



NEW YORK STATE SENATOR

Jeffrey D. Klein

Klein And Mayor Davis Unveil Study Showing Mt. Vernon Over-saturated With Group Homes

JEFFREY D. KLEIN March 1, 2007



Mt. Vernon: Beyond Saturation, and proposed new legislation expanding the current limits of Padavan's Law so that all group homes housing juvenile delinquents, as well as outpatient clinics and day treatment centers providing psychiatric and drug rehabilitation services would be included in determining when a community has reached its saturation point.

"Currently, Padavan's Law does not include facilities for juvenile delinquents or outpatient clinics for substance abuse, both of which affect the essential 'nature and character' of a

community just as much as other state-licensed group facilities and should rightfully be considered in determining the limits of their location,” Senator Klein argued.

To avoid excessive clustering and undue demands on local services, Klein also proposed a statewide study to determine the appropriate minimum distances between such facilities.

According to data released by the New York State Office of Child and Family Services, Mt. Vernon, a city with a population of 68,381, situated on 4.36 square miles, is already home to approximately twenty-seven residential facilities licensed by either the New York State Department of Health, Office of Mental Retardation and Developmental Disabilities, Office of Children and Family Services or the Office of Temporary and Disability Assistance.

Under Padavan’s Law (section 41.34 of the Consolidated Laws of Mental Hygiene) organizations for the mentally disabled must apply for residency by submitting a letter of intent that details the nature of the proposed residence. The city then has 40 days to accept the proposal, suggest an alternative site within city-limits, or reject it because it “would result in a concentration of community residential facilities for the mentally disabled.”

In December, Westchester ARC submitted a letter of intent for a new group home at *78 Del Rey Drive*

, located on a residential block far from Mt. Vernon’s commercial strip on *Gramatan Avenue*

. Neighbors expressed strong opposition to the plan at a public hearing in January, arguing that group transportation for residents would add to traffic congestion in a neighborhood that is already home to a busy mosque. The city recently rejected the request on over-concentration grounds.

A Commissioner's Hearing on the issue by the Department of Mental Health is set for March 5th in Tarrytown. Should the Commissioner reject the city's claim, Mt. Vernon can file for a review of the Commissioner's decision under Article 78 of the Civil Procedure Law.

The Senator and Mayor were careful to emphasize that they are sensitive to Westchester ARC's needs, but must defend the city's interests:

"Mt.Vernon has opened its doors to numerous organizations that care for the economically, mentally or physically challenged members of our community. However, the city can not continue to extend itself beyond its resources. While we support the important work that Westchester ARC does, one city can not be expected to shoulder the burden for an entire county," Senator Klein said.

"Mt.Vernon can not support another such institution. In order to remain a diverse and vibrant city, we ask that the Commissioner reject Westchester ARC's proposal as contrary to the city's best interests," added Mayor Davis.

"We are not opposed to group homes, but every community deserves equality and such determinations should be made based upon geographic capability. Our neighborhood was not designed to handle this kind of facility, and the increased traffic will detract from our quality of life," said Anita Weis, President of the Pasadena/Elmsmere Civic Association.
