

Driven by Circumstances

A residential community for men in recovery from addiction

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CHRONOLOGY

May 5, 2014 After review of the City's zoning codes pertaining to the definition of single household occupancy, Jim Joy purchases 60 Depot Street from James and Ethel Dion, who had resided in the home since 1965, raising a large family in a single-family dwelling. The home is 3,600 square feet, with two bathrooms and six bedrooms. The home sits on a corner lot, facing woods and the rail trail. The neighbors to the right and rear are single family. The neighbors to the left across the street are multi-family.

July 2014 Driven by Circumstances opens as a sober group home for men disabled by addiction or alcoholism. A live-in House Manager and Jim Joy, as Director, help residents maintain recovery by offering peer recovery support, random drug testing, and the structure of curfews, chores, AA/NA meeting attendance, household meetings, and the example of cooperative living. Residents range in age from 19 to 67. Through word-of-mouth they are referred to DBC by places such as Webster Place, Farnum Center in Manchester, Hampstead Hospital, Plymouth House, Riverbank House, and Phoenix House. All residents (unless retired) are expected to find employment. Their occupations include student, retired corrections officer, master carpenters, software engineer, roofer, chefs, antique book dealer, Spaulding Youth Center employees, Webster Place employees, landscapers, retail workers, retired baker, mechanical engineer, a restaurant owner, and auto detailers. Many are fathers. A few own their own homes. The number of residents (including a House Manager and the Director) fluctuates between four and ten, never exceeding the Dion family occupancy. The length of time residents spend at DBC varies. Two residents have been at DCB since February and plan to remain indefinitely. One is in the process of opening his own restaurant in Tilton. The majority of residents spend 4 to 6 months at DBC and move to more independent living or return to their original families when they feel ready.

March 2015 Jim Joy changes permanent residency from Meredith, NH to 60 Depot Street.

September 2015 The mother of a resident calls the City Welfare office to confirm that Driven by Circumstances exists; because her son has a long history of addiction and dishonesty the mother fact-checks every claim he makes. A woman from the City Welfare office then called DBC

because it was not listed as a licensed facility with the State. We explained that we were a home rather than a facility and that the peer support and structure we offer does not require licensing by the State (nor do we receive any funding from the State) because we are not a clinical treatment program. The State of New Hampshire has no regulatory requirements for sober group homes.

September 21, 2015 Mr. Lewis and Captain Bodien request a site visit. At that time Jim Joy, the Director, explains the concept of sober group living and residents' protected status under the ADA.

October 1, 2015 Mr. Lewis and Captain Bodien return and deliver a Cease and Desist Order, classifying our use of 60 Depot Street as a rooming house, a prohibited use. (Item B. 1. of the supporting documents) with a 30 day deadline. The Director again mentions protected status and the ADA. Captain Bodien said he had heard of it. He then said DBC's zoning issue might be an issue of vocabulary.

October 8, 2015 DBC requests a reconsideration of the rooming house classification and a withdrawal of the Cease and Desist. This correspondence attempts to outline the concepts behind sober group living as an aid in disability management. (Item B. 2. of the supporting documents.) We receive no response from the City.

October 28, 2015 Jim Joy calls the Planning Office two days before the Cease and Desist deadline. Mr. Lewis returns the call saying that the City was reviewing the October 8 letter from an administrative and legal perspective. In a subsequent conversation Mr. Lewis said the City was withdrawing the Cease and Desist and that at some point the City would be in touch.

November 30, 2015 After review by the Planning Office, the Building Inspector, and the City Counsel, the City stands by the rooming house classification. (Item B. 3 of the supporting documents.)

December 23, 2015 DBC acknowledges the November 30 administrative determination and begins the process of appeal. We ask that the Cease and Desist and any action on life or safety codes be held in abeyance until our appeal is heard. Additionally, we request an administrative interpretation of the de-classification of 60 Depot Street as a single-family dwelling and an outline of the specific factors weighed in the City's reconsideration of the rooming house classification. (Item B. 4 of the supporting documents.)

December 24, 2015 We request procedural direction from the Planning Office regarding the mechanism appropriate to making a request for reasonable accommodation based on disability.

December 28, 2015 We submit the Application for Appeal to the Planning Office.