

**Approved
MINUTES
Zoning Board of Adjustment
July 25, 2022**

Present: Steve Lagasse, Chris Lowe, Tom Franklin, Alice Maleski, Stephanie Gile, Lannie Collins, Selectboard Liaison, and Jo-Ann Ells, Zoning Administrator

Absent: None

Public Hearing

Steve Lagasse opened the Hearing at 6:30pm, read the remote meeting script, and took a roll call. He noted that previously submitted written testimony did not need to be repeated, asked that all speakers state their name, physical address, and mailing address, and requested that attendees mute their microphones unless recognized by the Chair. He explained the Hearing process, noted that Interested Parties would be asked for comments before the general public, and administered the oath.

1. Application #12-22 by Joy Kosta (owner/applicant) for approval of a setback waiver under section 260-52 of the Hartford Zoning Regulations for a shed, lot 31-0094-001, 62 Harry Gibbs Street, Hartford, in a VR-1 zoning district.

Chris Lowe recused himself as an Interested Party.

Jo-Ann Ells reviewed the draft Findings of Fact.

Joy Kosta noted that since the shed will be located at an angle, only a portion of the structure will be in the setbacks.

Tom Franklin noted that since Harry Gibbs Street is a dead-end road, little traffic will pass by so sight distance should not be an issue.

The intrusion into the front setback for the dwelling at 78 Harry Gibbs Street was clarified.

Steve Lagasse asked for comments from Interested Parties.

Chris Lowe stated that a 16'x16' shed seemed a bit large and might be out of scale for the property. He questioned if a smaller shed could meet the setbacks. He added that the request appeared to be for the maximum without a lot of justification, and suggested a smaller structure be considered.

Joy Kosta stated that given the cost of a shed and small size of the home, she wanted to have maximum storage area.

Steve Lagasse asked about the height of the structure. Joy Kosta stated that it was 2 stories and added that the exterior will blend into the existing structure.

Chris Lowe noted that sheds are not typically located in the front of the lot.

Joy Kosta stated that the height of the shed will not exceed the height of the dwelling. She explained that if the structure is moved back, it will block the light from the window on the dwelling, and more fill would be needed due to the topography of the lot.

Steve Lagasse noted that the height of the structure matters when reviewing the character of the area.

Joy Kosta stated that the shed would not be taller than the garages at 69 or 67 Harry Gibbs Street.

Steve Lagasse suggested a site visit and the rest of the Board concurred.

Stephanie Gile stated that she would like to see a building elevation plan, and the rest of the Board agreed.

Alice Maleski noted that given the size the description of the structure should be changed from shed.

Steve Lagasse stated that he would like the applicant to float a balloon at the height of the proposed shed for the site visit, and the Board concurred.

Alice Maleski questioned why the structure could not be located behind the house. Joy Kosta stated that the lot slopes off and a lot more fill would be needed.

For the site visit, the Board asked the Applicant to provide a building elevation plan showing the proposed structure relative to the house, and also to float a balloon at the height of the proposed structure's roof peak.

Steve Lagasse moved to continue the application to 10:00 a.m., Thursday, August 4, 2022 commencing with a site visit. Alice Maleski seconded, and the motion passed unanimously.

2. Application #09-22 by The Upper Valley Haven, Inc. (owner/applicant) for Conditional Use Approval under section 260-16 of the Hartford Zoning Regulations for a Low Barrier Shelter and Office Building (day station/resource center), lot 43-0092-000, 713 Hartford Avenue, Wilder, in a Planned Development. (Continued from June 15, 2022)

Michael Redmond and Nate Stearns were present for the Applicant.

Steve Lagasse asked if the Applicant wanted to offer any new testimony.

Nate Stearns proposed an amended definition for Low Barrier Shelter, read it to the Board, and this was reflected in the draft Findings of Fact.

In addition, Nate Stearns asked that the following language be added to the operating procedures in the findings: "Shelter guests will be checked against the national sex offender registry. Anyone on the registry will be offered services and advice to help them move on and find shelter elsewhere but will not be allowed to stay at the shelter."

Steve Lagasse asked if the applicant would be checking guests for weapons. Michael Redmond stated that weapons are not allowed on The Haven's campus and that guests sign an agreement that they will not have weapons. He added that if found, weapons are confiscated until the guest leaves.

Tom Franklin asked if ID is required at check-in. Michael Redmond stated that it is not required.

Tom Franklin questioned how the applicant could confirm that a guest was not on the national sex offender registry if positive ID was not required. Michael Redmond stated that The Haven does not want to deny shelter during extreme weather and noted that a person's ID may have been lost or stolen. He added that there are limited hotel rooms available and that not everyone seeking shelter is eligible for a room. He noted gave examples of ineligibility as 1. The person had been at the hotel for too many days. 2. They are not financially eligible. 3. They are on the "do not rent" list.

Alice Maleski questioned how the applicant knows if someone has a weapon and asked if they had considered metal detectors. Michael Redmond stated that this is not how The Haven operates; they operate on trust and support.

Steve Lagasse asked if the national sex offender registry was all-inclusive; if not then additional databases must be checked. Michael Redmond stated that they will check the national registry, which he believes is connected to the State registry.

Chris Lowe asked if the length of stay would be limited. Michael Redmond explained that admission would be on a daily basis, first come first serve. He noted that when The Haven ran an emergency shelter in the past, full-capacity was reached about 20% of the time.

Chris Lowe asked if someone could stay indefinitely without ID. Michael Redmond stated that staff would help the guest get ID.

Chris Lowe suggested that an ID process was needed. The other Board members agreed.

Alice Maleski further questioned the percentage of time that full-capacity was reached. Michael Redmond stated that there would be 2 additional beds which should take care of this. He noted that winter is the season that beds reached full-capacity and that this occurred on about 30 nights.

Michael Redmond stated that typically, almost all guests are known by the staff.

Steve Lagasse suggested a five-minute break to give the Board time to read documents that were submitted earlier in the day.

Upon return, Steve Lagasse asked for new testimony from Interested Parties. He said that previously submitted oral and written testimony did not need to be repeated.

Joe Trottier of Advent Lane expressed concern with what is occurring in the area today and asked the Board to consider the written testimony of Donna LeClair, which was submitted earlier in the day (Steve Lagasse noted this testimony had been received and reviewed by the Board). Joe Trottier shared instances of vandalism and trespass in the Advent Campground. He stated he believes in the mission of The Haven but does not support a low-barrier shelter at this location.

Jessica Pecora of 706 Hartford Avenue expressed support for the Application.

Marie Alvin of Demers Avenue noted that she has submitted a lot of testimony. She expressed concern that low-barrier shelter guests would be people who have burned all their bridges at hotels, and that if they are turned away from the low-barrier shelter, they would remain in the neighborhood. She expressed a concern about inadequate parking, and support for the Planning Commission's requirement that there be an access road between the Haven site and the St. Paul's Church property. She also expressed concern that the project would be a magnet for homeless from outside the area.

Leslie Black of 117 Wilder Street stated that the Haven has been part of the neighborhood for 40 years. She expressed doubt that housing 17 more homeless people would negatively affect the neighborhood, and noted that the number of people that would be housed is a small percentage of the population of the town. She urged the Board to approve the Application.

John Haffner of 90 Gifford Road noted that he had previously submitted testimony. He stated that he has a child at the White River School and wants them to see compassion for the unhoused. He stated that he did not believe the concerns with parking capacity were either valid or forward-thinking.

Cathy Melocik of Wilder stated that she was concerned with the location of the project in a residential neighborhood and school zone, and that many neighbors had put much effort into opposing the project. She questioned whether Jessica Pecora was an employee of the Haven; if John Haffner was an employee of Vital Communities; and if Michael Redmond was a resident of Hartford. She stated that she agreed that an ID process would be needed.

Virginia Umland of Winston Drive asked if shelter guests who threaten members of the community would be allowed to stay in the low-barrier shelter. She also questioned the lack of an ID requirement. Michael Redmond stated that he would like to know about threats made to the public and that this would be taken into consideration when deciding to admit a guest.

Linda Miller of Miller Road stated that the low-barrier shelter did not need to be located on this property, and that parking capacity should be better addressed. She added that she agreed with the comments from Cathy Melocik.

Faith Dubois of Locust Street stated that she has been employed by The Haven for 12 years. She stated that people who stayed at the former emergency shelter were local, ranged in age, and included elderly people and recent graduates from Hartford High School. She stated that she never experienced an issue with weapons and always felt safe.

Harry Kendrick of Passumpsic Avenue stated that he has been a volunteer at The Haven for 8 years. He stated that he felt the location was ideal, and noted that there had not yet been any discussion regarding the day station/resource center.

Marie Alvin commented that volunteers do not see what is happening off-site in the neighborhood.

Mary Alice Leonard Heath of Hanover Street stated that she has been a volunteer at The Haven and supports their work. She expressed concern with the location of a low-barrier shelter at this property. She also stated that she had heard that Michael Redmond had said he was not responsible for people once they left the campus. She shared that someone had recently vomited on her lawn, and that she does not feel safe in her neighborhood. She also expressed concern for the safety of the current residents of the transitional family and adult shelters if the project is approved. Michael Redmond stated that he had been misquoted.

Geri Williams of Pleasant Street spoke about the history of support from St. Paul's Church for The Haven, but that now it seems to be taking over Hartford Avenue and is attracting people with little credentials. She noted that concerns regarding the safety of neighborhood children and students is very important.

Margo Howland-Mastro of Wilder expressed concern regarding this location for the proposed low-barrier shelter.

Darryl Herrick of Blanchard Drive questioned the adequacy of rules/supervision/security, and if people with a violent history should be allowed to stay in the shelter.

Heidi Duto of Christian Street expressed concern with: the location of the project, Hartford's reduced police force, and the presence of weapons.

Steve Lagasse asked if there was any further public comment, and when there was none, Alice Maleski moved to close the Public Hearing. Tom Franklin seconded, and the Public Hearing was closed.

Steve Lagasse made a motion for the Board to enter a deliberative session. Alice Maleski seconded, and the motion passed unanimously.

When the Board reconvened, Steve Lagasse made a motion to approve the Application with the noted changes and Tom Franklin seconded. The motion failed 3-2 with Chris Lowe and Stephanie Gile in favor, and Steve Lagasse, Tom Franklin and Alice Maleski opposed.

Steve Lagasse stated that he voted against the Application due to its effect on the character of the area. He stated that a transient/low-barrier shelter is a significantly different use than the existing transitional shelters (Hixon House and Byrne House) that have been operated by The Haven for several years. He also stated that while he was not opposed to a low-barrier shelter in Hartford, it should not be placed in either a school zone or a residential area. Tom Franklin stated that he too was opposed due to the effect on the character of the area, and Alice Maleski concurred.

Administrative Matters

1. Minutes

Steve Lagasse moved to approve the minutes of June 15, 2022. Alice Maleski seconded, and the motion passed unanimously.

Steve Lagasse moved to approve the minutes of June 22, 2022. Tom Franklin seconded, and the motion passed unanimously.

2. Projects that received administrative approval

None

3. Availability for the next Public Hearing

All Board members anticipated being available for the September 14, 2022 Hearing

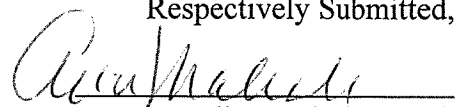
4. Public comment

None

Adjournment

At 9:25 p.m. Chris Lowe moved to adjourn. The motion was seconded, and the motion passed unanimously.

Respectively Submitted,


Alice Maleski, Clerk