

Board of Appeals Meeting (Thursday, October 26, 2023)

Generated by Appeals Bd on Friday, October 27, 2023

1. CALL TO ORDER: Meeting called to order at 6:28 PM

A. October 26, 2023 Board of Appeals Meeting

2. ROLL CALL:

A. Attendance of Members, Staff Support, Applicants, Representatives and Speakers

Board of Appeals Members Via: CSMC Meeting Room

Dan Ichniowski, Chair
Guy Bradley, Vice Chair
Lynn Delahay, Member
Rich Richardson, Member
Wayne Miedzinski, Member
Ronald Payne, Sr., Alternate Member
Steve Scott, Board Attorney

SMCG Supporting Staff to be in Attendance Via: CSMC Meeting Room

John Houser, Assistant County Attorney
Courtney Jenkins, Deputy Director -LUGM
Amanda Yowell, Zoning Administrator - LUGM
Stacy Clements, Planner III- LUGM
Amber Thompson, Permits Manager - LUGM
Jim Gotsch, Director - DPW&T

Via: Media Control Room

Amy Carter, Video / Media Producer

Via: John Savich Conference Room

Sherrie Young, BOA Recording Secretary

Applicants, Representatives & Speakers to be in Attendance Via: CSMC Meeting Room

Appellants' Counsel: Alex Votaw, Law Office of G. Macy Nelson, LLC

Appellants and Witnesses: Kimberly Gibson
Anthony Damron
Robert Allen Russell, Jr.
Robert T. Brown, Sr.
Victoria Brown
Rose Ellen Guyther
James Morris

Appellants only: Sergio Torres
Nolan Smith and Rachael Hostetter
Christina and Christopher Farr
Natasha and Russel Jones

Witnesses only: Tommy Haynie

Ruth Morris
Sarah Morris
Anna Morris

Applicants' Counsel: Peter C. Hershey, Esq. Rich & Henderson, P.C
Stuart A. Cherry, Esq. -Rifkin Weiner Livingston, LLC
Catheline Henderson, Paralegal -Rifkin Weiner Livingston, LLC

Applicant: Blue Griz, LLC

Witnesses only: Eagan O'Keefe, Vice President of Cultivation for Story Cannabis
Gary Jellick, Soil Scientist / Owner - Acorn Environmental, Inc.
Jay Hobson, Civil Engineer- Jay Hobson Consulting
Valdis Lazdins, City Planner/ Landscape Architect and Assistant Secretary

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State of MD, Department of Planning
Leah Heise, Cannabis Consultant/ Founder - leahheise.com and Kearney

3. AGENDA:

A. Board of Appeals October 26, 2023 Agenda

4. PUBLIC HEARINGS:

A. **SEVEN POINTS AGRO CULTIVATION CENTER APPEAL ZAAP 18-00001405;** Continued from the 7/11/2023 Board of Appeals Meeting; Appeal of a decision by the St. Mary's Department of Land Use and Growth Management to allow an amendment to an approved site plan containing a revised mound septic system.

"In the matter of ZAAP 18-00001405, Seven Points Agro Cultivation Center Appeal, I move that the Board of Appeals deny the appeal of the decision by the St. Mary's Department of Land Use and Growth Management made October 11, 2022 to allow an amendment to a site plan containing a revised mound septic system, because we find this is not an expansion of a nonconforming use."

Motion by Rich Richardson, second by Wayne Miedzinski.

Final Resolution: Motion Carries

Yea: Daniel Ichniowski, Wayne Miedzinski, Guy Bradley, Rich Richardson

Nay: Lynn Delahay

Not Present at Vote: Ronald Payne Sr

5. ADJOURNMENT:

A. Adjourn the October 26, 2023 Board of Appeals meeting

"I move to adjourn the October 26, 2023 Board of Appeals meeting at 11:17 pm."

Motion by Guy Bradley, second by Rich Richardson.

Final Resolution: Motion Carries

Yea: Daniel Ichniowski, Wayne Miedzinski, Lynn Delahay, Guy Bradley, Rich Richardson

Not Present at Vote: Ronald Payne Sr