

**MINUTES OF A MEETING OF THE BOARD OF APPEALS  
TUESDAY, JULY 20, 2021**

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Chairperson Carol Long called the meeting to order at 7:00 p.m. *Members Present:* Chairperson Carol Long, Vice-Chairperson Sara Sweeney, Linda Moser, and Natalie Mose *Members Absent:* Scott Race.  
*Staff Present:* Reiley Stanley, Town Planner/Zoning Administrator, Police Chief Kevin Morgan

**APPROVAL OF MINUTES:**

Motion by Linda Moser, second by Natalie Mose to approve the meeting minutes of the January 19, 2021, minutes.

**Docket No. BZA21-01**

To hear a Special Exception Request by Susan Zimmerman and Kind Therapeutics, appellant, to establish a medical cannabis dispensary (Sec.305. G.82), located at 7700 Old National Pike, Boonsboro, and zoned General Commercial (GC).

The Zoning Administrator denied the request under Sections 305 of the Zoning Ordinance, which does not specifically state a permitted use.

**Testifying For:**

The Appellant, David Kloos testified in front of the board. Mr. Kloos began a presentation to the Board. (attached to minutes). In the presentation, he stated all the uses that medical cannabis would be good for. He also stated that they already have a grower's license in the state of Maryland that they are currently using in Hagerstown and have had no problems with the police or FDA at this location. He stated that he thinks that this would be a great business to bring to the Town of Boonsboro because it is a growing business and the tax base for the Town would be huge. He also played testimonials from patients that have seen improvement working with different medical cannabis dispensaries especially in the State of Maryland.

Kim LaBrush stated that she is for the use in the Town as she goes to the dispensary that is in Hagerstown (no relation to Kind) and must wait over an hour in line for her medication during their peak times. She states that this would be beneficial to the Town but also thinks the applicant should look at a different location because this area of Town does see a lot of traffic especially during the morning and evening commutes and it would make it less appealing to visit this site.

Rick & Christi Weaver were both in favor for this use in the Town. They believe it would be beneficial.

**Testifying Against:**

Kim Nally stated that she works in the medical field, and she has seen what marijuana has done to patients and does not believe that this use should be in Town due to what she has seen professionally.

Pat West stated that he does not like the area of Town that this is projected for. He stated that traffic will be very busy, and this would cause more problems.

B. Asway stated they were not in favor of this use. It would bring more problems to the Town than do good.

Many other members of the Town began to express their concerns with this use that would be going in at this location. They were concerned of traffic, building plans, police presence and even break ins.

**Town Planner Discussion:**

Town Planner Stanley read emails from the Worton Family, John Lloyd, and Jackie Davis (attached to minutes) summarizing their concern and worry for a medical cannabis dispensary to be placed in Town.

She also stated that the Town Staff has been working with this applicant for a few months to grasp a better understanding about what they are trying to do in Town. This meeting is to give them a right to the use not necessarily a right to the building layout or traffic pattern. That would be up to the Planning Commission.

**Board Discussion:**

The Board entertained a brief discussion amongst the group. Member Sara Sweeney asked the applicant if they had contacted the State Highway Administration to see what they would say about this? The applicant stated they had not started this process yet. The Board all agreed that was going to be a problem because if the Hagerstown location is seeing lines out to the streets, then this location would cause a huge backup with no plans. The members also asked the applicant if they had thought about a safety plan and the applicant did explain that they would have their own police present and rely on Town Police if anything were to get out of hand and they needed help.

**Action on BZA Case No 21-01:**

**Chairperson Long asked for all in favor, Member Moser voted in favor. Members Mose and Sweeney voted against. The application was denied in a vote 1-2.**

**Adjourn**

There being no more business to come before this meeting of the Board of Appeals, Chairperson Long declared the meeting adjourned.

BOARD OF APPEALS  
FOR THE TOWN OF BOONSBORO

Linda Moser, Secretary  
January 18, 2022