Maine grants Camden’s Fox Hill venture a one-year license for behavioral health facility
By Lynda Clancy

CAMDEN — The Maine Department of Health and Human Services has issued McLean Borden Cottage a one-year provisional license to operate a behavioral health facility at the Borden Cottage on Bay View Street in Camden. This means that Fox Hill now can begin to establish a high-end residential alcohol and substance abuse treatment facility for up to eight clients at a time, each paying approximately $60,000 for four to five weeks of treatment.

"McLean Hospital has met all licensing requirements and Maine Department of Health and Human Services has issued McLean Fox Hill a one-year provisional license to operate as a behavioral health facility," said Mary Mayhew, DHHS commissioner, in a statement issued Dec. 1.

She added: “Opponents of this facility have acknowledged that DHHS's licensing process considers clinical requirements and not the concerns they have raised, which are governed by local ordinances."

“We are very excited and are very much looking forward to seeing the doors open, and watching a fantastic program develop,” said McLean’s Philip Levendusky, who said he will be spending a lot of time in Camden getting the program up and going.

The DHHS license is good for Nov. 25, 2014 through Nov. 25, 2014. McLean had submitted the application to DHHS May 14.

The group, comprising Under cliff Cottage LLC, Phelan 2006 Family Trust, Julie and Charles Cawley, Parker S. Laite, Sr., and Friends of Camden Maine LLC, said then that “the proposed Bay View property facility does not constitute a ‘community living arrangement’ for persons suffering a ‘handicap’ and ‘disability’ under the governing laws.”

That suit remains in court; however, nothing has been filed on the case since last June when the attorney for Fox Hill LLC called the premise of a lawsuit a “bizarre assertion.”

Levendusky, who is associate professor of psychology at Harvard Medical School and senior vice president for business development and marketing, is also director of the psychology department at McLean Hospital, and is responsible for getting the Camden program under way.

He said the opening of McLean Borden Cottage — the official name of the Camden McLean Hospital program — will likely be in mid-January to mid-February.

“We are in the process now of actively recruiting for the positions and the opening date will be determined by the result of that recruitment process,” said Levendusky, Dec. 1, from his Boston office. He said McLean is, “100-percent standing by the commitment to hire from local talent.”
He said the same intent applied to local vendors, as articulated during the many public hearings held last fall and winter by the Camden planning and select boards on what was a controversial piece of business for the town.

“We are actively in negotiation for various services, food, housekeeping, pharmacy, a whole range of things,” said Levendusky.

So far, as expected, 99 percent of the people who applied for the position are local to the Midcoast region,” he said. “One person is from McLean whose family lives in the Midcoast region and she [a senior nurse] will be relocating.”

Levendusky said approximately 20 individuals applied for the jobs that had been listed online at Monster.com and other spots.

“We have been very impressed of the quality of local people who have applied for the positions, said Levendusky. “I have complete confidence we will achieve the goal of program excellence. We are doing what we said we would do, and really tap the talent of the area.”

He declined to discuss the salary range, other than to say, “they are competitive professional salaries.”

When the facility is at full capacity with eight clients, McLean Borden Cottage anticipates employing 25 in fulltime equivalent positions.

“That’s based on a full house of clients,” he said. “Right now we are targeting 18 to 20 fulltime.”

No clients have been accepted into the program, and Levendusky said McLean will not begin to promote until the program is in place.

McLean advertises in the New Yorker magazine, as well as Ivy League magazines.

“The print advertising we do is typically in magazines aimed at a sophisticated urban population,” he said.

David Sorensen, spokesman for DHHS, said Dec. 1 that the McLean Borden Cottage license is for one year.

"Any new community agency regardless of what array of treatment services are to be provided is issued a provisional license," he said. "That is a license for the first year of operation. If the agency is found to be in good standing during their next licensing survey, which must occur before the expiration date of the license Nov. 25, 2015, and they continue to meet all statutory and regulatory licensing expectations, then the agency would receive a full license, which is good for two years thereafter."

Levendusky said he learned last week that the license was granted.

“The physical plant is final stages in fine-tuning,” he said.

Fox Hill LLC is the business entity of 24 investors who hold ownership of the property. They are leasing the Fox Hill estate to McLean Hospital Corporation for the enterprise. While Fox Hill LLC is a for-profit venture, and will pay property taxes to the town, McLean will operate its McLean Borden Cottage as a nonprofit.
While it will not pay property taxes on its business, McLean said it will continue to involve itself in local and regional mental health and addiction wellness efforts.

“As we’ve said, we expect to be an extremely good neighbor and have responded to requests for expert speakers,” said Levendusky. “There will be continuing opportunities to be an important presence.”

Fox Hill LLC has invested $1 million so into upgrading the facility, according to investors.

SIDEBAR
Fox Hill project

Project proponents want to turn the 13.8-acre Fox Hill estate at 235 Bay View Street into a high-end residential alcohol and substance abuse treatment facility for up to 8 clients at a time, each paying approximately $60,000 for four to five weeks of treatment.

Owners of the estate, Fox Hill Real Estate LLC (24 investors, including Lincolnville summer resident Tom Rodman and Rockport summer resident Merril Halpern), are teaming up with the Belmont, Mass.-based McLean Hospital to establish the facility in the former Borden Cottage that sits on a hill overlooking Penobscot Bay.

Rodman has said the other 22 investors are family and friends. Investors who have been named include Bob Campbell, of Rockport; Betty and Scott Harris, of N.H.; George Rodman, of Maryland; and Joe Cooper, of Camden.

Philip Levendusky, associate professor of psychology at Harvard Medical School and senior vice president for business development and marketing, as well as director of the psychology department at McLean Hospital, is representing the nonprofit that would operate the facility.

McLean would lease the facility and operate as a nonprofit. Fox Hill Real Estate LLC would own the land and buildings, and continue to pay real estate taxes to Camden, which are currently approximately $100,000.

In February 2014, citizens lined up before the Camden Select Board arguing their positions as to why the town should, or should not, allow a zoning ordinance amendment concerning Fox Hill to proceed to a town vote.

Thirty residents, business people, attorneys and public relations personnel hired by the opposition spoke against the proposal, saying it would diminish property values, constitute spot zoning, create a dangerous environment, threaten the integrity of Camden’s zoning ordinance and destroy the character of the neighborhood.

Twenty six residents, lawyers, business people, land use planners and Fox Hill investors spoke in favor of the Fox Hill proposal, advocating that the amendment be placed before voters. They said the proposal would energize the local economy in a town populated heavily by adults age 65 and older; that the proposal would preserve an historic property and match the quiet and private nature of the neighborhood; and with the collaboration with McLean Hospital, establish a stronger wellness agenda in the community.

Fox Hill Real Estate, in conjunction with McLean Hospital, had spent eight months in a municipal process attempting to convince Camden to put before voters a zoning amendment change that, if
approved, would allow the two entities to pursue a special exception for siting an alcohol rehabilitation center at Fox Hill. The process involved 11 lengthy and well-attended public meetings.

In February, Camden’s Select Board voted 3 to 2 against putting the amendment before voters.

Later that month, and in a surprise move, Fox Hill Real Estate LLC withdrew its zoning amendment proposal; instead, the investors said they would create an eight-bed community living facility. That eliminated the need for a zoning change, and, according to the project proponents, “fulfills the requirements for a permitted, residential use for zoning purposes.”

Fox Hill invoked the federal Fair Housing Act and the state’s 1997 Maine Community Living statute, which had been repealed and rewritten to conform to the Fair Housing Act. In doing so, Fox Hill asserted it needed no zone change, and only requisite building permits from the town to continue making renovations to the Borden Cottage.

At the end of March, a group of Bay View Street neighbors filed their complaint in U.S. District Court against Fox Hill Real Estate Company and McLean Hospital Corporation, asking U.S. District Court to prohibit the use of Fox Hill for treatment of clients with drug and alcohol addictions.