

## PLANNING BOARD MINUTES

A hearing before the Hudson Falls Planning Board was held on January 23, 2017 at 6:00 p.m. in the Council Room of Village Hall.

Attendees: David Hutchinson, Chairman  
Deborah Breeyear, Board Member  
Robyn Cronin, Board Member  
Lynn Leland, Board Member  
Mitchell Potvin, Board Member  
Richard Wagner, Board Member  
William Nikas, Village Attorney

Absent: Helena Doerfler, Board Member  
Michelle Wood, Alternate

Public Present: Several members of the Public Present

Chairman Hutchinson called the meeting to order at 6:03 pm.

The first item on the agenda was a Site Plan Review requested by Miller, Mannix, Schachner & Hafner LLC on behalf of The Pine Knolls Alliance Church for a proposed Christian Sober Living House at 2 East Street, Hudson Falls, NY 12839. Chairman Hutchinson invited Attorney Mark Schachner representing Pine Knolls Alliance to address the board with their plans for said home.

Attorney Schachner introduced himself as well as his law partner Jackie White and several others in attendance as they represent Pine Knolls Alliance. He gave a brief description of what a Christian Safe and Sober Living House is and their intention for the use of the property as a residential use. It is their belief that they will be an excellent neighbor as the residents will have to meet strict requirements to live there which would not be the case if the home was purchased by an individual. The program would consist of a single family residential use of up to six people, under a fairly formal program through Pine Knolls Alliance church that will not only have a number of pre-residential requirements in order to participate and live at the house but that will also have ongoing monitoring. Attorney Schachner then introduced Pastor Steve VanDixhorn of the Pine Knolls Alliance Church to address the board.

Pastor Steve stated that for twenty five years the churches have made concerted efforts to address issues that go beyond Sunday mornings into everyday life that involve hurts, habits and hang ups. Upon looking into these issues, they came up with a program about ten years ago called Celebrated Recovery. This program brought to light the fact that during recovery if people return to their regular lives and places they were living; it is sometimes harder to maintain that recovery and thus can be the cause of more frequent relapses. About two years ago, the idea was born to help these people by providing them a program of a safe living environment to aide in their recovery. He continued on to explain the churches discussions that followed in regards to what the program would look like for the residents and the possibilities of establishing a Safe Sober Christian Living House in local communities. Pastor Steve believes this home is in a beautiful neighborhood and a perfect setting in which to help the residents in their recovery programs. The program will function under the authority of the Pine Knolls Alliance Church, a board of members appointed to the program and a board of elders within the church. Therefore, if there are any issues that arise, they will be brought up and acted upon swiftly.

Attorney Schachner then introduced Rob Munyon, a member of the church and part of the committee mentioned above for the Safe & Sober Living House. Mr. Munyon addressed the board in order to explain the idea of what the church is trying to accomplish. He explained the idea of sober houses is not new and has actually been around for thirty years. They are sometimes called three-quarter houses, but some may be more familiar with the ones known as The Oxford Houses. They are not a halfway house as there is no on site treatment given in the residence, but it is not independent living as there is a structured program that must be followed to live there. He touched on the importance of the Sober house as being a

“Christian” sober house, meaning the person living there must be active in a local church and have a commitment to the church and have bonds with the people there. Mr. Munyon then spoke briefly of some of the requirements that residences will be required to meet before being allowed to live in the house and become a part of the program. The basic requirements were as follows:

1. Participants will undergo background checks – There will be no registered sex offenders allowed in the program
2. If the participant is on probation or parole they must be in compliance with any legal supervision (drug court, probation, parole, etc.) and will provide the program with a signed release allowing communication between the program and this legal supervision
3. Participants must be employed with a minimum of 30 hours per week. They would be required to pay to be in the program on a weekly basis
4. Participants must be an active member in a local church
5. Participants must have proof of and a commitment to a recovery plan, which will be individually written and be based upon individual needs
6. Participant must attend a recovery program at the Pine Knolls Alliance Church
7. Participant must have 3 months sobriety prior to entering this program

Mr. Munyon explained that there were Program Participant guidelines attached in the packets that were provided to the board and the residents. Basically participants will be monitored closely and it is their hope to have a very successful program. Urine Drug screens will be used; there will be a sharing of chores, curfews and weekly meetings as well as a resident manager further along in recovery modeling for the other residents that will be reporting to the church weekly.

Attorney Schachner explained to the board that there is information in the packets given them as to eleven aspects that the residents will have to meet to live in the home. The residents will all be adult males 21 years of age or older. This makes it a nice thing for the neighborhood as there will be no loud parties or that type of thing going on in the home as the residents will be adhering to strict guidelines. This house will be governed by rules that do not typically govern a single family home, he feels, making it a safe environment for the neighborhood.

He introduced Stuart Mesinger from the Chazen companies to discuss the plans to remove the existing garage, add a gravel apron for parking purposes and to install fencing on the property. Mr. Mesinger reviewed a drawing of the proposed parking and the impact it would have on the neighborhood, citing that if all six residents owned cars there would be sufficient off street parking on the premises for each resident's vehicle. He stated those were the only site changes in the proposal at this time aside from a few cosmetic needs such as painting.

Chairman Hutchinson inquired as to any questions from the board members. Board Member Cronin stated as a therapist she has worked in conjunction with the Celebrate Recovery program and it is a great program. She asked being that Pine Knolls Alliance is located in Moreau, why are they not purchasing a home there? Pastor Steve stated they are actually targeting locations in South Glens Falls, Glens Falls, Hudson Falls and Fort Edward and would like to have a home in all of those locations. This is the first home they have found in a preferred location that will fit the program needs within their allotted budget. Board Member Breeyear asked what the ups and downs were in finding the right property. Pastor Steve explained that zoning issues and having sufficient funds have been the main factors. She also asked if it was court mandated for a resident to attend their program and it was discussed this will not be a requirement for the resident. Her next question pertained to the background check, if they will be looking for things other than if the person is a sex offender, such as, have they committed domestic violence? She was informed that the application process is going to be very stringent and will be done on an individual basis; many things will be looked at during the background check to determine someone's eligibility into the program.

Board Member Cronin asked what the average stay would be for a resident. They believe one to three years to be the average stay. She asked about people with a dual diagnosis. It was explained they are looking for people who can maintain employment, so it limits applicants as to the level of disabilities they can have and still be able to work. They are looking for people who have factors in place to be successful in the program.



Board Member Leland inquired if the church has a separate committee to screen the applicants and be in charge of this program. Pastor Steve informed her there was, Mr. Munyon is a part of that committee as well as many other members that were present this evening that stood and were introduced to the board.

Board Member Wagner reiterated there would be up to six people and asked how many bedrooms were in the house. The house is a four bedroom house with a full bath and a half bath. He asked if there would be a staff member there twenty-four hours. There will not be, there will be a Resident Manager as discussed earlier. Chairman Hutchinson inquired as to if there were any particular locations the people would be coming from. Board Member Cronin asked if they would be coming from other states or different communities. Pastor Steve explained it is unlikely as they are looking for people with employment, and a relationship with a local church.

Chairman Hutchinson asked if there would be a cost to live there. There will be a program fee to live there and it will be the same for every resident. He also inquired as to if this is the first house of its kind or is it going to be a part of a nationwide chapter and is there any historical data as to their success? This will be the first house of its kind offered by Pine Knolls, but will be modeled after other nationwide programs. The National Programs show good track records of success.

Board Member Potvin raised the question if they would be painting the house. They are looking to paint the house. He inquired as to if the Resident Manager will be the one responsible for closing the house up by 11pm. The Resident Manager will close the house to visitors at 9:00pm and the residents at 11pm. He inquired as to if one and a half baths will be enough for six people. They feel the bathrooms will be sufficient. Board Member Cronin asked where visitors will be parking. If all parking spaces are taken, visitors will be parking on the street. Board Member Leland asked if all residents will have vehicles. It is a possibility but not a requirement. Board Member Wagner asked if the residents will be cooking and cleaning and going outside there. Yes this is going to be their home and will be used as such.

Upon motion made by Board Member Wagner, seconded by Board Member Cronin and carried the public hearing was opened to public comment.

Several members of the public wished to speak, after some discussion, the board decided to allow a question and answer type scenario between themselves, the public and the applicants. The most common concerns stated were as follows:

- Sufficient background checks for other crimes
- Daycare and school close by
- Mental health support and stability amongst the residents
- Increased traffic and visitor parking
- How will visitors be recorded and monitored
- The number of people residing in the home
- Resident Managers ability to oversee the home
- Plan for residents if they relapse - Process or protocol for eviction or intervention if needed
- Impact on property values

Joel Bobick of 6 North Oak Street addressed the board with concerns as to how severe a crime a resident could have committed in the past. Will they have a cut off for felonies? A discussion ensued as to the length and extent of the background checks that will be done on each individual. It is the churches intent to only have people in the program that they feel are a good fit for the community and that will be successful. There will be stringent requirements for them to meet as well as strict guidelines for admission in to this program. There will be no sex offenders allowed, as well as no drugs, alcohol or pornography allowed in the home.

Debbie Smith of 32 School Street applauds the church for doing background checks as the landlords in her neighborhood do not. She feels this is a benefit for the home and neighborhood.

Celeste McDonald of 13 Clark St addressed the board. She is very concerned about this as her backyard meets up with the yard of 2 East Street and she runs a daycare facility from her home. She questioned if any of the members of the committee assigned by the church to oversee the property had any type of credentials, background or formal training in dealing with people with addiction or other issues that some of these men may face. A discussion ensued in regards to the various qualifications members of the committee had in relation to this type of program. There was a Master's degree in psychology as well as licensed clinical social workers and others who have or still work in Alcohol and Substance Abuse related programs. Ms. McDonald does not feel comfortable having her daycare children play in the backyard with six men living behind her that she knows nothing about. Pastor Steve replied that he understands and sympathizes with her concerns and that is why there will be strict guidelines and requirements in place for the residents living there. There are no guarantees of who buys or lives in that house; their program is a safer program as there are background checks and ongoing monitoring of the residents in the home.

Lauralee Tucker of 15 Clark Street takes her children to Celeste McDonald's day care. Her concern was with there being no formal treatment on site; would the residents have mental health support? An individual recovery plan would be set up for each individual based upon their needs. Annette Coopman of 29 School Street also shared concerns in regards to mental health being a part of addiction. A lengthy discussion ensued in regards to HIPPA Laws and privacy acts and how will the church obtain such information on their residents. The church will require them to sign a release form to obtain this information before they are approved to reside in the home. Ms. Tucker also expressed concern about the parking and increased traffic on the street. Mr. Mesinger of Chazen Enterprises stated, as per the site plan, that there would be sufficient parking on premises once the garage is removed for six vehicles if each resident has a vehicle.

Brandon Adamczyk of 9 North Oak Street asked what the end game/result is for someone coming to this home. The church would like them to develop stability and go on to become independent, making recovery a way of life. He asked if the church planned on owning this home five to seven years in the future. Pastor Steve replied that although they would like to believe that there would not be a need for this type of program we all know that is not going to be the case. It is the churches hope that in five to seven years they can come back and celebrate with all of us the success of the program. Mr. Adamczyk also had a question as to how would visitors be recorded, will they need to sign in and out, how will the church know who is visiting the home? This was something the church had not discussed in detail at this point but will be happy to discuss further and come up with a satisfactory plan and solution that will work for the board and the residents. This is not a home that they will encourage many visitors to as they want the residents to work together and form relationships that can help them to overcome their addictions. There will never be anyone in the home that the rest of them are not aware of, and they will only be allowed in common areas, not in the bedrooms.

Kelsey Earnst of 8 North Oak Street thinks the program is a great idea but had a couple of questions. Her concern was if one of the residents has a relapse and shows up back at the home intoxicated or under the influence of something else, what can and will be done? A lengthy discussion followed in regards to the church putting together a protocol to share with the attorneys from both sides as well as the Planning board and the residents. Her second concern was, she has heard many people talk about there being six people in the home, but what if the home is not full and falls down to one or two people? What would the checks and balances be for a smaller number of people in the home? This was agreed to be a legitimate concern and something the church would look further into for solutions.

Kevin Fodness of 8 North Oak Street addressed the board with a concern that his family is growing and he will need to sell his home soon. What effect would this type of home have on his property value? Attorney Schachner said they do not believe there will be any negative impact on sales, that if anything it should make people feel good knowing the church is closely monitoring this residence.

Michael Yaw of 25 School Street stated his property would be most impacted by this as his is closest to the residence. He is concerned that he will not know the people that will be there. Again a discussion ensued in regards to background checks and safety protocols that will need to be put in to place.

Several other members of the public addressed the board with similar concerns and thoughts as those stated above. Two members of the public spoke about their struggles with addiction and how



important programs like this are and how much these types of programs helped them overcome their addictions. They feel anyone attending this type of program is going to be 100% invested and committed to their recovery.

Chairman Hutchinson asked if there were any further public comments. Attorney Schachner wanted to quickly thank the public for their very friendly demeanor, it was very much appreciated.

There being no further public comment, Chairman Hutchinson closed the public hearing.

Attorney Nikas asked the church if they would be willing to release the background checks to the Village so that we have an idea of who is living in our community. Attorney Schachner stated due to privacy laws, they would be willing to release the background information perhaps without the individual's name.

Attorney Nikas had asked the question during public comment if the church had a clear and precise process of eviction or intervention should the need arise. It was his recommendation as the Attorney for the Village of Hudson Falls for the board to table this site plan review until such protocol is in place.

Attorney Schachner stated the church would be willing to accept conditions in so far as a security protocol being written and clear and precise contact information to be submitted for review to Attorney Nikas and the Planning Board.

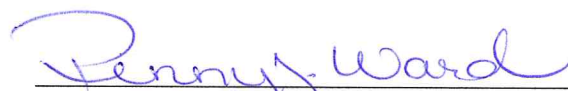
Attorney Nikas addressed the Planning Board stating this was a controversial issue and therefore he researched case laws involved in similar situations to this one. A lengthy discussion ensued in regards to the legalities of this home, how it affects the codes of the Village of Hudson Falls and the New York State and Federal Laws as they pertain to this application.

Attorney Nikas recommended to the board once again to table their decision until conditions can be put in to place. His recommendation is to have another meeting with language pertaining to the conditions that the board and public can react to.

Upon further discussion and with comments and concerns expressed from the board and agreed upon by all, Chairman Hutchinson tabled the discussion until further information can be reviewed and submitted at the next Planning Board meeting to be held on February 27, 2017.

The next item on the agenda was approval of the minutes from the October 24, 2016 meeting. A motion was made by Board Member Potvin, seconded by Board Member Leland and agreed by all to approve the October 24, 2016 minutes.

There being no further business to come before the Board, the meeting was adjourned at 8:31 p.m.



---

Penny J. Ward, Deputy Clerk/Treasurer