

City of Keene
New Hampshire

CONGREGATE LIVING AND SOCIAL SERVICES LICENSING BOARD
MEETING MINUTES

Tuesday, March 28, 2023

6:00 PM

**Council Chamber,
City Hall**

Members Present:

Andrew Oram, Chair
Thomas Savastano
Jennifer Seher

Staff Present:

John Rogers, Building & Health
Official/Zoning Administrator
Corinne Marcou, Board Clerk

Members Not Present:

Medard Kopczynski, Vice Chair
Alison Welsh

I. Call to Order: Roll Call

Chair Oram called the meeting to order at 6:03 PM and called a break until a quorum was present. At 6:11 PM the meeting reconvened and roll call ensued.

II. Minutes of Previous Meeting: February 28, 2023

A motion by Mr. Savastano to adopt the February 28, 2023, meeting minutes was duly seconded by Ms. Seher and the motion was carried unanimously.

III. Unfinished Business

- A) **LB 23-01: Applicant, Hilary Seifer, Executive Director for American House Keene, is requesting a Congregate Living & Social Services License for a Residential Care Facility, located at 197 Water St., and is in the Business Growth & Reuse District and as defined in Chapter 46, Article X of the Keene City Ordinances.**

Chair Oram recalled that the Board approved LB 23-01, with a condition for the applicant to submit a neighborhood relations plan. The Chair asked whether the other Board members found the plan sufficient. Ms. Seher noted that she is very familiar with the facility in question and said she was glad the applicant wrote this plan because in her experience, American House interacts with the community very well. Chair Oram said that was his experience as well. The Chair thought it would behoove the Board to provide applicants examples of successful plans in the future. Because their overall application was so complete, Chair Oram thought this plan should

be accepted, and next year, the Board could request something more complete. Ms. Seher agreed, noting that some sort of template would be ideal.

Mr. Savastano made the following motion, which was duly seconded by Ms. Seher. On a vote of 3–0, the Congregate Living and Social Services Licensing Board accepted the neighborhood relations plan from American House as presented.

Chair Oram noted that there was another piece of unfinished business that did not appear on the meeting agenda. This was to review the neighborhood relations plan for Keene Housing. Mr. Savastano said he felt that this neighborhood relations plan was minimal, and he hoped for more detail next year, especially after there were a variety of issues with Hampshire House last year. Mr. Savastano quoted the Vice Chair, Mr. Kopczynski, from a previous hearing: *“The neighborhood relations plan is an opportunity for agencies to articulate that for them and the neighborhood to be successful, they must work together.”* Mr. Savastano thought the submitted plan was largely focused on who to contact with complaints, but not about outreach to the community. He said the end of this submitted plan stated: *“Keene Housing staff will continue striving to know our neighbors,”* of which Mr. Savastano said he did not see evidence of how they plan to do so. Still, Mr. Savastano was prepared to accept the plan as submitted and to watch and see what happens in the next year. He noted that there was no way to contact the resident property managers by phone and he did not believe the phone number listed was for 24-hour issues, though it was characterized as such.

Mr. Rogers said that Staff could ensure this portion of the meeting minutes highlighting this concern could be attached to the application, so the agency is aware of the Board’s concerns moving forward. Chair Oram thought there were two issues at hand, with the first being whether a dedicated 24-hour contact number was required. Mr. Rogers did not think there was a specific regulation requiring such a contact, but he said it made sense for such a contact to be listed in various plans, from the emergency plan to the neighborhood relations plan. Mr. Rogers noted that this Board reviews a wide range of uses, for some of which it would make sense to have such a contact number. Mr. Rogers would pass this concern along to the applicant. Chair Oram asked whether it was required for any of the applicants before this Board to have a 24-hour contact number. Mr. Rogers said he would have to look more into the rules of procedure to confirm whether that was required, though he did not think the regulations listed that detail. Chair Oram said it seemed important to have such a contact for a 24-hour facility and if that was not a requirement, he thought this was an opportunity for the regulations to be improved, especially in instances where neighbors have had issues with a facility. Mr. Rogers said that a contact number was a part of the application process—specifically number six—requiring, *“the name, phone number, and address of the person acting as the operator, if not the owner, who will serve as point of 24-hour contact for the public and the City.”* Mr. Rogers said Staff could ensure the applicant addresses that regulation. Chair Oram agreed with Mr. Savastano in thinking this plan was inadequate but said that he also felt the American House plan was insufficient. In terms of equity, Chair Oram thought Mr. Savastano summarized things well. The Chair thought the Board had established that neither of the plans under consideration were true plans, but rather

they were descriptions of a few things about the agencies' relationships with the community. Chair Oram said that this would be a matter of the Board's attention in the next round of applications. He said that the applicants should be provided with examples of successful plans and the Board's expectations.

Ms. Seher said she agreed with the Chair's comments and said it was challenging for her because she knows both organizations well. She said she was also familiar with the plan for American House, which she said was written as more of an outreach plan than a neighborhood relations plan. She thought there was an opportunity to educate applicants on the differences. She mentioned that Cheshire Housing Trust had changed how it was managed and run over the years, and that they did not present an outreach plan or neighborhood relations plan. Thus, Ms. Seher also did not want to hold up this application, but she shared the concern about there not being a clear 24/7 phone number for Cheshire Housing Trust. She agreed that more clarity would be helpful.

Ms. Seher made the following motion, which Mr. Savastano duly seconded. On a vote of 3-0, The Congregate Living and Social Services Licensing Board accepted the neighborhood relations plan for Hampshire House.

IV. Applications:

- A) **LB 23-03: Applicant, Patrick Lyons, Executive Director for Keene Center Genesis Healthcare, is requesting a Congregate Living & Social Services License for a Residential Care Facility, located at 677 Court 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 Staff comments. Mr. Rogers said all relevant inspections were completed the day of this meeting. Mr. Rogers said there were some modifications to the Housing Inspector's report, which included some very minor issues with outlet covers. He said the Fire Department had no concerns.

Chair Oram said he found this application to be largely complete and thorough. Still, he thought there could be more to the neighborhood relations plan. He said that given the level of detail, it was clear that this agency must respond to many different authorities, and he said those details seemed to adequately meet most of this Board's needs.

Chair Oram welcomed Mike Johnson of Langdon Place, who was present on behalf of the applicant, Patrick Lyons, who was unable to attend. Mr. Johnson said Genesis owns both facilities: Genesis Healthcare and Langdon Place. Mr. Johnson commented that after some of the other agencies had been through this process, he and other applicants would be happy to meet with City Staff/this Board to be clear about what is required for complete applications.

Ms. Seher noted that many of the facilities this Board reviews must also comply with some State of NH licensures. She wondered whether this Board could help coordinate with those applicants so they can complete applications more efficiently. Ms. Seher also mentioned that a neighborhood relations plan—which she said was sparse in this application—is always important for the Genesis facilities. Ms. Seher said she would be paying closer attention to the neighborhood relations plans moving forward.

Mr. Savastano referred to page 193 of the application, where there were statistics about the residential population profile. He noticed that there was a line for the number of admissions and stays ending in death and frequency relative to the benchmark was very high. With the population served at this Genesis facility and the degree of end stage of life and disease, he asked Mr. Johnson to elaborate. Mr. Johnson said that with this being a 106-bed facility, there was a lot of long-term care. He said there was also a short-term rehab unit, but the facility's largest focus is long-term care and therefore, there are higher rates of death than some facilities like Langdon Place that is more of a rehab and assisted living.

Ms. Seher spoke in support of these long-term care facilities, in particular, stating that it would be good if more people were educated about it being positive that there are fewer people staying long-term in a traditional nursing facility. She believed that the community wanted people to be living as independently as possible for as long as possible. She said it is sad to think about people dying, but ideally that would happen for them at home or in one of these care facilities. Thus, she said it is not a bad thing that people are dying and moving on, but that presents a challenge for Genesis in having beds to fill. She said it was important going forward for this Board to consider this aspect.

Chair Oram noted that throughout the first year for this licensing process, the Board had asked applicants whether this application process was challenging or what parts could be clearer; he asked about aspects other than the neighborhood relations plan, which was discussed already. Mr. Johnson replied that Ms. Marcou was very helpful throughout the application process, and he said it was a good learning experience. He said that hearing exactly what the Board is looking for would be helpful when repeating this process next year. For example, he knew that inspections would occur but said it was not clear what would be inspected until the inspectors were on site. He said that he just wants to be prepared to address everything relevant to this Board next year.

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

Ms. Seher made the following motion, which was duly seconded by Mr. Savastano. On a vote of 3–0, the Board found application LB 23-03 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.

Mr. Savastano made the following motion, which was duly seconded by Ms. Seher. On a vote of 3–0, the Board found application LB 23-03 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. Seher made the following motion, which was duly seconded by Mr. Savastano. On a vote of 3–0, the Board found application LB 23-03 in compliance with the third criterion.

Mr. Savastano made the following motion, which Ms. Seher duly seconded. On a vote of 3–0, the Congregate Living and Social Services Licensing Board approved application LB 23-03 in its entirety.

- B) LB 23-04: Applicant, Michael Johnson, Executive Director for Langdon Place of Keene, is requesting a Congregate Living & Social Services License for a Residential Care Facility, located at 136 Arch St., and is in the Rural District and as defined in Chapter 46, Article X of the Keene City Ordinances.**

Chair Oram said that in some respects, this application felt identical to the previous application (LB 23-03). While thorough and complete, the Chair said that most concerns with the previous application also applied to this one, such as the neighborhood relations plan. Chair Oram asked for Staff comments. Mr. Rogers said that the inspections were conducted the day of this meeting and there were no issues from the Housing Inspector or Fire Department.

Mr. Johnson had no comments to add to this application. Hearing no public comments in favor or opposition, the Board reviewed the criteria for accepting this application.

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.

Ms. Seher made the following motion, which Mr. Savastano duly seconded. On a vote of 3–0, the Board found application LB 23-04 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.*

Mr. Savastano made the following motion, which was duly seconded by Ms. Seher. On a vote of 3–0, the Board found application LB 23-04 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. Seher made the following motion, which was duly seconded by Mr. Savastano. On a vote of 3–0, the Board found application LB 23-04 in compliance with the third criterion.

Mr. Savastano made the following motion, which was duly seconded by Ms. Seher. On a vote of 3–0, the Congregate Living and Social Services Licensing Board accepted application LB 23-04.

V. New Business:

No new business was presented.

VI. Non-Public Session: (if required)

VII. Adjournment

There being no further business, Chair Oram adjourned the meeting at 6:40 PM.

Respectfully submitted by,
Katrinya Kibler, Minute Taker
April 3, 2023

Reviewed and edited by,
Corinne Marcou, Board Clerk