

create a neighborhood advisory committee, in which people on the block act as liaisons between the house and agency.

"As I've met with neighbors on a one-to-one basis, they are lovely people and we know in the end that they will make lovely neighbors," Ms. Meskell said.

Residents who vehemently opposed the home are upset with the final decision, but feel they've done everything they could.

"I feel like we are saturated," said End Place resident Adele Fava. "We are nice people and I'm sure we will be accepting. I'll have to accept it, but they did an injustice."

Isabelle Schelker, whose 20-year-old developmentally disabled son will live in the home, is confident neighbors will welcome him. But she does worry about harassment.

"I think the block is lucky to get such wonderful people as neighbors. It is too bad that it takes the law to accomplish that. I hope to change the law and make it even better so we don't have to put these young adults under public scrutiny," said the Port Richmond resident.

All the new residents are Staten Islanders: Two now live on the South Shore.

The board's stance and the community's reaction were sharply criticized and Borough President Guy V. Molinari formally requested the board reconsider its vote. The suggestion was refused.

The Padavan Law -- also known as the Community Residence Site Selection Law -- gives community boards three options when faced with a proposed site for a community residence for the developmentally disabled: Accept the site, suggest an alternative or object to the site on grounds the neighborhood is already saturated with similar residences.

If a community board rejects a site on the grounds of saturation, the agency seeking to open the residence may appeal to OMRDD. After conducting hearings, the commissioner of OMRDD determines whether the site is acceptable.

HeartShare appealed Board 3's decision in March, and on May 4 members of the board and some residents and a Brooklyn lawyer representing them attended a hearing at OMRDD offices in Manhattan, where state officials heard testimony from both the board and HeartShare.

After evaluating arguments, Thomas Maul, commissioner of OMRDD, sent a letter, dated May 25, to the board stating the board's contentions were "speculative and fail to demonstrate how the proposed facility, in conjunction with existing similar facilities, would substantially alter the nature of the character of the area."

He concluded that the "sponsoring agency may seek to establish its community residence at 119 End Pl."

The letter added: "You may be assured, however, that the issues concerning staffing, safety and the location of the proposed site will be considered by this agency prior to a decision being made by the State to certify this program." Ms. Meskell explained state certification is granted when the community residence is open and running.

If the community board appeals the commissioner's decision -- something the board says it will not do in this case -- the battle would move to the Appellate Division of state Supreme Court and then, if necessary, to the state Court of