

**TOWN OF INDIAN HEAD
BOARD OF ZONING APPEALS
Village Green Pavilion
PUBLIC HEARING #BZA08-01-26
August 26, 2026**

Chairman Pellegrino called Public Hearing #BZA08-01-26 to order at 6:00 p.m. Applicant Elianne Quintero was present to request a special exception for an elderly care home to be located at 18 Mattawoman Court.

Those in attendance were:

Chairman Michael Pellegrino
Joann Broussard
Thomas Blake
Todd Pounds, Town Attorney
Mark Harman, Zoning Administrator
Ryan Hicks, Town Manager
Andrea Brady, Town Clerk

The final application was received on July 27, 2026. Notice for the Public Hearing was published in the Southern Maryland News on August 14, 2026. Certified letters were sent to adjoining property owners on August 11, 2026. The applicant was notified of the date, time, and place of hearing by certified letter on August 11, 2026. The sign for the public hearing was posted in front of the property at 18 Mattawoman Court on August 17, 2026, and remained in place until the date of the hearing, on August 26, 2026.

Town Clerk Brady submitted the affidavit and the application as part of the record.

Chairman Pellegrino administered the Oath to Ms. Quintero to present her case as the applicant.

Ms. Quintero is a caregiver, CNA, and has been working as such for the past 8 years. She works both privately and for an agency. She works with older adults who have disabilities. She went over a typical daily schedule and gave examples of the tasks she assists with. Ms. Quintero expressed love for her job.

Ms. Quintero spoke about the growing need for assisted living facilities for the aging population. Older adults are becoming a larger community. Her desire is to do this to help a community that is so vulnerable.

Ms. Quintero discussed the need for this service and health care efficiency. Older adults do not want to be institutionalized but often times they do not have family members available to take care of them. Ms. Quintero feels this is the closest to a home-like environment for them. She emphasized she would like to do assisted living not a nursing home or a hospice. She will care for older adults with underlying conditions that require management. By providing a supervised environment where they receive

everything they need, including attending their needed appointments, having proper meals, and receiving their medications at appropriate times. Ms. Quintero feels this will reduce the risk of them going to the hospital or being placed in a nursing home, which can be a burden on Medicare. Isolation in older adults can cause depression and accelerate their decline and impact their health. Ms. Quintero feels providing a safe environment and a place where they can speak with other people while receiving 24-hour care helps them with both their continued independence and their connection with other people.

Ms. Quintero reinforced that she is not planning to have a nursing home. This would be assisted living for older adults.

Ms. Quintero discussed personal reasons for wanting to make this transition including hours/travel, salary, and patient family expectations.

Chairman Pellegrino asked for more specific information on what this use will be. Citing inconsistencies on Ms. Quintero's application, such as noting Charles County Code and discrepancies on the number of residents to be taken care of.

Ms. Quintero explained that at the time of her state inspection, they stated she could have 5 residents to be cared for in the home.

Mr. Blake asked if the disabilities of the residents would include mental or emotional disabilities. Ms. Quintero only takes care of patients with disabilities such as mobility, hearing, or sight disabilities.

Ms. Quintero showed photographs of a situation that occurred on the job. She found a gentleman on the floor who stated he had been there for an hour. The photos are to prevent any liability issues and depict the method she used to address the issue since the residents she would care for would have similar mobility disabilities.

Mr. Pellegrino asked if there will be 2 staff people in addition to the 5 residents. Ms. Quintero stated at the maximum she would have 5 residents to care for. She would be primary staff/manager, but she will also need additional help which will require an additional staff person. It is required by law that there be another qualified person present who can take her place in case she is out for any reason. If she goes on vacation, it will be her daughter who will fill in as manager. There will also be another CNA employed in the home.

Mr. Pellegrino asked for additional information on the inspection and if square footage requirements were met for common areas, etc. Ms. Quintero stated she meets square footage requirements but will need to make some changes to the residence, such as a chairlift. The Office of Health Care Quality would supervise any home-based assisted living to make sure they are compliant.

Ms. Quintero has 2 parking spaces at the residence. She intends to have one space always open for use by family members of the residents receiving care in her home. Ms. Quintero will have an appointment policy in place requiring the resident's family

members to schedule any visitation, as she cannot accommodate large groups of people in her home and the available parking is limited.

There are four bedrooms. Two large bedrooms, and two small. Ms. Quintero stated that rooms can be shared in this type of assisted living home. She plans to have the residents in the larger available rooms, while she herself and the other CNA will use the smaller bedrooms.

Mr. Blake commended her on the passion that she has, and for the 8 years she has done this type of employment. He expressed concern that when looking at someone starting this type of venture, he would want to see more in-depth information. The idea and desire to do it is great, but he feels this type of use would be better suited in a single family/detached home.

Mr. Blake spoke about the necessity to guard against things that could negatively impact those around them and expressed additional concern over the gaps in the application.

The State will only be able to approve Ms. Quintero if she makes the necessary modifications to her home, including a sprinkler system and a chair lift.

Chairman Pellegrino does not see a detailed site plan in the application, which would have been helpful information during this consideration.

There was further discussion on the details of the layout of Ms. Quintero's home. She stated that the State will need to do additional inspections and they have requested there be fence behind the home. Ms. Quintero does not plan to make any changes until she receives approval from the Board.

There was additional discussion on the number of parking spaces and the appointment policy Ms. Quintero plans to put in place.

Ms. Broussard gave Ms. Quintero several scenarios to consider with both family visitation and employee attendance that could cause a need for additional coverage. There was also discussion on how it will be handled if a resident has an illness that requires isolation. Ms. Quintero responded to each scenario, she plans to address family visitation with her appointment policy, there are certain requirements for coverage and there will never be a time where all 3 employees take off at the same time, and she would have family pick up a resident that requires isolation because she will not have the space available to do that.

Mr. Blake discussed the contracted services of the nutritionist and further discussed the level of disability served in the home. Ms. Quintero also mentioned to the Board that there will be a nurse visiting every 45 days.

The proposed special exception request is for the use of an assisted living facility, located in a residential dwelling. The request is being made by homeowner, Elianne Quintero.

Zoning Administrator, Mark Harman's staff report went through the general special exception standards as stated below:

Public Health/Safety – Based on the applicant's submission, the impacts to public health and safety cannot be determined.

Enjoyment/Property Values – The proposed special exemption request should not substantially diminish or impact property values within the neighborhood. As long as noise levels are kept to a minimum, it should not be injurious to the use and employment of the surrounding properties.

Architectural – Based on the applicant's submission, impacts or changes to the structure have not been addressed.

Availability of Public Utilities – The anticipated impact to public utilities that may result from the special exception request has not been determined at this time.

Present and Future Transportation Patterns – The proposed special exemption request does not include a land development submission, so the anticipated impact to present and future transportation patterns that may result from the special exception request cannot be determined. It is anticipated that additional traffic would be generated due to persons working at the home.

Relationship to the Town's Comprehensive Plan – The proposed special exception request is consistent with the Town's 2009 Comprehensive Plan.

How the Property will be Utilized – The residence is a 1,280 square foot townhome with 3 bedrooms and 2 bathrooms, located in a townhome community. Based on the applicant's narrative the following person's will be utilized as part of the assisted living facility operations:

- The applicant, living manager.
- The applicant's daughter, alternate living manager
- A nutritionist
- 2 caregivers per shift

The assisted living facility will serve up to 5 care residents and will operate 24 hours a day, 7 days a week, 365 days per year.

Changes in the Character of the Neighborhood or Mistake in the Original Zoning – The proposed special exception request does not include a land development submission; however, the assisted living facility would not change the innate characteristics of the parcel.

Mr. Harman then went over the staff concerns and recommendations.

1. With respect to public health and safety, the Board should determine how the applicant will accommodate waste (both increased residential and medical).
2. The Board should understand what, if any, changes to the residential structure will be required to accommodate the care residents.
3. The applicant should verify if sewer and water capacity increases can/need to be approved.
4. Based on the applicant's submission, it is not clear what the total maximum number of people at any time, will be at the residence. The Board should consider limiting the maximum number of care residents and care givers based on the existing occupants and number of bedrooms.
5. Based on the applicant's submission, it appears that up to 3 persons (nutritionist and 2 care givers per shift) will visit the residence. Currently, each residence in the townhome community is provided with 2 designated parking spaces. The townhome community also provides limited undesignated parking areas for the entire community to utilize. The Board should consider limiting parking related to the assisted living facility to an offsite designated area if possible.

Mr. Harman is looking at this not only at the impacts of today but the impacts of tomorrow. Discussed a potential increase in people doing this type of use and who will be overseeing these types of issues. Mr. Harman gave a scenario of a possible parking issue. As a code official he cannot do enforcement on parking issues. It would then require homeowner association involvement.

With the question of whether this is appropriate for a townhome community, he looked at potential impacts of what could happen if additional people came in for approval and what type of enforcement is available to him as the zoning administrator.

The potential increase in traffic is a concern; the parking increase is a potential issue. With there being no way to regulate once an approval is given these are things that need to be considered. These types of issues can be amplified if more residents apply for the same use and he does not feel this can be addressed or enforced.

Chairman Pellegrino discussed the conditions in a special exception including required setbacks which are difficult to address with the minimal information on the site plan.

Chairman Pellegrino requested for those present supporting the applicant's position to approach the podium and state their name and address for the record. With no testimony in support of the applicant's position, Chairman Pellegrino moved onto testimony opposing the applicants' position.

Joseph McFadden, 36 Mattawoman Court – Mr. McFadden was present on behalf of HOA President, Ms. Karen Thomas and read a prepared statement which he submitted a copy of for the record. (See attached)

Dean Fischer, 12 Mattawoman Court – Mr. Fischer expressed concern over the forms of notification of tonight's hearing. Mr. Fischer has concerns about what was

brought up including ADA requirements, fire hazards and parking. Mr. Fischer does not feel the applicant's request special exception is feasible and spoke about the parking areas being full in the evenings.

Linda Jackson, 14 Mattawoman Court – Ms. Jackson spoke in opposition of the special exception. While Ms. Jackson is not opposed to assisted living or elderly individuals receiving care, she does not feel this is the appropriate property in which to provide the service. Ms. Jackson spoke about the layout of the home, fire and life safety requirements, potential emergency situations in the home and how that will be handled but only two caregivers. Ms. Jackson also spoke about the parking available and the potential parking issues if this special exception request was approved.

Tiffany Keys, 14 Mattawoman – Ms. Keys spoke in opposition of the special exception. Ms. Keys works from home and spoke about concerns with the potential impact the noise from construction of the required home modifications will have on her workday. Ms. Keys is in favor of assisted living but in a different location, not a townhome that is not equipped for the use. When homes are attached everything done in the home will affect the neighbors attached to them.

Joseph McFadden, 36 Mattawoman Court – Mr. McFadden approached the podium to speak as a resident in opposition of the special exception. He spoke of his time in and love for the community. He spoke of unintended consequences, gave examples of situations that have taken place such as Fios being put in and the unintended consequences that occurred. He agrees elderly care is important, but being in a townhome dealing with mobility issues, you're going to need ramps, potentially sidewalk adjustments. It is not an appropriate use in the community. He spoke further on the potential unintended consequences that could happen as a result as well as the potential for other investors to come into their community wanting to do a similar use. Once the door is opened it can go many ways.

Ms. Quintero was giving the opportunity to provide a closing statement. She expressed appreciation for everyone that came who cares about the community. She cares about where she lives. She stated that she asked the HOA last year, and they approved her at that time by email on March 13, 2025. Ms. Quintero stated there will be no construction going on at her home, and there will be no construction going on in the basement. If she was required to make major modifications inside the home, she would not move forward with the idea of assisted living.

Chairman Pellegrino closed the hearing at 7:13pm and opened the Board of Zoning Appeals meeting to move into disposition of the case.

Chairman Pellegrino expressed concern over the inconsistencies between the application and the applicant's provided narrative. It does not appear to him that the application is complete based on the requirements such as a detailed site plan, the frontage of the property not being in compliance with the zoning ordinance, and confusion on numbers that are not lining up. The staff report has a lot of unknowns based

on what was provided in the application. 4. If a recommendation was going to be made for approval it would need to clear what they are approving.

Mr. Blake feels the inconsistencies were clarified by the applicant during the hearing. Looking at the passion and the heart of what is trying to be accomplished he was glad to see it but does not feel this is the appropriate location for this use. It is incumbent upon us to look at character, quality and experience when taking things into account. The parking was not the overriding factor as his confidence level in this type of new business, and while it is needed, they have responsibility to the other homeowners in the neighborhood. Maintain the decorum and values of the neighborhood. He spoke of his concerns about the space in the home and with the gaps in the application. As well as the testimony in opposition. He does not feel this is doable and he would not be able to recommend it.

Ms. Broussard agrees that assisted living is a needed service, but while the applicant may not see that there will be accommodation for your home, there will be, there will have to be. She spoke of her own experiences living in a townhome, and she would not be able to approve this special exception.

Mr. Blake made a motion to deny the application for special exception. Ms. Broussard seconds the motion to deny the application.

With no further discussion on the motion, Chairman Pellegrino called for the voice vote. All those in favor of the motion say Aye – 3, opposed – 0. The special exception has been denied.

The meeting adjourned at 7:22pm.

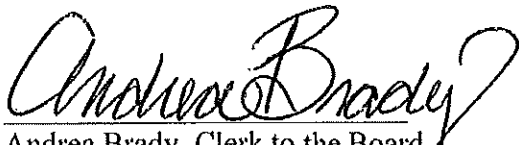
A handwritten signature in cursive script, reading "Andrea Brady". The signature is written in dark ink and is positioned above the printed name and title.

Andrea Brady
Town Clerk

AFFIDAVIT

I HEREBY AFFIRM UNDER THE PENALTIES OF PERJURY that the contents of this Affidavit are true and correct:

1. The final application and payment were received on July 27, 2026. *(I was out of the office but the payment and application were accepted by my coworker Diane Campbell with the receipt date of 7/27/26)*
2. Notice for the Public Hearing was published in the Southern Maryland News on August 14, 2026.
3. Certified letters were sent to adjoining property owners on August 11, 2026.
4. The applicant was notified of the date, time and place of the hearing by certified letter on August 11, 2026.
5. The sign for the public hearing was posted in front of the property at 18 Mattawoman Court on August 17, 2026, and has remained in place until the date of the hearing on August 26, 2026.



Andrea Brady, Clerk to the Board

Dated: August 26, 2026

FOR BOARD OF ZONING APPEALS USE ONLY

Application received on _____
Fee & Deposit paid on _____
by check # _____ or cash _____
Planning Commission recommendation: _____
Date _____

Case Number _____
Hearing Date _____
Board of Appeals action: _____
Resolution prepared for signature on: _____

TOWN OF INDIAN HEAD BOARD OF ZONING APPEALS
Application for Special Exception

INSTRUCTIONS TO APPLICANT

Provide all information and documents requested. Incomplete application packages will not be accepted.

1. Complete this application form and submit the original form and eight (8) copies. Provide all information requested on the application form. (TYPE OR PRINT CLEARLY IN DARK INK.)
2. Submit a nonrefundable application fee in the amount of \$150.00 with the application package. A deposit in the amount of \$1200.00 is also required. This amount is to cover Town's expenses to process the application, including legal fees, advertising fees and any other related costs. Make checks payable to the Town of Indian Head. If expenses exceed the deposit, the petitioner shall be liable for that additional amount. The petitioner shall be entitled to a refund of deposit monies not used (with the exception of the nonrefundable \$150.00 application fee.)
3. Provide eight (8) copies of:
 - a. Tax Map displaying subject property (outlined in red) and properties contiguous to and opposite the subject property.
 - b. Detailed site plan of subject property showing current and proposed improvement(s) and clearly showing how the Code requirements are met in relation to the requested special exception. Site plan must include: details to indicate compliance with all other requirements for the current or proposed improvements to the property, including (but not limited to) location of all structures, parking spaces, all recorded easements and/or rights-of-way; and names of property owners and parcel/lot numbers of properties contiguous to and opposite the subject property.
4. Provide list of owners' names, their mailing addresses, and the lot or parcel numbers of properties contiguous to and opposite the subject property, and the current use of each of those properties.

Application for Special Exception

CASE NUMBER: _____

I (We) Elianne D'vintero, are the ☒ Owners(s),
() Contract Purchaser(s), () Tenant/Lessee, () Other (specify) _____,
of property whose address is 18 Mattawoman Ct. Indian Head MD 20640
containing 1,280 ft² acres of land ☒ Unimproved or improved by a () single family detached,
☒ single family attached, () multi-family dwelling, () other structure: townhouse,
located in the subdivision (if any) known as Mattawoman Woods.
The deed describing this property is recorded in the Land Records of Charles County, Maryland
at Liber 9814, folio 67.

The property is zoned: RM.

The special exception requested is described as: The proposed use of the property, comprising 1,500 ft² and 1280 ft² of living space, is for an elderly care home accomodating a maximum of 5 residents. The special exemption is described in eCode 360 Charles Zoning, Charles County MD: Article XIII, Minimum Standards for Special Exception and Uses Permitted With Conditions, Elderly care homes (9 to 16 people) permissible use # 3.04. 420. The care home will guarantee to maintain the health, safety, and general welfare of its occupants and neighbors. All houses in the subdivision are residential townhomes, and the care home will not affect the peaceful enjoyment of surrounding neighbors, or the economic value of their properties. There will be no impact in traffic, noise, or order disturbances.

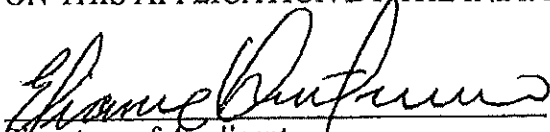
Has the property in question been subject to previous petition? NO If so, give date of petition or hearing and action requested and taken: N/A

THE PETITIONER MUST DEMONSTRATE TO THE BOARD OF APPEALS THAT THE PROPOSED SPECIAL EXCEPTION USE COMPLIES WITH ALL APPLICABLE REQUIREMENTS OF LAW, INCLUDING ANY SPECIAL PROVISIONS OR CONDITIONS FOR THAT USE AS CONTAINED IN THE TOWN CODE.

Application for Special Exception

CASE NUMBER: _____

BY MY/OUR SIGNATURE(S) BELOW, I/WE CERTIFY UNDER THE PENALTIES OF PERJURY THAT THE STATEMENTS CONTAINED IN THIS APPLICATION FOR A SPECIAL EXCEPTION ARE TRUE AND COMPLETE TO THE BEST OF MY/OUR KNOWLEDGE, INFORMATION AND BELIEF, FURTHER, I/WE UNDERSTAND THAT THIS APPLICATION WILL BE ENTERED AS EVIDENCE IN A HEARING TO BE HELD ON THIS APPLICATION BY THE INDIAN HEAD BOARD OF ZONING APPEALS.



Signature of Applicant

Printed name:

Elianne Quintero

Date: June 25, 2026

Mailing Address:

18 Mattawoman Ct.
Indian Head, Md. 20640

Telephone number:
(daytime) (571) 246-1018

Signature of Applicant

Printed name:

Date: _____

Mailing Address:

Telephone number:
(Daytime) _____

SIGNATURE OF PROPERTY OWNER IF APPLICANT NOT OWNER. ALL OWNERS OF THE PROPERTY MUST SIGN THIS APPLICATION (USE OTHER SIDE IF MORE SPACE IS NEEDED):

Signature of Owner

Printed name:

Date: _____

Mailing Address:

Telephone number:
(Daytime) _____

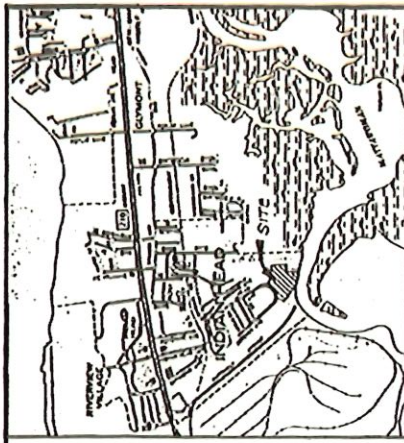
Signature of Owner

Printed name:

Date: _____

Mailing Address:

Telephone number:
(Daytime) _____



OWNER'S DECLARATION

We, the undersigned, being the owner of the property herein, do hereby certify that this plan of subdivision, including the building restriction lines and dedications, is true and correct and that we have no other interest in the property.

There are no other persons, firms, corporations, or individuals who have any interest in the property herein, and all persons in interest therein have been duly notified of the proposed subdivision and have assented to this plan of subdivision.

Charles C. Smith
 Charles C. Smith
 Attorney at Law

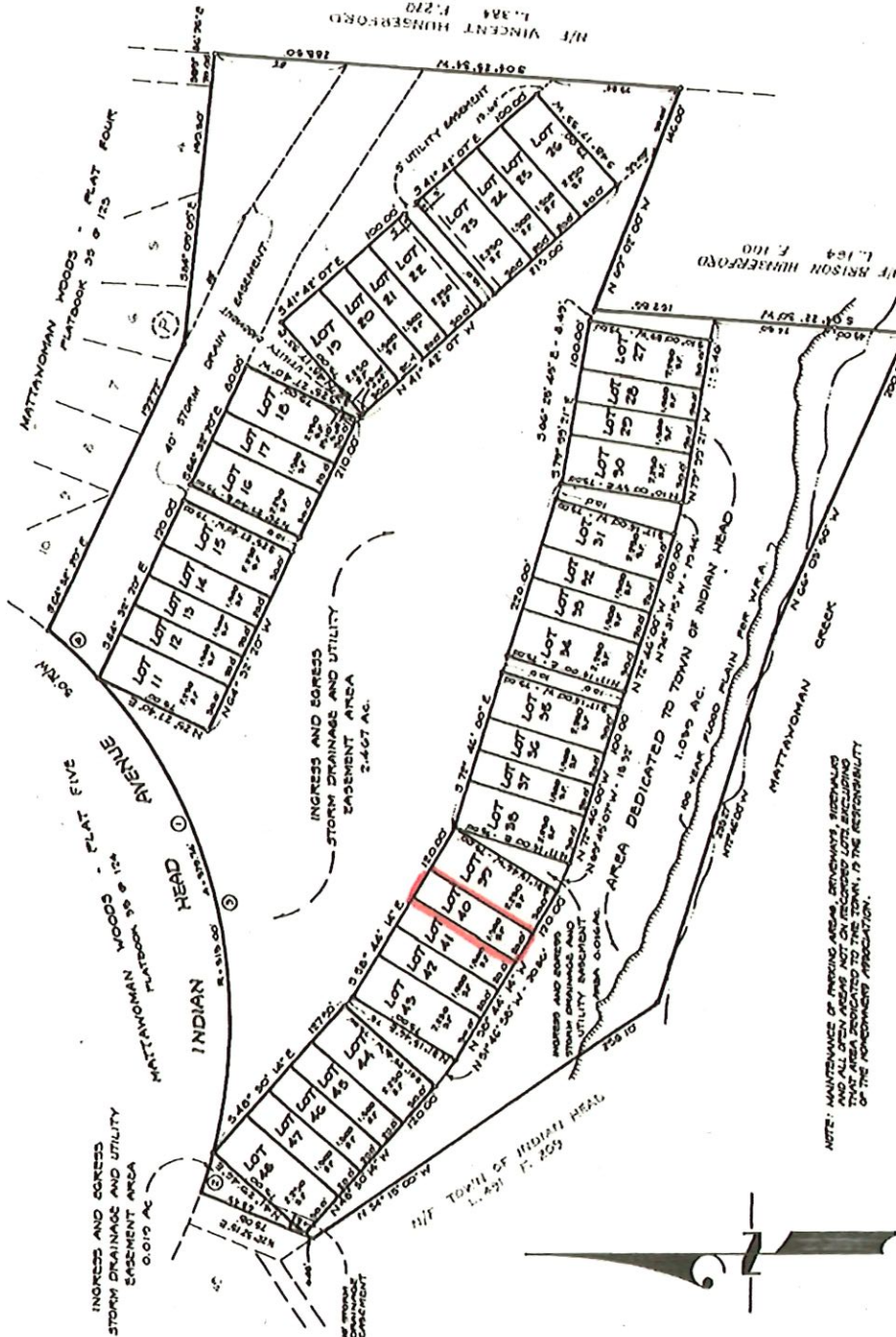
We consent to this plan of subdivision.

Charles C. Smith
 Charles C. Smith
 Attorney at Law

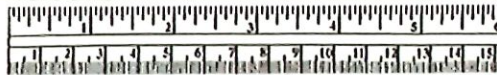
Charles C. Smith
 Charles C. Smith
 Attorney at Law

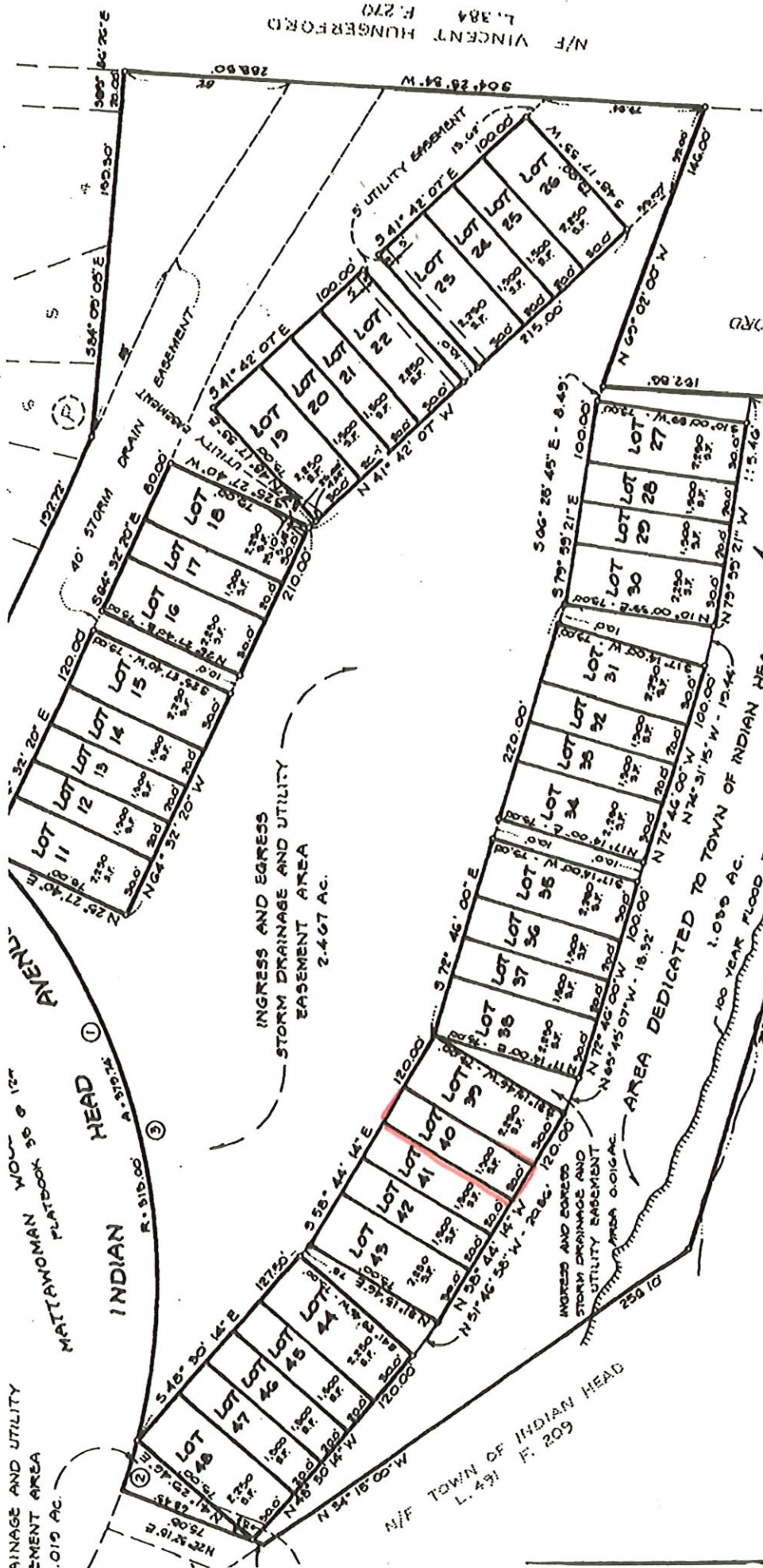
The property shown herein is subject to all easements of record and a 20 foot wide easement of record right of way as recorded in Liber 156 at folio 225 among the Town of Indian Head and Charles County, Maryland.

The property shown herein is subject to all easements of record and a 20 foot wide easement of record right of way as recorded in Liber 156 at folio 225 among the Town of Indian Head and Charles County, Maryland. The owner of the property shown herein is not making any representation for the sale of the lot and its contents and their assigns and is not making any public use.



NOTE: MAINTENANCE OF PAVING AREAS, DITCHES, SIDEWALKS AND CURBS SHALL BE THE RESPONSIBILITY OF THE HOMEOWNERS ASSOCIATION.





11



May 21, 2026

Ellanne Quintero

18 Mattawoman Ct. Indian Head, MD. 20640

Attention Board of Appeals;

With this letter, I am kindly requesting a zoning exception to care for my clients at my residence. I am a Certified Nursing Assistant/caregiver currently working privately and through an agency, commuting to their homes. It is hard to keep commuting when gas prices keep rising while salaries remain the same. Maryland requires licensing even to care for one older adult (not related to the caregiver) to ensure they are in a state-regulated, safe, and caring environment. Therefore, to care for older adults at my residence, I must convert my townhome into a group home, which requires obtaining zoning approval. The address is 18 Mattawoman Ct., Indian Head, MD 20604.

To elaborate, my group home will be dedicated to the wellness and improvement of older adults' lives and to assisting them with activities of daily living (ADLs). The goal is to "encourage residents to have autonomy and maintain their dignity while striving for their optimum wellness of mind, body, and spirit."

An assisted living program in a townhome, such as 18 Mattawoman Ct. Indian Head, MD. 20640 has a capacity of 5 older adults. I am the assisted living manager (ALM), and my daughter is the alternate assisted living manager, who acts as a replacement when the ALM is absent. A contracted registered nurse (RN) will evaluate residents every 45 days; an alternate registered nurse will replace the RN if needed; and a nutritionist will prepare a healthy menu suited to older adults and their chronic conditions, per the law. The group home will not have residents who require daily medical attention, and nurses are not required in daily operations. The program will have 2 caregivers per shift who work directly with residents as certified nurse assistants (CNAs) and are also certified as medication technicians (CMTs).

- Since I am a certified nursing assistant (CNA), a medication technician (CMT), and a certified assisted living manager (ALM), I will need only one caregiver who is also a CNA and CMT, and this person will help during the day. This is a total of seven (7) people, including five (5) residents and two (2) staff members. I do not intend to convert my home into an institution or a nursing facility. I intend to provide 24/7 care and companionship, as I already do, in a home-like, family environment.

This is an outline of the daily operations of a residential assisted living program that must be followed in accordance with Maryland COMAR 10.07.14. All assisted living programs, including mine, must follow this same outline:

1. Resident Care & Health Services

- **Admission Assessments:** Conducting functional and medical assessments prior to or immediately upon move-in to determine the resident's required "level of care" (e.g., basic (level 1), intermediate (level 2), or advanced (level 3). The level of care is determined in conjunction with the resident's Primary Care Practitioner (PCP), Delegated Nurse (DN), and the Assisted Living Manager (ALM). The appointments with the PCP and DN are not in the townhome.
- **ADL Assistance:** Helping residents with Activities of Daily Living (ADLs) such as bathing, dressing, grooming, toileting, and transferring.
- **Medication Management:** Safely storing medications and providing reminders or direct administration by a Certified Medication Technician (MedTech).
- **Healthcare Coordination:** Manage chronic conditions such as high blood pressure (hypertension), arthritis, type 2 diabetes, cognitive decline, and high cholesterol. These chronic conditions do not require any daily nursing care, as my townhome is not and will not become a skilled nursing facility or nursing home.
- **Health services do not include daily mobile care operations unless required by law.**

2. Hospitality Management

- **Dining Services:** Providing a nutritious, well-balanced menu of three daily meals and at least 2 snacks per COMAR 10.07.14 tailored to dietary restrictions and nutritional needs, alongside routine hydration monitoring. The menu must be

elaborated by a licensed nutritionist, not on-site.

- **Housekeeping & Laundry:** Performing daily or weekly room cleaning, changing linens, and washing personal laundry.
- **Maintenance:** Ensuring the townhome is clean, properly sanitized, compliant with safety standards (e.g., fall prevention and fire protocols), and free of hazards.
- **Dining services for residents do not require food to be delivered by trucks.**

3. Staffing & Human Resources

- **24/7 Coverage:** Ensuring the townhome has two (2) Certified Nursing Assistants (CNAs) across all shifts.
- **Administration & Compliance:** Employing a licensed Assisted Living Manager (ALM) to oversee operations and an alternative Assisted Living Manager if coverage is needed.
- **Training:** Conducting mandatory ongoing training and competency testing for CNAs, including CPR, first aid, cross-contamination prevention, and infection control.

4. Daily Life & Enrichment

- **Activities Programming:** Coordinating exercise classes, mental stimulation, arts and crafts, and social events to reduce isolation and promote cognitive well-being.
- **Community Engagement:** Organizing outings for interaction with friends, family, and surrounding adult day care facilities.
- **Transportation:** Arranging or providing transit for residents to attend outside medical appointments or social outings.
- **The townhouse has two (2) assigned parking spaces, with one always available. There are seventeen (17) visitor parking spaces available, yet there will be scheduled and organized visitation hours, in order to have one visitor at a time on assigned days to prevent overcrowding of the community parking lot or disturbance of the neighborhood peace. Families are welcome to pick up and drop off their loved ones in the assigned parking space numbered 18.**

5. Administration, Finance & Compliance

- **Regulatory Compliance:** Navigating state-specific regulations for licensing, which dictate minimum staffing ratios, residents' rights, and safety inspections per COMAR 10.07.14, county, state, and federal regulations.
- **Financial Management:** Collecting monthly rent and tiered care fees, managing operating expenses, and handling billing for private pay, long-term care insurance, or Medicaid waivers when applied.
- **Marketing:** Giving tours to potential residents and their families, and building referral relationships with local hospitals and senior advisors. Tours are also strictly scheduled.

6. Daily Operations

- **6am-8am:** Residents receive personalized assistance with bathing, grooming, and dressing. Medication is given per the doctor's prescription either before, during, or after breakfast.
- **8am-9am:** A nutritious breakfast in the dining area.
- **9:30am-10:30 am:** Morning activities that promote engagement, such as stretching classes, seated exercises, low-impact exercises, or a walk to the park, depending on residents' physical health and capabilities.
- **10:30 am:** Morning snack
- **12:00am-1:30pm:** Lunch in the dining area. Medication is given per the prescription either before, during, or after lunch.
- **2:00pm-5:00pm:** Social and engaging activities, such as games, arts and crafts, book reading, or community outings. Residents may use this time for personal purposes such as reading, napping, or visiting when scheduled.
- **3:00pm:** Afternoon snack
- **5:00pm-6:30pm:** Residents have dinner in the dining area.
- **6:30pm-8:00pm:** After dinner, the day finishes with relaxing activities, such as movie nights, before bedtime routines. Medication is given per the prescription.

- **8:00pm:** Evening snack and bedtime

The program has a schedule, but all residents are free to participate in activities or not, eat in their rooms or in the dining area, and sleep later in the morning or later at night. The schedule may be flexible, promoting the resident's autonomy, habits, and independence.

7. Staff Schedules

- **6:00am-6:00pm:** 1st staff member is responsible for waking up residents and preparing them for the day.
- **8:00am-8:00pm:** The 2nd staff member's shift collaborates with daily activities. Staff close the day with daily paperwork, recording activities, resident performance, next-day planning, and prepping.
- **6:00pm-6am:** 3rd staff member shift. This shift is needed only when a resident at level 3 in care needs to be awake overnight (AON).

Throughout the day, we provide housekeeping, laundry services, and transportation for medical and other appointments.

I have the vocation to help one of the most vulnerable subgroups in our society, especially now that older adults live longer and are a rapidly growing population that needs care and assistance, as their families often don't have the time to provide it. I wish to continue what I'm doing, but in a more holistic way.

Sincerely,



Elianne Quintero

Staff Report

Special Exception Request for 18 Mattawoman Court, Indian Head, MD 20640

Introduction

The proposed special exception request is for the use of an assisted living facility, located in a residential dwelling. The request is being made by homeowner, Elianne Quintero.

Public Health/Safety

Based on the applicant's submission, the impacts to public health and safety cannot be determined.

Enjoyment/Property values

The proposed special exemption request should not substantially diminish or impact property values within the neighborhood. As long as noise levels are kept to a minimum, it should not be injurious to the use and enjoyment of the surrounding properties.

Architectural

Based on the applicant's submission, impacts or changes to the structure have not been addressed.

Availability of Public Utilities

The anticipated impact to public utilities that may result from the special exception request has not been determined at this time.

Present and Future Transportation Patterns

The proposed special exception request does not include a land development submission, so the anticipated impact to present and future transportation patterns that may result from the special exception request cannot be determined. It is anticipated that additional traffic would be generated due to persons working at the home.

Relationship to the Town's Comprehensive Plan

The proposed special exception request is consistent with the Town's 2009 Comprehensive Plan.

How the Property will be Utilized

The residence is 1,280 square foot townhome with 3 bedrooms and 2 bathrooms, located in a townhome community. Based on the applicant's narrative the following person's will be utilized as part of the assisted living facility operations:

- The applicant, living manager
- The applicant's daughter, alternate living manager
- A nutritionist
- 2 caregivers per shift

The assisted living facility will serve up to 5 care residents and will operate 24 hours a day, 7 days a week, 365 days per year.

Changes in the Character of the Neighborhood or Mistake in the Original Zoning

The proposed special exception request does not include a land development submission; however, the assisted living facility would not change the innate characteristics of the parcel.

Staff Concerns/Recommendations

1. With respect to public health and safety, the Board should determine how the applicant will accommodate waste (both increased residential and medical).
2. The Board should understand what, if any, changes to the residential structure will be required to accommodate the care residents.
3. The applicant should verify if sewer and water capacity increases can/need to be approved.
4. Based on the applicant's submission, it is not clear what the total maximum number of people, at any time, will be at the residence. The Board should consider limiting the maximum number of care residents and care givers based on the existing occupants and number of bedrooms.
5. Based on the applicant's submission, it appears that up to 3 persons (nutritionist and 2 care givers per shift) will visit the residence. Currently, each residence in the townhome community is provided with 2 designated parking spaces. The townhome community also provides limited undesignated parking areas for entire community to utilize. The Board should consider limiting parking related to the assisted living facility to an offsite designated area if possible.

Re-Zone Special Exemption HEARING 8.26.26 @6pm Property #18 Mattawoman Ct, Indian Head MD

Statement from: The Board of Directors, Mattawoman Woods Townhouse Inc. HOA

Good Afternoon,

My name is Joseph McFadgen, I'm a Board Officer for the Mattawoman Woods Townhouse HOA, acting on behalf of our Community Board.

Our President, Karen Thomas, can't be here today.

I appreciate being included in this Special Exception Hearing and I sincerely understand the need for quality Elder Care.

If allowed, I'd like to first read my Statement and then submit it in writing For the Record.
I'll try to make this brief and stay on point.

My discussion is going to concentrate on the factors presented in the requesters supporting documentation.
These are:

Parking Impact

Re-Zoning – i.e. the 'Commercial – effect' with re-designation of the property

HOA Bylaws and Covenants - AEC (Architectural and Parking) Enforcement

Ms. Quintero, I can surely understand the woes that come with a long commute because I do the same.
For my job, I do a daily truck run to Dulles so, yes - -with the long commuting situation, I do understand.

The board is concerned that with this Re-Zoning Special Exception application, this might cause an unintended re-characterization of the body of our Townhomes.
And, while officially, it will still have a 'residential' heading, in effect we believe that (silently) it will be labeled a 'Commercially-based' institution within our Units.

The board is clear though, in our understanding, that there is a real need for elder-care;
but, as 'keepers of our Community' we, the board, must anticipate any future impacts for our homeowners.

One of the board's most important tasks, is to assess budget and community-wide impacts.

In our review of this Re-Zoning Special Exemption request, we see that there's a good possibility for:

- 1) cost implications (due to enforcement of the increased vehicle VISITOR traffic).
- /and/
- 2) the loss of already limited Visitors Parking.

Detail: The parking in our community is already very full.

There are fewer than 6 visitor spots available on average during the daytime,
and, the entire lot is filled in the evenings.

The Re-Zoning Special Exemption request supporting documentation is a bit misleading where it lists that 17 VISITOR Parking Spaces are available in our MWTHOA Community.

The board is also concerned that since Ms. Quintero and staff's (the +2 to +3 additional staff's) primary responsibility is to ensure that the residents activity schedule is adhered to: i.e. the regulated bathing, medicine and feeding, activity schedule, that Ms. Quintero (and staff) will not be able to properly supervise [or direct] that her Visitors :

Do Not Double Park, nor Park in another Homeowner's empty personal space.
All Homeowners are all allotted 2-parking spaces.

The board sees this as a potential HOA Enforcement problem and a headache.

CONCLUSION:

With this statement, the Board wishes to express our opposition to the current proposal but, if the Zoning panel approves this re-Zoning Special Exemption, the MWTHOA Board would like to request these suggested conditions be included:

- Homeowner and the property, will continue to abide by the MWTHOA Covenant and guidance.
- All exterior modification requests must first be submitted to /and/ approved by the board with the understanding per the MWTHOA covenant and homeowner guidance, that the board has the final decision on any exception requests.
This, is all in accordance with the MWTHOA covenant and guidance which says:
that any exterior changes done without prior board approval
(that is in violation of AEC directives),
"shall be removed or re-altered by the Owner
or his Tenant, at his expense."
- The Homeowner may be fined, pursuant to MWTHOA directives,
if there are AEC or Parking violations associated with the Facility /or/ entity.

Thank you for your time.

Our request is that this goes into the file, For the Record.



Joseph W. McFaugen
(Acting)MWTHOA Board Officer