

**TOWN OF ELKTON  
BOARD OF ZONING APPEALS  
JULY 22, 2021  
MINUTES**

**Present:** Robert Olewine; Heather Mahaffey; Shirley Hicks; Chip Bromwell, Zoning Administrator; Lisa Blackson, Esq., Legal Counsel

**Absent:** Kelly Bedder; Dawn Schwartz

The meeting was called to order by Mr. Olewine. He called for a motion to approve the minutes from the June 17, 2021 meeting.

**ACTION:** Motion was made by Ms. Hicks to approve the minutes from the June 17, 2021 meeting as written. The motion was seconded by Ms. Mahaffey with the remaining Board members voting as follows: Mr. Olewine – Aye. The motion passed unanimously.

**CASE # 1584 – REQUEST OF TYLER ROBERTS, COO REPRESENTING CENTER FOR INTERVENTIONAL PAIN SPINE, LLC, FOR A SPECIAL EXCEPTION FOR A MEDICAL USE AT 360 E. PULASKI HIGHWAY, SUITE 3B, TAX MAP 033B, PARCEL 2384, ZONED C-2 (HIGHWAY COMMERCIAL)**

Ms. Jennifer Colonna was in attendance to represent the Center for Interventional Pain Spine, LLC for the medical use special exception request.

Ms. Colonna stated they are proposing to open an additional office in Elkton to see patients in this area. Mr. Olewine asked if the proposed office would be located at 360 E. Pulaski Highway

Mr. Olewine asks the number of patients which would be seen at this location. Ms. Colonna stated initially it would be a smaller number and as they are established the patient load will likely grow. She stated they would have approximately 100 patients a week to start.

Mr. Olewine mentioned that this location also accommodates other doctor's offices. Ms. Colonna confirmed that there are other doctors in the building and there is a surgery center on the first floor. Mr. Olewine asked how many doctors would be working out of their office. She stated since they are just starting, and they currently have offices in Delaware and Pennsylvania, they are proposing 3 medical professionals consisting of two (2) licensed physicians and one (1) nurse practitioner licensed through the State of Maryland.

Mr. Olewine entertained any questions from the other Board members. Ms. Mahaffey asked if the patients would be seen by appointment only. Ms. Colonna confirmed patients are seen by appointment only.

Mr. Bromwell asked if Tyler Roberts is a physician. Ms. Colonna noted that Mr. Roberts is the Chief Operating Officer of the company. Mr. Bromwell stated, as a procedural issue, his understanding was that at least one of the physicians needed to attend the meeting since the special exception goes to the physician and not the company. He asked Ms. Blackson for her interpretation as legal counsel. Ms. Blackson stated the special exception is for up to three (3) physicians and she suggested placing a condition on the special exception that the names of the doctors would need to be provided prior to them being in practice at this location. Ms. Colonna stated they would provide that information to the Town.

Mr. Olewine asked if any audience member had any questions. There was no one in the audience who wished to speak for or against this request.

Mr. Olewine read the Planning Commission recommendation (see copy attached) from their July 12, 2021 meeting.

Ms. Colonna stated that if the Board or the Town require any additional information to let them know and they will provide it.

Mr. Bromwell asked if any work is being done in the building at this time. Ms. Colonna stated they have not signed a lease as yet and that no work is being done. The only thing they will need to do upon taking possession of suite is cosmetic work, such as painting.

**MOTION: Motion was made Ms. Mahaffey to approve the special exception for the Center for Interventional Pain Spine, LLC. The motion was seconded by Ms. Hicks with the remaining Board member voting as follows: Mr. Olewine – Aye. The motion passed unanimously.**

**OLD BUSINESS:** Mr. Bromwell stated that Mr. Riddle was unable to attend to address the case for Capricorn Health as he is out of the state. He confirmed the business is now in good standing with the State of Maryland. He said he believed they will be attending the August meeting. Ms. Blackson mentioned that Mr. Riddle had forwarded a request that the case be postponed to the August meeting.

**MOTION: Motion was made by Ms. Mahaffey to move the Capricorn Health case to the August meeting. The motion was seconded by Ms. Hicks. Mr. Olewine voted in favor of the motion and the motion passed unanimously.**

**NEW BUSINESS:** None

Mr. Olewine asked if there were any cases submitted for the August meeting. Mr. Bromwell noted two variance cases, one in Patriots Glen and one at Big Elk Mall for Harbor Freight Tools.

**NEXT MEETING:** Mr. Olewine stated the next meeting of the Board of Zoning Appeals will be Thursday, August 19, 2021.

There being no further business to discuss Mr. Olewine adjourned the meeting at 6:19 p.m.

Respectfully submitted,

Brie Humphreys