

# CB 2 loses state appeal on group home sites

Community Board 2 has lost a state appeal to seek a moratorium on group homes for the mentally retarded in the board area.

James E. Introne, acting commissioner of the State Office of Mental Retardation and Developmental Disabilities, has upheld the choice of three group-home sites in the board area.

Introne announced his decision in a letter to officials of the Staten Island Borough Developmental Services Office in Willowbrook, which will help place and provide services to clients in the group homes.

After reviewing the testimony of an Aug. 16 hearing between the state and Community Board 2 representatives, Introne ruled:

"It is my opinion that the proposed use of 158 Cromwell Ave., Dongan Hills, 1582 Richmond Ave., New Springville, and 630 Hylan Blvd., Grasmere, as community residences for the mentally retarded, will neither alter the character of the neighborhood, nor constitute a saturation of similar residential facilities in the area.

Community Board 2 members, during a meeting in June, overwhelmingly rejected all of the state's proposed sites for the group homes, on the basis the area is already "oversaturated" with community-based care facilities. The board requested a state hearing, in an attempt to seek a moratorium on group homes in the mid-Island area.

During the hearing, the board cited state studies indicating Community Board 2 has the fourth-highest ratio of community facilities in the city, and the highest ratio of institutional facilities in the state.

The board also produced maps showing a large area of Community Board 2 taken up by industrial parks and landfill, leaving only about 40 percent of the board area available for homes and facilities.

To place additional facilities within the 40 percent of available land in the board area would

change the character of the community, the board maintained.

The state argued that the group homes would not further burden the community, because at least half of the residents who would live in the homes already live in the board area. "Their move," Introne noted in his letter, "would therefore be a change of address, and would not constitute an increase in clients."

Board 2 may appeal Introne's decision in the court, but Introne issued a plea that the board choose instead to abide by the decision and work to develop programs for the mentally retarded.

"It is my sincere hope," Introne wrote, "that Community Board 2 and the members of the community will work with our staff and the sponsoring agencies to develop these much needed service programs. I believe, as you do, that these community residences will prove to be valuable community resources for families in Community Board 2 who have retarded relatives and need an alternative to institutionalization."

The board has not decided whether it will appeal the state ruling, but if the board does appeal, it must pay a private attorney to present the case.

The city's Corporation Counsel has rejected the board's request for legal assistance to fight the group homes.

"Both this office and the New York City Department of Mental Health are in agreement that the presence of institutional facilities in a community should not preclude the establishment of residential facilities for the mentally retarded," Jay Itkowitz, Assistant Corporation Counsel, wrote to board chairman Joseph Manifold.

Manifold, meanwhile, announced at last week's board meeting that the FBI was investigating group homes, and that federal agents had questioned some board members, but the exact nature of the investigation was unknown. An FBI spokesman said he had no knowledge of the probe.