

North East Board of Appeals
April 24, 2025

NORTH EAST BOARD OF APPEALS
North East Town Hall Meeting Room
106 South Main Street, North East, Maryland 21901
Thursday, April 24, 2025
7:00 P.M.

-CALL TO ORDER-

Chairman S.J. Anderson called the meeting to order at 7:00 P.M. Present for the meeting included members, Martha Kline, Russell Polo and Colleen McCandless. Also in attendance were Betsy Vennell, Director of Planning, Lisa Rhoades, Planning and Zoning Assistant and David Beste, Esquire via Zoom. Ann M. Lovoie, Court Reporter. Melissa Cook-Mackenzie, Zoning Administrator and Justine Patterson (Lattany) were absent from the meeting.

-MINUTES-

June 27, 2024 and January 23, 2025

Mrs. Kline made a motion to approve the June 27, 2024 minutes, with a minor correction and the January 23, 2025 minutes as presented. Mr. Polo seconded the motion and the motion was approved by all.

-OLD BUSINESS-

None.

-NEW BUSINESS-

Case-A-2025-01-SE: Special Exception application from Amy Ocasio of Live for Thomas Foundation. Applicant proposes to expand their existing use to the adjoining suites and attic area to provide Peer to Peer support, Suicide Prevention/Postvention support, Interim Counseling Services, Youth Mental Health First Aid and Wellness services at 22 North Main Street, North East, Maryland 21901. Tax Map 031B; Parcel 0088. Property owner: Dominick DiPatre, 359 Old Chestnut Road, Elkton, Maryland. Zoning District "VC" Village Commercial.

-PUBLIC HEARING-

Chairman Anderson opened the public hearing at 7:04 PM.

Case-A-2025-01-SE

Mrs. Vennell read Case: A-2025-01-SE into the record.

Chairman Anderson inquired if any of the Board members would need to recuse themselves from voting and all of the members replied no.

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Ms. Ann M. Lovoie, Court Reporter, swore in the applicant.

Chairman Anderson inquired if the applicant would like their application, including the attachments distributed this evening, to be part of the record. The applicant replied yes, they would.

Dr. Amy Ocasio, the applicant, stated that she has a Doctorate in Prevention Science with a focus on suicide prevention, she is a licensed clinical professional counselor and the co-founder and President of the Live for Thomas Foundation. The Live for Thomas Foundation was established in memory of her 16 year old son Thomas who died from suicide in 2018. Dr. Ocasio reported that in August of 2024 she opened Den 22 at 22 North Main Street which is a space for children to decompress, get peer to peer support, relax and talk with someone that will listen. Since its inception Den 22 has held organized activities, such as learning how to plant flowers, playing board games, and this evening they are having hot dogs and s'mores outside. In addition, they have an X-Box and Playstation with time limits which gives them an opportunity to interact with other peers in a positive way. The activities have purpose such as teaching coping skills, emotion regulation, make healthy connections and have positive social interaction with peers and adults, among other skills. Den 22 has given individuals an opportunity to learn new skills and have new experiences they may not have otherwise had.

Dr. Ocasio stated that she is seeking approval to expand the existing use and services by moving offices, which are currently downstairs in Den 22, to the 1st floor where a hair salon had been previously located. In addition, Dr. Ocasio would like to provide interim therapy as there is often a long waiting list to get into a therapy program. By providing interim therapy the staff would be able to do an assessment of what the individual needs and can start providing that support immediately while the individual is waiting for a more permanent long term therapy program. Since August 2024 when Den 22 opened the staff has seen the need for the interim therapy. Chairman Anderson inquired if the purpose for the office space was primarily for more privacy while meeting with an individual and Dr. Ocasio replied yes. Dr. Ocasio reported their foundation is free and 100% fully funded. Dr. Ocasio added that they have snacks and drinks on hand for anyone that comes to Den 22 and they provide a free dinner every Thursday which consistently brings between 16-22 children.

Mr. Polo inquired how many students have come to Den 22 since it has opened and do you expect to be able to serve more children with this expansion. Dr. Ocasio replied that there have been over 500 individuals come through the doors since last August and they have done 15 crisis interventions and expect to provide more services to more individuals with the expansion. Mr. Polo inquired if children are referred to the program. Dr. Ocasio replied that some are referred to the program through Cecil County Public Schools whom they have a Memorandum of Understanding partnership with, and some are brought by a parent. Therapists have referred children and some hear about Den 22 through other students. Dr. Ocasio also reported that they have tables at local events as well to spread the word, as well.

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Chairman Anderson inquired about what the meaning of the name Den 22. Dr. Ocasio replied that the name came from several different things such as: the address is "22" North Main Street, originally Live for Thomas and Be My Voice had shared the space and each of the co-founders had lost a son: two sons (2), two lives lost (2) symbolizing "22" and they are a faith-based foundation. The Bible verse Daniel 6:22 initiated the idea for the name and the sign for Den 22. "My God hath sent His angel, and hath shut the lions' mouths, that they have not hurt me, inasmuch as before Him innocence was found in me; and also, before thee, O king, have I done no hurt."

Mr. Polo inquired if there have been any complaints or issues since the business began. Dr. Ocasio stated that they are vigilant about making sure there are no individuals lingering outside. If there is a group outside it is only related to an organized activity. Dr. Ocasio stated the Police have come on two occasions searching for two runaways, which were not found at the establishment. Mr. Polo commented that he lives about 8 houses down from 22 North Main Street and has not seen any issues. Mrs. Vennell added that notices of this hearing were sent to all of the adjoining neighbors and the Planning Office did not receive any comments.

Dr. Ocasio would like to utilize the attic area as a meditation, yoga and/or quiet space.

Mrs. Vennell reported that an email was received from a Board of Appeals member Justine Patterson (Lattany) who was not able to attend tonight's meeting. Ms. Patterson stated this expanded use seems like a good cause and inquired if there is a fire safety plan for the attic, if there are windows, stairs or an elevator, and is there an emergency preparedness plan and if not would they be developing one. Dr. Ocasio replied that they do have fire extinguishers where needed per the Fire Marshall. There are stairs up to the attic space and the attic space has a rear door and windows. There are stairs outside from the rear door. They do have an emergency plan and this change of use will require another Cecil County Agency and Fire Marshall review and inspections.

Dr. Ocasio reported that students are required to scan a QR code when they come in so they can collect demographic information and it also asks some questions about services provided and services they would be interest in. They found that there was a need for services during the hours of 10pm to 2am. This is the time where students are home in their rooms alone just thinking and often filling overwhelmed or alone. Therefore, Dr. Ocasio is requesting an extension of hours to 12 midnight. The establishment would be fully staffed and the hours would not be extended until such time as there was trained staff available to accommodate the schedule.

Mrs. Vennell reported that the Planning Commission heard this case on April 1, 2025 and formed a recommendation to the Board of Appeals with conditions, as follows:

1. No drugs shall be stored or dispensed from the premises; and
2. The applicant shall close no later than midnight each day. The applicant shall return to the Planning Commission and Board of Appeals in one year to review whether the midnight closing time has caused any disturbances in the neighborhood. During this review, the applicant may also request extended hours of operation."

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Chairman Anderson would like to add a condition stating that the applicant shall comply with all requirements of the Maryland State Fire Marshall.

Attorney Beste commented that it is not uncommon for a Board to add a condition stating that the applicant shall abide by all requirements of any and all regulatory agencies. In addition, if there is failure to comply by the applicant, then the Special Exception can be rescinded by the Board.

Mrs. Vennell reported that the applicant has filled out an application for the Change of Use and following the Town Approval they will fill out a Change of Use permit with Cecil County and the different agencies at the County will perform applicable inspections prior to issuing an occupancy permit.

Chairman Anderson stated that as there is no further testimony and the Public Hearing is closed. The applicant can remain while the Board discusses the case and forms a decision or the Planning Office can contact Dr. Ocasio in the morning with that information. Dr. Ocasio stated she would stay.

Chairman Anderson announced that the Public Hearing was closed at 7:25 p.m.

Chairman Anderson inquired if the Director of Planning had any further comments or had received any comments regarding this case. Mrs. Vennell replied that the Town Staff and North East Police Department are in support of this foundation and their work. There were no other comments received.

Chairman Anderson inquired if the Attorney Beste had any further comments and he replied no.

Mr. Polo and Mrs. Kline stated that they are in support of the expansion of this establishment and the extension of the hours.

Mrs. Colleen stated that there is a lack of mental health providers and access to mental health care, especially for adolescents, and agrees with all the changes that are proposed by the applicant.

Chairman Anderson asked if there was any further discussion or was there a motion.

Mr. Polo made a motion to approve Special Exception Case A-2025-01-SE with the following conditions:

1. No drugs shall be stored or dispensed from the premises
2. The applicant shall close no later than midnight each day. The applicant shall return to the Planning Commission and Board of Appeals in one year to review whether the midnight closing time has caused any disturbances in the neighborhood. During this review, the applicant may also request extended hours of operation."

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3. The applicant shall abide by all requirements of any and all regulatory agencies.

Mrs. Kline seconded the motion and the motion has been approved by all.

Ms. Ocasio invited the board to come tour the Live for Thomas and Den 22 facility.

Mrs. Vennell explained to the owner and the applicant that the Town Attorney would prepare an official opinion which would be sent to them once it is received and signed by the Chairman.

-REPORTS-

None.

-MISCELLANEOUS-

None.

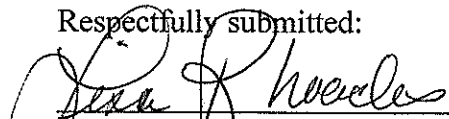
-NEXT MEETING-

The next Board of Appeals meeting is scheduled for May 22, 2025 has been cancelled due to a lack of agenda items.

-ADJOURNMENT-

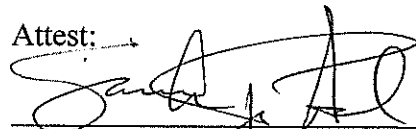
Chairman Anderson adjourned the meeting at 7:35 P.M.

Respectfully submitted:



Lisa Rhoades
Planning and Zoning Assistant

Attest:



Sarah J. Anderson
Chairman

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