



TOWN OF HENRIETTA

County of Monroe • State of New York
475 Calkins Road, P.O. Box 999, Henrietta, N.Y. 14467 (585) 334-7700

MICHAEL B. YUDELSON
Supervisor

WILLIAM J. MULLIGAN, JR.
CATHERINE A. McCABE
JANET B. ZINCK
JACK W. MOORE
Council Members

July 21, 2008

To: Residents Interested in Proposed Group Home at 16 Cobblefield Way

From: Supervisor Michael Yudelson

Re: **Update**

As some of you already know, both alternative sites suggested to CDS by the Town of Henrietta for their group home were judged by CDS not to be satisfactory for their program. The only step left in the process dictated by New York State law is for the Town to determine if we would request a hearing with the Commissioner of the NYS Mental Health Department.

We have done a great deal of research on this issue with the help of our Town Attorney. As he explained at the May 29 Public Hearing that we held, in researching over 100 cases like this, he was not able to find one where the Commissioner had ruled with a municipality in such a hearing. In addition I have had conversations with many people who work in this field who have conveyed to me their opinion that there was no way that the Commissioner would sustain an objection in a situation like this. In short, State Law effectively prevents the Town from having any meaningful authority over the matter.

Therefore I have tried to really focus on the concerns of area residents that seemed to be most prevalent and have had continued communication with CDS about them, specifically:

- 1) The possibility that in the future CDS might decide to expand and house more than six residents at that site, thereby requiring further addition to the property than is in their current plans.
- 2) The possibility that CDS might make a major expansion to the driveway, creating in effect a small parking lot in a residential neighborhood.
- 3) On-street parking and its effect on vehicles navigating the curve in front of the subject property.

I explained to CDS that the Town's ultimate concern and desire, should a group home be established on Cobblefield Way, is that a good relationship exist between CDS and the neighbors. Towards that end I asked them to consider giving the Town the following assurances (in writing):

- 1) A CDS commitment to a permanent limit of six clients residing at the Cobblefield Way group home.
- 2) Because the garage and the current driveway provide space for as many as eight vehicles, that CDS commits that any expansion of the driveway will be limited to an additional eight (8) feet in width, comparable to many driveways in the area that can accommodate three (3) cars side by side, with the option to create parking "stubs" as you see at many homes, providing adequate space to turn around.
- 3) Because of the provisions of #2, that CDS staff will be instructed to refrain from parking on the street.

(It is noted that ultimately the Town can exercise its option to post certain parts of the street as "No Parking", however I think it will be more satisfactory if CDS addresses it this way as that will not prevent on-street parking for residents when they have an event at their home.)

I am pleased to report to you that CDS has agreed to furnish me with these assurances. In fact I now have received this in writing from CDS.

The entire Town Board agrees that having received this, the Town should no longer procedurally delay the approval process for CDS.

On behalf of the Board, I want to thank all the neighbors who participated in a thoughtful and responsible dialogue about this proposal. One thing that it has illuminated is the State's dilution of the authority of the Town Board on behalf of our residents, and as you may know, the Town Board has already passed a resolution strongly opposing a legislature bill that would expand the same process to other types of group homes and facilities.

We encourage you to stay in touch with us regarding the parking situation and other aspects of this project, or any other matter involving the Town of Henrietta.

Sincerely,

Michael Yudelson

Michael Yudelson, Supervisor