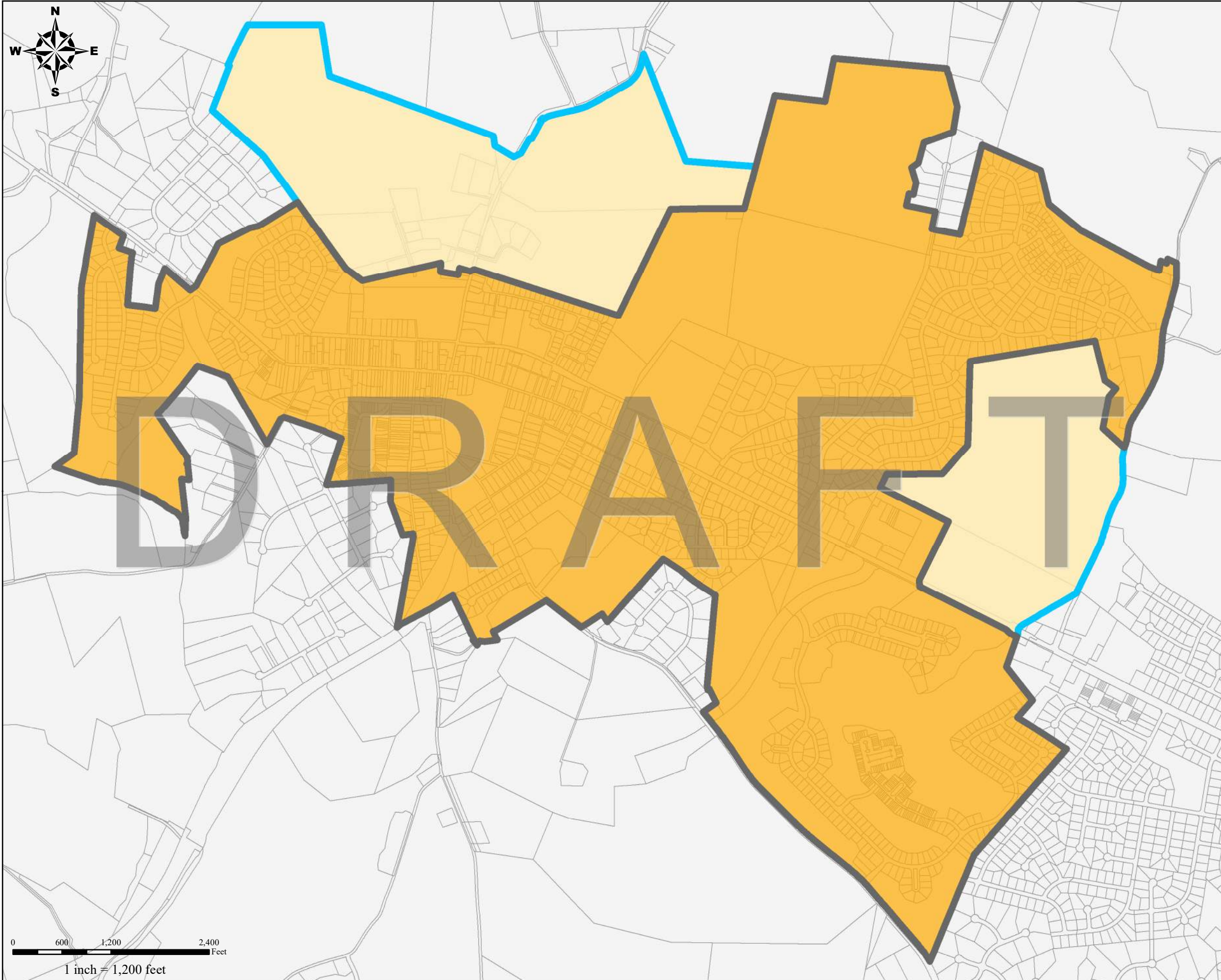
# Sewer Service Area Middletown, Maryland



## Legend

- Stream
- Parcel
- Growth Boundary
- Town Boundary
- Conservation Boundary
- S-1 - Connected
- S-3 - 1-3 Year
- S-4 - 4-6 Year
- S-5 - 7-10 Year
- PS - Planned Service - 11-20 Years
- NPS - No Planned Service









Map 8-4  
9/14/2023

## Growth Tier Map Middletown, Maryland



# Middletown

### Legend

-  Town Boundary
-  Growth Boundary
-  Tier 1
-  Tier 2

This revised growth boundary is 116 acres less than the 2010 growth boundary.

Source: Middletown Planning Department.

# Chapter 9: MUNICIPAL GROWTH



Credit: Anthony Manco

## INTRODUCTION

This Municipal Growth Element examines the interrelationships among land use, population and housing growth, and their impacts on public facilities and services. In this regard, Middletown Town officials will have a stronger basis for setting land use and growth management policies in the future through a better understanding of the multi-dimensional implications of change.

This chapter presents analyses of land consumption and facilities impacts that can be expected as a result of the projected growth of the town's population from 4,943 in 2020 to the Towns' projections of no more than 6,302 in the year 2040. The growing population will require the identification and development of additional water resources and could impact existing surface water features such as Hollow Creek and Wiles Branch. Additional development will also require an increase in school capacity and wastewater capacity.

## MUNICIPAL GROWTH GOALS

1. Manage the rate of town infill growth to be consistent with the provision of adequate services and infrastructure.
2. Manage the rate of growth by annexation to be consistent with the provision of adequate services and infrastructure.
3. Continue to provide a sustainable quality of life for residents of the Town.
4. Maintain the historical rural community nature of the Town.

## EXECUTIVE SUMMARY

In order to meet the municipal growth goals above, the Town will need to:

1. Ensure that development is orderly and utilizes good design techniques. Consideration will be given to the impact of growth on the existing community and facilities.
2. Ensure that the scale of development is compatible with adjoining land uses. This shall include identification of the uniqueness of existing adjoining development.
3. Ensure that development will only be allowed where it can be served adequately by public facilities and roads. New developments will be planned with respect to future transportation needs.
4. Limit the number of houses permitted to be built which is dependent on the water allocation by the Maryland Department of the Environment (MDE). Per the Town's growth policies, developers shall provide water to the Town from land to be annexed.
5. Reserve adequate land for commercial/light manufacturing activities. Commercial uses will be designed and scaled to be compatible with the neighborhood in which it is located.
6. Seek to obtain and maintain a physical buffer from the unincorporated areas.
7. Direct development away from all stream valleys, steep slopes, and natural areas.
8. Work to provide a buffer around its water resources.
9. Give consideration to the historic significance of structures and neighborhoods during the development review process.

## BACKGROUND

Middletown is located in the western portion of Frederick County. It is a small town of 1,350 acres in a rural valley setting with outlying picturesque farms and plentiful natural and heritage resources. Major arterials for the region include U.S. Route 40-A and Maryland Route 17. Urban areas near Middletown include Frederick City to the east and the city of Hagerstown to the northwest. These urban areas represent potential places of employment for Town residents, along with Montgomery County and the District of Columbia further to the southeast, and Baltimore further to the east.

Middletown adopted a Policy on Residential Growth for all new residential development, on July 17, 2003, and a Policy on Commercial Growth for all new commercial development on April 6, 2004. The policies have been amended over the years and most recently on January 10, 2022. The growth criteria under these policies include the provision for adequate water and sewer, adequate school capacity, a traffic impact study identifying all traffic issues related to the requested development (and the correction of those issues), usable recreation space, written Public Works Agreements, a limit on the number of residential permits per calendar year, and the payment of municipal real estate taxes for all properties requesting annexation for commercial development. These policies (attached in Appendix 2) have established elements of an adequate public facilities ordinance and have proven to be highly effective in the last decade in controlling growth in the Town of Middletown.

### FREDERICK COUNTY LAND USE PLANNING- PART 1

Several agricultural preservation easements are currently located south and north of the town. The Haines farm north of the town's growth boundary is under the Maryland Agricultural Land Preservation Foundation (MALPF), as is the Keller Farm southwest of the town's growth boundary. According to Frederick County government's website, the MALPF Program has a purpose of preserving prime farmland for future food and fiber production and is designed to pay farmers to extinguish their development rights, therefore keeping the farm in agricultural use in perpetuity.



## FREDERICK COUNTY LAND USE PLANNING- PART 2

The Hawker farm south of the Town’s growth boundary at Glenbrook is under the County’s Installment Purchase Program (IPP). Frederick County began the program in 2002 and it works through installment purchase agreements that pay the farmer tax-free interest over a period of 10-20 years with a balloon lump sum principle payment at the end of the term according to information provided on the County’s website.

These agricultural preservation programs have been highly successful in Maryland as well as in Frederick County.

### GROWTH TRENDS AND PATTERNS

Middletown dates back to the mid-1700’s when it provided agricultural related businesses and services to the nearby rural community. As shown in Table 9-1, from 1960 to 2020, the growth rate for the Town of Middletown was significantly on the rise from 1990 to 2010 after a lull in the decade ahead of that. This is the period in which several large residential subdivisions were started and completed. Municipal growth during the early 1980’s was constrained by limits on sewer capacity. Much of the growth occurred outside the Town in developments that used well and septic systems which began during the 1970’s and continued to be built out. The past decade has shown a more consistent rate of growth between the Town and the County.

**Table 9-1 | Historic Population Growth**

TOWN OF MIDDLETOWN			FREDERICK COUNTY		
YEAR	POPULATION	% INCREASE	YEAR	POPULATION	% INCREASE
1960	1036	11	1960	71,930	16
1970	1262	22	1970	84,927	18
1980	1748	39	1980	114,792	35
1990	1834	5	1990	150,208	31
2000	2668	45	2000	199,369	33
2010	4136	55	2010	233,385	17
2020	4943	20	2020	271,717	16

Source: U.S. Census Bureau

As shown in Table 9-2 the Middletown Valley Region during the past decade has had a 5% population increase indicating scarce development beyond the corporate limits of the Town compared to development within the Town. The Middletown Valley Region extends south of Middletown, north of Wolfsville, and includes Braddock Heights to the east and South Mountain to the west. The only other municipality included in this region is the Town of Myersville, to the north.

**Table 9-2 | Population Change [2010-2020]**

MUNICIPALITY	2000 CENSUS	2010 CENSUS	2020 CENSUS	INCREASE 2010-20	% INCREASE 2010-20
Middletown	2668	4136	4943	807	20%
Middletown Valley	17,383	19,816	20,811	995	5%
Frederick County	195,277	233,385	271,717	38,332	16%

Source: U.S. Census Bureau

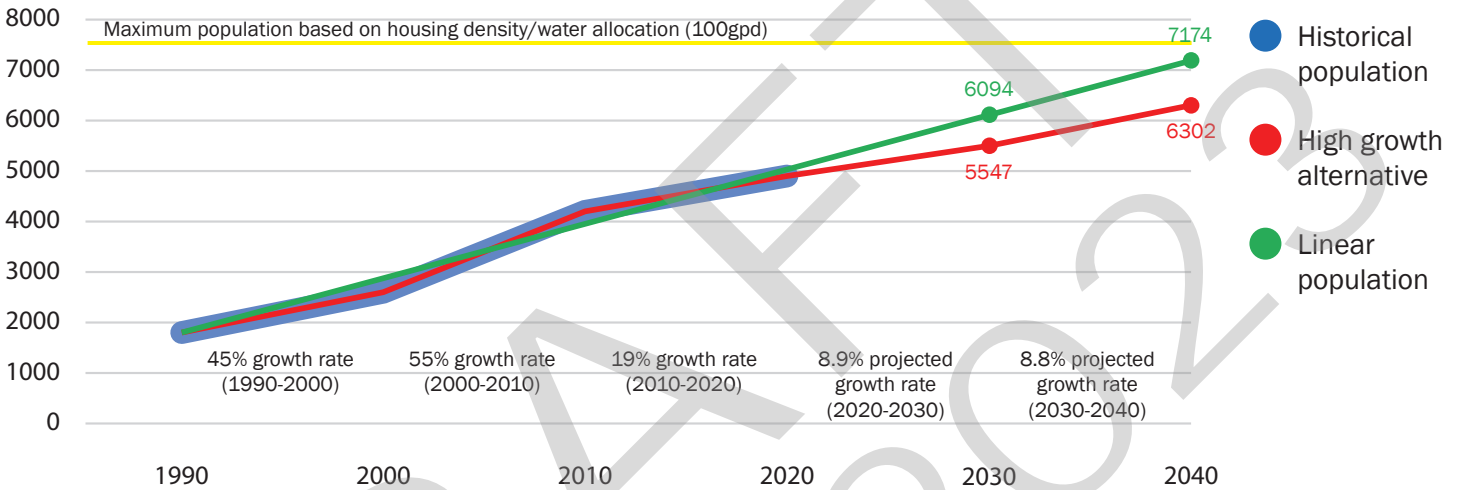
**POPULATION PROJECTIONS 2022-2040: ESTABLISHING A BASELINE**

The total population in 2020 is stated to be 4,943 by the US Census Bureau (Bureau) which will be used as a baseline for the projections in this Plan.

**FULL BUILD OUT OF INFILL + PART OF GROWTH BOUNDARY = HIGH GROWTH ALTERNATIVE**

Assuming all of the infill properties are developed by 2040, and 30 units per year are built in the growth boundary properties (per the town’s growth policy) and given an average household size of 2.8 and 2.0 for the active adult households, the Town population in 2040 would be 6,302. A projected population of 5,547 in 2030 would be an 8.9% increase in population and going forward the projected population of 6,302 would be an 8.8% increase from 2030 to 2040. This anticipated growth can be seen on Figure 9-1 below in red as the ‘high growth projection.’ The thick blue line shows the population growth up until 2020.

**Figure 9-1 | Historical and Projected Population**



**FORECAST GROWTH- THE 2040 COMPREHENSIVE PLAN**

As you can see in Figure 9-1, if the Town’s population growth continued linearly without the residential growth policy in place, the projected population for 2030 and 2040 would be much higher than with the growth policy in place. Considering this Comprehensive Plan’s policies which seek to (1) accommodate currently proposed development plans, (2) promote infill generally, and (3) only approve developments in the growth area where water resources are sufficient, this Plan forecasts that the total population in 2040 will more likely be in the 6,000 range with the addition of 423 building units.

Population growth for the Town from 2020 to 2040 is therefore projected to increase by approximately 1,065 according to projections determined by using the town’s growth policy and a sense of which properties in the growth area might be annexed for development given the necessary water allocations.

**ABOUT THE US CENSUS 2020 DATA**

A household is an occupied housing unit. It is the main “demand unit” considered when contemplating change and its impact on community facilities. With a reasonably accurate forecast of households, for example, a town can estimate future residential demand for municipal water/sewerage and school enrollment. The number of total households in 2020 is stated to be 1,830 by the US Census Bureau. The Bureau determined that the number of occupied housing units in 2020 was 1,751. County and Town records show the number of occupied housing units to be 1,744 and 1,742 respectively.

It is known which approved site plans are moving forward and which infill lots are most likely to be developed in the near and ten-year time frames. Beyond that it is a guess as to which properties – both infill lots and properties in the growth boundary - are more likely than others to develop within the timeframe of this comprehensive plan. Some prime infill lots have been owned by town residents for decades with no indication of desiring to sell or develop those properties. It is also difficult to know when property owners of farms in the growth boundary might be ready to sell or develop their land and take it out of agricultural uses.

## GOAL: MANAGE THE RATE OF TOWN INFILL GROWTH TO BE CONSISTENT WITH THE PROVISION OF ADEQUATE SERVICES AND INFRASTRUCTURE

### TOWN INFILL AND REDEVELOPMENT CAPACITY

Residential infill potential examines a theoretical capacity associated with vacant and underutilized land in the Town. Potential yield in Middletown was determined by identifying vacant and underutilized parcels using aerial photography in the Town’s GIS system. These sites constitute lots of record and are expected to develop within the planning period from 2022 to 2040. See Map 9-1 Infill Lots following this chapter.

Infill capacity includes the Caroline’s View Apartments property, Memorial Hall apartments and completion of construction at the Franklin Commons townhouse property. Foxfield Section 6, an active-adult residential development, yet to be developed, is also included in this capacity estimate. The estimated total infill and redevelopment potential for Middletown by 2040 is an additional 203 residential dwelling units (see Table 9-3). The infill lots of record, along with the lots of approved site plans and the Foxfield Section 6 preliminary plan, total 101.6 acres. The vast majority of that acreage is the 94 acres associated with the active adult subdivision.

**Table 9-3 | Infill Lots Available for Development**

APPROVED PRELIM PLATS	DEVELOPMENT	ACREAGE	UNITS	POPULATION <sup>1</sup>
R-20	Foxfield Section 6- Active Adult	94	148	296
EXISTING LOTS OF RECORD	DEVELOPMENT	ACREAGE	UNITS	POPULATION
R-1	204 Lombardy Court	0.49	1	2.8
R-1	216 East Green Street	0.41	1	2.8
R-1	500 East Main Street	0.70	1	2.8
R-1	502 East Main Street	0.94	1	2.8
R-2	18 East Green Street	0.24	1	2.8
R-2	28 East Green Street	0.21	1	2.8
R-2	28 Walnut Street	0.59	1	2.8
R-2	310 South Jefferson Street	0.28	1	2.8
R-2	312 South Jefferson Street	0.24	1	2.8
R-2	316 South Jefferson Street	0.33	1	2.8
R-3	114 East Main Street	0.25	1	2.8
R-3	406 West Green Street	0.29	2	5.6
APPROVED SITE PLANS <sup>2</sup>	DEVELOPMENT	ACREAGE	UNITS	POPULATION
TC	Memorial Hall Apts.	0.27	15	42
R-3	Caroline’s View Apts. (Horman)	0.62	9	25.2
R-3	Franklin Commons Townhouses	1.74	18	50.4
Totals		101.6	203	450

<sup>1</sup>Based on population projections of 2.0 for R-20 active-adult zoning and 2.8 for R1, R2, R3 and TC zoning districts

<sup>2</sup>Hollow Creek Professional Center received site plan approval for commercial use 9/2022

**ASSUMPTIONS FOR TOWN INFILL AND REDEVELOPMENT**

Infill and redevelopment capacity within Middletown is based on the following assumptions:

- Infill capacity accounts for new infill development in Middletown, which includes Franklin Commons townhouses and Memorial Hall apartments (presently being developed), the Foxfield Section 6 subdivision (new development), and other infill lots.
- Infill capacity assumes development of the Foxfield Section 6 property based on R-20 active adult cluster development zoning, and development of Franklin Commons, Memorial Hall, and Caroline’s View Apartments based on current Town residential zoning (R-3) achieving maximum yield.
- Population estimates assume Middletown’s average household size will remain proportionate with the Town’s average household size of roughly 2.8 persons per household.
- Infill capacity assumes 250 gallons per day per unit or EDU (equivalent dwelling unit).

**Table 9-4 | Impacts of Infill/Redevelopment Growth on Public Facilities & Services**

CLASSIFICATION	INFILL/REDEVELOPMENT AREAS
Dwelling Units	203
Population	450
New Residential Water/Sewer Demand (gpd) <sup>1</sup>	37,000
New Non-Residential Water/Sewer Demand (gpd)	0
New High School Students <sup>2</sup>	11
New Middle School Students <sup>2</sup>	5
New Elementary School Students <sup>2</sup>	5-7

Based on population projections through 2040

<sup>1</sup>Water/sewer demand is for the planned 148-unit active adult subdivision; other infill units are included in the approved water supply

<sup>2</sup>Planned 148-unit active adult subdivision will not impact schools

**ASSUMPTIONS FOR IMPACTS FROM INFILL AND REDEVELOPMENT AREAS**

Impacts from Middletown’s infill growth utilize the following sources and assumptions:

- Future population and dwelling unit projections from 2022 to 2040, as described in this chapter.
- Middletown growth policies which require developers to provide 250 gallons per day of water and sewer per unit.
- Frederick County Public Schools multiplier for school enrollment.

**IMPLICATIONS OF TOWN INFILL GROWTH**

The most significant implications of growth (summarized in Table 9-4) are impacts on water and wastewater demand and school facilities.

**WATER AND SEWER**

As specified to in the Water Resources Element (Chapter 8), additional water and sewer capacity will be required during the planning period of 2022 to 2040, as water and sewer demand are each projected to increase as a result of residential and non-residential (commercial and/or industrial) infill and development. The combined water appropriation permits limits for withdrawal in the Hollow Creek, Cone Branch, and Catoctin watersheds is 387,000 gpd (Annual Average) and 504,000 gpd (Month of Maximum Use), according to the Middletown Water Supply Capacity Management Plan 2022. The current capacity of the Town’s water supply as of December 2022 has been determined by MDE to be 391,850 gpd for month of maximum use (MOMU). The Town is at 91.5% capacity based

on calculations by units for Annual Average. Based on Month of Maximum Use, the Town is at 90.2% capacity based on calculation by units. Appendix 3, Middletown Water Supply Capacity Management Plan 2022, and Appendix 4, Middletown Wastewater Capacity Management Plan 2022, are attached to this report with all appropriate back up and calculations.

## **PUBLIC SCHOOLS**

The impact of Middletown's growth on public school facilities during the planning period (by 2040) is illustrated in Table 9-4: a total of 21-23 new students: 5 to 7 primary or elementary school students; 5 middle school students; and 11 high school students. Due to the enrollment and capacities report dated December 30, 2021, the school most impacted by enrollment due to infill growth in the Town would be the primary school which is at 97% capacity.

## **ADDITIONAL FACILITY NEEDS**

Middletown recognizes that any gain in population will require an equivalent increase in municipal meeting space, Town administrative staff, and municipal services (street repairs, trash collection, etc.). The existing Town Hall is currently adequate to serve the needs of hearing and meeting space. A review of staffing levels for administration should be conducted by the Town annually to determine adequacy. In addition, Middletown should review the need to expand the Public Works department. Expansions of Town staff and municipal services can be made and funded as the population and assessable tax base in the Town expands.

It is important to note that Town zoning allows housing units above commercial space, but a parcel-by-parcel evaluation of the redevelopment potential of existing commercial buildings was not undertaken. It is possible that a limited number of apartments could be developed in downtown through the renovation or adaptive reuse of existing buildings.

**1. Ensure that development is orderly and utilizes good design techniques. Consideration will be given to the impact of growth on the existing community and facilities.**

**2. Ensure that the scale of development shall be compatible with adjoining land uses. This shall include identification of the uniqueness of existing adjoining development.**

## **GOAL: MANAGE THE RATE OF GROWTH BY ANNEXATION TO BE CONSISTENT WITH THE PROVISION OF ADEQUATE SERVICES AND INFRASTRUCTURE**

### **GROWTH AND ANNEXATION AREA PLAN**

The Middletown Growth and Annexation Area (Growth Area) has been refined during this comprehensive planning process to reflect new Town goals in relation to annexation, growth, and future development. The growth area represents the Town's long range growth expectations for future development and annexation into the Town. The Middletown growth area has contracted considerably since the adoption of the 2010 Middletown Comprehensive Plan, reducing the growth area by nearly 116 acres by eliminating properties to the south and west of the town. See Map 9-2, Growth Boundary Map, following the end of the chapter.

### **GROWTH AREA ANALYSIS**

The total acreage for the Growth Area is roughly 403 acres and contains 21 parcels. As shown on Map 9-2 Growth Boundary Map, the growth boundary represents the Town's long-range growth expectations. Much of the Growth Area is comprised of larger parcels, and some smaller parcels are already developed. Most of the growth area is located on the north end of Town with the three of the largest parcels accessed off Route 17. The land is predominantly undeveloped Agricultural (AG) zoned land with scattered low density residential land uses located off Route 17 and also Jesserong Drive. One of the larger parcels could potentially provide an alternate connection between the school complex and Route 17. The other growth area is located on the east side of town on the north side of Alternate 40A and is most likely to contain much of the future commercial development within the Town.

**Table 9-5 | Parcels Within the Growth Boundary Area**

PROPERTY NAME	PROPERTY TAX ID	COUNTY ZONING	ACREAGE	FLOODPLAIN	INFRASTRUCTURE	DEVELOPABLE ACRES	R-20 ZONING EDUs
AC Jets	03-142582	AG and R-3	144.05	24.21	29.96	89.88	195.76
Grossnickle*	03-165558	AG	1.00	-	0.25	0.75	1.63
Lee/Phillips*	03-157636	AG	2.30	-	0.58	1.73	3.76
Coblentz, LLC	03-128636	AG	42.77	-	10.69	32.08	69.86
Wiles	03-165531	AG	70.08	-	17.52	52.56	114.48
Mid-North Partners LLLP	03-124681	AG	105.92	-	26.48	79.44	173.02
Mid-North Partners LLLP	03-140547	AG	13.87	-	3.47	10.40	22.66
Long*	03-156877	AG	1.76	-	0.44	1.32	2.87
Renner*	03-156869	AG	0.99	-	0.25	0.74	1.61
Brandenburg*	03-127370	AG	0.71	-	0.18	0.53	1.16
Myers*	03-153630	AG	1.20	-	0.30	0.90	1.96
Triantafillos/Lee*	03-153657	AG	2.14	-	0.53	1.60	3.49
Stauffer Funeral Homes	03-134458	AG	2.27	-	0.57	1.70	3.71
Gorman*	03-153649	AG	3.72	-	0.93	2.79	6.08
Szczechura	03-151719	AG	0.33	-	0.08	0.25	0.54
Leishear*	03-154785	AG	2.18	-	0.54	1.63	3.55
Vendemiatti*	03-124703	AG	2.30	-	0.58	1.73	3.76
Murphy/Whalen*	03-144364	AG	3.28	-	0.82	2.46	5.35
Daly*	03-126625	AG	0.64	-	0.16	0.48	1.05
Szczechura*	03-138763	AG	0.86	-	0.22	0.65	1.40
Stair*	03-131165	AG	0.50	-	0.13	0.38	0.82
Totals			402.86	24.21	94.66	283.99	618.53

\* Contains existing dwellings

**ASSUMPTIONS FOR THE GROWTH BOUNDARY AREA**

The Growth Boundary Area analysis for the Town is based on the following assumptions:

- Growth Boundary Area capacity accounts for potential new development on existing agricultural properties in the Growth Boundary Area, totaling 403 acres.
- Build-out capacity for these properties utilizes the MDP methodology, which assumes that 25% of the land will be used for roads, open space, and other uses unrelated to dwelling units or commercial/industrial buildings.
- Growth Boundary Area capacity assumes there will be no building in floodplains.
- Growth Boundary Area capacity assumes there is adequate water availability as determined by MDE.
- Growth Boundary Area capacity assumes a dwelling unit density based on current Town residential R-20 zoning, which requires a minimum lot size of 20,000 square feet.
- The resulting total developable area in the Middletown Growth Boundary Area is approximately 284 acres. This equates to 618 dwelling units.
- Small, previously developed lots in the Growth Boundary Area may not have development potential but may require water and sewer service.
- Growth Boundary Area population projections assume Middletown’s average household size will remain at 2.8 persons per dwelling unit over time.

Annexation of most of the Middletown Growth Area is not anticipated within the planning period from 2022 to 2040. The Middletown Growth Area is approximately 403 acres, and the hypothetical impacts for the Middletown Growth Area are calculated based on potential additional dwelling units and population. The Growth Area includes a

potential total of 618 dwelling units. In addition, the population is estimated at 1,730 new Town residents.

Accommodating growth in the Growth Area will require an expansion of school facilities and water and sewer demand will increase substantially. Increases might also be needed in personnel for police services and fire and rescue emergency services. Development of the Middletown Growth Area will require wells that are adequately sized for municipal water system use and new water and wastewater systems.

Aside from future development happening only if and when water resources are available, new growth will need to be planned with respect to adequately addressing potential roads and other transportation needs. Certain land parcel annexations could support the completion of the east-west connector road between the Foxfield Section 6 active-adult property and Route 17, or the north-south connector road between Route 40A and the Foxfield subdivision.

**Table 9-6 | Impacts of Growth on Public Facilities and Services (Growth Area Planning Period- beyond 2030)**

<b>CLASSIFICATION</b>	<b>GROWTH BOUNDARY AREA</b>
Dwelling Units	618
Population	1730
New Residential Water/Sewer Demand (gpd)	154,500
New Non-Residential Water/Sewer Demand (gpd)	?
New High School Students	93
New Middle School Students	62
New Elementary School Students	130

### **COMMERCIAL DEVELOPMENT**

Commercial development within the Town and growth area does not have an impact on population growth; however, commercial development may still have large impacts on the Town's infrastructure, maintenance requirements, and development patterns in addition to financial implications. Future commercial development will require additional water resources and sewer capacity to serve those developments. There will likely be increased traffic on existing roads as a result of commercial development in Town, and any new roads constructed or transferred to the Town's jurisdiction from the County will also increase the Town's maintenance responsibilities.

Development patterns will also be impacted by commercial development. Currently, there is one vacant parcel with commercial development potential within the Town's growth area.

**3. Ensure that development will only be allowed where it can be served adequately by public facilities and roads. New developments will be planned with respect to future transportation needs.**

**4. Limit the number of houses permitted to be built which is dependent on the water allocation by the Maryland Department of the Environment (MDE). Per the Town's growth policies, developers shall provide water to the Town from land to be annexed.**

## PRIORITY FUNDING AREAS

Middletown has been designated a growth area in Frederick County in The Livable Frederick Master Plan, adopted September 3, 2019. The region surrounding the Town consists of large agricultural parcels and substantial land exists for municipal growth. Ten of the twelve incorporated municipalities in the County as well as fourteen unincorporated communities make up the County's Community Growth Areas which are the County's principal residential, commercial, and business centers. These areas are the best locations for future growth and development. The primary goal of this designation as Community Growth Areas is to encourage development to occur within the designated growth areas while preserving the existing character of the communities and their historic and cultural features.

Middletown has also been designated a "Priority Funding Area" (PFA) for Frederick County in The Livable Frederick Master Plan (adopted September 3, 2019). The requirement for designating PFAs was established under the 1997 Neighborhood Conservation and Smart Growth Areas Act (Smart Growth) and supports the State "Visions" for growth as expressed in the 1992 Planning and Zoning Enabling Act (Land Use Article of the Annotated Code of Maryland). PFAs are locally designated areas targeted for eligible State funding. PFA designations include municipalities, rural villages, communities, industrial areas, and planned growth areas to be served by public water and sewerage.

It is important to note that as of October 2006, new municipal annexations seeking PFA designation must be submitted to the Maryland Department of Planning (MDP) for "PFA Certification." According to MDP, County properties annexed into the Town that currently have PFA status, do not retain such status and do not automatically become PFAs if annexed. Annexed properties in Middletown in the last decade include the County Park and the Memar property north of the County Park.

## ANNEXATION AND GROWTH AREA

The Town's Growth Area has the potential for approximately 620 dwelling units with an estimated population of 1,730 using the Town's average household size. Additional water and sewer demand associated with this level of growth is 154,500 gallons per day (gpd) respectively (see Table 9-6).

All land within the Growth Area has a county land use plan designation of Agricultural/Rural or Low Density Residential, which generally indicates that development would be appropriate on those properties within a 20-year timeframe subject to completion of other staging mechanisms (according to Livable Frederick, page 68). The vast majority of residentially designated land within the Growth Boundary is zoned Agricultural on the County's zoning map.

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

The Town's Comprehensive Plan acknowledges that these properties may be incorporated into the Town at some future date. In the meantime, the Town would request that the County hold these properties in agricultural zoning, thus limiting the potential for premature, low-density development on well and septic systems. The Town has several reasons for this position including:

- Protecting the Town's unique identity by controlling the quality of development occurring around the Town corporate boundaries within the Conservation Boundary.
- Requiring development site design that includes mandatory open space requirements.
- Enabling densities for new development that support Smart Growth if water resources are adequate.
- Requiring appropriate water-saving construction materials for new development to protect water quality.



- Requiring “Best Management Practices” (BMPs) for stormwater management to protect and enhance water quality in potential receiving waters.
- Ensuring appropriate expansion of water and wastewater treatment systems to accommodate new development; and
- Eliminating the potential for future failing septic systems.

## ANNEXATION POLICIES

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

1. Proposed annexation areas will be economically self-sufficient and will not result in larger municipal expenditures than anticipated revenues, which would indirectly burden existing Town residents with the costs of services or facilities to support the area annexed.
2. The costs of providing roads, utilities, parks, and other community services will be borne by the developer gaining the most value from such facilities through income, profits, or participation.
3. Specific conditions of annexation will be made legally binding in an executed annexation agreement. Such agreements will address, among other things, consistency with the goals, objectives and recommendations contained in the Middletown Comprehensive Plan, planning, zoning, and development expectations, responsibility for appropriate studies, and preliminary agreements concerning responsibilities for the cost of facilities and services provided by the Town.
4. For annexations involving larger parcels of land, the Burgess and Commissioners and/or the Planning Commission may require appropriate impact studies, including a traffic impact study, fiscal impact study and an environmental impact assessment that addresses the potential impacts of the proposed annexation and planned development on the environment of the site and surrounding area.
5. Applicants for annexation shall pay the cost of completing all studies related to expanding capacity in existing public facilities and/or services.
6. Proposed development must provide 250 gallons of allocable water per unit and shall be required to cover all costs of physical connection to the Town water and sewer system.
7. Proposed development must use the Maryland Department of the Environment (MDE) Water Balance calculations to determine the maximum number of EDU’s possible for the property to be developed. No use of other aquifers is permitted.
8. Proposed development must pay a proportionate share of cost to upgrade/increase sewer capacity, based on all factors at time of Water/Sewer certification.
9. Prior to Preliminary Plat approval, all Middletown schools located within the corporate limits of Middletown must be less than 105% capacity as rated at the time of the most recently submitted Frederick County Public Schools Quarterly Enrollment report, and approval will only be valid for two years after the Plat is signed by the Middletown Planning Commission.
10. Proposed residential development must provide usable recreation space, as determined by the Town’s Planning Commission, at 0.05 acres/unit for the total number of units in the development.
11. Proposed residential developments will receive no more than 20 residential permits per year. However, the Town shall not approve more than 30 residential permits per calendar year for all residential development within the Town, and all residential permit allocations for each residential development will be determined by the Town.
12. Proposed commercial development may receive Plan approval from the Town for uses creating a trip generation rating at or above level D as defined in the most recent edition of the Highway Capacity Manual.
13. Proposed commercial development must provide usable contiguous recreation space, as determined by the Planning Commission, as 0.2 acres/gross acreage, which may not be allowed to include required setback, Forest Conservation areas, stormwater management areas, or buffer areas.
14. All property requesting annexation for commercial development shall pay municipal real estate taxes at time of annexation.

Prior to annexing any land area not included in the Growth Boundary Plan, the Town will first consider appropriate amendments to this Comprehensive Plan and will follow the procedural requirements for comprehensive plan amendments and annexation established in State law (Land Use Article and Article 23A). This will ensure that the proposed annexation is consistent with the goals and objectives of this comprehensive plan, that appropriate consideration has been given to the adequacy of public facilities and services, and that County and State agencies are afforded an opportunity to comment on the proceedings.

## **GOAL: CONTINUE TO PROVIDE A SUSTAINABLE QUALITY OF LIFE FOR RESIDENTS OF THE TOWN**

**5. Reserve adequate land for commercial/light manufacturing activities. Commercial uses will be designed and scaled to be compatible with the neighborhood in which it is located.**

**6. Seek to obtain and maintain a physical buffer from the unincorporated areas.**

**7. Direct development away from all stream valleys, steep slopes, and natural areas.**

### **The Middletown Comprehensive 20-Year Land Use Plan, (Figure 9-3).**

The Land Use Plan is a set of objectives, map designations and suggestions for the Town to enact regulating changes. Also included is a proposal for a comprehensive zoning map which will implement the proposals in the Comprehensive Plan.

### **THE LAND USE PLAN CONCEPT**

The overriding concepts behind the Middletown Comprehensive Plan are for the Town of Middletown to be the focus for the development which takes place in the Region; and, that Middletown remains an identifiable and distinct community. This Municipal Plan coincides with the Frederick County Comprehensive Plan's "Community Growth Area." This concept prescribes that development should be located in and around the existing communities where public facilities and services are in place to efficiently serve new development, and where these communities already have a sense of identity and community focus. Middletown realizes its importance to the Middletown Planning Region and shares the responsibility for growth management in the Region. It is the intent of this Plan that all new major growth in the vicinity of the Town will first be considered for annexation in cooperation with the Frederick County Council.

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

The ultimate growth limits for the Town of Middletown as defined by this Plan include the Town boundaries to extend east towards Hollow Road and north to those properties which would include a potential northern parkway or collector. These growth limits are intended to be a limit to the eventual expansion of the Town boundaries. Properties within this growth boundary are not necessarily appropriate for annexation or development within 5 or even 20 years but will be appropriate for development as facilities and services are in place to serve this area. Of prime importance is that major new areas will not be added to the Town ahead of a road system to support the development. New annexations will not be encouraged which will increase the congestion in downtown Middletown.

Middletown desires to remain as a distinct community. In order to ensure this, the Plan proposes a greenbelt or conservation boundary around the growth boundary. The Town's definition for its conservation boundary as shown on Maps 9-2 and 9-3 is: a greenbelt around the designated growth area that defines the community and maintains its rural character and limits its growth. All new development will be required through the subdivision review process or annexation process to reserve or dedicate lands for open space. The other intent of the greenbelt is to look at the ability to secure water recharge easements on properties in the greenbelt which are under agricultural preservation easements.

## **PLAN DESIGNATIONS**

Plan designations are the proposed land use categories for use by the Town. Plan designations are not specific zoning classifications which include specific zoning regulations but are guides as to future land uses. In some cases, the zoning and plan designations will correspond but in other cases, the zoning envisioned by the plan designation is not applied until other factors such as community facilities and roads are in place. The proposed zoning changes are designated in Map 9-4, Proposed Zoning Map following this chapter. As shown in the text box on the map, there are two properties in the Town of Middletown that zoning changes are proposed for. More specific information regarding these changes is referred to in the text below.

### **RESIDENTIAL**

The predominate Land Use Plan category is Medium Density Residential. The density of development in the Medium Density Residential areas is approximately 4-7 dwelling units per acre. The compatible zoning categories for the Medium Density Residential designation are R-1 Residential (293 acres) with a minimum lot size of 10,000 sq. ft. and R-2 Residential (60 acres) with a minimum lot size of 6,000 sq. ft. Medium Density Residential areas include the subdivisions of Glenbrook, Brookridge South, North Pointe, portions of Cone Branch Estates and Foxfield, and the older neighborhoods within the Town.

High Density Residential which has a maximum density of 6 - 11 units per acre is designated for most of those areas in the middle of Town which have R-3 Residential zoning (42 acres). High Density Residential is designated for the Jefferson Village, Chesterbrook Apartments, and the adjacent Franklin Commons development. Other neighborhoods designated as High Density Residential are the townhouse area of the Glenbrook subdivision and the western third of the recent Middletown Glen subdivision.

A Low-Density zoning district was created in 1988 in order to give the Town more of a transition from the rural densities found outside of town with the more concentrated development densities in Town. The corresponding zoning classification for the Low-Density Residential Plan category is the R-20 Residential zone (223 acres) with an average minimum lot size of 20,000 sq.ft. This is to be located on most of the land within the unincorporated growth boundary. Development in the Low-Density Residential area is proposed at approximately two dwelling units per acre but may include increased levels of density through flexible design of subdivisions that minimize the impact on municipal resources, such as cluster developments. Portions of the Foxfield and Cone Branch subdivisions are zoned R-20.

The Neo-Traditional Residential overlay zoning district (11 acres) was created in 2008 which is intended to permit planned development in the R-3 zoning district. This zoning district was applied to two-thirds of the Middletown Glen subdivision on the north side of Green Street adjacent to the school complex.

### **COMMERCIAL**

Commercial land uses in Middletown are in the General Commercial (GC), the Town Commercial (TC), and the Service Commercial/Light Manufacturing (SC/LM) districts. Regardless of which district commercial development is located in, the commercial businesses are expected to be of a size and scale that fits in with the existing commercial establishments and the historical context of the Town. Commercial businesses in the TC district are dependent on the character of the older development and restricted parking that is generally available in these areas of Town. The GC businesses are also dependent on the character of the portion of Town in which they are located; however more flexibility is available due to the various locations of the GC districts in town. One GC district is located in the older area of Middletown and has many of the limitations generally associated with the TC, while other GC districts are located in newer areas of Town without the restrictions of existing historic development. The SC/LM district is intended to provide areas for business services, light manufacturing, and commercial uses that are relatively nuisance free and compatible with surrounding residential and commercial uses. Commercial development in Middletown is therefore influenced by both the characteristics of the area in which it is to be located as well as by the standards adopted for the district in the Middletown Zoning Ordinance.

Factors such as the location of the commercial development in relation to surrounding uses and the standards for the various commercial zoning districts in the Town ordinance should be considered during future annexations and rezoning requests as the Town addresses the need for additional commercial zoned acreage within the Town to meet the consumer needs of the growing municipal population.

General Commercial (GC) District: This commercial zoning district (32 acres) is defined in the Middletown Zoning Ordinance as intended to provide areas for general commercial activities that service the needs of the entire community and the surrounding area. It also states that such areas should be located such that stores, and commercial activities can be grouped together in an attractive and convenient manner that will not infringe on residential areas. This district is also required to be on major thoroughfares in order to provide for vehicular accessibility. In keeping with these requirements, Middletown has five GC zoned areas in town. (1) One located in the center of Town, extending from the Main Street/Church Street intersection northward on the east side of North Church Street. (2) GC also includes the Town Center Shopping Center on East Main Street and the adjacent Hollow Creek Professional Center proposed property, (3) and includes the golf course restaurant and Pro Shop in the Glenbrook development that is located off the Middletown Parkway along with the Cross Stone Commons Shopping Center. The 2010 Zoning Map boundaries for the GC parcels that make up the golf course restaurant and Pro Shop are depicted incorrectly. The 2022 Proposed Zoning Map shows the delineations of the properties correctly.

## MIXED BUSINESS DISTRICT

A commercial zoning district was established in 2004 in the Town's zoning ordinance called the MB – Mixed Business District. The Mixed Business district is intended to provide a park-like setting for a community of small to medium sized businesses on a planned tract of land. Unlike the other commercial zoning districts, this district includes more specific performance standards that must be adhered to in the zoning ordinance. This zoning district is not yet reflected on the zoning map of the Town.

Town Commercial (TC) District: This commercial zoning district (28 acres) is defined in the Middletown Zoning Ordinance as intended to provide areas that allow for a mixture of uses including residential and small commercial businesses that can meet performance standards that allow for compatibility with the surrounding residential environment. The TC is intended for small attractive commercial uses that cater primarily to pedestrian traffic, allowing for limited parking and minor road (street) access. The uses allowed in this district are generally of a less intense and smaller scale than the commercial uses found in the GC district. The TC zoned areas are located in three general locations in Middletown. (1) The largest TC zoned area is located in the older (center) portion of Town along West Main Street; part of this area includes properties on the north side of Washington Street between South Church Street and Elm Street, and also includes some properties on the south side of the intersection of East Main Street and South Church Street. (2) Another TC zoned area is located on South Church Street and south of Boileau Street (Alley) and includes a few properties fronting Jefferson Street near Boileau Street. (3) The TC district also includes two parcels on the north side of East Main Street – the Miller property and the gas station next to it. There is a property on Walnut Street portrayed as the Metzner property that was zoned residential inadvertently during the last Comprehensive Plan update. The 2022 Proposed Zoning Map corrects that error and reverts the property to Town Commercial zoning.

Properties zoned for light manufacturing uses in Middletown are in the Service Commercial/Light Manufacturing (SC/LM) District (3.5 acres). This district is intended to provide areas for business services, light manufacturing, and commercial uses that are relatively nuisance free and compatible with surrounding residential and commercial uses. The uses permitted in this district have low traffic generation, limited noise and environmental impacts, and includes development scaled to serve local patrons. These areas must have access to a major road as identified in this Comprehensive Plan. Historically, this area has included warehouses and offices with some retail uses. There is one area designated in this Plan for manufacturing use; this is the SC/LM zoned area east of North Church Street and north of East Green Street.

Mixed Business (MB) District: As stated previously, there currently are no areas in Town designated in this zoning district. This district is intended for “showcase locations” which are planned, promoted, and developed for businesses in a park-like setting.

## OPEN SPACE

Properties designated as Open Space are zoned in the Open Space (OS) District (520 acres) and are intended primarily for providing permanent open space for its natural beauty and recreational value, particularly for use as

parks. It is also available for limited development for use by essential public services such as schools, medical centers, fire protection services and the like. Areas designated as Open Space are located throughout Middletown including town parks, cemeteries, stream valleys and some essential public service facilities. Development is by definition very restricted in the OS zone.

### **INSTITUTIONAL**

Institutional properties in the Town of Middletown include schools, wastewater treatment facilities, water treatment facilities and cemeteries. There is no zoning district entitled institutional, therefore these land uses typically use the Open Space zoning district for zoning purposes.

### **OTHER LAND USE IMPLEMENTATION RECOMMENDATIONS**

In addition to the Comprehensive Plan Land Use designations, it is proposed that the following actions be taken:

1. Limited Comprehensive Zoning – The Middletown zoning map is being amended in conjunction with the comprehensive plan update.
2. Consider Potential Low-Impact Development Options – New techniques for land development will be analyzed. In addition, techniques for preserving surrounding agricultural lands will be considered.
3. Evaluation of Development Review Process – The steps involved in development review for site plan, subdivision, annexations, rezonings, and Board of Appeals cases will be reviewed to eliminate unnecessary delays and to streamline the process.
4. Wellhead Protection – Although Frederick County has a Wellhead Protection Ordinance, steps will be taken to attempt to encourage the County Council to further strengthen that Ordinance.

### **8. Work to provide a buffer around its water resources.**

### **INTER-JURISDICTIONAL COORDINATION**

The 2023 Middletown Comprehensive Plan highlights the need for inter-jurisdictional coordination with Frederick County. From Middletown's perspective, substantive issues include the following:

- Peripheral development in Frederick County, within the Middletown Growth Area and Conservation Boundary is a concern and should be discouraged, especially in terms of the Town's recharge area. The Town believes that new development in and around the Town should be consistent with Smart Growth given the water resource limitations, and sound place-making principles. Frederick County should work closely with the Town to address the nature of allowable development adjacent to the Town.
- Protection of the Town's springs is of utmost importance, and the County should ensure that they remain protected through the County's Wellhead Protection Ordinance.
- Although towns have been designated as growth areas, no construction of new roads or improvement to existing roads is planned by the County to help existing traffic problems or provide for any new development.
- Discussions with the County need to take place towards the creation of a water resource easement that allows municipalities to purchase water rights on protected lands. Properties need to be identified where conservation easements could be combined with such water resource easements to protect valuable water resources and augment water supplies in terms of water balance.

Issues with the Maryland State Policy of Smart Growth are also a concern and include the following:

- Urban Plan of 3.5 homes per acre is a concept that is not well suited to new developments in existing small towns that are dependent on groundwater as a drinking water supply.
- There is no system for the Town to direct State and County funds to solve problems created by development.
- The Rural Legacy and Agricultural Programs do provide some funds designed to remove land from the possibility of future development.

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

1. The Town's design for growth at the edges of Town is at a lower density than required by the Smart Growth Plan.
2. The Town does not have adequate services and resources for dense growth i.e., schools, roads, water, and sewer.
3. Development and revitalization of commercial areas need to be consistent with the character of the Town.
4. Preservation of Open Space and establishing a buffer zone or conservation boundary around the Town should be explored through the established Agricultural District and Land Trusts.
5. Preserve Natural Resources and Sensitive Areas found in and around Middletown such as Catocin Creek, Cone Branch, Hollow Creek, and prime farmland.
6. The most probable residential growth area is located north of Town.

### **COORDINATION FOR EFFECTIVE GROWTH MANAGEMENT**

There is a critical need for the Town and County to work together on growth-related impacts. Future growth will depend on sound strategies to address such issues as water quality and quantity, school capacity, demand for emergency services, public infrastructure, and transportation facilities. Growth management in Middletown primarily hinges on effective coordination between the Town and Frederick County because municipal growth through annexation is located in Frederick County. The Livable Frederick Master Plan adopted in September 2019 states "Inherent to growth areas is the intent that a share of future growth and development will continue to occur within and around existing communities and municipalities. Cities, town and unincorporated places will continue to grow and thrive with new growth and redevelopment opportunities."

Like public infrastructure, water quality and quantity issues cannot be addressed by the Town alone. Going forward, effective management of non-point source pollution must be based on watershed-wide land use strategies and coordinated administration and enforcement of sediment and erosion control and stormwater management regulations. The planning requirements from Maryland House Bill 1141 direct the Town and County Planning Commissions to meet and discuss this Comprehensive Plan prior to adoption.

At a minimum, an agenda for such a joint County/Town meeting should include coordination of the following:

- Cooperative watershed planning initiatives including discussions of adequate public water supplies.
- Coordinated policies concerning County land uses and PFA designations adjacent to the Town.
- Coordinated policies concerning conservation of green infrastructure and the Middletown Conservation Boundary Area, and the ability to use water rights on land within the greenbelt to increase water supply in the Town.
- Funding for public facilities and services.

Effective mechanisms for County/Town dialogue, coordination, and agreement are needed. Acceptable coordinated strategies should be formalized in ways that bind each participant to a policy process. Forums for on-going coordination and cooperation include the Frederick County municipal and county leaders' meetings, and joint steering committees (for example for watershed planning initiatives). Examples of potential formal mechanisms for recording joint policies include a County-Municipal Planning Agreement which is an action item in the County's comprehensive plan.

### **GOAL: MAINTAIN THE HISTORICAL RURAL COMMUNITY NATURE OF THE TOWN**

To ensure aesthetically pleasing development compatible with adjacent or neighboring buildings, all commercial applications for site plan approval by the Planning Commission are required to include architectural plans, elevations, and architectural renderings according to the Middletown Municipal Code. New structures in the commercial districts are to be compatible with the massing, size, scale, materials, and architectural features of nearby buildings, so as to present an aesthetically pleasing and finished appearance as viewed from all sides. Shopping centers, as well as self-storage facilities and active adult communities, specifically need architectural review approval by the Planning Commission.

The goal of requiring the review of architectural plans is to address the more subtle aspects of development related to the relationship of the new development with existing buildings, and with the character of the community as a whole. The Town's desire is to maintain its historic "sense of place." In Middletown, development has been influenced strongly by its location along the National Scenic and Historic Byway of the Old National Road. While a variety of historic architectural styles can be identified, the predominant "look" in Town tends to illustrate Queen Anne and Colonial Revival stylistic features. Newer home construction (1980 forward) has a high tendency to incorporate Colonial Revival and Victorian-era stylistic details. The Town does not want to look like "Anyplace, USA."

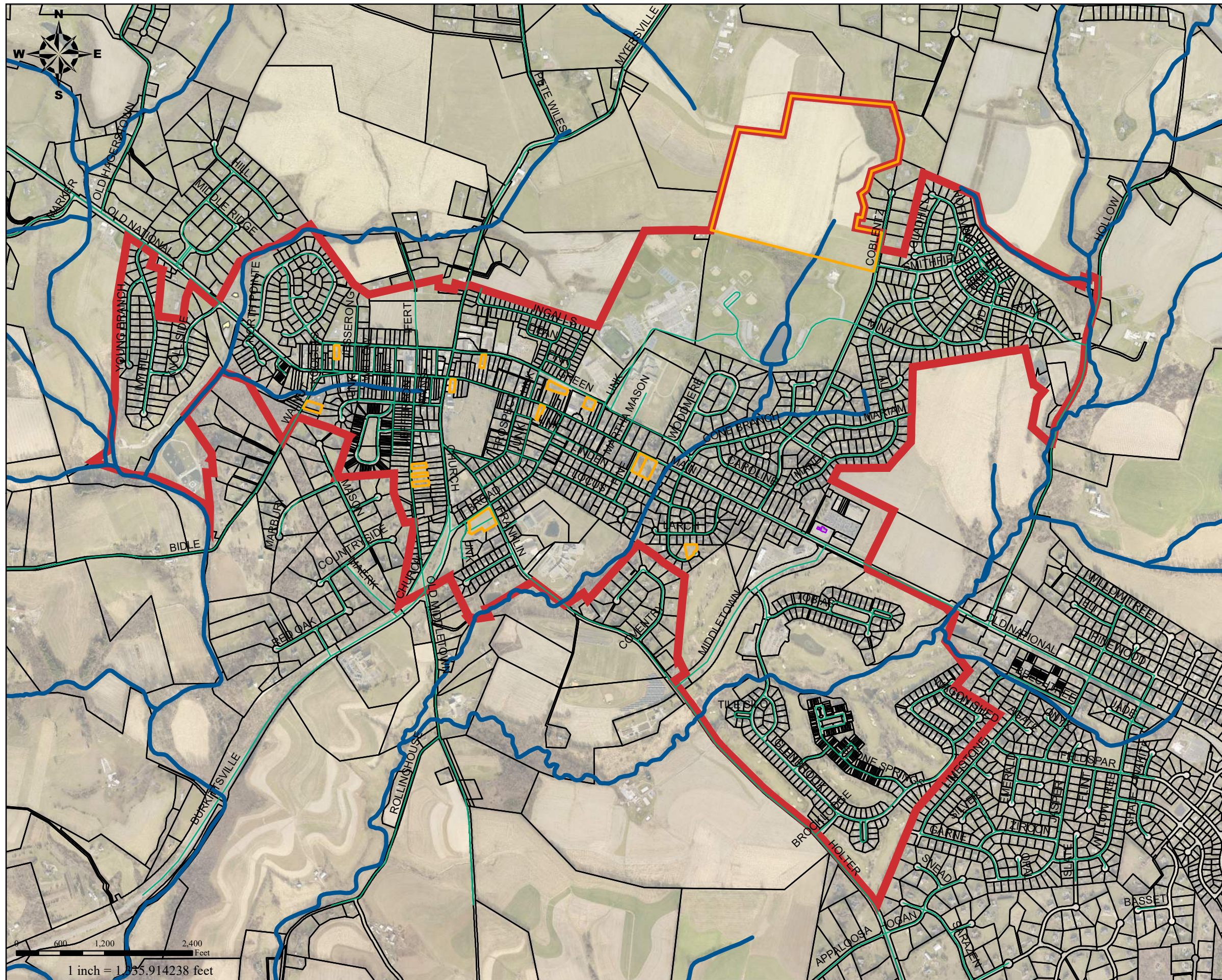
In addition to the desire to have development be compatible with the existing community, other aspirations of the Town are to preserve views to Braddock Mountain, preserve views from Braddock looking to Middletown, and to reinforce the distinct edge of Town.

**9. Give consideration to the historic significance of structures and neighborhoods during the development review process.**

**SUMMARY**

Middletown population projections are based on an average annual growth rate of 8.8% which is indicative of measured growth. The projections rely on the basic assumption that the Foxfield Section 6 property and other infill developments will commence construction after 2022 and develop at an average rate of 30 dwelling units per year (300 dwelling units per decade). Regardless of when actual development commences (2022 or later), or how quickly it proceeds (10 units per year or 30 units per year), the impacts over time will be the same and will need to be addressed. Given the Town's limited water supply and sewage capacity, it is not expected that rapid growth would be either possible or desired in the near future. For this reason, it is critical that the Town anticipates these consequences of growth and have policies and strategies in place to address them well in advance of need.

DRAFT  
Sept 2022



**Infill Lots**  
**Middletown, Maryland**



**Legend**

-  Infill Lots
-  Streams
-  Roads
-  Town Boundary

**Infill lots available for  
development**



Map 9-2  
9/14/2023

# Growth Boundary Map Middletown, Maryland



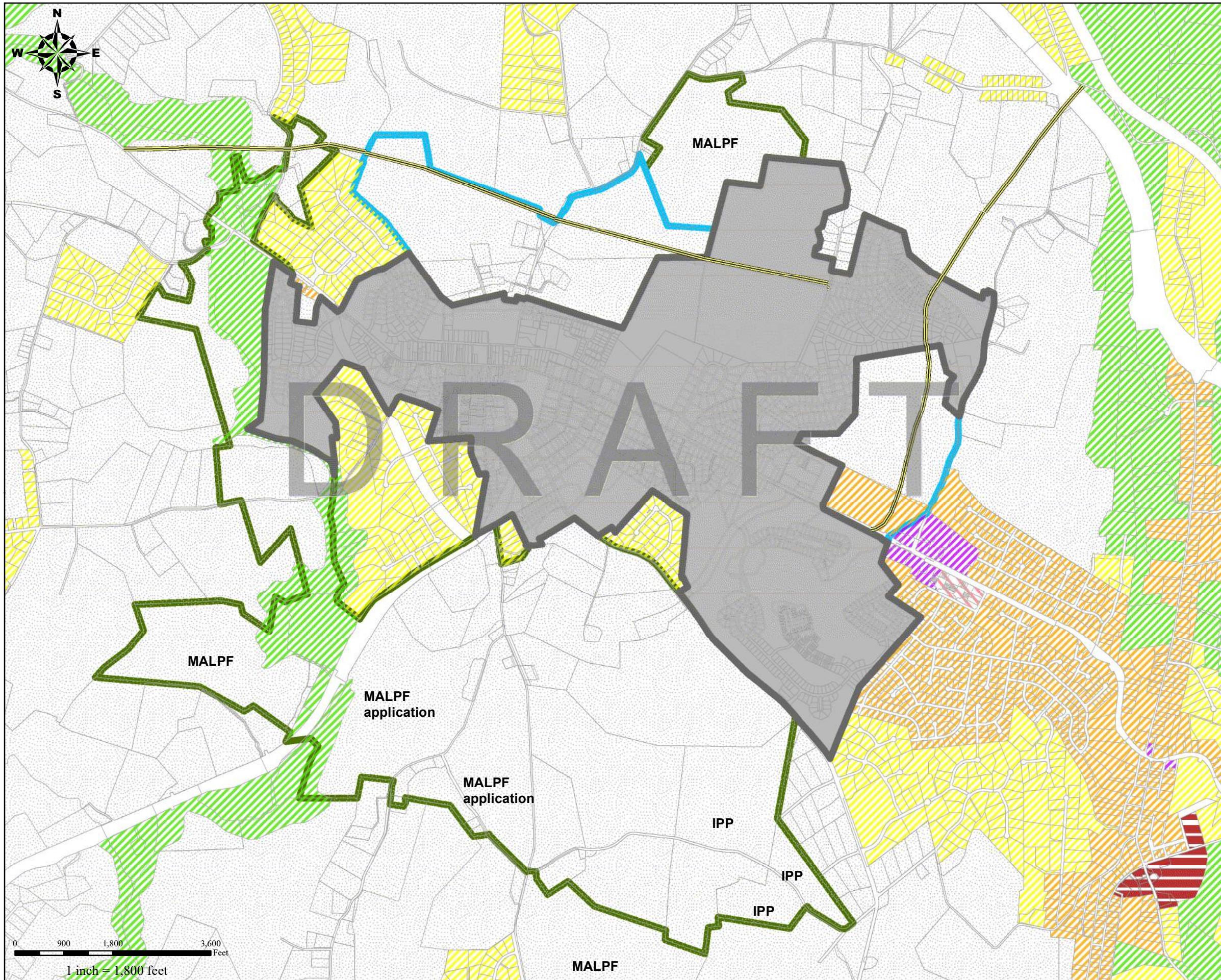
## Legend

- Potential Future Roads
- A - Agriculture
- RC - Resource Conservation
- R1 - Low Density Residential
- R3 - Low Density Residential
- R8 - Medium Density Residential
- VC - Village Center
- GC - General Commercial
- Town Boundary
- Growth Boundary
- Conservation Boundary

This revised growth boundary is 116 acres less than the 2010 growth boundary.

MALPF - MD Agricultural Land Preservation Foundation  
IPP - Installment Purchase Program

Source: Middletown Planning Department.


















Map 9-3  
9/14/2023

# Middletown 20-Year Land Use Comprehensive Plan

## Middletown, Maryland



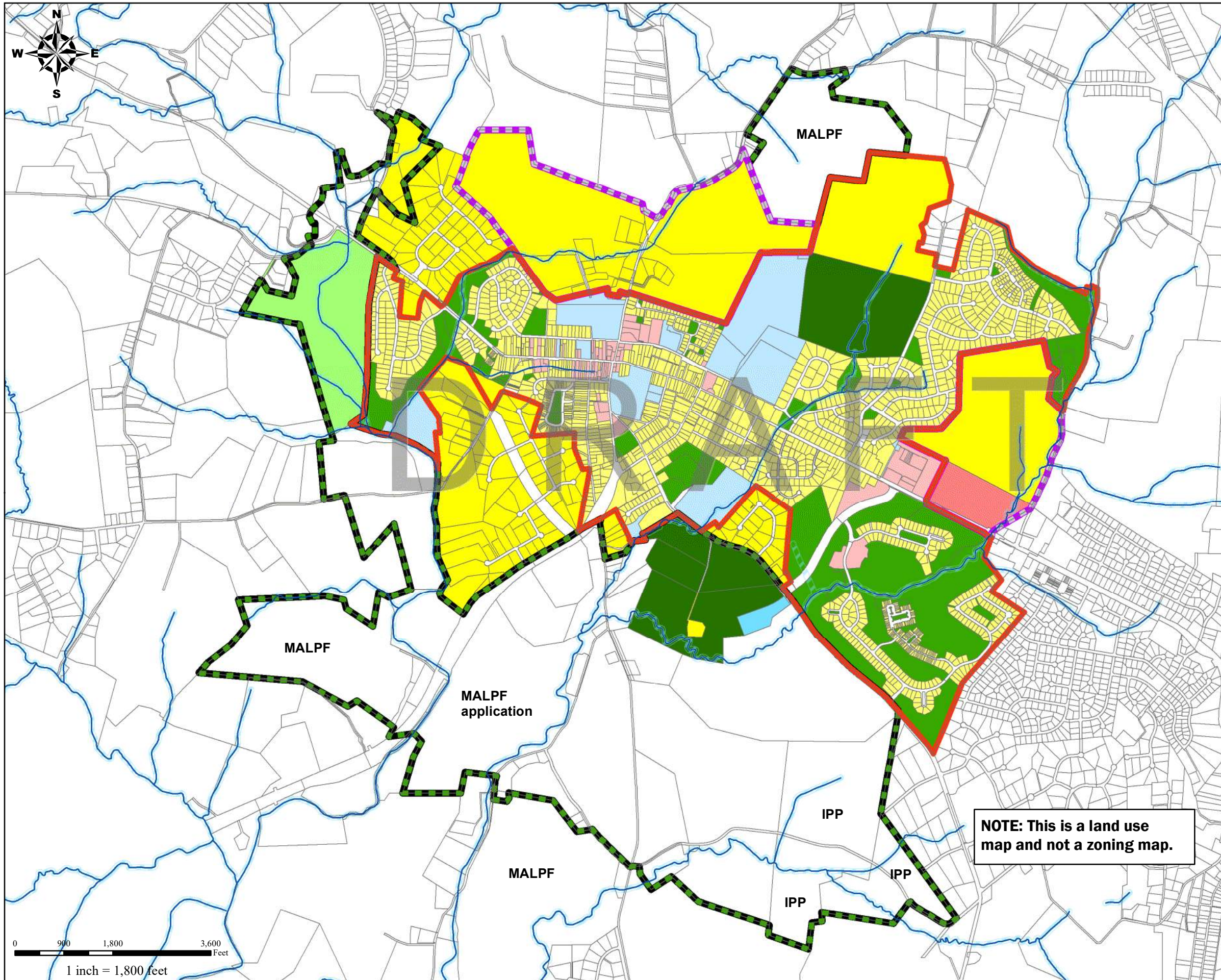
### Legend

-  Town Boundary
-  Growth Boundary (2022)
-  Conservation Boundary
-  Stream
-  100' Stream Buffer
- 20 Year Plan**
-  Agriculture/Rural
-  General Commercial
-  Institutional
-  Low Density Residential
-  Natural Resources
-  Public Parks/Open Space
- Municipal Land Use**
-  Commercial
-  Institutional
-  Open Space
-  Residential

**NOTE: This is a land use map and not a zoning map.**

MALPF - MD Agricultural Land Preservation Foundation  
IPP - Installment Purchase Program

Source: Middletown Planning Department.



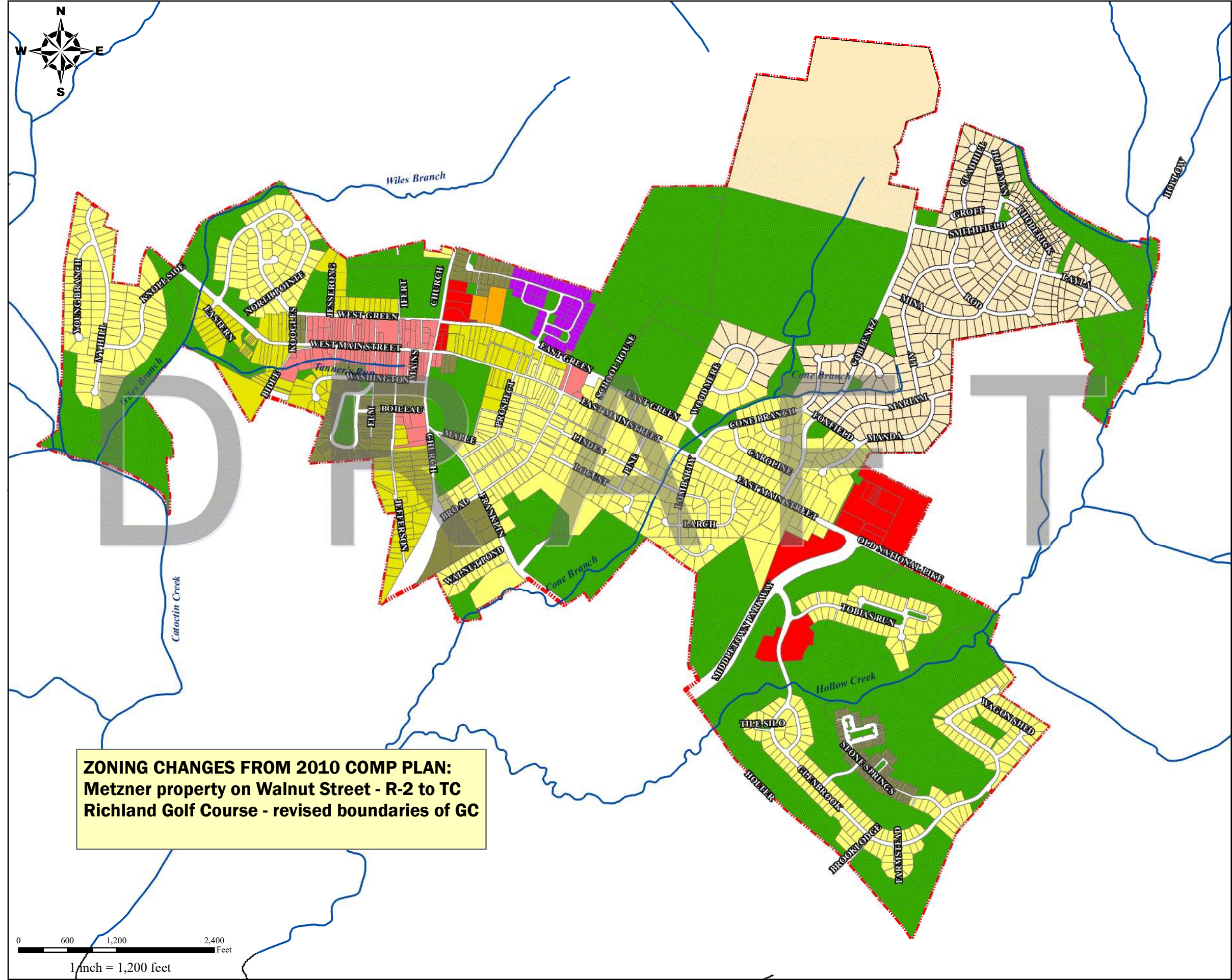
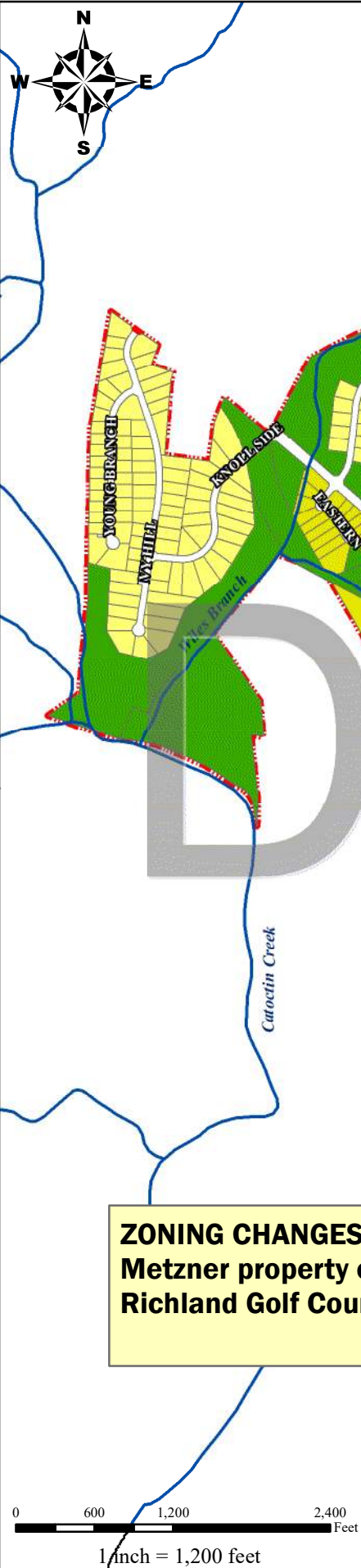
# 2023 Zoning Map Middletown, Maryland



## Legend

- Stream
- General Commercial
- Open Space
- R-1 Residential
- R-2 Residential
- R-20 Residential
- R-3 Residential
- R-3/Neo. Traditional Res.
- Service Comm./Lt. Manu.
- Town Commercial
- Town Boundary

**ZONING CHANGES FROM 2010 COMP PLAN:**  
Metzner property on Walnut Street - R-2 to TC  
Richland Golf Course - revised boundaries of GC



# CHAPTER 10 IMPLEMENTATION

The Town of Middletown is committed to fiscally, socially, and environmentally responsible land use development. Sustainable development integrates the needs of the Town and its residents in the present generation without sacrificing the ability of future generations to meet their needs by balancing the economy, society, and the environment in the process. In looking towards the future, the Town of Middletown will strive towards sustainable living and planning.

## **What is the Implementation Element?**

State of Maryland Article 66B states the planning commission has the function and duty to prepare a comprehensive plan for its jurisdiction, and to present this plan to the local legislative body for its consideration and adoption.

The comprehensive plan must serve as a guide to public and private actions and decisions to ensure the development of public and private property in appropriate relationships.

Recognizing the importance of designing land development regulations that implement the Plan, the Implementation Element is supposed to:

Provide residents with a quality living environment, protect important natural resources and historic landmarks, encourage a sound economic base, manage, and sustain the Town's future growth.

## **Town of Middletown Purpose of the Implementation Element**

The purpose of this chapter is to reiterate strategies for the implementation of the various goals, objectives, and policies set forth in the 2023 Comprehensive Plan. An implementation strategy is necessary to ensure that the Comprehensive Plan is used by community leaders as a guide to decision-making for Middletown to be able to accommodate a municipal population of 6,000 persons by 2040.

This Element follows the Smart Growth principle:

### **Encourage community and stakeholder collaboration**

- To respond to a community's own sense of how and where it wants to grow.
- To lead to creative and speedy resolution of development issues
- To build a greater community understanding of the importance of good planning and investment
- To involve the community early and often in the planning process in order to improve public support and create innovative strategies that fit the unique needs of each community.
- To address the needs of the community which are best defined by the people who live and work there.

## **Overview of Implementation Strategy**

It is the intent that this chapter can be separately copied as a "policy plan" component. Minimum planning standards for local plans require the development of an implementation strategy which consists of several key components including the community programs and projects needed to meet the goals and objectives of the Comprehensive Plan. Furthermore, the strategy will ensure

that there are adequate public facilities to meet the standard of living desired by the community for existing residents and for the projected population for 10 to 20 years into the future.

This Implementation Element includes a general description of any land development regulations expected to be adopted or amended to help achieve the goals and objectives of the Comprehensive Plan in the next ten years. The implementation strategy and work plan program should be revised every five years, with annual updates encouraged.

### **Interagency Approach**

The effort to develop the 2023 Comprehensive Plan has been an open and collaborative process involving state agencies, standing committees, local government, and public participation. This inter-agency, inter-disciplinary process ensured that the Plan evolved from a healthy diversity of backgrounds, interests, and agency missions. The flexibility and openness of this process will continue during implementation to allow for continual dialogue and improvements to the Plan.

### **Involve Stakeholders & the Public**

Outreach and public involvement have been an important part of the development of the 2023 Comprehensive Plan. The Town of Middletown will continue to seek this input during the implementation of the Comprehensive Plan. Neighborhood Vision Workshops and Community Surveys will help promote public participation in the implementation of the 2023 Comprehensive Plan.

### **Flexibility**

The 2023 Comprehensive Plan is a living document, and its flexibility allows for further improvements as the Town of Middletown refines individual projects and obtains new information. The Plan does not provide all the answers, it does, however, contain an approach to provide an efficient way to allow implementation to move forward now and for the participating entities to make necessary mid-course corrections. Periodic updates of both the Comprehensive Plan and the Implementation Plan will allow the Burgess and Commissioners to achieve the visions and goals of the community.

### **Annual Review**

In the past the Middletown Comprehensive Plan was reviewed every six to ten years. The new approach for the 2023 Comprehensive Plan is to keep it an “active document.” Once an implementation strategy is in place, the Middletown Planning Commission will include an implementation status update as part of the Annual Planning and Zoning Report to the Burgess and Commissioners. This report will describe the 2023 Comprehensive Plan recommended actions that have been completed in the previous year and address what recommended actions are to be implemented in the upcoming year.

### **Comprehensive Plan Implementation**

The Middletown Zoning Code and Subdivision Regulations will need to be thoroughly reviewed and revised to implement the recommendations of this Comprehensive Plan. Aside from examining zoning standards for such things as minimum lot sizes and building setbacks to ensure

they are not an impediment to appropriate infill and redevelopment, the subdivision regulations should be reviewed to ensure standards are in place such that development is done sustainably to comply with recommendations in the Sustainability chapter of this Plan.

## **Current Regulations**

The Town of Middletown has established various regulations to guide development in the Town. These regulations determine the permitted land uses and densities of development, the process for development approval, management of stormwater runoff, design of water and sewer utility extensions, subdivision design, parking requirements, and lighting requirements, all of which are applicable to development activity throughout Middletown. Descriptions of each of these regulations and their level of effectiveness follow.

### **Zoning Ordinance**

The Middletown Municipal Code includes the Zoning Ordinance for the Town and is codified as Title 17 of the Code. The Zoning Ordinance regulates the uses permitted on a parcel, as well as the size and setbacks required for a parcel and the height of structures permitted. The purpose of these regulations is to guide land uses to appropriate areas of the Town and to provide for a development density that is compatible with adjoining land uses and the carrying capacity of the land. The commercial and industrial zoning districts are Town Commercial, General Commercial, Mixed Business, and Service commercial/Light manufacturing.

### **Subdivision Regulations**

The Subdivision Regulations procedures are codified as Title 16 of the Municipal Code. Subdivision of land must be completed as described in the Subdivision Regulations. Information provided by the applicants includes the location of proposed lots and streets; land to be reserved for public facilities; soil grading; stormwater management; and existing streams and floodplains. Subdivision plats are reviewed by staff for conformance with applicable regulations and are then presented to the Middletown Planning Commission for review and approval.

### **Site Plan Review**

Site Plan Review provides an opportunity for the Town to review development proposed on individual parcels of land. The purpose of this review is to ensure that the proposed development meets design standards and complies with any applicable regulations. The applicant must provide information on existing and proposed streets, buildings, and topography/grading; setbacks and heights of buildings; signs; lighting; off-street parking, loading, and walkways; and stormwater management. Site Plans are reviewed by staff and forwarded to the Planning Commission for review and approval.

### **Architectural Design**

Architectural plans currently need to be submitted with site plan applications in the commercial districts and for some special exception uses. The purpose of the regulations is to ensure aesthetically pleasing development compatible with adjacent or neighboring buildings, which is a noteworthy draw for both regular customers and visitors to the area. Projects are currently reviewed for compliance by staff, and the Planning Commission makes a decision on each project.

## **Issues & Concerns with Zoning Ordinance**

There are several minor issues with respect to the effectiveness of land use, dimensional requirements, and the extent of the zoning districts in the Zoning Ordinance. The dimensional requirements of some zones may not achieve the intended design and intensity of development. For example, the R2 Residential district is located primarily in the older sections of Middletown where houses were constructed with setbacks and lot sizes much smaller than is permitted by the ordinance. As a result, redevelopment, or subdivision of these lots, while in keeping with the neighborhood, may require a property owner to seek relief in the form of a variance request and approval by the Board of Appeals. Alternatively, the owner may disrupt the existing character of the neighborhood in an attempt to follow the regulations. Providing dimensional requirements for development that would result in a layout similar to existing buildings would in turn provide a continuous building line that is appropriate to the neighborhood and attractive to pedestrians.

An issue regarding land use is the lack of land reserved for townhouse and multi-family development. An insufficient amount of land available for these residential uses may lead to a shortage of affordable housing, and the desire to convert single-family homes to apartments.

There is one zoning district in which the effectiveness of regulation is impacted by the geographic extent of the zone. The Mixed Business district, added to the Zoning Ordinance in 2004, is not yet represented on the Zoning Map. Suitable parcels for rezoning to the MB district have not been identified. Development under the provisions of the MB district would involve a park-like setting for a community of small to medium size businesses, utilize design elements compatible with existing development, and provide “showcase locations.”

The Downtown Revitalization Zone Incentive Program is not officially an overlay zone, but the program has specific incentives to attract investment in Middletown’s timeless, older buildings. The Zone mirrors the Main Street district to further illustrate the Town’s commitment to keeping the historic downtown thriving as the core of the community. The potential benefits of the program include revitalization of vacant buildings, increased jobs, increased property tax revenues, and preservation of building facades. Inclusion in the Program is voluntary, and thus far only one property is subject to the provisions of the program. Designation of a contiguous and more comprehensive Historic District Zone would provide more effective protection of historic architecture.

Although the regulations for the Agricultural district are included in the zoning text, there is no Agricultural district shown on the Zoning Map. A determination should be made as to the appropriateness of this zone in the Town of Middletown corporate limits, and consideration should be given to the continued inclusion or elimination of the Agricultural district in the Zoning Ordinance.

## **Landscape Standards**

One of the Town objectives is to ensure development utilizes good design techniques with consideration to the impact of growth on the existing community and facilities. One way to accomplish this is to use landscaping standards to accentuate the natural and built environment, establish visual connectivity and provide environmental and health benefits. Landscaping should

be used to effectively delineate space, highlight focal points, and provide buffer and transitional elements in addition to providing shade.

Middletown should establish appropriate landscape standards to add to the Town's Zoning Code. Minimum landscape requirements should be created for all land uses and include buffer yard standards between zoning districts of conflicting intensity, parking lot and perimeters landscape standards, street tree considerations, and special landscape treatment at gateway locations.

### **Strategic Plan**

Goals and objectives from the housing, community facilities, sustainability, transportation, and water resources chapters were identified on the following tables for implementation along with actions steps and time frames for completion.

Draft  
Sept 2023



**Figure 10-1**

<h1>Housing</h1>		
	<i>Short Term = 1-2 years</i>	<i>Mid Term = 3-5 years</i>
<b>Strategic Plan Goal</b>	<b>Action Steps/Time Frame</b>	
<p><b>Goal: Regulate a variety of housing types to maintain the Town as an inter-generational community, and provide a range of housing types for citizens of all incomes and ages.</b></p> <p><b>Objective:</b> Support a comprehensive land use program that encourages affordable housing type, varying densities and maintains the Town’s historic heritage.</p>	<p><u>Short Term</u></p> <ol style="list-style-type: none"> <li>1. Examine best practices from around the county, state and nation on affordable housing regulations.</li> <li>2. Conduct an assessment of the community’s needs/ideas relative to affordable housing options.</li> <li>3. Identify specific Town ordinances that act as an impediment to affordable housing development.</li> </ol> <p><u>Mid Term</u></p> <ol style="list-style-type: none"> <li>1. Identify and provide advocacy for the highest-level needs as determined by the needs assessment, focusing on creative partnerships with entities that can leverage land/sites.</li> <li>2. Examine changes to the Municipal Code to allow for affordable housing.</li> <li>3. Leverage the outcome of the needs assessment to examine changes to the Municipal Code with regards to the variety of housing types.</li> </ol> <p><u>Long Term</u></p> <ol style="list-style-type: none"> <li>1. Incorporate sustainable and affordable housing development requirements in all future Town annexations.</li> <li>2. Analyze the regulatory context in the Town Code to identify possible revisions needed to support future innovative alternative affordable housing options.</li> </ol>	

**Figure 10-2**

## Community Facilities

*Short Term = 1 to 2 years*

*Mid Term = 3-5 years*

*Long Term = 6-10 years*

Strategic Plan Goal	Action Steps/Time Frame
<p><b>Goal: Provide opportunities for all citizens to gather and socialize.</b></p> <p><b>Objective:</b> Work to identify possible locations and funding for community recreation and senior facilities, such as a senior center, as development and redevelopment occur.</p>	<p>Short Term</p> <ol style="list-style-type: none"> <li>1. Identify possible locations for senior and other community recreational amenities in existing facilities</li> <li>2. Identify possible funding for senior and other community recreational facilities</li> </ol> <p>Mid Term</p> <ol style="list-style-type: none"> <li>1. Identify possible locations for senior and other community recreational amenities on future public lands</li> <li>2. Work with the County to identify possible funding for future senior and other community recreational facilities</li> </ol> <p>Long Term</p> <p>Explore ways to enhance and design the physical environment as a means of fostering commitment to seniors and other community members that afford social interaction and support safety and human comfort.</p>

Draft  
Sept 17

**Figure 10-3**

<h1>Sustainability</h1>		
<i>Short Term = 1-2 years</i>	<i>Mid Term = 3-5 years</i>	<i>Long Term = 6-10 years</i>
Strategic Plan Goal	Action Steps/Time Frame	
<p><b>Goal: Foster sustainability and resiliency through the improvement of ordinances and environmentally supportive policies.</b></p> <p>Objective #1: Encourage energy-efficient and environmentally sustainable development through raising awareness and creating standards that support best practices.</p> <p><b>Objective #2:</b> Develop and implement a functional green infrastructure plan to protect, connect, and enhance the Town’s natural assets and support their role in ensuring future resiliency.</p>	<p><u>Short Term</u></p> <ol style="list-style-type: none"> <li>1. Continue the Town’s commitment to Tree City USA and Bee City USA in meeting their respective goals.</li> <li>2. Support continuing efforts of recycling, composting and community sustainability education.</li> <li>3. Document the Town’s energy efficient and sustainability programs and promote community outreach programs.</li> <li>4. Evaluate and take action on the feasibility of adding electric vehicles to the Town’s fleet.</li> <li>5. Establish energy efficient criteria and requirements for all Town capital projects.</li> <li>6. Assess the efficiency benefits of alternative energy sources for fleet and facility operations and implement alternatives as warranted.</li> </ol> <p><u>Mid Term</u></p> <ol style="list-style-type: none"> <li>1. Create a Green Infrastructure Plan that considers the Town’s internal operations and local planning and development activities.</li> <li>2. Implement an LED streetlight program to increase efficiency and safety on the Town’s streets.</li> </ol> <p><u>Long Term</u></p> <ol style="list-style-type: none"> <li>1. Continue to support programs and activities recommended by the Sustainability Committee.</li> </ol>	

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**Figure 10-4**

## Water Resources

*Short Term = 1-2 years*

*Mid Term = 3-5 years*

*Long Term = 6-10 years*

Strategic Plan Goal	Action Steps/Time Frame
<p><b>Goal: Ensure that wastewater and water supply infrastructure is adequate, sound, and efficient to provide for current and future populations.</b></p> <p><b>Objective #1:</b> Ensure that wastewater treatment and water treatment plants have appropriate technology to remove algal toxins, priority pollutants, microplastics, and endocrine disrupting compounds.</p> <p><b>Objective #2:</b> Promote practices to reuse and recycle greywater, rainwater, and stormwater in order to conserve raw water resources and lessen overall water usage.</p>	<p><u>Short Term</u></p> <ol style="list-style-type: none"> <li>1. Complete permitting, development and design of new wastewater treatment plant that incorporates an expansion capacity for future growth.</li> <li>2. Complete an independent water and sewer rate study that reviews the town’s residential and non-residential rates and tap fees that is approved by the Town Board.</li> <li>3. Continue to evaluate inflow and infiltration throughout the wastewater system and upgrade residential water meters to maintain a sound infrastructure system.</li> <li>4. Integrate appropriate equipment and technologies to provide clean water and to dispose of wastewater in compliance with all regulatory requirements.</li> <li>5. Identify and prioritize areas prone to flooding, susceptible to drought, and/or groundwater areas with high mineral content or pollutants, as possible drywell locations to naturally resolve issues by allowing more surface water to penetrate deep underground.</li> </ol> <p><u>Mid Term</u></p> <ol style="list-style-type: none"> <li>1. Prioritize preventive maintenance and strategic capital resource replacement practices to ensure that the wastewater and water supply infrastructure remains operating sustainably and keeps pace with state-of-the-art technologies and practices.</li> <li>2. Complete an education program that targets the public, school children, and business owners about water resources, sustainable development and sustainable living.</li> <li>3. Design and construct drywells in priority areas, and monitor/evaluate their effectiveness at both minimizing the impact of storms and maximizing the natural water cycle.</li> </ol> <p><u>Long Term</u></p> <ol style="list-style-type: none"> <li>1. Incorporate sustainable practices and policies throughout the Town’s infrastructure by minimizing energy and chemical use, water conservation and environmental impacts.</li> <li>2. Propose and adopt changes to the Town Code that encourages groundwater infiltration solutions (i.e. drywells &amp; bio-retention ponds) for all new construction requiring a site plan.</li> </ol>

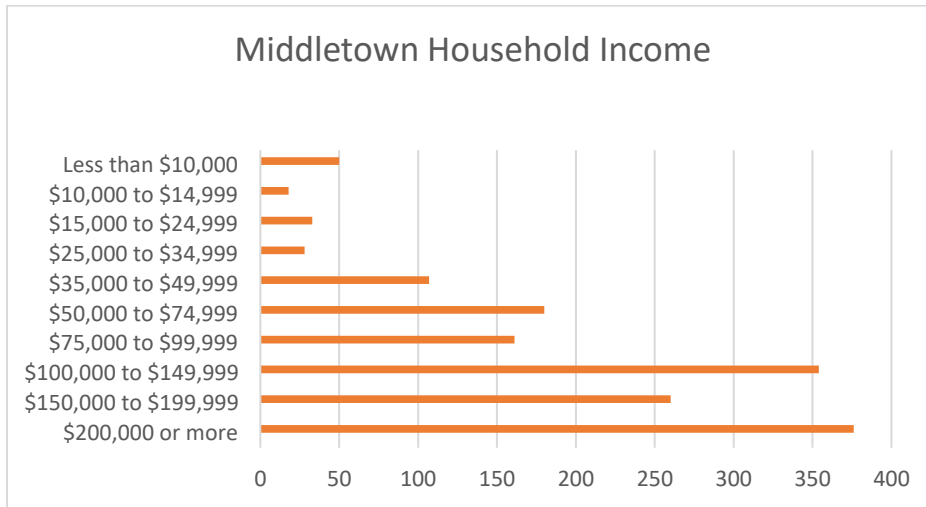
**Figure 10-5**

<h1>Transportation</h1>		
<i>Short Term = 1 to 2 years</i>	<i>Mid Term = 3-5 years</i>	<i>Long Term = 6-10 years</i>
Strategic Plan Goal	Action Steps/Time Frame	
<p><b>Goal #1: Reduce congestion and encourage environmentally friendly forms of transportation.</b></p> <p><b>Objective #1:</b> Maximize pedestrian and bicycle accessibility to schools, parks and residential areas of the community</p> <p><b>Objective #2:</b> Consider transit, bicycle and pedestrian improvement requirements during the development review process.</p>	<p><u>Short Term</u></p> <ol style="list-style-type: none"> <li>1. Identify and connect existing shared-use pathways with the existing Middletown Trail System.</li> <li>2. Support the development of electric vehicle charging infrastructure in the Town.</li> <li>3. Promote the Middletown Trail System throughout the community.</li> </ol> <p><u>Mid Term</u></p> <ol style="list-style-type: none"> <li>1. Ensure commercial and residential development constructs shared-use paths and on-street bikeways that pass through or are adjacent to their proposed development site through updates in Town design manual.</li> <li>2. Optimize pedestrian and bicycle accessibility in the Middletown School Campus redevelopment.</li> </ol> <p><u>Long Term</u></p> <ol style="list-style-type: none"> <li>1. Explore transit options with Frederick County, especially for the Town’s growing senior population.</li> <li>2. Examine ways to enhance connectivity to neighboring communities and municipalities.</li> </ol>	

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Sept 4

## APPENDIX 1 – HOUSING AFFORDABILITY

The table below shows the distribution of the Town’s households by income. The Town’s median household income is \$137,303, meaning that one-half of all 1,567 of the Town’s households have incomes below \$137,303 and one-half have incomes above \$137,303. At the outer ranges, 26.5% of Middletown’s households earn less than \$75,000 per year and 40.6 percent earn more than \$150,000 per year.



Source: U.S. Census, American Community Survey<sup>1</sup>

Workforce housing is housing that is affordable for a household making between 60 and 120 percent of AMI for home-ownership and between 50 and 120 percent for rental housing. For Middletown, this means an income of \$77,400 to \$154,800 for home-ownership housing. Households making incomes in the \$64,500 to \$154,800 range should be able to find an apartment that rents for less than 30% of their income. On an annual basis, this range implies that there is \$19,350 to \$46,440 per year available for gross rent or in monthly terms it means a rent payment of \$1,612 to \$3,870. Since the median monthly rent in Middletown is only \$1,366, rental housing in Middletown is very affordable to the workforce of the region<sup>2</sup>. At Middletown’s current median sales price of \$379,000, a household would pay about \$2,453 per month in mortgage, insurance, and taxes. On an annual basis, home-ownership housing should be in the \$23,220 to \$46,440 range, which in monthly terms means house payments of \$1,935 to \$3,870. Home-ownership is not as affordable for workforce families as rental housing is. Since home

<sup>1</sup> The American Community Survey (ACS) is the U.S. Census’s ongoing survey and statistical approach to tracking demographic, housing, and income data in the United States.

ownership often leads to building household wealth, the Town should place an emphasis on home-ownership.

Low-income housing is housing affordable for a household making below 60% of AMI. A household earning below 60% of AMI has an income of \$77,400 or less. An affordable rental or owner-occupied unit house would therefore cost less than \$820 and \$1,871 per month, respectively. Rental housing in Town is often affordable to the region's low-income residents, but homeownership is likely out of range for low-income families of four.

The problem of housing affordability in Middletown is not just a problem affecting the poorest families; it also impacts working families with secure jobs and multiple incomes. Rental housing is often the only housing option available to young families and low-income residents.

Local housing prices are affected by local zoning decisions. Municipal zoning regulations can constrain the supply of housing, and where land is limited, they can constrain it eventually to levels well below the level that is demanded. This has the effect of raising housing prices. So, while zoning can minimize potential adverse impacts of development, it can also increase the benefits and rewards that existing property owners accrue at the expense of others who may be looking for better housing. Restrictive zoning can protect or enrich housing investments previously made by property owners and restrict housing choices available to others. Where raw land for new housing is in short supply, restrictive zoning rules over time worsen affordability.

Increasing the availability of affordable housing as a goal can conflict with other vital planning goals, such as the availability of water supply, but policies about housing are especially important because they directly shape who is able to live in a community and who cannot.

## APPENDIX 2



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

#### **Commercial Growth Policy**

*Adopted on April 6, 2004*  
*Amended on August 22, 2011*  
*Amended on January 10, 2022*

#### **Policy Statement**

It is the policy of the Town of Middlestown that commercial growth development must adhere to the following development criteria.

#### **Development Criteria**

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

- Developer must provide and pay all tap and meter fees for an equated (250 gpd/unit)<sup>1</sup> amount of allocable water per tap as calculated by the Town, and shall be required to cover all costs of physical connection to the Town system
- Developer must use the Maryland Department of the Environment (MDE) Water Balance calculations to determine the maximum number of EDU's<sup>1</sup> possible for the property to be developed. No use of other aquifers is permitted
- Developer must pay all tap and meter fees as well as a proportionate share of cost to upgrade/increase sewer capacity, based on all factors at time of Water/Sewer certification
- Developer must provide a Traffic Impact Study at the request of the Town, to be conducted during a period of time approved by the Town, and solutions to all identified problems directly related to the requested development must be corrected at the cost to the developer
- No development may receive Plan approval from the Town for uses creating a trip generation rating below level D as defined in the most recent edition of the Highway Capacity Manual.
- Developer must provide usable contiguous recreation space, as determined by the Planning Commission, at .2acres/gross acreage, which may not be allowed to include required setback, Forest Resource Ordinance (FRO), stormwater management (SWM), or buffer areas
- All property requesting annexation for commercial development shall pay at time of annexation municipal real estate taxes,
- The Town will determine and negotiate through Public Works Agreements all necessary off-site improvements that will be required to be constructed by and at the cost to the developer,
- Other factors as determined by the Town that may be applicable to each individual development request in addition to those listed herein.

<sup>1</sup> – EDU (Equivalent Dwelling Unit) = 250 gallons/day



## APPENDIX 2



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

#### **Adequate Public Facilities Policy (Residential Growth Policy)**

Adopted July 17, 2003

Amended on August 22, 2011

Amended on December 8, 2014

Amended on January 10, 2022

#### **Policy Statement**

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

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

#### **Development Criteria**

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

- ✓ Developer must provide 250 gallons<sup>1</sup> of allocable water per unit, and may be required to cover all costs of physical connection to the Town system,
- ✓ Developer must use the Maryland Department of the Environment (MDE) Water Balance calculations to determine the maximum number of EDU's<sup>1</sup> possible for the property to be developed. No use of other aquifers is permitted. Developer must pay a proportionate share of cost to upgrade/increase sewer capacity, based on all factors at time of Water/Sewer certification,
- ✓ Prior to Preliminary Site Plan approval, all Middlestown schools located within the corporate limits of Middlestown must be less than 105% capacity as rated at the time of the most recently submitted Frederick County Public Schools Quarterly Enrollment report, and approval will only be valid for two years after the Plan is signed by the Middlestown Planning Commission,
- ✓ Developer must provide a Traffic Impact Study at the request of the Town, to be conducted during a period of time approved by the Town, and solutions to all identified problems related to the requested development must be corrected at the cost to the developer,
- ✓ Developer must provide usable recreation space, as determined by the Planning Commission, at .05acres/unit for the total number of units in the development,
- ✓ No development will receive more than 20 residential permits per year.
- ✓ The Town will determine and negotiate through Public Works Agreements all necessary off-site improvements that will be required to be constructed by and at the cost to the developer,
- ✓ Other factors as determined by the Town that may be applicable to each individual development request in addition to those listed herein.

<sup>1</sup> – EDU (Equivalent Dwelling Unit) = 250 gallons/day



**Burgess and Commissioners of  
Middletown, Maryland**

**Water Capacity Management Plan 2022**

## LEGAL MANDATES

The Town faces many challenges to maintain and operate these systems in compliance with federal and State laws and regulations. The cost to keep these increasingly complex facilities staffed with skilled operators continues to increase. The ability to raise rates to keep pace with these costs is a challenge. Perhaps most challenging, however, is the need to manage the allocation of flow to new customers for residential, commercial, and industrial use, in conformance with local land use, water and sewerage plans, and the NPDES permit limits. The following language from the Maryland Environment Article makes it clear that the authority responsible for issuing building permits and subdivision plat approvals must ensure that adequate capacity is or will be available:

### **§ 9-512 (b) Building Permits – Conformity with County Plan; Issuance of Building Permits**

*(1) A State or local authority may not issue a building permit unless:*

*(i) The water supply system, sewerage system, or solid waste acceptance facility is adequate to serve the proposed construction, taking into account all existing and approved developments in the service area;*

*(ii) Any water supply system, sewerage system, or solid waste acceptance facility described in the application will not overload any present facility for conveying, pumping, storing, or treating water, sewage, or solid waste;...*

### **§ 9-512 (d) Subdivision Plats**

*(1) A State or local authority may not record or approve a subdivision plat unless any approved facility for conveying, pumping, storing, or treating water, sewage, or solid waste to serve the proposed development would be:*

*(i) Completed in time to serve the proposed development; and*

*(ii) Adequate to serve the proposed development, once completed, without overloading any water supply system, sewerage system, or solid waste acceptance facility.*

*(2) Each water supply system, sewerage system, and solid waste acceptance facility in a subdivision shall:*

*(i) Conform to the applicable county plan; and*

*(ii) Take into consideration all present and approved subdivision plats and building permits in the service area.*

In addition to the required State mandates, the Town has also passed legislation to ensure capacity is available. In April of 2003, the Town Board passed the Water & Sewer Certification Ordinance which requires capacity to be available prior to the approval of improvement plans:

### **16.12.055 Water and sewer capacity certification**

*A. Upon approval of the preliminary plat, the town administrator shall conduct a review and analysis of the capacities of the town water and sewer systems in order to determine whether there exists sufficient water and sewer capacity to service the proposed subdivision or the development project thereon. The review and analysis shall be conducted in coordination with the director of operations and construction and the water and sewer superintendent who shall provide the administrator with pertinent information and data regarding the capacity of the town to provide water and sewer service to the proposed subdivision or project. In the review and analysis of the town water and sewer capacity, the demands of the proposed subdivision or project for water and sewer shall be based upon a daily consumption of two hundred and fifty (250) gallons per equivalent dwelling unit as per the standards of the American Water and Wastewater Association.*

*B. If the town administrator determines that there is sufficient water and sewer capacity to service the proposed subdivision or project, then he shall issue a certificate of water and sewer capacity for the proposed subdivision or project.*

*C. If the town administrator determines that there is not sufficient water and sewer capacity to service the proposed subdivision or project, then a certificate of water and sewer capacity shall not be issued for the proposed subdivision or project.*

*D. The planning commission shall not approve any improvement plans for the proposed subdivision or project unless a certificate of water and sewer capacity has been issued for the proposed subdivision or project.*

*E. If an approved preliminary plat is revised after a certificate of water and sewer capacity has been issued and the revision is approved by the planning commission, and if the effect of the revision does not increase the previously determined water demand of the proposed subdivision or project based upon the standards provided for in subsection (A) of this section, then a new certificate of water and sewer capacity shall not be required, and the previously issued certificate shall remain valid. If the effect of such approved revision is to increase the previously determined water demand of the proposed subdivision or project based upon the standards provided for in subsection (A) of this section, then the previously issued certificate shall be void, and a new certificate shall be issued, if appropriate, in accordance with the procedures set forth above.*

*(Ord. 03-04-01 §1, 2003)*

#### WATER SUPPLY AND DISTRIBUTION:

The Town depends on 23 wells, 4 major groups of springs, a ground storage tank, and a 400,000-gallon elevated water storage tank to supply water to the Town. The current total withdrawal permitted by MDE is 387,000 gallons per day (gpd). The water system is routinely monitored for possible contaminants in accordance with Federal and State laws, and there were no violation levels in 2022. Not including the Memar annexation which is required to supply their own demand plus reserve capacity, the Town has 131 water taps available based on the capacity analysis and in accordance with MDE guidance.

## Middletown Water Capacity Calculations

	<b>ANNUAL AVG (gallons/day)</b>	<b>MAX MONTH (gallons/day)</b>
Annual Appropriation Permit Limit <sup>1</sup>	387,000	504,000
Current Water Demand (3-yr avg) <sup>2</sup>	306,133	391,850
Reserve Capacity <sup>3</sup>	39,349	51,308
Total Demand Use	91.5%	90.2%
Available for Development	32,782	49,634

<sup>1</sup> Hollow Creek, Catoctin Creek and Cone Branch Watersheds

<sup>2</sup> 2020 -2022

<sup>3</sup> Calculated (10% reserve + current development + existing lots of record)

<sup>4</sup> (250 gallons/day use = 131 Equivalent Dwelling Units)



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

## **Wastewater Capacity Management Plan 2022**

Approved by Burgess and Commissioners  
Of Middletown, Maryland  
First Draft February 15, 2023

## **General Information**

### PURPOSE OF THE WASTEWATER CAPACITY MANAGEMENT PLAN (WWCMP)

This **WWCMP** is provided to assist the Town Board and Planning Commission to determine plant capacity and to track the remaining available capacity for allocation. Because of the significant lead time required for measures such as sewer rehabilitation or facility expansion, the **WWCMP** emphasizes the need for facility planning to ensure that growth takes place without overloading sewage facilities. The guide enables the Town to:

- ❖ Identify when a treatment plant's actual flows are approaching or exceeding the design capacity.
- ❖ Make commitments for new connections with confidence that there is adequate capacity to serve the new as well as existing customers.
- ❖ Determine when the issuance of additional building permits must be curtailed until improvements are completed so that the treatment plant can maintain compliance with its discharge permit.
- ❖ Provide time to plan for needed collection and wastewater treatment system upgrades to accommodate new growth and to arrange for the financing of the improvements.
- ❖ Become more aware of how your facility is performing; and be encouraged to take appropriate steps to address or prevent increased flows before effluent violations, regular bypassing, or overflows occur.
- ❖ Provide Town Board and Planning Commission with the information needed to make informed decisions about the capacity of their wastewater systems and the ability to accommodate new connections.

### LEGAL MANDATES

The Town faces many challenges to maintain and operate these systems in compliance with federal and State laws and regulations. The cost to keep these increasingly complex facilities staffed with skilled operators continues to increase. The ability to raise rates to keep pace with these costs is a challenge. Perhaps most challenging, however, is the need to manage the allocation of flow to new customers for residential, commercial, and industrial use, in conformance with local land use, water and sewerage plans, and the NPDES permit limits. The following language from the Maryland Environment Article makes it clear that the authority responsible for issuing building permits and subdivision plat approvals must ensure that adequate capacity is or will be available:

#### **§ 9-512 (b) Building Permits - Conformity with County Plan; Issuance of Building Permits**

*(1) A State or local authority may not issue a building permit unless:*

*(i) The water supply system, sewerage system, or solid waste acceptance facility is adequate to serve the proposed construction, taking into account all existing and approved developments in the service area;*

*(ii) Any water supply system, sewerage system, or solid waste acceptance facility described in the application will not overload any present facility for conveying, pumping, storing, or treating water, sewage, or solid waste; ...*

#### **§ 9-512 (d) Subdivision Plats**

*(1) A State or local authority may not record or approve a subdivision plat unless any approved facility for conveying, pumping, storing, or treating water, sewage, or solid waste to serve the proposed development would be:*

*(i) Completed in time to serve the proposed development; and*

*(ii) Adequate to serve the proposed development, once completed, without overloading any water supply system, sewerage system, or solid waste acceptance facility.*

*(2) Each water supply system, sewerage system, and solid waste acceptance facility in a subdivision shall:*

*(i) Conform to the applicable county plan; and*

*(ii) Take into consideration all present and approved subdivision plats and building permits in the service area.*

In addition to the required State mandates, the Town has also passed legislation to ensure capacity is available. In April of 2003, the Town Board passed the Water & Sewer Certification Ordinance which requires capacity to be available prior to the approval of improvement plans:

#### **16.12.055 Water and sewer capacity certification**

*A. Upon approval of the preliminary plat, the town administrator shall conduct a review and analysis of the capacities of the town water and sewer systems in order to determine whether there exists sufficient water and sewer capacity to service the proposed subdivision or the development project thereon. The review and analysis shall be conducted in coordination with the director of operations and construction and the water and sewer superintendent who shall provide the administrator with pertinent information and data regarding the capacity of the town to provide water and sewer service to the proposed subdivision or project. In the review and analysis of the town water and sewer capacity, the demands of the proposed subdivision or project for water and sewer shall be based upon a daily consumption of two hundred and fifty (250) gallons per equivalent dwelling unit as per the standards of the American Water and Wastewater Association.*

*B. If the town administrator determines that there is sufficient water and sewer capacity to service the proposed subdivision or project, then he shall issue a certificate of water and sewer capacity for the proposed subdivision or project.*

*C. If the town administrator determines that there is not sufficient water and sewer capacity to service the proposed subdivision or project, then a certificate of water and sewer capacity shall not be issued for the proposed subdivision or project.*



*D. The planning commission shall not approve any improvement plans for the proposed subdivision or project unless a certificate of water and sewer capacity has been issued for the proposed subdivision or project.*

*E. If an approved preliminary plat is revised after a certificate of water and sewer capacity has been issued and the revision is approved by the planning commission, and if the effect of the revision does not increase the previously determined water demand of the proposed subdivision or project based upon the standards provided for in subsection (A) of this section, then a new certificate of water and sewer capacity shall not be required, and the previously issued certificate shall remain valid. If the effect of such approved revision is to increase the previously determined water demand of the proposed subdivision or project based upon the standards provided for in subsection (A) of this section, then the previously issued certificate shall be void, and a new certificate shall be issued, if appropriate, in accordance with the procedures set forth above.*

*(Ord. 03-04-01 §1, 2003)*

## **Executive Summary**

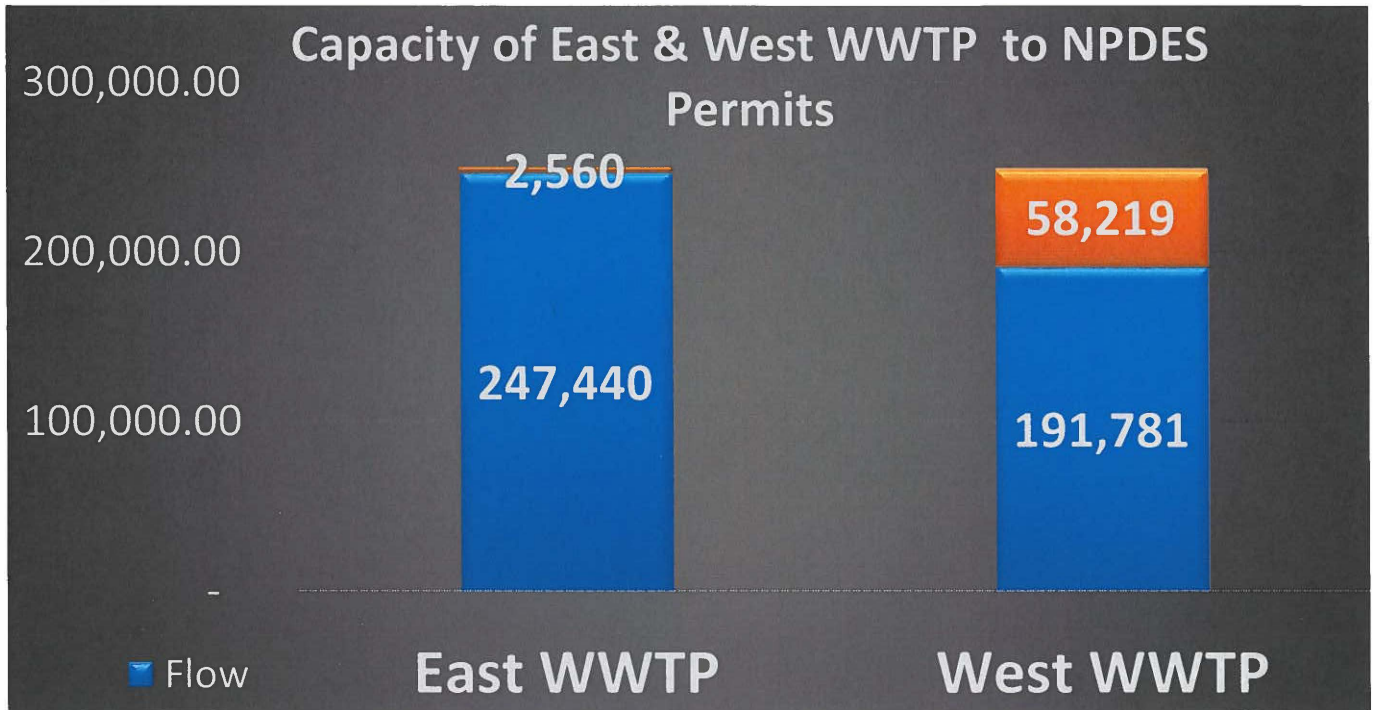
The Middletown sewage system consists of a 0.250 mgd treatment plant located on the west side of Town (West WWTP), and a 0.250 mgd activated sludge plant (expandable to 0.350 mgd by permit revision and 0.7 mgd by construction) located on the east side of Town (East WWTP), three (3) sewage pump stations, and a network of 8" to 12" sanitary sewer lines. The West WWTP, which was designed in 1973, became operational in 1976 and replaced an older facility. The East WWTP, located on Holter Road, was constructed in 1999-2000 and became operational on June 14, 2000.

The West WWTP plant has a design capacity of 0.250 mgd with an NPDES Permit for the same. The East WWTP plant has a design capacity of 0.350 mgd with an NPDES Permit for 0.250 mgd. The Town requested an increase in our permit capacity to the full design capacity from MDE on September 3, 2020. In calculating the capacity for the Town, the permit capacities were combined for an overall total of 0.500 mgd.

The information contained in this report was generated following the details specified in the Guidance Document - *Wastewater Capacity Management Plans* as prepared by the Maryland Department of the Environment.

**Permitted Capacity**

The Town of Middletown's current permitted combined sewer system capacity, based on calculations by flow is 99.0% (70.7% design capacity) at the East WWTP and 76.7% at the West WWTP. The combined permit capacity (the system can pump flow to each treatment facility to balance the loading) is 87.8%.



## **Summary and Recommendations**

Based on the current permitted capacity of 0.500 mgd the Town has capacity for an additional 243 EDU's. The Town has requested an increase in the permit at the East WWTP to the full design capacity of 0.350 mgd from MDE and is currently conducting an I&I Study in the Cone Branch Basin to make recommendations on repairs and improvements. The Town has recently completed I and I construction in the Catocin Basin on a new interceptor to the West Plant and this work has already reduced flow to the west plant. Both I&I projects are expected to substantially increase sewer capacity after completion.

It is recommended that the Planning Commission limit the number of approved subdivision lots to no more than 100 lots to stay within the Town's permitted capacity until the completion of the I&I Study and Improvements are completed and/or MDE issuing a new NPDES Permit at the East WWTP to the full design capacity of 0.350 mgd.

The attached appendix contains flow data and Capacity calculations to support our recommendations.

## Appendices

### Capacity Management

	Usage	GPO	Basin*	EWWT 350,000 13-DP3182	WWTP 250,000 18-DP-0462
Design Capacity					
Permit Number					
Permitted Capacity	MGD			0.25	0.25
planned permit increase	MGD			0.100	0.000
Current Permit Discharge Limit	MGD			0.250	0.250
Planned Permit Discharge Limit	MGD			0.350	0.250
3 year avg discharge flow	MGD			0.247	0.192
Percent Capacity Used at Permit Capacity				71%	88%
Available Capacity	MGD			0.0026	0.0582
Units Available Current Permit	SFD			10	233
<b>Future Connections</b>					
infill lots S1					
Jiffas TH	3		250 West		0.00075
3 lots	3		250 West		0.00075
Library	1		100 West		0.0001
planned S2 res MEMAR	148		250 Either		0.037
planned S2 comm LANC	1		1600 East	0.0016	0
Planned future flow	MGD			0.0016	0.0000
Available Future capacity at current Permit				0.0010	0.0000
Units available at current permit				4	78
Available Future Capacity at design capacity Permit				0.1010	0.0196
Units available at design capacity				404	78

#### Abbreviations

Million Gallons/ Day	MGD
Single Family Dwelling	SFD
Equivalent Dwelling Unit	EDU
Equivalent Dwelling Unit flow	1 EDU = 250 GPO
Approved Lot but not connected	S1
Platted Lot proposed usage	S2
Basin determined by gravity flow	*
or by pumped flow	*

### 3 Year Flow History

	EastWWTP	WestWWTP	Combined	Rainfall	WTP	I&I
2020						
January	0.257	0.262	0.519	3.40	0.295	0.224
February	0.258	0.352	0.610	4.00	0.297	0.313
March	0.225	0.214	0.439	2.85	0.298	0.141
April	0.214	0.222	0.436	4.15	0.290	0.146
May	0.239	0.327	0.566	4.45	0.290	0.276
June	0.185	0.175	0.360	3.95	0.306	0.054
July	0.342	0.147	0.489	1.75	0.329	0.160
August	0.354	0.168	0.522	5.90	0.300	0.222
September	0.349	0.147	0.496	2.40	0.300	0.196
October	0.342	0.129	0.471	1.90	0.313	0.158
Nowmber	0.215	0.137	0.352	3.45	0.285	0.067
December	0.305	0.199	0.504	6.25	0.293	0.211
2021						
January	0.260	0.224	0.484	2.55	0.318	0.167
February	0.291	0.179	0.469	4.85	0.301	0.168
March	0.283	0.208	0.491	2.70	0.298	0.193
April	0.221	0.220	0.441	3.50	0.316	0.125
May	0.234	0.261	0.494	5.30	0.318	0.176
June	0.184	0.183	0.367	4.25	0.328	0.039
July	0.171	0.144	0.315	3.55	0.313	0.002
August	0.223	0.167	0.390	7.60	0.321	0.069
September	0.312	0.342	0.654	11.65	0.301	0.354
October	0.213	0.194	0.408	3.15	0.319	0.089
Nowmber	0.204	0.143	0.347	1.05	0.293	0.055
December	0.181	0.101	0.282	2.70	0.287	-0.005
2022						
January	0.242	0.147	0.389	2.60	0.301	0.088
February	0.263	0.194	0.458	3.60	0.314	0.144
March	0.236	0.169	0.405	2.50	0.301	0.104
April	0.267	0.186	0.453	3.20	0.317	0.136
May	0.300	0.293	0.593	7.25	0.319	0.274
June	0.203	0.124	0.327	2.25	0.330	-0.003
July	0.195	0.137	0.333	5.40	0.318	0.015
August	0.201	0.133	0.334	2.80	0.323	0.011
September	0.227	0.160	0.387	5.25	0.301	0.086
October	0.210	0.135	0.345	2.20	0.309	0.036
Nowmber	0.217	0.141	0.358	3.25	0.299	0.059
December	0.283	0.239	0.521	4.30	0.308	0.213
<b>3 Year Average</b>	<b>0.247</b>	<b>0.192</b>	<b>0.439</b>	<b>3.94</b>	<b>0.307</b>	<b>0.132</b>
<b>Permit/Design Capacity</b>	<b>0.250</b>	<b>0.250</b>	<b>0.500</b>			
<b>%Capacity</b>	<b>98.98%</b>	<b>76.71%</b>	<b>87.84%</b>			

0.207  
 0.197  
 0.172                      0.192

Annual Average Calculations Combined	
Awrage Annual Flow for 2020	0.480
Awrage Annual Flow for 2021	0.429
Awrage Annual Flow for 2022	0.409
<b>Orwall Awrage</b>	<b>0.439</b>

Inflow & Infiltration Calculations		Total Rainfall
Average Annual I&I for 2020	0.181	44.45
Average Annual I&I for 2021	0.119	52.85
Awrage Annual I&I for 2022	0.097	44.60
<b>Orwall Awrage</b>	<b>0.132</b>	

## APPENDIX 5



**Burgess and Commissioners  
Middletown, Maryland**

NPDES General Permit for Discharges From  
Small Municipal Separate Storm Sewer Systems  
**MS-4 - Budget**

Categories	2020	2021	2022	2023	2024	2025	Totals
<b>PUBLIC EDUCATION &amp; OUTREACH</b>							
Presentation to Elementary School on Importance of Managing Stormwater Quality	\$ 300	\$ 315	\$ 330	\$ 345	\$ 365	\$ 385	\$ 2,040
Presentation to Middle School on Importance of Managing Stormwater Quality	\$ 300	\$ 315	\$ 330	\$ 345	\$ 365	\$ 385	\$ 2,040
Presentation to Senior Citizens on Importance of Managing Stormwater Quality	\$ 300	\$ 315	\$ 330	\$ 345	\$ 365	\$ 385	\$ 2,040
Information Display Booth at Middletown Green Expo	\$ 1,000	\$ 1,050	\$ 1,100	\$ 1,150	\$ 1,200	\$ 1,250	\$ 6,750
Information Display Booth at Middletown Heritage Festival	\$ 1,000	\$ 1,050	\$ 1,100	\$ 1,150	\$ 1,200	\$ 1,250	\$ 6,750
Town Website Upgrade with Importance of Managing Stormwater Quality Information	\$ 1,500	\$ 500	\$ 250	\$ 950	\$ 250	\$ 500	\$ 3,950
<b>PUBLIC INVOLVEMENT &amp; PARTICIPATION</b>							
SWM Pond Clean Ups - Community Groups ( <i>Boys Scouts, Girls Scouts, Lions Club, etc.</i> )	\$ 2,000	\$ 2,500	\$ 2,500	\$ 1,500	\$ 2,000	\$ 3,000	\$ 13,500
Tree Plantings	\$ 3,000	\$ 5,000	\$ 1,500	\$ 4,000	\$ 5,000	\$ 2,000	\$ 20,500
Stormwater Inlet Stencilling	\$ 1,200	\$ 1,000	\$ 800	\$ 600	\$ 500	\$ 500	\$ 4,600
<b>ILLICIT DISCHARGE DETECTION &amp; ELIMINATION</b>							
Training for DDE	\$ 2,500	\$ 1,500	\$ 750	\$ 750	\$ 750	\$ 750	\$ 7,000
Testing & Analysis of Samples	\$ 1,500	\$ 1,601	\$ 1,708	\$ 1,822	\$ 1,944	\$ 2,074	\$ 10,649
Testing Supplies and Equipment	\$ 3,000	\$ 40	\$ 40	\$ 40	\$ 600	\$ 40	\$ 3,760
Inspections	\$ 750	\$ 780	\$ 811	\$ 844	\$ 877	\$ 912	\$ 4,975
<b>CONSTRUCTION SITE STORMWATER RUNOFF CONTROL</b>							
Fielding Phone Calls, Emails, etc.	\$ 1,800	\$ 1,872	\$ 1,947	\$ 2,025	\$ 2,106	\$ 2,190	\$ 11,939
Ordinance Amendments	\$ 1,500	\$ -	\$ -	\$ 1,800	\$ -	\$ -	\$ 3,300
<b>POST CONSTRUCTION STORWATER MANAGEMENT</b>							
Training for SWM Inpsections	\$ 2,500	\$ 1,500	\$ 750	\$ 750	\$ 750	\$ 750	\$ 7,000
Testing & Analysis of Samples	\$ 5,000	\$ 5,335	\$ 5,692	\$ 6,074	\$ 6,481	\$ 6,915	\$ 35,497
Testing Supplies and Equipment	\$ 15,000	\$ 200	\$ 200	\$ 200	\$ 3,000	\$ 200	\$ 18,800
Inspections	\$ 5,000	\$ 5,200	\$ 5,408	\$ 5,624	\$ 5,849	\$ 6,083	\$ 33,165
<b>POLLUTION PREVENTION &amp; GOOD HOUSEKEEPING</b>							
GIS Information Updates	\$ 8,000	\$ 10,800	\$ 12,364	\$ 14,658	\$ 15,478	\$ 17,012	\$ 78,312
Salt Brine Generation Unit	\$ 100,000	\$ 5,000	\$ 5,250	\$ 5,513	\$ 5,788	\$ 6,078	\$ 127,628
<b>CONSTRUCTION PROJECT(S)</b>							
Stream Restoration - West WWTP	\$ -	\$ -	\$ 53,502	\$ -	\$ 500,000	\$ -	\$ 553,502
Stream Restoration - Linden Blvd	\$ -	\$ -	\$ 37,620	\$ -	\$ -	\$ 1,000,000	\$ 1,037,620
						<b>5 Year Total</b>	<b>\$ 1,995,317</b>



# APPENDIX 6 - STORMWATER MANAGEMENT FACILITIES 2023

FR16BMP000705	2022	197155.7136	351845.0827	13-IM_5500	Wiles Branch Community Park, Ph 2-SWM Pond	S	FBIO	NEWD	05/05/2021 (T)	P		06/20/2022 (T)		Fred. Co. inspects and reports/Town Owned
FR16BMP000706	2022	197149.896	351706.2739	13-IM_5500	Wiles Branch Community Park, Ph 2-Bioretenion	S	FBIO	NEWD	05/20/2021 (T)	P		06/20/2022 (T)		Fred. Co. inspects and reports/Town Owned
FR15BMP000938	2022	197173.8823	351826.3449	13-IM_5500	Wiles Branch Park/Brookridge South Wells-Infiltration	S	ITRN	NEWD	05/20/2021 (T)	P		06/23/2022 (T)		Fred. Co. inspects and reports/Town Owned
FR15BMP000947	2022	197002.2925	354447.6929	13-IM_5500	Coblentz Grove, Lots 1-3-Dry Swales	S	ODSW	NEWD	Frederick County	P		Frederick County		Fred. Co. inspects and reports/Private
FR20BMP142319	2022	197432.044	352804.857	13-IM_5500	West Green Street Filtreras	S	FBIO	NEWD	12/16/2021 (T)	P		06/22/2022 (T)		Fred. Co. inspects and reports/Town Owned
FRMI18BMP00001	2022	197755.154	355735.53	13-IM_5500	Hollow Creek Stream Restore	A	STRE	REST	10/01/2021 (T)	P		09/07/2022 (T)		Town Owned
FR17BMP000981	2022	197469.559	353327.683	13-IM_5500	The Valley School - Biofilters	E	MMBR	NEWD	Frederick County	P		Frederick County		Fred. Co. inspects and reports/Private
FR17BMP001028	2022	197457.401	353398.910	13-IM_5500	Thompson Funeral Home - Biofilters	S	FBIO	NEWD	Frederick County	P		Frederick County		Fred. Co. inspects and reports/Private
FR17BMP001063	2022	197238.247	352978.128	13-IM_5500	Putman Plumbing - Stone Trench	S	ITRN	NEWD	Frederick County	P		Frederick County		Fred. Co. inspects and reports/Private
FRMI20BMP00001	2022	196427.142	354228.706	13-IM_5500	Parkway Tree Plantings	A	FPU	REST	05/2021	P		08/2022		Town Owned
FRMI20BMP00002	2022	196394.638	353372.8	13-IM_5500	Remsburg Park Tree Plantings	A	FPU	REST	05/2021	P		09/2022		Town Owned
FRMI20BMP00003	2022	197697.459	352357.237	13-IM_5500	North Pointe Tree Plantings Boileau/Wiles	A	FPU	REST	05/2021	P		10/2022		Town Owned
FRMI20BMP00004	2022	VARIOUS	VARIOUS	13-IM_5500	Branch/Foxfield Tree Plantings	A	FPU	REST	09/2021	P		09/2022		Town Owned
FRMI21BMP00001	2022	197078.434	354046.482	13-IM_5500	Cone Branch Pocket Park Tree Plantings	A	FPU	REST	04/2021	P		04/2022		Town Owned
FRMI21BMP00002	2022	197755.154	355735.53	13-IM_5500	Hollow Creek Riparian Tree Plantings	A	FPU	REST	10/15/2021	P		09/2022		Town Owned
FR21BMP129597	2022	197729.451	353465.685	13-IM_5500	Coblentz Property SWM 1	S	XDPD, MMBR, MSWB, MSWG	NEWD	Frederick County	P		Frederick County		Fred Co. inspects and reports/Private
FR21BMP164201	2022	197642.657	353211.009	13-IM_5500	Coblentz Property SWM 2	S	XDPD, MMBR, MSWB, MSWG	NEWD	Frederick County	P		Frederick County		Fred Co. inspects and reports/Private
FR21BMP171880	2022	197309.215	353596.564	13-IM_5500	Miller Property	E	MMBR	NEWD	Frederick County	P		Frederick County		Fred Co. inspects and reports/Private
FRMI22BMP00001	2022	VARIOUS	VARIOUS	13-IM_5500	Foxfield Pass/Memorial Park/Elm St. Tree Plantings	A	FPU	REST	04/2022	P		N/A		Town Owned
FRMI22BMP00002	2022	VARIOUS	VARIOUS	13-IM_5500	Private Properties in Town Tree Plantings	A	FPU	REST	04/2022	P		N/A		Town Owned
FRMI22BMP00003	2022	VARIOUS	VARIOUS	13-IM_5500	Wiles Branch/North Pointe SWM & Tot Lot/ Willow St Tree Plantings	A	FPU	REST	04/2022	P		N/A		Town Owned
UNKNOWN - TBD	2022	197010.429	353409.704	13-IM_5500	Broad Street Filtreras	S	FBIO	NEWD	06/01/2022 (T)	P		N/A		Fred. Co. inspects and reports/Town Owned

Note: The following template is based on recent MD Phase II NPDES data reporting requirements. Definitions of each column and data elements can be found in the three descriptions sheets.

Note: Several Example BMPs have been incorporated to help display the new structure.

<sup>1</sup> Every BMP Identified in this table should match BMP\_ID data entered in either "Table B1.b\_ESD.STRUCTURAL" sheet or "Table B.1.c\_Alternative" sheet

<sup>2</sup> Northing and Easting are geographic points used to locate BMPs, Maryland requires using State Plane NAD 83 meters for geographic location. You can use Geographic Information Systems (GIS) or other computer programs to provide these coordinates.

Questions on Maryland specific stormwater design? Follow the link below.

[Link to Maryland's Stormwater Design Manual](#)