



City of Salisbury

AGENDA

REGULAR MEETING

October 3, 2024

Government Office Building
Route 50 & N. Division Street
Council Chambers, Room 301, Third Floor

6:00 P.M. - Call to Order – Shawn Jester

Board Members: Shawn Jester, Sandeep Gopalan, Maurice Ngwaba, William Hill, and Miya Horsey.

MINUTES – February 1, 2024, May 2, 2024, and August 1, 2024.

ZONING PUBLIC HEARINGS: Case #202401104 – Greenlake Adult Medical Daycare Services, LLC – Special Exception to Operate a Daycare Facility – 224 Phillip Morris Drive – Light Business and Institutional District.

Case #202401105 – Lisa Dale – Special Exception to Operate a Restaurant – 620C West Naylor Mill Road – Light Industrial District.

ADMINISTRATIVE MATTER: Case #SA-23-1265 Extension Request - Parker & Associates, Inc., on behalf of Vestoge Salisbury MD, LLC – Special Exception to Increase Density to 14.98 Units per Acre – 30591 Dagsboro Road – R-10A Residential District.

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****PUBLIC INPUT** – Public comments as part of the public hearings for each case are welcome but are subject to a time allotment of two (2) minutes per person.

The Board of Appeals reserves the right to convene in Closed Session as permitted under the Annotated Code of Maryland, General Provisions Article, Section 3-305(b).



MINUTES

The Salisbury Board of Appeals met in regular session on February 1, 2024, in Room 301, Government Office Building at 6:00 p.m. with attendance as follows:

BOARD MEMBERS:

Shawn Jester, Chair
Edward Torbert
Miya Horsey (via Zoom)

Sandeep Gopalan, Vice Chair (Absent)
William Hill (Absent)
Maurice Ngwaba (Absent)

CITY STAFF:

Henry Eure, Senior Planner
Brian Soper, City Planner
Beverly Tull, Recording Secretary
Laura Ryan, City Solicitor

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Mr. Jester called the meeting to order at 6:00 p.m.

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MINUTES:

Due to lack of a quorum from the December 7, 2023 and the January 4, 2024 meetings, the approval of minutes from the December 7, 2023 and January 4, 2024 meetings were postponed until the next meeting.

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Mr. Eure administered the oath to anyone wishing to speak before the cases heard by the Salisbury Board of Appeals.



City of Salisbury

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Case #202400024 – Becker Morgan, on behalf of TidalHealth Peninsula Regional, Inc. – Special Exception to Construct a Clinic – 805 E. Church Street – R-5A Residential District.

Mr. Mark Cropper and Mr. Kevin Parsons came forward. Mr. Eure presented the Staff Report and all accompanying documentation into the record. Mr. Eure explained that the applicant requested permission to construct a 16,846 sq. ft. residential community clinic at the referenced address, which is located in the R-5A Residential zoning district. A special exception is required for the proposed use. Mr. Eure moved the Staff Report into the record.

Mr. Jester moved the Staff Report into the record.

Mr. Cropper had Mr. Parsons introduce himself and questioned if he agreed with the Staff Report. Mr. Parsons responded in the affirmative. Mr. Cropper questioned the start date of the project. Mr. Parsons respnded that construction should begin in the summer. The project is in stage two (2) of the review process and the City has three (3) stages of review.

Mr. Torbert stated that this is appropriate for the property to become a medical clinic like it was in the beginning.

Mr. Jester noted that he grew up close to this area and the proposed rendering does resemble the original Hotel Esther.

Upon a motion by Mr. Torbert, seconded by Ms. Horsey, and duly carried, the Board **APPROVED** the Special Exception to construct a residential medical clinic at 805 E. Church Street, based on the criteria listed in the Staff Report, particularly the criteria listed in Section V(c)

CONDITIONS:

1. Subject to further review and approval by the Salisbury Department of Infrastructure and Development, the Salisbury Fire Department, and other agencies as appropriate.

The Board vote was as follows:

Edward Torbert	Aye
Miya Horsey	Aye
Shawn Jester	Aye



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ADMINISTRATIVE MATTER:

Case #202300334 – Cristo Vive Church – 12-Month Extension Request for Enlargement of a Legal Nonconforming Structure and a 27.7 ft. Side Yard Setback Variance – 1308 Westchester Street – R-10 Residential District.

Mr. Eure explained the requested 12-month extension. Mr. Jester moved the May 4, 2023 decision letter into the record. Mr. Eure requested that the Board grant the 12-month extension from the date that the original approval would expire, May 4, 2024. If granted, the new expiration on the approval would be May 4, 2025.

Mr. Soper noted for the record that the engineering plans have been submitted but will not be through the final review and ready to apply for a permit by May 4, 2024 when the original approval would expire. Mr. Eure added that the Church had to make some changes to the plan because of the denial of front yard setback request.

Upon a motion by Mr. Torbert, seconded by Ms. Horsey, and duly carried, the Board **APPROVED** a 12-month extension, until May 4, 2025, to exercise the **APPROVED** 27.7 ft. Side Yard Setback Variance and the **APPROVED** Enlargement of a Legal Nonconforming Structure.

The Board vote was as follows:

Edward Torbert	Aye
Miya Horsey	Aye
Shawn Jester	Aye

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DISCUSSION – SALISBURY BOARD OF APPEALS HANDBOOK AMENDMENTS.

Mrs. Ryan discussed that proposed amendments to the Salisbury Board of Appeals Handbook. She specifically pointed out the added language about the Pretrial Rules. These amendments must be voted on by the Board at a future meeting and then sent to the City Council to be adopted. There is no deadline to have the updated Handbook adopted.

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Mr. Soper announced his resignation to the Board and thanked the Board members for the service. He also thanked Staff and Legal for their assistance during his tenure with the City of Salisbury.



City of Salisbury

Mr. Jester thanked Mr. Soper for his service as both a former Board of Zoning Appeals member and a Staff member for the City.

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ADJOURNMENT

With no further business, the meeting was adjourned at 6:50 p.m.

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This is a summary of the proceedings of this meeting. Detailed information is in the permanent files of each case as presented and filed in the City of Salisbury Department of Infrastructure and Development Department.

Shawn Jester, Chair

Richard Baldwin, Secretary to the Board

Beverly R. Tull, Recording Secretary



MINUTES

The Salisbury Board of Appeals met in regular session on May 2, 2024, in Room 301, Government Office Building at 6:00 p.m. with attendance as follows:

BOARD MEMBERS:

Shawn Jester, Chair
William Hill
Miya Horsey (via Zoom)

Sandeep Gopalan, Vice Chair (Absent)
Edward Torbert (Absent)
Maurice Ngwaba (Absent)

CITY STAFF:

Henry Eure, Senior Planner
Beverly Tull, Recording Secretary
Laura Ryan, City Solicitor

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Mr. Jester called the meeting to order at 6:00 p.m.

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MINUTES:

Due to lack of a quorum, the Board postponed the minutes of the February 1, 2024 and April 4, 2024 minutes until the next meeting.

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Mr. Eure administered the oath to anyone wishing to speak before the cases heard by the Salisbury Board of Appeals.



City of Salisbury

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RE: Case #2024004232 – Erin Failaev/Benelena Re LLC – 2 ft. Fence Height Variance to Erect a 6 ft. Tall Fence in the Front Yard Setback – 200 New York Avenue – R-8 Residential District.

Mr. Avraham Failaev and Mrs. Erin Failaev came forward. Mr. Eure presented the Staff Report and all accompanying documentation into the record. Mr. Eure explained that the applicant requested permission to raise an existing 4 ft. tall fence located within the front yard setback to 6 ft. in height. Board approval of a 2 ft. fence height variance is requested.

Mrs. Failaev explained that the fence height increase is for extra protection for their property. She submitted **Applicant’s Exhibit A** which was a letter of support from two (2) of the neighbors that reside at 109 and 107 New York Avenue.

Mr. Will questioned if the variance was approved if the approval was for the height or the design. Mr. Eure responded that the Board could approve either one if they wished to condition the design. The request was for a height variance.

Upon a motion by Mr. Hill, seconded by Ms. Horsey, and duly carried, the Board **APPROVED** the requested 2 ft. Fence Height Variance to retain a 6 ft. tall fence within the front yard setback along Miles Street, based on Section V (c) of the Staff Report and the testimony that was received from the applicant and the exhibits submitted by the applicant.

The Board vote was as follows:

Miya Horsey	Aye
William Hill	Aye
Shawn Jester	Aye

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ADJOURNMENT

With no further business, the meeting was adjourned at 6:19 p.m.



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This is a summary of the proceedings of this meeting. Detailed information is in the permanent files of each case as presented and filed in the City of Salisbury Department of Infrastructure and Development Department.

Shawn Jester, Chair

John W. Tull, Secretary to the Board

Beverly R. Tull, Recording Secretary



MINUTES

The Salisbury Board of Appeals met in regular session on August 1, 2024, in Room 301, Government Office Building at 6:00 p.m. with attendance as follows:

BOARD MEMBERS:

Shawn Jester, Chair
Maurice Ngwaba
William Hill (VIA ZOOM)

Sandeep Gopalan, Vice Chair (Absent)
Edward Torbert (Absent)
Miya Horsey (Absent)

CITY STAFF:

Henry Eure, Senior Planner
Beverly Tull, Recording Secretary
Heather Konyar, City Solicitor

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Mr. Jester called the meeting to order at 6:05 p.m.

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MINUTES:

Due to lack of a quorum, the Board postponed the minutes of the February 1, 2024 and May 2, 2024 minutes until the next meeting.

Upon a motion by Mr. Hill, seconded by Mr. Ngwaba, and duly carried, the Board **APPROVED** the minutes of the April 4, 2024 meeting as submitted.

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Mr. Eure administered the oath to anyone wishing to speak before the cases heard by the Salisbury Board of Appeals.



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RE: Case #202400799 – Parker & Associates, Inc., on behalf of Tabernacle of Prayer – Special Exception to Enlarge an Existing Church with a 10,303 sq. ft. Addition – 143 Mitchell Road – R-5A Residential District.

Mr. Brock Parker and Pastor Dave Edwards came forward. Mr. Eure presented the Staff Report and all accompanying documentation into the record. Mr. Eure explained that the applicant proposes to construct a 10,303 sq. ft. addition for a fellowship hall, kitchen, and classrooms. The City's Zoning Code allows churches in the R-5A Residential Zoning District by special exception. A change in the special exception is being requested for the proposed addition.

Mr. Parker stated that they concurred with the Staff Report. He discussed the special exception being an extra tier of approval for uses not permitted by right in the zoning district. The Church is a good community staple and has been there for over 35 years. The addition will bring more life to the Church by adding classrooms for Sunday school, a kitchen and fellowship hall, and a few office spaces. The current parking lot is a mixture of stone and grass but will be paved with the addition to the building. New landscaping will be installed. The construction of the addition will comply with all stormwater management requirements and bring the site into compliance.

Mr. Ngwaba stated that the Church is good for the community.

Mr. Jester questioned why the addition didn't occur when it was approved in 2010. Pastor Edwards responded that doing the addition didn't work out for the Church. He explained that his father had built the Church and in 2010 his mother pastored the Church. Pastor Edwards added that he feels like now is the time for him to enlarge the Church.

Mr. Jester questioned the number of parking spaces that would be provided. Mr. Parker responded that there would be approximately 80 spaces. Mr. Jester questioned the number of vehicles that are there on Sundays. Pastor Edwards responded that there is an average of 25 vehicles on Sundays.

Upon a motion by Mr. Hill, seconded by Mr. Ngwaba, and duly carried, the Board **APPROVED** the special exception to enlarge an existing church with a 10,303 sq. ft. addition, based on Section V (c) of the Staff Report and subject to the following Condition of Approval:

CONDITION OF APPROVAL:

1. The parking lot shall be constructed as shown on the site plan, including the landscaped islands, and shall be paved with an all-weather material as required by the Salisbury Zoning Code, prior to issuance of a Certificate of Occupancy for the proposed addition.



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The Board vote was as follows:

Maurice Ngwaba	Aye
William Hill	Aye
Shawn Jester	Aye

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ADJOURNMENT

With no further business, the meeting was adjourned at 6:25 p.m.

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This is a summary of the proceedings of this meeting. Detailed information is in the permanent files of each case as presented and filed in the City of Salisbury Department of Infrastructure and Development Department.

Shawn Jester, Chair

Nick Voitiuc, Secretary to the Board

Beverly R. Tull, Recording Secretary

Department of Infrastructure & Development
125 N. Division St., #202 Salisbury, MD 21801
410-548-3170 (fax) 410-548-3107
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STAFF REPORT

MEETING OF OCTOBER 3, 2024

Case No. 202401104
Applicant: Greenlake Adult Medical Daycare Services, LLC
Property Owner: 224, LLC
Location: 224 Phillip Morris Drive
Tax Map: #0121, Grid #0024, Parcel #2578, Lot #U2
Zoning: Light Business & Institutional District
Request: Special Exception – Daycare Facility for Elderly and Handicapped

I. SUMMARY OF REQUEST:

The applicant proposes establishment of an adult daycare service for up to 30 clients. Board approval of a Special Exception for the adult daycare facility is requested.

II. ACCESS TO THE SITE AREA:

The site has frontage and access on the both Phillip Morris Drive and Dallas Drive. **(Attachment 1)**

III. DESCRIPTION OF PROPERTY:

This site is 8.11 acres in size and has been improved with two (2) buildings that have several condo units. A 5,434 sq. ft. unit will be occupied by the daycare. **(Attachment 1)**

IV. DESCRIPTION OF SURROUNDING AREA/NEIGHBORHOOD:

The surrounding area comprises mostly the same zoning district, but also includes the following City zoning districts: Planned Development District #1 (PDD#1), Regional Commercial, Residential R-10, and also some residential properties that are outside the City's jurisdiction.

There are a variety of uses in the neighborhood. To the immediate west is PDD #1, which has several lots that are currently unimproved. Further west, properties are again in the LBI district, and include with Emmanuel Church and LinkBank. The north is bordered by Island Club apartments, and is also in the LBI district. Immediately to the east, fronting



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along Phillip Morris Drive are a number of single family homes that fall under the County's jurisdiction. Also outside of City limits and across Phillip Morris Drive are some undeveloped properties as well as Christ United Methodist Church. Children's Medical Group and Chesapeake Health Pediatrics are also along Phillip Morris Dr., but are in the City's LBI District. The south side of Rt. 50 is also in the LBI district, and includes some unimproved farm fields, Woodbrooke Medical complex, and single family residential uses on Phillip Morris Drive.

V. EVALUATION:

- (a) **Discussion:** The applicant proposes establishment of a daycare center for up to 30 clients, with at least six (6) staff members on campus during operating hours. **(Attachment #2)** The Code requires a special exception for daycare facilities for the elderly and handicapped in the Light Business & Institutional District.

Greenlake Adult Medical Daycare intends on utilizing approximately 5,400 sq. ft. of the existing multiple tenant office building for the daycare center. It will feature two (2) large multi-purpose rooms and game area for the clients, as well as a conference room, eating area, and offices for the employees. **(Attachment #3)**

The Zoning Code requires parking spaces for a daycare center to be provided at a rate of one (1) space per five (5) clients and one (1) space per employee. At full capacity, a total of 12 parking spaces will be required; adequate parking is provided on the campus.

- (b) **Impact:** Staff believes this use will have minimal impact on adjacent properties, but has the potential to offer a necessary service to nearby residents and employees who work close by.

- (c) **Relationship to Criteria:** In addition to the criteria discussed above pertaining to increased density, Section 17.232.020 of the Salisbury Municipal Code contains the criteria the Board should consider when approving special exceptions. Staff finds that this request complies with the Special Exception criteria as follows:

- [1] **The proposal will be consistent with the Metro Core Plan, the objectives of the Zoning Ordinance and any other applicable policy or plan adopted by the Planning Commission or City Council for development of the area affected.**

The site is located in the Light Business and Institutional zoning district, which allows daycare services for the elderly and handicapped by Special



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Exception. Many of the permitted uses in this district offer various types of services, such as the requested daycare. Providing a daycare service at the referenced address will serve as a convenient, readily accessible feature for employees and residents of the area.

- [2] The location, size, design and operating characteristics under the proposal will have minimal adverse impact on the livability, value or appropriate development of abutting properties and the surrounding area.**

The property was developed in 1980. There will be no expected exterior improvements or activities that will impact neighboring properties.

- [3] The design of the site and structures for the proposal will be as attractive as the nature of the use and its setting warrants.**

No exterior improvements are proposed. The existing mature plant growth creates an already attractive property.

- [4] The proposal will not be detrimental to or endanger the public health, security, general welfare or morals.**

Staff does not find that the proposed use will have a negative effect on any of these items.

- [5] The proposal will not impair an adequate supply of light or air to adjacent property or overcrowd the land or create any undue concentration of population or substantially increase the congestion of the streets or create hazardous traffic conditions or increase the danger of fire or otherwise endanger the public safety.**

The existing building is centrally located on the property and does not create shadows that impact neighboring properties. Adequate parking is already provided. The use of this site for a daycare center in a portion of the building should have minimal impacts on traffic conditions in the area.

- [6] The proposal will not adversely affect transportation or unduly burden water, sewer, school, park, stormwater management or other public facilities.**

The proposal should have minimal impacts on transportation, water, sewer, stormwater management or other public facilities. There should be no impacts on schools or parks.

- [7] **The proposal will preserve or protect environmental or historical assets of particular interest to the community.**

This property is not located within any environmentally sensitive areas such as the Paleochannel Overlay district. Additionally, a daycare service would not be expected to have any negative environmental impacts. No historical assets are known to exist on the site.

- [8] **The applicant has a bona fide intent and capability to develop and use the land as proposed and has no inappropriate purpose for submitting the proposal, such as to artificially alter property value for speculative purposes.**

The applicant has demonstrated their intent to proceed by submitting building plans and the attached business plan for the proposed tenant fit-out for the daycare service.

VI. STAFF COMMENTS:

Adult daycare is a service that is needed city-wide. This location will provide a daycare facility in close proximity to a number of dwellings, business, service and retail facilities to accommodate working families.

VII. RECOMMENDATION:

Based on the criteria for approval as discussed above in this staff report, Section V (c), the Planning Staff recommends **Approval** of the requested Special Exception for Greenlake Adult Medical Daycare Services, LLC for a Daycare Facility for the elderly and handicapped as submitted.



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GREENLAKE ADULT MEDICAL DAYCARE SERVICES LLC

BUSINESS PLAN

..... *experience a new level of care.*

Mission Statement

Our mission is to help senior and disabled citizens maintain their choice to remain as independent and as healthy as possible in the most cost-effective and cost-efficient way. Our programs, activities, and services are designed to stimulate, educate, and create an environment where our participants socialize and exercise to improve or maintain their level of functioning.

Vision Statement

Our vision at Greenlake AMDC is that we become the dominant leader in providing the best adult day health care services in the state of Maryland. Our excellent adult and elderly care services will become the standard level of care accepted at any adult day care center located in the state of Maryland.

OVERVIEW

Comar 10.12.04.04a(1)(B)

Identification of the individual or individuals or business entity that will own and operate the adult medical daycare program.

The owner/operators are:

- Annette Dhannie
- Fran and Michael Linder
- Dr Joel Pelissier
- Tammy and Patricia Flag-Amachree

Comar 10.12.04.09A.

Governing Body

The governing body shall establish and maintain sound operating procedures including maintenance of an identifiable administrative unit headed by a director who is responsible for the overall conduct of all center activities; adoption of an annual budget and provision of staff capable of performing the centers programs. Greenlake Adult Medical Daycare will have a director in place. The Director will oversee the identifiable administration unit which will consist of the manager, director, activities director, registered nurse and Licensed practical nurse. The annual budget will be created by the Director of the Greenlake Adult Medical Daycare Center. This budget will include operating cost and financial maintenance to ensure the financial obligations are met for Greenlake Adult Medical Daycare.

Purpose of Program

The primary purpose of Greenlake Adult Medical Daycare Care is to meet the needs of a growing population of the elderly and dependent adults who require daily healthcare monitoring but are not willing to relinquish their independence by leaving their homes and families to be institutionalized. Our adult day care services are designed to provide care for our participants while they continue to live at home with their families and maintain their independence.

Research has shown that participants of such programs as well as family members will benefit from the activities and social interaction Greenlake Adult Medical Daycare Care Services has to offer. Participants often sleep and eat better; their behavior becomes less of a problem and their communication and motor skills improve.

Program Goals:

- ✓ Maintain or improve the functional level of participants.
- ✓ Provide respite for caregivers.
- ✓ Ensuring medical and personal care of participants through our services or referral.
- ✓ Provide growth and development of participants through their engagement in arts, crafts, music, games and by socializing with others.

Program Structure and Management

The Program Director is responsible for the daily operations of all activities and programs.

Greenlake Adult Medical Daycare will be staffed with at least six staff persons on duty at all times when one or more participants are present. More staff persons may be required based on the census and also for field trips. Beyond this, one staff person is required for every seven participants. Staff persons must be CPR and First Aid certified.

Participants:

The following people will benefit from participation in our Adult Day Care:

- ✓ Those who have recovered from strokes or brain injuries but continue to need an ongoing program of physical and occupational rehabilitation and mental exercise.
- ✓ Adults with cognitive impairments (dementia or Alzheimer's disease)
- ✓ People who are forced to stay at home but would benefit from social interactions.
- ✓ Families and caregivers of elderly and disabled who may need time off from constantly caring for their loved ones.

THE ADULT MEDICAL DAYCARE SERVICES

Services

Greenlake Adult Medical Daycare is dedicated to providing a variety of professional, supportive services in a comfortable environment. Our goal is to give a great day every day.

Greenlake Adult Medical Daycare Program provides the following services:

- 1) Breakfast, snack and lunch
- 2) Health monitoring and medication assistance
- 3) Goal-oriented individual care plans
- 4) Structured daily activities – individual and groups
- 5) Assistance with activities of daily living
- 6) Liaison with person physician

Activities

Things to know about Greenlake Adult Medical Daycare Care Program:

- Choice of activities are based on the needs and interest of the participant.
- Both group and individual activities are provided as needed
- Participants are encouraged to contribute to the planning and implementation of program activities to the best of their ability.
- Program staff supervise all activities.
- Participants have the right to refuse to participate in any given activity.
- Greenlake Adult Medical Daycare will provide a mix of the following types of activities:
 - Social activities that provide opportunities for social interaction, friendship formation and caring relationships
 - Cultural activities that contribute to a sense of self-worth and connection to community or society
 - Educational activities that provide opportunities to learn new ideas and skills, to rekindle old skills and continue personal growth.
 - Therapeutic activities such as art, music and gardening that nurture the human spirit and allow for personal expressions of emotions and feelings.
 - Recreation activities that refresh the mind or body

Participant Rights

Comar 10.12.04.13

- a). The adult day care center shall provide care for participants in a manner and in an environment that maintains or enhances each participants dignity and respect.
- b). The center shall inform the participant, in a language that the participant understands, of his or her rights and all rules and regulations governing participant conduct and responsibilities while attending the program.
- c). A participant of a center has the right to:
 - (1) Be treated with consideration, respect, and full recognition of the participant's human dignity and individuality.
 - (2) Receive treatment, care, and services that are adequate, appropriate, and in compliance with relevant State, local, and federal laws and regulations.
 - (3) Privacy.
 - (4) Be free from mental, verbal, sexual, and physical abuse and neglect, involuntary seclusion, and exploitation.
 - (5) Be free from physical and chemical restraints except as permitted in Regulation .23 of this chapter.
 - (6) Confidentiality.
 - (7) Make suggestions, complaints, or present grievances on behalf of the participants or others, to the center director, government agencies, or other individuals without threat or fear of retaliation.
 - (8) Receive a prompt response, through an established complaint or grievance procedure, to any complaints, suggestions, or grievances the participant may have.
 - (9) Have access to the procedures for making complaints to the:
 - ▶ Local department of social services; and
 - ▶ Office of Health Care Quality of the Department;
 - ▶ Participate in care planning and medical treatment; and
 - ▶ Refuse treatment after the possible consequences of refusing treatment is fully explained.

ENROLLMENT

Enrollment Process

The uniqueness and strength of Greenlake Adult Medical Daycare lies in its goal of planning services designed to meet the needs of the individual and how well those identified needs can be met.

Our program's resources and responsibilities, and the identified needs of the community are the key factors in creating our eligibility criteria for the program. We allow for flexibility in our policies and consider opportunities for contractual agreements volunteers, consultants, etc.

Greenlake Adult Medical Daycare will not limit its services to on-site resources.

The applicant and/or family will be fully informed about the Adult Day Care Program's activities, objectives, expectations, limitations and cost. They will be given the opportunity to tour the facility and make inquiries.

The completion and/or submission of the following information and forms initiate the application process leading to admission into our center.

1. Application form
2. Medical Examination Form- TB clearance/Chest Xray
3. Photo consent Form
4. MOLST form/Advance Health Care Directive Form
5. Non-refundable \$25 registration fee

Following submission of the above, an appointment for an interview and further evaluation will be scheduled to include the adult day care program director, the applicant and family members or caregivers.

The personal interview is conducted to secure pertinent information on the applicant's overall behavior as well as to acquaint the applicant and family about Greenlake Adult Medical Daycare care program's program, policies and administration.

An applicant is then accepted into the Adult Medical Day Care Program if, in sole determination of the program director, acceptance into the program is appropriate for the applicant and Greenlake Adult Medical Daycare Adult Day Care Program.

Eligibility Requirements:

- 55 years of age or older
- able to communicate needs.
- able to follow simple directions.
- free from communicable disease.
- not dangerous to self or others.
- cooperative with treatment goals and plans

All participants will be assessed for appropriateness prior to admission.

Greenlake Adult Medical Daycare participants must submit a completed history and physical examination report and TB clearance prior to admission.

Greenlake Adult Medical Daycare agrees to maintain participant's confidentiality and will ensure proper safeguarding of the information that a participant has disclosed in a relationship of trust and with the expectation that it will not be disclosed to others without permission, except in ways that are consistent with the original disclosure. Participant information will only be released by permission and in accordance with regulations.

Caregivers, family members and prospective participants are urged to visit and get a feel for the center and meet and speak with the daycare program director and staff in advance of application. Applications for admission to the day care, to be considered must be accompanied by a non-refundable registration fee.

Greenlake Adult Medical Daycare is unable to serve or accept into the program persons who are severely disabled or bed bound, those with infectious diseases, or sub-acute illness, those living with unmanageable psychiatric or behavioral conditions or disorders, or those with special monitoring equipment that require the constant attention of a licensed professional nurse.

All day care services will commence after application and registration are processed. Thereafter, schedules of service may be arranged according to the convenience of the participant and/or family caregiver. Changes in starting times will be made known to participants and their caregivers 48 hours in advance. The center cannot accept any non-registered "drop-in" participants.

Fees and Billing Policy

The fee for a full six hours per day at Greenlake Adult Medical Daycare includes snacks, meals and most program supplies. There is an additional fee for any additional time spent at the daycare beyond six hours. The fee for transportation varies with the type of transportation used and the distance the participant's residence to the center.

Private pay participants agree to pay Greenlake Adult Medical Daycare every two weeks or for days attended, and for services provided. Fees for program attendance and transportation are invoiced on the 15th and 31st of each month.

OPERATION PROCEDURES

Hours Of Operation

Monday-Friday 7:00 am to 3:00pm (except holidays). Once enrolled, the participant will receive a program calendar. Greenlake Adult Medical Daycare is open all year-round but closes on holidays commonly observed by the local schools, with dates announced in advance.

Daily Census and Staffing Plan

The projected daily census will be 30 participants. Daily staff will consist of at least 1 Licensed Practical Nurse, 4 CNAs and 2 Certified Medication Technicians. The Program Director, Registered Nurse (RN), and the Activities Director, will be available on a daily basis between 8am-2pm while the participants are present in the center. The staffing ratio during the operating hours will be no less than 1 staff to every 7 participants at all times.

Attendance

Regularly scheduled attendance at Greenlake Adult Medical Daycare is expected. If a participant is unable to attend on one of their regular scheduled days due to an illness, emergency or an appointment, they are to notify Greenlake Adult Medical Daycare as early as possible.

Daily Schedule

Below is an example of a typical day at Greenlake Adult Medical Daycare:

7:00am	Center opens/ Meet and Greet
8:00am	Breakfast/current events/music
9:15am	Exercise Therapy
9:45am	Activities: Games, Arts/Crafts (Individual and group)
10:45am	Morning snack
11:00am	Activities: Games/TV/Bingo & Card games
11:45am	Personal care
12:00pm	Lunch
1:00pm	Activities: Painting class/Music Trivia
1:45pm	Wind-down activities/prepare for departure

A Monthly calendar will be provided to participants and their caregivers.

Daily Sign-In Sheet

All participants must be signed in and out of our program daily. A sign in sheet will be made available to vehicle drivers and to caregivers/POA when requested.

Participant Illness

When a Greenlake Adult Medical Daycare participant has been diagnosed with a communicable illness, that participant will be restricted from the center. The participant/caregiver should notify Greenlake Adult Medical Daycare when they have been cleared by their physician. Greenlake Adult Medical Daycare will discuss and coordinate the return with the caregiver and the center's registered nurse. If the participant becomes ill during the day, Greenlake Adult Medical Daycare will contact the caregiver to arrange appropriate transportation home.

Absences

Regular attendance on the agreed days is expected. In order for Greenlake Adult Medical Daycare to staff and maintain its high level of programming and participant care, we require 24-hour (written or verbal) notice of cancellation of scheduled services such as program attendance and transportation. The notice should describe the reason for the absence and the estimated duration. Examples of some situations that might impede attendance are communicable illness, hospitalization, family emergency or a physician's order. Services cancelled with less than a 24-hour notice will be billed to the participant at the regular rate unless the absence is due to sudden illness supported by a physician's statement. Absences of more than 30 days (one month) will result in automatic discharge.

Storage of Personal Belongings

All personal items should be labelled with the participant's name. Greenlake Adult Medical Daycare staff will do their best to ensure the safety and protect each participant's personal belongings, but Greenlake Adult Medical Daycare will not accept the responsibility of lost or misplaced items.

Lost and Found Policy

Greenlake Adult Medical Daycare is not responsible for participants personal belongings that are lost or misplaced while the participants are in transit or attendance at our program. Lost or misplaced items should be reported to Greenlake Adult Medical Daycare as soon as possible so an attempt can be made to locate them. Participants and caregivers are encouraged to mark all personal belongings such as hats, jackets, etc. with a permanent marker or name label before bringing them to Greenlake Adult Medical Daycare.

Non-discrimination policy

Greenlake Adult Medical Daycare is committed to ensuring that no person is excluded from or denied the benefits of our services on the basis of race, color, or national origin, religious beliefs or gender in the administration of its admissions or operational policies, and any other programs.

Family Visits

Family members are encouraged to participate in our program activities as much as they are able. They are welcome to come to Greenlake Adult Medical Daycare to visit without notice. However, if family members wish to speak to a particular staff person, an appointment would be scheduled in order to ensure the staff person is available and not too busy with program activities.

Grievance Policy

If a participant/and or caregiver has any concerns or complaints about Greenlake Adult Medical Daycare policies and/or programs procedures, the overall operation of our program, or a staff member, the Center director and designated staff are available to processing the grievance. Greenlake Adult Medical Daycare will investigate all grievances promptly. Interviews will be conducted in confidence.

Incidents/Unusual occurrences

Greenlake Adult Medical Daycare Values the safety, health and well-being of its participants. In accordance with state law, Greenlake Adult Medical Daycare is required to immediately report any incident that threatens the health or safety of any participant or staff member including: Communicable disease, food borne outbreak, poisoning, death, fire, use of restraints.

In the event that such an occurrence takes place the documentation should be made immediately through the use of our incident reports and placed in the participants' medical record or staff members personnel file. The following protocol shall be adhered to in reporting information to the respective authorities:

Contact the office of health care quality,

Local health officer

Participants POA/Caregiver and if applicable guardian

In the event of a case of abuse, neglect, self-neglect or exploitation of a participant, the staff member shall call the local police department and department of social services and the office of health care quality. If a participant becomes a danger to self or others, it is the responsibility of Greenlake Adult medical Daycare to immediately notify the participants licensed or certified professional health care provider and the participants family or caregiver.

Discontinuation Of Services:

Greenlake Adult Medical Daycare recommends that prospective applicants plan to attend the program for at least a one-month trial period. This allows the participant time to adjust to Greenlake Adult Medical Daycare and make a more informal decision regarding their desire to continue. However, the applicant is not required to contract for any specified length of time. The participant may voluntarily discontinue service at any time after notifying Greenlake Adult Medical Daycare with a 10-day written notice of their desire to stop utilizing our services. Greenlake Adult Medical Daycare will arrange a discharge conference whenever possible, if desired. The participant will be discharged from Greenlake Adult Medical Daycare at the time their status changes and their needs can no longer or adequately be met. This may include no longer being medically stable and able to participate. In addition, discharge could also occur if the participant is continuously absent for an extended period of time not to exceed 30 days.

Communication Policy

Greenlake Adult Medical Daycare can be reached at any time during normal business hours Monday through Friday from 8am to 3pm, After normal business hours, you may call and leave a message. Messages will be returned as soon as possible.

Termination Of Care

Services will be discontinued to any participant who:

1. Has unpaid fees or balances that they or family are responsible for and for which arrangements for payment to Greenlake Adult Medical Daycare have not been made.
2. Does not make timely payments for services rendered by Greenlake Adult Medical Daycare
3. Is belligerent or uncooperative on a regular basis or displays unruly behavior.
4. Has a family member or caregiver who picks up participant and continually arrives after hours to pick up the participant.
5. Is experiencing significant health problems that the caregiver/POA is not addressing in a timely manner.
6. Does not consistently bring assistive safety devices.
7. Have excessive absences.
8. Does not give adequate notice when planning to not attend the day program.

Discharge Policy

When Greenlake Adult Medical Daycare anticipates discharging a participant, the multidisciplinary team will provide the participant/POA with a 30-day written notice. When possible, the multidisciplinary team will conduct a discharge meeting to ensure that the participant is transitioning to a place where their needs can be met in the most appropriate environment. In addition, the team will formulate a discharge plan that will identify the necessary resources needed to effectively implement the plan.

Smoking Policy

Comar 10.12.04.42

Smoking is not permitted in all indoor areas of Greenlake Adult Medical Daycare Center in accordance with COMAR 09.12.23. Participants, employees and visitors must comply with the facility's "Smoke Free Policy". Smoking is prohibited in all of the bathrooms, kitchen, day room, lounge area or in any hazardous location, room or compartment where flammable liquids combustible gases or oxygen are stored or used.

"No Smoking" signs are conspicuously posted in the following locations: Dining area, Lounge area, Kitchen, All common areas, All offices.

Smoking is permitted in exterior areas with the following provisions:

- The center shall designate smoking areas with ashtrays of noncombustible material and safe design.
- Participants shall be supervised at all times while smoking.
- Smoking is not allowed in any hazardous location where flammable liquids, combustible gases, or oxygen are stored.

Use of consultants

All consultants contracted by Greenlake Adult Medical Daycare will adhere to the same mandatory new hire procedures as that of our full-time and part-time employees, Greenlake Adult Medical Daycare Adult Daycare will only utilize contracted consultants when our participants require a service that cannot be provided by a licensed certified staff member in the area in which the service is required.

All consultants of Greenlake Adult Medical Daycare AMDC Care will be required to sign a written agreement with the Program Director stating the services they are providing, whom they would be providing the services to, and the dates and times the services will be provided. A copy of the agreement for each participant and services provided will be placed in the participant file and kept on file in the Program Directors office.

Greenlake Adult Medical Daycare will utilize consultants/ or refer it participants to the following specialty areas:

- Medical
- Psychiatry
- Physiatrists
- Orthopedics
- Physical Therapy
- Occupational
- Speech and Language
- Registered Dietitian; or
- Other specialties according to the need of the participants.

All participants who require one or more of the above specialty services will be provided to them via consultation. Greenlake Adult Medical Daycare requires that service notes for any of our participants provided via consult are placed in the participants file within 24 hours after the service is provided.

Quality Assurance Policy

Greenlake Adult Medical Daycare Adult Day Care policy regarding (QA) consists of participants file review, monthly calls to participants/caregivers. In addition, Greenlake Adult Medical Daycare staff conduct weekly meetings in which participants and caregivers' issues and/concerns are discussed as a team. The discussion may include, but not limited to the results of a participant's file review, the result of our monthly calls or outcome of a follow up call, as well as the participants availability and compliancy.

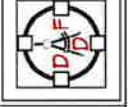
In addition, Greenlake Adult Medical Daycare will send out surveys on a quarterly basis to the participants and caregivers' to ensure that our center is meeting the goals of providing the best quality of service available.



THIS SEAL IS VALID FOR THE STATE OF MARYLAND ONLY. IT IS NOT VALID FOR ANY OTHER STATE OR JURISDICTION. IT IS NOT VALID FOR ANY OTHER TYPE OF PROFESSIONAL SERVICE OTHER THAN THAT FOR WHICH IT WAS ISSUED.

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JOINT VENTURE WITH:
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 554 VAUGHN AVE
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 DENNIS 443-786-5043



TENANT FINISH FOR:
GREENLAKE ADULT DAYCARE
 224 PHILIP MORRIS DRIVE
 SALISBURY, MD 21804

DRAWN BY: TIMOTHY W. HILL
 CHECKED BY: PRELIM
 PRINTED ON: 10-03-2023
 REVISION LIST

- 07-15-2024 RESTROOM REMAINS AS IS
- 08-05-2024 DRINKING FOUNTAIN ADDED

SHEET

GENERAL NOTES

- A. CONSTRUCTION SAFETY IS NOT INCLUDED IN THESE DOCUMENTS. COMPLIANCE WITH STATE & FEDERAL REGULATIONS REGARDING SAFETY IS THE RESPONSIBILITY OF THE CONTRACTOR
- B. THE INTENT OF THESE DRAWINGS IS TO DELINEATE CONSTRUCTION DETAILING AS REGULATED BY THE BUILDING CODE. CONSTRUCTION DETAILS NOT REGULATED BY THE CODE ARE NOT NECESSARILY INCLUDED IN THESE DRAWINGS. GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING ANY SUCH DETAILS.
- C. INFORMATION SHOWN ON THE SITE PLAN IS FURNISHED BY & RESPONSIBILITY OF THE BUILDING OWNER. SITE DESIGN IS THE SOLE RESPONSIBILITY OF THE OWNER.
- D. WORK SHALL BE DONE NEATLY & ONLY BY BUILDERS SKILLED IN THEIR PARTICULAR TRADE.
- E. ALL MATERIALS SHALL BE FREE OF DEFECT OR ERRORS WHICH WOULD RESULT IN POOR APPLICATION OR CAUSE DEFECTS IN WORKMANSHIP.

CODE INFO

MARYLAND BUILDING CODE 2021

PROJECT: INTERIOR FINISH TO SUIT NEW TENANT; EXISTING BUILDING IS WOOD FRAME WITH BRICK VENEER THROUGHOUT & WOOD TRUSSES

AREA OF WORK: 5434 SF (THIS TENANT)

USE GROUP: I-4 ADULT DAYCARE; MIXED USE / SEPARATED

HEIGHT: 2-STORY; 36' EXISTING

CONSTRUCTION TYPE: 5B, EXTERIOR WALLS WOOD STUD / BRICK VENEER

FIRE SUPPRESSION: NO

ALLOWABLE AREA (506.2): 9,000 SF

OCCUPANT LOAD: SEE PLAN FOR COUNTS RELATED TO EGRESS DESIGN

PLUMBING FIXTURES REQUIRED: BASED ON ACTUAL NUMBER OF OCCUPANTS
 ACTUAL NUMBER OF INDIVIDUALS - 23 MAX
 ACTUAL STAFF PER SHIFT - 8
 TOTAL MAX OCCUPANT LOAD
 15 MEN, 15 WOMEN
 1 PER 15 = 1 WATER CLOSET REQUIRED FOR EACH

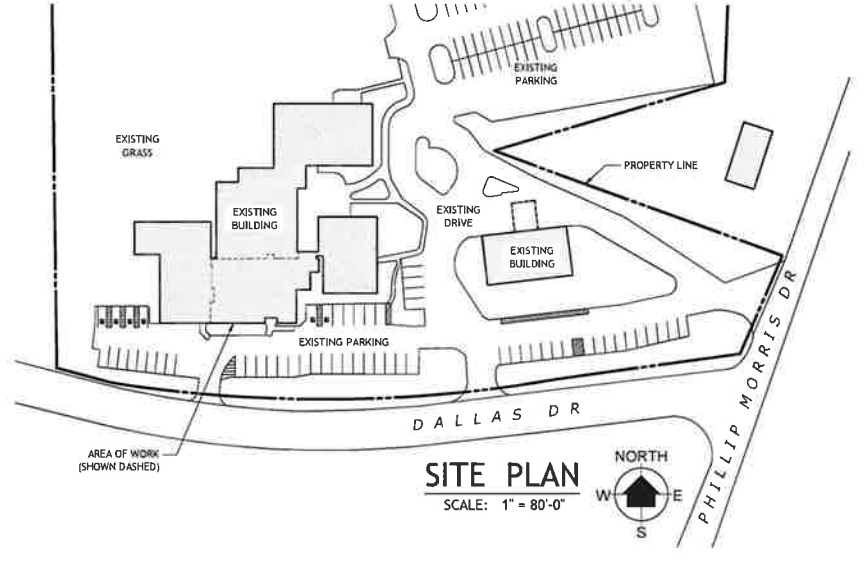
PLUMBING FIXTURES PROVIDED: THREE RESTROOMS TOTAL (TWO ACCESSIBLE EXIST)

MATERIAL FIRE RATINGS:

ACOUSTIC TILE: F5-25; SD-50
 CARPET: F5-50; SD-10, FC-15
 DRYWALL: F3-15; SD-0
 TOP SET BASE: F5-LESS THAN 2
 VINYL FLOOR TILE: F3-75; SD-450

FLAME SPREAD REQUIREMENTS:

FLOOR FINISH: CLASS II NFPA 253
 WALLS & CEILING: CLASS II FLAME SPREAD INDEX 34 - 75
 EXIT CORRIDORS: CLASS A FLAME SPREAD INDEX 0 - 25

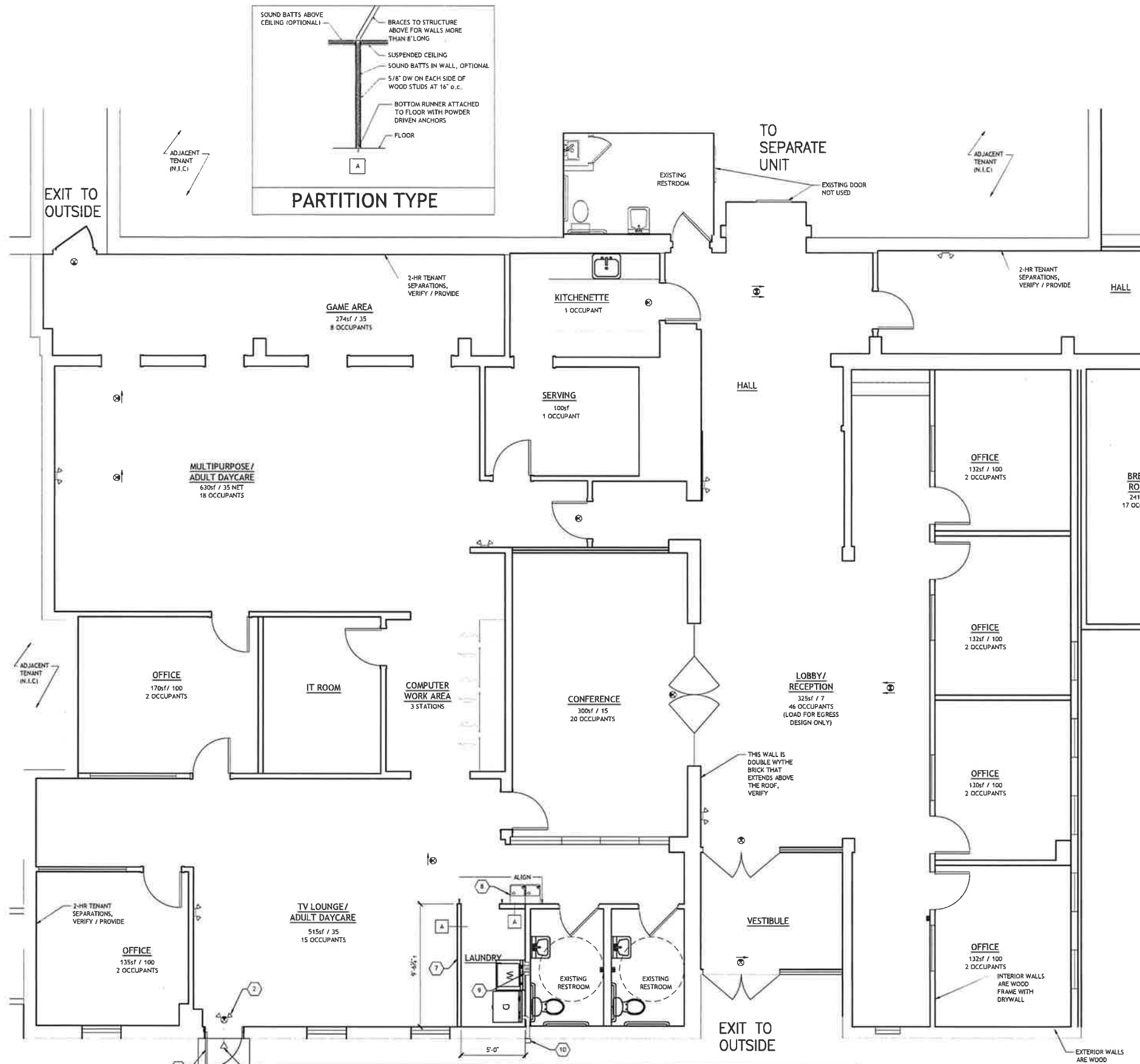
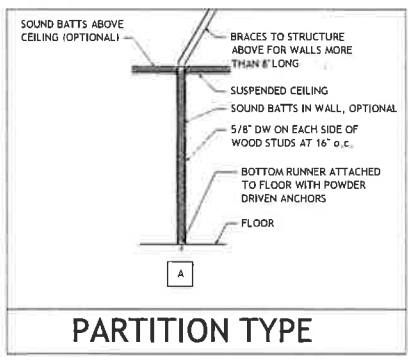


DOOR HARDWARE NOTE

HARDWARE FOR ALL EGRESS DOORS SHALL MAINTAIN THE DOORS READILY OPENABLE FROM THE SIDE FROM WHICH EGRESS IS TO BE MADE WITHOUT THE USE OF A KEY OR SPECIAL KNOWLEDGE OR EFFORT. DRAW BOLTS, HOOKS, AND OTHER SIMILAR DEVICES ARE PROHIBITED ON ALL EGRESS DOORS. THE USE OF MANUALLY OPERATED FLUSH BOLTS OR SURFACE BOLTS IS PROHIBITED FOR EGRESS DOORS. EACH LEAF OF EACH SWING DOOR SHALL HAVE 1-1/2 PAIRS OF HINGES UNLESS NOTED OTHERWISE.

EXIT LIGHT LEGEND

- ILLUMINATED EXIT SIGN WITH EMERGENCY EGRESS LIGHTS AND BATTERY BACKUP. EXISTING LIGHTS MAY BE REUSED.
- EMERGENCY EGRESS LIGHTS, BATTERY BACKUP. EXISTING LIGHTS MAY BE REUSED.
- EXTERIOR LIGHT AT POINT OF EXIT DISCHARGE WIRED TO INTERIOR EXIT LIGHT WITH BATTERY BACKUP.



KEY NOTES

1. NEW DOOR AT REMOVED WINDOW IN EXTERIOR WALL, 3'-0" X 7'-0" ALUMINUM FULL GLASS WITH PUSH PULL HARDWARE, TURNABLE LOCK & PUSH PADBLE INSIDE SO THE DOOR IS ALWAYS OPERABLE IN THE PATH OF EGRESS; OWNER OPTION TO INSTALL ALARM THAT WILL SOUND WHEN DOOR IS OPENED.
2. NEW EXIT LIGHT PER LEGEND ON THIS SHEET.
3. NEW EXTERIOR LIGHT PER LEGEND ABOVE OR BESIDE DOOR.
4. NEW 48" X 48" X 5" THICK CONCRETE PAD AIR ENTRAINED FIBER MESH REINFORCED 3000PSI BROOM FINISH SLOPED 1/4" / 12" TO DRAIN.
5. NOT USED.
6. NOT USED.
7. NEW WALLS TO CREATE A LAUNDRY AREA WITH FIXTURES AS SHOWN.
8. NEW HILO DRINKING FOUNTAIN TIED TO EXISTING PLUMBING.
9. NEW WASHER BOX TIED TO EXISTING PLUMBING.
10. NEW DRYER VENT WITH WEATHERPROOF / RODENT-PROOF OUTLET TO EXTERIOR.

FLOOR PLAN
 SCALE: 1/4" = 1'-0"
 NORTH



STAFF REPORT

MEETING OF OCTOBER 3, 2024

Case No. 202401105
Applicant: Lisa Dale
Property Owner: Kraus Development, LLC
Location: 620 C Naylor Mill Road
Tax Map: #0100, Grid #0016, Parcel #0013, Lot # 56
Zoning: Light Industrial District
Request: Special Exception for a Restaurant.

I. SUMMARY OF REQUEST:

The applicant proposes establishment of a restaurant (bakery with food service) on this property. Board approval of a Special Exception for the restaurant is requested. **(Attachment 1)**

II. ACCESS TO THE SITE AREA:

The site has frontage and access on the south side of Naylor Mill Road. **(Attachment 2)**

III. DESCRIPTION OF PROPERTY:

This site is 2.44 acres in size, and located at the West of Goddard Parkway, and has been improved with the Naylor Mill Business Complex, which was constructed in 1987. Several other tenants occupy the building.

IV. DESCRIPTION OF SURROUNDING AREA/NEIGHBORHOOD:

Surrounding properties are also in the Light Industrial zoning district. Properties further east and south are within the City's Light Industrial District, while properties to the north are in Wicomico County's I-2 Heavy Industrial District. Notable nearby businesses and services in the area include Cadista Pharmaceuticals, Trinity Labs, Tishcon, Delmarva Power, Pepsi, Coca-Cola, Matech, K&L Microwave and the Wicomico County Detention Center.

V. EVALUATION:

- (a) **Discussion:** The applicant has recently opened a bakery at the referenced location, and now wishes to expand the business by adding a small dining area. The Code requires a special exception for restaurants in the Light Industrial District.

Submitted plans indicate that a small portion of the bakery's customer service area (approximately 400 sq. ft.) be utilized for on-site consumption of the bakery's products. **(Attachments 3 & 4)**

Existing parking would be utilized for the restaurant and bakery. Approximately 8 spaces would be required for this particular use. Ample parking is in place for the proposed use as well for existing and prospective tenants for the remainder of the building, as the building and parking were constructed under more restrictive parking requirements.

- (b) **Impact:** Staff believes this use will have the potential to offer a welcomed service to many employees who work at nearby businesses.
- (c) **Relationship to Criteria:** Section 17.232.020 of the Salisbury Municipal Code contains the criteria the Board should consider when approving special exceptions. Staff finds that this request complies with the Special Exception criteria as follows:

- [1] The proposal will be consistent with the Metro Core Plan, the objectives of the Zoning Ordinance and any other applicable policy or plan adopted by the Planning Commission or City Council for development of the area affected.**

The site is located in a Light Industrial zoning district, which allows Restaurants by Special Exception, and a seating area for the consumption of baked goods produced on site would be considered a restaurant. The Code notes that the purpose of the Light Industrial district is to foster the continuance of existing manufacturing and other light industrial uses and improve the economic base of the City. Service establishments, such as a bakery, are permitted in this zoning district inherently. Providing a location where patrons can sample the product that is produced on-site would be a natural accessory use.

- [2] The location, size, design and operating characteristics under the proposal will have minimal adverse impact on the livability, value or appropriate development of abutting properties and the surrounding area.**

A small dining area inside a bakery should have minimal adverse impacts on the surrounding area.

- [3] The design of the site and structures for the proposal will be as attractive as the nature of the use and its setting warrants.**

No exterior changes are proposed for the building.

- [4] The proposal will not be detrimental to or endanger the public health, security, general welfare or morals.**

Staff does not find that the proposed use will have a negative effect on any of these items.

- [5] The proposal will not impair an adequate supply of light or air to adjacent property or overcrowd the land or create any undue concentration of population or substantially increase the congestion of the streets or create hazardous traffic conditions or increase the danger of fire or otherwise endanger the public safety.**

As previously noted, the site is currently developed, and only interior changes are proposed. Adequate parking is provided. The use of a portion of this tenant space for a restaurant should have minimal impacts on public safety.

- [6] The proposal will not adversely affect transportation or unduly burden water, sewer, school, park, stormwater management or other public facilities.**

The proposal should have minimal impacts on transportation, water, sewer, stormwater management or other public facilities. There should be no impacts on schools or parks.

- [7] The proposal will preserve or protect environmental or historical assets of particular interest to the community.**

This property is located within the Paleochannel Protection Overlay districts. Projects that are located in this overlay district require site plan approval by the Planning Commission. However, no exterior changes are proposed, so site plan approval will not be required in this instance. No historical assets are known to exist on the site.

- [8] The applicant has a bona fide intent and capability to develop and use the land as proposed and has no inappropriate purpose for submitting the proposal, such as to artificially alter property value for speculative purposes.

The applicant will be a tenant in the existing structure. Staff is of the opinion that the criteria is not applicable to this particular case.

VI. STAFF COMMENTS:

The applicant has presented a plan that is compliant with building and zoning code standards. The proposed expansion of the bakery to include a small dining area would provide another dining option for the employees of the many businesses and services in the area.

VII. RECOMMENDATION:

Based on the criteria for approval as discussed above in this Staff Report, Section V (c), the Planning Staff recommends **Approval** of the requested Special Exception for a restaurant, as submitted.

To whom it may concern,

I would like to open a restaurant at 620 C West Naylor Mill Rd. I will be serving mostly baked goods, coffee, and grab & go options.

Thank you,

Lisa Dale

Owner at ~~Krave~~. A Gluten Free Shoppe

620 C West Naylor Mill Rd.

Salisbury, MD 21801



