

**TOWN OF NORTHFIELD
ZONING BOARD OF ADJUSTMENT
March 25, 2013**

MINUTES

Members present: Kent Finemore, Polly Fife, Phil Cain, Keith Murray, Brian Brown and Peg Shepherd. Also present: Jerry Coogan, LRPC.

Minutes: Phil Cain moved, seconded by Keith Murray to accept the minutes of November 26, 2012 as read. Motion passed.

Wendy Lavallee/Newfound Recovery, LLC: Application for a special exception to allow a Medical Care Facility for addiction recovery treatment at 9 Summer Street (Tax Map U8 Lot 138) in the R2 zone. After review, Keith Murray moved, seconded by Brian Brown to accept the application as complete. Motion passed. Paul Lavallee explained that his wife Wendy is in negotiations to purchase 9 Summer Street which was previously an assisted living facility for Alzheimer's patients. There would be no changes to the site although there could be some minor adjustments made in order to be up to code for accessibility. The Fire Department referred the applicant to NH DHHS which will not allow a medical detox program due to lack of fire protection in the building. The applicant is still working with DHHS to determine exactly what will be allowed. The intent is to lease the building to Phoenix House which is currently in Franklin and looking to relocate. Peter DelPra of Phoenix House explained that it is a non profit treatment system including counseling. There will be licensed alcohol and drug counselors on staff. Clients are screened before being accepted and there would be no sex offenders, violence offenders or arsonists allowed. It is a non medical counseling treatment for 28 days, based upon the clinical needs of the client. In Franklin where they have 13 beds, Phoenix House has served 200 clients per year with an average stay of 22 days. Mr. DelPra added that 9 Summer Street would be an ideal facility for this program.

Keith Murray asked if they would offer detox. There would be no medical detox program and residents have to be medically clear before entering the facility. Prescription drugs are a major problem and this treatment program is greatly needed. Keith Murray asked for an explanation of the difference between medical detox and social detox. Peter DelPra responded that social detox is more support and counseling rather than using medication which needs to be carefully supervised. Paul Lavallee responded that at the time of submitting the application they were planning medical detox, but DHHS will not allow it. They are still working with DHHS to get medical detox approved at this facility however. Peg Shepherd asked if the residents are supervised 24/7. They are supervised 24/7 but the doors are not locked. Clients are not allowed to go out on their own. There will be cameras on site and 2 overnight awake staff. If a client needs to be discharged they are sent back to their home or to a shelter. Current clients are uninsured and indigent. Phoenix House does not currently take clients with anxiety issues or mental illness, but may in the future. DHHS has not yet determined exactly how many beds would be allowed in this facility but it should be about 30.

Peg Shepherd asked about the implied new employment opportunities. Phoenix House currently has 8 full time and 3 part time employees who would transfer to Northfield. There would be need for additional employees for the larger facility. Keith Murray asked how unpredictable behavior is handled. All the staff is trained in de-escalating and handling difficult situations. Peter DelPra stated that by the time clients get to this facility, they are desperate for a change in their lives and are cooperative. Most clients don't go under treatment voluntarily, they have to have the desire to be there, but it is because of negotiations by the court or family. If a client is having detox issues, staff would call 911. Mr. DelPra stated that based upon his experience in Franklin, EMS services required would probably be less than the prior use of the building as his clients are younger.

Polly Fife asked about the relationship between this facility and 23 Elm Street. Phoenix House has leased the Elm Street property and it is being operated as planned except that it is for men now rather than women. Keith Murray asked whether there would be a decrease in property values surrounding this facility. Paul Lavallee responded that he has not seen any evidence that would happen and added that there is such a need for this type of facility that it is good for the community to embrace and support addiction recovery. Keith Murray asked about tax revenue for the town. Wendy Lavallee plans to have a 10-15 year lease with Phoenix House and she would be paying taxes on the property. Should Phoenix House buy the property they generally work out a "payment in lieu of taxes" with the town.

Public Hearing: John Ciriello, 11 Summer Street agreed that this is a badly needed service but expressed concern about whether this is the right location in a residential area. He is concerned about the instability of people arriving at the site as well as the prospect of medical detox and the level of instability of patients undergoing treatment. He read a letter (see attached) with his concerns. Mr. Ciriello added that he is concerned about noise levels with residents in the yard or on the porch and also about the level of security at night. He also questioned whether property values can be maintained with a drug rehab in the neighborhood. Addressing some of his concerns, Brian Brown commented that sex offenders would not be allowed within 1,000 ft of the school and that Phoenix House does not accept them anyway. Wendy Lavallee stated that she would be willing to install a fence or some barrier to keep people from walking on Mr. Ciriello's property. Mr. DelPra stated that if there were medical detox allowed by the state, there would be medical staff on duty. As for noise issues, sleep is a major part of the recovery process. All outside activities are supervised and probably would occur in the yard east of the home which would not create noise in the neighborhood. Mr. DelPrat added that Phoenix House prides itself on being a good neighbor and a good community partner. John Ciriello asked what happens to a client who can't succeed in the program and might want to enter neighboring homes looking for drugs. Mr. Lavallee responded that the client would either be escorted or transported out of the facility. Kent Finemore read a letter from the Northfield Economic Development Corp. (see attached) neither supporting or opposing the application. Public hearing closed.

Jerry Coogan stated that he met with Atty Matt Serge about this application. 23 Elm Street was protected under federal law, but Atty Serge was not sure whether this proposal is. Atty. Serge suggested continuing the application in order to gather more information. Brian Brown pointed out that by the next meeting DHHS would probably have more information relative to the number of residents and what level of rehab would be allowed. Polly Fife moved, seconded by Brian Brown to continue the application until we get more information about what DHHS will allow. Polly Fife stated that she is concerned about giving an approval without having more information. Keith Murray agreed and asked if it would be appropriate to have an earlier meeting. Paul Lavallee stated that if the plan is approved without medical detox, then DHHS would not allow medical detox. He added that they want to have as many beds as DHHS will allow but for now the plan is just for rehab without medical detox. Polly Fife and Brian Brown withdrew their motion at Kent Finemore's suggestion and then Polly Fife moved, seconded by Brian Brown to continue the application to April 22, 2013. Motion passed.

Meeting adjourned at 8:35 pm.

Respectfully submitted,

Eliza Conde, Secretary

Minutes approved 05-28-2013