

## A FINE FOR HOUSING TOO MANY TEENS

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A Hasbrouck Heights couple cannot continue to use their house as temporary quarters for the teen-age clients of a controversial drug and alcohol program because of restrictions in the zoning code, a municipal judge ruled Tuesday.

Judge Harry H. Chandless Jr. imposed a \$500 fine and suspended 30-day jail sentences on Billy and Susan McCoy of 53 Central Ave. He found them guilty of violating an ordinance that bars more than three unrelated guests from staying in a single-family home.

The long-term impact of the decision is unclear. But Miller Newton, the director of KIDS of Bergen County Inc., fears it could have a devastating effect on the future of the program if it is repeated in other communities. KIDS, which treats 125 teen-agers with drug, alcohol, eating, and other behavioral disorders, has an undisclosed number of host homes throughout the county, including two others in Hasbrouck Heights.

"That would be very sad," said Newton, who has said the case was the first challenge of KIDS through zoning codes. "It would eliminate a major opportunity. "

Chandless decision was hailed Tuesday as a victory by a spokesman for RAID Residents Against Indiscriminate Development, a Hasbrouck Heights-based group that says it now will focus on two Lodi homes that also receive KIDS clients.

The McCoys attorney, Margaret Mary McVeigh, said the verdict would be appealed in Superior Court.

The five-hour court proceeding provided the first look inside the operation of KIDS, which was investigated last year by Bergen County Prosecutor Larry J. McClure before he concluded that allegations of abuse of clients were unfounded. KIDS, based in Hackensack, operates as a day clinic and relies on alternative temporary shelter for clients who cannot remain at home.

Newton testified that the program encourages, but does not require, participating parents to receive teen-age clients into their homes for up to several days. An older client in a stable family environment who has been off drugs or alcohol is considered a positive example for the newer clients, he said.

During the hearing, McCoy, wearing a dark-blue suit, told the court that he would move from Hasbrouck Heights if the borough barred his support of the program. The couple have two teen-age boys who have been enrolled in KIDS. They also have a 10-year-old daughter.

"I'd go to jail for the sobriety of my family," McCoy declared.

The zoning code, incorporated in a 1925 ordinance, restricts the use of a single-family home to a dwelling and says such dwellings can accommodate no more than three unrelated guests. The McCoys asserted that the number of KIDS clients staying with them was three or less on most occasions, with the exception of an emergency when four teen-agers stayed overnight.

Five Central Avenue neighbors, on the other hand, testified that they had seen as many as six to eight teen-agers entering or leaving the McCoy home at various times. The complaint, filed May 27 by Louise Davenport, municipal administrator, was brought to court after neighbors contacted former Mayor William Imken, who requested a police investigation.

While the McCoys were convicted of the zoning violations, their landlord, Marie Sapio, was found not guilty. Sapio leased the house to the family last August.

"I have compassion for them," Sapio testified, acknowledging that she knew about the family's involvement with KIDS before they signed the lease. The softspoken woman related how her own brother died at 21 from a drug overdose.

Sapio momentarily lost her composure when she countered testimony by John Stanich of 39 Central Ave., who said he called police to report that the McCoys had left a gate open to their backyard pool, threatening the safety of other children.

"These are teen-agers that are drowning right now," she said.

"They are nomads," charged prosecutor Richard Gernert. "You don't want boarders who are transient. You don't want lodgers who are transient. " McCoy's own testimony, he added, proved they were "taking in troubled young people. "

"I don't believe we should fear people who are ill," Chandless replied, calling efforts to deal with drug and alcohol addiction praiseworthy.

But, he said, "Question is, do we have zoning? "

- *Index terms: HASBROUCK HEIGHTS; GOVERNMENT; ZONING; LAW; VIOLATION; COURT; HOUSING; HOME; YOUTH; ALCOHOL; DRUG; ABUSE; COUNSELING*
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