

City of Keene
New Hampshire

CONGREGATE LIVING AND SOCIAL SERVICES LICENSING BOARD
MEETING MINUTES

Tuesday, June 27, 2023

6:00 PM

**Council Chambers,
City Hall**

Members Present:

Andrew Oram, Chair
Medard Kopczynski, Vice Chair
Thomas Savastano

Staff Present:

John Rogers, Building & Health
Official/Zoning Administrator

Members Not Present:

Alison Welsh
Jennifer Seher

I. Call to Order – Roll Call

Chair Oram called the meeting to order at 6:00 PM.

II. Minutes of Previous Meeting – April 25, 2023

Chair Oram tabled adopting the April 25, 2023, minutes until the regular July meeting because there were not enough members present to vote.

III. Unfinished Business:

Mr. Rogers recalled that House of Hope's license was approved conditionally by this Board, pending a few Fire Department related items, which the applicant had since addressed.

A motion by Mr. Savastano to remove the conditional aspect of House of Hope's license was duly seconded by Vice Chair Kopczynski. The motion carried unanimously.

IV. Applications:

- A) **LB 23-06: Applicant, Melissa Castor, Executive Director for Alpine Healthcare, is requesting a Congregate Living & Social Services License for a Residential Care Facility, located at 298 Main St., and is in the High Density District and as defined in Chapter 46, Article X of the Keene City Ordinances.**

Chair Oram asked for City Staff comments. John Rogers, Building and Health Official/Zoning Administrator, said that the building inspection occurred, and no concerns were noted. The Fire Department had a few items that the applicant was working to correct. As such, Mr. Rogers advised the Board that their approval of this license should be conditional, pending resolution of the Fire Department's minor concerns.

Chair Oram welcomed the applicant, Melissa Castor, Executive Director for Alpine Healthcare, which is a residential care facility at 298 Main Street. Ms. Castor said that this is an 85-bed, long-term and short-term nursing facility, which is certified by Medicare, Medicaid, and the State of NH. Ms. Castor was awaiting the annual survey results from the State of NH. Chair Oram said the application was copious.

Vice Chair Kopczynski reviewed some parts of the application for clarity. He referred to the applicant's building, and life safety plan, which he called a sort of analysis on page 100 (of the meeting packet). On page 103, he said there was a floor plan. He said the typical life safety plans that this Board sees in Congregate Living and Social Service licenses are more like exiting plans, which show how to get out of the building in an emergency. In the Vice Chair's file, he said the floor plan was not legible, so he asked for submission of a clearer plan. Vice Chair Kopczynski understood that the facility had been at this location for a long time and that the facility had reasonably—if not very—good relationships with the neighbors on both sides and in the back. Vice Chair Kopczynski asked if the applicant had a formal neighborhood relations plan; he noted how some facilities hold open houses for the community to better integrate the facility and neighborhood. If Ms. Castor did not have a plan like this, Vice Chair Kopczynski asked if she could make one. Ms. Castor replied that she could make a plan. She said that prior to the pandemic, the facility was more involved in the neighborhood. Still, she said there had been clear communication with the surrounding neighbors, who she said knew they could call her with any concerns. Vice Chair Kopczynski suggested memorializing those details in a clear plan that could be submitted to Mr. Rogers. Chair Oram also noticed the lack of a specific neighborhood plan, which he thought was important for all the Board members to see. Chair Oram noted that he is one of the facility's neighbors and he called them a good neighbor. He often sees and talks to residents when he is walking his dog, which makes him feel more integrated as a neighbor. He thought it would be interesting to see more neighborhood outreach. He never had any problems with the facility, but he said knowing neighbors helps everyone. Ms. Castor agreed.

With no public comments in opposition or support, Chair Oram closed the public hearing.

Mr. Savastano made the following motion, which was duly seconded by Vice Chair Kopczynski. On a vote of 3–0, the Congregate Living and Social Services Licensing Board approved application LB 23-06, conditional upon:

1. Submission of a (readable) life safety plan,
2. Submission of a neighborhood relations plan, and
3. Completion of all Fire Department requirements.

The Board reviewed the three criteria for approval.

The licensing board shall consider the following criteria when evaluating whether to approve, renew, or deny a congregare living and social services license application:

Criteria 1: *The use is found to be in compliance with the submitted operations and management plan, including but not limited to compliance with all applicable building, fire, and life safety codes.*

Vice Chair Kopczynski made the following motion, which was duly seconded by Mr. Savastano. On a vote of 3–0, the Congregate Living and Social Services Licensing Board found application LB 23-06 in compliance with Criterion 1, with the pre-mentioned conditions.

Criteria 2: *The use is of a character that does not produce noise, odors, glare, and/or vibration that adversely affects the surrounding area.*

Mr. Savastano made the following motion, which was duly seconded by Vice Chair Kopczynski. On a vote of 3–0, the Congregate Living and Social Services Licensing Board found application LB 23-06 in compliance with Criterion 2, without conditions.

Criteria 3: *The use does not produce public safety or health concerns in connection with traffic, pedestrians, public infrastructure, and police or fire department actions.*

Vice Chair Kopczynski made the following motion, which was duly seconded by Mr. Savastano. On a vote of 3–0, the Congregate Living and Social Services Licensing Board found application LB 23-06 in compliance with Criterion 3, with the pre-mentioned conditions.

- B) LB 23-07: Applicant, Gregg Burdett, Executive Director for Covenant Living of Keene, is requesting a Congregate Living & Social Services License for a Residential Care Facility, located 95 Wyman Rd., and is in the Rural District and as defined in Chapter 46, Article X of the Keene City Ordinances.**

Chair Oram requested Staff comments. Mr. Rogers said the building inspection occurred and the Housing Inspector had no concerns. Like the last application, Mr. Rogers recommended approving this application conditional upon completion of any outstanding Fire Department concerns.

Chair Oram welcomed the applicant, Gregg Burdett, Executive Director for Covenant Living of Keene, for a residential care facility at 95 Wyman Road. Mr. Burdett said that Covenant Living of Keene purchased the “defunct” Hillside Village on February 16, 2022, when he became Executive Director. He said this is a 221-unit continuing care retirement community or “life plan” community; there are 140 units of residential living at 95 Wyman Road, 81 units of assisted living/memory care across the street at 100 Wyman Road, and a 20-bed skilled nursing

facility. He said that Covenant Living of Keene was only days away from receiving their Centers for Medicaid and Medicare Services (CMS) accreditation.

Discussion ensued about whether this application was for the units at 95 Wyman Road or 100 Wyman Road. Mr. Burdett noted that it is one corporation operating on both sides of Wyman Road. Vice Chair Kopczynski asked City Staff for clarification. Mr. Rogers said that while the whole facility was under the same ownership and supervision, this application was not for the Woodside building of apartment-type living. Because of the same ownership, supervision, and services provided, Mr. Rogers saw this application as for both 95 and 100 Wyman Road, but not the Woodside apartment building. Mr. Burdett said there was no difference in services between 81 Wyman Road (Woodside) and 95 Wyman Road (main community center) as both are considered independent living; he said 100 Wyman Road is a healthcare facility licensed by the State of NH. In looking at the application, Vice Chair Kopczynski thought this was for the building at 100 Wyman Road. Mr. Rogers' impression was that there are additional services at 100 Wyman Road, which residents of 81 Wyman Road could access if needed. Vice Chair Kopczynski was unsure whether this Board issued licenses for residential living. Chair Oram expressed confusion. He asked whether it was accurate that this Board was concerned with the units that have higher levels of service for those who cannot live on their own; Chair Oram asked what address that was. Mr. Burdett said that was the case for 100 Wyman Road. Chair Oram said the application he read was for 95 Wyman Road, so he asked if the application needed to be amended to cite 100 Wyman Road.

Vice Chair Kopczynski continued with his questions, noting that the application was over 600 pages, many of which were blank forms for incident reporting. Mr. Burdett is the incident commander. Vice Chair Kopczynski said it would be helpful if the application was reorganized, with the key parts labeled. At present, the Board was trying to pick through the application to understand it. Vice Chair Kopczynski said the application began with some downloaded PowerPoint materials and he was unsure what that was for. Mr. Burdett thought it addressed requirements for the life safety and risk management plans; it was a copy of a corporate program to show how the team is educated. Vice Chair Kopczynski said that could be a part of the training exercises. He said the Board was really looking for a copy of the egress plan and evidence that employees are trained. The Vice Chair suggested asking the Fire Chief, Don Farquhar, whether Mr. Burdett was using the current National Fire Protection Association (NFPA) standards. Mr. Burdett said he is in regular communication with the Fire Chief and the new inspector, who visited the site several times. Mr. Burdett said they have a robust residential exit plan and a shelter-in-place policy for the nursing facility. There are routine State and Federally required fire drills and a safety committee meets monthly to review issues. Vice Chair Kopczynski wanted to ensure all information in this file is accurate, up-to-date, and labeled for easy follow-up. As such, when the applicant must re-apply, it would be easier because the most pertinent information is on file already.

Next, Vice Chair Kopczynski noted that the training plan in the application was from 1988 and asked if it had been updated since. Mr. Burdett said yes, but that as a part of the "records dump,"

there might have been some outdated things. He said that all employees go through a two-day general orientation and the clinical staff go through a separate orientation required by the State of NH before they can work on the floor. Mr. Burdett said there are records of all these things and the facility had passed all State of NH surveys. Vice Chair Kopczynski suggested reorganizing the information in the application, noting that perhaps more information was included than what the Board really needs.

Vice Chair Kopczynski continued by discussing the neighborhood relations plan. Mr. Burdett said the facility has no close neighbors, but they routinely invite the residents of Wyman Road to activities. Covenant Living residents routinely pick up trash along the road, which other residents of Wyman Road have expressed gratitude for. Mr. Burdett thought that this positive relationship would continue. Chair Oram thought that sounded great, but asked why that relationship was not outlined in the application, as required. Mr. Burdett was unsure why that was not included but said he might have been overwhelmed by the voluminous paperwork. He said there had been no formal plan in writing because it was never required before. As the Executive Director, Mr. Burdett said he wanted to be a good neighbor and that employees are taught to treat Wyman Road as if they live there (i.e., speed and how driving), which was why he was adding crosswalks. He said he could write out these details.

Chair Oram said it seemed like Mr. Burdett was unsure what to do with this application and thus he provided a lot of unorganized information. Mr. Burdett said this was a new license that he did not realize he would need to be prepared for. He was unsure what was needed and so he erred on the side of caution by providing everything, but he acknowledged that it might not have been well organized. Chair Oram stated that at times, reading this application felt like reading an avalanche. The Chair wanted applicants like Mr. Burdett to have enough guidance from this Board or City Staff to ensure this licensing process is not onerous each year. He thought all the information needed was likely in the application but there was a lot unneeded too. The application needed to conform by organizing it to some degree.

Vice Chair Kopczynski said it was clear that there is an emergency response plan, with mention of things like “shelter in place,” and protocols for earthquakes and hurricanes, for example. It is important to include plans for things like hostage situations or intruders. He said the security plan in this application talked more about securing the property in general. Mr. Burdett said there are 24/7 on-site security officers. Vice Chair Kopczynski said that would be helpful information along with everything else. He thought the applicant might have tried to complete the application by throwing a lot of stuff in it. He said that if the application had been organized differently, it might have been more understandable. Vice Chair Kopczynski cited pages 756–760 in the electronic meeting agenda packet, which had forms on building and site maintenance procedures (e.g., how often fire sprinklers are tested, etc.). Mr. Burdett said that Covenant Living is fully contracted with an NFPA-approved fire protection company that works closely with the Keene Fire Department. Regarding the building in general, Vice Chair Kopczynski asked how often maintenance crews assess the building to ensure everything is working correctly. Mr. Burdett replied that there is a facilities management director, who is significantly experienced in both

senior living and health care; there is a team of eight in maintenance in addition to the housekeeping and janitorial crew with regular evening schedules. Mr. Burdett also has a contract with New England Mechanical for RPMs (Repairable Parts Maintenance) and certain things the regular staff cannot do (e.g., HVAC filter changes). Vice Chair Kopczynski asked if it is a computer-operated system. Mr. Burdett said yes, there is a completely computer-operated system with Thayer, LLC; he can click anywhere on a map and find out things like the ambient and input temperatures. He said the buildings are approaching five years old, so things are checked regularly. He said the parent company of Covenant Living is very generous regarding capital plans, which has allowed roof, balcony, and flooring repairs, among others. Vice Chair Kopczynski asked if it was reasonable to say that the evening employees regularly check the buildings and grounds, which contributes to a capital plan for the following year. Mr. Burdett said yes, they not only create plans for the following year, but also five and 10-year plans. Vice Chair Kopczynski stated that a condition of approval should be general organization and relabeling of the application for the record.

Mr. Savastano said that regarding grounds and site maintenance, he did not see anything in the application about things like benches, etc. that people enjoy. He did not see a plan for regularly checking things around the grounds. Mr. Burdett said there is a full-time groundskeeper who has an assistant; their job is to regularly survey and maintain an inventory of benches, picnic tables, grills, and various other things around the 66-acre property.

With no public comments in favor or opposed, Chair Oram closed the public hearing.

Vice Chair Kopczynski felt that Mr. Burdett understood the conditions for approval. Discussion ensued on the conditions of approval.

Mr. Savastano made the following motion, which was duly seconded by Vice Chair Kopczynski. On a vote of 3–0, the Congregate Living and Social Services Licensing Board approved application LB 23-07, with the following conditions:

1. Completion of all Fire Department requirements,
2. General reorganization of the application with labeling, and
3. Submission of a neighborhood relations plan.

The Board reviewed the criteria for approval.

The licensing board shall consider the following criteria when evaluating whether to approve, renew, or deny a congregate living and social services license application:

Criteria 1: *The use is found to be in compliance with the submitted operations and management plan, including but not limited to compliance with all applicable building, fire, and life safety codes.*

Mr. Savastano made the following motion, which was duly seconded by Vice Chair Kopczynski. On a vote of 3–0, the Congregate Living and Social Services Licensing Board found application LB 23-07 in compliance with Criterion 1, conditional upon: reorganization of the application and submission of a neighborhood relations plan.

Criteria 2: The use is of a character that does not produce noise, odors, glare, and/or vibration that adversely affects the surrounding area.

Vice Chair Kopczynski made the following motion, which was duly seconded by Mr. Savastano. On a vote of 3–0, the Congregate Living and Social Services Licensing Board found application LB 23-07 in compliance with Criterion 2, without conditions.

Criteria 3: The use does not produce public safety or health concerns in connection with traffic, pedestrians, public infrastructure, and police or fire department actions.

Vice Chair Kopczynski made the following motion, which was duly seconded by Mr. Savastano. On a vote of 3–0, the Congregate Living and Social Services Licensing Board found application LB 23-07 in compliance with Criterion 3, conditional upon: completion of the Fire Department requirements.

- C) **LB 23-08: Applicant, Patricia Forman, House Supervisor for Emerald House, is requesting a Congregate Living & Social Services License for a Residential Care Facility, located 32 Emerald St., and is in the Downtown Growth District and as defined in Chapter 46, Article X of the Keene City Ordinances.**

Chair Oram asked for Staff comments. Mr. Rogers reported that the Housing Inspector had no concerns. There were a few minor Fire Department issues to resolve, but nothing high hazard. Approval of this application should be conditional upon meeting the Fire Department requirements.

Chair Oram welcomed the applicant, Patricia Forman, House Supervisor of Emerald House, a 10-bed residential care facility for adults with persistent and severe mental illness at 32 Emerald Street. This facility is a branch of Monadnock Family Services.

Vice Chair Kopczynski noted that there was a license in this application (DHHS 0176) and asked if that was the only one required for Emerald House to operate. Ms. Forman said she was very new to Emerald House and the licensing was new to her; Ms. Forman’s supervisor helped with the State of NH licensing process in April 2023. Vice Chair Kopczynski said the goal was to have any pertinent licenses in the record. Ms. Forman said she would check, but she was fairly certain that the DHHS 0176 might have been the only one.

Vice Chair Kopczynski continued referring to page 785 of the meeting packet. He quoted: *“We are surrounded by businesses except at the back, which is college student housing. Due to their transient nature, we do not have a plan with them. 75% of the time, residents are supported by staff in a community, which gives staff and clients an opportunity to create healthy neighborhood relationships. Our residents frequent local establishments, have good report, and there is no history of complaints.”* Vice Chair Kopczynski said the Board was less interested in complaints and more interested in the company creating a mechanism for outreach. He noted that Emerald House has neighbors like Toadstool Bookshop and apartments above Curry Copy; Ms. Forman was unaware of those apartments. The Vice Chair cited other nearby businesses. He said it was less about having constant outreach to the neighbors, and more about having a plan to work with those neighbors if needed. The Vice Chair said that when crafting this Ordinance, it was about demystifying the uses, so that these Congregate Living and Social Service facilities are actually integrated into the community. Ms. Forman said that the nature of the work at Emerald House is to assist clients in becoming independent again. She said the clients are very connected to the community; she takes clients to local businesses like Puggy’s or the Toadstool Farm Café. She said the local business owners know Emerald House clients by name and know where they live. The Vice Chair asked for those details to be laid out more clearly as a basic neighborhood relations plan, which could be amended over time.

The Vice Chair continued discussing the building site and maintenance plan. He said it was not really a plan, but just listed that the building is owned by Keene Housing, *“for any and all building repairs or emergencies, staff can contact Keene Housing.”* Vice Chair Kopczynski said that was not a plan, but an indication of who to call with a problem. He imagined that Keene Housing had a maintenance plan for how often to review the building or things like sprinkler systems. Vice Chair Kopczynski thought it should be easy to add that plan to this application. Ms. Forman thought she had submitted that life safety plan and other yearly reports. The Vice Chair agreed but said that the building and site maintenance procedures did not seem to be addressed. Ms. Forman requested more guidance on what the building and site maintenance plan should include. Vice Chair Kopczynski cited examples, such as how often Keene Housing looks at the building or grounds and how often they make repairs. Chair Oram also cited an example of how often the exhaust is cleaned in the industrial kitchen. Ms. Forman thought that information was in the application and the Vice Chair said some of it was, but not all of it. Ms. Forman would connect with Keene Housing to get that plan She appreciated this guidance.

Chair Oram expanded on the neighborhood relations plan. He stated that it seemed inherent in the description of the plan, that commercial neighbors are not neighbors, and he was left with this impression from Emerald House’s outline of this this plan. Yet, he said the Emerald House plan specifically talked about integrating the Emerald House clients to the surrounding businesses as customers. In his mind, this was a disconnect. Those two things coming together are a part of a neighborhood plan. He thought it would have sufficed if the application articulated that Emerald House depends on its relationships with its neighbors by having clients frequent the surrounding businesses. Ms. Forman thought the neighborhood relations plan was the most

challenging thing to figure out in the application; she thought she could easily write a plan with this guidance.

Mr. Savastano asked about the nature of the support provided to clients, as the application stated that clients are supported 75% of the time. Ms. Forman explained that these clients have persistent and severe mental illnesses. She said the staff at Emerald House are teachers and supporters, helping clients with everything from room and laundry care to medication administration, to getting out in the community. A whole spectrum of support is provided.

Hearing no comments in support or opposition, Chair Oram closed the public hearing.

Vice Chair Kopczynski made the following motion, which was duly seconded by Mr. Savastano. On a vote of 3–0, the Congregate Living and Social Services Licensing Board approved application LB 23-08, conditional upon:

1. Completion of outstanding Fire Department requirements,
2. Submission of a more complete neighborhood relations plan, and
3. Submission of a more complete building and site maintenance plan.

The Board continued reviewing the criteria for granting the license.

The licensing board shall consider the following criteria when evaluating whether to approve, renew, or deny a congregare living and social services license application:

Criteria 1: *The use is found to be in compliance with the submitted operations and management plan, including but not limited to compliance with all applicable building, fire, and life safety codes.*

Vice Chair Kopczynski made the following motion, which was duly seconded by Mr. Savastano. On a vote of 3–0, the Congregate Living and Social Services Licensing Board found application LB 23-08 in compliance with Criterion 1, with the previously specified conditions.

Criteria 2: *The use is of a character that does not produce noise, odors, glare, and/or vibration that adversely affects the surrounding area.*

Vice Chair Kopczynski made the following motion, which was duly seconded by Mr. Savastano. On a vote of 3–0, the Congregate Living and Social Services Licensing Board found application LB 23-08 in compliance with Criterion 2, without conditions.

Criteria 3: *The use does not produce public safety or health concerns in connection with traffic, pedestrians, public infrastructure, and police or fire department actions.*

Vice Chair Kopczynski made the following motion, which was duly seconded by Mr. Savastano. On a vote of 3–0, the Congregate Living and Social Services Licensing Board found application

LB 23-08 in compliance with Criterion 3, conditional upon: completion of the Fire Department requirements.

- D) **LB 23-09: Applicant, Ryan Gagne, Executive Director for Live Free Recovery, is requesting a Congregate Living & Social Services License for a Large Group Home, located at 361 Court St., and is in the Medium Density District and as defined in Chapter 46, Article X of the Keene City Ordinances.**

Chair Oram requested Staff comments. Mr. Rogers said all inspections occurred at the beginning of June 2023. The Housing Inspector noted a few minor issues. Once again, Mr. Rogers advised approving this application conditional upon the applicant's completion of all Fire Department requirements.

Chair Oram welcomed the applicant, Ryan Gagne, CEO and Owner of Live Free Recovery. He was present with the Clinical Director, Jen Houston. This application was for a large group home at 361 Court Street. Mr. Gagne said it was helpful to hear the other applications to better understand what this Board seeks.

Vice Chair Kopczynski noted that this is a 16-bed facility, staffed 24/7, and residents live there for 30–45 days. The population is all males over age 18 with substance use disorders. Mr. Gagne confirmed. The Vice Chair asked if the residents receive any care. Mr. Gagne confirmed that they do not, individuals attend clinical services off site. Vice Chair Kopczynski said a large group home is people living together in a group environment and reintegrating into society. Mr. Gagne agreed and added that there is an aspect of helping clients to be prepared to reintegrate with helpful life skills. He said they provide a full continuum of care, noting that sometimes clients get lost in the “step-down” process, because the typical continuum of care has gaps in it. Thus, he called this an in-between phase. Chair Oram asked for more information on the step-down process. Mr. Gagne replied that someone in a typical 30-day (could be less due to insurance) residential treatment program could get lost in moving on to the next step. A large gap in some of these clinical services is that someone who completes a 30-day program might not have housing to go back to. In the step-down process, individuals could find themselves somewhere like Live Free Recovery's other location that is traditional sober living; these residents attend their regular meetings while reintegrating into the community and engaging in their after-care treatment plan.

Vice Chair Kopczynski stated that a lot of things were missing from the application, which could require Mr. Gagne to submit some things and come back before the Board. Vice Chair Kopczynski referred to a portion of the application on required licenses, permits, or authority and quoted page 943 of the meeting packet, “*Staff are working towards or have obtained licenses in the State of NH. Ongoing CEUs are required to be completed yearly. All trainings are approved by appropriate licensing boards in the State of NH.*” This indicated to the Vice Chair that there was no separate training program, but that Mr. Gagne was relying on any licensure requirements,

and he asked what sort of licenses are required for a large group home. Chair Oram said these details referred to the Roxbury Street and Marlboro Street locations. Vice Chair Kopczynski said he understood that, but said those details were still listed in this application for Court Street. Ms. Houston said city staff asked Ms. Houston to include all the staff training details, which vary by location. In terms of congregate living and peer support housing, Ms. Houston said she included details from NH Job Corps for the certified recovery support worker. Vice Chair Kopczynski asked if it was fair to say that in a large group home there is no staff training because there are no services. Ms. Houston said that was correct.

Next, Vice Chair Kopczynski referred to the security plan that *“includes provisions for on-site security, including lighting, security cameras, or other measures appropriate to provide for adequate health and safety of clients and management.”* The Vice Chair said he did not find this plan included in the application. Ms. Houston said there are cameras on site and the property is monitored 24/7. The Vice Chair said it would be nice if that information was laid out and clearly labeled in the application. He quoted again, *“A life safety plan that demonstrates compliance with the State minimum Building and Fire Code.”* The Vice Chair said that essentially referred to an exit plan, Mr. Gagne said that during the Fire Department inspection, all exit plans were hanging in the building. The Vice Chair said the Board sought that exit plan in the application, as bureaucratic as that might seem.

Vice Chair Kopczynski said there was also not a clear health and safety plan in this application. Ms. Houston said she sent all of those details and was unsure why they were not there. The Vice Chair said that was likely but explained that within the four applications on this agenda, it seemed as though things were split up. Ms. Houston said she resent everything together for each separate location but noted that there were challenges getting the large files through the City’s server. The Vice Chair noted that there should be an, *“Emergency response plan that establishes procedures for addressing emergency situations,”* and asked if there was a plan for this property. Ms. Houston reiterated that the site is staffed 24/7 and she sent the full list of procedures to the City; she would resend it identified and labeled for this specific property. The Vice Chair also referred to the neighborhood relations plan, which Mr. Gagne and Ms. Houston said was in the application. The Vice Chair also mentioned building and site maintenance procedures. Mr. Gagne said that checklist should have been in the application; Vice Chair Kopczynski said he did not find that in this specific application.

Mr. Savastano agreed that he also did not see an emergency response plan for this property; he saw one for another property and wondered if the applicant intended that to be included for all four properties. He also did not see the building and site maintenance procedures in this Court Street application. Chair Oram agreed, noting that two of the applications seemed to include pertinent site information but the other two did not. It was unclear to the Chair why some applications were completed one way and the others were not. It seemed to him that a routine process was not followed for each location, which did not make sense to him since they are all owned by the same organization. The Chair expected more coordination of information across the four separate applications. Ms. Houston thought she sent pieces of information for Roxbury

Street and Marlboro Road because the latter is licensed by the Department of Health and Human Services (DHHS), so she had to do the life safety plan, emergency procedures, and preparedness as defined by DHHS. So, she submitted to this Board what the State of NH accepted. Chair Oram asked if Ms. Houston did not submit the same plans for the Court Street and Water Street locations because they were not licensed by DHHS. Ms. Houston said that was correct. Chair Oram noted that those plans were still application requirements from this Board for all the applications. Ms. Houston understood.

Mr. Rogers explained the Board's option to ask City Staff to work with the applicant toward more complete applications and continue these applications until the July regular meeting, versus placing a lot of conditions on these applications. Chair Oram agreed with the idea Mr. Rogers presented. Mr. Rogers advised opening the public hearing for each of the remaining applications and motioning to continue them until the July 25, 2023, regular meeting at 6:00 PM in the Council Chambers of City Hall. When each public hearing opened, Mr. Rogers advised discussing the issues so that Staff and the applicant had clear instructions on how to proceed. Vice Chair Kopczynski asked if the applicants found this reasonable. Mr. Gagne said yes, he would work with Mr. Rogers' Staff to reorganize and properly label the applications. The Vice Chair said that if everything is laid out clearly in the first iteration of this application, it would make future applications simpler.

Mr. Savastano discussed the neighborhood relations plan more. He thought that the applicant might have heard some things the Board looks for during the previous two public hearings. Mr. Savastano thought a lot of those were deficiencies in this application as well. He referred to page 851 of the meeting packet, where the applicant included a neighbor concern policy; he thought these were helpful guidelines for the residents to interact with neighbors. Mr. Savastano wondered if the local neighbors had a copy of this policy, noting that it might help neighbors to understand how residents are asked to interact. He also discussed principles of outreach (e.g., do the neighbors know the 24-hour contact person). Mr. Gagne said there is a proactive internal policy to ensure that the incredibly important good relationships with neighbors are maintained. Mr. Gagne said this is usually a very internal process, noting that many times, the residents are not looked to be engaged with, which is why he thought this had never come up for any of their locations. With the corrective documents to be submitted, he said they could add more information for interacting with direct neighbors, with the understanding that some neighbors might not welcome the interaction; still, Mr. Gagne said he would attempt it. Mr. Savastano thought it was particularly relevant for this location, where most residents live for 30–45 days. In this case, Mr. Savastano thought it was really important for the Live Free Recovery staff to do as much as possible to maintain neighborhood relations, because the staff would be the constant among an ever-shifting group of residents. Mr. Gagne liked an idea he heard in previous applications to invite neighbors into the facility for an open house/question-and-answer to alleviate potential challenges.

Chair Oram opened the floor to public comment. If these applications are continued until the next meeting, there will be another opportunity for public comment.

Cathleen Gagnon of 203 North Street lives directly across from the 361 Court Street location in the Low Density District. She said this hearing was the first she had heard about a neighborhood relations plan. Chair Oram advised Ms. Gagnon that she could access the neighborhood relations plan in the application, which is on the City's website. Chair Oram thought Mr. Gagne learned more about the goal of a neighborhood relations plan and how his could be augmented for Court Street location.

Ann Knight of 26 Prospect Street lives next door to this Court Street location. Ms. Knight thought Mr. Gagne was doing a wonderful job. Ms. Knight looked forward to learning about how this facility could interact more with the neighborhood so that on the rare occasion of an issue (e.g., noise), she could feel more comfortable communicating with the staff. Ms. Knight had received a contact number from Mr. Gagne, and that person was very willing to discuss anything with Ms. Knight. She was pleased that residents feel comfortable in the neighborhood; she has positive interactions anytime she walks by. Given the more transient nature of these residents, she thought the relationship between neighbors and staff was more important. She felt fortunate that Mr. Gagne was providing this service next door.

James Knight of 26 Prospect Street said that with residents only living at this location for 30–45 days, it is harder to develop relationships with them. Still, Mr. Knight sees residents walking in the neighborhood or congregated in the parking lot, and he said they were always pleasant and amiable to conversations. He had never experienced any negative comments or foul language. He said it is a quiet facility, with most clients off site in classes etc., between 9:30 AM–3:00 PM. He thought the facility had a great communal atmosphere. Mr. Knight said the staff are very friendly and he had nothing but praise for the facility. He said Mr. Gagne had been an asset to the neighborhood, which Mr. Knight appreciated.

Hearing no further comments, Chair Oram closed the public hearing.

Mr. Gagne thought he had a clear direction to be prepared for the July meeting. Vice Chair Kopczynski said the objective of this licensure was to not segregate these uses from neighborhoods, but to integrate them. So, Vice Chair Kopczynski was pleased to hear the positive feedback from neighbors.

Vice Chair Kopczynski made the following motion, which Mr. Savastano duly seconded. On a vote of 3–0, the Congregate Living and Social Services Licensing Board continued application LB 23-09 until the July 25, 2023, regular meeting.

- E) **LB 23-10: Applicant, Ryan Gagne, Executive Director for Live Free Recovery, is requesting a Congregate Living & Social Services License for a Residential Drug/Alcohol Treatment Facility, located at 106 Roxbury St., and is in the Downtown Edge District and as defined in Chapter 46, Article X of the Keene City Ordinances.**

Chair Oram requested Staff comments. Mr. Rogers said the inspections occurred at the beginning of June. The Housing Inspector had a few minor concerns, but not any life safety issues. Like the previous applications, approval of LB 23-10 should be conditional upon completion of any Fire Department requirements.

Chair Oram welcomed comments from the applicant. Mr. Gagne explained that Live Free Recovery received a loan they had been waiting on from NH Housing. He said it had been a 17-month process since he took over this location from another organization, which he said had deferred a significant amount of maintenance. He said the initial conditions of the previous application's 361 Court Street location were nothing compared to this Roxbury Street location. As such, Mr. Gagne was awaiting a significant amount of construction via NH Housing at this location; he would submit that construction schedule to City Staff. Due to American Disabilities Act (ADA) compliance, some licensure was in progress for life safety items like completing the sprinkler system. He added that there was some plumbing work and a new kitchen with a new NFPA-13 hood attached to the sprinkler system.

Vice Chair Kopczynski said the applicant was presently in the permitting process for various things. Mr. Gagne said the NH Housing loan was just approved and he thought it would close in 60 days, at which point work could commence; all contractors were prepared, and they would soon initiate the permitting process with the City (i.e., ADA features), and the Fire Department (NH Fire) would be working on permits for the sprinkler system and hood vent, among others. There were minor design drawings for the kitchen, with no structural impacts. Vice Chair Kopczynski asked if it would be a commercial hood and Mr. Gagne said yes, a small one. Mr. Gagne said the biggest renovation would be to the kitchen, which had not been updated since the 1980s.

Vice Chair Kopczynski asked for more details on the services in this building; do the residents get counseling, for example? At the time of this meeting, Mr. Gagne said the residents were receiving off-site counseling, similar to the Court Street location. When this Roxbury Street facility is licensed, there would be full in-patient services, including counseling on-site and case management. The Vice Chair asked Mr. Rogers if the on-site services were the difference between a large group home and a residential care facility. Mr. Rogers replied that the definition of a group home includes more social and life skill services. He said that a facility did not need to be medical to rise to this level, but there would be more care services than a group home.

Vice Chair Kopczynski noted that the same things missing from the previous application were also missing for this application: security plan, life safety plan, and staff training plan. He said the health and emergency response plans (page 916 of the meeting packet), the neighborhood relations plan, and site maintenance features seemed to have been included. With all of the changes planned for this building, the Vice Chair thought Mr. Gagne would want to update the site maintenance features. He asked if the applicant was amenable to reorganizing and labeling the application for the July meeting. Mr. Gagne replied in the affirmative. Mr. Gagne was still

unsure where the disconnect was. Vice Chair Kopczynski said it would be worked out, noting that the Board is not the City.

Mr. Savastano said he assumed that the uses for 106 Roxbury Street and the following application for 26 Water Street were grandfathered in from before the latest downtown Zoning changes. In the case of the next application (LB 23-11) for a large group home in a Downtown Transition District, up to eight people are allowed, but that location was previously Zoned as High Density, so the use was grandfathered in. Mr. Savastano asked whether the use at 106 Roxbury Street (now in the Downtown Edge District) was also grandfathered in from the previous High Density District, where the residential drug and alcohol treatment facility use had already been in place. Mr. Gagne said yes, this 106 Roxbury Street location had in the past been Marathon House (adolescent residential treatment facility), followed by Phoenix House (detox and residential services), which was the last tenant before Live Free Recovery.

There were no members of the public present to comment.

Vice Chair Kopczynski moved to continue application LB 23-10 until the July 25, 2023, regular meeting. Mr. Savastano seconded the motion, which carried unanimously.

- F) LB 23-11: Applicant, Ryan Gagne, Executive Director for Live Free Recovery, is requesting a Congregate Living & Social Services License for a Large Group Home, located at 26 Water St., and is in the Downtown Transition District and as defined in Chapter 46, Article X of the Keene City Ordinances.**

Chair Oram welcomed the applicant again, Ryan Gagne, Executive Director of Live Free Recovery, for a large group home at 26 Water Street. Ms. Jennifer Houston, Clinical Director, was also present.

Vice Chair Kopczynski said that this was another application for a large group home and stated his understanding that there were no real services provided at this site, but it was a place for people to reintegrate into the community. Mr. Gagne agreed. The Vice Chair noticed that at this location, there are 16 beds and two resident managers living onsite, for a total of 18. Ms. Houston said there are actually 16 total people onsite: 14 residents and two resident managers. Vice Chair Kopczynski asked if residents stay up to one year and Mr. Gagne said yes. The Vice Chair thought that was an excellent opportunity to reintegrate into the community. Mr. Gagne agreed, noting that the previous occupant of this property did an excellent job and losing that service would be detrimental to the community, which was why he stepped in. He said that the services help to connect residents with local employers, helping the residents regain some roots in the community. He cited the American Society of Addiction Medicine (ASAM) criteria, which show that every 90 days, a person's chance of success in personal recovery increases. Vice Chair Kopczynski noted that before this Board, large group homes would be permitted through the Planning, Licenses, and Development (PLD) Committee of the City Council. One

reason for creating this Board was to remove these approvals from the political process. He said the previous owner of this facility spent a lot of time educating the PLD Committee and they managed the property well; these are reasons it is so important to have these details on the record. Vice Chair Kopczynski knew that some neighbors of this facility were also in the same line of work, while other neighbors there had been in their homes for generations, and one neighbor is a gas station. There are a mix of individuals and property values in this neighborhood, which would make Mr. Gagne's neighborhood relations plan interesting for this location. Once that neighborhood relations plan is developed, the Vice Chair thought Mr. Gagne might be surprised by how supportive his neighbors might be.

Chair Oram asked if there is a general maintenance department for all four of these facilities. Mr. Gagne said the LLCs that own the locations (361 Court Street and 26 Water Street) maintain the buildings, as they are the owners of the buildings. Chair Oram expressed confusion, asking which buildings Live Free Recovery owns. Mr. Gagne said three buildings are owned and he has a partnership with the owner of the fourth building, Southwestern Community Services. Chair Oram asked if Live Free Recovery provides maintenance for the three facilities it owns. Mr. Gagne said yes, and continued explaining that Live Free Recovery takes care of the average wear and tear items, and other general maintenance of the facilities (e.g., roofs and plumbing) would not necessarily fall on Live Free Recovery. Mr. Gagne stated that "*any large fixes to the property get done by myself.*" Chair Oram said it was not evident in reading the four applications that there is a maintenance process, which is a portion of each application that needs to be complete before full Board approval. Mr. Gagne asked—to be less complicated—if it would be easier to present the maintenance plan in terms of what the LLC is responsible for and what Live Free Recovery does to assess the properties daily. When discussing building and site maintenance procedures, the Vice Chair said the Board seeks to understand what occurs on a daily, monthly, and yearly basis; he said an asset management plan would be even better. He said there seemed to be some extent of planning for the future at the Roxbury Street property. Chair Oram said it was just not clear what future plans are for the other three locations, which stood out as an inconsistency; he also mentioned a lack of information about shut offs and who to contact for gas, water, etc. Vice Chair Kopczynski said perhaps there are universal processes and unique things for each property. When thinking about making these four applications most efficient, Chair Oram said that if there are a series of central things maintenance staff does, those could be a part of each plan, with an additional attachment addressing the uniqueness of each site. He said it was less about the Board telling applicants what to do and more so about the applicant demonstrating their processes to the Board.

Vice Chair Kopczynski moved to continue application LB 23-11 until the July 25, 2023, regular meeting. Mr. Savastano seconded the motion, which carried unanimously.

- G) **LB 23-12: Applicant, Ryan Gagne, Executive Director for Live Free Recovery, is requesting a Congregate Living & Social Services License for a Residential Drug/Alcohol Treatment Facility, located at 881 Marlboro Rd.,**

and is in the Rural District and as defined in Chapter 46, Article X of the Keene City Ordinances.

Chair Oram requested Staff comments. Mr. Rogers said that this property was also inspected at the beginning of June and the Housing Inspector had no areas of concern. Like the other applications, Mr. Rogers suggested that this application be approved conditional upon completion of any remaining Fire Department requirements.

Chair Oram welcomed the applicant again, Ryan Gagne, Executive Director of Live Free Recovery, for a large group home at 881 Marlboro Road, in the Rural District. Ms. Jennifer Houston, Clinical Director, was also present.

Vice Chair Kopczynski said there would be residential drug and alcohol treatment on site with staff serving 24 residents, with an average length of stay of 5–7 days but less than 30 days. Mr. Gagne said that was correct, the length of stay depends on what the resident is being treated for. Vice Chair Kopczynski mentioned a license (04524) for this facility (page 1053 of the meeting packet). He said it seemed like pieces of the application were in various places, which Ms. Houston said she did not understand, and the Vice Chair assured her it would be resolved. The Vice Chair did find an emergency response plan in this application. He added that page 1058 looked somewhat like a neighborhood relations plan. He hoped the applicant understood better what the Board was seeking, and Mr. Gagne agreed.

Mr. Savastano noticed that the owner of this property is not local to Keene and asked if that was the partnership Mr. Gagne referred to during review of the previous application. Mr. Gagne said yes, the technical owner is NH Housing, but Southwestern Community Services would be in charge of the facility; Live Free Recovery has a lease with Southwestern Community Services and Live Free Recovery maintains the property. Mr. Savastano noticed reference in the application to Second Chance Solar, LLC. Ms. Houston said that LLC is listed as the owner on the parcel map. Mr. Gagne said there are solar panels in front of this building, and he thought—without knowing the history—that Second Chance Solar was involved in some way. Ultimately, Mr. Gagne said he works with Southwestern Community Services.

Mr. Savastano also noted that the same neighborhood relations plan was submitted for all four applications. He quoted page 1058 of the meeting packet: “*New Foundations takes our good neighbor policy profoundly seriously,*” and asked how New Foundations is involved. Ms. Houston said she noticed that too and she was unsure where it came from. Mr. Savastano asked the applicants to consider that in their revisions.

Vice Chair Kopczynski noted that this property is the building that sits between the road and the jail, and that this building was constructed for this purpose. He added that NH Housing is based out of Concord, NH, Southwestern Community Services is based in Keene, and Mr. Savastano added that Second Chance Solar is based out of Durham. Vice Chair Kopczynski said the property was originally owned by the county. Mr. Gagne said he was renovating the property and

that Southwestern Community Services was actively responsive. Live Free Recovery had been maintaining the property, but Southwestern Community Services remained available to help.

Mr. Savastano moved to continue application LB 23-12 until the July 25, 2023, regular meeting. Vice Chair Kopczynski seconded the motion, which carried unanimously.

V. New Business:

There was no new business.

VI. Non-Public Session: (if required)

VII. Adjournment

There being no further business, Chair Oram adjourned the meeting at 7:47 PM.

Respectfully submitted by,
Katryna Kibler, Minute Taker
July 6, 2023

Reviewed and edited by,
Corinne Marcou, Board Clerk