

# Board 2 rejects group home resolution

By MARC DAVIS

Community Board 2 last night rejected a resolution asking for the power to review group homes of fewer than four people, a power it does not now have.

The board also unanimously rejected a zone change request that would have allowed the development of a 33-unit condominium complex in an upper-middle class Dongan Hills neighborhood.

The group home resolution, requested by board member James Stuckey, was in response to a recent controversy in which the state moved to set up a group home in Dongan Hills for three retarded persons. By seeking a three-person home, the state circumvented a state law that says community boards must approve of group homes for four or more persons.

Stuckey, arguing that the state Legislature should give community boards the power to review all group homes regardless of size,

termed the state's actions in Dongan Hills "somewhat deceptive."

"It violates the spirit of the law, even if it doesn't violate the letter of the law," Stuckey argued. "The whole point was to bypass the community board. If they continue to do this, any input we have will go out the window."

But Stuckey met resistance from several board members, some arguing that community boards should not regulate group homes at all, others arguing that the board had no business telling the Legislature how to make its laws.

"Anytime one group tries to tell another group where to live, we're indulging in just what happened in Nazi Germany," said board member Jack Deitch. "We are all free to live in this country where we will. The state should get out of it completely."

But board member Joanne Avella at one point challenged Deitch, shouting at him from across the table. "How would you like a group home in your community?"

"I'd be honored," Deitch replied.

Board member David Sobel challenged Stuckey's motives for asking for increased review powers. "We should be doing everything in our power to further group homes, not obstruct them. I think that's what you're doing," he said.

The board went on to reject the resolution by a vote of 15-12 with two abstentions.

Despite the board's action, however, the Dongan Hills group home still faces a court challenge from angry neighbors on Buel Ave., asking the state courts to require community board review of group homes of any size.

In the condominium issue, the board unanimously approved the land use committee's recommendation last week that a Brooklyn developer not be granted a zoning change to build an attached condominium complex in Dongan Hills.

About 60 spectators at the meeting, mostly from Dongan Hills, broke into applause after the board voted against the condominium, proposed for a 1.4-acre plot at Richmond Rd. and Delaware St.

Deitch, the land use committee chairman, told the board his committee objected to the condominiums because the construction plans called for too few parking spaces. He also said the attached homes would destroy the residential quality of the neighborhood, which he said was made up mostly by detached homes.

He concluded that the developer, Ludvik Hilman, wanted to convert the land to 33 \$60,000 units rather than 8 or 10 \$120,000 houses to "salvage his investment."

The committee had voted unanimously against the zoning change and the board agreed.

In other action last night, the board approved a variance for the operation of a figure salon at 105 Mill Rd., New Dorp; approved the conversion of a lot across the street from the Alps restaurant, 2493 Richmond Rd., New Dorp, into a parking lot for the restaurant, and opposed a variance requested by Richmond Tile, 1436 Hylan Blvd., Dongan Hills, to construct a storage building.