



**Town of Easton Board of Zoning Appeals  
Final Decision Summary**

Tuesday, January 21, 2025 at 9:00 a.m.  
Town Hall Chamber 2  
14 S. Harrison Street, Easton, Maryland

**Archived video of the meeting is available at:**  
[Town of Easton Agendas and Minutes](http://eastonmd.gov)  
[\(eastonmd.gov\)](http://eastonmd.gov)

**Attendance:**

**Board Members:**

18 Peter Cotter, *Esq.* Chairman  
19 Gary Molchan, Vice Chairman  
20 Zakary A. Krebeck  
21 Paul Weber, Alternate

**Staff:**

23 Miguel Salinas, Planning and Zoning Director  
24 Lynn B. Thomas AICP, Town Planner -  
25 Long Range  
26 Joseph Mayer, Plan Reviewer  
27 Nicholas Johnson AICP, Town Planner -  
28 Current  
29 Sharon Van Emburgh, *Esq.* Town Attorney  
30 Aaron Cooper, *Esq.* Legal Associate  
31 Samantha Smith, Administrative Specialist

**1. Call to Order** — Chairman Cotter called the meeting to order at 9:00 a.m.

**2. Decision Summary Review** —

**Vice Chairman Molchan moved to approve the December 17, 2024 Decision Summary. Chairman Cotter seconded the motion.**

|             |                              |
|-------------|------------------------------|
| <u>Vote</u> | <u>3 - 0</u>                 |
| FOR:        | 3 - Cotter, Molchan, Krebeck |
| AGAINST:    | 0                            |
| ABSTAIN:    | 0                            |
| ABSENT:     | 0                            |

**3. Applications** —

**a. File No.: SE - 1364 / SE 25 - 01**

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**Applicant:** Driller Ventures, LLC  
% Anthony P. Kupersmith, Esq.  
**Location:** 8171 Elliott Road, Easton, MD 21601  
Tax Map 0109, Grid 00EA, Parcel 4582, Lot 3-R  
**Zoning:** CG  
**Request:** The applicant is requesting a Special Exception pursuant to Section 28-201 of the Zoning Code (*Table 2.1 (6) (603.1)*) to be utilized as a Cannabis Dispensary\* in the CG - Commercial General Zoning District. The Applicant is proposing to operate a cannabis dispensary within the existing 3,192 square foot vacant building located on the subject property.

**Background:** On April 15, 2024, The Town of Easton Zoning Ordinance was amended through the passing of *Ordinance 809*. The Ordinance established regulations for cannabis dispensaries and other related uses by Special Exception within the Central Business (CB) and Commercial General (CG) zoning district subject to supplemental standards (Section 28-1007.2.A.18).

Staff recommends the following conditions:

1. Prior to the issuance of an occupancy permit, the Applicant shall provide the Town with an up-to-date local contact person (based in Talbot County) who shall be available and authorized to respond to complaints concerning any operational issues associated with the dispensary.
2. Prior to the issuance of an occupancy permit, the Applicant shall provide certification by a professional Engineer, Certified Industrial Hygienist, or other equivalently qualified professional that proposed odor control measures will effectively eliminate outdoor odors for all odor sources.
3. The cannabis dispensary shall not be open to the public prior to 9:00 a.m. or after 9:00 p.m. Operations not involving the public such as stocking shelves, completion of booking, etc., may occur outside this window.
4. Any subsequent change in ownership, tenancy, or operation will require a new application and approval for the continuation of the Special Exception use.
5. The Applicant shall obtain a Certificate of Occupancy within two (2) years after the date the Special Exception is granted. Failure to obtain a Certificate of Occupancy by January 21, 2027 shall void this approval.

**Staff Presentation:**  
Nicholas Johnson AICP, Planner  
Miguel Salinas, Director of Planning and Zoning  
Sharon Van Emburgh, Esq. Town Attorney

98 **Applicant Presentation:**  
99 Anthony P. Kupersmith *Esq.*

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101 **i. Oath to Testify** — Chairman Cotter called for all witnesses to declare and  
102 affirm under penalty of perjury that he or she solemnly swear to testify  
103 truthfully before the Board.

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105 **ii. Opening Statement** —

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107 **1.** Applicant Opening Statement — Mr. Anthony P. Kupersmith, *Esq.*  
108 addressed the Board on behalf of Driller Ventures, LLC with a  
109 brief introduction to the nature of the Special Exception request.  
110 Mr. Kupersmith detailed the existing features of the subject  
111 property, noting that at the time of this request, the property  
112 complies with the separation requirements for cannabis  
113 dispensaries as per Section 28-1007.2.A.18 of the Town Code. The  
114 Applicant has obtained a conditional license from the State of  
115 Maryland Cannabis Administration to operate a standard cannabis  
116 dispensary within Talbot County

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118 **iii. Testimony** —

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120 **1.** Mr. Kupersmith called Mr. Michael Dunaway to testify on behalf  
121 of Mrs. Mae Hauschel, the owner of Driller Ventures LLC. There  
122 were no objections.

123  
124 Mr. Dunaway provided a brief background of Mrs. Hauschel's  
125 experience working with retail cannabis in the State of California  
126 and Maryland, and described the proposed operational procedures  
127 for the dispensary including odor mitigation, compliance training,  
128 and security measures. As required by the State of Maryland  
129 Cannabis Administration, the Applicant has since received a  
130 certificate of completion (*Applicant Exhibit 1*) for the Maryland  
131 Responsible Vendor Training program. This program is recognized  
132 as a licensee and regulatory compliance training for retail  
133 establishments that sell, handle, or transport cannabis in the State  
134 of Maryland.

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136 **i. Cross Examination** — Chairman Cotter opened up  
137 cross examination for Mr. Dunaway's testimony.  
138 There was none.

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140 **2.** Mr. Kupersmith called Mr. Darryl A. Hill, CEO of TilStar and  
141 Green Bean, LLC to testify as an expert cannabis dispensary  
142 consultant. There were no objections.  
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Mr. Hill described his experience in cannabis distribution in the State of Maryland, highlighting the positive licensing advantages available to this application since the enactment of the Cannabis Reform Act. The Cannabis Reform Act of 2023 was enacted to support equity and economic opportunity in order to reach a large number of underserved and disproportionately impacted business owners and entrepreneurs in the State of Maryland’s adult-use cannabis market. Mr. Hill characterized the unique benefits of this location, and the potential economic opportunities for bringing a cannabis dispensary to the Town of Easton.

**i. Cross Examination** — Chairman Cotter opened up cross examination for Mr. Hill’s testimony. There was none.

**iv. Public Comment** — Chairman Cotter opened for public comment.

**1. Public Comment:**

Zachary A. Smith, *Esq.* on behalf of BGFY LLC  
Jackie Wisman  
Brooke Kimbrow  
Noah Matten, BGFY LLC  
Chris Cook, Bristol Realty

**2. Public Comment Written:**

Zachary A. Smith, *Esq.* on behalf of BGFY LLC

**v. Closing Testimony** —

**1. Applicant Closing Statement** — Mr. Kupersmith addressed each of the Special Exception findings for the proposed use, detailing that all operational requirements for this application have been met as per the supplemental standards of the Town of Easton Zoning Code and the State of Maryland. Mr. Kupersmith acknowledged a Special Exception for a cannabis dispensary that was conditionally granted by the Board (*SE - 1346 / SE 24 - 09*) and asserted that the separation requirements for this request have been met, as no other cannabis dispensary is currently in operation within the surrounding area at the time of this request. Mr. Kupersmith addressed concerns raised from the public regarding the parking easement, and asked the Board to consider allowing the Applicant to work with staff on a reasonable parking easement agreement.

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**vi. Recess** — Chairman Cotter moved for a brief recess to consult with legal counsel in a closed session, pursuant to Section 3-305(b)(7) of the General Provisions Article of the Maryland Annotated Code. Vice Chairman Molchan seconded the motion. The motion for recess was voted for unanimously at 10:23 a.m. The meeting was called to order at 10:39 a.m.

**vii. Board Deliberation for Special Exception *SE - 1364 / SE 25 - 01***

**Chairman Cotter moved to approve the Special Exception request subject to the following conditions:**

- 1. Prior to the issuance of an occupancy permit, the Applicant shall provide the Town with an up-to-date local contact person (based in Talbot County) who shall be available and authorized to respond to complaints concerning any operational issues associated with the dispensary.**
- 2. Prior to the issuance of an occupancy permit, the Applicant shall provide certification by a Professional Engineer, Certified Industrial Hygienist, or other equivalently qualified professional that the proposed odor control measures will effectively eliminate outdoor odors for all odor sources.**
- 3. The cannabis dispensary shall not be open to the public prior to 9:00 a.m. or after 9:00 p.m. Operations not involving the public such as the stocking of shelves, completion of booking, etc., may occur outside of this window.**
- 4. Any subsequent change in ownership, tenancy, or operation shall require a new application and approval for the continuation of the Special Exception use.**
- 5. The Applicant shall obtain a Certificate of Occupancy within two (2) years after the date the Special Exception is granted. Failure to obtain a Certificate of Occupancy by January 21, 2027 shall void this approval.**
- 6. The Applicant shall satisfy all provisions of the minimum parking requirements as deemed acceptable by the Town Attorney and Town staff.**

**Board Member Krebeck seconded the motion.**

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| <u>Vote</u> | <u>2 - 1</u>        |
| FOR:        | 2 - Cotter, Krebeck |
| AGAINST:    | 1 - Molchan         |
| ABSTAIN:    | 0                   |
| ABSENT:     | 0                   |

234 **4. Discussion Item** — None

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237 **5. Adjournment** — Chairman Cotter motioned to adjourn. Vice Chairman Molchan  
238 seconded. The meeting was adjourned at 10:49 a.m.