

North East Board of Appeals
February 12, 2026

NORTH EAST BOARD OF APPEALS
North East Town Hall Meeting Room
106 South Main Street
Thursday, February 12, 2026
7:00 P.M.

-CALL TO ORDER-

Chairman S.J. Anderson called the meeting to order at 7:01P.M. Present for the meeting included members Martha Kline, Colleen McCandless, Justine Patterson and Russell Polo. Also in attendance were Betsy Vennell Director of Planning and Lisa Rhoades, Planning and Zoning Assistant. Melissa Cook-Mackenzie, Zoning Administrator was absent from the meeting.

-ELECTION OF CHAIRMAN-

Mrs. Kline made a motion to re-elect Ms. Sarah (S.J.) Anderson as Chairman of the Board of Appeals for 2026. Mr. Polo seconded the motion and the motion was approved by all.

-ELECTION OF VICE-CHAIRMAN-

Mr. Polo made a motion to re-elect Mrs. Kline as Vice-Chairman of the Board of Appeals for 2026. Mrs. McCandless seconded the motion and the motion was approved by all.

-MINUTES-

April 24, 2025

Mr. Polo made a motion to approve the April 24, 2025 meeting minutes. Mrs. Kline seconded the motion and the motion was approved by all.

-OLD BUSINESS-

Case:A-2017-03-SE- Snatchers Creekside Grill review of extended hours.

Chairman Anderson invited Mrs. Bollinger, owner, to come forward to discuss the review of the extended hours. Chairman Anderson read a memo from the North East Planning Commission (attached). The memo stated that the Planning Commission recommends removal of the requirement that the owner of Snatchers Creekside Grill come back each year for a review of the extended hours unless a complaint has been made to the Town which may need addressed.

Chairman Anderson inquired if the Planning Office had any comments. Mrs. Vennell gave a brief history of the businesses at 510 South Main Street, reporting that the previous owner, prior to Mrs. Bollinger, had received many complaints from the public about the bar. Therefore, the Board of Appeals placed a condition, on Mrs. Bollinger's Special Exception approval, out of concern that the same situation may occur again in the future, that the business owner shall come back before the Board, annually, for a review of the extended hours. Mrs. Vennell reported that the Planning Office

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orders a police report each year prior to the Board of Appeals review of Snatchers Creekside Grill and in the last eight years that they have been in business the Town has received no complaints regarding this business. Mrs. Bollinger also submitted a letter to the Planning Commission and Board of Appeals to request that the condition regarding the annual review be removed as a requirement of the approval. Unless, there is a complaint made in which Mrs. Bollinger stated that she would be happy to come in and discuss any issue should there be one. Mrs. Vennell stated that the Planning Office also recommends at this time that the condition for an annual review be removed.

Mrs. Bollinger also commented that she has been in business 8 years and stated that she runs a restaurant that has a bar. Mrs. Bollinger reported that she has not had any issues in the last 8 years and wants to be a good neighbor to the surrounding properties and added that should there ever be an issue in the future she would be happy to come in and discuss the issue.

Chairman Anderson inquired if there were any additional comments. Mrs. Kline stated that she was in agreement with Mrs. Bollinger that the establishment is more of a restaurant than a bar.

Chairman Anderson motioned that Ms. Bollinger should no longer be required to come before the Planning Commission and Board of Appeals for an annual review of the extended hours. The motion was approved by all.

-PUBLIC HEARING-

Case: A-2026-01-V: A variance application has been filed by Applicant/Owner Stavros Kalaitzoglou, LSM LLC, 102 Riverside Drive, Elkton, Maryland 21921, also found on Tax Map 25H, Parcel 0793. Zoning Designation: "HC" Highway Commercial, HCOD Highway Corridor Overlay District. For a project known as Texas Roadhouse Restaurant the applicant is requesting a maximum 13foot (East) Front Yard setback variance to accommodate 8 parking spaces, a maximum 22 foot (South) Front Yard setback variance to accommodate 33 parking spaces and a maximum 5 foot (West) Side Yard setback variance to accommodate a portion of one parking space.

Chairman Anderson opened the Public Hearing at 7:08pm.

Mrs Vennell read the case into the record.

Chairman Anderson invited the applicants to come forward to present their case.

Ann Lavoie, court reporter, swore in the applicant and others representing the applicant: Stavros Kalaitzoglou, 244 South Bridge Street, Elkton, Maryland, Jeff Matthai, 3445 Box Hill Corporate Center Drive, Suite A, Abingdon, Maryland and Attorney William Riddle, 204 East Main Street, Elkton, Maryland

Chairman Anderson inquired if any of the Board members needed to recuse themselves and all of the members replied no.

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Chairman Anderson inquired if the applicant would like their application to made part of the record and Attorney Riddle replied yes.

Attorney Riddle began presenting the case by showing the location for the proposed Texas Roadhouse on the vacant lot at the corner of Sycamore Drive and Route 40. Attorney Riddle stated that Texas Roadhouse unlike many restaurants has a large staff. Since Texas Roadhouse has a large staff, they require more parking spaces. Attorney Riddle reported that Texas Roadhouse would prefer to install 187 parking spaces, however, the site could only accommodate 171 parking spaces with the approval of the variance request. The North East Zoning Ordinance requires a minimum of 79 parking spaces. Attorney Riddle added that one of the key elements of having enough parking is safety. The proposed site will have an entrance located off of Sycamore Drive as well as an entrance from the Pat's Pizza parking lot, the adjacent property. Attorney Riddle stated that they believe the literal interpretation of the ordinance would deprive the applicant's rights enjoyed by other properties along Route 40. Attorney Riddle stated that it is his understanding there were 3 other parking variances approved for other properties in the same zoning district which border Route 40 and Route 272. Attorney Riddle also pointed out that the adjacent properties have parking lots which extend up to Route 40 with no buffer area. The proposed site will have a 10 foot landscaped Buffer between Route 40 and the parking lot. Attorney Riddle added that granting the requested variances shall not grant the applicant any special privileges as other business has been granted parking variances. In addition, Attorney Riddle stated that the character of the zoning district will not be changed by granting this variance request. This project would consist of developing a commercial property in a commercial zoning district where this use is permitted by right. The project is in harmony with the ordinance and exceeds the parking requirements stated in the zoning ordinance. Attorney Riddle stated that not only would this restaurant serve this community and bring business to the area, it would serve the entire County as well.

Mr. Matthai presented a rendering of the Texas Roadhouse site and pointed out the location, entrances, the flow of traffic and how traffic would enter the site. Mr. Matthai reported that a Buffer yard is required and they have chosen Buffer Yard D. Therefore a 10-foot-wide Landscape area would be installed. Mr. Matthai pointed out on the site plan where the parking spaces where located that require variance approval. Mr. Polo inquired if there would be a Buffer yard between the site and the Timberbrook residents which border the proposed Texas Roadhouse site. Mr. Matthai replied yes and they hope to install some type of evergreens to provide privacy all year round as well as a fence.

Attorney Riddle commented that the applicant feels that granting this variance would not cause a hardship to the area. This business will add to the commercial area businesses. Attorney Riddle added that Texas Roadhouse tries to plan ahead by estimating there parking needs so that they do not have employees and patrons parking on roadways or adjoining properties.

Chairman Anderson inquired if there would be directional signs installed at the exits to direct patrons to Route 40, Route 272 or Interstate 95 to deter patrons from driving through the neighborhood. Mr. Matthai replied that could be done and stated that they plan on speaking with the Planning Office regarding their sign plan. Mrs. Vennell commented that it is not uncommon to have directional signs on or adjacent to the stop sign at the parking lot exit. Mr. Mink commented that if it became a problem, a right turn only sign could be added. Mrs. Vennell replied that would be inconvenient for the Timberbrook residents.

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Chairman Anderson inquired about the request on the variance application to extend the application to the year 3030. Attorney Riddle replied that is a typo and should state 2030 as to give adequate time for construction. Chairman Anderson stated that the record should state that the application has been amended to 2030.

Chairman Anderson inquired about the site being quite a bit higher than Route 40 and wondered if there would be a retaining wall installed. Mr. Matthai replied yes, the site will be lowered somewhat, with dirt being removed from the site and retaining walls with fences installed.

Mrs. McCandless inquired what stormwater practices are being utilized to mitigate the runoff from the additional parking. Mr. Matthai pointed out on the site plan the location of the above and below ground stormwater facilities. Mr. Matthai reported that a Concept Stormwater plan has already been submitted to Cecil County. Mrs. McCandless also inquired if the Buffer Yard is being installed to mitigate any of the additional parking's impervious surface. Mr. Matthai replied that stormwater management has to be supplied per the code and therefore whatever is required by the code will be implemented. Mrs. McCandless wanted to clarify that if the Board of Appeals were to approve the variance, Cecil County stormwater management would be reviewing the amount of impervious surface runoff from the entire site and would ensure adequate measures would be taken to mitigate the additional runoff. Mrs. McCandless added that she is concerned about runoff onto adjoining properties. Mr. Matthai responded yes Cecil County Stormwater Management would be reviewing the proposed plan and added that the project is at the Concept stage and it will still require Preliminary and Final approvals as well. Mrs. Vennell inquired if Stormwater Management have already commented on the Concept Stormwater Plan. Mr. Matthai replied yes and they have also responded to the comments. There are two more rounds of approvals to go through, Preliminary and Final.

Mrs. Kline inquired about traffic heading East bound on Route 40, would patrons have to enter via the Pat's Pizza parking lot entrance or by making a u-turn at the light at Route 40 and Mechanics Valley Road. Mr. Matthai replied yes and reported that a Traffic Impact Study was also done and approved. Mrs. Vennell reported that the intersections are reviewed during the Traffic Impact Study which was approved by the State Highway Administration.

Mrs. Vennell reported that the Town has been working with the Texas Roadhouse since 2024 and during the talks with Texas Roadhouse they expressed their want for additional parking. The Mayor and Town Administrator are excited about the project. Mrs. Vennell stated that she has seen parking on side streets on Texas Roadhouse sites that do not have adequate parking. Texas Roadhouse has learned over the years their need for additional parking and this is why they insist on installing the maximum parking they can on this site. Texas Roadhouse representatives have learned from building past sites that the overflow of parking has impacted adjoining streets. Therefore, they now know what the parking requirements are for their business. The Texas Roadhouse will have a buffer on three sides. Mrs. Vennell reported that the Planning Office reviewed several options when looking at the parking requirements and buffer requirements. The Town has an extensive Buffer yard regulation that a consultant created which includes beautification along Route 40 and Route 272 to ensure that the Town has an attractive result at the end of a project. This project will be the first in that arear of Town which will have a landscaped Buffer yard along Route 40. Mrs. Vennell also

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commented that when looking at the area, several of the other commercial properties nearby, which are located outside the Towns corporate limit, have a zero setback for their parking areas. Mr. Matthai displayed a Concept Buffer yard plan.

Mrs. Vennell reported that both Starbucks and Chipotle received parking variances. The Towns regulations Mrs. Vennell commented that the Mayor and Commissioner, Town Administrator and Planning Commission are all in support of this project. Mrs. Vennell reported that the Texas Roadhouse Concept Site Plan was approved by the Planning Commission conditioned on approval of the Board of Appeals approval of the variance case being heard this evening.

Mrs. Vennell also stated that the Town had sent notification to the adjoining property owners regarding the case being heard this evening and we had a response from Kevin Connely, 2 Mahogany Drive, North East, Maryland.

Mr. Connely inquired:

1. Would this project decrease his property value? Mrs. Rhoades stated that should the Board of Appeals grant the variance; it would not be detrimental to other properties.
2. How will the property be accessed; how would patrons enter and exit the property? Mrs. Rhoades displayed the Concept Site Plan for Mr. Connely and pointed out where the entrances/exits were located.
3. Residents currently walk through Mr. Connellys yard to access the property, will there be a fence installed and if so, Mr. Connely hopes that it would meet the adjoining neighbor's fence to deter the pedestrian traffic. Mrs. Rhoades informed Mr. Connely that a fence was proposed to be installed between the Timberbrook development and the subject property as well as a landscape buffer.
4. Mr. Connely stated that he had no objection to the variance or project and was looking forward to the Texas Roadhouse's construction as he will not have to travel so far in the future to go to one.

Chairman Anderson inquired if anyone from the public would like to speak in favor of or not in favor of this case.

Ms. Jennifer Weaver, 2 Cypress Drive, North East, Maryland stated that this is the first time she has heard about this project. Ms. Weaver stated that she does not necessarily oppose the development but has some questions. Ms. Weaver stated that her property abuts the subject property and inquired if there would be landscape between the parking lot and the property line. Ms. Weaver stated that it is quite where she lives now and is concerned about additional noise. Mr. Matthai replied that there will be a landscape buffer, a retaining wall and a fence. Mrs. Vennell also commented that a landscape buffer, retaining wall and fence are required. Ms. Weaver stated that the trees on the site are currently dying and new landscape and fencing would be an improvement. Ms. Weaver inquired about the entrance off of Sycamore as she was concerned it would be right up against her property. Mr. Matthai displayed for Ms. Weaver the Concept Site Plan showing her that the entrance is not right up against her property. Ms. Weaver stated that she did not object to the project or variance.

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Chairman Anderson inquired if there were any additional comments, questions or submittals. Mr. Matthai replied no.

Chairman Anderson closed the Public Hearing at 7:45pm. Chairman Anderson stated that although the Public Hearing portion of the meeting was over the applicant was welcome to stay and listen to the deliberation or they may leave if they wish. The applicant decided to remain during the deliberation.

-NEW BUSINESS-

1. Case: A-2026-01-V- Decision.

Chairman Anderson inquired if the board members had any comments.

Mr. Polo stated that he had no additional comments nor any objection to the approval of the variance.

Chairman Anderson stated that she would like a condition that directional signs be installed diverting traffic from traveling through the Timberbrook development and instead directing traffic to Route 40.

Mrs. McCandless made a motion to approve the Texas Roadhouse's variance requests for a maximum 13foot (East) Front Yard setback variance to accommodate 8 parking spaces, a maximum 22 foot (South) Front Yard setback variance to accommodate 33 parking spaces and a maximum 5 foot (West) Side Yard setback variance to accommodate a portion of one parking space subject to the following condition:

1. Directional signs shall be installed diverting traffic from traveling through the Timberbrook development and instead directing traffic to Route 40.

Mr. Polo seconded the motion and the motion was approved by all.

-REPORTS-

None.

-MISCELLANEOUS-

1. Board of Appeals 2026 Meeting Schedule Revision.

The Board had no objection to the revision in the annual schedule.

-NEXT MEETING-

The next Board of Appeals meeting is scheduled for March 19, 2026.


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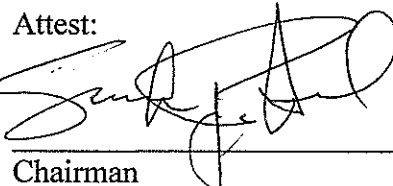
-ADJOURNMENT-

Mrs. McCandless made a motion to adjourn the meeting at 7:58 P.M. Ms. Patterson seconded the motion and the motion was approved by all.

Respectfully submitted:



Lisa Rhoades
Planning and Zoning Assistant

Attest:


Chairman

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