

City of Keene
New Hampshire

CONGREGATE LIVING AND SOCIAL SERVICES LICENSING BOARD
MEETING MINUTES

Tuesday, July 25, 2023

6:00 PM

**Council Chambers,
City Hall**

Members Present:

Medard Kopczynski, Vice Chair
Alison Welsh
Thomas Savastano

Staff Present:

John Rogers, Building & Health
Official/Zoning Administrator

Members Not Present:

Andrew Oram, Chair
Jennifer Seher

I. Call to Order

Vice Chair Kopczynski called the meeting to order at 6:00 PM and roll call ensued.

II. Minutes of the Previous Meeting – April 25, 2023 & June 27, 2023

A motion by Ms. Welsh to approve the April 25, 2023, minutes with no amendments was duly seconded by Mr. Savastano and the motion carried unanimously.

Vice Chair Kopczynski provided a correction to the June 2023 minutes. On line 507, “Ms. Damien” should be changed to “Ms. Gagnon.” A motion by Mr. Savastano to approve the June 27, 2023, minutes as amended was duly seconded by Ms. Welsh and the motion carried unanimously.

III. Unfinished Business

Mr. Rogers reported on some previous conditional application approvals that were pending Fire Department requirements. The Fire Department completed these inspections and sent the applicants correct violation letters, providing 45 days to rectify these minor issues. Mr. Rogers said this was the case for: LB 23-06 for Alpine Healthcare, LB 23-07 for Covenant Living of Keene, LB 23-08 for Emerald House, and LB 23-09 – LB 23-12 for Live Free Recovery. Mr. Rogers would update the Board again once each organization makes the required Fire Department changes.

IV. Applications

- A) **Continued 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.**

Continued until the August 22, 2023, meeting at 6:00 PM.

- B) **Continued 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.**

Continued until the August 22, 2023, meeting at 6:00 PM.

- C) **Continued 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.**

Continued until the August 22, 2023, meeting at 6:00 PM.

- D) **Continued 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.**

Continued until the August 22, 2023, meeting at 6:00 PM.

- E) **LB 23-13: Applicant, Mindy Cambiar, Executive Director for Hundred Nights, Inc., is requesting a Congregate Living & Social Services License for a Homeless Shelter and a Group Resource Center, located at 122 Water St. and is in the Downtown Growth District and as defined in Chapter 46, Article X of the Keene City Ordinances.**

Vice Chair Kopczynski recalled that not too long ago, the Board issued a license for Hundred Nights' present location and said this would be the first time the Board was transferring a license.

Vice Chair Kopczynski requested Staff comments. Mr. Rogers said that Fire Department and Housing inspections had occurred, and no issues were found with this brand-new building. The applicant was granted their Certificate of Occupancy.

Ms. Welsh asked if the hood in the kitchen had been replaced. Mr. Rogers said the applicant could speak to that because he had not visited the new facility yet, but he did not think the inspections would have passed without the proper hood. He added that the previous Hundred Nights location had the shelter and resource center at two different units in the same building, so in the past, licenses were needed for each use. At the new location on Water Street, all uses would be in the same building, so this application was now being reviewed as a shelter with an accessory resource center within it.

Vice Chair Kopczynski welcomed Chuck Mobilia and Teresa Starkey, Hundred Nights' Board Chair and Board Secretary, respectively, to present this application in the place of Mindy Cambiar, Executive Director. Mr. Mobilia confirmed that the hood Ms. Welsh referred to was replaced and Hundred Nights was approved to serve food. He said the goal was to move into the new location quickly and they were in the process of shifting buildings. There would be a ribbon cutting ceremony and open house for the community, likely in mid-September. For the benefit of the public, Vice Chair Kopczynski asked Mr. Mobilia to provide some details about Hundred Nights. Mr. Mobilia explained that Hundred Nights opened 13–15 years ago and began as a shelter for the 100 coldest nights of the year. In 2017, it became a full-time shelter with 24 beds; it had since expanded to 2 different areas churches with 12 beds each at location. The resource center used to be in the basement of the Lamson Street location and before this move to Water Street, the resource center was in the Jonathan Daniels building. This is a low barrier shelter for anyone experiencing homelessness in Keene. He said the guests' check-in policy was changing but he was not familiar with it. Check-in time used to be 6:30 PM to be assigned a bed, but at the new location beds might be assigned and there could be limitations on being there full-time. Food could now be prepared in the kitchen and people no longer needed to bring food in using hot plates and crock pots. He said there was a goal to ramp up the efforts to help guests find permanent housing and jobs. Medical and dental volunteers used to provide services to guests, but those services were canceled during Covid, and they hoped to restart that effort. The new facility is 3 floors with offices and the resource center on the first floor, women's, and family housing on the second floor, and men's housing on the third floor. At the new location, the shelter would continue with 48 beds, which is the capacity approved in the City's license, but there is much more capacity in the new building if they needed to apply to increase in the future.

Ms. Welsh appreciated all the great detail in this application. She thought the neighborhood relations plan was very good, which is something that had not been as well-developed by other applicants, so she was appreciative. She noted that the handbook submitted still listed the old address, so the applicant would want to correct that. She loved the new building layout and was excited for it to open. She asked when guests would be moved into the new location. Mr. Mobilia said they were moving the first 12 guests into the new building the same evening as this meeting,

noting how cost-prohibitive it was to have both locations operating simultaneously. The goal was to be completely out of the old location by the end of July.

Mr. Savastano also appreciated the detailed and thorough application. His concern was about the neighborhood relations plan. First, he referred to the expectations of people served as outlined beginning on pages 135–136 of the meeting packet. He noticed that most of those guest expectations were related to behaviors inside the building. He did not see any expectations of how guests should behave in and respect the surrounding neighborhood. Mr. Mobilia thought there were guest expectations to behave as members of the community on the Hundred Nights property and surrounding properties. He said they could add more precise expectations of how guests should respect the neighborhood. Mr. Savastano thought it would be helpful to communicate that clearly to guests, especially for things like noise at a 24/7 facility and with the outdoor area. Mr. Mobilia said it was a good point and he would ensure that is added to the guest expectations and neighborhood relations plan.

Also, regarding neighborhood relations, Mr. Savastano asked to know more about the sex offender policy and whether there was a mechanism to alert neighbors when there is a registered sex offender staying at the shelter. Mr. Mobilia was unsure but knew that sex offenders were required to disclose whether they are a level 1 or 2 sex offender; the highest level (3) is not allowed in the shelter. He was unsure if there was a method for alerting neighbors and he was unsure about the legal implications of publicly announcing who is staying at the shelter. In a temporary shelter setting like this one, Mr. Savastano thought there must be a way to alert neighbors. Otherwise, he thought the neighborhood relations plan should state explicitly that the neighbors should expect that there could be sex offenders staying at the shelter. Mr. Mobilia thought that listing it in the neighborhood relations plan might be the best they could do since this is a low barrier shelter. However, the Police Department is contacted any time a sex offender registers at the shelter. Mr. Savastano thought that listing the possibility in the neighborhood relations plan might be enough and he was unsure about the legalities of the issue. If he was a neighbor, Mr. Savastano would want to clearly understand that possibility. Mr. Mobilia agreed that it was a good point.

Mr. Savastano continued on the topic of sex offenders. He asked if there was a means for other guests to understand the possibility so they could be mindful, or if there was a way for women or families to lock their doors in the shelter. Mr. Mobilia said the floors are separate and they were trying to get things in place to prohibit movement between the floors, but that was not yet functional. He explained that there would be a staff member overnight on each floor to ensure the strict restrictions on going between floors. At the last staff meeting, they discussed the challenge of people wanting to go outside for cigarettes, which is more difficult now with 3 floors, so they talked about monitoring that more closely. There are rooms with 6, 8, or 10 beds, so they cannot lock those rooms; each room has a private shower/bathroom. Thus, he said there would be no reason for guests to wander the halls unless there was an emergency. He said the staff were concerned with the overnight safety issues too, so cameras were being placed throughout the building, in each group bedroom (no audio; not in family rooms), in the stairwells, and outside.

The front door remains locked, and everyone must go through security to enter the building. They were working to add panic buttons at the 2 overnight desks to alert the Police Department without using the phone system. The overnight desks would have big screens displaying views of all 25 security cameras. In his 9 years with Hundred Nights, Mr. Mobilia could recall only a few incidents of guests wandering outside their restricted areas.

Ms. Welsh reiterated that she found the neighborhood relations plan appealing. It was not just a walkthrough and neighborhood meeting, there were actual guidelines to promote good neighborhood experiences and engagement, with a community log. She found it incredibly detailed in prioritizing good neighborhood experiences. She especially found pages 81–82 very helpful. Through her work with other organizations, Ms. Welsh knew how much Hundred Nights works to collaborate well with the community. Mr. Mobilia noted that there is a committee of 1–2 staff members, 1–2 Board members, and a neighborhood liaison, who review all issues/decisions logged and take matters to the Police Department if needed. He said there could be efforts to formalize that process to review situations.

Vice Chair Kopczynski said that if a sex offender listed the Water Street shelter location as their residence, the sex offender registry would show that an offender is registered at the shelter. He thought there might be more challenges with distance requirements, knowing that sex offenders are not allowed within certain distances of establishments like daycares. Thus, he said that the Hundred Nights administration would need to be both aware of sex offender guests and aware of new developments around this location, which could complicate things. Vice Chair Kopczynski explained that 75% of this work deals with housing issues—from workforce housing to housing for the elderly and homeless. The Vice Chair asked what efforts Hundred Nights makes to help their guests find permanent housing. Mr. Mobilia said there is a case manager on staff, whom guests must meet with when they first register at the shelter. They were working on more details to ensure that longer-term guests must meet with the case manager on a regular basis. During their initial meeting, guests are put in contact with the City’s welfare office. This is not meant to be a permanent shelter and they want to help guests move on. He recalled that last year’s report listed over 50 guests who had been helped with more permanent housing, which the Vice Chair said was ideal. Ms. Starkey added that while Hundred Nights does address issues of chronic homelessness, they had learned to be realistic about the fact that it is not their responsibility alone to solve the homelessness crisis. Vice Chair Kopczynski agreed and added that Keene cannot do it alone either. Mr. Mobilia could not recall many guests staying for more than 1 year. Vice Chair Kopczynski said the length of stay seemed to vary between 1 week and 4 months, but the report did mention that some guests stay for one year or more. He thought that something needed to be figured out for those long-term needs. Ms. Starkey agreed that it is a sad reality and Hundred Nights is coordinating with many other social service agencies, like the Monadnock Interfaith Project.

Regarding the building and site maintenance procedures, Mr. Savastano said there was a summary of working relationships with various local contractors. He said that some applicants have lists of maintenance to be completed (e.g., egresses, rugs, etc.) on a regular basis. He was not too

concerned since this was a brand-new building but thought it would be good to add those details in the future. Ms. Starkey agreed that they were in a new situation with this larger facility but said there are amazing staff members who accomplish a lot during the daytime while the shelter is closed to guests. For example, the staff wash all the bedding and more daily (guests can do some of their own laundry too). After running the City Facility Department for many years, Vice Chair Kopczynski recommended having plans and setting aside assets for when things start to break in the future; the sooner they figure out those details (e.g., the computerized heating/cooling system), the easier it would be for them.

There were no public comments in favor or opposition. Vice Chair Kopczynski closed the public hearing.

Mr. Savastano suggested 2 conditions for approving this application: 1) additions to the neighborhood relations plan/resident expectation sheets to clarify that guests are responsible for respecting the surrounding neighborhood (e.g., noise, etc.), and 2) additions to the neighborhood relations plan to clarify for the neighbors that there could be sex offenders in residence at this low barrier shelter. He understood the Vice Chair's point about sex offenders listing the shelter as their address, but he was still concerned with the possible lag time, with some guests coming into and out of the facility pretty quickly. Ms. Welsh thought they might have been talking about 2 different documents and a brief discussion ensued. Mr. Savastano clarified that he wanted to ensure shelter guests know they are not just responsible for behaving well with the shelter staff and other guests, but within the neighborhood as well.

Mr. Mobilia explained that Hundred Nights does have a sex offender policy that was written by a former Board member. Ms. Welsh said that statement by Doug Iosue stating why Hundred Nights serves sex offenders was included in the application. Mr. Mobilia asked if it was good enough to include that statement in the neighborhood relations plan. The Vice Chair said it should be communicated in the plan in some manner. Mr. Savastano knew people could go searching for those details, but he had found it hard to find such details on the City website. He wanted to ensure that this was open knowledge communicated clearly to the neighbors. Mr. Savastano and the Vice Chair agreed that only minor adjustments to the plan should be needed.

A motion by Ms. Welsh was duly seconded by Mr. Savastano to approve application LB 23-13 with the following conditions:

1. Additions to the neighborhood relations plan/resident expectation sheets to clarify that guests are responsible for respecting the surrounding neighborhood (e.g., noise, etc.).
2. Additions to the neighborhood relations plan to clarify for the neighbors that there could be sex offenders in residence at this low barrier shelter.

The Board proceeded to review 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 Ms. Welsh. On a vote of 3–0, the Congregate Living and Social Services Licensing Board found application LB 23-13 in compliance with the first criterion.

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

Ms. Welsh 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 23-13 in compliance with the second criterion.

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.*

Ms. Welsh 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 23-13 in compliance with the third criterion.

On a vote of 3–0, the Congregate Living and Social Services Licensing Board approved application LB 23-13 with the following conditions:

1. Additions to the neighborhood relations plan/resident expectation sheets to clarify that guests are responsible for respecting the surrounding neighborhood (e.g., noise, etc.).
2. Additions to the neighborhood relations plan to clarify for the neighbors that there could be sex offenders in residence at this low barrier shelter.

II. New Business

No new business was presented.

III. Non-Public Session (if required)

IV. Adjournment

There being no further business, Vice Chair Kopczynski adjourned the meeting at 6:43 PM.

Respectfully submitted by,
Katryna Kibler, Minute Taker

Reviewed & edited by,
Corinne Marcou, Board Clerk