

BEFORE THE TOWN OF DENTON BOARD OF APPEALS

IN RE: STERLING'S DREAM LLC
APPLICATION FOR
SPECIAL EXCEPTION FROM THE
DENTON TOWN CODE §128-15 AND
§128-75.D FOR COMBINATION USE

CASE NO. BOA-26-001

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MINUTES, FINDINGS OF FACT, CONCLUSIONS AND DECISION

The Board of Appeals held a Public Hearing on Tuesday, June 8, 2026, at 6:00 p.m., at the Denton Town Office to consider an application for a Special Exception for Sterling's Dream, (hereinafter, the "Applicant").

Board Members present were Chairperson Troy Livingstone, Vice Chairperson Mary "Lori" Schmidt, and Board Member Florence Doherty. Also present were Counsel for the Board, Lyndsey Ryan, Superintendent of Public Works, Mark Chandler, and Project Manager, Katie Northam. The Applicant, Ashley Colen, and Applicant's Attorney, Steve Meehan, were present.

PROCEDURAL HISTORY

On April 20, 2026, the Applicant filed an application with the Board of Appeals seeking Special Exception approval for a Combination Use consisting of industrial and wholesale, distribution, and storage uses to be located at 65 Engerman Avenue, Denton, Maryland, Caroline County Tax Map 108, Parcel 2359, Lot 13.

The application was advertised in the Times Record for two consecutive weeks on May 20th and May 27th, a sign was posted on the property on April 29th, and all property owners within 200 feet of the property received written notification of the Public Hearing. All public notice requirements have been satisfied.

SUMMARY OF PROCEEDINGS, TESTIMONY AND EVIDENCE

On June 8, 2026, Chairperson Livingstone opened the Public Hearing at 6:00 p.m., followed by the Pledge of Allegiance.

Board Member Doherty made a motion to nominate Troy Livingstone as the Chairperson, seconded by Board Member Schmidt, passed unanimously (3:0).

Board Member Schmidt made a motion to nominate Florence Doherty as the Vice Chairperson, seconded by Chairperson Livingstone, passed unanimously (3:0).

Vice Chairperson Doherty read the Public Notice Advertised in the Times Record for BOA-26-001 into the record.

Chairperson Livingstone swore in Ashley Colen.

The Applicant for Sterling's Dream, Ashley Colen, provided a brief summary of the application. Ms. Colen informed the Board that Sterling's Dream has received stage one approval from the Maryland Cannabis Administration (MCA) to operate its cannabis processing facility. Sterling's Dream is proposed to be located at 65 Engerman Ave, Unit 2. The building currently has two tenants: Donovan Marine, the building owner, and SBA. Both tenants have provided letters of support for Sterling's Dream's intended use. Sterling's Dream proposed activities fall within the principal land use category of industrial, which is a permitted use in the location. The proposed use is consistent with the Town's Comprehensive Plan adopted in 2022 and aligns with the spirit and intent of that chapter. The proposed use is permitted by the Zoning Ordinance within the industrial zone and is suitable for its intended purpose. The use is located within the industrial zone, and the exterior of the building will remain unchanged. The proposal involves employing six individuals, with working hours from 7:00 AM to 7:00 PM, which are standard working hours and have minimal impact, likely less than any other potential users of the building.

Member Schmidt questioned if they would be growing cannabis in the building.

Ms. Colen stated there would be no growing of cannabis. She added that the business would not operate similar to CULTA, which is a different cannabis business. She said that all of their biological material is frozen, maintained at a constant low temperature, and processed immediately. Consequently, there is no odor mitigation factor, but they will still have carbon

scrubbers to address any potential issues. She said the process is not equivalent to traditional cultivation.

Vice Chairperson Doherty noted that according to Maryland regulations, cannabis is intended to be delivered in a single stream, ensuring that it remains in one continuous flow. She referenced the Applicant's proposed use narrative, page 4 that states Maryland has a single supply chain of cannabis products, and the production, processing, transportation and sale of cannabis products are strictly regulated.

Ms. Colen said the term "delivery requests" refers to obtaining cannabis from legal sources within the State's borders. The Maryland Cannabis Administration (MCA) mandates the meticulous tracking of all activities from seed to sale. Consequently, their facility situated at Engerman Avenue functions as a processing center. They adhere to the regulations cited by Vice Chairperson Doherty and do not engage in out-of-state sourcing or selling. Their shop located in Grasonville, Maryland, would sell the items. While the company oversees the process, they are not directly growing or selling the products at this location in Denton, as such activities are prohibited within the same location.

Vice Chairperson Doherty was unclear of what was to be remodeled in the unit.

Ms. Colen indicated that the construction will solely focus on the kitchen and laboratory area, which were highlighted in red. The white area will remain undisturbed and will be solely in unit (2) two.

Vice Chairperson Doherty questioned the name of the entity on the license issued by the MCA, the tenant of the property, and the applicant in front of the Board. Ms. Colen explained the relationship and said that the listed tenant on the property is Hippocratic Growth Group LLC, who will be utilizing the license issued to Sterling's Dream.

Ms. Colen clarified that Sterling's Dream is merging with Hippocratic Growth. Sterling's Dream is the licensed entity with the MCA. Ms. Colen is also the representative for Ms. Kelly Butts, who currently holds sole ownership of Sterling's Dream. The license will be held by both Hippocratic Growth and Sterling's Dream. Hippocratic Growth is Ms. Colen's company, and they are purchasing into Sterling's Dream's license held by Kelly Butts.

Lyndsey Ryan, Town Attorney, informed the Board that the application was appropriately submitted by Sterling's Dream, as the licensed entity. However, Ms. Ryan advised that if the Board

approves this type of use at the property, subsequent owners will be able to continue the use as the approval runs with the land. Therefore, even if another entity were to come in and operate it, as long as they were operating it under the same State parameters, such as processing and the same impact, they would be permitted to continue operating it.

Chairperson Livingstone conveyed the favorable recommendation from the Planning Commission to the Board. The conditions for the business hours are strictly from 7:00 AM to 7:00 PM, Monday through Friday. Any modifications to these hours requires approval from the MCA and the Town, in addition to ensuring adequate parking facilities.

Chairperson Livingstone inquired about any residents' comments regarding the application.

Mrs. Ryan noted there were no additional public comments beyond the (2) two letters that were received in favor of the application, which were the property owner and the other tenant.

Board Member Schmidt wanted to clarify that there would be no growing on the property.

Ms. Colen confirmed that was correct and acknowledged that if they wanted to make any changes they would need to come back to the Board of Appeals for approval.

Board Member Schmidt questioned security for the building.

Ms. Colen explained security requirements of the MCA and said that they have high-definition cameras surrounding the area.

DELIBERATIONS

During and following the receipt of all testimony and evidence, the Board deliberated in Open Session.

Chairperson Livingstone stated he agreed with the information that the applicant provided for the special exception

The Attorney to the Board advised the Board that the staff report and the special exception narrative were exceptionally detailed and could be instrumental in elucidating how this particular application aligns with the specific criteria for a special exception, provided the Board thoroughly reviewed it and agreed. She advised the Board that they may acknowledge having read the narrative and concur with the position presented within it, thereby adopting that as their findings.

Vice Chairperson Doherty stated she was in favor of granting the special exception for the combination use based on the deliberations and adopted the findings contained within the applicant's application as the Board agreed with the findings and determined that the application met the necessary criteria for a special exception.

FINDINGS AND DECISIONS

Special Exception Request – Vice Chairperson Doherty made a motion to grant the Special Exception application filed by Sterling's Dream LLC, BOA-26-001, for an additional use and to operate a licensed cannabis processor, and to adopt and incorporate the findings contained with the applicant's application for the special exception.

The motion incorporated the proposed Findings of Fact on the four conditions of the Special Exception Criteria as follows from the Board of Appeals meeting dated June 8, 2026:

- (a) In accord with the Town's Comprehensive Plan and consistent with the spirit, purposes, and intent of this chapter.

In accordance with the Town's Comprehensive Plan due to the fact it is permitted as a Special Exception use in the Industrial (I) District.

- (b) Suitable for the property in question and designed to be in harmony with and appropriate in appearance with the existing or intended character of the general vicinity.

The existing industrial structure is in harmony with the intended character of the general vicinity.

- (c) Suitable in terms of effects on street traffic and safety with adequate access arrangements to protect streets from undue congestion and hazard.

Allowing a combination of industrial and warehousing/distribution uses will not significantly impact present and future transportation patterns and will not create undue congestion or traffic hazards.

- (d) Not detrimental to the property values of adjacent development, do not adversely affect the health, safety, and general welfare of residents of the area, and will not adversely affect the area and surrounding property with adverse

environmental effects such as undue smoke, odor, noise, improper drainage, or inadequate access.

This use will not impact the property values and will not adversely affect the health, safety, and general welfare of residents of the area or the surrounding area. This use does not cause any environmental effects such as undue smoke, odor, and noise. The parking regulations will require sufficient parking spaces.

Chairperson Livingstone seconded the motion. The motion passed 3:0.

Staff Item – None.

The meeting on June 8, 2026, adjourned at 6:23 p.m.

ATTEST:

DENTON BOARD OF APPEALS:

Katie Northam

Troy Livingstone, Chairperson

Date

Florence Doherty, Vice Chairperson

Mary “Lori” Schmidt, Board Member