



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

Tuesday, July 15, 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:

Gary Molchan, Vice Chairman
Meredith Girard, Esq.
Paul Weber

Staff:

Miguel Salinas, Planning and Zoning Director
Lynn B. Thomas AICP, Town Planner - Long
Range
Joseph Mayer, Plan Reviewer
Nicholas Johnson AICP, Town Planner -
Current
Sharon Van Emburgh, Esq. Town Attorney
Aaron Cooper, Esq. Legal Associate
Samantha Smith, Administrative Specialist

1. **Call to Order** — Vice Chairman Molchan called the meeting to order at 9:00 a.m.
2. **Decision Summary Review** —

**Board Member Weber moved to approve the June 17, 2025 Decision Summary.
Board Member Girard seconded the motion.**

<u>Vote</u>	<u>3 - 0</u>
FOR:	3 - Molchan, Girard, Weber
AGAINST:	0
ABSTAIN:	0
ABSENT:	0

3. **Applications** —

- a. **File No.:** V - 1490 / V 25 - 04
- Applicant:** Rauch Inc. on behalf of Foundation of Hope Inc.
- Location:** 52 S. Washington Street, Easton, MD 21601
Tax Map 0104, Grid 0000, Parcel 1463
- Zoning:** CB
- Request:** The Applicant is seeking a Variance from the Development Standard in Section 28-1001.2.K of the Town of Easton Zoning Ordinance, the required ten (10) foot setback for any parking or maneuvering space to any street line, sidewalk or property line for a commercial use. The Applicant is proposing to construct a seven (7) space off-street parking facility to accommodate a new two-story, 5,135 square foot office building. The proposed parking area is located within a minimum of two (2) feet and maximum of four and one-half (4.5) feet from the northern side property line.

Background: A Certificate of Appropriateness (COA) for the proposed development was initially granted by the Town of Easton Historic District Commission on October 28, 2024 (application 2024-1318). The Certificate subsequently lapsed as no building permit was obtained within six (6) months from the date of its issuance. On June 9, 2025 the Historic District granted a new COA for the same scope of work (application 2025-1485).

On June 24, 2025, the Town of Easton Planning Commission approved the sketch site plan and architecture (application 2025-1454) subject to the condition that the Applicant adhere to the required ten (10) foot side setback for parking and maneuvering spaces, or obtain a Variance.

Staff Presentation:
 Nicholas Johnson AICP, Planner
 Miguel Salinas, Planning and Zoning Director

Applicant Presentation:
 Brian Fitzgerald, Rauch Inc.
 Keasha Haythe, Foundation of Hope, Inc.
 Alan Brock AIA, Crosby & Associates LLC

Public Comment:
 Harold DeBona, 11 South Street

Public Comment Written — None

Board Member Weber moved to approve the Variance request as submitted. Board Member Girard seconded the motion.

<u>Vote</u>	3 - 0
FOR:	3 - Molchan, Girard, Weber
AGAINST:	0

ABSTAIN: 0
ABSENT: 0

b. File No.: SE - 1489 / SE 25 - 07

Applicant: BFGY, LLC
% Zachary A. Smith, Esq.

Location: 8493 Ocean Gateway, Easton, MD 21601
Tax Map 0102, Grid 00EA, Parcel 2938B, Lot 4

Zoning: CG

Request: The Applicant is requesting a Special Exception pursuant to Section 28-1303.5 B of the Zoning Ordinance of the Town of Easton, use (6) 603.1 in Table 2.1 of Section 28-201 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 5,200 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 districts subject to supplemental standards (Section 28-1007.2.A.18).

Staff Presentation:

Nicholas Johnson AICP, Planner
Miguel Salinas, Planning and Zoning Director
Lynn B. Thomas AICP, Town Planner - Long Range
Sharon Van Emburgh, Esq. Town Attorney

Applicant Presentation:

Zachary A. Smith, Esq. on behalf of BGFY, LLC
Noah Matten, BGFY, LLC

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

ii. Opening Statement —

1. Mr. Zachary A. Smith, Esq. addressed the Board on behalf of BGFY, LLC with a brief introduction to the nature of the Special Exception request. On December 17, 2024 the Applicant was granted a Special Exception (SE - 1345 / SE 24 - 09) for the use of a Cannabis Dispensary* on a commercial property located at 8223 Elliott Road. A subdivision of the property was required in order to satisfy the minimum separation requirements from a House of Worship as per the supplemental standards of Section

28-1007.2.A18 of the Zoning Ordinance. On January 21, 2025, a Special Exception (SE - 1364 / SE 25 - 01) for a Cannabis Dispensary* use was granted to a different applicant at 8171 Elliott Road. This approval was conditionally granted by the Board as no other cannabis dispensary within the surrounding area was in operation at the time of the request. Considering these separational challenges, the Applicant is intending to pursue a Cannabis Dispensary* use at the newly proposed commercial property located at 8493 Ocean Gateway. Mr. Smith assured the Board that the Applicant would operate a dispensary at a single location. The Applicant will withdraw the remaining application upon securing vested rights for the chosen property. Mr. Smith described the subject property's prior commercial use, noting recent improvements to the intersection and pedestrian access; and emphasized the potential for infill development in the Commercial General (CG) zoning district.

iii. Testimony —

1. Mr. Smith called Mr. Noah Matten, owner of BGFY, LLC to testify. Mr Matten described the regulations for all retail cannabis dispensaries in the State of Maryland, highlighting the operational requirements for location, security, regular inspections, and third-party moderator auditing. Mr. Matten testified that odor control technology would be implemented as required by the Town of Easton Zoning Ordinance. He further attested that all products sold would be prepackaged, with no onsite consumption permitted. The Applicant has obtained a conditional license from the State of Maryland Cannabis Administration to operate a standard cannabis dispensary within Talbot County. This license shall remain valid as the dispensary commences operation.

iv. Public Comment — Vice Chairman Molchan opened for public comment.

1. Public Comment:
David Joy, Holiday Inn Express Easton
Megan Raughton, Quality Inn Easton
2. Public Comment Written:
Ramesh Patel, Asiya Hospitality
Sharma Law Group CHTD on behalf of Asya Hospitality
Andy Patel, Quality Inn Easton
Tristen Raughton
Anthony P. Kupersmith, Esq on behalf of Driller Ventures, LLC

v. Closing Testimony —

- 1. Applicant Closing Statement —** Mr. Smith addressed each of the Special Exception findings for the proposed use, further detailing that all operational and parking 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. Smith responded to concerns raised from the public regarding the proposed property's separation from neighboring hotels and assertions that hotels should be considered a residential use. He clarified that hotels are classified as a commercial use in the Town of Easton Zoning Ordinance, and that neither the Zoning Ordinance nor the State of Maryland legislation for cannabis specify any separation requirements from hotels. To alleviate these concerns, the Applicant proposed the installation of a landscape buffer along the northern property line. Mr. Smith addressed other concerns raised from the public, reiterating that the Applicant has been awarded one (1) conditional operational license from the State of Maryland Cannabis Administration. Mr. Smith asked the Board to consider reasonable conditions to the approval which will ensure compliance for the Special Exception.

vi. Board Deliberation for Special Exception *SE - 1489 / SE 25 - 07*

Vice Chairman Molchan moved to approve the Special Exception request subject to the following condition:

- 1. The Applicant shall provide staff a comprehensive site plan that incorporates a landscape buffer along the northern property line.**

Board Member Weber seconded the motion.

Vote	<u>3 - 0</u>
FOR:	3 - Molchan, Girard, Weber
AGAINST:	0
ABSTAIN:	0
ABSENT:	0

4. Discussion Item — None

- 5. Adjournment —** Vice Chairman Molchan motioned to adjourn. Board Member Weber seconded. The meeting was adjourned at 10:01 a.m.