



NEW YORK STATE SENATOR

James Sanders Jr.

Senator James Sanders Jr. Introduces Bill Allowing Communities to Have Input in Establishment of Local Facilities

JAMES SANDERS JR. February 18, 2016

Senator James Sanders Jr. (D-Rochdale Village) yesterday introduced legislation (S.6758) that would allow communities to have input regarding the establishment of numerous types of facilities in their area including homeless shelters, detention centers, drug rehabilitation and detoxification centers and halfway houses.

Under the bill, developers seeking to establish such facilities in New York City would have to notify the neighborhood's community board in writing. This notice would include all relevant information necessary for residents to make a determination as to whether the facility would be appropriate in the area. The community board would also be able to hold a public hearing before responding to the notice. After performing its evaluation, the community board could then approve the site, suggest one or more alternate sites or object on the basis that establishing the site would result in such a concentration of facilities in the area that its nature and character would be substantially altered.

In other words, the community could object because establishing the facility would create too high a concentration of such facilities. If such an objection were made, developers would have the opportunity to offer a community benefits agreement for three additional improvements of equal or greater value from which the community could choose.

Finally, if no agreement were reached between the community and developers, the parties would be entitled to an immediate hearing before the commissioner of the department responsible for issuing the license and operating certificate of the facility in question. If the developers did not comply with these terms, the facility would cease to operate.

"For too long, our communities have been kept in the dark," Sanders said. "Members of our communities best know their needs and capacities, and they must be involved in the process of determining what goes on within their borders."

If passed, this legislation would improve upon the Padavan Law, which affords communities input into the establishment of group homes, also covered by this bill.