

**TOWN OF NORTHFIELD
PLANNING BOARD
May 7, 2012
MINUTES**

Members present: Kim Robichaud, Mike Murphy, Wayne Crowley, Glen Brown, Doug Read, Jason Durgin and Ed Greene. Members absent: Peg Shepard. Also present: Dari Sassan, LRPC.

Jason Durgin will serve as the Selectmen's representative for this meeting.

Minutes: Mike Murphy moved, seconded by Kim Robichaud to accept the minutes of April 2, 2012 as read. Motion passed.

Donna Lee Rorick: Application for a Site Plan Review for a Recovery Residence at 23 Elm Street (Tax Map U7 Lot 79) in the R2 zone. Paul Lavallee gave a review of his background in working with substance abuse recovery at the Webster Recovery Center in Franklin. He proposes a "sober house" for the continuation of recovery for women who have completed the program at Webster. It would be for up to 16 adult women who need further support before returning to their family. Mr. Lavallee would own the property, his wife would own the business and rent the building from him and Tammy Graham will be the on site supervisor. The women pay rent and live together in a supportive living situation with others who understand and support their efforts. The residents are screened for acceptance, no alcohol, drugs, no criminal backgrounds, etc. and are subject to random drug testing. No drugs or alcohol will be tolerated. Tammy Graham pointed out that Webster is a treatment center, while this is continued support and housing with no treatment involved. Mrs. Lavallee added that the building currently has a sprinkler system, 2 kitchens, 5 bedrooms, several bathrooms and parking for 16 vehicles. The Fire Department has inspected the building and has given approval for 16 beds.

Jed Callen, Attorney, representing the Lavallees submitted a letter to the Board explaining the Federal Fair Housing law which pre-empts town regulations for people with disabilities. Substance abuse is considered to be a disability by Federal law. Atty. Callen added that the facility is already existing, no changes are being proposed but the use is different from the Day Care for children that existed at this property. He also reminded the Board that it is only dealing with site plan issues, not the approval of the use which is determined by the Board of Adjustment.

Wendy Lavallee stated that there are no state permits required as it is a residence, not medical or clinical and there is no federal funding involved. Doug Read asked about noise at night. There will be rules and controls which would include quiet time after 11 pm. There will be no children or families as this is only for adult women. Mr. Lavallee pointed out that the fair housing laws make it illegal to prevent this type of housing which is low cost housing for people recovering from substance abuse.

Mike Murphy moved, seconded by Glen Brown to accept the application as complete. Motion passed.

Public Hearing opened and closed with no comment.

Dari Sassan reminded the Board that the Zoning Ordinance gives the Planning Board an option to comment on an application for a Special Exception brought before the Board of Adjustment. Doug Read asked how often the Fire Department would need to be called. Mr. Lavalley responded that the residents are volunteering to live at this residence, it is not court mandated. They are there for help in getting sober and gaining strength before returning to their families.

After further discussion, Glen Brown moved, seconded by Kim Robichaud to approve the application for a Site Plan for a Recovery Residence at 23 Elm Street (Tax Map U7 Lot 79) in the R2 zone with the following conditions:

1. That the facilities be inspected by the Fire Department
2. That the ZBA approve the application for a Special Exception
3. That statements made by the applicant at this meeting are to be part of the plan
4. Quiet time after 11 pm and reasonable accommodations for noise.

Motion passed.

Workshop:

Master Plan update: Keith Murray had made suggestions for 2 additions for the Master Plan survey which were approved to be added by the Board. Changes were made to the proposed letter to be sent to residents which are to be sent to all taxpayers before June 1. The taxpayer list will be supplemented by the checklist. A notice about the survey will be submitted to the Echo.

Other: Dari Sassan had questions about his review process:

1. Who double checks the abutter's list and correct owners. Eliza
2. Who checks for easements. Applicant
3. Requirement of signature by building inspector for site plan reviews. Eliza will develop a simple form for the building inspector to sign.
4. Site visits. The Board does not expect Dari to make site visits for his review, however he can call the applicant for further information.

The July meeting will be held July 9, 2012.

Meeting adjourned at 8:45 pm.

Respectfully submitted,

Eliza Conde, Secretary

Minutes approved 06-04-2012