

**Town of Charlton
Saratoga County
Meeting of the Town Board**

PUBLIC HEARING

June 29, 2015

7:00 PM

The Public Hearing regarding the Purchase of 9 Vines Road, Charlton NY, by AIM Services, Inc. to establish a Supervised Individualized Residential Alternative Home was held at 7:00 pm at the Charlton Town Hall, and called to order by Supervisor Grattidge.

Present: Councilman Grasso, Councilman Lippiello, Councilman Hodgkins, Supervisor Grattidge, Town Clerk Brenda Mills, Attorney Van Vranken.

Supervisor Grattidge said that the Town Board originally received notice on June 1st, from AIM Services, Inc. that they were interested in purchasing 9 Vines Road to establish a Supervised Individualized Residential Alternative Home. They made the Board aware of the Padavan Law, which oversees the placement of these facilities. Representatives from AIM did a presentation at the June 8th Town Board meeting. At that time, the Board asked AIM if they would be willing to come back and do a public presentation at a Public Hearing, and they agreed to. The Board also encouraged them to reach out to the neighbors on Vines Road, if they were able.

Town Clerk Mills read the following Legal Notice and confirmed that it was published in the official newspaper, The Daily Gazette on Saturday, June 13, 2015:

**Town of Charlton, Saratoga County
NOTICE OF PUBLIC HEARING**

**REGARDING THE PURCHASE OF 9 VINES ROAD, CHARLTON NY, BY AIM
SERVICES, INC. TO ESTABLISH A SUPERVISED INDIVIDUALIZED RESIDENTIAL
ALTERNATIVE HOME**

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Charlton, shall hold a Public Hearing at the Town of Charlton Town Hall, 758 Charlton Road, Charlton, New York 12019, on the 29th day of June, 2015, at 7:00 p.m. for the purpose of considering the establishment of a Supervised Individualized Residential Alternative Home on 9 Vines Road in the Town of Charlton.

Brenda Mills
Town Clerk
6/9/15

Supervisor Grattidge said that there is no vote scheduled at this point because this matter does not involve permitting or zoning. The Town Board is under the jurisdiction of the Padavan law, but the Board wanted to give an opportunity for everyone to be heard and get their questions answered.

Supervisor Grattidge asked representatives from AIM to address the audience.

June MacClelland, Executive Director said that AIM has been in business for 35 years, and they operate 17 homes where 120 people are served. In addition they provide services to approximately 400 people in the community. She described for the audience and overview of the services that AIM offers.

Christopher Lyons, Senior Director and Legal Counsel for AIM Services said that the 5 residents that are intended to be moved to the Vines Road house are currently living in a 2 story house in Milton called the Stone Church house. The residents are getting older and some are unable to climb stairs, so they need to move. The ranch house on Vines Road is perfect for their needs. The house will be staffed with one or two supervisors at all times. There will be 1 to 3 cars in the driveway at most times. AIM provides a car for the staff to transport residents to appointments etc. He said that there has never been a complaint, problem or police call at any of their houses. The staff workers are certified support staff. He feels that this is an incredible opportunity for Charlton to have a diverse population and for the residents to be a part of such a nice community. The home has been inspected. There should be no additional fire or police presence needed.

Supervisor Grattidge opened the floor to the audience.

Terry Vallely, 7 Vines Road, thanked the Board for the opportunity to be heard. He said he feels that this is a fairly explosive situation and he has some grave concerns. He read a couple excerpts from the Padavan Law, and explained that the Law is a statute that provides for the siting of group home facilities. Charlton now has a 40 day clock which expires July 10th, for a response period. The Board's options are to approve the site, suggest a more suitable site, or reject the site because of over concentration. He said that the Padavan Law says "unless there is an overconcentration of similar facilities and the nature and character of a neighborhood would be substantially altered", which is the nature of his argument tonight. He sees the following issues: proximity issues, noise, emergency vehicles, property comparables, maintenance issues, and property appeal. He would like to postpone the decision on the purchase, and he is willing to work with AIM to find a different location. He has walked the Charvale pool location with a realtor and feels it would be an ideal site. He is not opposed to the creation of a group home, but he feels that there should be buffers, more space. He feels that the residents of Vines Road need the support of the Board to fight this.

Bill Faucett, 4 Edwin Drive, asked what type of issues the residents have. Mr. Lyons said that the 5 residents are between the ages of 40 to mid 60s. None have ever had any trouble or criminal record. He said that it is not likely that if one of these residents leaves, that they would be replaced with a problem resident, however it is up to the State, so he cannot guarantee it.

John Hershey, 4 Vines Road, thanked the Board for sending the Public Notice. He said he is not for or against the project. He said when he and his wife purchased their home, their considerations were: peaceful neighborhood, maintenance of property values and safety. He questions what effect this home will have on these considerations. He said that this will be a 24/7 business, with 3 shift changes a day which will increase traffic and noise. He equates desirability with property values, and feels that the desirability to have this type of home in a neighborhood may affect property values. As far as safety, he has concerns because there is no guarantee that there will never be a resident with a criminal record. If the home is going to go in, he suggested that the Board institute a procedure like California has, which has written complaint procedures and calls for immediate remedies. He fears that unless we really understand what we are getting into, we are entering a nuisance situation.

Lincoln Dietz, 3 Vines Road said that if he were managing this situation, he would look for a place with the least amount of abrasiveness. He and the residents of Vines Road have lived there many years, are all friends, have maintained their properties, and this is a disturbance to them. Perhaps AIM should look for a neighborhood where there are younger people, or more turnover, and neighbors might be less resistant.

Christopher Lyons, AIM, said that there will be a Residential Manager for 9 Vines Road, and the residents can contact the manager with any concerns.

Cliff Mango, 9 Florence Avenue, said that he would not buy a home in a neighborhood with this type of home. His concern is that the Manager is not there all of the time, just workers, and he is concerned they will be able to handle issues. He asked if the residents would be roaming the area.

Christopher Lyons, AIM, said that the residents will be supervised and are not allowed to come and go.

Lovie Bourne, Saddlebrook Lane, said that she has read the Padavan Law and it does not appear that the Board has any way of stopping this project. She said that she believes that there are 36 residential beds in Charlton, and she wondered what number would be considered oversaturation. She asked if AIM would be paying property taxes. Mr. Lyons verified that they are exempt from property taxes.

Terry Vallely said he saw a job posting for workers for the home and it pays \$11.00 per hour. He asked what kind of practical liaison you can get when you pay employees \$11 per hour.

Katie Page, Burnt Hills said she works for AIM and she feels that it is a great opportunity for Charlton and for the residents. She said she feels that the fear of the unknown is strong.

Carrie Guthrie, 5 Vines Road said that she has concerns as she works with handicap children and she has seen them act out of frustration. She would like reassurance that residents won't get frustrated and become physical.

Councilman Grasso said that at the initial presentation to the Board, he had questions about the septic system. He has received the report from Action Septic Service, but it is not an adequate report. He said that the house is on a 16,000 square foot lot, but our current zoning requires 2 acres which is like an 80,000 foot lot. With 5 residents and 2 fulltime staff, he has concerns. He questioned the 1 to 3 cars in the driveway and wanted to make sure that there were not going to be 4 to 5 cars all of the time. The Councilman asked if they plan to make any exterior improvements or anything that would make it less marketable in the future. He asked what their intentions were with the in-law apartment, and what their site selection process was. Mr. Lyons said that they were told that the septic is adequate, but if there is a problem, they will fix it. He said that there will be typically 1-3 cars in the driveway, occasionally a vehicle for maintenance or a nurse visiting. They do not intend to make any exterior modifications, and on the interior just a few State mandated changes. They do not intend to use the in-law apartment and will not be renting it out. He said that their site selection is done by looking for a one story house, which is homey and in a good community.

June MacClelland, AIM, said that if a resident needed a ramp for access, they would put in a ramp, just as anyone would do for a family member that needed it.

Rosemary Furey, 11 Vines Road, said she has no complaints with AIM purchasing the property. She had worked with handicap children at Parsons Family Center and she does not see a problem.

Councilman Lippiello said that it might be a good idea to look at the water usage of the current residents in the house, and the exposure that the septic system has had.

Councilman Hodgkins asked it if was possible for Vines Road residents to go to Stone Church and meet the clients that will be moving to 9 Vines. Mr. Lyons said he would have to ask them for permission.

Councilman Hodgkins said whenever a neighbor sells a house, you do not know what you are going to get, and it is not always good.

Supervisor Grattidge said that the Board will consider the comments that were made tonight, but they are under the limitations of the law.

RESOLUTION #124

Motion to close Public Hearing

Motion by Councilman Lippiello

Seconded by Councilman Grasso

BE IT RESOLVED that the Public Hearing be closed at 8:01 p.m.

VOTE: All Ayes, No Nays, *CARRIED*.

Respectfully Submitted,

Brenda Mills
Town Clerk