

**Zoning Board of Adjustment
Tuesday, January 2, 2018, 6:30 p.m.
City Hall Committee Room
3 Washington Street, 2nd Floor**

AGENDA

- I. Introduction of Board Members
- II. Minutes of the Previous Meeting
- III. Unfinished Business
- IV. Hearings:

ZBA 18-01: Petitioner, David Bergeron of Brickstone Land Use Consultants of 185 Winchester Street, Keene, requests a Variance for property located at 828 Court Street, Keene, Tax Map Parcel # 176-01-004, which is in the Commerce District and owned by SS Bakers Co., Inc. of 428 Main Street, Keene. The Petitioner requests a Variance to permit a storage facility/self-storage on a property in the Commerce District where an existing restaurant will remain. Storage facility/self-storage is not a permitted use in the district per Section 102-542 of the Zoning Ordinance.

- V. New Business:
Chair and Vice-Chair voting
- VI. Communications and Miscellaneous:
- VII. Non Public Session: (if required)
- VIII. Adjournment:

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City of Keene
New Hampshire

ZONING BOARD OF ADJUSTMENT
MEETING MINUTES

Monday, December 4, 2017

6:30 PM

Council Chambers

Members Present:

Nathaniel Stout, Chair
Jeffrey Stevens, Vice Chair
Josh Gorman
Louise Zerba, Alternate
Thomas Plenda

Staff Present:

Gary Schneider, Plans Examiner
John Rogers, Zoning Administrator
Thomas Mullins, City Attorney

Members Not Present:

John Rab, Alternate

I. Introduction of Board Members

Chair Stout called the meeting to order at 6:30 PM, introduced members of the Board and welcomed everyone to the meeting.

Chair Stout reminded the audience of the rules and procedure of the meeting. He asked when members of the audience come forward to speak that they speak through the Chair, state their name and address. Those in favor of the application will speak first and those that are not in favor will speak second.

II. Minutes of the Previous Meeting

Vice-Chair. Stevens made a motion to accept the minutes from November 6, 2017. The motion was seconded by Mr. Plenda, which carried unanimously. Ms. Zerba abstained from voting due to her absence from the meeting.

IV. Hearings

ZBA 17-15 & ZBA 17-17/ Motion to Rehear 0 Grove St. per abutter Medard and Dawn Kopczynsi has been withdrawn.

Mr. Rogers stated that a letter was received from the applicants for a rehearing and that it was their desire to withdraw their request. In addition, he stated that the applicants did not provide the

appropriate abutter list and fees for notification. Mr. Rogers recommended that the ZBA make a motion to reaffirm the approval of the Variance for ZBA 17-15 and ZBA 17-17.

Ms. Zerba made a motion to reaffirm the approval for the Variances of ZBA 17-15 and ZBA 17-17 that were approved on October 2, 2017. The motion was seconded by Mr. Gorman and passed on a vote of 4-1. Mr. Plenda opposed.

ZBA 17-19/ Petitioners, Katz Properties of 254 West 31st St., 4th fl, New York, represented by Archetype Signworks of Peterborough, NH, requests a Variance for property located at 2 Ash Brook Road, Space B, Tax Map Parcel #502-01-001-0700, which is in the Commerce District, and is owned by the Petitioners. The Petitioners request a Variance to permit the east elevation of the building to be considered as allowed frontage for signage as shown on Attachment D: 37.37 sq. ft. parallel channel letter sign and 1 sq. ft. logo on the awning apron per Section 102-1282 of the Zoning Ordinance.

Mr. Schneider stated that the property was located in the plaza where Home Depot, Price Chopper and Target are located. He referred to a map indicating the property was located along Route 9 and listed as #2, which was the previous location of the Olive Garden Restaurant. Mr. Schneider stated that at this time there is a small strip mall being constructed with four different tenants. Tenant A is listed on the map as Kay Jewelers and Tenant B is listed as Yankee Candle.

The entrance to the plaza is located at the intersection where a left turn is needed to enter into Price Chopper grocery store, Long Horn Restaurant and Chili's Restaurant. Mr. Schneider indicated that the location of the front of the building faces west and the back end of the building faces Ashbrook Road. He explained that according to the definitions in the Sign Code, the property does not qualify for primary frontage, secondary footage or parking lot frontage. Mr. Schneider further explained this was because the building does not have an entry into the tenant's space from the back side of the building. Therefore, in accordance with the Sign Code, signage is not permitted on that backside of the building. Mr. Plenda asked if the applicant was requesting permission to put a sign in the rear of the building. Mr. Schneider replied in the affirmative.

Chair Stout recognized Reed Hayes, 49 Vose Farm Road, Peterborough, NH. Mr. Hayes stated that he was the General Manager of Archetype Signworks and that he was applying for a Variance to allow the east frontage of the building to be considered for signage. The request is for a parallel sign on the wall facing Ashbrook Road and will inform the public of the location of Yankee Candle.

Mr. Hayes reviewed the criteria.

- He stated that granting the Variance would not be contrary to the public interest because it would permit "the effective usage of signage to direct movement, to advertise, and to inform the public", by providing information about the location of the establishment that would otherwise be absent along the thoroughfare, and, thereby, reducing confusion and driver indecision in a high traffic area.

- He stated that they believed the Spirit of the Ordinance is served because it would permit the effective use of signage to direct movement, to advertise, and to inform the public while protecting the safety and general welfare of the public" and also while "preserving character of the neighborhood due to the proposed use's consistency with other similar applications of signage on adjacent buildings on adjacent lots. He noted directly across the street from the property is Michael's that also has two parallel channel signs. In addition, he stated that the Long Horn Restaurant also has these parallel channel signs.
- They believe granting the Variance would do substantial justice because the orientation of the frontage where signage is allowed by the Ordinance, does not afford the establishment the opportunity to maximize the effectiveness of their allowable signage from an advertising and way-finding standpoint. Also, the establishment for which the signage would provide advertising would enjoy the same benefits and privileges as other retail businesses within adjacent buildings on abutting lots.
- He stated if the Variance were granted, the values of the surrounding properties would not be diminished because the proposed use would be consistent with the commerce nature of the neighborhood and similar applications of signage on adjacent buildings on abutting lots.
- He stated that no fair and substantial relationship exists between the general public purposed of the Ordinance provision and the specific application of that provision to the property because the orientation of the building frontage where signage is allowed by the Ordinance does not allow the tenant to maximize the effectiveness of their allowable signage, and the proposed use is consistent with character of the neighborhood.
- Mr. Hayes stated that the proposed use is a reasonable one because of the presence of other similar applications of signage in the neighborhood, and because granting the requested Variance would allow for the effective use of signage to direct movement, to advertise, and to inform the public while protecting the safety and general welfare of the public. The proposed use would also add character to the frontage that is consistent with the character of the neighborhood.

Ms. Zerba asked if the sign meets all of the same specs in all of the other stores that are in the complex. Mr. Hayes replied that the sign is consistent as all of the other signs and that the requested sign is a parallel channel sign.

Ms. Zerba stated that she noticed in the drawings presented that there is another sign on the awning. She asked if the awning would be facing the street. Mr. Hayes replied in the affirmative. In addition, he stated that the signs on the awning would have the Yankee Candle logo.

Mr. Plenda asked if there are other stores that do not have parking on the side of the building where the sign is located. He stated that Mr. Hayes was inaccurate in his description of other store signs because these stores have parking on the side of the building. He said if the applicant wants to put a sign on the building where there is no parking he would violate the Ordinance. Chair Stout advised Mr. Plenda against using a word as strong as "violate" and the reason why the applicant is here before the Board is to avoid a violation.

Chair Stout asked Mr. Hayes if he represented the owner of the entire building or one tenant. Mr. Hayes replied that he was representing the owner of the building on behalf of one tenant. Chair

Stout asked if the ZBA would be seeing Mr. Hayes on behalf of other tenants. Mr. Hayes replied that he did not believe so and that Archetype Signworks works as a subcontractor for Yankee Candle's sign company.

Mr. Gorman asked if there would be four units in the strip mall. Mr. Schneider replied in the affirmative. Mr. Gorman asked based upon Mr. Hayes's knowledge, if the other three occupants would be in a similar position in terms of layout where there may be a possibility of having eight signs on the back of the building. Mr. Hayes replied that he did not believe so based on the elevation drawings that were presented to the ZBA. Mr. Schneider stated that this was a brand new building with four tenants and to his knowledge there are only two tenants that have been determined. The two tenants are Kay Jewelers, which is the first unit that is closest to highway and next door would be Yankee Candle. There are two empty units that have not submitted an application for a building permit. Mr. Schneider stated that he has had discussions with Kay Jewelers and they will be before the Board to request a sign on the wall that faces the highway. In addition, they have also inquired about having a sign in the back of the building.

Mr. Schneider stated that in regards to the other buildings in the area, such as the Long Horn Restaurant, their sign appears underneath their door and if in fact that is an entrance door they would be entitled to signage on that side. He noted that this would be considered parking lot signage. In addition, he noted that the Game Stop Store sign looks to be in the front of building and would be considered parking lot frontage.

Ms. Zerba asked Mr. Schneider what would ensure the Board that all four for the tenant signs would be the same size. Mr. Schneider replied that the Board could make conditions. Chair Stout stated that he did not believe that the Board could make conditions on future applications. Mr. Stevens stated that the Board could make conditions on the application in order to make future applications fit within certain guidelines. Mr. Rogers recommended against the Board enacting conditions on future applicants because each unit will have a different frontage. In addition, he noted that it would be difficult to place a condition on future applications.

Vice Chair Stevens asked if there were any examples in the City where a business sign is located on the back of the building. Mr. Schneider replied that there is one on Convenient MD that is located on Winchester Street. Vice Chair Stevens asked if there was a reason why the strip mall had to be built in that location. Mr. Schneider replied that it was approved by the Planning Board. Chair Stout added that he is on the Planning Board and that the Board did not oppose the position of the building.

Mr. Plenda stated that the applicant has not accurately explained how his sign is different from the Ordinance. Mr. Rogers reminded Chair Stout that the public hearing was open and that the Board needed to see if there was any public comment before the Board deliberated.

Chair Stout opened the public hearing and welcomed public comment.

Chair Stout asked Mr. Hayes if there was an option to advertise on the sign mast in front of the mall. Mr. Hayes replied that he could not definitively answer that question.

Chair Stout stated that this seemed like a case where what the Board decides will set a precedent in at least four other cases. He explained that the Board's decision will likely be reflected on down the road. He noted that he was concerned for the landscaping and it seemed if there is a sign in that location the landscaping will be perceived as obscuring the sign.

With no comment, Chair Stout closed the public hearing.

The Board reviewed the criteria.

Granting the Variance would not be contrary to the public interest:

Ms. Zerba stated that it was important for people to know the location of the building and where they should turn to get to the business. She noted that this was in the public's interest.

If the Variance were granted, the spirit of the Ordinance would be observed:

Mr. Gorman stated that in this case given the area is a highly retail traffic area, he does not think it is unreasonable to have business visibility in this type of setting. He said that the Spirit of the Ordinance is more in terms of preventing sign pollution and does not think this is a risk given the location. Mr. Plenda stated that the Spirit of the Ordinance is not being observed and that is based on face value.

Granting the Variance would do substantial justice:

Ms. Zerba stated that in order for businesses to thrive they would need to have signage. Chair Stout stated that he does not consider this a vote on single sign and considers this a vote on the entire structure that would have an effect on the whole mall. He stated that there is a reasonable argument for substantial justice but does not believe justice is based on financial decisions.

Mr. Gorman stated that he would agree that financial means are not applicable. He stated that given everyone else in the plaza's ability to advertise their business is where the Variance would do justice. Mr. Gorman stated that Yankee Candle should have the option in advertising as everyone else is granted in the plaza. He noted that he was concerned that the Board may see the same request three more times and have numerous signs requests.

Mr. Gorman asked if the awning was considered a sign. Mr. Schneider replied that in accordance with the Sign Code, the awning would be considered a sign. Mr. Gorman stated that he was contemplating allowing one of the two signs in fairness to the applicant without creating a precedent where everyone expects three signs.

Vice Chair Stevens stated that his biggest concern with the application in regards to owing to special conditions of the property is that a brand new building was built without the thought of these signs. Chair Stout stated that by granting the Variance substantial justice would be served but not based on financial reasons.

Mr. Plenda stated that by granting the Variance does not do substantial justice.

If the Variance were granted, the values of the surrounding properties would not be diminished:

Mr. Plenda stated that the values of the surrounding properties would be diminished. Vice Chair Stevens stated that he would disagree with Mr. Plenda.

Unnecessary Hardship

E. Owing to special conditions of the property that distinguish it from other properties in the area, denial of the Variance would result in unnecessary hardship because:

ix. No fair and substantial relationship exists between the general public purpose of the ordinance provision and the specific application of that provision to the property:

Ms. Zerba stated that this is the only store in the building as well as the entire marketplace where its rear will be facing the driveway. She said that based on this information, this business made it different from other properties in the area. Chair Stout asked if the Board would consider a condition due to his concern with landscaping. He explained that he does not want to see the landscaping on the property compromised by a sign and that it would be imperative to provide a condition for the landscaping to remain as is. Ms. Zerba asked if the Planning Board put any conditions on landscaping. Chair Stout replied in the affirmative.

Chair Stout asked the Board if they would be willing to add a condition that the landscaping would not be compromised.

Mr. Rogers stated that there is already an approved site plan that the developer must follow for landscaping. He explained that due to the Planning Board standards, the developer must maintain that plan. Mr. Rogers stated that the Planning Board standards would cover the landscaping requirement without adding a condition. Mr. Schneider added that the only way the developer could modify the plan was going before the Planning Department.

x. The proposed use is a reasonable one

Ms. Zerba stated that she would agree that the use is a reasonable one. Mr. Plenda stated that the proposed use was a not a reasonable one.

Ms. Zerba made motion to approve ZBA 17-19 with only one sign facing in the entry driveway on the east elevation and that the sign be as presented to the ZBA on the drawing. The motion was seconded by Mr. Gorman, which carried unanimously.

Chair Stout reviewed the Findings of Fact:

Granting the Variance would not be contrary to public interest: Granted, 4-1 Mr. Plenda opposed.

If the Variance were granted, the spirit of the Ordinance would be observed: Granted, 4-1 Mr. Plenda opposed.

Granting the Variance would do substantial justice: Granted, 4-1 Mr. Plenda opposed.

If the Variance were granted, the values of the surrounding properties would not be diminished: Granted, 4-1 Mr. Plenda opposed.

Unnecessary Hardship

E. Owing to special conditions of the property that distinguish it from other properties in the area, denial of the Variance would result in unnecessary hardship because:

ix. No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property: Granted, 3-2 Mr. Plenda and Vice Chair Stevens opposed.

x. The proposed use is a reasonable one: Granted, 4-1 Mr. Plenda opposed.

With a vote of 3-2, The Zoning Board of Adjustment approved ZBA 17-17. Mr. Plenda and Vice Chair Stevens opposed.

ZBA 17-20/ Petitioners, Prospect House, LLC of 35 Keene Rd., Winchester, NH, requests a Special Exception for property located at 361 Court St., Tax Map Parcel #008-02-001, which is in the Medium Density, and is owned by The Prospect Hill Home of 361 Court St. The Petitioners requests a Special Exception from Section 102-37(b)(1) and Section 102-392 to increase the number of beds from 16 to 26 within the same area/footprint.

Mr. Rogers stated that the applicant's had applied for ZBA 17-16, an Enlargement of a Non-Conforming Use in addition to ZBA 17-20. He said since that original application has been submitted, it has been made aware that this property back in 1989 was granted a Special Exception for a group home, which would be a permitted use for this zone and property. Mr. Rogers stated that once this was revealed, the applicant filed this application for the group home and a Special Exception for the Board to determine if their proposed use fits into the definition of a group home.

Chair Stout asked Mr. Rogers if the Board was deliberating on the application as if the property does meet the requirements of the Special Exception based on what was granted in 1989. Mr. Rogers replied that the Board would first be deliberating on the use itself and if it meets the definition of a group home. Chair Stout asked if the Board needs to determine if the proposed use matches that use which was approved as a group home in 1989. Mr. Rogers replied in the affirmative. Chair Stout reiterated to the Board that the conversation will be based on the criteria of a group home and the Board at this point will not be weighing in on the medical practices or other ancillary issues.

Vice Chair Stevens asked if there were any conditions placed on what was approved in 1989. James Romeyn Davis, an attorney with Sheldon, Davis, Wells and Hockensmith, P.C., located at 8 Middle Street, Keene, NH stated that he represented the applicants and asked if it would a

benefit to the Board to provide a copy of the application from 1989, minutes and the decision of the ZBA. Chair Stout addressed the issue of presenting documents to the Board on the night of hearings. He noted that if a document could easily be understood it would be permitted. If not, the document could be submitted for another hearing. He deferred to the Board for a decision. Vice Chair Stevens stated that it would be helpful to have this information available. Mr. Gorman stated that the document should be accepted because it is pertinent. It was the decision of the Board to accept copies of these documents.

Attorney Davis presented the Board with a copy of the minutes relative to the application and the Notice of Decision. Mr. Rogers stated that there were no conditions put onto the approval according to the minutes. It was noted that there was a conversation in regards to the number of beds and that they were proposing an addition to the building for a commercial kitchen and an elevator.

Attorney Davis stated that he was present on behalf of the applicant's, Mr. and Mrs. Boisvert. He stated that the applicants have proposed to purchase and operate the property located at 361 Court Street which is currently known as Prospect Place. He stated that this Board back in 1989 approved an application with a Special Exception to approve the current use which was identified in the application as a group home.

Chair Stout announced that he was a former resident of North Street and would have been an abutter in the application process. He explained that he sold his home on North Street on July 7 2017 and had bought a new home from Attorney Davis and his wife. Chair Stout stated that he wanted to make it clear that he had spoken to the City Attorney and that he has had no further professional dealings with Attorney Davis. Chair Stout asked if the Board was opposed to him residing on the Board knowing this information. There were no members of the Board that opposed.

Attorney Davis stated that in ZBA 89-20, which the Board approved, was an application of a Special Exception and that the zoning has remained the same since that time. In addition, he stated that the definition of a group home has also remained the same. Mr. Plenda stated that Attorney Davis's statement did not make sense to him and asked him for clarification. Chair Stout reminded Mr. Plenda to speak through the Chair and to allow Attorney Davis to continue with his presentation. He asked Mr. Plenda to save his questions until the applicant has concluded with their presentation.

Attorney Davis continued to explain that the application was approved as a group home and the use had been in existence since approximately 1984. The group home was a facility for sheltered care for the elderly. He stated that the group home definition according to the Keene Zoning Ordinance in 1989 is the same definition which currently exists. In addition, he stated that the Special Exception also approved an expansion to the building for a commercial kitchen, an elevator and a new entrance off of the parking lot for a slight expansion of 12 parking spaces.

Attorney Davis stated that the use that was approved at the time was for a group home. He read the definition of a group home according to Zoning Ordinance 102-102 as follows, "any

premises privately or publicly sponsored where board and supervision is given to five or more persons not related by blood or marriage to the owner or primary occupant thereof for the purpose of social rehabilitation and or long term sheltered care”. Attorney Davis stated that the group home that had been in existence through 1989 was a group home for five or more persons not related by blood or marriage or primary occupant for the purpose of social rehabilitation and to assist the elderly as they transition in their life.

The use that the applicants are proposing, as stated by Attorney Davis, is referred as transitional housing or transitional facility to assist those members of our citizenry who are suffering with the ravages of addiction. He explained that these individuals will have completed a detoxification program as well as a rehabilitation program and will need shorter term to intermediate term in a residential facility. The vision is for a three month, 180 days or six months stay depending on the funding of the individual’s needs. This will be housing that provides room, board and additional supervision and rehabilitation to assist their reintegration into a community in a safe, structured and nurtured fashion. Attorney Davis noted that this will include individual counseling, group counseling amongst the residents and services all on site to assist in their social rehabilitation. He explained that the mission was to successfully reintroduce these individuals into community. Attorney Davis stated that they respectfully submit what they propose is for the exact same use that was previously approved as a group home.

Attorney Davis stated that Ms. Boisvert would speak briefly to the reasons, needs and the underlying motivation for the project. He stated that he would also address how the operation will be proposed and will go through the criteria to address public health and safety. Attorney Davis said when the application was approved for ZBA 89-20 there were no conditions. He explained that the applicants come before the Board assuming that the limitation of 16 beds was an applied condition.

Attorney Davis introduced Suzanne Boisvert, 401 Keene Road, Winchester, NH. Ms. Boisvert stated that she and her husband are before the Board tonight to consider their request to run the Prospect House. She stated that they are first and foremost a family that has suffered in the opioid crisis. Their son Christopher battled substance use disorder for nearly a decade.

Ms. Boisvert stated that when their son was 25 years old, he overdosed on Percocet to the point of death and after he was revived from full system failure he had to be put on life support. After surviving, he continued to struggle with drug addiction for another four years. In January of 2016, his friends dropped him off on the curb at Cheshire Medical Center. Chair Stout stated that this was a hearing about the group home and explained that there was a lot of ground to cover and asked that everyone be as quick as possible with points that are relative to the plan. Ms. Boisvert explained that this was what led her to want to run Prospect Place.

Ms. Boisvert shared that Narcan saved her son three times and in 2016 it was his last use. She explained that no one knows when someone will find true recovery and they are very thankful that their son is doing well. The experience left the Boisvert’s with a passion to be an advocate of this misunderstood population and their hope is for other families to become whole again. She stated that she did not believe that people really know just how hard it is to break an addiction and that addiction is not a choice. Ms. Boisvert stated that it is hard to navigate help and that this

is the only disease where people are allowed to hit rock bottom. She shared that her son is the strongest person that she knows. The Boisvert's vision of Prospect Place is to create a safe, structured group home for people in early recovery to aid them in succeeding and transitioning back into a healthy productive life. She stated that studies show the continuing of care and treatment is the best approach to addiction and that relapse dropped to nearly zero after five years of remission. Ms. Boisvert said that from the definition of addiction without treatment or engagement in recovery activities, addiction is progressive and can result in disability or premature death and has a strong effect on families and friends. She stated that our community lacks safe housing and continued services needed to serve people struggling from alcohol and substance use. She noted that her family needed to travel to Massachusetts to get help and that is not right. Ms. Boisvert stated that the community is blessed to have Phoenix House and other agencies but the community needs more. She said that this crisis is not getting any better and there are people dying. Mrs. Boisvert stated that there is a lot of shame and stigma around the issue and everyone should strive to be willing to find solutions like the rest of the world. She concluded that this population is our sons, daughters, mothers, fathers, aunts, uncles, friends, and co-workers, and they are our fellow human beings who deserve to be treated with love and respect. Ms. Boisvert asked the Board to bare that in mind when making their decision.

Attorney Davis said in relevance on the issue of a group home that the definition speaks for itself. He stated that it would be five or more unrelated individuals and they are proposing ultimately up to 26 individuals. Attorney Davis explained that they would start off at the number because it is a new facility and would be a learning curve. He stated that it would be for care that will lead to social rehabilitation and will provide shelter care just as the former elderly home. Based upon those reasons, Attorney Davis stated that they respectfully submit on the questions on whether this is same use for zoning purposes, there has been no change in the definition and there will be the same needs for the residents. He noted that the only difference is that the residents will not be elderly.

Attorney Davis stated that in regards to no negative impact, they have taken into account what will be the reasonable needs of the community, the things necessary to make sure the facility is properly run with the interest of the residents in the community and the residents in Prospect House. He advised the Board that the residents will be post detox and post rehabilitation and will not accept anyone that has just stopped using. Attorney Davis noted that individuals must be stable, clear and highly motivated. He explained that the program will be designed to be structured, safe, active and nurturing using the SMART Recovery cognitive behavioral model that has to deal with reinforcing positive change and trying to eliminate negative behaviors. The property will be a drug and alcohol free facility and there will be both random and regular drug screening on a weekly basis. In addition, there will be no onsite methadone used. The building itself will be a secured facility 24 hours a day, 7 days week and there will be an exterior video camera installed at both of the doors and at the parking lot. All residents will have mandatory curfews and can only leave the facility with approval. In addition, visitors will be limited and must be preapproved and preauthorized. The time of the visit will also have to be approved. Attorney Davis also noted that the parking lot will not be allowed to be used as a place of meeting. It is also their intent to keep the size of the existing sign and kept at the same location. He noted that the sign would say nothing other than Prospect House and list a telephone number.

Attorney Davis stated that they wanted to keep a low profile and close to what the sign is right now.

Attorney Davis stated that the executive director and the counseling director at Prospect House will have pursuant to New Hampshire State statutes, certain minimum licensure requirements, degree requirements and requirements with clinical experience. Attorney Davis reported that this facility will require licensure with the State of New Hampshire due to the services that will be provided. He noted that under this licensure there are requirements for both professional training and experience required for an executive director and/or clinical director. In addition, staff will be trained and professional, and counselors will be licensed. The staffing will include a 24 hours a day, 7 days a week, awake policy and night staff will be required to have an awake alert person. Transportation will be arranged by accommodation of a van that the facility will operate and residents will not by and large be allowed to have vehicles or use the parking lot. He stated that there may be a possible exception for exemplary residents at the end of discharge, if deemed appropriate to have a vehicle. He noted that this would be on a case by case limited basis. Any off-site trips for residents who have made sufficient progress must be approved by a counselor. Trips will include field trips, recreational activities and home visits. Attorney Davis stated that by and large family visits will not take place at the facility, except where it is deemed clinically appropriate. He stated with that exception, they anticipate that there will be no outside people coming in to receive any services. Although they will run an AA program, it will be only for the residents.

Mr. Plenda asked what Variance the applicant is seeking. Attorney Davis replied that they seeking a Special Exception and in 1989 the Board approved granting the Special Exception for a group home. He stated that the Board conditioned it to a 16 bed limitation and now the applicants are seeking permission to have up to 26 beds. He noted that this would not require additional construction of the facility.

Attorney Davis stated that the discharge from the program, whether it is from graduation or if someone violates the rules of program, will be required to be released to a sober, responsible preapproved person. He stated that they do not intend if someone has violated the rules to say that the individual cannot come back and to figure it out themselves. Attorney Davis stated that they believe in structure, stability and nurturing. However, he stated that actions will have consequences.

Attorney Davis stated that the programs will be designed to be active and individuals will be kept busy with classes, exercise, and recreational activities. In addition, there will be mandatory participation in private counseling and group counseling that will take place at the facility. They anticipate to never having more than one program run at a time. However, they do anticipate daily programs that will be along the lines of educational programs, exercise, music, art, yoga, to keep the mind and body busy. Attorney Davis stated that for a person who is recovering and attempting to maintain stability, idle time is the devils playground. In addition, mandatory community service provisions will be required and supervised by staff.

Attorney Davis stated that relative to the underlying facility, the Board has heard this has been a group home since approximately 1874 and ZBA 89-20 approved this as a group home with a

Special Exception. He reported that the building has over 9,400 square feet, three above ground floors, an elevator, two sets of stairs, a full kitchen, a dining room and meeting rooms. In addition, there are 18 bedrooms and 13 of those bedrooms include lavatories and toilets. There are six showers at the facility and a total of 18 toilets. Attorney Davis noted that there are 12 parking spaces. In determining the adequacy of the facility, he stated that it is instructive to the Board that in the applicable state licensure requirements under He-P 807, this building can support an access of 30 residents in the existing bedrooms. He noted that they are only seeking approval for 26 beds.

Attorney Davis stated that under the applicable laws with the State of New Hampshire and under the state licensure program, they cannot apply until all zoning approvals have been approved at the local level. He stated that relative to life safety, his client as well as himself have been in contact with Lt. John Bates of the Keene Fire Department and Lt. Bates has advised based on the representation of the stairwells and the sprinkler system at the facility, that under the applicable life safety code, it would be 200 square feet or less per resident, depending on the width of the access ways. He noted that they would easily be eligible for an excess of 30 residents.

Attorney Davis stated that in making a determination, they respectfully submit that there is no reasonable basis for the Board to determine that the proposed expansion from 16 to 26 uses as a group home. Mr. Plenda left the meeting. Attorney Davis asked if he should continue. Chair Stout replied that it was the choice of Attorney Davis.

Attorney Davis continued to state that in making the determination, the applicable question is that is it the same use from a zoning standpoint. He stated the former use was a group home and that the Board found that it was a group home and approved an application for a group home. Attorney Davis asked if the proposed use as group home. He stated that he respectfully submits under the definition that it is a group home. Attorney Davis stated that when the facility was run by Prospect House by and large they were single use bedrooms. He noted that many of the bedrooms that they propose will be dual use bedrooms.

Attorney Davis stated that Prospect Place is easily accessible due to the location of Court Street having close proximity to Main Street. He noted that this location was important. Attorney Davis stated in considering the impact on the neighborhood, they also think that it is important that the Board consider the characteristics of the immediate neighborhood. He advised the Board that if they were to pretend that Court Street, Prospect Street, North Street had no width to it and looked at all surrounding properties as if they were truly abutting properties, there are 14 properties involved. Attorney Davis said that of those 14 properties, six are not single family and are multifamily, four of those are two unit multifamily homes and two properties are larger. The abutter directly across the street on Prospect Street and on the corner of Court Street and Prospect Street is a multifamily which is an eight plus unit building. He noted that this was one of the closest property owners. He said that across from Court Street there are three single family homes and one two family unit home and further up Prospect Street from the corner of Court Street there two, two unit houses and a single family home. He said on the other side of the property on North Street there are three properties, one of which is a multi-family. Attorney Davis stated that they respectfully submit that this is a demonstration of why there will not be an undue burden on neighborhood or the community.

He stated that as far as the parking needs are stated, the residents by and large will not have residential facilities and as far staffing concerned, he has been in consultation with the former nursing director of Prospect House. Attorney Davis stated that she has confirmed that when they had the maximum number of residents at Prospect Home that they would typically have 8-9 staff Monday through Friday. On the weekends they would have six people on staff. He noted that their anticipated staff needs would be similar or less. During the day they anticipate to have a maximum of eight staff that includes one person that serves as the executive director and clinical director, one councilor, two support staff and one full time cook, one part-time assistance to the cook and two maintenance people that would primarily be Mr. and Mrs. Boisvert.

Mr. Gorman asked how many staff, relevant in terms of treatment exempt of cooks and maintenance will be privy to the care of the individuals. Mrs. Boisvert noted that these individuals are medically stable and expected to take care of themselves, take care of their bedroom and are much more ambulatory than what type of clients were there before. She reiterated that it is not care but is counseling and structuring so they have guidelines. Attorney Davis stated that there would be four staff members present during the day time in terms of treatment.

Mr. Gorman asked of the two-unit homes, how many were owner occupied. Attorney Davis replied that he was not aware.

Attorney Davis addressed the issue of staffing during the evening and stated that they anticipate 3-4 people would be on staff. This would include kitchen staff and normal staff. In the overnight time, they anticipate to have one or two that would be an alert awake person. Attorney Davis stated that under New Hampshire state licensure requirements there is no minimum staffing requirements. Chair Stout asked what licensing Attorney Davis was referring to in his statements. Attorney Davis replied He-P 807.9 and is a state regulation implementing the state statute.

Attorney Davis stated that in regards to parking, he consulted with the former nursing director, Ms. Barnes at Prospect House and she confirmed the maximum occupants on average would be six on staff during the day and they did occasionally have a resident that had a car. He noted that the residents with the proposed Prospect Home will not have a car unless it is an unusual circumstance. Attorney Davis stated that they did not anticipate the needs for the parking lot to be any different.

Attorney Davis stated that the staffing members that they are proposing would the same number of staff if they had 16 or the 26 residents. He stated that by changing the number of residents would not change the physical plan of the facility or the need of additional staff. They do not anticipate a problem from the staff point of traffic influx or problems in the neighborhood. He stated that the traffic would be similar to what previously existed. In addition, he stated that Ms. Barnes confirmed that the Prospect House would occasionally have third party providers for such services such as physical therapy. They do anticipate having only one program at one time but do anticipate having recreational and educational programs. He further noted that they do not anticipate the need for any more than 12 parking spaces. Based on those reasons, they

respectfully submit that it is the same use and increasing the number of residents has no negative impact on the neighborhood and will not require changes to the facility. Attorney Davis stated based on this information the application should be approved.

Attorney Davis stated that he could present the Board with sketches of the rooms by floor, photos of the inside and outside of facility. He said that it is important for the Board with any zoning application, to look at the utility of application and the benefit verses the burden to the community. Attorney Davis stated with that in mind, sometimes a picture is worth a thousand words. He presented the Board with a series of before and after photos of those with addiction. Chair Stout stated that the Board would consider accepting these photos. In addition, he requested that the audience be able to view these photos if approved by the Board. After a brief deliberation, the Board agreed to view the photos. Attorney Davis presented the photos to the Board as well as the audience.

The photos were of a teacher named Megan Slone, singer Whitney Houston, a man in recovery and actor Robert Downey, Jr.

Attorney Davis reported that his client's posted a computer based public petition and received responses from over 394 people who are in favor of the proposal. He stated that 83 of those people identify themselves as residents of the City of Keene. Attorney Davis read two of these responses. The first response he read was from Sandra B, *"My son is a recovering heroin addict, 11 months clean and in her own personal experience with the lack of facilities, no mental health facilities, no beds available, no place where he could go once he was clean to transition back in to life of working relationships. My son had a safe place to live with me when even more we needed a Prospect Place. Prospect Place would provide transitional living and we need this children are dying"*.

The second response was from a nurse named Tara at the Cheshire County House of Corrections, *"Many of this population have nowhere to go except back to the streets, creating revolving doors at the DOC. A safe, supportive place is essential in the recovery process and she supports this whole heartedly"*.

One of the responses Attorney Davis thought was the most instructive was from an individual that stated had there not been transitional living years ago, he knows he would be dead today. Attorney Davis stated that there is no such facility such as this in Cheshire County and asked that the Board approve the application. He concluded by thanking the Board for their time.

Chair Stout opened the public hearing to those in favor of the application.

Carl Babbitt, 152 Carroll Street Keene, NH stated that he was a home owner, a business owner and a convicted felon. He stated that he spent 17 years in a Massachusetts state prison because of a bad choice he made on August 20, 1990. Mr. Babbitt stated that he was released from prison in 2000 and that he had someone open their home to him. He reported that he was a recovery coach, a recent graduate of the SMART Recovery program and a graduate of Bethel College with a degree in Ministry.

Mr. Babbitt stated that he is the Director of the Monadnock Aftercare Prison Ministry, which is an aftercare program that works with men and women coming out of prison. He reported that in 2016, 18 out of the 23 clients that went through their program are successfully out of jail and are tax paying citizens. In addition, 12 of the 14 patients that were addicted to methamphetamine are also now successful, tax payers citizens.

Mr. Babbitt stated that if he did not have the support and encouragement of others or a house upon release, he would be right back in prison. He stated that if there is no housing for these people to go after release, there is no hope for these people. Mr. Babbitt asked that the Board give Mrs. Boisvert a chance. He thanked the Board for their time and encouraged them to approve the application.

Amelie Gooding, 10 School Street, Keene, NH stated that she runs the Phoenix House and has been there 20 years. She stated that they have an average of 200 people coming through their program and discharging each year. Ms. Gooding stated of the ones that are completing and successful with the treatment, they are referring 40-50% of them to transitional living. She stated that this is the next step after treatment and there are really no transitional facilities in the area. Ms. Gooding stated that they have to send their clients all over of the state.

In closing, she stated that if the program is run well, Prospect House is a place that these people need to get back on their feet. Ms. Gooding stated that she is in support of the application.

Victoria Horrock, 23 Rogers Street, Dover, NH stated that she works for New Hampshire Legal Assistance, which is the state nonprofit law firm. They serve low income, elderly clients and civil matters throughout the State of New Hampshire, including Keene. She stated that she was present on and behalf of her organization to support the application. They have decades of experience on housing discrimination and think that the people living in Prospect House are important members of their client community. They also think that this house has housing discrimination and federal law implications. She said that the Federal Fair Housing Act prohibits discrimination against individuals with disabilities and people recovering from alcohol and substance abuse, such as the people that would be living in Prospect House. She noted that these individuals would be protected by that Act. Under the Federal Fair Housing Act, local governments, including zoning boards are required to make what is called reasonable accommodations that are exceptions to Zoning Board Ordinances when such combinations would be necessary to afford people with disabilities equal opportunities to use and enjoy housing. She stated that this requirement, even in the face of community opposition, even based on fears or stereotyping people with disabilities, by denying such a request would be discrimination unless it can be shown that the request would cause an undue financial or administrative burden on the City or requires a fundamental alteration in the zoning program. The requirements to accommodate individuals who have disabilities exist even if there was some other place to put the house or project. In this case, she stated that this was a reasonable request and that it is not an undue burden on the City and is necessary for these individuals to have a place to go. She explained that she wanted to speak out on behalf of their potential clients and to make the Board aware of those federal requirements.

Chair Stout stated that Ms. Horrock referred to discrimination and implied that the zoning decision could be effected by legislation relative to discrimination. He asked Ms. Horrock for this legislation. Ms. Horrock replied that it was the Federal Housing Act 42 US Code 3601 and is a federal law that prohibits housing discrimination and that by no means is she stating that this Board is making a purposely discriminatory decision. Ms. Horrock noted that failure to make an exception for a disabled group can be considered discrimination. She stated that the Fair Housing Act does come into play and that there are similar cases of sober living; group home living that warrants Variances or Exceptions to Zoning Ordinances. She stated that these cases have gone to court and those Zoning Ordinances have had to make exceptions for those group homes. Chair Stout asked if there was any case law that she could site. Ms. Horrock replied one case was Schwartz vs. The City of Treasure Island and that this was a federal case. Chair Stout asked if she could site a case at the state level. Ms. Horrock replied that most of case law is at federal level and could not site one in NH.

Doug Iosue, 10 Scott Circle, Spofford, NH stated that he is a clinical social worker and has worked at the Cheshire County Jail for nine years. He stated that his role there is release and reentry of inmates to community reintegration. Mr. Iosue stated that there are approximately 1,200 Cheshire County residents that process through the jail, 30% are homeless and 80% are substance addicts. He said without a doubt, the biggest gaps in services of support are programs such as the proposed Prospect House. Mr. Iosue stated that there is very much a need and the community and the individuals will be better served if we can provide these services. He stated that he was in support of the application and hopes that the Board will approve the application.

Chair Stout asked if Mr. Iosue saw this program as a transition from the jail and asked who this would be a natural progression for, coming out of the jail. Mr. Iosue replied by their definition, people that have gone through detox and are stabilized and have gone through short term residential treatment. He stated that he refers many to short term residential programs but the gap comes at discharge even when the individual has been successful. Mr. Iosue explained that these people are returning back home to Keene and are homeless or semi homeless. He noted that the proposal for Prospect Place would fill that gap. Chair Stout asked if these individuals that leave the county jail would transition to a facility such as the proposed. Mr. Iosue replied that would most likely be the case.

Mr. Gorman asked Chair Stout if the Board could find out more about the time span of a short term recovery. Ms. Boisvert replied the main thing is that they would not be in the throes of detoxification, they would be through detoxification, medically stable and clear headed. She stated that they did not want to take residents right away because they usually go to a program such as the Phoenix House where they would they would get intensive care and make a conscious decision to continue their recovery. She noted that they wanted individuals who are motivated to come to Prospect House. Mr. Gorman asked what a typical stay is at the Phoenix House. Ms. Boisvert replied that detox from opioids or alcohol may be 5-7 days and high intensity treatment at Phoenix House may be two weeks. She stated that a person coming into her program would be at least three to six weeks into recovery.

Ms. Zerba asked in regards to the transitional housing at the jail, how long the programs typically lasted. Mr. Iosue asked if Ms. Zerba was referring to the Second Chance Program. He explained

that Southwestern Community Services ran this program and were in the midst of reassessing their program. He noted that Southwestern Community Services are not accepting referrals at this time. Mr. Iosue said that the Second Chance Program was the closest thing to transitional living in the area but is currently in a state of flux.

Jessica White, 153 Eastern Avenue, Keene, NH stated that she is a 40 year resident of the community and has raised both of her children in Keene. She stated that she is a tax payer and has spent most of her adult career in the corporate sector. Ms. White stated that she is now a peer recovery support supervisor and an active recovery coach. She shared that she has celebrated two years of recovery from drugs and alcohol.

Ms. White reported that she has spent the last two years guiding and supporting residents that seek help. Ms. White has learned during this time that we cannot improve on the current conditions by allowing ourselves to object to the solutions offered. She stated that the City is being offered an opportunity with Prospect House and it would be a tragedy to turn down. Ms. White stated that Prospect House as projected could fill a significant void. In addition, she stated that there is evidence that transitional living offers structure, security, proper support, nurturing and is a key element in increasing the success rates with those in recovery. She toured Prospect House and can attest to the security, ample space and ideal design for transitional living.

Ms. White stated that the potential to support upwards of 24 people could easily be achieved using the best practices of dual occupancy. She has met with the Boisvert family and discussed their visions, consulted on important elements needed in their programming and has agreed to be on their advisory council. Ms. White stated that she is proud to stand behind several allies in the hopes that their expertise will ease the concern of those who feel this may not be a good fit in the neighborhood. She can assure people in doubt that based on her personal experience that the Boisvert family is open to consultation and open to listening to the concerns and suggestions of others.

Ms. White stated that anyone can search the police logs and see that there is no neighborhood, street or family immune to this crisis. She asked that the Board remember the proposed programming suggested for Prospect House is for people that have a base of recovery from a higher level of care facility. Ms. White stated that relapse rates will continue to increase if there is not a solution offered such as transitional living. She asked that the Board not deny her to continue helping those in need.

Dante Diffendale, 37 Dover Street, Keene, NH stated that the discussion at this meeting was if Prospect House falls under the exemption of a group home. He referenced the definition of a group home on Google and read the first definition that is listed as follows *“a home where such a small number of unrelated people in need of care, support, or supervision can live together, such as those who are elderly or mentally ill”*. Mr. Diffendale said that substance abuse is now included in the DSM 5 (The Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition). He noted that DSM 5 is used by clinicians, doctors, therapists and psychiatrists to diagnose people with mental illness. Mr. Diffendale stated that by definition substance abuse is a mental illness.

He reported that she attends Keene State College, majoring in Psychology and is the President of ALO on campus for students in recovery. In addition, he reported that he is 17 months clean and sober.

Mr. Diffendale stated that the house he was living in after he returned from recovery was not safe for him. He didn't have any family to turn due to the actions he took during his active addiction. Mr. Diffendale shared that the kindness of people's hearts that invested in his recovery helped him with his sobriety. He stated that he has a job, pays taxes and bought his car outright and has been able to do so because other people invested in his recovery.

Mr. Diffendale stated that it would be a shame to keep losing people to this disease when the Boisvert's have provided a good solution. He thanked the Board for their time and encouraged them to approve the application.

Paul Patruvis, 116 Church Street, Keene, NH stated that he went through Phoenix House and went through transitional living and it worked. He stated that he is five years clean from drug addiction. He stated that he has seen many people fight addiction and end up back on the streets. Mr. Patruvis noted that sometimes these people do not survive.

He said that if places like Prospect House exist it would save more lives. Mr. Patruvis stated that the program will work and asked that the Board not take this opportunity away. He said that these individuals are human beings and that he is a human being with two daughters and pays his taxes. In closing, he asked that the Board set an example to the rest of the state that Keene is doing the right thing.

Natalie Nielson, 185 Roxbury Street, Keene, NH stated that addiction is happening all around us in the City of Keene and so is recovery because addiction is treatable. She said her question to the Board, given its prevalence, would they rather be surrounded by treated or untreated addiction. Ms. Nielson stated that law enforcement, intensive treatment facilities, outpatient facilities and family are working with one hand behind their back because they see the same individuals time and time again. She noted that these individuals are not receiving the long term recovery treatment needed.

She asked the Board what type of community the Board wants the City of Keene to be. She stated that there are incredible people in this room who live and breathe because they got the love and support they needed for their addiction. Ms. Nielson stated she is one of those people and has celebrated 10 years of sobriety. In closing, she asked the Board to think about the message they want to send and thanked the Board for their time.

Chair Stout asked if there was further public comment in favor of the application.

With no comment, Chair Stout announced a break and that the meeting would reconvene with public comment from those that opposed the application.

Chair Stout called the meeting back to order and asked if there was anyone in favor of the application that would like to speak. With no comment, Chair Stout welcomed comment from those that are in opposition of the application.

Melissa Chickering, Keene, NH submitted an email on December 4, 2017. Ms. Chickering stated in the email that she was unable to attend the meeting but wanted to express her concerns regarding the proposal of Prospect Place. In the email she shared her professional experience in the field of Addiction Counseling to clearly articulate her concerns and also to dispel any myth that her opposition to this project is somehow anti-addiction treatment. Chair Stout read the email to the audience.

Joseph Hoppock, attorney with the Law Offices of Joseph S. Hoppock, 16 Church Street, Keene, stated that he was representing the Knight's and a variety of other neighborhood members around the Prospect Street area. He stated that he wanted to speak to the Board about zoning regulations and would not appeal to their emotions or show them any pictures.

Attorney Hoppock began his presentation stating that in 1874, Prospect Place started as a home for invalids by the Unitarian Church and over the years it morphed into an elderly care facility. He stated that he did not disagree with Attorney Davis's characterization that in 1989 when the operators of Prospect Place came before the Board to ask for a Special Exception as a group home. Attorney Hoppock asked the Board to refer to the application that speaks to sheltered care for the elderly and that the application does not precisely track the definition of a group home. He explained that the former owners received a Special Exception for a group home and added an addition to house an elevator, part of the kitchen and increased the beds from 14 to 16. Attorney Hoppock stated that in all other respects, this is a nonconforming use. He stated that the City of Keene adopted zoning in 1970 and Prospect Place was operating as an invalid home as a nonconforming use.

Attorney Hoppock asked the Board to refer to a memo that he submitted in October of 2017. Chair Stout stated that the Board had received the memo. Attorney Hoppock stated that he discussed the history of Prospect Place in the memo as well as canvassed the neighborhood. He wanted to make a correction to one of the properties stated in the memo on page 11, the section where it states, "*approving the application would be injurious, obnoxious and offensive to the neighborhood*". Attorney Hoppock stated that he surveyed the area and referred to the duplex that was on a half an acre parcel of land. He stated that two weeks ago the Planning Board approved a two lot subdivision for that parcel. Attorney Hoppock noted that this neighborhood is getting more condensed and congested. He stated that the take away from this was that the exceeding small parcels of land where single family and multi-family homes are situated. He explained that all of these homes have cars and people that use Prospect Street and Court Street that add to the congestion of the neighborhood.

He said that in 1989, Prospect Place as a group home, asked for an expansion of its use. Attorney Hoppock stated that what the Board did hear in the presentation from Ms. Boisvert and the others is that this is a place that they are proposing where they will address disease and mental health issues. He noted that she suggested that they will provide aide for success and treatment of addiction, rehabilitation, lots of counseling and daily programs. In addition, he noted that relapse

prevention will be a key focus. Attorney Hoppock stated with that mind, the Board needs to look at the definition of a healthcare facility because in the first application the Boisvert's submitted on September 15, 2016, ZBA 17-16, they stated the present use as a healthcare facility and that their proposed use is a healthcare facility. He referred to the definition of a healthcare facility as follows *"healthcare facility means an institution such as a nursing home, convalescent home, sanitarium home or home for the aging in which sick patients of injured persons are given chronic medical recovery or surgical care"*. Attorney Hoppock stated that recovery care specifically implicated in the definition of institution, is for the chronic care of contagious diseases or incurable patients or an institution which provides a home and/or care for the aging. He said that what Prospect Place operated as for a number of years as a healthcare facility and what the Board is being asked to approve at this meeting, is a healthcare facility and not a group home.

Attorney Hoppock asked the Board to draw their attention to the definition of institutional use that is listed under Zoning Code Section 102.2. He read the definition as follows *"institutional use includes a healthcare facility, hospital, accessory housing for families of patients, clinic, nursing homes, sanitariums, convalescent homes, home for the aging, private schools, child care facilities, places of worship"*, etc. Attorney Hoppock stated that the proposal for Prospect Place is an application for a healthcare facility.

He stated that on September 15, 2017, the Boisvert's believed that they were proposing a healthcare facility. On the current application, Attorney Hoppock referenced ZBA 17-20, the Boisvert's are using the language of a group home. He stated that he thought they were playing games with some antics based on the 1989 application because it served their purpose.

Attorney Hoppock stated that under Zoning Code Section 102.392, lists the permitted uses in a Medium Density Zone. He stated that the permitted uses are single family residences, multi-family residences, duplexes, group homes with a special exception, historic sites open to the public, home occupations and institutional uses are permitted. Attorney Hoppock stated that institutional uses require that Division 12 of Article V that is listed under Zoning Code Section 102-1111 and states, *"In addition to permitting institutional uses anywhere in the Central Business, Central Business Limited and Commerce Zones an institutional use is permitted in other zones as designated in Division 2-20 of Article IV only on the following streets: Court Street on the west side from Westview Street to Maple Avenue and on the east side from Evergreen Avenue to Maple Avenue."* He noted that this section does not allow an institutional use in the Medium Density Zone at this location.

Attorney Hoppock stated that the legal argument is what the applicants have done with ZBA 17-20 and are not entitled to a Special Exception. He noted that this was not a group home and is a healthcare facility based on definitions and by virtue of Division 12 of Article V Section 102.1111; it is not a permitted location on Court Street. Attorney Hoppock stated that the applicants need to ask for a Variance.

He reverted back to the expansion of a nonconforming use. Chair Stout asked if Mr. Hoppock's discussion of a nonconforming use one has to assume that they are a healthcare facility. Attorney Hoppock replied that Zoning Code Section 102.210 deals with an enlargement of a

nonconforming use and they have not made any effort to show anything about those criteria. He explained that when Prospect Place left the facility in July of 2016, they left with the intent to abandon their nonconforming use. Attorney Hoppock stated that by virtue they merged their operation with the Woodward Home and that is indicative of that intent to abandon that use. Chair Stout stated that the abandonment refers only to a Variance application and not a Special Exception. Attorney Hoppock stated that he would disagree because a nonconforming use is deemed abandoned if use is discontinued for a period of a year. The nonconforming use on the property as a group home for 100 years or more would be abandoned by virtue of that fact that they left in July of 2016 and have not shown intent to operate there again. He said that if it was deemed abandoned the applicant would have to apply for a Variance and that would be the proper way to handle the application.

Attorney Hoppock stated that he did not hear anything about the three criteria needed for enlarging a nonconforming use. He stated that he has submitted evidence that the particular use would reduce property values in the neighborhood and would create a nuisance and serious hazard to vehicles and pedestrians by virtue of the traffic and parking problems. Attorney Hoppock stated that they have heard information about a number of staff that would be working at the proposed Prospect Place and the unbelievable representation that residents will not be permitted vehicles. Attorney Hoppock stated that he did not understand why Alcohol Anonymous meetings would be separate at this place and apart from group counselors that work at the facility. He stated that community meetings suggest people from the community will come to that meeting. In addition, he noted that if people attend these meetings, that they will be walking, driving, or riding a bike. He stated that there is no parking on Court Street and that Prospect House is problematic for parking. He noted that the road was narrow and that the street is packed with multi-family houses.

Attorney Hoppock stated that there is a 10 unit residential facility that is located directly across the street from the Prospect Place side and that it would be facing the side of the subject property. He stated that further down the street, there are other multifamily homes and that a lot of these houses are on less than half acre of land. Attorney Hoppock noted that these houses are all nonconforming based on lot size in a Residential Zone.

He stated that the applicant has the burden of proof on these elements and they did not meet that tonight. Attorney Hoppock referred to the 100 Nights Shelter hearing where one of the issues was the fact that the applicant could not meet some of the requirements that are required to meet in order to get their Variance. He stated that the applicants with this petition have not met any of the requirements of the Zoning Code, Section 102.10 and for that reason a special exception is not available to the applicants because they are not a group home and are a health care facility by virtue of Zoning Code Section 102.1111. With that in mind, Mr. Hoppock stated that for those two reasons the application should be denied.

Attorney Hoppock replied to the comments from Ms. Horrick from the New Hampshire Legal Assistance and stated that this is an application that is so incomplete that the Board does not have to worry about implicit threats about being sued for discrimination. In addition, he stated that it would create an undue hardship for the City of Keene to pass an application due to the threat of a discrimination lawsuit. Attorney Hoppock stated that the Board could turn zoning upside down

by approving the application. He stated that he respectfully submits that the application must be denied.

Loretta Simonds, 79 Woodburn Street, Keene, stated that she is opposed to the application. She stated that she has taken every opportunity that she could to listen to the Boisvert's. Ms. Simonds said that she has found them to be confusing, ambiguous and even sometimes disingenuous. On the radio and at Stonewall Farm, she recalled that Ms. Boisvert stated that she plans to run a 3.1ASAM level facility. Ms. Simonds stated that on the Internet, Ms. Boisvert stated that the purpose of her business is a transitional living facility. In addition, she stated that Ms. Boisvert stated in a letter to Mr. Schneider that their intention at the property is to offer transitional living and further calls to be approved as a group home exception. Ms. Simonds stated that she feels Ms. Boisvert has every intention of running a 3.1 ASAM low intensity, residential treatment facility which is not a group home.

She stated that in 1993 Prospect Place filed with the New Hampshire Secretary of State for a new business registration for a residential living facility. Ms. Simonds stated that the only difference between a group home and a residential living facility is that as a group home they could not distribute medication and as a residential facility they could distribute medication, but not administer medication.

Ms. Simonds stated that in New Hampshire licensing, the actual licensing for a group home is application for He-P 804 and He-P 805. She explained that the application Ms. Boisvert stated that she filed for He-P 807 goes with a 3.1 ASAM level facility. In addition, she stated that in an ASAM level facility, the NH licensing Board says that services provided for residential substance treatment services are designed to support individuals that need residential services. The goal of low intensity residential treatment is to prepare clients to become self-sufficient in a community where adult residents typically work in the community and may even pay portion of their room and board. Ms. Simonds stated that this means that some to all will of the residents will have cars and will come and go as they need. She said people using this type of facility are substance abuse users, inmates, homeless or domestic violence victims and not elderly people living out their lives.

She stated that Prospect Place was grandfathered and existed prior to zoning. Ms. Simonds stated that it became a non-conforming property under the Zoning Code. She stated that if the applicants are asking to expand on a non-conforming use, than under zoning rules and state law it has to be a natural expansion of the current use of an elderly group home. Ms. Simonds referred to the cases of Devaney vs. Windham and Conforti vs. The City of Manchester. In addition, she explained that the New London test for the expansion of a non-conforming use was established by the New Hampshire Supreme Court and that it must be asked to what extent does the challenge activity reflect the nature of purpose of the existing nonconforming use. The Zoning Board Handbook, Section II-19 states that if a land owner wishes to expand a non-conforming use he must argue expansion is a natural expansion or that it does not change the nature of the use of the property.

She stated that the Boisvert's proposal is to take a non-conforming use of elderly long term residential care with no cars or counseling services to apples and going to recovering addicts

transitioning back to the community is oranges. In addition, she noted that this application fails the New London test.

She stated that this business should be in one of the areas that the City of Keene has zoned for an institutional use.

Ms. Simonds stated that in regards to the Fair Housing Act in protection of disabilities, it states that reasonable accommodation must be made. She stated she feels that the City of Keene has done this by allowing for a group home by Special Exception and has generously zoned two areas within the City.

She stated that the New Hampshire Municipal Association stated that the Fair Housing Act amendment in 1988 expanded the protected class coverage to include persons with disabilities. She explained that they were clearly intended to curb land use restrictions on communal housing opportunities for disabled persons sometimes called group homes. She stated that Housing and Urban Development states that the reasonable accommodation change in rule policies practices or services is so that a person with a disability will have equal opportunity to use and enjoy a dwelling unit or common space. She stated that the American Disability Act does not apply to residential housing and rather applies to places of public accommodation such as restaurants, retail stores, libraries, hospitals as well as commercial facilities. She stated that she interprets this to include a wheelchair ramp on a private dwelling despite setback limitations. In addition, she stated that the US Justice Department states that not all requested modifications or rules are reasonable.

In addition, she referred to the comments made by Mr. Hoppock in regards to abandonment. She stated that the former owners of Prospect Place announced that they were leaving in June of 2016 and in July 2016 they moved all residents out of Prospect Place.

Ms. Simonds continued referencing a study by Dr. Bennie Waller, a Professor of Finance and Real Estate at Longwood University in Farmville, Virginia. She stated that Dr. Waller conducted a study on rehabilitation facilities in neighborhoods and how it impacted the depreciation of property values. She stated that he used Multiple Listing Service (MLS) listings in Central Virginia and discovered that wherever a rehabilitation facility was located within 1/8 of a mile, property values depreciated by 8% to 17%. In addition, she noted that if opioid treatment was included, the value of properties depreciated by 17%.

She stated that her home would depreciate in the amount of \$25,041 and the whole neighborhood in 1/8 mile radius would depreciate in the amount of 4.4 million dollars if this facility goes into place.

Ms. Simonds stated that she is on the side of rehabilitation and that she has lost two family members and five friends to substance abuse. She stated she is also a recovering addict and lost her marriage to alcoholism. Ms. Simonds stated that she wants places like this to exist but this is not the right place.

She stated that she will be robbed of the only thing of value to her and that is her home. Ms. Simonds explained that she may need the equity in her home at some point to help take care of her in the future. She asked that the Board not approve this application.

Chair Stout stated that Board will adjourn the meeting at 10 PM and discuss continuing the meeting to a future date. Mr. Rogers recommended continuing the meeting to a date as soon as possible and to announce the date and time at this meeting.

Anne Knight, 26 Prospect Street, Keene, stated that she is a direct abutter to the property and that her property line is five feet from the foundation of their home. She said that she is not here to say whether or not there should be a recovery house, she stated the point being is, does 361 Court Street meet the criteria as specified in the Keene Zoning Board according to Chapter 102 for a Special Exception and a Non-Conforming Use. She said that everyone is here to listen to the ruling of the Zoning Codes and not to listen to impassioned pleas. In addition, she stated that there is no reason why this recovery house has to be located at 361 Court Street. She reported that they were approved for a site in Winchester and that site had over 50 acres of land and multiple buildings. Ms. Knight stated that in her personal opinion, this site would have been much more conducive to the recovery population they want to take care of.

She stated that she is putting her faith in the Board that they will go by codes and laws as written as opposed to listening to impassioned pleas.

Ms. Simonds stated that even with 361 Court Street empty, there are significant issues with traffic and parking. The house that she lives in has been owned by family for over 110 years and she has lived there for more than 44 years. She stated that she knows the traffic patterns, parking and general activity in neighborhood.

Ms. Simonds stated that on one of the applications, the applicants wrote no external changes and yet on both the Special Exception and Expansion of a Non-conforming Use application they submitted a site plan with a new curb cut and circular driveway. She stated that the ZBA does not deal with curb cuts. She explained that the curb cut indicates more traffic and that the applicant will say one thing and show evidence with totally different intentions.

She reported that there is a much greater incidence of cigarette smoking and depending on study it can be as high as 73.5-94% in opioid reduction recovery. She noted that there will be a large number of people smoking. She stated that when there was one employee that smoked at the old Prospect Place they could smell it in their home. Ms. Simonds stated that they will be exposed to significant levels of second hand smoke.

She reported that when Ms. Boisvert spoke at Stonewall Farm, parents shared their concern about their children smelling the smoke at bus stops. Ms. Knight stated that Ms. Boisvert stated that it would not be a concern because people would be smoking outback. Ms. Knight noted that outback was her back yard.

She stated that if the plan goes through, the value of her property will depreciate in the amount of \$34,533.00. She thanked the Board for their time and asked that they vote on zoning and not on heart strings.

Jim Sovik, 46 Prospect Street, Keene, requested to present two photographs to the Board. The Board approved the photographs. Mr. Sovik stated that one of the things that were evident during the earlier presentation was that there seems to be little doubt that there is going to be a substantial increase in vehicular traffic. He stated that some of the comments by Attorney Davis such as “by and large” is not an absolute. Mr. Sovik said that the number of programs proposed and the number of people coming and going from the facility will have a substantial increase in amount of traffic.

He stated that Prospect Street is a dangerous street. Mr. Sovik referenced the first photo that showed a view from Court Street going up the hill on Prospect Street. He referenced the photo, indicating that 20 feet past the first telephone pole is the center line of Prospect Place. He explained that this indicated the dangers on Prospect Street.

The second photograph Mr. Sovik presented showed a view of the same hill from Prospect Street and pointed out that the line of sight is very, very poor and poses a definite hazard. He noted that this is one of the criteria that an applicant must have satisfied in order to have special exception approved. Mr. stated that the one thing that was not discussed is that there is also a lot of pedestrian traffic on Prospect Street. He stated that there are children going to and from school, people walking their dogs and people accessing Court Street.

In the winter time, Mr. Sovik stated that a narrow Prospect Street gets further narrowed because of the snow banks and that pedestrians have nowhere to go and are funneled into the road. The only sidewalk that is on the entire street is the section of sidewalk on Court Street. Mr. Sovik thanked the Board for their time and asked that they not approve the application.

Thomas Travers, 73 Woodburn Street, Keene, stated that he was an abutter two house’s down from Prospect Street. He stated that he is in objection of the application based on the fact that the use of the property has been discontinued. Mr. Travers stated that he wanted to address the people that are in support of the application, especially Mr. Babbitt. He stated that when some project of this nature violates our principles of zoning, it is wrong. Mr. Travers stated that we all have a heart and want to see people succeed.

He asked that the Board continue to give home owners the option to show kindness to someone without an outside organization telling us with threats of discrimination that this is what you have to do. Mr. Travers said that this is a free country.

Mr. Travers stated that he has lived in Keene for 34 years and made a decision every day to work and to not take drugs. He stated that the unfortunate do not have the option but asked the Board not to change the zoning based on passionate pleas. In closing, he asked the Board to let the community work together and that Keene already has zoning in place for these types of places.

Leighton Paulsen, 80 Armory Street, Keene, stated that he has two children that attend the Keene Middle School and use Prospect Street to get to and from the bus stop. He stated that the parking lot at Prospect Place is very small and has heard tonight that there may be eight staff on site with a minimum of six cars and that some people may be able to have a car at the end of their stay. He asked how this will evolve in the future. Mr. Paulsen stated that he thinks that this is an already congested area and to add additional vehicles would further complicate the situation. In addition, he stated there would be extra traffic from deliveries and outside services. He referred to the Sysco trucks that used to deliver to the facility in the past and how this caused an issue for traffic. Mr. Paulsen also noted that in the winter Prospect Street is icy and that it is difficult to navigate on the road.

He reminded the Board that North Street and Prospect Street are the access and egress for a very large part of the neighborhood. The streets in the neighborhood he noted are Armory Street, Spruce Street, Carrol Street, Elm Street and Baldwin Street.

As previously mentioned, Mr. Paulsen stated that the cigarette smoking is a concern especially with a large group of people smoking cigarettes. He said there are neighborhood kids walking through in that area and would be exposed to second hand smoke.

Mr. Paulsen recommended that Prospect Place be sent back to the neighborhood as a residential home.

He stated that based on evidence presented the value of his property would depreciate by \$22,000. Mr. Paulsen stated that this is not an amount that he would like to offer to this project and does not think it is reasonable to ask this of neighborhood. He stated that if the City is involved it should be included in what everyone pays into the City.

Mr. Paulsen said that there is also the social aspect of the proposed application. He stated that his children walk through that neighborhood and he has concerns of a large group of people in very tough time in their lives being outside.

He said that there is also a concern of what happens when something goes wrong. Mr. Paulsen stated that they would expect an increase in police activity when someone wants to leave and there is not a sober individual to pick them up. He noted that there have been instances where people have broken into homes for bus fares and that this should be taken into consideration.

In closing, he thanked the Board and asked that they not approve the application. Mr. Paulsen provided copies of his remarks to the Board.

Chair Stout asked what the wish of the Board was for the meeting. The Board briefly deliberated.

Chair Stout closed the public hearing due to the time of 10 PM.

Mr. Gorman made a motion to continue the meeting to Wednesday, December 20th at 6:30 PM in the City Hall Council Chambers. Vice Chair Stevens seconded the motion, which carried unanimously.

V. New Business:

None

VI. Communications and Miscellaneous

None

VII. Adjournment

Hearing no further business, Chair Stout adjourned the meeting at 10:07 PM.

Respectfully submitted by,
Jennifer Clark, Minute Taker

828 COURT ST ZBA 18-01



Petitioner requests a Variance to permit a storage facility/self-storage in a district where not permitted per Section 102-542, Permitted Uses in the Zoning Ordinance.



City of Keene

New Hampshire

NOTICE OF HEARING

ZBA 18-01

A meeting of the Zoning Board of Adjustment will be held on Tuesday, January 2, 2018 at 6:30 PM in City Hall Committee Room, 2nd floor, 3 Washington St, Keene, New Hampshire to consider the petition of SS Bakers Co., Inc., represented by David Bergeron of Brickstone Land Use Consultants, LLC of 185 Winchester St., Keene, requests a Variance for property located at 828 Court St., Keene, TMP 176-01-004, which is in the Commerce District and owned by the Petitioners. The Petitioner requests a Variance for Storage Facility/self-storage on a property in the Commerce District where an existing restaurant will remain. Storage facility/self-storage is not a permitted use in the district per Section 102-542 of the Zoning Code.

ZONING BOARD OF ADJUSTMENT

Corinne Marcou, Clerk

Notice issuance date: December 22, 2017

APPLICATION FOR APPEAL

Zoning Board of Adjustment
3 Washington Street, Fourth Floor
Keene, New Hampshire 03431
Phone: (603) 352-5440

For Office Use Only:	
Case No.	<u>ZBA 18-01</u>
Date Filed	<u>12/14/17</u>
Received By	<u>CM</u>
Page	<u>1</u> of <u>11</u>
Reviewed By	<u>AS</u>

The undersigned hereby applies to the City of Keene Zoning Board of Adjustment for an Appeal in accordance with provisions of the New Hampshire Revised Statutes Annotated 674:33.

TYPE OF APPEAL - MARK AS MANY AS NECESSARY

- APPEAL OF AN ADMINISTRATIVE DECISION
- APPLICATION FOR CHANGE OF A NONCONFORMING USE
- APPLICATION FOR ENLARGEMENT OF A NONCONFORMING USE
- APPLICATION FOR A SPECIAL EXCEPTION
- APPLICATION FOR A VARIANCE
- APPLICATION FOR AN EQUITABLE WAIVER OF DIMENSIONAL REQUIREMENTS

SECTION I - GENERAL INFORMATION

Name(s) of Applicant(s) David Bergeron - Brickstone Land Use Phone: 357 0116
 Address 185 Winchester Street, Keene, NH 03431
 Name(s) of Owner(s) SS Bakers Co., Inc
 Address 428 Main Street, Keene NH
 Location of Property 828 Court Street

SECTION II - LOT CHARACTERISTICS

Tax Map Parcel Number 176 01 004 0000 Zoning District Commerce
 Lot Dimensions: Front 360' Rear 252 Side 430 Side 452
 Lot Area: Acres 3.02 Square Feet 131,738
 % of Lot Covered by Structures (buildings, garages, pools, decks, etc.): Existing 1.6% Proposed 14%
 % of Impervious Coverage (structures plus driveways and/or parking areas, etc.): Existing 29% Proposed 50%
 Present Use Commercial - restaurant with drive thru
 Proposed Use Commercial - restaurant with drive thru and self storage buildings.

SECTION III - AFFIDAVIT

I hereby certify that I am the owner or the authorized agent of the owner of the property upon which this appeal is sought and that all information provided by me is true under penalty of law.

[Signature] Date 12-14-17
(Signature of Owner or Authorized Agent)

Please Print Name TED SALEMIA

PROPERTY ADDRESS _____

APPLICATION FOR A VARIANCE

- A Variance is requested from Section (s) 102-542 of the Zoning Ordinance to permit:
Storage facility/self storage on a property in the commerce zone. see attached

DESCRIBE BRIEFLY YOUR RESPONSE TO EACH VARIANCE CRITERIA:

1. Granting the variance would not be contrary to the public interest because:

2. If the variance were granted, the spirit of the ordinance would be observed because:

3. Granting the variance would do substantial justice because:

4. If the variance were granted, the values of the surrounding properties would not be diminished because

5. Unnecessary Hardship

A. Owing to special conditions of the property that distinguish it from other properties in the area, denial of the variance would result in unnecessary hardship because:

i. No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property because:

and

ii. The proposed use is a reasonable one because:

B. Explain how, if the criteria in subparagraph (A) are not established, an unnecessary hardship will be deemed to exist if, and only if, owing to special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in strict conformance with the ordinance, and a variance is therefore necessary to enable a reasonable use of it.

PROPERTY ADDRESS 828 Court Street

APPLICATION FOR A VARIANCE

- **A variance is requested from Section (s) 102-542 Permitted Uses in the Commerce District of the Zoning Ordinance to permit:**

Storage Facility/self-storage on a property in the Commerce District where an existing restaurant, already exist. Storage facility/self-storage is not a permitted use in the district.

DESCRIBE BRIEFLY YOUR RESPONSE TO EACH CONDITION:

- 1. Granting the Variance would not be contrary to the public interest because:**

This is the rear portion of a commercially developed lot with very limited visibility from Court Street. The existing commercial building contains a restaurant, with a drive thru. Directly across the street is another restaurant, a wholesale business with a retail outlet and a medical supply company. The large undeveloped rear yard area faces the rear of the commercial building. It is in the public interest to encourage large vacant portions of developed lots to be utilized rather than force new development into undeveloped areas. It will improve the property value and add to the city tax base. Granting the variance will make it possible to accomplish this.

- 2. If the variance were granted, the spirit of the ordinance would be observed because:**

The spirit of the ordinance is to protect the public health, safety and welfare. The proposed self-storage facility would be located at the rear of a commercial site and will have only limited visibility from Court Street. The site has a shared commercial access driveway from a major street with adequate capacity to serve this use. The storage facility site is surrounded by commercial uses and multi-family residential and to the rear is a mobile home park. The proposed use will not create a threat to public health, public safety or public welfare. This proposal meets the spirit and intent of the ordinance.

- 3. Granting the variance would do substantial justice because:**

The rear of this commercial lot is vacant and faces the rear of the existing building. It has limited visibility from Court Street. There is no other marketable use for this area because of these site constraints. Granting the variance will allow the landowner to utilize his property in a manner which is unobtrusive and inoffensive to the neighborhood. It will increase the value of the property and result in additional tax revenues for the City of Keene. This property is serviced by a major street (Court Street) which has adequate capacity for this use. Granting the variance will do substantial justice because it will allow a use which is not contrary to the public interest and observes the spirit and intent of the ordinance.

- 4. If the variance were granted, the values of the surrounding properties would not be diminished because:**

The area for the proposed storage facility is the rear of a commercially developed lot. Across the street are other commercial uses, on both sides are multi-family

residential uses and to the rear is a mobile home park. The site has limited visibility from Court Street. Self-storage facilities do not generate excess traffic and do not generate excess noise, dust fumes or light. Granting the variance will lead to improved property value on this lot and will help to sustain adjacent property values. This proposal will not diminish surrounding property values.

5. Unnecessary Hardship

A. Owing to special conditions of the property that distinguish it from other properties in the area, denial of the variance would result in unnecessary hardship because:

- i No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property because:**

This is a developed commercial lot with a large undeveloped area located behind the existing building. The useable area faces the rear of the existing building and has limited visibility from Court Street. This is a unique site feature that makes this area unmarketable for any other commercial use. It is unfair and an unnecessary hardship to restrict this property when allowing a self-storage facility will fulfill the general public purposes of the ordinance by maintaining property values without being a nuisance or hazard to the neighborhood.

And

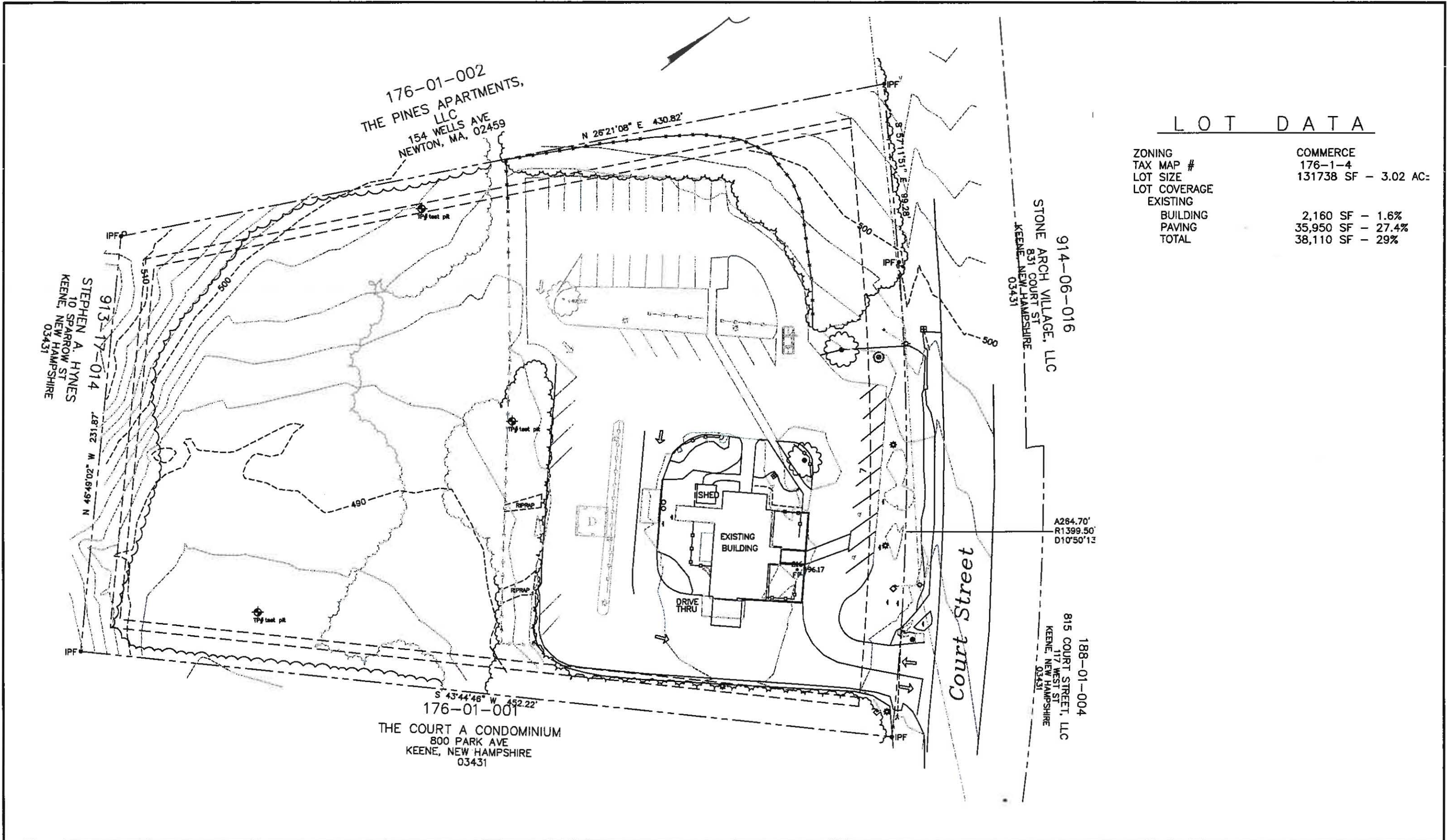
The proposed use is a reasonable one because:

It will utilize an existing vacant land area in a manner that is compatible with the neighborhood. There is adequate onsite parking for the proposed uses. The existing utilities and streets have adequate capacity for the proposed uses. The proposed use will not diminish surrounding property values. Residents of the adjacent multi-family uses may wish to use the self-storage units and find it convenient and useful addition to the neighborhood. It is fair and reasonable to allow a self-storage facility under these conditions.

B. Explain how, if the criteria in subparagraph (A) are not established, an unnecessary hardship will be deemed to exist if, and only if, owing to special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in strict conformance with the ordinance, and a variance is therefore necessary to enable a reasonable use of it.

This is a developed commercial lot with a large undeveloped area located behind the existing building. The useable area faces the rear of the existing building and has limited visibility from Court Street. This is a unique site feature that makes this area unmarketable for any other commercial use. It is unfair and an unnecessary hardship to restrict this property when allowing a self-storage facility will fulfill the general public purposes of the ordinance by maintaining property values without being a nuisance or hazard to the neighborhood.

A variance is necessary to allow the self-storage facility use. The proposed use is reasonable because it meets all other zoning criteria, is consistent with the spirit of the ordinance, and will not diminish surrounding property values.



LOT DATA

ZONING	COMMERCE
TAX MAP #	176-1-4
LOT SIZE	131738 SF - 3.02 AC-
LOT COVERAGE	
EXISTING	
BUILDING	2,160 SF - 1.6%
PAVING	35,950 SF - 27.4%
TOTAL	38,110 SF - 29%

SS BAKERS REALTY CO., LLC
428 Main Street, Keene, NH 03431

Brickstone
Land Use Consultants, LLC
185 Winchester Street, Keene, NH 03431
Phone: (603) 357-0116

PROPOSED MINI STORAGE
828 COURT STREET, KEENE, NH

REVISION

EXISTING PLAN

SCALE: 1"=50'
DATE DEC. 15, 2017

ZBA-1

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