

## MINUTES

Meeting: Kent County Board of Zoning Appeals  
 Date: April 19, 2021  
 Time: 7:00 P.M.  
 Location: Virtual Meeting/County Commissioners Hearing Room, 400 High Street, Chestertown, Maryland

Agenda Item/Case	Sitting for the Board	Action Taken	Vote
<p><b>MINUTES: March 15, 2021</b></p> <p>It was brought to the Board’s attention that Roseland Inc. (Special Exception #21-01 – Expansion of existing sand and gravel pit) - was sold to ASH Materials, LLC (a Delaware LLC) on April 8, 2021; the Board approved a special exception for the property on March 15, 2021.</p> <p>Kevin Shearon, DMS and Associates, and Andy Schlosser, former owner of Roseland, Inc., inquired as to whether or not the special exception remains valid.</p> <p>Christopher Drummond, Attorney for the Board, informed the Board that special exceptions run with the land, but Attorney Drummond said that Planning staff needs to ensure that the low intensity use that was approved in this case is not now being intensified. Planning staff will reach out to the new owners, ASH materials, LLC, to determine the intensity of use.</p>	<p>Dr. Albert Townshend, Chairman</p> <p>Joan Horsey, Member</p> <p>John Massey, Member</p> <p>David Hill, Alternate Member</p> <p>Mr. Christopher Drummond, Attorney for the Board</p> <p>Sandy Adams, Clerk</p>	<p>Ms. Horsey made a motion to approve the minutes, and Mr. Massey seconded the motion; the motion passed with all in favor.</p>	<p>Unanimous Approval</p>

Agenda Item/Case	Sitting for the Board	Action Taken	Vote
<p><b>#21-07 David and Eileen Smack – Special Exception – Adaptive Reuse of Historic Structure.</b></p> <p>The applicants are seeking a Board of Appeals Special Exception for an adaptive reuse of a historic structure for use as a tasting room operated in conjunction with their farm-based winery.</p> <p>The property is located at 22622 Handy Point Road in the First Election District and is Zoned Resource Conservation District (RCD).</p> <p>Two pieces of correspondence were received in support of the project and were read into the record.</p> <p>Mr. Massey announced that he has used Dr. Smack’s medical services in the past, but he feels that he can render a fair and impartial decision on the case.</p> <p><u>Planning Staff:</u> William Mackey, Director</p> <p><u>Applicant(s)/Representative(s):</u> Dr. David Smack, applicant/owner; and Buck Nickerson, Extreme Measures, LLC</p> <p>Both gentlemen were sworn in.</p> <p>Dr. Smack presented his case.</p>	<p>Dr. Albert Townshend, Chairman</p> <p>Joan Horsey, Member</p> <p>John Massey, Member</p> <p>David Hill, Alternate Member</p> <p>Mr. Christopher Drummond, Attorney for the Board</p> <p>Sandy Adams, Clerk</p>	<p>Mr. Massey made a motion to grant the special exception for the Adaptive Reuse of Historic Structure with the following condition(s):</p> <ul style="list-style-type: none"> <li>• Conditioned upon site plan approval.</li> </ul> <p>Ms. Horsey seconded the motion; the motion passed with all in favor.</p>	<p>Unanimous Approval</p>
<p><b>Adjourn</b></p>		<p>Ms. Horsey made a motion to adjourn the meeting, and Mr. Massey seconded the motion; the motion passed with all in favor. The meeting adjourned at 7:35 p.m.</p>	<p>Unanimous Approval</p>

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Dr. Albert Townshend, Chairman

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Sandy Adams, Clerk