

Board 2 denied hearing on home site moratorium

Plans by Community Board 2 to seek a moratorium on group home sites for the mentally retarded in the board area were set back yesterday when a state commissioner denied the board's request for a hearing on the issue.

Jennifer L. Howse, associate commissioner of the state Office of Mental Retardation and Developmental Disabilities, told board representatives they could seek a state hearing on three proposed sites for group homes — 158 Cromwell Ave., Dongan Hills; 630 Hylan Blvd., Grasmere, and 1582 Richmond Ave., New Springville.

But Ms. Howse denied a motion for a hearing requesting a moratorium on present and future group home sites, declaring: "If there is to be an overruling (of the three proposed sites), it has to come in a hearing on specific sites by the decision of the commissioner or in the state court."

Ms. Howse made her decision while chairing a hearing yesterday in the World Trade Center between the community board and the state.

Community Board 2 members voted last month to request the state hearing, and, in separate votes, also rejected each group home site on the basis the area is "oversaturated" with community-based social service facilities.

Jack Deitch, vice chairman of the board, board member Joanne Avella and attorney John Wellekens, representing the board, attended yesterday's hearing prepared to cite statistics on oversaturation of the board area and thinking the hearing would concern the board's request for a moratorium.

John Tillou and Scott Booth, representing the Staten Island Developmental Center, Willowbrook, also attended.

Wellekens protested as Ms. Howse began to call for testimony on each site. "I oppose the way this hearing is set up. Community Board 2 requested a hearing on a moratorium of group homes, not on each of the three sites," he said. He cited a letter by board chairman Joseph Manifold specifically requesting a hearing on the issue of a moratorium.

Wellekens also requested Ms. Howse disqualify herself as hearing officer because she oversees the group home site selection process in the city "and thus has too much contact with site selection in the Community Board 2 area to make an unbiased opinion"

Ms. Howse denied the request, stating: "For better or worse, you're stuck with me procedurally." She added the community board could protest the decision through "due process."

Wellekens, who also represented the Grasmere Homeowners Association at the hearing, said Ms. Howse could not proceed with site-by-site testimony at yesterday's hearing unless other civic groups opposing the sites were represented. "It would be a denial of their

due process," he said.

"Clearly," Ms. Howse commented dryly, "the art of self-expression is not lacking on Staten Island." Presumably she referred to the large turnout of community residents at a public hearing last month who overwhelmingly protested the group home sites.

Ms. Howse ruled the hearing be adjourned for up to 15 days and requested a letter officially asking for a hearing based on individual sites.

The letter could come from the community board or from the Staten Island Developmental Center. Presumably the developmental center will make the request on the basis of appealing the community board's rejection of the sites.

The state hearing yesterday was of a technical nature and was conducted quietly in a small conference room at

the state office complex in the World Trade Center. A half dozen Islanders who attended listened quietly to the remarks.

The hearing represented a sharp contrast to other public hearings on group home sites, where homeowners spoke emotionally against the sites. A slightly larger turnout than yesterday's is anticipated if other civic groups send representatives at the next hearing date.

Mrs. Avella said she still intends to present figures she compiled on oversaturation in the board area during the site-by-site hearings. "I'm disappointed (Ms. Howse) didn't rule on our original motion for a moratorium, but I still think we have a case for oversaturation and we have the figures to prove it," she said.

—DIANE C. LORE