



Burlington Housing Authority vows to fight for halfway house

[By John Briggs, Free Press Staff Writer](#) • Thursday, May 13, 2010

The Burlington Housing Authority intends to contest the city's motion to reopen an Act 250 permit hearing about locating a 20-bed halfway house on Elmwood Avenue.

"We firmly believe the city has no basis for an appeal," BHA Director Paul Dettman said. "They were not a party to the proceeding. They don't have standing to file a motion to amend the permit. We intend to file a counter-motion. Our attorneys are working on it."

Monday, the City Council, by a 10-4 vote, directed the city attorney to file a motion urging the Act 250 district commission to take a closer look at the project. Police Chief Mike Schirling told the council that although transitional housing is much needed, Burlington social services are over-stretched.

Jeff Nick, chairman of the Church Street Marketplace Commission, told the council that the housing, so close to the downtown, could have an adverse effect on Marketplace businesses.

Mayor Bob Kiss, however, in a memo to the council, said the project should go ahead. "I believe this program will not place an unreasonable burden on our ability to provide municipal services," he said.

BHA is buying property at 37 Elmwood Ave. to lease to Phoenix House, a national nonprofit group that operates group houses for individuals with substance-abuse issues. In this case, the 20 residents will be newly released prisoners. The Vermont Department of Corrections will pay Phoenix House to run the transitional house.

Dave Peebles, community justice executive with the Department of Corrections, said the residents will be screened by Corrections and Phoenix House to select individuals who "need the set of services" the transitional house will provide and who are motivated and have "the ability to succeed." A similar 25-bed Phoenix House project in Brattleboro has been successful and trouble-free, he said. Corrections has "a history of successful relationships with Phoenix House," Peebles said.

Peebles said a small Corrections study recently suggested about half the residents of the house will avoid returning to jail, about the same percentage as released prisoners returning to a stable home environment. Without either the stable home or transitional housing, he said, virtually all of the prisoners will end up back in prison.

He said most of the residents will be from Burlington or Chittenden County.

Dettman said the City Council's 10-4 vote clearly was an attempt "to kill the project." The only purpose of reopening the hearing, he said, "would be to persuade the district commission they should reverse the permit."

He said the choice for the city is to place the released prisoners in the transitional house and give them a chance to succeed or allow them to find their own housing. "It's important to understand we have no intent to bring people to Burlington who wouldn't already be coming," Dettman said.

Act 250 District 4 Coordinator Peter Keibel said motions to "alter" an Act 250 permit are uncommon, and Burlington's motion is, in his experience, unprecedented. He said the city is in the odd position of contesting its own earlier position on the project, as it previously granted a zoning permit.

The city's motion is being made under "Criteria 7," Keibel said, which pertains to the permit's effect on municipal services. Criteria 7 issues, he said, are not grounds for denying -- or, in this case, reversing -- a permit but could lead to additional requirements for the project.

Keibel said the commission will decide whether to accept the motion: "They may decide they already have enough information," he said, "or they could examine it under Criteria 7."

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