

Reargument asked in group home case

The Appellate Division of the state Supreme Court has been asked to hear reargument on its decision last month in the Corson's Brook Woods case.

As an alternative, The Protectors of Pine Oak Woods, an environmental group, asked the Appellate Division for permission to appeal the ruling to the Court of Appeals, the state's highest court.

The Appellate Division voted unanimously to overturn a January decision by Island Supreme Court Judge Rose McBrien, in which she granted a preliminary injunction to the environmental group, temporarily preventing the state from removing additional trees and vegetation from a portion of Corson's Brook Woods.

The environmental group instituted the court action after the state started tree removal to prepare the site for the construction of community homes for

mentally retarded residents from the Staten Island Developmental Center, Willowbrook. The wooded area is on state-owned property at the institution.

In moving for reargument, the environmentalists' lawyer, Terence H. Benbow, said he believed that the Appellate Division, in arriving at its decision, had "overlooked or misapprehended" crucial points of law.

When contacted yesterday, Benbow said his group is still working on a possible settlement with the state that would preserve Corson's Brook Woods, which he termed one of the Greenbelt's "two most sensitive environment treasures," as well as permit the state to build the group homes.

The group says it is not opposed to the group homes, only to their location and the threat they pose to the wooded area.