



Congregate Living & Social Services Licensing Board

**Tuesday, August 25, 2026, 6:00 PM
Council Chambers, 2nd fl of City Hall, 3 Washington St.**

AGENDA

- I. **Call to Order:** Roll Call
- II. **Minutes of Previous Meeting:** July 7, 2026
- III. **Unfinished Business:**
 - a. Complaints
 - b. New Applications
 - c. Updates to Ordinance Changes/Timeline
- IV. **Applications:**
- V. **New Business:**
- VI. **Adjournment:**

City of Keene
New Hampshire

CONGREGATE LIVING AND SOCIAL SERVICES LICENSING BOARD
SPECIAL MEETING MINUTES

Tuesday, July 7, 2026

6:00 PM

**Council Chambers,
City Hall**

Members Present:

Jennifer Seher, Chair
Tom Savastano, Vice Chair
Robert Hamm
Alison Welsh

Staff Present:

Mike Hagan, Building Division Manager
Corinne Chaisson, Board Clerk
Amanda Palmeira, City Attorney
Brandon Latham, Assistant City Attorney
Paul Andrus, Community Development
Director

Members Not Present:

Ian Matheson

1. Call to Order: Roll Call

Chair Seher called the meeting to order at 6:02 PM.

2. Minutes of Previous Meeting: June 23, 2026

Revision: Line 114, change “Mr. Savastano said that...” to “Mr. Savastano asked if that...”

A motion by Mr. Hamm to adopt the June 23, 2026 minutes, as amended, was duly seconded by Vice Chair Savastano and the motion carried unanimously.

3. Unfinished Business:

a. Updates to Ordinance Changes/Timeline

City Attorney Amanda Palmeira thanked the Committee for having her for this special meeting. She provided a recap and then reviewed new materials with the Committee, in addition to a timeline about how an Ordinance change goes through the City Council.

City Attorney Palmeira began with a recap of speaking with the Committee a few months prior, when she talked about the anticipated changes to the local Code. There has been an Ordinance going through the City Council process locally regarding the City’s “family” definition. The family definition that was changed locally has a few impacts. The City Attorney shared a memo from Senior Planner Mari Brunner that explained those impacts to the City Council (e.g., the Planning and Zoning regulations are intertwined). Her memo identified that one of those impacts is going to be Congregate Living and Social Services, which relies on nine definitions from the Land Development Code. A lot of those definitions have to be updated to reflect what the family definition is now.

The City Attorney took a step back to recall the reason for the change to the family definition. The family definition change was brought about because of a state law change that went into effect in September 2025. The state law change was to RSA 674:16. That change made it so that local municipalities are no longer able to regulate or have ordinances that regulate based on familial or non-familial relationships, among other things (i.e., certain demographics). In practice, this means the City's "family" definition looks much more at the function of a group of people and how they live together and not whether they are blood related. State law is bringing everybody up to how to regulate those types of places. Now that it is adopted by the City, it is going to have to trickle down into the ways that the local code has relied on that definition.

As the City Attorney mentioned, those changes are going to affect the Congregate Living functions and what the Congregate Living and Social Services Licensing Board will regulate. She said there would be a gap in tonight's conversation about where that puts the Board, because there is a lot about the Land Development Code (LDC) and Zoning Code that domino affect each other; she cannot decide certain aspects that the Community Development Department will have to develop definitions for based on the realities of the community and how they can comply with the family definition. It is a pretty involved project that the City Attorney does not have the expertise for, so that is a big part of it, and she only had the shell of an Ordinance for the Committee. The Ordinance would explain how this Board would change in addition to the family definition. She said there are other ways that this Board functions that would be put on more stable regulatory ground in its functions instead of just focusing on the licensing; it is going to be a little bit broader of an advisory type of involvement with these properties. She said in the Ordinance the definitions section was blank, and she hoped it was enough for the Committee to know that the Community Development Department would be doing that harder work to change them. Tonight, they would focus on the Committee's function and how they would qualify what they would be regulating.

The last time they met, the City Attorney talked about how the family definition was working its way through City Council and now it had been adopted by the Council. That put the City in the position of needing to update everything to ensure that it matches the newly adopted definition. The way that our City Council and our Planning Board are involved with ordinance changes is in part by statute, but also in part by local regulation. It is a pretty long process with several meetings; statute requires public hearings on zoning, ordinance changes, and code changes, and then our local process has put a couple ways for the public to participate in those steps. The steps are pretty clear, but because of the time frame that those changes will require, the Committee met last time to talk about extending licenses. They had a conversation at the time about when is a good point to put a pause on regulation so they could see how this Ordinance goes through before they continue to regulate people on outdated definitions. Her understanding was that the Board extended licenses through September 2026. The reason for this special meeting was because of the timeframe for making a Code change and because of the date that the Committee chose in September. This was the only opportunity the Committee had to meet with the City Attorney to talk about the draft Ordinance before it would have to go to the City Council. She needed to introduce it either at the next City Council meeting on July 16 or August 6, 2026. From there, it would go to the Joint Planning Board-Planning, Licenses and Development Committee (PB-PLD). Then it would have a Public Hearing before the City Council before being referred to the Planning, Licenses and Development (PLD) Committee. Then, it would go back

to City Council for final adoption. Because of all ~~of~~ those steps, this was the last date that the City Attorney could meet with the Committee and get the Ordinance passed at earliest by October 15, 2026, which is beyond the September extension. She said that is the best they would be able to do and they would have to adjust as they go. Tonight, the City Attorney proposed, based on the decisions the Board ~~had~~has made so far, to give the Board a look at the draft Ordinance because this would be their only chance. Alternatively, if the Board wanted to spend more time working directly with the City Attorney on the Ordinance draft, she suggested extending the licenses again, so they would not have to meet that City Council Ordinance timeline. She said she would show them the Ordinance and let them decide.

First, the City Attorney provided a handout, which was the draft Ordinance. She also provided the existing Code for the Committee's reference, so they could understand what was being changed; they all have to do with congregate living and this Board's functions and the way it is regulated. She referred to Chapter Two of the City Code, which has to do with Membership and what their powers will be. The first place the City Attorney's draft looked at in the Ordinance was Chapter Two of the Code to address the Congregate Living and Social Services Licensing Board and make changes accordingly (i.e., what the Board does and its functions). The City Attorney also provided Articles 15 and 29 of the Land Development Code (LDC). Article 15 is the Conditional Use Permit (CUP) that the Planning Board (PB) administers. This CLSSL Board's only involvement with the CUP has been the licensure part; the license has been a condition of the CUP thus far. The PB's function is in a different setting, but they use the same definition, so that is going to be changed. Article 29 is also a part of the LDC and called "Defined Terms," which is where the entire LDC places its definitions. She said she could not provide the Board with its replacement definitions, but she highlighted in Article 29 the definitions that this Board and the CUP currently look at. She said if you looked at some of those definitions and recalled the new definition of family related to nonfamilial relations, the Board would see why some of those definitions were problematic (e.g., group home). Chair Seher appreciated the definitions being highlighted. Ms. Welsh confirmed that the highlighted terms were the ones in the process of revision. The City Attorney said yes, and she would rely on the Community Development Department to determine the direction for each of these definitions; some may not need changes, but some obviously do (e.g., fraternity/sorority definition; not transient and there longer than 30 days).

Vice Chair Savastano wondered how a "single housekeeping unit" is defined; he saw it in the old and new definitions of family. The City Attorney was unsure how the Community Development Department had described it. She said it might be a part of the art of it when talking about the PB and regulating. She was unsure how that would be administered. Vice Chair Savastano added in part because the old definition of family had numbers connected with it and the new one does not. So, he asked at what point does a single housekeeping unit have an inordinate number of people? City Attorney Palmeira said staff had addressed this question before because people want to know about safety and health, and she said there are always going to be backstops from the Building Code's perspective and the Health Code. So, she said that if there becomes a situation, honestly independent of the number of people, that would be a part of the analysis that becomes unsafe—either addressed through crowding or a fire code problem. It would not be like a zoning violation.

Next, the City Attorney talked through the draft Ordinance changes driven in part by the change to the “family” definition. She added that there were also opportunities for the way that this board interacts with these property owners to be less of a licensing board and more of an Advisory Board. She said that is driven by the understanding that licensing is a high regulatory action and going more into a direction of assisting how they operate and providing input from the community for these property owners rather than having it as a strict regulatory scheme. There are not only the changes for the family definition that need to be made on legal grounds. In order to put the Board on a little bit stronger legal footing for how this board can clearly operate with these certain property owners, she said to put it in an advisory position instead would be her recommendation; it would help a great deal with putting the Board squarely within its authority. The City Attorney briefly explained the format of the draft in compliance with the City Clerk’s office and said it would still be going through further refinement and edits with the help of her Deputy City Attorney.

If solely in an advisory capacity, Ms. Welsh asked if the Board would be necessary. The City Attorney appreciated the question, stating that the Board talked about it before, and she understood from this Board, public officials, and community members that they have found this Board to be appreciated. She said there have been impacts the community has gained by having conversations with this Board. She thought it would be a different operation, and she could not guarantee the value would be carried forward, but the City Attorney had tried to capture what people explained as being the value of the Board, so that it is still available. She thought what was being taken away was the legal requirement aspect, because that is where legal starts getting concerned about authority and how it is used. She said that if the Board collectively decided it was not worth it, to let her know, but she was trying to accomplish what they were looking for. Chair Seher wanted to hear her changes and recommendations.

Mr. Hamm said Ms. Welsh’s question and the City Attorney’s response made it occur to him—because the authority to actually grant licenses was going away—was that he was hearing about a kind of moral authority, almost like a bully pulpit. Particularly since these are open meetings, that if something becomes controversial, he said then the moral authority rests with the Board, potentially, depending on how it acts. City Attorney Palmeira appreciated how he was thinking about it. She thought that walking through the draft Ordinance would get to that point of what the functions would look like, what the value would be to the community, and what the actions might be. Mr. Hamm said the question is really what kind of authority the Board has. Chair Seher said that was what the City Attorney would demonstrate. Regarding the authority question, City Attorney Palmeira said the PB’s CUP is on square legal ~~footing~~footing, and they do a pretty thorough job in reviewing these properties and what they do. This Board’s function is much lighter (i.e., not traffic patterns or site plans) and historically more about the functions on the properties. In order to make sure that is something the Board could still engage with, it is going to be put into an advisory position rather than the licensing and regulatory scheme that has already been taken care of in the CUP. She said it is making this Board more complementary to the CUP.

City Attorney Palmeira began with the first change in the draft Ordinance. First, is the change of “Licensing Board” to “Advisory Board.” Ordinance Sec. 2-1110.6. “Powers, Duties, Guidelines,” explains the authority of the Board and instead of making decisions on licenses for

the CUP, one of the first changes is for the Board to be able to submit comments to the PB about anything in front of it for a CUP. So, this Board would still have the opportunity to know what is going on at the PB for the CUPs and the ability to provide feedback. They would also have the opportunity to provide input to the applicant in a public meeting where the applicant would come before the Board. The City Attorney noted that this section deals with new properties, or those moving properties, because that is what CUPs deal with and she would discuss existing properties later on. Ms. Welsh asked about ~~renewal~~renewal of licenses and said the Board would likely not see them. The City Attorney replied in the affirmative but said there is an opportunity for those outside of the CUP process to still interact with this Board. The City Attorney continued with section (2) and said she presently drafted it as upon a request from the PB but wanted to expand it to be potentially upon other requests like a request from the public that this Board would be able to provide input on a pending PB application—so whether the PB requests this Board’s input or this Board initiates it, there could be a way to provide feedback.

In section (3), the City Attorney said this gets to the part outside of the CUP process. Here it says that the Board can provide (she would edit the words down) “feedback, advice, directions, suggestions, and commentary upon request to property owners and organizations that do plan to operate in any of the following facilities whether pursuing a conditional use permit or not.” She noted a placeholder for those definitions that would be changed and it would be for properties primarily used like the functions this Board is used to seeing. She pointed out that one of those was upon request without the CUP process bringing them in, which to Mr. Hamm’s point would encourage someone to come in and participate, and the City Attorney would talk about it more.

In section (4), the City Attorney referred to a citation to Article 15, 15.4 Submittal Requirements, which she said she would hopefully make a little more readable, but she wanted to include it. This is in reference to the LDC Article 15, which is what the PB gets when somebody is pursuing their CUP. At the end of Article 15 is a section about Submittal Requirements, which references all the things the PB receives from applicants for proposed developments such as a description of the physical architectural characteristics. The City Attorney referenced that part of Article 15 in this Ordinance to suggest that this Board can also be provided with copies of those materials, so the Board can have a better idea of what the properties look like without reinventing the wheel. In addition, she noted this Board is very heavy on the property use materials, so she cited (4) g., which was copied from some of this Board’s past materials and her understanding that the community plan was always very helpful: “Policies and procedures of the property, organization, or facility that explain the intended security measures, codes of conduct, or operations and management plans to be implemented.” This is intended to include the neighborhood relations plan, building insight, maintenance procedures, etc. This section is provided so that if a property owner does come to this Board, it is able to identify the helpful materials and ask for those.

Ms. Welsh added that one thing the Board always talked about was licenses and permits for some of the treatment facilities and their staff, in addition to what training they did, and what emergency operations they had. She thought it would be relevant for any treatment facility. The City Attorney agreed, especially if they are otherwise licensed by the State of New Hampshire. Chair Seher agreed. Ms. Welsh added that the Board also asked for any emergency plans those facilities had. The City Attorney understood.

City Attorney Palmeira said sections (5) and (6) are about the Board and its Code. Again, these are powers and authorities. Section (5) says “The Board may hold meetings for the purpose of discussing topics related to the field, study, or practice around congregate living and social services.” She said this was a new idea from her as a suggestion because her understanding from the Board was that it provides a service to these property owners and care providers. So, if the Board ever wanted to host a meeting on a certain topic about certain community services or changes in any sort of grants, etc., that are for the benefit of these property owners, the Board could welcome them for that type of public meeting as opposed to reviewing properties. Chair Seher asked if one of the purposes of these meetings could be a talk on the topic of best practices in terms of congregate living. The City Attorney said yes, and it was similar to what she was picturing, such as having one of the City’s Code Enforcement Officers talk about best practices or a nonprofit who had really succeeded in the community. Lastly, the City Attorney noted section (6) said the Board could also inquire about the state of any other licensing permit and she would add that to the materials that could be requested in section (4) too.

The City Attorney continued with Ordinance Sec. 2-111.7. – Meetings. In section (1), it talks about how the Board’s meetings will still be open to the public and public comment. In section (2), the City Attorney said she wanted to add a bit to note that the Board can invite the property owners and organizations to come and make a presentation about their current and proposed uses. She understood there was interest from the Board about where there is interest by the public about a specific property. Her recommendation to address that process was section (3), which talks about how a property owner can come in and get input from the Board and what they would provide to the Board to consider its request that the Board would grant or deny. She said the process, whether it is from the public or the property owner, is how the Board plans to talk about it. If a property owner comes in and wants to give a presentation, it should be on the calendar, so those interested can plan to come. Similarly, if a member of the public comes in with a problem with a local property owner, that should be something the property owner knows about and can address. She did not recommend setting up open forums about property owners that they are not present at to respond. If this Board gets public comment about a specific property owner, she recommends the Board holds a vote about whether to accept the complaint and the action would be to schedule a time to talk about it and invite the property owner.

Ms. Welsh asked how the property owner would be notified. Would the Board receive any police reports or fire updates and data relevant to the complaints? Would the Board meet in private before addressing the complaints? The City Attorney called them good questions. The property owner could be notified by City staff. She recommended that if a property owner submitted a communication to the Board via staff, it ~~would~~will go on the Board’s agenda to decide if they want to schedule the property owner or not. If a member of the public makes a complaint or wants to hear about a property, similarly, they could ask to be put on the Board’s agenda and the Board would look at its new definitions and determine whether it wants to invite that property owner to speak before the Board. She would recommend logistically that the Board vote on it and then either pick somebody to draft a letter to the property ~~owner, or owner or~~ ask staff to draft a letter to that property owner. Chair Seher heard a process suggested where the Board has a public meeting, receives a complaint presented publicly, and then she thought about how that would work if the property owner does not know ahead of time. Ms. Welsh asked if those

could/should be joint meetings with the PB if they are issues that need to be addressed, or whether this Board would be in an advisory capacity to the PB, making a recommendation for them to revisit the issue. The City Attorney said the jurisdiction of the PB over the CUPs is the first step; if they do not have a CUP, she is ~~unsure~~ unsure if the PB gets involved at all. If a property has a variance right now, there is nothing the PB is actively watching them or regulating them for because there is no CUP on the property and there would be no jurisdiction for the PB to hear anything this Board has to say about complaints. She noted that if they do have a CUP, there is still a difference between what the PB regulates and what the CUP looks at. The Planning Board looks at different things than this Board, so if there is overlap between something this Board hears and what the CUP looks at, the correct place for that to go would be the PB not this Board; it could probably be referred to the Planning Board. She believes the PB's authority in investigating complaints has been referred to its staff, so the whole Board does not hear complaints about Code violations. It goes through staff review first. So, she was unsure the Planning Board would convene to address anything like that. Chair Seher said she thought that was a part of the point of having this as a separate Advisory Board.

Chair Seher asked if there was some level of the City Council at which there was concern that people did not have a way to make comments or a clear way to weigh in on how properties may or may not be being misused. The City Attorney understood the question and said she was not with the City at the time of that conversation, but that was her understanding of the intent. She added that looking at where those concerns come from and how things get addressed in the jurisdiction of this Board, the Planning Board, and City Council (and even going back to Mr. Savastano's question), there are a lot of existing ways to address things, either through Code Enforcement or the Planning Board. This Board was for more of the things that were not addressed so far and those are less of items that the Planning Board would look at or that a Code Enforcement Officer would look at. She said to not expect a lot of overlap with them. Chair Seher said that got to the bigger question in general—because she was not here when the Board was created either—of whether the City Council has current interest in continuing to have this Advisory Board. She asked how to get that information, which seemed critical to her in deciding how to move forward. The City Attorney replied that the Board would be able to learn that when the Ordinance is drafted and introduced to the City Council, which could go a variety of ways off the top: they could change how it is drafted and show they are interested in keeping it, they could say they wanted it the way it was despite what the City Attorney is suggesting, or they could say this does not actually look constructive. They would still need to change the Ordinance if they wanted to dissolve the Board. Chair Seher said this was the time to state the obvious: this was the time to really decide the Board's function based on its understanding. She wanted to know what the City Council's original thinking on the matter was in order to be productive. She did not have enough information. City Attorney Palmeira appreciated that. She said from her research, she felt the same way. Her understanding was that this Board was created at the same time as the CUP was created, so there were two efforts to address the same thing, and the CUP takes care of a lot of that. The City Attorney said the Council's interest in keeping the Board was to be determined. Chair Seher asked how to get more information on the original Council reasoning. The City Attorney suggested the City Council meeting minutes when the Board was originally created. The City Attorney said there had been law changes since then too and some of the changes recommended tonight were to bring the Board into more of a legal safe zone. So, the conversations the Council had at that time in the past did not have consideration of the new

definition of family, for example, but they would answer the historic questions. Chair Seher said maybe the law changing addressed some of what the concern was but her understanding was that there was a concern that the Community does not have a place to weigh in about concerns that they have. She wanted to know what led to that and did not know where to get that information.

Ms. Welsh referred to LDC Article 15.1 “Applicability,” 1 through 9, and said, for instance, Live Free Recovery opened a mental health facility not a “1. Drug Treatment Clinic,” so she asked if it would fall under one of these categories. She asked if it would be “8. Residential Care Facility” even though the focus is mental health. Chair Seher said it is residential. The City Attorney said she had not loved engaging with these definitions in exercise because some facilities fell into one definition and perhaps another, and it was not quite clear to her how it came about or if the applicants had chosen. All to say, these definitions would be changing, and she did not know what they would be. She noted that these definitions are the PB’s; they are a part of the Zoning Ordinance, and the CLSSL Board is using them for its purposes. In the end, the PB’s interpretation would drive where the definitions fall. Ms. Welsh asked if that was a complete and exhaustive list. The City Attorney thought so but could not say; she would be working with the Community Development Department to figure out what makes sense from their expertise of understanding the community needs for definitions.

City Attorney Palmeira was originally speaking about meetings and having property owners appear before the Board, which could come about voluntarily. She said the Board could also accept complaints by the public or somebody who wishes to hear more from a property owner and then it would be the Board’s decision. She highly recommended that the Board not just welcome that and have an open forum about it until the property owner agrees to come and talk. She asked to gauge everyone’s reactions to that. Chair Seher said it went back to it feeling weird to consider a complaint in a public setting before reaching out to the property owner first. That was her concern. She understood the processes the City Attorney described but had hesitation about even having the complaint come before the Board in public: i.e., the first time someone arrives at a meeting there is a complaint about them. She said she would not particularly want to be a part of that process. Chair Seher suggested that there could be a step after complaints come to City staff, when staff reach out to the property owner to let them know, and then go forward with the understanding of the process of this group in which the Board offers options. Mr. Hamm added that if City staff make the first intervention, it may correct the issues before it even comes to the Board. Chair Seher agreed. The City Attorney said she liked the idea and thought it aligned a lot with exactly how the City handles other issues in the community. Mr. Hagan agreed that a pipeline exists, with a process to follow. The City Attorney said any time she had worked with any of the Code Enforcement ~~Department, Department;~~ they have had a really great philosophy of trying to work toward resolution before it gets elevated. She thought that was exactly in line with the philosophy the Board was describing. Chair Seher suggested that once both parties know, even if it is resolved, it could be brought forward to make the Board aware. She said there is a place in which this Board is about the public knowing what the concerns are. She said she did not have a strong opinion about that one way or the other. She thought that if somebody is really trying to come forward and be heard, they have a right to be heard somewhere.

Chair Seher was also concerned that that some of the places may not come forward if they are not required. She asked the process for that because again the idea is that the public has a right to share and ask for support around their concern. She said that if a congregate living facility refuses to come forward, the whole point would be to have a process in which the complainant can be heard. The City Attorney thought she was hearing the Chair's concern but was not sure how to address the second point. To the Chair's first point, the City Attorney said—and she wanted Board consensus as well—she heard the need for there to be an avenue for the public to submit concerns related to one of these property types and the first stop for that complaint would be City staff before it gets put on a public Board agenda. Then, whether it is resolved or not, the Board would want some report out. Chair Seher thought the report-out would be useful if this Board continues to exist: to know what kinds of complaints are coming in / issues are coming up and at what point, assuming it is resolved, which means both parties are on the same page.

Mr. Hagan noted there would be a new process coming into place where there is a complaint system available through OpenGov, which is available to the public, who will be made aware of the findings automatically on whatever complaint is received in the City for an address that already exists. Staff were working on expanding that system, he said it would certainly be an avenue. He said that if something has been addressed in OpenGov and ~~not been~~ is not completed, where there is enforcement action, it could get a little difficult having public meetings with that. He thought staff could report out to the Board on completed OpenGov actions or at least provide some additional information. So, it would be difficult for ongoing cases. Mr. Hagan said staff could certainly advise on all completed complaints for any of these nine defined regulated properties through this Advisory Board; staff could provide overall information on the complaints received and how they were resolved. Any open ones would not be reported to the Board until resolved.

Ms. Welsh recalled Mr. Hagan mentioning the OpenGov process a few meetings prior. Instead of the Board reading every single complaint against the City, she asked if there was a way to research it by property. Mr. Hagan said yes, specifically by property address. If staff and public are aware of the properties and addresses, they can look up the specific properties and it will give a complete history by related records of complaints, of planning board applications, the CUP process, and all the information available through the public OpenGov system (e.g., building permits applied for). You can drop pins on the locations on the GIS map.

Mr. Hamm asked if this is where some of the City Attorney's language came in for there being a point to the Board being able to invite problematic property owners and its abutters/neighborhood for an open hearing. He asked if the Board could be proactive in that sense and if so, he said it might be useful to have more open neighborhood communication and activities and asked who would track that, asking if it would be a City staff function. Mr. Hagan said City staff were looking forward to the different analytics they could get out of the OpenGov system. They could certainly give reports, but he noted that they only look for data when they go into the data. So, it would not be easy to do if they are unrelated, but if there ~~some are~~ some neighborhoods with continual trash problems or parking on lawns may be near one of these properties that the Advisory Board can advise on, that could be possible. So, if they see an area on OpenGov with a lot of pins in it, it is not necessarily something this Board could regulate.

Vice Chair Savastano asked the same question in terms of a lot of pins in the same area on OpenGov. He wondered what mechanism of accountability there is for properties in terms of their administration. For instance, if a situation arose where this Committee heard of things not being run well, whether safety or noise complaints, the Committee could give the licensee trouble about that and could conceivably deny them a license. He asked what mechanisms this City has for addressing administrative entities like that, such as an organization that runs a residential care facility, which people make police complaints about. Fortunately, he thought that the City had not seen a lot of bad actors but thought that one function of this Board had actually been a place to be a backstop. He asked what other backstops the City has. The City Attorney said staff had thought about this as well: what gap is this Board filling? The takeaway she had gotten from the Fire Marshall and Code Enforcement Officer had been that approximately 99% of the type of complaints that might come up about a property from its neighbors are already something that can be addressed through Code, Health Code, Building Code, and Zoning. The ones that will not be addressed are the more institutional ones like whether they are being managed well and how they have chosen to train their staff. So, she said there would be a channel that those issues could be directed to the regulating body. Vice Chair Savastano thought of a particular instance a few years prior when the staff member did not know about any police reports for a property, but Vice Chair Savastano knew of ~~many~~many, and the applicant volunteered a number. The Board had talked about ways that this would be addressed and to that organization's credit, they were taking accountability and trying to work on it. Vice Chair Savastano said he did not see that level of accountability in this proposal. He did not think it was something the Fire Marshall would address and, in that case, he said the City did not even get an adequate report of police activity. The City Attorney said that was a pretty open-ended concern because it depends on what he was looking for out of that. She said that if the police are responding to a property, somebody is addressing some problem there. She said that if Vice Chair Savastano is looking for institutional or economic recourse for a property that is having consistent ~~problem~~problems, or maybe a variety of consistent problems, she did not know that it was something this Board or any government would be involved in. The City Attorney said there is a limit to reaching into organizations and controlling them. She reiterated that it really depends on what the Board is looking to accomplish.

City Attorney Palmeira returned to the process ~~for~~of receiving complaints. She said that if a complaint comes in, the presumed way is that it is not going to come up in the public setting at this Board: it is going to come through the OpenGov process, which receives all sorts of complaints, so it will be up to staff to vet to the Board. She said this would require those clear definitions of what this Board is concerned about. If a property falls into one of those definitions, staff could report resolutions of complaints to this Board. They would not report ~~ongoing, ongoing~~ open investigations because that could compromise the integrity of the investigation. Similarly, they would not report on any actions that could be going to court because that is public. The City Attorney said it also sounded ~~like if~~like there were multiple complaints on the same property that it would be identified in OpenGov and acknowledged to the Board once resolved or if they result in enforcement because the Board is concerned about that identified category of properties.

Chair Seher thought there was a hole missing here. She cited instances of properties around town. She said no matter how great City staff are, the whole point of a public forum is that it

actually forces those who are not that interested in having their issues advertised to have some accountability. So, she suggested that perhaps a certain number of complaints brings a property forward to the Board; it seemed like there should be some process. Mr. Hamm found himself wishing for a mechanism for which the kind of entities the Board usually deals with have public invitations for the neighborhoods that surround them to come and have a conversation that is always on the calendar, not just when complaints come up. Chair Seher agreed. Mr. Hamm wished there was some mechanism that was not just reliant on the public and City staff, but to where these entities are invited on a regular basis (i.e., every other year) and the neighborhood is invited to comment on the entity's impact. He did not see that conversation proposed by the City Attorney. It all seemed very legal but not very satisfactory to Mr. Hamm and no longer a place for conversation to happen, and that troubled him. Vice Chair Savastano added that his multi-term tenure on the Board would be expiring at the end of 2026 and he registered clearly that however it was happening, he thought the City was doing a disservice to its residents by not having any teeth, potentially, to this Board. He thinks that it is really important to be able to address institutions, and he did not see how that would adequately be done. He said he was just registering his honest opinion that he thought the City was doing a disservice to its residents. Chair Seher thought that was the challenge the Board was being presented with: how an advisory role could help to solve/address that?

Mr. Hagan thought the Board members had all come up with some great ideas. The whole point of tonight's meeting was to come up with a path forward in this. Given the process setup through the public meeting and Council process, and the timing of this given that all the current licenses would expire September 1, 2026 and the next Board meeting is at the end of September, the Board would have to meet in September in order to renew those. Given the state of this, he said the Board would really have to make some decisions tonight, with the bigger decisions being: (1) do you want to be a part of and add some more context to this Ordinance in this type of forum through a couple more Board meetings and extend the licenses, or (2) have the Ordinance go through the normal public City Council process? Chair Seher said they did not have to solve it all right now. Mr. Hagan agreed it could go around and around; there were four or five staff meetings on this to try to come up with a legal path forward. The Board came up with some other great ideas that staff would try and work in, but he said that only happens with a process.

Mr. Hamm thought the mechanism of who gets licenses could be resolved fairly quickly, stating if they have to extend so be it, given where they are at this point. However, he thought the life of the Board itself, and its ongoing purpose, needed further discussion. At this point, he felt that it was empty a purpose for the residents of the City unless they have some kind of moral authority, or the bully pulpit he mentioned: someone is invited to speak, the public is invited to speak, and so there is an opportunity for that conversation to happen. That was the only kind of moral authority he could see possible. Mr. Hamm said it got back to how the Board has conversations with the citizens and neighbors—the folks who have to interact with a particular property owner.

Chair Seher did not want to speak for Mr. Matheson, but thought that if he were present, he would talk about the concept of restorative justice. She thought Mr. Hamm was talking about being more positive and proactive but she mentioned the restorative justice model as a way for people to hear each other. Mr. Hamm agreed, and to find ways to find ways to resolve issues. He likened it to when he was a volunteer at Hundred Nights, whose staff work really hard to allay

the concerns of the neighborhood. Yet, Chair Seher said there were still a lot of neighborhood complaints around Hundred Nights, and they do not believe there is a place to bring their complaints. So, she said it is more about how the Board supports the organization that is trying to do a really important thing by engaging the public in a positive way. Mr. Hamm added engaging the public through a formal process where there are rules around it.

Ms. Welsh asked the likelihood of the City Council disbanding this Board. The City Attorney said she had not spent all this time on this Ordinance draft because she thought they would defeat it. It was her understanding that the Board had existed for the years that it had, and had not been taken away, because there was still a desire for it to exist. She could not gauge whether the Council would have the same conversation on the Ordinance that this Board had. She did not know how their conversation on the Ordinance would go. All she could say was that the Board had not been abolished to date.

The City Attorney wanted to return to Mr. Hagan's point about steps forward. First, she discussed engaging with property owners positively and giving that forum. She believed this draft Ordinance did provide that opportunity (and the Board could change it accordingly). She thought the scenario described of a willing, participating property owner having members of the public come and talk with them would be fully accomplished as proposed. She imagined it being very involved. The public would know exactly when the property owner is coming, the property owner would be able to respond, there would be a lot of materials exchanged with the Board. The City Attorney said the process existed in the proposed Ordinance. She thought what triggered the longer conversation was about complaints or somebody unwilling to come in, and she agreed that is the more difficult part. The point the City Attorney wanted to make strongly was that she does not want this Board to be an open forum of negativity without the property owner willingly coming to address it; she does not think that is constructive or helpful. Chair Seher thought the Board might need more time to figure that out.

Chair Seher asked Ms. Welsh if she was asking whether this was worth the time—figuring out if this Advisory Board could be something useful—if they are just going to get rid of it anyway. The City Attorney said that if this conversation with the Board was the only one they chose to have and the Ordinance would get put into the Council process: (1) the public gets to start participating in that in multiple ways; there is not a Public Hearing but a Joint Workshop. (2) CLSSL Board Members would be strongly encouraged to participate actively in that public process. She said whether the Board spends multiple meetings on the Ordinance or not, there would be multiple opportunities for them to work with the public, the Joint PB-PLD Committee, and the City Council on how they look and think about this. This Board is the expert on what it has done so far and how it has been working with these property owners. So, the City Attorney came to the Board for that reason, but it is not required that the Board's input should direct this; the Board may still participate. She wanted the Board to have the opportunity to workshop the Ordinance before the City Council process.

Mr. Hamm said given what they had, if it allowed them to be proactive as an Advisory Board, he could see this Board being proactive in setting up a calendar, which invites the usual organizations on a calendar basis and publicizes it to the City and to the neighborhoods. He said it would require the Board to be proactive with the help of City staff. The City Attorney liked

541 this idea because she thought it would: (1) make it clear to the organizations and to the public
542 when their opportunity is to attend and present or see what the property owners are going to say,
543 and (2) highlight if a property owner in that category has declined that invitation because of that
544 agenda. Mr. Hamm agreed. Chair Seher liked that idea a lot. She also liked the idea the City
545 Attorney talked ~~about of about~~ a few times per year, ~~inviting in~~ inviting experts to talk on certain
546 topics, even if it is City staff. Vice Chair Savastano thought the idea of having such meetings
547 going forward made good sense because there is a kind of “to be determined” nature of what
548 function the Board can have, its usefulness in different ways, and some territory that might be
549 unexplored. He thought this Board was still structured in a place where it gives the opportunity
550 to invite the public in to have workshops, etc., to see how valuable it is going forward. He thinks
551 that gives the Board the opportunity to contribute in real ways that are to be determined.

552
553 Chair Seher asked if there was a role in the new Ordinance for this Board to be advisory to the
554 PB, or if it is broader than that. The City Attorney said there is an advisory function to the PB,
555 but she has been thinking of it and hearing from this Board as more advisory to the property
556 owners (e.g., giving them instructions on best practices, looking over their materials and making
557 suggestions). Chair Seher was speaking about some ways that this Advisory Board, within the
558 City structure, could function in some way that supports the work of the PB, providing
559 information that is relevant to licensing. She spoke of a closer relationship between the two
560 boards, stating that the PB agendas are very technical and there are a lot of other pieces to
561 functioning well for the public than technical. City Attorney Palmeira recalled that not all of the
562 properties will be going through the PB, ~~like as~~ if they are existing. For ones that do go through
563 the PB, she had reviewed a few ways the draft Ordinance proposes providing that feedback. She
564 referred to the final section of the Ordinance, noting that previously, the CUP made it a condition
565 for CUPs to get a license from the Board. Now, because the Board will not be providing licenses
566 anymore, the City Attorney proposed that the CUP is conditional on the materials being
567 submitted to this Board and the property owner attending a meeting with this Board to hear its
568 feedback on the materials it received. So, there would still be an opportunity for public review
569 and the Board’s input on a property, but instead of it being conditional on a license and approval
570 from this board, it is just conditional that they hear from this Board and get its input. So, Ms.
571 Welsh called it pretty similar to what the Board had been doing, but for the fact that it is not
572 granting licenses.

573
574 Ms. Welsh asked if all nine definitions were complete or if they were being revised. The City
575 Attorney suspected that all of them would still change. Ms. Welsh asked whether the Cheshire
576 Medical Doorway fell under any of these definitions, like drug treatment clinic, which she read
577 parts of the definition for and believed fell exactly in that category. Yet, this Board had never
578 licensed The Doorway. Discussion continued about the nuances of this facility and the
579 definitions. The City Attorney loved the question because she did not know and had asked the
580 same question. It could be that they just were not subject to the CUP and then otherwise did not
581 know of this Board’s existence. She was unsure. Mr. Hagan said there is especially a broader
582 base to the Hospital, not just that portion of it, so it may have been looked at in that forum as
583 they administer care at the Emergency Room and are connected to that organization. He said it
584 was certainly something he could look into. This was the first time it had been brought up by the
585 Board.

Vice Chair Savastano wanted to clarify as a reminder the deficiency in legal ability for this Board to provide licenses; is the reason because it was not in the City Ordinance? City Attorney Palmeira explained that the concern about the authority of the Board is that the PB's authority is pretty clear. There are a lot of the functions that the PB are looking at for these properties clearly supported in the RSA. This Board's authority has kind of been a stem off of the PB's and staff talked about how some of the considerations of this Board are different than what the Zoning authority has been: making sure we are not going too attenuated from the source of that authority and trying to exercise something that is not directly tied to what state statute has said we have authority to regulate. So, Vice Chair Savastano said it is wrapped up in the state and its statutes. City Attorney Palmeira noted that New Hampshire is a Dillon's Rule state, which is different than a Home Rule state, meaning the City must have direction and permission from state statutes to say what the City can and cannot do. Everything the City does must be tied back to state statute.

Discussion ensued about whether to extend the licenses. The City Attorney repeated the possible options for engaging with the upcoming Council process. If the Board wanted to engage with the City Attorney further, that would involve extending the licenses again to have more time. Chair Seher asked if there was a staff recommendation. The City Attorney said they had not fully gamed that out yet; staff could look at the calendar outside of meeting time and come back with a recommendation on additional time and what licenses are in the extension compared to the Board's calendar. There were many moving parts to this. The City Attorney recommended waiting until that next meeting to extend the licenses. However, she said she would accept a motion to extend the licenses at this meeting. Chair Seher came to this meeting thinking they would need to extend the licenses.

Mr. Hagan presented a few options: (1) July 16 submission of the draft Ordinance for First Reading and the Board would not be a part of the initial process in the creation of the Ordinance. The earliest PB-PLD Committee meeting would be September 14, 2026, and the PLD meeting would be October 7. Then the second reading of the Ordinance before Council would be October 15, 2026. (2) If the Board were to extend the licenses and have their regularly scheduled meeting on July 28, when the Board could have discussion and give feedback on Ordinance changes, then it would push the Ordinance to a First Reading on September 17, 2026, with the first PB-PLD review on October 13, and then November 11 (Veteran's Day) or December 9, 2026, PLD review. That would put the Second Reading of the Ordinance before City Council on December 17, 2026. Both Ms. Welsh and Vice Chair Savastano noted that they could not meet on July 28, 2026. Mr. Hagan said they could push that meeting until August, which again falls in line with the September 17, 2026, First Reading of the Ordinance. If choosing that route, Mr. Hagan recommended extending the licenses at this meeting because they would expire on September 1, 2026. He recommended extending them until January 1, 2027, as a fresh start on the new process.

The following motion by Ms. Welsh was duly seconded by Mr. Hamm. On a vote of 4-0, the Congregate Living and Social Services Licensing Board gave authority to City staff to extend the CLSS Licenses and to continue with the inspection process until January 1, 2027.

The City Attorney talked about notifying license holders about the extension. Ms. Welsh noted that under existing statute, some places never received their first licenses. Mr. Hagan recalled that when the original extension was provided, the Board made another motion allowing staff to review any incoming applications based upon the current regulations and to issue those until the extended date.

The following motion by Mr. Hamm was duly seconded by Ms. Welsh. On a vote of 4–0, the Congregate Living and Social Services Licensing Board gave authority to City staff to issue the licenses received after September 1, 2026, based upon the regulations, until January 1, 2027.

Discussion ensued about whether the City Attorney needed anything further from the Board regarding this draft. The City Attorney did not think so unless there were things the Board directly wanted to contribute. At the next meeting (August) the City Attorney ~~would~~will have a revised draft to capture what was discussed at this meeting, particularly the calendar schedule for meetings and how complaints would come into staff to be reviewed first.

Chair Seher asked about what if members of the public approach the Board members directly (e.g., a neighbor or during a meeting) with complaints. She said their job would be to help them follow the process. The City Attorney pictured someone coming in for public comment and starting to complain about a property because they think the Board is the place to do that. She said the Board would direct them to OpenGov to start the staff investigation process. If someone brings it up outside the Board as individuals, the recommendation has always been for the Right to Know Law to not have conversations about the functions of the Board outside of the quorum of the Board. Members of the Board can direct individuals to OpenGov as the place to start.

A motion by Mr. Hamm to cancel the July 2026 Board meeting and reconvene on the last Tuesday in August was duly seconded by Ms. Welsh. The motion carried unanimously.

4. Applications:

None presented.

5. New Business:

None presented.

6. Adjournment:

There being no further business, Chair Seher adjourned the meeting at 7:37 PM.

Respectfully submitted by,
Katryna Kibler, Minute Taker

Reviewed and edited by,
Staff Member(s) Name(s), Title(s) Corinne Chaisson, Board Clerk