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Re: Healthy Minds Treatment Center

You have requested my evaluation of the Healthy Minds Treatment Center application for a Conditional Use permit against the requirements of the Smithfield Township Zoning Ordinance. The following are my major observations as a land use planner,

1. **Traffic Study and Golf Course Integration**

§ 27-706.5 requires "A traffic study, prepared by a professional traffic engineer, shall be required as per the existing Zoning Ordinance, Chapter 27, § 27-404, Subsection 2." The referenced section includes the following provision (emphasis added):

*A traffic impact study shall be required for all subdivisions and land developments that, at build-out, are projected to generate 50 or more trip-ends per project peak hour or 500 trip-ends per day based on the latest edition of Trip Generation published by the Institute of Transportation Engineers. This shall include project additions, changes of use and replacement of nonconforming uses that increase the total traffic (**existing plus new traffic**) to more than 500 trip ends per day.*

The applicant claims its traffic does not rise above the 500 trip ends threshold and, therefore, no traffic study is required. Its counting of trip ends, though, fails to include traffic related to the existing golf course which the applicant indicates it plans to continue to operate. A golf course typically generates roughly 8.33 trip ends per acre based on ITE data, which amounts to approximately 258 trip ends. Added to the 264 trip ends for the Healthy Minds facility this exceeds the traffic threshold and, therefore, this Conditional Use standard has not been met.

This also raises an additional broader issue, which is the integration of the rehabilitation facility with the golf course as a whole. Integration with an operation such as a dude ranch, which is the case with the Malibu Ranch rehab facility in Pike County, for

example, which I assisted, involved a merging of the operations such that the rehab residents received equine therapy but no lodging was made available to other than rehab residents to avoid conflicts and opportunities to surreptitiously deliver alcohol or drugs. There is no indication of how this would be accomplished with a golf course operation, Numerous questions arise. For example, will golf carts have access to the grounds of the rehab facility? Will rehab residents be doing any golfing? Will rehab residents have access to golf carts? Will golf carts have access to the public road? There are numerous possible implications with the answers to these questions and they relate directly to the safety of the general public.

2. **Comprehensive Plan Consistency**

§ 27-705.B provides as follows:

*The Township Planning Commission and Board of Supervisors, in reviewing the site plan, shall consider its conformity to the Smithfield Township Comprehensive Plan and the various other plans, regulations and ordinances of the Township.*

Additionally, § 27-705.C(5) states this in regard to Board of Supervisors responsibilities:

*Whether the site plan indicates the property will be developed and improved in a way which is consistent with that character this Chapter and the Township's Comprehensive Plan are intended to produce or protect, including appropriate landscaping and attention to aesthetics and natural feature preservation.*

The applicant's narrative mentions the *Smithfield Township Comprehensive Plan* once only to assert the project is consistent with "the character of Township Ordinances and the Township's Comprehensive Plan" and offers no basis for this. The *Comprehensive Plan*, prepared with my firm's assistance, it should be noted, identified the Pocono Medical Center [now Lehigh Valley Hospital - Pocono] in adjoining East Stroudsburg as providing the Township "with easy access to a wide range of health care and medical services" and states "there are no particular unmet needs in this regard."

This is even more true today as the following list of facilities in the vicinity illustrates:

<b>Rehabilitation Facilities in Vicinity</b>		
<b>Facility Name</b>	<b>Proximity</b>	<b>Location</b>
Water Gap Wellness	0.7	East Stroudsburg
PA Treatment and Healing (PATH)	1.6	East Stroudsburg
Water Gap Wellness, Plaza Court - (Outpatient)	2.7	East Stroudsburg
Water Gap Wellness, Independence Road - (Outpatient)	3.6	East Stroudsburg
Pyramid Healthcare - Hillside	6.3	East Stroudsburg

There is little indication of additional community need in the vicinity, in other words. Moreover, conditional use criteria found § 27-706.2, refer to the market area, which is directly related to need. Therefore, Comprehensive Plan consistency is not clear.

3. Property Value Impacts

The applicant asserts that “the new use does not produce a significant negative impact on the property values of adjacent properties,” but offers no real evidence of this. There is, though, significant evidence to the contrary. A 2014 study titled “The Effect of Substance Abuse Treatment Centers on Property Values” found the following, in fact (emphasis added):

*Residential treatment centers offer the most intense form of treatment for substance abuse and are often embedded in residential neighborhoods. As a result of the Patient Protection and Affordable Care Act, the number of treatment centers has been forecasted to burgeon. We examine the external effect of residential rehab centers on nearby real estate. As addiction treatment centers are planned, a common response of nearby property owners is “not in my backyard” (NIMBY). Using a large MLS dataset from central Virginia, we estimate the impact of substance abuse treatment centers on nearby home prices and liquidity (as measured by time on the market). **We find that a neighboring treatment center is associated with an 8% reduction in nearby home prices and that this discount is magnified for treatment centers that specifically treat opiate addiction (as much as 17%).***

Importantly, the study analyzed property value impacts on residential properties within 1/8 mile (660 feet). There are a minimum of 12 residential properties within that distance of the facility. Moreover, the study determined the same results were likely to be found even further removed from the facility.

4. Other Issues

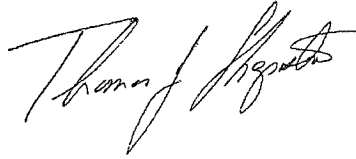
There are other minor issues connected with the application. Will residents, for instance, be permitted to smoke near the property lines?

The narrative indicates this facility will be serving not only drug and alcohol patients but also those with mental illnesses. What are the implications for this in terms of those who will be eligible for treatment?

The above opinions are offered within a reasonable degree of professional certainty, based upon my long history of writing and administering zoning ordinances and developing municipal comprehensive plans in both Pennsylvania and New York, including Smithfield Township and other areas of Monroe County. I have also consulted with multiple applicants for zoning permits to operate drug and alcohol rehabilitation facilities in Pennsylvania.

Thank you for the potential opportunity to assist in this case.

Sincerely,

A handwritten signature in black ink, appearing to read "Thomas J. Shepstone". The signature is written in a cursive style with a large, stylized initial 'T'.

THOMAS J. SHEPSTONE