

**NORTH EAST BOARD OF APPEALS**  
**North East Town Hall / 106 South Main Street**  
**Thursday, August 24, 2023**

Chairman Maurice Tenney called the meeting to order at 7:02 P.M. Present for the meeting included members Martha Kline and S.J. Anderson via zoom. Also in attendance were Betsy Vennell, Director of Planning, David Beste, Town Attorney and Lisa Rhoades, Planning and Zoning Assistant. Melissa Cook-Mackenzie, Zoning Administrator was absent from the meeting.

**-MINUTES-**

July 27, 2023

Ms. Anderson made a motion to approve the July 27, 2023 meeting minutes with a minor correction. Mrs. Kline seconded the motion and the motion was approved by all.

**-PUBLIC HEARING-**

Chairman Tenney opened the public hearing at 7:00 p.m.

Case A-2023-05-SE

Mrs. Vennell read the case into the record Case-A-2023-05-SE.

Case A-2023-05-SE: Special Exception application from Stephanie Carducci of Bee My Voice and Amy Ocasio of Live for Thomas Foundation. Applicants propose to provide Peer to Peer support, Suicide “Postvention” and Youth Mental Health First Aid services at 22 North Main Street, North East, Maryland 21901. Also found on Tax Map 031B; Parcel 0088. Property owner: Dominick DiPatre, 359 Old Chestnut Road, Elkton, Maryland. Zoning District “VC” Village Commercial.

Attorney Beste read into the record the North East Zoning Ordinance, Article 9-9. Voting. Paragraph 1. The concurring vote of three members of the Board membership shall be necessary to reverse any Order, requirement, decision, or determination of the Zoning Administrator, Planning Commission or Town Administrator, as may be the case, or to decide in favor of the applicant any matter upon which it is required to pass under any ordinance or to grant any variance.

The Court Reporter, Ann Lavoie, swore in all those who wished to speak during the hearing.

Chairman Tenney inquired if any of the Board members would need to recuse themselves from voting on the special exception. The Board members responded no.

Chairman Tenney inquired if the applicants would like the application to be part of the record. Ms. Carducci and Ms. Ocasio replied yes.

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Ms. Ocasio the president and co-founder of the Live for Thomas Foundation, reported she is a licensed clinical professional counselor and has a doctorate in prevention science with a focus on suicide prevention. Ms. Ocasio stated that her son Thomas died at 16 years old in 2019 from suicide. Ms. Ocasio stated that Thomas did not display suicidal tendencies. He was an athlete and honor student and was on track to graduate early. Ms. Ocasio reported that after her son's death she started the Live for Thomas Foundation. Ms. Ocasio also reported that she and Ms. Carducci met at her son Thomas' funeral and found that they had similar goals regarding their foundations. Ms. Ocasio stated that currently her foundation works with school athletes and does community outreach.

Ms. Carducci founded Bee My Voice foundation in 2018 after the loss of her son, Daniel, to suicide. Ms. Carducci stated that "postvention" is the primary focus of her non-profit foundation. Ms. Carducci reported that she is forming the first loss team in the State of Maryland. Members from her foundation will travel to the location of a suicide to provide bereavement support and resources to the family as there are a lot of components happening at the same time at the scene. Ms. Carducci stated that they would like to have specific support groups, for example, a mother's support group, a siblings support group and a teen support group among other groups who have experienced a loss. Ms. Ocasio added that holding specific support groups will be more beneficial as one mother can relate better to another mother who has lost a child, than a mother would be able to relate to a child who has lost a sibling as there is a different dynamic.

Ms. Ocasio stated that the Live for Thomas Foundation focused on prevention rather than intervention, where as "Bee My Voice" is primarily focused on postvention. The two foundations complement each other which is the reason for renting a common space. The rented space will house a loss team, a space for loss team training, a space for support groups to meet and youth mental health training for any adult 18 years old and older. The youth mental health training will teach volunteers the signs to look for with regard to suicide and what steps can be taken. Ms. Ocasio reported that they are teaming up with Sean's House for the initial 6-8 week training for the volunteers. Sean's House is a 24 hour peer support center located in Newark, Delaware. Ms. Ocasio stated that the ultimate goal is to be open 24 hours a day and reported that the most difficult time for teens has been between 12 midnight and 2 a.m. There would be a trained peer support person on staff 24 hours a day. Ms. Ocasio gave an example of an athlete that may have lost a football game and is feeling responsible that he has let everyone down. Ms. Carducci added their business would be offering a safe space for these teens to speak to someone. Ms. Ocasio commented that they will not be holding one on one counseling appointments. Ms. Ocasio stated they are requesting the Special Exception as their proposed use was not a permitted use "by-right" in the Village Commercial District regulations.

Chairman Tenney inquired if anyone from the public would like to speak in regards to this case. Kevin Kline, the North East Fire Department, who attended this meeting regarding another case, stated that he was Thomas' former coach. Mr. Kline stated that he coached youth sports and believes this non-profit business is very much needed. Mr. Kline added that Ms. Ocasio is correct, the youth do not have anyone to talk to other than a school counselor and they tend to internalize all of their emotions and stress.

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Ms. Anderson inquired where those seeking services will enter the building and if the business was open 24 hours a day, what type of security measures will there be. Ms. Ocasio stated they will come through the front door 8 am to 8 pm, after 8 pm the door would be locked. Ms. Ocasio also stated that they plan to install a ring doorbell camera and anyone wishing to enter after 8 pm would have to ring the bell to be let inside. Ms. Ocasio added a lot of training needs to occur before they would be able to extend their hours to 24 hours a day. Ms. Anderson inquired if any medications would be dispensed and how many people will enter the business each day. Ms. Ocasio and Ms. Carducci replied that no medications will be stored or dispensed from their business. Ms. Ocasio stated that based on Sean's House, that since September of 2020, 97 lives have been saved from committing suicide and they have helped approximately 30,000 people overall. Ms. Ocasio stated that they plan to promote their services to all youth programs throughout the county. Chairman Tenney inquired if the support groups have already been formed and how many people would be in each group. Ms. Ocasio stated that they have not begun forming the groups yet, however, they are planning approximately 8 to 10 people in each group.

Attorney Beste commented that according to what was requested on the application, the applicants probably should come back at a later date to request the extended hours. Mrs. Vennell inquired if the applicants were requesting their application be amended this evening to request the extended hours. Ms. Ocasio replied yes. Attorney Beste inquired if the restricted hours of 8am to 8pm would hinder the applicant's ability to help all of the individuals they were trying to be available for. Ms. Ocasio replied yes and then added they would like to hold an 8 pm support group as many teens and adults work during the day and would not be available for an earlier support group. The 8 pm meeting would accommodate more individuals. Mrs. Vennell reported that North East Zoning Ordinance states the set business hours in the "VC" Village Commercial Zoning District are 8 am to 8 pm. Mrs. Vennell added that although this property is located within the "VC", adding that the commercial building somewhat stands alone, separated from the other residential dwellings by a large commercial parking lot located in the rear, side and front yards, with the other side of the building adjacent to the creek. Mrs. Vennell reported that a previous Special Exception Case for a restaurant which is located within the "VC" district requested extended hours and the business was requested to come back before the Board on an annual basis for review each year due to noise issues in the past. The Board can set conditions on an approval.

Chairman Tenney stated that since this is a new business he would suggest that they get the business established with the hours of 8 am to 8 pm and then come back at a later date should they want to extend the hours to 24 hours a day. Ms. Ocasio inquired if they would be able to stay open to 10 pm as closing at 8 pm would be a hardship if they could not have an 8pm support group. Mr. Tenney replied that an 8 pm support group would be acceptable however, at the end of the support group the doors would be closed. Mr. Tenney added that as the business progresses they are welcome to come back before the Board to request extended hours.

Ms. Vennell reported that the applicants came before the Planning Commission and the Planning Commission recommended approval of the Special Exception. In addition, Mrs. Vennell reported that the Town Administrator would like the Board to know that the Town is in support

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of this business and has requested to schedule a meeting with the applicants and the North East Police Department to coordinate some training and collaboration. Mrs. Vennell reported that letters of support were received from each of the following people, Ms. Denise Hill, Cecil County Health Department, Ms. Jesse Fairchild, Bodhi Counseling and Ms. Murray, Sunrise-Suicide Grief Support Group Facilitator.

Ms. Anderson would like to suggest the following conditions be placed on the approval:

1. The business closes no later than 10 pm the first year.
2. The applicants come back before the Board when they are ready to open 24 hours a day.
3. No medications are stored or dispensed from this location.

Ms. Carducci and Ms. Ocasio both replied that no medications will be onsite or dispensed. Ms. Anderson added that the purpose of placing this condition is so that as the business grows and possibly changes this condition is already in place. Ms. Ocasio and Ms. Carducci concur.

Chairman Tenney inquired if there were any additional comments from Attorney Beste or the Planning Office. Attorney Beste and Mrs. Vennell both replied no.

Ms. Ocasio inquired if the Board granted them approval this evening, would the approval also cover the business if they wanted to expand to the area on the first floor of the building. The first floor would be kept as office space and the lower level would primarily be used for support groups. Mrs. Vennell replied that she would review the regulations and let them know.

#### Case –A-2023-06-V

Ms. Vennell read into the record Case-A-2023-06-V.

Case A-2023-06-V: North East Fire Company: Requesting a 63 foot stream buffer variance from the required 110 foot stream buffer for the purpose of installing a 672 square foot pole barn accessory building at the North East Fire Company, 210 Mauldin Avenue, North East, Maryland. Also found on Tax Map 031B; Parcel 16. Zoning District “R-1” Single Family Residential.

The Court Reporter, Ann Lavoie, swore in all those who wished to speak during the hearing.

Chairman Tenney inquired if any of the Board members would need to recuse themselves from voting on the variance and the Board members responded no.

Chairman Tenney inquired if the applicant would like the application to be part of the record. Mr. Streaker replied, yes, he would like the application to be part of the record.

Mr. Streaker thanked the Board for their time and stated that the fire company is in need of a new accessory building as they need more dry storage space. Mr. Streaker stated that the new building would look like the existing accessory building, however, it would have one garage door instead of two. Mr. Streaker reported that since the last renovation they are running out of dry storage space. In addition, they plan to convert the existing closet space into overnight rest

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areas for individuals on 24 hour shifts. The fire house currently has 9 employees with an operating cost of \$420,000 a year. The North East Fire Company responds to approximately 805 emergency service calls within the Town, 2,600 emergency service calls within the County and over 800 fire calls. The work load is continually increasing along with the cost of running the fire house. Currently, the fire house is \$80,000.00 over the budget each year because of lack of funding. Mr. Streaker stated that they would like to build one large permanent structure. However, they do not have the funding for the building, therefore, they choose to add an accessory building. Mr. Streaker reported that the only feasible location for the accessory building requires a stream buffer variance. Mr. Streaker added that there is currently a small shed which will be removed from the property in preparation the new accessory building. Mr. Streaker stated that no hazardous materials will be stored in the new building as it is strictly for dry storage of carnival items, bingo machine, spare tires, Santa's sleigh, and promotional items for the public and fire prevention equipment. Mr. Streaker reported there will be electric for lighting. However, there will be no heat or water.

Ms. Anderson inquired where the new building will be installed and the design of it. Mr. Streaker replied it will be placed adjacent to the existing accessory building and the small shed currently there will be removed. The new building will be the same color and design to match the fire house and the other accessory building. Ms. Anderson inquired if the proposed location was near a stream. Mr. Streaker replied that there is a stream along the property. However, in 32 years, he has never seen the flooding up to the existing accessory building. Mr. Streaker added flood water seems to slow down before it reaches the fire company property and therefore there is little to no sheet flow. Mrs. Kline added that the fire company maintains the area around the stream which runs through their property to keep it free of debris and trash. Mrs. Vennell added that the proposed location is not within the Chesapeake Bay Critical Area nor the 100 Year Floodplain.

Chairman Tenney stated he respects and appreciates the efforts of the fire company personnel and inquired if the proposed building will be built onsite. Mr. Streaker responded that a concrete pad will be poured and the building will be built on the pad.

Chairman Tenney inquired if the Planning Office had received any correspondence in regards to this case. Mrs. Vennell replied no correspondence had been received.

Chairman Tenney inquired if there were any final comments, and there were none.

Chairman Tenney closed the public hearing closed at 7:47 pm.

#### Case A-2023-05-SE

Chairman Tenney inquired if the Board members had any further comments regarding the special exception case. The Board responded no.

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Ms. Anderson made a motion to approve the special exception request for the peer to peer support, Suicide “Postvention” and Youth Mental Health First Aid services at 22 North Main Street subject to the following conditions:

1. The business may stay open until 10 pm.
2. The applicants shall come back before the Board of Appeals in 1 year for a review.
3. The applicants may come back at the beginning of year 2 should they like to request extended hours to 24 hours per day.
4. No medications shall be permitted to be stored or dispensed at this location.

Mrs. Kline seconded the motion and the motion was approved by all.

Case A-2023-06-V

Chairman Tenney inquired if the Board members had any further comments regarding the special exception case. The Board responded no.

Ms. Anderson made a motion to approve the 63 foot stream buffer variance request from the required 110 foot stream buffer, for the purpose of installing an accessory building, as presented. Mrs. Kline seconded the motion and the motion approved by all.

**-OLD BUSINESS-**

None.

**-REPORTS-**

None.

**-MISCELLANEOUS-**

None.

**-NEXT MEETING-**

The next Board of Appeals has been cancelled due to a lack of agenda items.

**-ADJOURNMENT-**

Mrs. Kline made a motion to adjourn the meeting at 7:53 P.M. Ms. Anderson seconded the motion and the motion was approved by all.

Lisa Rhoades  
Planning and Zoning Assistant

Maurice H. Tenney, Jr.  
Chairman

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