

Good evening. My name is Josh Frankel, and I live on Black Birch Lane.

I'm aware of the fact that my commentary this evening is moot in the wake of the Board's official objection to the proposed Monte Nido eating disorders treatment facility at 2 Morris Lane. However, I felt the need to speak this evening to distance myself from the very disturbing commentary and vote that took place here two weeks ago. It has been difficult for me to find the words to adequately express my disappointment over what I saw occur here on November 24.

My family has, thankfully, never suffered from eating disorders, and it is also true that I do not live in immediate proximity to the proposed facility. Consequently, some might want to posit that I don't have sufficient skin in the game. I would respond by pointing out that many, probably the majority, of those who signed petitions or otherwise opposed the facility are similarly situated.

That said, what transpired here two weeks ago represented the antithesis of every value, principle, tenet, and belief with which I was raised, and with which I am trying to raise my own children. The question here is not as to a cell phone tower or nuclear reactor. It is as to a residential treatment facility for girls with eating disorders. The irony is not lost on me that we are exactly

the type of community that academic studies have shown produce young ladies with these conditions in disproportionate numbers.

It is clear that the Board is aware of the fact that none of the objections raised – save for that of overconcentration, which will be a non-starter – are contemplated by the Padavan Law. As noted in the Fordham Urban Law Journal: “A municipality cannot object to a community residence site on the ground that the residence itself would create more traffic, crime or garbage, lower property values or would be unsafe for the persons who would reside there.”¹

I’ve spent a bit of time researching the issue both in the news and academia. The complaints that were voiced here two weeks ago are the same ones that have been voiced, and resoundingly defeated, for the past near-40 years. With stunning regularity, these situations play out as follows:

- An operator files notice
- Residents and the municipality are up in arms
- The municipality objects
- The municipality is defeated
- Everyone lives happily ever after

¹ Fordham Urban Law Journal, Volume 13, Issue 2, Article 1, 1984

As one operator wrote in 1984 about a facility opened in 1979 in Kings Point²: *“Several neighbors brought a legal action to prevent our hostel from opening. This action was finally adjudicated in the Court of Appeals in our favor. It was this proceeding that among other things determined that the Padavan Law...is constitutional. It also validated that for zoning purposes, community residences are considered as single families.*

“But the important fact to communicate...is that in less than a year, the neighbors, including the neighbors who sought legal remedy for their concerns, have come to accept us as part of the community, and we pride ourselves and credit them enormously with the feelings of good will that have developed in the four years we are now in operation. Their well-intentioned concerns have evaporated. They see that in fact we are good neighbors and their safety and well-being are secure.”

The oft-cited fear of round-the-clock visits from emergency services personnel, in addition to being irrelevant under the law, is unfounded. Under questioning during the application process for its Irvington facility, Monte Nido founder Carolyn Costin told that board that “in Monte Nido’s 18 years of operation outside ambulance services had been required only twice.”³

² NY Times, August 5, 1984 “Good Neighbors Are Good News”

³ The Hudson Independent, January 2014, “Eating Disorder Clinic Proposed for Irvington Estate”

I am thankful and grateful that the Board had the decency and good sense to punt on the option of finding an alternate site to 2 Morris Lane, which would have favored one group of residents over another. Sadly, however, compounding their initial insensitivity, those most vocally opposed to the facility in the first place had no problem and wasted no time throwing fellow Scarsdalian under the bus in the hope of ridding themselves of their perceived problem, offering up 25 and 107 Mamaroneck Road, 7 High Point Terrace, and 1084 Post Road as suitable alternate locations. I will add here that I was unaware of the existence of a facility near my home, which I've driven past thousands of times, until just last week; it has apparently been operating for over 30 years.

In the end, the village will not prevail, Monte Nido will open its facility, and life will go on. Perhaps of paramount importance to the community at large, multiple studies have shown that there will be no adverse impact on property values.⁴ In the meantime, I have learned some things about my neighbors that I'd rather not have known. In the months and years to come, no one will look back on this sorry episode as Scarsdale's finest hour.

⁴ The Question of Property Values, Michael Dear & Robert Wilton, 1996

Fordham Urban Law Journal

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1984

Article 1

”NOT IN MY NEIGHBORHOOD:” LEGAL CHALLENGES TO THE ESTABLISHMENT OF COMMUNITY RESIDENCES FOR THE MENTALLY DISABLED IN NEW YORK STATE

Robert L. Schonfeld*

*New York State Department of Law

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ligent response to the sponsoring agency's notification letter. A sponsoring agency giving the most recent data for as large an area as possible should not receive any serious challenge on this point in litigation.

3. *The Municipality's Response*

Within forty days of receipt of the sponsoring agency's notification letter,⁹⁵ the municipality, if it chooses to respond, must make one of three statutorily mandated responses.⁹⁶ It must either:

- (A) Approve the site recommended by the sponsoring agency;
- (B) [S]uggest one or more suitable sites within its jurisdiction which could accommodate such a facility; or
- (C) [O]bject to the establishment of a facility of the kind described by the sponsoring agency because to do so would result in such a concentration of community residential facilities for the mentally disabled in the municipality or in the area in proximity to the site selected^[97] or a combination of such facilities with other community residences or similar facilities licensed by other agencies of state government that the nature and character of the areas within the municipality would be substantially altered.⁹⁸

Thus, the grounds for a municipality's objection to a proposed site are limited to whether the residence would create a concentration of community and other similar residences which would substantially alter the area in which the proposed residence is to be located.⁹⁹ A

95. N.Y. MENTAL HYG. LAW §41.34(c)(1) (McKinney Supp. 1984-1985).

96. *Id.* § 41.34(c)(1)(A), (B), (C) (McKinney Supp. 1984-1985). A municipality may hold a public hearing pursuant to local law prior to making a response, *id.* § 41.34(c)(2) (McKinney Supp. 1984-1985), but cannot force the sponsoring agency to comply with procedures additional to those required in the Padavan Law. *Cosgrove v. Introne*, No. 1025/80 (Sup. Ct. Orange County 1982).

97. Prior to the 1981 amendment, the municipality could only object to an overconcentration of facilities located in the municipality. 1981 N.Y. Laws ch. 1024, § 3. This led to the illogical result that a municipality could not point to facilities that might just be over the municipality's borders to show overconcentration. *See Spielman v. Introne*, 88 A.D.2d 958, 451 N.Y.S.2d 194 (2d Dep't 1982). The 1981 amendment corrected the oversight of the original statute.

98. N.Y. MENTAL HYG. LAW § 41.34(c)(1)(A), (B), (C) (McKinney Supp. 1984-1985).

99. *See, e.g., Town of Greenburgh v. Coughlin*, 73 A.D.2d 672, 423 N.Y.S.2d 209 (2d Dep't 1979), *lv. to appeal denied*, 49 N.Y.2d 704, 404 N.E.2d 1341, 427 N.Y.S.2d 1025 (1980) and *Town of Hempstead v. Comm'r*, 78 A.D.2d 677, 432

municipality cannot object to a community residence site on the ground that the residence itself would create more traffic, crime or garbage, lower property values¹⁰⁰ or would be unsafe for the persons who would reside there.¹⁰¹ Moreover, a mere assertion by a municipality of a concentration of residences in the area is legally insufficient to form a statutory objection—a municipality must allege and prove both that the proposed residence would create an overconcentration of residences *and* that said overconcentration would result in the substantial alteration of the area.¹⁰²

If the municipality approves the proposed community residence site or fails to respond within forty days of its receipt of the notification letter, the sponsoring agency can seek to establish the proposed residence.¹⁰³ Courts have unanimously held municipalities to the forty day statute of limitations.¹⁰⁴ The Appellate Division of the New York State Supreme Court, Fourth Department, correctly

N.Y.S.2d 399 (2d Dep't 1980), where courts dismissed objections made by municipalities to community residence sites where the municipalities failed to demonstrate at a fact-finding hearing that the proposed community residence would substantially alter the area.

100. See *Town of Mount Pleasant v. State of New York Office of Mental Retardation and Developmental Disabilities*, No. 21747/82 (Sup. Ct. Westchester County 1983); *Village of Painted Post v. Slezak*, No. 47424 (Sup. Ct. Steuben County 1982); *Lincoln Assocs. v. Introne*, No. 24653/80 (Sup. Ct. Nassau County 1981); *Town of Hempstead v. Comm'r*, No. 6891/80 (Sup. Ct. Nassau County 1980) (where municipalities or neighborhood groups involved failed to even allege that proposed residence would create overconcentration of residences that would substantially alter area).

101. Since the opponents to a community residence are neither persons to reside in the residence nor their representatives, it is hard to imagine how neighbors, homeowners or municipalities would have standing to complain that a community residence site would be unsafe for the proposed residents. The Commissioner, of course, would have the power to deny an operating certificate if he believes a residence would not be safe. N.Y. MENTAL HYG. LAW §§ 31.02, 31.05 (McKinney 1978 & Supp. 1984-1985). A residence must comply with the safety features outlined in 14 N.Y.C.R.R. § 586 (Office of Mental Health) or 14 N.Y.C.R.R. § 686 (Office of Mental Retardation and Developmental Disabilities) before a license can be issued. N.Y. ADMIN. CODE tit. 14, §§ 586, 686 (1983-1984).

102. N.Y. MENTAL HYG. LAW § 41.34(c)(1)(C), (c)(5) (McKinney Supp. 1984-1985). *Town of Hempstead v. Comm'r*, 89 A.D.2d 850, 453 N.Y.S.2d 32 (2d Dep't 1982); *Grasmere Homeowners' Ass'n v. Introne*, 84 A.D.2d 778, 443 N.Y.S.2d 956 (2d Dep't 1981).

103. N.Y. MENTAL HYG. LAW § 41.34(c)(1)(C), (c)(3) (McKinney Supp. 1984-1985).

104. *City of Oswego v. Prevost*, 91 A.D.2d 848, 458 N.Y.S.2d 414 (4th Dep't 1982), *appeal dismissed*, 58 N.Y.2d 1033, 448 N.E.2d 1354, 462 N.Y.S.2d 443 (1983); *Town of Stony Point v. New York Office of Mental Retardation and Developmental Disabilities*, 78 A.D.2d 858, 432 N.Y.S.2d 633 (2d Dep't 1980); *Town of Oyster Bay v. New York Office of Mental Retardation and Developmental Disabilities*, No. 13767/84 (Sup. Ct. Nassau County 1984); *City of Fulton v. Prevost*, No. 79-1451 (Sup. Ct. Oswego County 1979). A sponsoring agency can give a

The New York Times

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August 5, 1984

'Good Neighbors Are Good News'

On April 22, 1979, a headline in the Long Island Weekly read: "Mentally Disabled: Issue in Kings Point." The same concerns voiced by the Crane Neck Association in your article of June 24, 1984 ("Hostel for Retarded Stirs Row"), i.e. "safety, property values and a sense of well-being in the community," were expressed by some citizens in Kings Point both in that 1979 article and in a public meeting. Kings Point has much in common with Crane Neck. It is one of the most affluent communities in the country and has strict zoning codes.

Several neighbors brought a legal action to prevent our hostel from opening. This action was finally adjudicated in the Court of Appeals in our favor. It was this proceeding that among other things determined that the Padavan Law - Section 41.34 of the Mental Hygiene Law - is constitutional. It also validated that for zoning purposes, community residences are considered as single families.

But the important fact to communicate to the people of Crane Neck is that in less than a year, the neighbors,

including the neighbors who sought legal remedy for their concerns, have come to accept us as part of the community, and we pride ourselves and credit them enormously with the feelings of good will that have developed in the four years we are now in operation. Their well-intentioned concerns have evaporated. They see that in fact we are good neighbors and their safety and well-being are secure.

Furthermore, one of the neighbors is a real-estate broker, and she attests personally and professionally that having a hostel literally in her backyard has not at all negatively impacted real-estate values.

In short, there must be some follow-up coverage on the outstanding success of community residences in general, and ours in particular, to offset the headlines that fuel the fires of needless alarm and concern. Good news should be newsworthy too. There is now a considerable experience base to support these successes. Kings Point has survived, and flourishes with a community residence in its midst. We're certain Crane Neck will do no less.
JOAN BRENNER Executive Director Community Mainstreaming Associates Inc. Kings Point



6 » WW II Veterans



14 » Mrs. Green's Opens



23 » Problem Solver

The Hudson Independent

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Vol. XI, No. 1

Broadway Ramp to Bridge Closing After Temporary Opening to Relieve Tie-Ups

by Robert Kimmel

Whether the closure, once again, of the ramp leading to the Tappan Zee Bridge from southbound Broadway in Tarrytown will contribute to horrific traffic jams as it did last month will likely be tested before a

substantial amount of time passes.

The ramp was temporarily re-opened in mid-December into this month to provide relief from traffic congestion on Route 9 during the holiday period. Complaints from motorists and the concerns of local officials in both Tarrytown and Sleepy Hol-

low led to the short-term ramp opening by the New York Thruway Authority.

The Authority said it had closed the ramp for the five-year period up to the completion of the new bridge to provide a "storage and staging" area for Tappan Zee Constructors, the bridge builders. "As a result, this closure will reduce the amount of construction traffic on local roadways," it maintained.

"The closure of the ramp may not have been the direct cause of the traffic tie-ups, but we want to do all we can to help travelers get to their destinations safely during the holidays," stated Brian Conybeare, Special Advisor to the Governor for the New NY Bridge Project, in a December press release following the traffic problems. He pointed out that there had been no major backups from the time the ramp was initially closed on December 5, until Friday, December 15.

Conybeare blamed the subsequent de-

Continued on page 8



Closure of ramp to bridge has created much frustration for local motorists.

Eating Disorder Clinic Proposed for Irvington Estate

by Barrett Seaman

For many years, the elegant home on a 10.5-acre hillcrest bordered by Broadway, Dows Lane, the Old Croton Aqueduct and Clinton Avenue was unoccupied and known only as the Murray-Griffin Estate. But the sylvan property that also embraces the historic Odell Tavern has long been cherished by Irvingtonians.

In the late 1980s, former owner David H. Griffin offered to sell it to the village, which was in need of a place to build a new library and a municipal pool but couldn't afford it. A decade later, the Marriott Corporation made a bid to turn it into an assisted living facility and was pursuing that goal when Steven and Carolyn Niemczyk of Bedford stepped in and bought it as their private residence, eliciting sighs of relief throughout Irvington. After their marriage ended, Steven Niemczyk retained ownership, but the 12,000-square foot, 23-room mansion was something more than he needed. And so it was discreetly placed on the market.

Then just before Thanksgiving, Mayor Brian Smith received a hand-delivered letter from White Plains-based land use attorney David Steinmetz, announcing that a client, Monte Nido & Affiliates of Malibu, California, intended to buy the estate, known by its address at 100 South Broadway, for use as a residential eating disorder clinic.

Citing a section of New York State Mental Hygiene Law, known as the Padavan Law, Steinmetz informed the mayor that Monte Nido's plans to turn the house into a residence for no more than 14 patients at a time made it "exempt from local zoning." The sale, he suggested, was a legal fait accompli.

Enacted in 1978 and named for Queen's Republican State Senator Frank Padavan, the law was intended to circumvent local community opposition to the establishment of halfway houses and thus help to disperse the state's vastly overcrowded mental institution population.

Continued on page 5



Decorative Talent: Members of the Philipse Manor Garden Club made wreaths last month for the holiday season at the Sleepy Hollow Senior Center.

PHOTO BY SUMMIT MICHIGAN

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Eating Disorder Clinic

Continued from page 1

Such opposition was not likely to be an issue with eating disorder patients, who tend to be young women unlikely to suffer from the kind of mental illnesses that frighten neighborhoods. But Village Administrator Larry Schopfer nonetheless thought it prudent to ask neighbors of 100 South Broadway to comment, and the village scheduled a public hearing on Monte Nido's plans for mid-December.

In his letter to neighbors, Schopfer offered an interpretation slightly different than Steinmetz's. He outlined three choices the village had: it could accept the request, it could suggest an alternative location within the village that was more suitable for the use, or it could object on grounds that there was already too high a concentration of similar facilities in the area.

Anticipating questions about whether the addition of his client's clinic would create a concentration of mental health facilities in the area, Steinmetz provided the village with a list of four such entities, the closest of which are Children's Village and St. Christopher's in Dobbs Ferry—hardly enough to meet the standard of overconcentration.

The only remaining issue was whether Monte Nido had looked at alternate locations. Bruce Martin, the company's CEO and husband of founder Carolyn Costin, responded by recounting that over the past year, he had made seven trips to the area, meeting with real estate agents in New York, Connecticut and New Jersey and looking at 28 properties before his Westchester real estate agent, Monica Kravitt of Bedford, alerted him to the Niemczyk property. It was love at first sight.

Asked by *The Hudson Independent* if he or Kravitt had every looked at 30 South Broadway, site of the proposed but highly controversial Continuum assisted living facility, Martin said Kravitt told him she "already knew it would be a waste of time taking you to 30 South Broadway." The configuration of the estate, said Martin, "isn't desirable to us and doesn't create the essential home-like residential nature of our facilities."

Given the local sensitivity to health care facilities generated by the ongoing Continuum

um ordeal, it was expected that the Monte Nido proposal would draw scrutiny from both village trustees and the public. Indeed, a contingent of residents from the Downingwood cluster of attached houses directly across Broadway from 100 South showed up at the December 16 public hearing.

But by the time Monte Nido founder Carolyn Costin had finished with her presentation, which included a polished video describing what the company's existing residential facilities (two in California, one in Oregon) look like and how they operate, most of the potential objections had been dispensed with.

Patients tend to stay about three months on average. They participate in individual and group therapy led by three or four psychiatric professionals. The clinic would be staffed with a physical trainer, a dietician and nurse, under the direction of a clinical director and program coordinator—all told, somewhere between seven and nine employees. Patients would stay on the grounds, except towards the end when they are encouraged to visit local restaurants as part of a re-acclimation process. "We actually run it like a family," explained Costin, herself once anorexic. "That's why we fell in love with this particular property. We don't have any intention of changing it; we love it just the way it is."

Trustees expressed more concern with Monte Nido's intentions with the Odell Tavern, an historic site built in 1693, than with traffic or structural issues. In response, Costin promised not only to protect the tavern but suggested that they might otherwise work with the village's Historical Society to maintain it.

Trustee Connie Kehoe asked about the incidence of medical emergencies, again reflecting a major issue with Continuum. Costin replied that in Monte Nido's 18 years of operation outside ambulance service had been required only twice.

About the only extant question, raised by Trustee Walter Montgomery, was whether the village had done proper due diligence on Monte Nido, which administrator Schopfer promised to pursue.

While the process is still open, Smith ended the hearing by expressing pleasure with "the tone with which you have dealt with the community."

Regeneron Named Top Employer in Industry

Tarrytown-based Regeneron Pharmaceuticals was ranked by *Science* magazine as the top employer in the global biopharmaceutical industry for the second year in a row.

"As we are a company founded on scientific excellence, it is very meaningful to us to be recognized by *Science* magazine two consecutive years now as the top place to work in the industry," said George D. Yancopoulos, chief scientific officer and president of Regeneron Laboratories.

Regeneron has more than 2,200 employees, including over 1,500 in Tarrytown. The company expects to create ap-

proximately 400 new full-time jobs with its planned expansion of 300,000 square feet of laboratory and office space, which is expected to be completed in the third quarter of 2015.

"Regeneron's tremendous growth and our current expansion plans are undoubtedly thanks to our employees," said Leonard S. Schieffer, M.D., Ph.D., president and chief executive officer of Regeneron. "If we are the best place to work, it is because we have the best employees and a culture where they feel empowered and challenged."

—Rick Pezzullo



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The Question of Property Values

Michael Dear and Robert Wilton

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In the Fall of 1994, the Campaign for New Community group commissioned Professor Michael Dear to undertake a series of research tasks to aid the group in their efforts to provide shelter and services for needy people in Washington D.C.

The results of this commission are series of Handbooks that are intended for use by service providers, activists, advocates, community leaders, planners, and service consumers and clients. The recommendations and guidance provided in the Handbooks are based on extensive research which is itself fully detailed in an accompanying set of Research Reports. A full listing of all the Handbooks and Research Reports produced during this project is to be found at the end of this document.

The cooperation of the members of the Management Committee of the Campaign for New Community is gratefully acknowledged, as well as the financial support of the Robert Wood Johnson Foundation.

The following individuals contributed to the preparation of the Handbooks and Research Reports in

this series:

- Michael Dear, Ph.D., Principal
- Andrew Straw
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Introduction

Although there are many stated reasons why communities react unfavorably to human service facilities, the fear that a facility's presence will detract from the value of adjacent and nearby properties is perhaps the most commonly reported (Strickney, 1977; Lupin *et al.*, 1982; Anello and Shuster, 1985; Homebase, 1989; Dear, 1991). In many ways, perhaps the strength of this reaction is to be expected. Along with personal safety, a home and the capital invested therein occupy a high priority in many people's day-to-day lives. Perceived threats to this home, the quality of the surrounding environment, and by implication, the value of the property, however erroneous, are therefore potent catalysts for community mobilization against a planned human service facility.

In this annotated bibliography, an attempt is made to identify and briefly summarize a broad spectrum of research dealing with the property value impact of human service facilities. As one component of a resource guide designed to assist with siting, the accumulated materials may help to allay residents' fears and engender acceptance of a facility as simply another thread within the community fabric. The bibliography looks at almost fifty studies, both as primary and secondary sources. The studies focused on a number of different facility-types, including group homes for people with mental disabilities, group homes for people with mentally retardation and developmental disabilities, mental health outpatient facilities, subsidized/affordable housing, and foster homes. In simple terms, an overwhelming majority of the reports indicate that facilities have little or no negative impact upon surrounding property values. Indeed, in several instances, the opening of a facility appeared to exert a positive effect upon its immediate environs.

If we consider the studies in a little more detail, six criteria for detecting the property value impact of facilities are commonly employed. These are:

- changes in the market value of surrounding properties;
- changes in the rate of property turnover (i.e. whether the facility, or news of the facility, affected neighborhood stability by inducing a rash of sales);
- changes in the time properties spent on the market (i.e. whether the facility made properties nearby less attractive to potential buyers);
- distance decay (whether properties immediately adjacent to a facility performed more poorly on the housing market than properties at greater distances from the facility);
- residents' awareness of, and/or opinions about, the facility's existence; and
- the design and appearance of the facility relative to the appearance of the surrounding environment.

In the remainder of this introductory statement, the findings of the surveys with regard to each of these indicators are summarized.

1. Market Values

Not surprisingly, almost all of the studies considered the impact of facility siting upon the market values of surrounding properties. From a total of forty three studies, thirty two indicate that they found no significant impact on surrounding property values. Of these, twenty nine were quantitative studies (or reviews of a number of quantitative studies) which analyzed property sales before and after the opening of a facility [2, 4-7, 10, 13, 15, 17-21, 25-29, 31, 32, 34, 36-38, 40-43, 46]. Three additional studies used more qualitative methods, eliciting residents' perceptions about the impact of a nearby facility [11, 23, 24]. All three studies suggest that the initial concerns

of residents tended to dissipate once the facility had opened and the negative externalities had largely failed to appear. Arens, in her study of five community residences for the mentally ill in Long Island, suggests that although one neighbor did complain about a nearby facility, none of the seventy five neighbors interviewed were able to demonstrate a problem selling homes in the vicinity of the residences [23].

In addition to those thirty one studies which found no significant negative impact, six additional studies suggest that not only do community-based facilities not have a negative impact, they may in some cases exert a positive influence upon those properties around them [3, 8, 12, 14, 22, 30]. Wiener *et al.*, for example, found that subject property values around two of the eight small residential facilities for the mentally retarded that they studied actually exceeded the upper limits of the control property values. Explanations for these positive impacts often look to the well-maintained nature of many facilities and their grounds. As has been discussed elsewhere, the ability to offer neighbors a well-designed and aesthetically pleasing facility may be an important bargaining chip when working towards community acceptance.

Three studies found somewhat inconclusive evidence concerning property value impacts [1, 16, 35]. In each case, findings pointed toward the minimal impact of facility siting, but not conclusively so. Linowes, for example, in a review of six studies conducted between 1966 and 1983 found that property prices declined in one instance. Finally, two studies did find a negative impact on property values. A study by Gabriel and Wolch in Oakland, California, was unusual in that it segmented the housing market by race. Their findings suggest that service facilities for adults negatively impact the non-white housing market, while service facilities for juveniles had a negative impact on the white submarket [33]. A second study by Guy *et al.* examined subsidized housing projects in Fairfax county, Virginia, suggesting that houses further from the affordable units tended to sell for better prices [39]. However, this finding has been challenged by Baird who conducted a similar examination of four other projects in Fairfax county and found that property values increased toward the subsidized housing [38].

2. Turnover of Properties

A second commonly used indicator of facility impact is property turnover. Opponents of proposed community-based facilities frequently argue that the latter's undesirability will induce a spate of home and/or business sales leading to a weakening of community stability. To investigate the validity of these claims, studies generally monitor property market activity for several months, and sometimes years (see for example [6]), before and after the opening of a group home or community-based facility. In some cases, changes over time within the study community are contrast with those changes occurring in socio-demographically similar control communities [e.g. 6, 17, 29].

Here again, the evidence points strongly towards the non-impact of community-based facilities. From a total of sixteen studies considering turnover, fourteen found no increase [1, 4, 5, 7, 12, 13, 15, 17, 23, 29, 31, 34, 42, 43]. The remaining two studies found some evidence of accelerated turnover following the siting of facilities, but the results in each case were inconclusive. Dear, in a study of twelve Philadelphia community mental health facilities, found that while the prices of surrounding properties did not decline, there was some increase in sales. However, he concludes that this increase may have been a function more of general market trends than the specific impact of the facilities [2]. Boeckh *et al.* found that sales did increase in one of five metropolitan Toronto neighborhoods which experienced the opening of community mental health facilities, but the overall findings of the survey indicate minimal negative impact.

3. Time on the Market

A third gauge of community impact considers the likelihood that an undesirable community-based facility might make it harder for current residents or businesses to sell their properties when attempting to relocate. To test the validity of this hypothesis, studies use methodologies similar to those described above, comparing time taken to sell for properties placed on the market before and after the arrival of a facility, and in some cases, with properties in other control communities.

Seven studies in this bibliography included time on the market as an indicator of facility impact. Six of these seven suggest that there was no evidence to suggest that the presence of a facility made it more difficult to sell nearby property [5, 12, 17, 23, 32, 36]. The one study that did find a negative impact was conducted by Farber [14]. He examined a small number of property transactions around nine group homes for the mentally retarded or emotionally disturbed. Categorizing the neighborhoods as either high or below average socioeconomic submarkets, Farber found that properties in the high-end submarket did remain on the market a little longer after the opening of a group residence. However, he characterizes this potential cost as a:

A...small price to pay, especially for these wealthier individuals, when providing normalized settings for retarded and emotionally disturbed persons.

4. Distance-decay

In addition to studying the impact of a community-based facility on the property values of the neighborhood as a whole, or as compared to a control location, some studies also consider the differential impact of a facility within a given community. For the purposes of this discussion, distance-decay suggests that properties immediately adjacent to a given facility are most likely to suffer a decline in property value or other adverse impact, and that the likelihood of a negative impact declines with increasing distance from the facility. Finding a gradient of this kind within a given property market would clearly lend support to groups opposing supposedly "noxious" facilities. Conversely, the absence of a gradient may allow speculation that any fluctuation in selling price is the product of more general trends in the local sub-market.

Within the bibliography, eight studies discuss the distance-decay of facility impact. Five of these found no evidence of a gradient [1, 4, 5, 6, 12]. Among these, the study conducted by Knowles and Baba in Green Bay, Wisconsin, is unusual in that they conducted surveys of resident attitudes to facilities, as well as collecting data on housing market transactions. Although they recorded attitudinal distance decay, in that people nearer the facilities were more likely to express a negative opinion, they found no evidence of a negative property value impact or distance decay. Three other studies did record changes in impact with distance from the facility, but findings appear somewhat contradictory. Guy *et al.* and Baird have been mentioned above. Their studies examined similar subsidized housing projects in Fairfax county, Virginia, but produced conflicting results, with Baird's study indicating higher sale prices nearer the affordable housing [38, 39]. Similarly, Farber's study which analyzed the property markets of both high-end and low-income neighborhoods found distance decay in the former community, but a positive gradient appearing within the latter [14].

5. Residents' Awareness

An additional way of demonstrating the potential facility impact or non-impact focuses upon gauging the neighborhood's awareness of a facility's existence. Although this approach does not explicitly identify or quantify negative externalities, the level of awareness and concern expressed by residents and business owners after the opening of a facility may be a useful indicator of the "real" impact of a facility. Since pre-siting opposition arguments often cite a wide array of potential problems relating to the opening of a facility, we might reasonably expect community awareness/concern to be high should these problems materialize. Where the facility operates smoothly with few of the alleged problems evident, the reverse might be true.

Six of the studies contained within the bibliography looked at resident awareness and concerns following the arrival of a community-based facility [23, 24, 44, 45, 46, 47]. Five of these addressed the issue of awareness explicitly, reporting that anywhere between 10% and "most" of those individuals surveyed were unaware that they were living in close proximity to a community-based human service facility [23, 24, 44, 46, 47]. In addition, the majority of studies indicate that for those individuals who were aware of the facility's presence, a fairly marked improvement in attitudes was common after the latter became operational. However, an important caveat is issued by Wahl when he suggests that we should not equate the successful siting of a facility and the gradual community acceptance which follows as evidence of successful integration of the facility and its clients/residents [23].

6. Facility Design/Appearance

A final issue concerns the design and appearance of facilities. Where community residences or subsidized housing projects are well-designed and beautifully maintained, they may rapidly dispel concerns about their negative impact upon the neighborhood, and instead draw praise, for the way in which they help to improve the community's image. Such a phenomenon is, in some senses, problematic. Like Wahl, we should perhaps question the relative "success" of a project that augments the local built environment, but whose residents are not welcome on the local streets. Nevertheless, the ability to improve chances of acceptance through facility design/appearance is clearly important. Studies indicate that almost without exception the appearances of facilities equal or exceed those of properties around them [4, 5, 8, 11, 17, 32], a fact that could be used to further weaken arguments positing the detrimental impact of such projects. Also, Butterfield has extended the discussion of facility design to consider not only the impact that appearance has upon the surrounding community's attitudes, but also ways in which design and location of a facility

might be used to facilitate client-community interaction [9].

Conclusion

It seems clear from the studies contained within this bibliography that there is an overwhelming volume of evidence supporting the contention that human service facilities do not significantly impact the market values of properties around them. They do not make proximate properties harder to sell, and they do not destabilize the neighborhood by inducing relocation. The studies included here cover the time span 1973 - 1993, and there appears to be very little fluctuation in findings during this period. However, one weakness of the bibliography is that it does not contain studies documenting the property value impact of some of the more contemporary facilities such as group homes for people with AIDS and homeless shelters. Despite an extensive search, no literature was found dealing with the property value impact of these facilities, clearly an important absence given current siting difficulties.

A final point--despite the weight of evidence collected here, the property values "myth" remains a powerful battle cry for communities opposed to the siting of human services facilities. It is clear that more work should be done to provide facility operators and advocates with the tools they need to effectively counter such claims.

9. INDEX OF REFERENCES

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