

Robert P. Astorino
County Executive

Kevin J. Plunkett
Deputy County Executive

VIA EMAIL AND UPS

August 17, 2012

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**United States *ex rel* Anti-Discrimination Center of Metro New York, Inc. v.
Westchester County, New York (No. 06 Civ. 2860 (DLC))**

Dear Sir and Madams:

In accordance with paragraph 28 of the Stipulation and Order of Settlement and Dismissal (the "Stipulation") dated August 10, 2009, attached please find the County's Quarterly Report for 2Q 2012, which is designed to correspond with the template provided by Mr. Johnson, in his February 1st 2010 letter, as follows:

- Section I reports on affordable AFFH units that have received various approvals. The narrative is supported by Appendices I-1, I-2 and I-3.
- Section II (Census Analysis) is set out in narrative form and is supported by Appendix II-1.

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- Section III (Land/County's Efforts to Identify Sites) is set out in narrative form.
- Section IV relates to outreach and advertising. The County's activities are described in narrative form. Appendix IV-1 provides a list of housing meetings for the quarter; Appendix IV-2 is a summary report of findings from the Central Intake System between September 30, 2010 and June 30, 2012; Appendix IV-3 is the 2Q 2012 Affirmative Fair Housing Marketing Report for AFFH Units.
- Section V reports on the County's efforts to promote furthering fair and affordable housing in the context of the local approval processes. Appendix V-1 consists of referral letters sent to municipalities relating to AFFH.
- Section VI responds to question in the template concerning funds and expenditures, and includes the 2Q 2012 financial report as Appendix VI-1.
- Section VII provides a narrative of overall progress. Appendix VII-1 includes public statements by the County Executive and his staff during 2Q 2012.

This is the County's tenth Quarterly Report, and demonstrates the County's continuing progress in meeting the obligations of the Settlement Agreement.

Very truly yours,



Kevin J. Plunkett
Deputy County Executive

Attachment

Cc: Hon. Robert P. Astorino, County Executive
 Hon. Kenneth Jenkins, Chair, Westchester County Board of Legislators
 Benjamin Torrance, Esq., Assistant U.S. Attorney, SDNY
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**WESTCHESTER COUNTY FAIR AND AFFORDABLE HOUSING
QUARTERLY REPORT**

For the period: April 1, 2012 through June 30, 2012

Westchester County Fair and Affordable Housing Implementation Plan
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For the period: April 1, 2012 through June 30, 2012

Overview

June 30, 2012 marks the end of the tenth quarter of the County's implementation of the Settlement Agreement entered into in connection with the *United States ex. rel. Anti-Discrimination Center of Metro New York, Inc. v. Westchester County* lawsuit. Westchester County continues to make significant progress toward meeting the obligations of the Settlement Agreement.

- The County has met one of the Settlement Agreement's 2012 benchmarks for ensuring the development of 750 affordable housing units, in that 207 affordable Affirmatively Furthering Fair Housing ("AFFH") units have all financing in place. The benchmark requirement was for 200 units.
- The County is very close to meeting the second required benchmark for 2012 in that 116 affordable AFFH units have building permits. The requirement is that 125 units must have building permits by December 31, 2012. Additional building permits are expected in the third quarter for at least 89 units in the communities of Larchmont, Yorktown, Hastings-on-Hudson and Briarcliff Manor.
- Forty-six affordable AFFH units received Certificates of Occupancy this quarter – bringing the total completed units to 72.
- Multiple sites have been reviewed in each of the 31 eligible municipalities, for a total of more than 255 site evaluations.
- Currently 569, or 75.8%, of the required 750 affordable AFFH units are listed in the pipeline, representing sites in 15 municipalities. Currently 223 of these 569 units are in blocks that had zero percent African American and zero percent Hispanic population according to the 2000 Census.
- The County reviewed 13 foreclosures and existing properties for potential acquisition and rehabilitation under the \$2.5 million Acquisition and Rehabilitation Revolving Loan Fund this quarter. These funds will be able to leverage another \$680,000 from the New York State Affordable Housing Corporation that has been awarded to the County for this purpose.
- The County's Homeseeker Centralized Intake system for those who wish to signify their interest in and get direct information about the affordable AFFH units available or under construction, won the prestigious American Planning Association's County Planning Division Award of Merit, presented at their national conference in Los Angeles this April. This on-line program has been a tremendous success. The site can be accessed on-line at www.westchestergov.com/homeseeker. Over 2,353 households

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have signed up on this website to receive information on affordable housing opportunities. Those interested come from 19 states, New York City, other Hudson Valley counties and all over Westchester County. For the first time, the County is reporting that 40 households have asked to be removed from the Homeseeker list. This was expected, as households may have been chosen by lottery for one of the available units coming on line, or may have found other appropriate housing for their family needs.

- During this quarter there were 11,779 unique pageviews visiting the Homeseeker website with another 86 unique pageviews visiting the Spanish version of the website. Fully 20% of all visitors to the County Planning Department's Housing website visited the Homeseeker site.
- Since August 2009, the County has conducted and participated in over 460 meetings with developers, builders, property owners, financial institutions, municipalities and various consultants to raise awareness of sites, discuss potential services, and leverage other funds.
- The County has approved the use of \$19,875,500 of the \$51.6 million it is required to spend on the 750 units. The average cost to the County of the units with all financing in place is approximately \$88,730. Included in the \$19 million approved is the Acquisition and Rehabilitation Revolving Loan Fund, where all the specific sites and costs are not yet identified, but the \$2.5 million approved is expected to assist 17 units.
- The pipeline list includes, for the first time, one development that, if constructed, would include new affordable AFFH inclusionary units as part of a larger market-rate development.

The activities included in this Quarterly Report are demonstrative of the County's continued commitment to meet the requirements of the Housing Settlement Agreement in an effective and timely fashion.

I. Affordable AFFH Units (as defined in Paragraph 7 of the Stipulation):

A. Total units approved, in progress or completed

B. Information on the specific units/developments including opportunity indicators

Summary of Actions this Quarter: In this quarter, the County continued working with developers, municipal officials and the Monitor to identify and move forward housing developments that will help the County achieve its goal of creating 750 affordable AFFH units by December 31, 2016. The County is including in this report information on 25 developments and activity through the Acquisition and Rehabilitation Revolving Loan Fund which includes one identified development and 14 unidentified units.

Specific information on each of these developments is presented in a spreadsheet in Appendix I-1 labeled 2Q 2012 AFFH Sites Progress List. The spreadsheet also lists the current status of each development and the actions expected to occur in the third quarter of 2012.

This quarter, the County met its first 2012 benchmark under the Settlement Agreement requiring that 200 affordable AFFH units have financing in place by December 31, 2012. At the end of this quarter, the County reports that a total of 207 affordable AFFH units have financing in place. The second 2012 benchmark is for 125 affordable AFFH units to have building permits by the December 31, 2012 deadline. At the end of this quarter, the County reports that 116 units have building permits in place.

The spreadsheet accounts for 25 developments that are in various stages of their approval and/or construction process. These developments include a total of 744 units, of which at least 569 should qualify as affordable AFFH units if they receive all their land use and financing approvals.

The 25 developments include seven developments with a total of 116 affordable AFFH units with building permits. As of June 30, 2012 a total of 44 of these units were under construction, with 72 units now completed with Certificates of Occupancy.

This quarter, Certificates of Occupancy were issued for the 46 units in the second and third buildings in the Roundtop development in the Town of Cortlandt. Construction continues on the last building with an expected completion in third quarter of 2012. The Appendix I-1 spreadsheet still only lists the three family house at 42 First Avenue in Pelham under the section of Completed. The Roundtop development units will be added when the entire development has been completed.

Quantitative indicators are provided in the spreadsheet in Appendix I-2 labeled Quantitative Indicators on New 2Q 2012 Pipeline Listings for the new developments included on the Appendix I-1 spreadsheet.

In this quarterly report, the County has introduced a new spreadsheet that provides the race and ethnicity of the initial occupants of the completed and occupied units. This spreadsheet is Appendix

I-3 and is labeled Initial Occupancy Report for AFFH Units as of June 30, 2012. This spreadsheet reports on the first two developments with completed and occupied units and will be updated in subsequent quarterly reports as additional units are completed and occupied.

Of interest to note in this report is that of the first 58 units occupied in the Roundtop development in the Town of Cortlandt, 20 units are occupied by households identifying themselves as Black or African American. This represents over 34% of the occupied units. Two households identified themselves as other multi racial, and one household represented themselves as American Indian or Alaska Native. It is also important to note that four of the 58 households would not indicate their race; this represents almost 7% of the total occupied households.

In response to the question of ethnicity, eight of the 58 households indicated that they were Hispanic, representing almost 14% of the total households. But important to note in this category, is that ten of the 58 households (representing over 17% of the total households) did not indicate their ethnicity. As additional units in this development are completed and occupied, the information on the initial households will be expanded on this spreadsheet.

Of the 18 remaining developments on the Appendix I-1 spreadsheet that do not yet have building permits, five developments have all financing in place. These developments have experienced a number of issues that have delayed their construction start including an environmental contamination on one site after the financing was approved, significant delays associated with getting NYC DEP approval on another site, and working through local municipal issues associated with the Inter-Municipal-Developer Agreements (IMDAs) to allow the County to fund the infrastructure improvements being let at the local level.

The County also continues to list Existing Occupied Housing units on the Appendix I-1 spreadsheet; now at 69 units. The County is anxious to resolve the issue of when units that are currently occupied can be counted.

Several developers of the developments with financing but not yet under construction are expecting to pull building permits during the third quarter of 2012. Collectively, the sites in Larchmont, Briarcliff Manor, Pleasantville, Hastings-on-Hudson and Crompond Crossing site in Yorktown represent an additional 91 AFFH building permits. With these additional building permits in place, the County will be eligible to consider financing a senior housing development. The developer of both the Clayton Boulevard site in Somers and the 555 Route 22 site in North Salem is contemplating senior housing on these sites and has been advised of the funding and timing limitations set forth in the Settlement Agreement related to senior housing development.

The County is preparing legislation to submit to the Board of Legislators for at least one additional development to secure its county financing in third quarter 2012. Seventeen units in the larger 22-unit development at 867 Saw Mill River Road in Ardsley secured final site plan approval in December 2011 and New York State Affordable Housing Corporation approval earlier this quarter.

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The remaining 13 developments on the Appendix I-1 spreadsheet have begun the public discussion and land use approval process, which includes, in a number of cases, the review and approval of zoning changes or variances by the municipalities. Some of these developments have also begun the process of lining up non-County financing, including financing from New York State. The County provided letters of support this quarter to two new homeownership developments for this year's Affordable Housing Corporation round of funding, and reaffirmed its commitment to a homeownership development that was not successful in last year's submittal, but was resubmitted this year.

There were no recommendations for capital project funding for AFFH units by the County Planning Board this quarter, however, it is expected that at least two developments, representing 69 AFFH units, will be ready for County Planning Board consideration and action in the third quarter 2012.

The Appendix I-1 spreadsheet lists the Acquisition and Rehabilitation Revolving Loan Fund and its expected outcome of a total of 17 units. The first development of three units progressed this quarter to secure all its financing. A total of 13 foreclosures and existing properties on the real estate market were reviewed this quarter for potential participation in the RLF funding. Various issues have been identified in these properties making it difficult for them to proceed. The most common issue was that some of the buildings, even in foreclosure, were not necessarily vacant, and would therefore subject the County and the non-profit agency the County is working with on this program to additional expenses under the Uniform Relocation Act. The County will continue to review additional foreclosure properties for participation in the RLF. Fourteen additional units are expected to be assisted through this Acquisition and Rehabilitation RLF.

It should be noted that eight of the 25 developments, accounting for 232 of the potential 569 affordable AFFH units, are in Census Blocks that the County has identified as having the lowest concentrations of African Americans and Hispanics (2000 Census); areas in which the County is required to maximize the development of affordable AFFH units. The locations of the balance of 14 units to be acquired under the Acquisition and Rehabilitation Revolving Loan Fund are locations that are not currently known, hence the demographics of the census blocks are not known at this time, but will be reported when available.

As explained in the Implementation Plan, the release of more detailed information regarding other site-specific inquiries and preliminary discussions of potential development projects that occurred during the quarter could impair the viability of potential projects.

During the quarter, the County undertook feasibility analyses of several sites. The County received two appraisals for sites that could potentially yield 81 affordable AFFH units. One appraisal was ordered during this quarter for a potential development of four affordable AFFH units.

It should be noted that, to date, the County has done some level of review on over 255 sites with at least two sites in each of the 31 eligible municipalities. While a number of the 255 sites have not proceeded beyond the County's initial review, many are in various stages of additional local review or approval. Municipalities are still working with their local realtors and staff to identify potential

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sites that they bring to the County; clearly representative of the cooperation the County has been receiving from the various eligible municipalities.

Appendix I-1: 2Q 2012 AFFH Sites Progress List

Appendix I-2: Quantitative Indicators on New 2Q 2012 Pipeline Listings

Appendix I-3: Initial Occupancy Report for AFFH Units as of June 30, 2012

II. Census Analysis

Summary of Actions this Quarter: The Census 2010 reported that each Westchester municipality had a higher percentage of Hispanic population in 2010 than in 2000, including each of the eligible communities identified in paragraphs 7(a), (b), and (c) of the Stipulation and Order. The Stipulation specifies that 2000 Census data should be used for determining eligible areas for housing. If 2010 data were to be used however, the area of the county where this housing could be built would be significantly reduced. The Stipulation references both Census block-level demographics and the overall demographics of each municipality in determining eligible housing sites. Appendix II-1 shows the percentage of African-American and Hispanic population by Census block in 2000 and 2010. The portions of the county shaded in blue, which represent Census blocks containing less than 3% African-American and 7% Hispanic population, are much smaller in area in 2010 than in 2000.

The increase in Hispanic population would also change the eligibility status of municipalities if 2010 data were used, with Tarrytown no longer eligible at all. Cortlandt, Croton-on-Hudson, Harrison, Ossining Town, Pelham, Pleasantville, Rye Brook and Tuckahoe would now only be eligible for the maximum of 60 units permitted under paragraph 7(c), where only two (Tarrytown and Tuckahoe) are restricted to this eligibility criteria using 2000 data. Bedford, Dobbs Ferry, Hastings-on-Hudson, North Castle, North Salem, Pelham Manor and Yorktown would now be restricted to the eligibility criteria described in paragraph 7(b), where only five municipalities are restricted to this criteria in 2000. The number of municipalities eligible under paragraph 7(a), where no less than 630 units are to be built, would shrink almost in half, from 24 to 14 municipalities. Fewer Census blocks in fewer municipalities would be eligible if 2010 Census data were used, because the Hispanic population increased in so many parts of the county during the past decade.

Appendix II-1: Map of African American and Hispanic Population Percentage Comparison by Census Block, 2000 and 2010

III. Land/County's Efforts to Identify Sites

- A. How sites are being investigated
- B. Total number of lots already under the control of the County or municipalities
- C. For each site, indicate whether the units in each development were acquired by the County pursuant to Paragraph 7(h)
- D. Median price of residential lots in the communities where approved, in progress, or completed AFFH units located [See Appendix I-2]
- E. Resuscitated units by the County pursuant to Paragraph 13(h) of the Stipulation; efforts to acquire foreclosed properties, projects with stalled financing, and completed but overleveraged or partially vacant developments

Summary of Actions this Quarter: During the quarter, the County held eight meetings with municipal officials to discuss the development or redevelopment potential of sites within their municipalities for creation of affordable AFFH units or other issues related to the Settlement Agreement.

This quarter, there were no initial meetings held with officials of eligible communities related to the use of Westchester 2025: Plan Together. Draft analysis of build-out potential were substantially completed, though not yet provided, for five eligible communities, pending submission of additional zoning data input from the municipalities or the scheduling of a review session. The Planning Department and these officials find that the Westchester 2025: Plan Together program and tools continued to be useful in assisting municipalities understand the potential impact of current zoning and development trends.

During this quarter, the County conducted ten meetings with developers and private land owners with potential sites for inclusion, through either rehabilitation or development, or with an interest in pursuing property that would meet the Stipulation requirements. The developers included both for-profit and non-profit entities. One of these meetings included taking a municipality on a tour of a developer's developments in other communities. Some land owners had no experience or background in housing development and were not seeking to be principals in construction projects; their interest was in making land or properties with buildings available. Others owners had development experience and expressed interest in participating in the construction of affordable AFFH units. Some of these meetings were follow-up meetings to explore more advanced feasibility determination of the proposed developments, including review of proformas and funding requirements.

The County continued to collect information on new properties available through the real estate market to assess feasibility for the development of affordable AFFH units. Several realtors and municipalities continue to apprise the County of parcels that may be feasible as they come on the market. The County has encouraged realtors to send information on sites as they become available, even if the zoning is not in place for multi-family residential units. The County has reviewed the potential of a number of industrial and commercially zoned parcels. This quarter, the County met with the leadership of the Hudson Gateway Association of Realtors and New York State Association of Realtors which included discussion on opportunities presented by the Settlement Agreement.

Numerous conference calls were held with financing professionals to work out details of several development proposals and transactions, particularly as developments work out issues related to real estate closings, Inter-Municipal Developer Agreements, construction issues, restrictive covenants and affirmative marketing issues.

The County continues to review data from the County Clerk's office each month on foreclosures and *lis pendens* filings. There were 44 foreclosure judgments in Westchester County during this quarter. The information reviewed includes data on which bank, or other entity, initiated the foreclosure proceedings. This review allows Planning Department staff to identify any foreclosed units in eligible municipalities and evaluate acquisition potential.

Three developments on the County's 2Q 2012 FAH Sites Progress List qualify under Paragraph 7(h) of the Settlement Agreement, that provide for the use of existing housing units. The County is currently awaiting further review from the Monitor on the inclusion of all existing units, including occupied units, as Eligible Units.

The County recognizes its responsibility to maximize development in the census blocks with the lowest populations of African Americans and Hispanics. To date, eight developments, representing 223 affordable AFFH units, identified on the 2Q 2012 FAH Sites Progress List, are located in blocks with these characteristics. When sites are identified by outside resources, those within these lowest concentration blocks are promoted as quickly as possible.

Sites are evaluated based on their development potential, the proximity to schools and other community amenities including public transportation, the qualifications of the potential developer, potential environmental impacts, estimated cost, the timing on the availability of land and the ability of the applicant to obtain non-County subsidies.

The decision-making process consists of the analysis of all information, including an underwriting analysis by Planning Department staff, a review with the County Attorney and County Executive's offices on the County resources required and the commitment of other funders to provide subsidies. Most properties that have progressed through financing have had developers with experience in building affordable housing. The County's resources and funds will continue to be made available to housing non-profit agencies so that they may provide technical assistance and financial resources to other non-profit housing agencies that have less experience so as to provide a foundation for a wide variety of developers in a wide variety of communities to participate in the development of the AFFH units. The 25 sites included on the 2Q 2012 FAH Sites Progress List include developments in 15 different communities.

The County understands the importance of local leaders being knowledgeable about the benefits of a diverse community. To that end, the County continues to emphasize training programs and making technical assistance available for elected officials, as well as to have discussions with the leaders of each of the eligible communities about the potential within their municipalities. The County spent considerable time this quarter providing technical assistance to several towns and villages as they

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worked their way through the Model Ordinance Provisions and local public hearings related to specific development proposals. Additionally more general updates and technical assistance was provided at a meeting of the Urban County Council in June on both the Model Ordinance Provisions and implementation of the Discretionary Funding policy.

The County continues to work with the County Housing Opportunity Commission (HOC) to ensure that new ideas are explored to assist the County and municipalities with guidance on how to achieve inclusive communities and to assist the County in meeting the obligations of the Stipulation. The HOC held two meetings during this quarter.

IV. Outreach and Advertising

- A. Meetings with community groups, local and state officials, developers and property Owners
- B. Steps taken to advertise
 - i. Housing units presently and soon to be available
 - ii. Fair housing outreach campaigns
 - iii. Affirmative marketing
 - iv. Location and format of advertising
 - v. Outreach and marketing
 - vi. Housing mobility outreach and counseling

Summary of Actions this Quarter: During the quarter, the County conducted 17 different meetings with municipal officials, developers and property owners, including site visits. Additional meetings that included discussion of AFFH opportunities and implementation of the Settlement Agreement, including discussion on the Model Ordinance Provisions, included meetings of the Westchester County Board of Legislators, the County Planning Board, Urban County Council, the County Housing Opportunity Commission and the Westchester Municipal Planning Federation.

A summary of housing meetings held this quarter is included as Appendix IV-1.

The County continued its program start the first quarter of 2012, of providing fair housing and discrimination posters to local communities for their posting in public locations. These are posters created in the last few years by the National Fair Housing Alliance, HUD and the Leadership Conference on Civil Rights Education Fund. Thirteen additional communities were provided posters this quarter for posting. The County's efforts in this regard are limited by our ability to get appropriate posters from the organizations that have created them. Additional posters have been requested from the sponsors to make sure all municipalities have the opportunity to display them in multiple locations. The County will continue to pursue the receipt and distribution of these posters.

The County Planning Department has also been diligently pulling together resources and creating landing pages for new municipal webpages on the Housing website. It was determined it would be beneficial to create a place for municipalities to be able to get information on the County's housing initiatives as they needed it. The site, which is expected to be live in the third quarter 2012, will contain sections on the Model Ordinance Provisions and Frequently Asked Questions, other affordable housing ordinances, a link to the housing settlement page, information on the Affirmative Fair Housing Marketing Plan and the various obligations thereunder, a link to the Discretionary Funding Policy, and sample documents including restrictive covenants (particularly important for units created under inclusionary zoning), resale formulas, monitoring procedures, income limits, and information on funding sources. As with the County's other websites, this site is expected to be expanded as the municipalities make additional requests for technical assistance and information.

This quarter, the County Executive gave his State of the County address to the Board of Legislators over live internet broadcast for the general public to watch. Fair Housing and the County's

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commitment to the implementation of the Settlement Agreement was a strong part of the County Executive's message.

County Executive Astorino also implemented a series of Town Hall meetings this quarter, where he helps local residents understand what County government does and answers questions of local concern. The first meeting, held in North Salem in June, included a number of questions directed at helping residents understand the implications of the housing settlement agreement and the County's commitment to complying with the requirements of the Settlement Agreement. Additional Town Hall meetings are being scheduled with at least one to be held in the next quarter.

The County's Homeseeker central intake system won the Award of Merit from the American Planning Association County Planning Division, at the national American Planning Association conference in Los Angeles in April. The County and its non-profit agencies continue to promote the use of Homeseeker to those expressing an interest in affordable housing opportunities in Westchester. This quarter, the Welcome Homeseeker page had a total of 11,779 new unique pageviews, with the Spanish version of the site Bienvenido Buscador-de-Hogar receiving another 86 unique pageviews. The number of pageviews of Homeseeker was almost double those of the previous quarter.

The response to date of the sign-ups continues to be strong. This quarter, an additional 333 households signed up for information through Homeseeker to create total universe of 2,353 registered households as of June 30, 2012. For the first time, the County is also reporting that 40 households have requested to be removed from the Homeseeker system. A review of the names compared to the names of the families selected for the units now ready for occupancy, has not yet been conducted but it is expected that some of those requesting to have their names removed have achieved their goal of obtaining affordable housing.

The analysis of who has signed up on Homeseeker is interesting to review to ensure that the system is reaching a diverse population. Of the total 2,353 registrants between September 30, 2010 and June 30, 2012, 1,503 currently live in Westchester County. Of the balance, the next largest population is 487 households from Bronx County, followed by 145 households from New York County and 53 households from Kings County. Fifty-eight responses are from households out of New York State including responses from 19 states. Of these, the most responses from any one state came from Connecticut with 16, followed by nine responses from New Jersey and six from Florida. Other responses came from Arizona, California, Georgia, Illinois, Kentucky, Louisiana, Maryland, Massachusetts, Missouri, Nebraska, North Carolina, Oregon, Pennsylvania, South Carolina, Virginia and Washington State. Of the 1,503 Westchester households, 447 households are current residents of Yonkers, followed by 262 households in Mount Vernon, 157 in White Plains and 136 in New Rochelle. A total of 306 responses were from interested households currently residing within one of the 31 eligible municipalities in Westchester County.

Beginning on October 1, 2011, an additional question was added that allows the County to collect information on the registrant's interest in either homeownership or rental opportunities, or both. Since the system had a full year of being available for homeownership, clearly that response is higher, but in the first nine months of the new question, the County has already seen a significant response from

interested rental families. To date, 1,354 households have expressed interest in homeownership, 300 in rental opportunities and 519 in exploring both. One might note that those interested in homeownership dropped by 111 this quarter, but when one sees that those interested in both homeownership and rental increase by 160 households, it's clear that many families changed their profile from just homeownership to include an interest in rental units as well.

More than half of the households registering interest are two- or three-person households (53.5%). Single person households registering interest represent 16%; while four-person households represent 19% of the interest. Households of more than five persons, suggesting a need for three-bedroom or larger units, constitute 11% of the current registrations of interest.

Twenty-one percent of the responders identified themselves as white, while 41% of the responders indicated they were African American (representing 964 households). Almost one-third of responders did not answer this question. Among the balance of responders several categories of responses were above 1% of the total applicant pool including American Indian (18), Asian Indian (22) and other Pacific Islander (20) of mixed white and African American (30). Seven hundred sixty households (about 32%) represented that they were Hispanic. Four hundred ninety seven households (21%) did not respond to the question on ethnicity.

Additional information on the results from the registration of the Central Intake Homeseeker system can be found in Appendix IV-4. Information is sent via e-mail to these registered families about homeownership information sessions, Open Houses, and affordable housing opportunities.

After completion in late 2011 of the Affirmative Fair Housing Marketing Plans, the County reviewed the requirements and has been collaborating with the County Attorney's office to prepare an RFP for a marketing consultant. Of particular concern is how the County will price the activities associated with the marketing consultant services so the smaller developments can afford it, and the larger developments are not paying too much. It is critical that there be a known number so that developers are able to include it in their budgets. The RFP is expected to be released in third quarter 2012.

With the approval of final Affirmative Fair Housing Marketing Plans, the County submitted to the Monitor and HUD in early January, drafts of marketing materials developed in-house as part of its obligation to broaden support for fair housing. The County met with the Monitor and representatives from HUD in late June and the County is now preparing to move forward with the next phase of preparing the marketing campaign, which will be working with Westchester Residential Opportunities to present the various marketing ideas to a focus group in third quarter 2012 to be sure that the message is coming across as expected. The County will then get the materials out into effective public venues.

The County also utilizes established forums for the dissemination of information and discussion of affordable and fair housing; these include the Council of Governments, Urban County Council, Westchester Municipal Officials Association, Westchester Municipal Planning Federation and Northern Westchester Watershed Committee that all had at least one meeting during this quarter.

The County also had representation with a table of housing information at the African American heritage festival at the Kensico Dam Plaza this quarter. After criticism from HUD last year that not all heritage groups are racially diverse, the County scaled back its housing table participation to only the African American and Hispanic festivals. The Hispanic festival will be held in July.

The County has also begun work on additional formal outreach and education campaigns. The County's graphics professionals are working up various thought provoking messages to get strong and clear message out to the public on the benefits of diverse communities.

Marketing on specific housing developments continues as appropriate. As noted in the report in Appendix IV-3, each marketing effort completed to date has produced significant diversity in the applicant pool. The data on the applicants is included in the report in Appendix IV-3. The table includes the critical affirmative fair housing marketing information on each development that has proceeded to its marketing phase.

As reported in Section I, a new spreadsheet, Appendix I-3 is included in this report, providing the racial and ethnic information on the occupants of the completed units. This spreadsheet reports on the occupants of the Pelham three family house and the first 58 occupied units of the Roundtop development in the Town of Cortlandt. Additional review will be undertaken in the third quarter of 2012 on the applicant files of these first completed developments to better understand who is applying for these units and the impacts of their occupancy on the community (e.g. how many school aged children, size of households, town of business, etc.). This analysis will also include an evaluation of marketing efforts and how the applications learned of the developments and the available units.

It is also important to note that while the County's benchmarks in the Settlement Agreement relate to financing in place and building permits issued, the County is starting to measure units that are complete and occupied. Forty-six additional units received their Certificates of Occupancy this quarter and are starting to be occupied. Additional units are expected to receive their Certificates of Occupancy in the next quarter as well. To date, a total of 72 units have been completed.

Appendix IV-1: 2Q 2012 Housing Meetings List

Appendix IV-2: Summary Report of Findings from Central Intake Homeseeker System Between September 30, 2010 and June 30, 2012

Appendix IV-3: 2Q 2012 Affirmative Fair Housing Marketing Report for AFFH Units

V. Local Approval Processes

- A. County’s efforts to promote municipal policy changes, including the creation and promotion of a model ordinance required pursuant to Paragraph 25(a)
- B. Period of time between proposal of affordable AFFH units and approval for construction
- C. Steps taken to streamline local approval processes; description of obstacles faced, if any.

Summary of Actions this Quarter: The County continued to address individual questions and requests for assistance from municipalities as they conducted their review of the Model Ordinance provisions. Most of the questions dealt with interpretations of the provisions in the context of current municipal zoning. Nine of the 31 eligible municipalities have now adopted some or all of the components of the Model Ordinance provisions. All of the remaining eligible municipalities that did not have any affordable housing ordinances already in place, have started to review the provisions. Some municipalities were approaching the stage of scheduling and conducting public hearings to incorporate the Model Ordinance provisions. Work began in this quarter to prepare detailed compilations of local actions and to assemble “questions asked” during the local review process to assist with the development of the municipal housing website.

Significant activity has taken place at the municipal level to address how the Model Ordinance Provisions relate to local zoning codes and to identify possible amendments in those codes. The status of the review in the 31 eligible municipalities is described below.

The village or town board of nine municipalities has adopted zoning amendments that would incorporate the Model Ordinance Provisions in local regulations:

Town of Bedford	February 21, 2012
Village of Irvington	February 6, 2012
Town of New Castle	August 9, 2011
Town of Ossining	August 9, 2011
Village of Pleasantville	May 7, 2012
Village of Rye Brook	December 13, 2011
Village/Town of Scarsdale	November 9, 2011
Village of Tarrytown	December 5, 2011
Town of Yorktown	November 15, 2011

In addition to the above, the village or town boards of six municipalities have shared with the County Department of Planning draft zoning amendments that would incorporate the Model Ordinance Provisions in local regulations. The County continues to discuss the drafts with local officials of each of these municipalities:

Village of Ardsley
Village of Dobbs Ferry
Village of Hastings-on-Hudson
Town of Lewisboro
Town of North Castle
Town of North Salem.

Based on available information, twelve other municipalities are engaged in a review process whereby the Model Ordinance Provisions are under consideration by the village or town board or they have been referred by the village or town board to a local board, advisory committee or staff for review and recommendation:

Village of Briarcliff Manor
Village of Bronxville
Village of Buchanan
Village of Croton-on-Hudson
Town of Eastchester
Town/Village of Harrison
Town of Mamaroneck
Town of Mount Pleasant
Village of Pelham
Village of Pelham Manor
Village of Pleasantville
Town of Pound Ridge.

The village board, town board or city council of two municipalities adopted zoning amendments in the recent past but prior to finalization of Model Ordinance Provisions and have stated that they will revisit the topic:

City of Rye
Town of Somers.

The Town of Cortlandt advised the County in a letter to the County Executive dated December 16, 2011 of the Town's efforts over the past 20 years in creating affordable units through the Town zoning ordinance, concluding that the Town has complied with the intent and spirit of the Model Ordinance Provisions. The County has conducted a review of the Cortlandt zoning ordinances to

determine if there were any provisions that might limit opportunities for fair housing and will relay the findings back to the Town.

The Village of Tuckahoe advised the County that Village officials are putting together a summary of the Village's progress in this area and will shortly submit this report to the County.

The Village of Larchmont advised the County that the Village has inclusionary zoning provisions, that the Village has focused attention on the Palmer Avenue AFFH development to date and that consideration of the Model Ordinance Provisions will follow.

As a result of the discussions held with numerous municipalities providing them technical assistance as the County promotes the Model Ordinance Provisions, the County Planning Department early in the third quarter 2012 will be expanding its housing website to include a section specifically for municipalities. The County's housing website already includes sections for tenants, landlords, homeowners, developers and senior citizens. Officials have asked the County to create a site where they can find housing information with the municipal perspective including draft restrictive covenants, draft agreements to provide infrastructure funding, income limits, calculations and formulas for determining resale prices, utility allowances, IRS guidelines on the Low Income Housing Tax Credit program, HUD's guidance on determining income eligibility, and information on monitoring existing affordable housing units. They have also asked that we include information on the Model Ordinance Provisions and which municipalities have what ordinances related to affordable housing. The County expects that this website will be expanded as appropriate to include other information requested by municipalities. It is expected that by providing the information through this website, the County will be able to assist in streamlining the review of municipalities in a variety of affordable housing efforts, including their own legal reviews, by their ability to review what actions and documents the County and other municipalities have done.

During this Quarter, the County Planning Board received and commented on 12 referrals of subdivision and site plan applications and local code changes from the 31 Eligible Municipalities that related to affordable AFFH. Copies of the referral letters are included in Appendix V-1.

No reasonable average projection of the period of time between the submission of a proposal of a development with affordable AFFH units and the approval for construction of such units can be made at this time. The Village of Rye Brook is now undertaking its review of the first proposal to move forward under its streamlined approval process. The Ellendale development is expected to be the subject of a public hearing in July and the Village Board will consider its approval subsequent to that.

The County has noticed that significant delays are now occurring between the date that all financing is in place, to the date when building permits can be pulled and construction begins. There appear to be a variety of causes. One developer recently reported that it took him one full year from the date land use approvals were granted by the town to the date the plans could be signed by town officials and filed; the delay was due to the time required to obtain permits from the New York City Department of Environmental Protection, as the property is in the NYC Watershed area. Such permits

cannot be applied for or granted prior to obtainment of local land use approval. At the end of the second quarter, another developer was still waiting for final clearance test results after an unexpected oil spill occurred on the property; land use approvals were obtained in 2011. The developer expects the property will be ready for purchase and construction in the third quarter 2012. These developers are evaluating cost escalations due to these unexpected delays to make sure that the developments can be completed within budget.

The County conducted a review of the timing associated with latest approved developments to be able to provide an updated sense of how long it takes for developments to get their approvals. For the development proposed at 445 North State Road, Briarcliff Manor, the timeline started with a meeting with the County and the owner on March 26, 2010. The owner made his first submission to the Village of a site plan application along with a Short Environmental Assessment Form (per SEQR regulations) on June 24, 2010. SEQR findings were made by the Village in March 2011; site plan approval was granted in April 2011 and a zoning text amendment related to parking was approved in May 2011. In the meantime an application to NYS for AHC funds was submitted in May 2011. NYS approved funding in December 2011 followed by County approval of its FAH and HOME funds in March 2012. Review of the Inter-Municipal Developer Agreements took longer than expected, and the closing was subsequently delayed. A closing on the property and execution of all documents is now expected to occur in the third quarter 2012.

Appendix V-1: 2Q 2012 AFFH Referral Letters

VI. Financing and Expenditures

- A. Funds expended by county to develop affordable AFFH units and sources of those funds within the reporting period; total spending to date
- B. County's efforts to leverage funds
- C. County's efforts to create a revolving loan fund
- D. Status of applications or rationale for not applying for financial support from:
 - i. NYS agencies
 - 1. NYS Housing Finance Agency
 - 2. NYS Homes and Community Renewal
 - ii. HUD
 - iii. Private foundations
- E. Policy and planning tools
 - i. Activities that affirmatively further fair housing
 - ii. Policy to condition the use of public funds and resources on certain commitments intended to AFFH
 - iii. Impact of those expenditures on development of AFFH
- F. Status of revisions to Analysis of Impediments to Fair Housing Choice ("AI")

Summary of Actions this Quarter: This quarter the County expended \$1,054,558 of its funds for AFFH developments, though additional funds were obligated. A summary of each area included in the 2Q 2012 Financial Report is presented below.

From the \$21.6 million in the County's CDBG Line of Credit, no new funds for housing activities were obligated this quarter. A total of \$15,435,500 has been approved for use through approvals from the Board of Legislators; most also obligated through executed contracts. This includes the \$2.5 million approved for the Acquisition and Rehabilitation Revolving Loan Fund, but not yet obligated with contracts for specific sites. This amount represents over 71% of the \$21.6 million Line of Credit. There remains a balance of \$6,164,500 of unobligated/unapproved funds. A total of \$1,054,558 was actually expended in this category this quarter.

From the \$30 million that the County is expected to obligate for the acquisition and construction of housing and its related site work through 2014, no new activities were approved this quarter. No funds were expended in this category this quarter.

From the \$400,000 that the County is expected to expend for other consultants, outreach and education activities, one activity was obligated this quarter – the legal zoning review by Pace University Land Use Law Center. No funds were expended in this category this quarter.

No program income has been collected on any CDBG expenditures (from the \$21.6 million listed above).

During this quarter, the County provided funding from a variety of other funding sources for a number of fair and affordable related activities to leverage the County's funds. The County expended

a total of \$255,786 on other affordable housing activities and housing services provided through four contracts or agreements with housing agencies as follows:

- 1) \$116,761 was expended toward the construction of the Freedom Gardens three unit development in Yorktown under a contract for HOME funds;
- 2) \$72,359 was expended toward site work for the Roundtop development in Cortlandt using the County's 2009-2010 CDBG funds;
- 3) \$16,666 was expended under the Technical Assistance contract with Housing Action Council using 2012 Tax Levy funds to provide technical assistance to non-profit developers assisting affordable AFFH developments; and
- 4) \$50,000 was expended under the Technical Assistance contract with Community Capital Resources using 2012 Tax Levy funds. Under this contract critical gap financing was provided to affordable housing developments and feasibility loans, together with technical assistance support and advocacy provided to affordable housing groups;

During this Quarter, the County received notice from the U.S. Department of Housing and Urban Development (HUD) that HUD was rejecting its certification associated with the County's FY 2012 funding under the Community Development Block Grant, HOME Investment Partnership Program and Emergency Solutions Grant programs. In all, over \$5.2 million was requested. The County did not receive notice of any successful grant applications during this quarter, noting of particular concern, that the March 15, 2011 submission by the County of its Action Plan application for FY 2011 to HUD for funding under the Community Development (CDBG), HOME Investment Partnership Program and Emergency Shelter Grant (ESG) programs, totaling approximately \$8,473,589 has still not been released. The County continues to await approval notice of these grant applications.

As the quarter ended, the County received word on its application to New York State Affordable Housing Corporation in April 2010 requesting \$300,000 for Housing Improvement Program funds to assist with housing repairs to homeownership properties which will preserve existing housing as affordable to low income homeowners was being set aside and the County would need to reapply for the funds if they were still required. These funds will be available to be used for properties in the Eligible Municipalities toward affordable AFFH units that would qualify under Paragraph 7(h) of the Settlement Agreement.

There has been no indication on when NYS Homes and Community Renewal will release their next Notice of Funding Availability for Low Income Housing Tax Credits. With the introduction of the Governor's new Regional Economic Development Councils, these agencies no longer have definitive application round schedules, making it difficult to predict when developments in the pipeline will be able to expect financing approval and thus begin their construction. The NYS Affordable Housing Corporation announced their next application round for potential homeownership development

subsidies would be due in July 2012. The County notified developers with potential homeownership developments of the deadline and will consider requests for support letters in the next quarter.

Appendix VI-1: 2Q 2012 Financial Report

VII. Overall Progress

- A. The County's progress toward the interim mandatory goals set forth in Paragraph 23, the benchmarks and timetables in the implementation plan, and its obligations under the Stipulation
- B. A description of any specific obstacles the County has faced in its efforts to comply with its obligations under the Stipulation and the County's efforts to overcome those obstacles, specifying whether the County believes any obstacles outside of its influence or control will prevent the County from meeting its obligations as required pursuant to Paragraph 29 of the Stipulation
- C. The County's need for additional expert support, if any
- D. Public Statements

Summary of Actions this Quarter: As required by Paragraph 23 of the Settlement Agreement, the County is required to have 200 affordable AFFH units with financing in place by December 31, 2012. As of the end of this quarter, 207 units have all financing in place. This benchmark is met.

Paragraph 23 of the Settlement Agreement, also required that the County have building permits for 125 affordable AFFH units in place by December 31, 2012. One hundred sixteen units have achieved this status. This benchmark is almost met and is expected to be met in the third quarter of 2012.

The 2Q 2012 FAH Sites Progress List in the Appendix provides information on each development and also on the status of the development and what action is expected in the next 90 days.

Through correspondence previously sent to the Monitor dated June 7, 2010, the County is seeking further review of the eligibility of pre-existing housing units with tenants in residence which impacts the eligibility of approximately 66 units considered eligible by the County. There were no meetings concerning this issue during this quarter; the County awaits the Monitor's decision on this issue.

During this quarter, the County developed a draft RFP for a marketing consultant to assist with the implementation of the Affirmative Fair Housing Marketing Plans.

In response to the request by the Monitor, public statements by the County Executive for the short period following the County's submission of the Biennial Assessment, have been included in Appendix VII-1.

Appendix VII-1: Public Statements Between April 1, 2012 and June 30, 2012

**WESTCHESTER COUNTY FAIR AND AFFORDABLE HOUSING
QUARTERLY REPORT**

For the period: April 1, 2012 through June 30, 2012

Appendix I-1: 2Q 2012 AFFH Sites Progress List

2 Q 2012 AFFH Sites Progress List

All Sites																									
Project										Site Description					Developer		Approvals, Funding and Development Progress								
Project Name/Address	Municipality	Total No. of Units	No. of AFFH Units	Stipulation Area Designation	Census Tract	Census Block	Lowest AA/H	School Dits.	No. of Senior Units ¹	No. of Existing Rental Units ²	No. of Eligible Rental Units ³	No. of Eligible Owner-ship Units ⁴	Unit Size & Configuration	Within 1 mile of Public Transportation	Existing Public Water Service	Existing Public Sewers	Developer NFP-Not for Profit FP - For Profit	Non-County Financing	\$21.6 Million	\$30 Million	Other County Funding	All Financing in Place	Building Permits Issued for AFFH Units	Current Status	Next 90 Days
867 Saw Mill River Rd	ARD	22	17	A	010600	1004	no	Ardley Union Free				17	2 and 3 BRs	yes	yes	yes	Community Housing Innovations (NFP)	AHC						Zoning in place. Received County Planning Board approval 11/1/11, and final local approvals 12/5/11. Received AHC award 4/12/12. To be submitted to Board of Legislators in July.	Approval of funding request to and approval from the Board of Legislators.
445 North State Road	BMR	14	14	A	013202	4000	no	Briarcliff Manor Union Free				14	2 BRs	yes	yes	yes	Comstock Residential Contracting (FP)	AHC	\$ 1,510,000	\$ 300,000		14		Funding request approved by Board of Legislators 3/12/12 and submitted to the Board of Acquisition and Contracts.	Receive Village authorization for the site work agreement. Complete land transaction and begin construction and marketing.
Roundtop Rt 9A, Montrose	CTD	92	83	57B and 26C	014603	9000	yes ⁵	Hendrick-Hudson Central				83	1 and 2 BRs	yes	yes	no	Wilder/Balter Partners (FP)	HFA	\$ 5,474,000		\$ 3,266,000	83	83	Buildings one, two and three are completed and occupied.	Construction continuing, C of O on remaining building with full occupancy expected August 2012.
184 Farragut Ave	HAS	2	2	A	101200	4002	no	Hastings Union Free			1	1	3BR owner and Studio renter	yes	yes	yes	Hastings-on-Hudson Affordable HDFC (NFP)	AHC						Developer seeking local approvals including special permit from village.	Will continue through review process and adjust plans to address comments
Mt Hope Blvd	HAS	2	2	A	010200	1012	yes	Hastings Union Free			1	1	3BR Owner and Studio renter	yes	yes	yes	Hastings-on-Hudson Affordable HDFC (NFP)	AHC						Developer seeking local approvals including special permit from village.	Will continue through review process and adjust plans to address comments
2101-2105 Palmer Ave	LAR	51	46	A	007100	5007	yes	Mamaroneck				46	1 and 2 BRs	yes	yes	yes	Wilder/Balter Partners (FP)	AHC	\$ 5,673,000		\$ 1,292,000	46		Approved by Board of Legislators and Board of Acquisition and Contracts. Has all local approvals, NYS funding approved. AFH Marketing has begun. Still clearing up environmental issue	Complete land transaction and begin construction and marketing.
22 Old Route 22	NOC	10	10	A	012303	9014	yes	Byram Hills Central				10	2 BRs	yes	yes	yes	Pawling Holdings (FP)	AHC			\$ 425,000			Local approvals in place. Passed County Planning Board 3/29/11. HOME contract signed. NYSAHC funding approved 12/1/11	Submission of legislation to the Board of Legislators.
900 Peach Lake Rd	NSM	2	2	A	015000	2013	yes	North Salem Central		1	2		3BR and 1 BR	no	no	no	A-HOME - (NFP)				\$ 29,000			The Town of North Salem to acquire and grant a long term lease with A-HOME's subsidiary, ACE. County financial support for A-HOME's pre development costs are in place.	Complete property transfer and seek approval for rehab financing.
256 June Rd	NSM	65	65	A	015000	8000	no	North Salem Central			65		1BRs, 2BRs, 3BRs	no	no	no	Wilder/Balter Partners (FP)	HCR						SEQR has been reopened to address the change from ownership to rental and revised site plan. Appraisal update has been ordered.	Close of SEQR and acquire local approvals. Proceed with approvals for County funding.
555 Rt 22	NSM	102	102	A	015000	8016	no	North Salem Central	84		102		1 and 2 BRs	yes	extension required	extension required	Ken Kearney (FP)	HCR						Predevelopment activities underway	Seek land use and financing approvals.
54 Hunts Place	NWC	36	36	A	013104	9020	yes	Chappaqua			36		1 and 2 BRs	yes	yes	yes	Conifer	DHCR						Site rezoned for affordable housing. Developer has been awarded NYS tax credit funding. Working through land use approvals	Secure land use approvals. Complete underwriting for County funding and start to pursue County financing.
Chappaqua Crossing	NWC	111	20	A	013102	2001	no	Chappaqua				20	1 BRs and 2 BRs	yes	yes	yes	SG Chappaqua B, LLC							Town approvals require 20 AFFH units	
55 Pleasant Ave,	PLV	2	2	A	012200	5017	no	PLV Union Free			1	1	3 BRs owner 2 BRs renters	yes	yes	yes	A-HOME - (NFP)	AHC				2		County approvals authorizing the property transfer and rehabilitation funding are in place.	Transfer of the property from NYS to the County and subsequent transfer of title to A-HOME. Rehabilitation to begin thereafter.
293 Marville Rd	PLV	1	1	A	112200	6022	no	PLV Union Free		1		1	2 BR	yes	yes	yes	Pleasantville Housing Development Fund Company	N/A	\$ 212,500			1	1	Marketing and owner qualification complete. Lottery conducted. County purchase and conveyance of the property is complete	Sale to owner and occupancy
525 Ellendale Ave	RYB	4	4	C	008301	1009	no	Port Chester-Rye Union				4	1 BRs	yes	yes	yes	Pawling Holdings (FP)	N/A						Developer seeking local approvals. Underwriting is in process.	Developer to secure local approvals and submit application to NYS for funding. Begin County approval process
80 Bowman Ave	RYB	16	16	A	008301	4001	no	Port Chester-Rye Union				16	1 and 2 BRs	yes	yes	yes	Frank Madonna (FP)	AHC						Seeking land use approvals. Appraisal has been completed.	Site plan approval and complete underwriting for County funding. NYSAHC application to be submitted
15 Edgar Place	RYC	22	18	A	007700	1002	yes	Rye City				18	11 - 1 BRs 7 - 1 BRs + den	yes	yes	yes	Pawling Holdings (FP)	AHC	\$1,356,000		\$ 880,000	18	18	Lottery held 1/5/12. Construction nearly complete. Condominium plan submitted to NYS	Awaiting AG approval. Complete construction and begin sales and occupancy.
Clayton Blvd.	SOM	72	72	A	014908	2000	no	Somers	72		72		1 BRs and 2BRs	yes	yes	yes	Ken Kearney (FP)	HFA						Review of Development schematics and proforma underway. Local approval process has begun.	Secure land use approvals and start to secure other financing
Freedom Gardens 1680 Strawberry Rd, Mohegan Lake	YTN	3	3	A	014804	5000	no	Lakeland Central				3	1 BRs	yes	yes	yes	Freedom Gardens for the Handicapped, Inc. (NFP)	DHCR, Leviticus, FHLB			\$ 225,000	3	3	Construction underway.	Construction continues. Completion anticipated in autumn.
3372 Crompond Rd	YTN	26	26	A	014805	1004	yes	Yorktown Central				26	3 BRs	yes	yes	yes	Old Crompond Rd. LLC (FP)	AHC	\$ 2,930,000	\$ 500,000		26		Site plan approved. County financing approvals in place. Received NYC DEP approval.	Town authorization for the site work agreement, land closing and pull building permits. Infrastructure work to be bid and construction to start.

1. Pursuant to paragraph 7(f) of the Stipulation, this number cannot exceed 187 and no senior units can be funded until 175 non-senior units have received
2. Pursuant to paragraph 7(h) of the Stipulation, this number cannot exceed 187 units.
3. A minimum of 375 units must be in this category.
4. A maximum of 375 units can be in this category.
5. Eligible after removing the group quarters from the census tract
6. Rehabilitation is not required at this time, so there no new building permit required. The original building permit/Certificate of Occupancy remains viable

2 Q 2012 AFFH Sites Progress List

All Sites																												
Project													Site Description			Developer		Approvals, Funding and Development Progress										
Project Name/Address	Municipality	Total No. of Units	No. of AFFH Units	Stipulation Area Designation	Census Tract	Census Block	Lowest AA/H	School Dits.	No. of Senior Units ¹	No. of Existing Units ²	No. of Eligible Rental Units ³	No. of Eligible Owner-ship Units ⁴	Unit Size & Configuration	Within 1 mile of Public Transportation	Existing Public Water Service	Existing Public Sewers	Developer NFP-Not for Profit FP - For Profit	Non-County Financing	\$21.6 Million	\$30 Million	Other County Funding	All Financing in Place	Building Permits Issued for AFFH Units	Current Status	Next 90 Days			
Existing Occupied Housing⁷																												
37 Wildwood Rd Katonah	BED	7	1	A	012600	3011	no	Katonah Lewisboro Union Free		7	1		Studio and 1 BRs	yes	yes	yes	A-HOME - (NFP)	Leviticus			\$ 470,000	1	1	Rehab continues; marketing complete; lottery conducted	Occupancy expected			
2 Woodland Ave	LAR	2		A	007100	7005	yes	Mamaroneck		2				yes	yes	yes	ICARE - (NFP)							Preliminary rehab budget complete, inspections complete	Begin to seek County funds			
240 Underhill Ave	YTN	60	7	A	014809	3009	no	Yorktown Central		60	7		1,2,3 & 4 BRs	yes	yes	yes	Marathon Development Group (FP)	HCR				7	7	Developer has purchased the complex and filed a Declaration of Restrictive Covenants for AFFH units. Renovations have begun.	Begin affirmative marketing of 7 AFFH units that have become vacant. Additional units are expected to be vacated.			
Acquisition/Rehabilitation Revolving Loan Fund																												
TBD	TBD	14 ⁸	14							14								AHC						BOL approved \$2.5 million for 17 units. Thirteen sites reviewed.	Seeking sites and underwriting.			
52 Washington Ave	HAS	3	3	A	010300	3001	no	Hastings Union Free		3		3	2 - 3 BRs 1 - 2 BR	yes	yes	yes	Hastings-on-Hudson Affordable HDFC (NFP)	AHC	\$ 761,500		\$ 257,359	3		The Developer is seeking to acquire a 3 family home and convert to 3 condominium AFFH units. Appraisal completed. Approved by Board of Acquisitions and Contracts. HOME contract executed.	Building purchase and begin rehab work. Marketing to be conducted			
Completed AFFH Units																												
42 First Ave	PEL	3	3	B	005300	5008	no	Pelham Union Free		3	2	1	2BR owner and 1 and 2 BRs renter	yes	yes	yes	Pawling Holdings(FP)	AHC	\$ 120,000			3	3	Completed	Completed			
					Lowest AA/H UnitS	Non-Lowest AA/H Units																						
TOTALS		744	569		223	332				156	91	376	179						\$ 13,597,000	\$ 4,440,000	\$ 7,644,359	207	116					
7. Potential AFFH Units not yet eligible due to the issue of current occupancy. 8. Estimated Number																												
6/30/2012																												

**WESTCHESTER COUNTY FAIR AND AFFORDABLE HOUSING
QUARTERLY REPORT**

For the period: April 1, 2012 through June 30, 2012

**Appendix I-2: Site/Municipal Data and Opportunity Indicators for New 2Q 2012
Pipeline Listings**

Appendix I-2: Demographic and Opportunity Indicators, Selected Sites

	2 Woodland Ave.			480 Bedford Rd		
Municipality	Larchmont			New Castle		
Census Tract	71			131		
Block Group	7 (Block 7005)			2 (Block 2001)		
School District	Mamaroneck			Chappaqua		
Police Department	Larchmont			New Castle		
		<i>Block/Block</i>		<i>Block/Block</i>		
	<i>County</i>	<i>Municipality</i>	<i>Group*</i>	<i>Municipality</i>	<i>Group*</i>	
TOTAL POPULATION (source: 2000 U.S. Census of Population and Housing)						
Total population	923,459	6,485	4	17,491	125	
SEX (source: 2000 U.S. Census of Population and Housing)						
Male	441,722	3,084	1	8,649	64	
Female	481,737	3,401	3	8,842	61	
AGE (source: 2000 U.S. Census of Population and Housing)						
Under 5 years	64,242	573		1,398	8	
5 to 9 years	67,993	593	0	1,755	17	
10 to 14 years	63,757	508	0	1,619	13	
15 to 17 years	34,805	229	0	802	8	
18 and 19 years	19,558	87	0	254	1	
20 years	9,162	27	0	93	0	
21 years	9,109	23	1	58	0	
22 to 24 years	28,691	117	0	233	0	
25 to 29 years	54,734	277	0	412	3	
30 to 34 years	68,733	479	0	871	1	
35 to 39 years	79,809	610	0	1,459	8	
40 to 44 years	77,224	586	2	1,705	17	
45 to 49 years	68,166	500	0	1,813	19	
50 to 54 years	61,832	426	0	1,544	7	
55 to 59 years	48,310	348	0	1,120	9	
60 and 61 years	16,360	123	0	348	2	
62 to 64 years	22,010	141	0	399	1	
65 and 66 years	13,679	85	0	243	1	
67 to 69 years	20,360	138	0	316	3	
70 to 74 years	32,746	224	1	498	3	
75 to 79 years	26,529	166	0	299	1	
80 to 84 years	17,991	110	0	142	2	
85 years and over	17,659	115	0	110	1	
RACE (source: 2000 U.S. Census of Population and Housing)						
White alone	658,858	6,111	4	16,004	116	
Black or African-American alone	131,132	44	0	240	0	
American Indian/Alaska Native alone	2,343	6	0	8	0	
Asian alone	41,367	183	0	971	9	
Native Hawaiian or other Pacific Islander alone	371	15	0	3	0	
Some other race alone	61,227	50	0	90	0	
Two or more races	28,161	86		175	0	
HISPANIC ORIGIN (source: 2000 U.S. Census of Population and Housing)						
Hispanic or Latino	144,124	291	0	487	11	
Not Hispanic or Latino	779,335	6,194	4	17,004	114	

See notes for descriptions of data and sources.

	2 Woodland Ave.	480 Bedford Rd
Municipality	Larchmont	New Castle
Census Tract	71	131
Block Group	7 (Block 7005)	2 (Block 2001)
School District	Mamaroneck	Chappaqua
Police Department	Larchmont	New Castle

County	Municipality	Block/Block Group*	Municipality	Block/Block Group*
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POPULATION DENSITY (source: Land Use in Westchester, 2010 report by WCDP)

Land area (square miles)	449.16	1.10		
Persons per square mile	2,056	5895.45		

COMMUTING: MODE OF TRAVEL (source: 2000 U.S. Census of Population and Housing)

Total Number of Workers 16 years and older	425,052	3,074	661	8,309	364
Automobile: drove alone	261,742	1,275	291	5,086	213
Automobile: carpoled	40,384	207	68	435	0
Public transportation	86,735	1,171	302	2,101	134
Motorcycle	158	0	0	0	0
Bicycle	472	32	0	5	0
Walked	17,180	111	39	41	0
Other means	2,076	8	8	39	0
Work at home	16,305	270	21	602	17

COMMUTING: TRAVEL TIME (source: 2000 U.S. Census of Population and Housing)

Aggregate travel time to work (minutes)	13,379,665	113,450	25,970	321,550	15,825
Average travel time to work (minutes)	31	41	21	39	43

POVERTY (source: U.S. Census Bureau, Model-Based 2008 Small Area Income and Poverty Estimates)

Total Population (base for poverty estimates)	935,202	6,455	1,380	17,390	914
Total Population 5-17 years old	166,366	1,369	204	4,085	234
Total Population 5-17 years old in families in poverty	16,803	13	0	175	0

HIGH SCHOOL PROFICIENCY (source: Westchester Magazine 2009 annual high school report card)

High School Reading and Math Proficiency Rate		88		90	
---	--	----	--	----	--

CRIME (source: Department of Justice, Federal Bureau of Investigation, Crime Justice Information Services Division, 2009)

Total Population (base for crime reporting)	828,089	6,598		17,806	
Total crimes reported	15,783	140		108	
Crime Rate (total crimes per 100,000 population)	1,906	2,122		607	

	2 Woodland Ave.	480 Bedford Rd
Municipality	Larchmont	New Castle
Census Tract	71	131
Block Group	7 (Block 7005)	2 (Block 2001)
School District	Mamaroneck	Chappaqua
Police Department	Larchmont	New Castle

County	Municipality	Block/Block Group*	Municipality	Block/Block Group*
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TOTAL EMPLOYMENT (source: U.S. Census Bureau, Local Employment Dynamics program, 2008)

Total Jobs	406,225	2,996		4,153
------------	---------	-------	--	-------

Dynamics program, 2008)

\$1,250 per month or less	91,814	785		1,054
\$1,251 to \$3,333 per month	122,030	1,006		1,431
More than \$3,333 per month	192,381	1,205		1,668

program, 2008)

Agriculture, Forestry, Fishing and Hunting	424	0		0
Mining, Quarrying, and Oil and Gas Extraction	6	0		0
Utilities	3,059	0		21
Construction	25,117	156		244
Manufacturing	17,582	10		23
Wholesale Trade	17,715	111		71
Retail Trade	47,378	427		380
Transportation and Warehousing	11,526	16		274
Information	12,293	18		52
Finance and Insurance	18,587	134		68
Real Estate and Rental and Leasing	9,998	129		80
Professional, Scientific, and Technical Services	26,303	213		373
Management of Companies and Enterprises	8,667	9		1
Administration & Support, Waste Management and Remediation	21,875	75		272
Educational Services	49,728	733		833
Health Care and Social Assistance	64,792	151		314
Arts, Entertainment, and Recreation	8,907	157		125
Accommodation and Food Services	21,776	330		287
Other Services (excluding Public Administration)	19,609	327		733
Public Administration	20,883	0		2

EDUCATIONAL ATTAINMENT (source: 2000 U.S. Census of Population and Housing)

Total population 25 years and older	628,941	4,354	1,042	11,388	578
Associates' degree or less	372,017	1,144	258	2,737	108
Bachelor's degree or higher	256,924	3,210	784	8,651	470

**WESTCHESTER COUNTY FAIR AND AFFORDABLE HOUSING
QUARTERLY REPORT**

For the period: April 1, 2012 through June 30, 2012

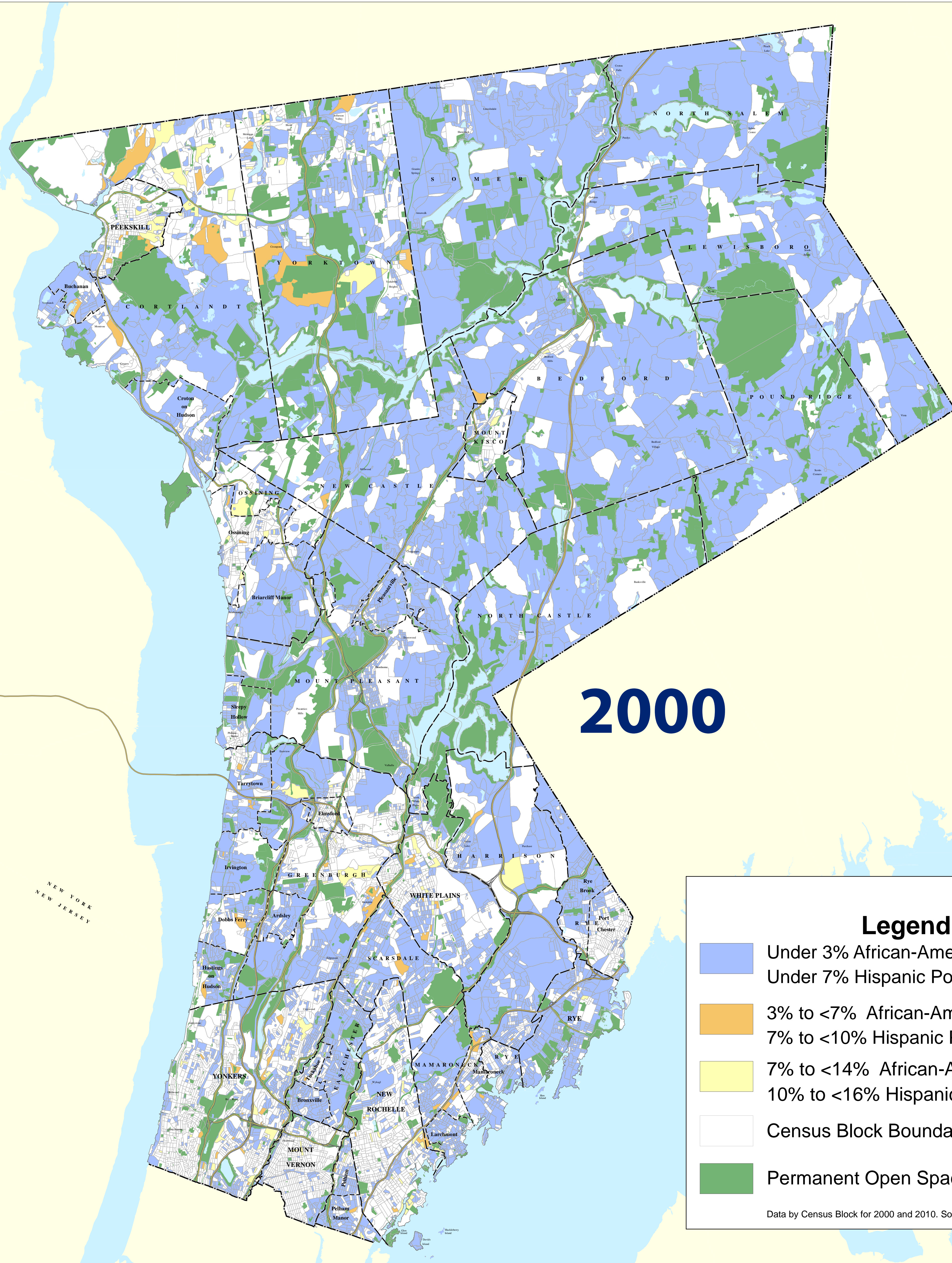
Appendix I-3: Initial Occupancy Report for AFFH Units as of June 30, 2012

**WESTCHESTER COUNTY FAIR AND AFFORDABLE HOUSING
QUARTERLY REPORT**

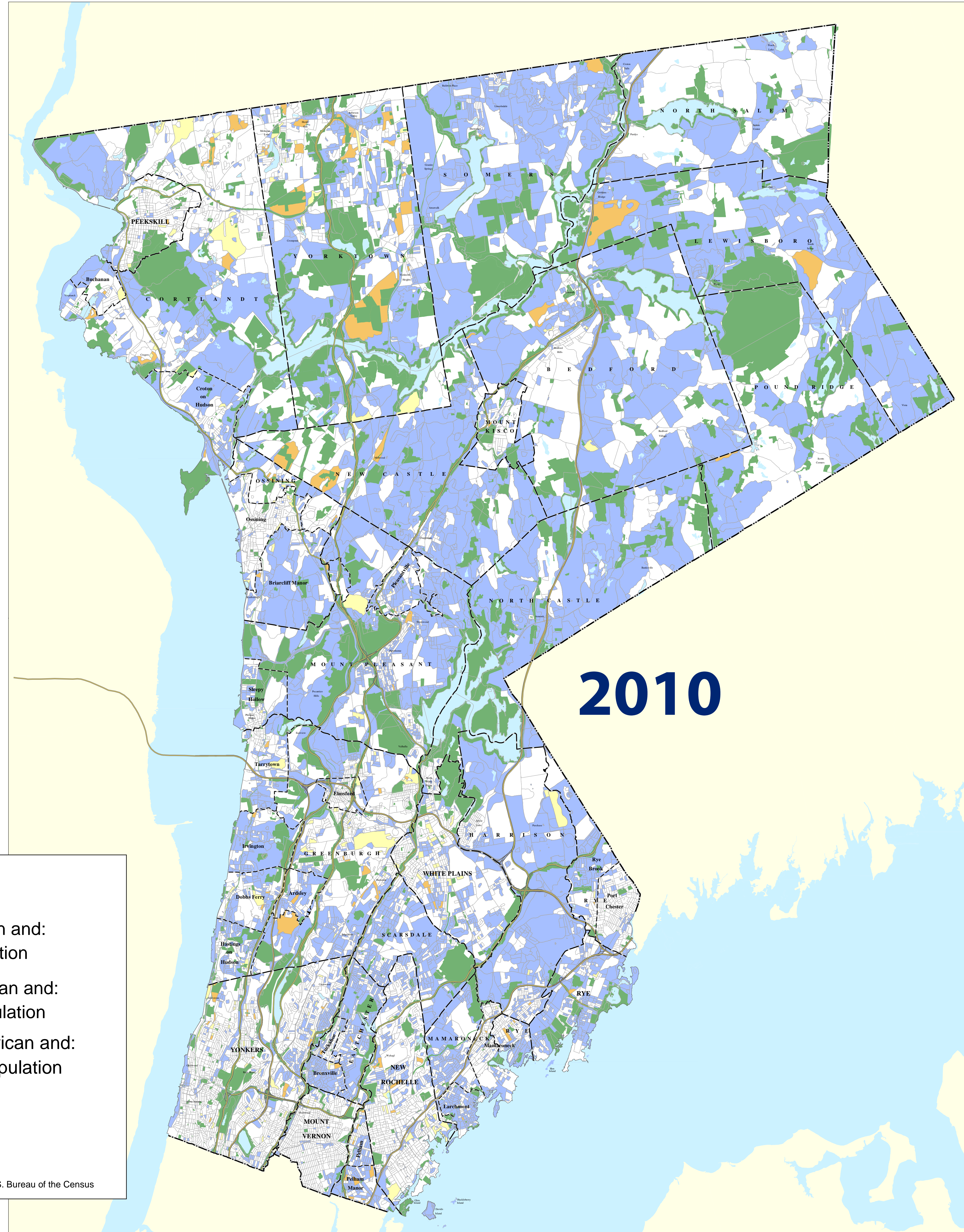
For the period: April 1, 2012 through June 30, 2012

**Appendix II-1: Map of African American and Hispanic Population Percentage
Comparison by Census Block, 2000 and 2010**

WESTCHESTER COUNTY, NEW YORK

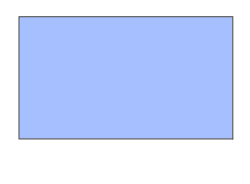

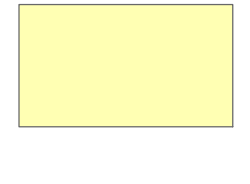




2000



2010

Legend

-  Under 3% African-American and:
Under 7% Hispanic Population
-  3% to <7% African-American and:
7% to <10% Hispanic Population
-  7% to <14% African-American and:
10% to <16% Hispanic Population
-  Census Block Boundaries
-  Permanent Open Space

Data by Census Block for 2000 and 2010. Source: U.S. Bureau of the Census

African-American and Hispanic Population Percentage Comparison by Census Block 2000 & 2010

**WESTCHESTER COUNTY FAIR AND AFFORDABLE HOUSING
QUARTERLY REPORT**

For the period: April 1, 2012 through June 30, 2012

Appendix IV-1: 2Q 2012 Housing Meetings List

**WESTCHESTER COUNTY EXECUTIVE'S OFFICE
HOUSING MEETINGS FOR THE PERIOD: April 1 - June 30, 2012**

DATE	TIME	DESCRIPTION
4/9	10:00 AM	Meeting with two local residents/New Castle
4/10	10:00 AM	Udate Meeting with BOL Government Operations Committee
4/17	1:30 PM	Meeting with North Castle Supervisor
4/17	3:00 PM	Meeting with Developers/Somers and North Salem
4/18	7:30 PM	Meeting with the Vista Fire Department Housing Committee
4/24	10:00 AM	Udate Meeting with BOL Government Operations Committee
4/26	10:30 AM	Meeting with Developer/New Castle
4/26	6:00 PM	Meeting of the Housing Opportunity Commission
4/27	10:00 AM	Homeownership Issues meeting with developer and non-profit housing counseling agency
4/27	11:30 AM	Meeting with Eastchester Municipal Officials
4/30	11:00 AM	Site visits with North Castle Municipal Officials
5/7	1:00 PM	HUD Webinar on E-Con Planning
5/9	11:00 AM	Meeting with Developer and Rye Brook Municipal Officials
5/10	5:30 PM	Dutchess Municipal Planning Federation Session on Affordable Housing Impact of School Children and Property Values by Richard Hyman and Rose Noonan
5/11	12:00 PM	Yorktown Senior Center Opening
5/15	2:00 PM	Outreach and Education: Municipal Housing Website

**WESTCHESTER COUNTY EXECUTIVE'S OFFICE
HOUSING MEETINGS FOR THE PERIOD: April 1 - June 30, 2012**

DATE	TIME	DESCRIPTION
5/17	3:00 PM	Meeting with Potential Legal/Housing Consultants
5/23	2:00 PM	Meeting with Press Agency
5/24	11:00 AM	Conference Call with Press Agency
5/24	4:00 PM	Meeting with property owners/Scarsdale
5/30	10:45 AM	Meeting with Potential Legal/Housing Consultant
5/31	2:30 PM	Meeting on Parcel "DD"
6/6	2:00 PM	Conference Call with Press Agency
6/7	8:30 AM	Meeting of Community Capital Resources Housing Committee
6/7	11:00 AM	Meeting with Developer/Rye Brook site
6/7	12:30 PM	Meeting with Briarcliff Manor Municipal Officials
6/7	3:30 PM	Meeting with Legal/Housing Consultants
6/7	6:00 PM	Westchester Municipal Planning Federation Annual Awards Dinner - Award Recipient
6/11	1:00 PM	Meeting in Preperation for North Salem Town Hall Meeting
6/12	10:00 AM	U pate Meeting with BOL Government Operations Committee
6/13	11:00 AM	Meeting with Legal/Housing Consultants
6/13	2:45 PM	Meeting with Developers/Yonkers
6/13	7:00 PM	North Salem Town Hall meeting with County Executive Astorino
6/14	9:00 AM	Stanley Shear Award Ceremony
6/14	2:00 PM	Meeting on Parcel "DD"

**WESTCHESTER COUNTY EXECUTIVE'S OFFICE
HOUSING MEETINGS FOR THE PERIOD: April 1 - June 30, 2012**

DATE	TIME	DESCRIPTION
6/18	3:00 PM	Meeting with Developer/Realtor/Housing Agency on Yorktown Property
6/19	10:00 AM	Urban County Council Meeting in Croton-on-Hudson
6/20	11:00 AM	Meeting with Developer/Rye Brook site
6/20	4:00 PM	Meeting with Developers/New Castle
6/21	12:30 PM	Meeting with Monitor and HUD regarding Outreach, Education and Advertising
6/21	6:00 PM	Housing Opportunity Commission Meeting
6/22	9:00 AM	Meeting with Hudson Gateway Association of Realtors, New York State Association of Realtors
6/28	10:00 AM	Meeting with Legal/Housing Consultants
7/11/2012:NVD		

**WESTCHESTER COUNTY FAIR AND AFFORDABLE HOUSING
QUARTERLY REPORT**

For the period: April 1, 2012 through June 30, 2012

Appendix IV-2: Summary Report of Findings from Central Intake Homeseeker System Between September 30, 2010 and June 30, 2012

Summary Information on Central Intake/Homeseeker Sign-Ups

September 30, 2010 - June 30, 2012

A total of 2,353 people have signed up for the Central Intake/Homeseeker database between September 30, 2010 and June 30, 2012. The below charts and tables report the location where the person signing up originate; their household size; their ethnicity, if indicated; race, if indicated; and also both race and ethnicity. Please note that some who have signed up may not have indicated location, household size, ethnicity or race, so the totals for each grouping may not add up to 2,353 responses.

It should be noted that some number of those signing up may sign up a second or, in a few cases, a third time. On a routine basis, we reach out to those who clearly have a duplicate record, meaning the same name and same mailing address and other identical data, to ask if we may delete the duplicates. We have also sent letters to the entire Central Intake/Homeseeker list asking that they review and update their information. In some cases those who had signed up either find housing, or decide to end their search. As a result, 40 records are now considered inactive at the request of the person who has signed up.

As of October 2011, Central Intake/Homeseeker was expanded to include those interested in rental housing or both rental and homeownership housing. The below report now includes a new chart showing the interest in homeownership, rental or both. Everyone on the list prior to this option being added are listed as interested in homeownership. But, the letter sent to all of these participants noted that they could change this designation at the time they update their record in Central Intake/Homeseeker.

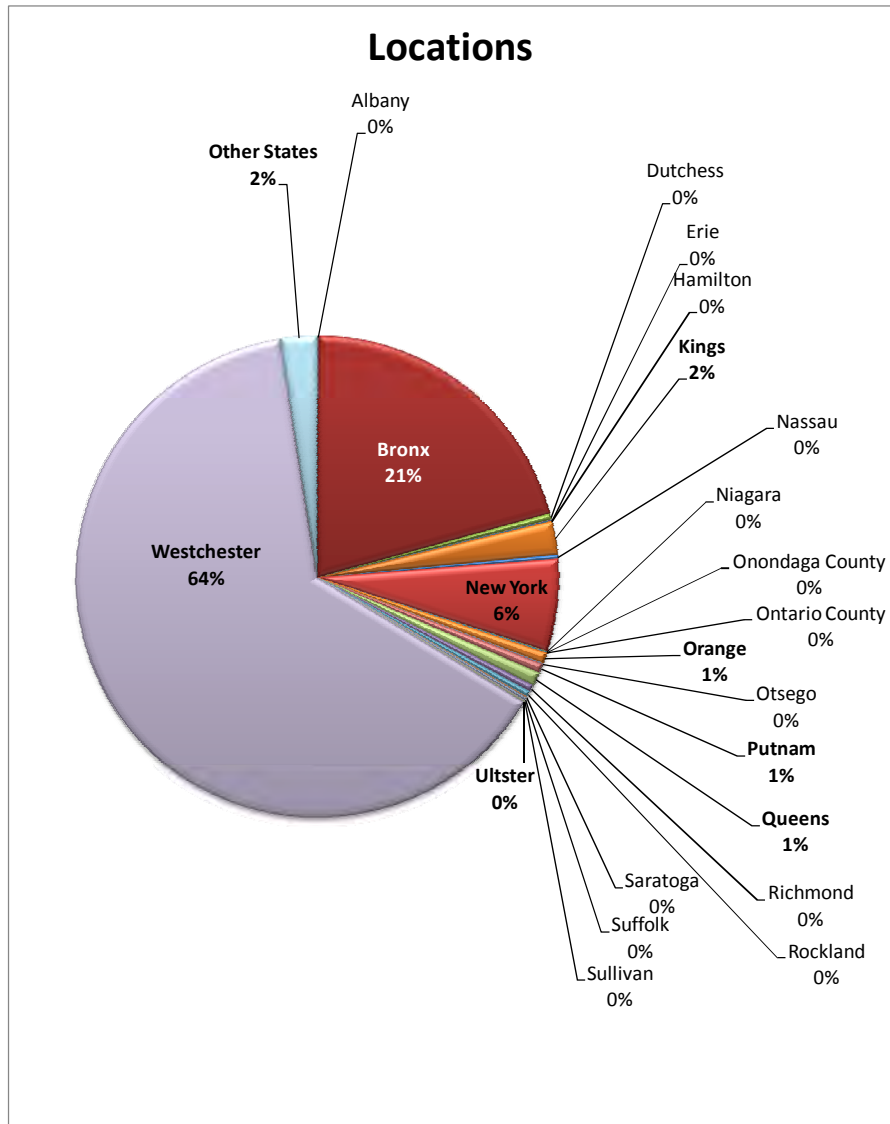
Locations of Persons Signing-Up

New York State Counties

Albany	1
Bronx	487
Dutchess	10
Erie	1
Hamilton	1
Kings	53
Nassau	6
New York	145
Niagara	1
Onondaga County	1
Ontario County	1
Orange	17
Otsego	1
Putnam	15
Queens	22
Richmond	11
Rockland	9
Saratoga	2
Suffolk	5
Sullivan	1
Ulster	2
Westchester	1503
Other States	58
Total	2353

Other States:

Arizona	1
California	1
Connecticut (10 in Fairfield County)	16
Florida	6
Georgia	4
Illinois	3
Kentucky	1
Louisiana	1
Maryland	2
Massachusetts	1
Missouri	1
Nebraska	1
New Jersey	9
North Carolina	1
Oregon	1
Pennsylvania	5
South Carolina	1
Virginia	1
Washington	2
Total	58

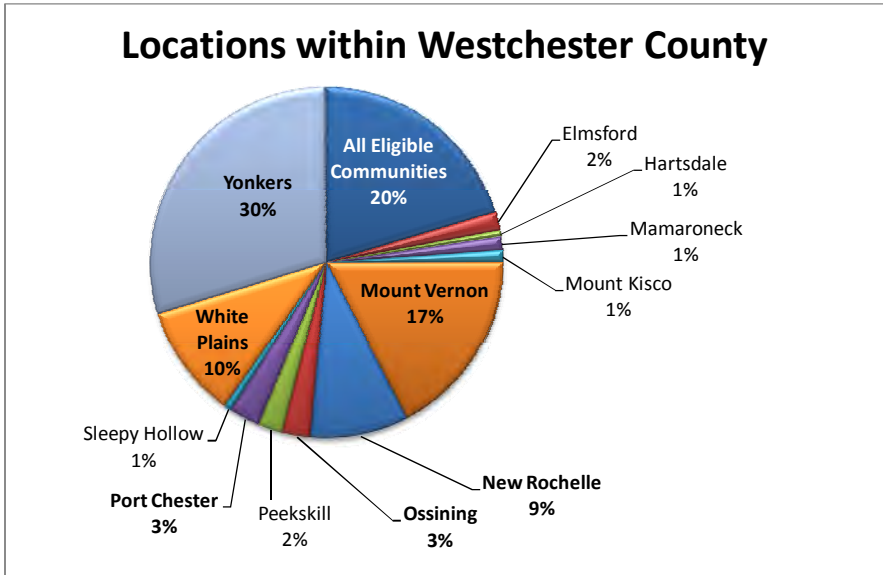


Summary Information on Central Intake/Homeseeker Sign-Ups
 September 30, 2010 - June 30, 2012

Of this total, 306 people (or 13% of the total who have signed up, and 20% of those from Westchester County) listed their address as being located within the 31 eligible communities. The following charts provide more detail of those signing up within the County, and within the 31 eligible communities.

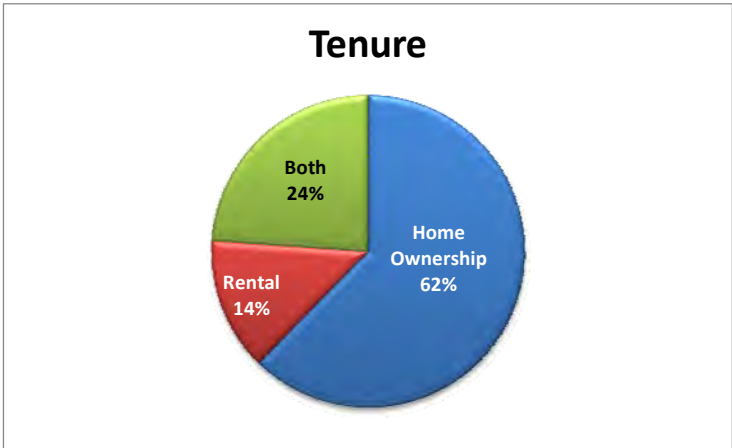
Locations within Westchester County

All Eligible Communities	306
Elmsford	26
Hartsdale	8
Mamaroneck	19
Mount Kisco	16
Mount Vernon	262
New Rochelle	136
Ossining	39
Peekskill	34
Port Chester	42
Sleepy Hollow	11
White Plains	157
Yonkers	447
Total	1503



Tenure*

Home Ownership	1354
Rental	300
Both	519
Total	2173

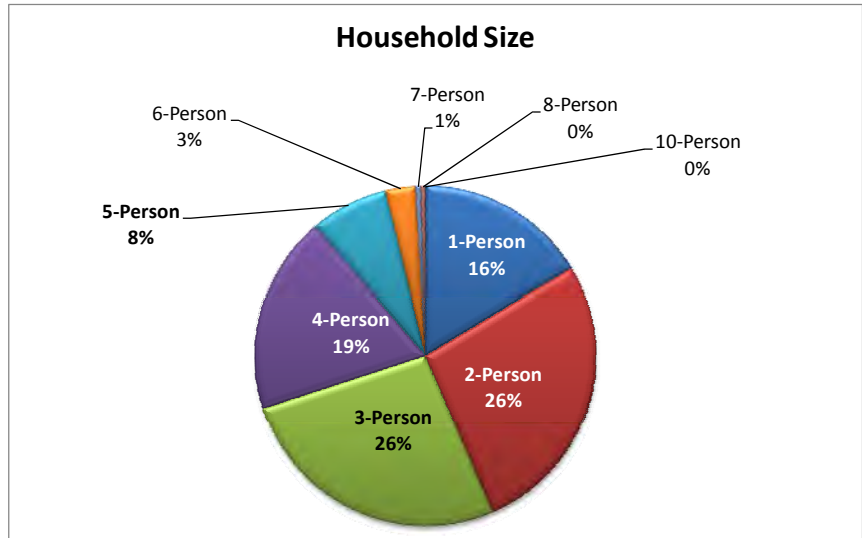


* The option to choose tenure was only offered as of October 1, 2011. Until that time, the list was only open to interested homebuyers. Therefore, this report shows a huge difference in interest between ownership and the other choices. It is expected that this difference will abate over time. Also, anyone who signed on prior to October 1st, can go back and change their tenure choice to include rental or both. These totals compared to the previous quarter show that the ratio of sign-ups for rental and those signing up for both continues to increase; while the ratio of persons signed up for homeownership is declining proportionally.

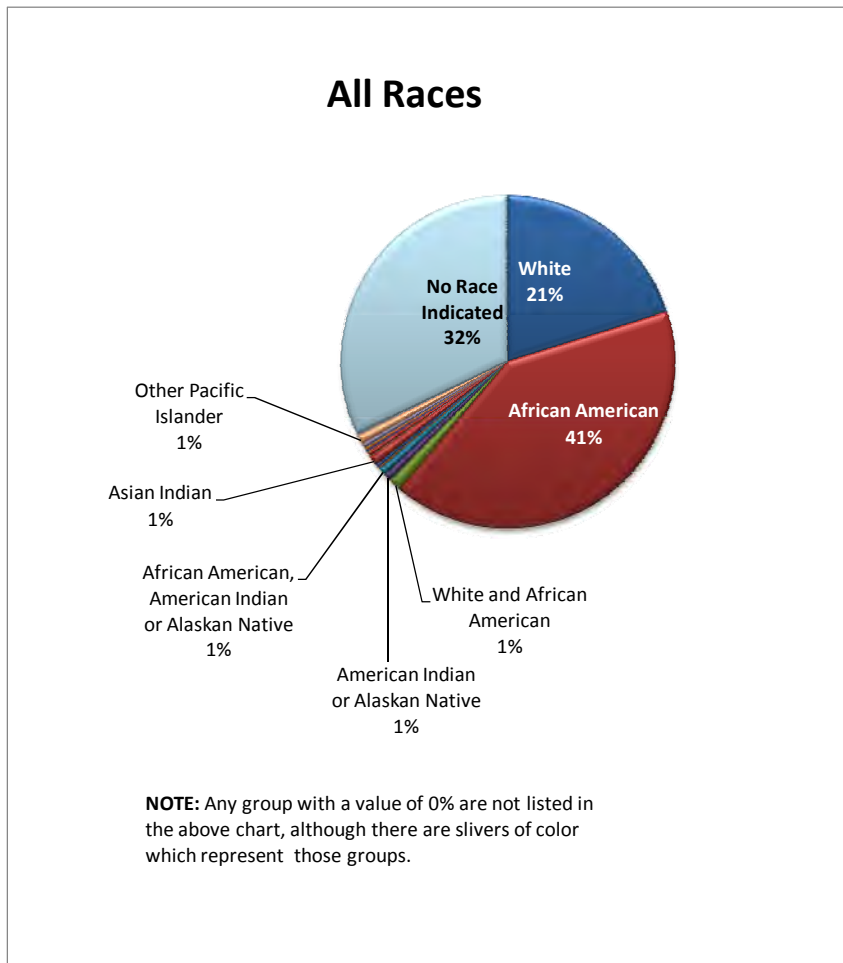
Summary Information on Central Intake/Homeseeker Sign-Ups
September 30, 2010 - June 30, 2012

Household Size

1-Person	386
2-Person	638
3-Person	622
4-Person	443
5-Person	175
6-Person	67
7-Person	12
8-Person	9
10-Person	1
Total	2353



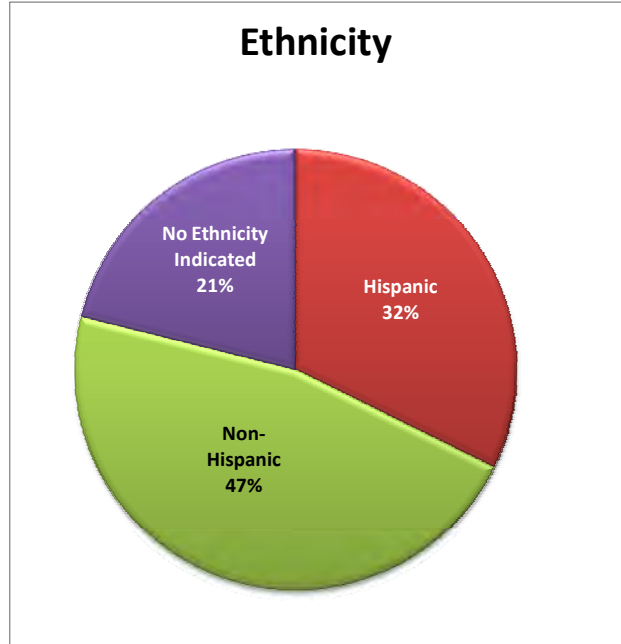
Race:	Total
White	475
African American	964
White and African American	30
American Indian or Alaskan Native	18
<i>African American, American Indian or Alaskan Native</i>	17
<i>White, American Indian or Alaskan Native</i>	4
<i>White, African American, American Indian or Alaskan Native</i>	8
Asian Indian	22
<i>African American, Asian Indian</i>	1
<i>Native Hawaiian, Asian Indian</i>	0
Japanese	0
<i>White, Japanese</i>	1
Native Hawaiian	0
Chinese	10
<i>African American, Chinese</i>	1
Korean	5
Guamanian or Chamorro	0
Filipino	5
<i>African American, Filipino</i>	2
Vietnamese	0
Samoan	0
Other Asian	9
<i>White, Other Asian</i>	1
Other Pacific Islander	20
<i>African American, Other Pacific Islander</i>	2
<i>Other Asian, Other Pacific Islander</i>	1
<i>White, other Pacific Islander</i>	1
Other Race	0
No Race Indicated	756
Total	2353



NOTE: Any group with a value of 0% are not listed in the above chart, although there are slivers of color which represent those groups.

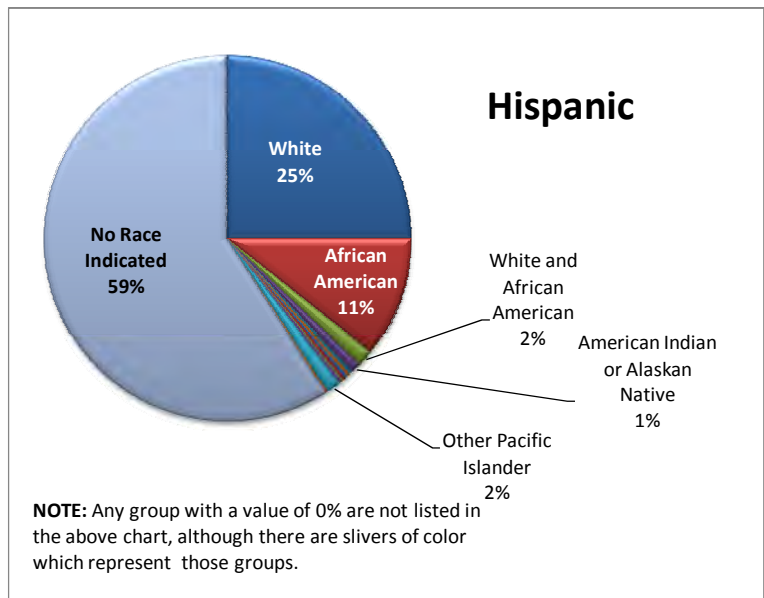
Summary Information on Central Intake/Homeseeker Sign-Ups
September 30, 2010 - June 30, 2012

Race:	Hispanic	Non-Hispanic	No Ethnicity Indicated	Total
White	190	228	57	475
African American	81	683	200	964
<i>White and African American</i>	11	18	1	30
American Indian or Alaskan Native	7	9	2	18
<i>African American, American Indian or Alaskan Native</i>	2	12	3	17
<i>White, American Indian or Alaskan Native</i>	2	1	1	4
<i>White, African American, American Indian or Alaskan Native</i>	2	6		8
Asian Indian		17	5	22
<i>African American, Asian Indian</i>			1	1
<i>Native Hawaiian, Asian Indian</i>				0
Japanese				0
<i>White, Japanese</i>		1		1
Native Hawaiian				0
Chinese	2	5	3	10
<i>African American, Chinese</i>		1		1
Korean		3	2	5
Guamanian or Chamorro				0
Filipino	1	4		5
<i>African American, Filipino</i>		2		2
Vietnamese				0
Samoan				0
Other Asian	2	5	2	9
<i>White, Other Asian</i>		1		1
Other Pacific Islander	10	9	1	20
<i>African American, Other Pacific Islander</i>		2		2
<i>Other Asian, Other Pacific Islander</i>		1		1
<i>White, Other Pacific Islander</i>	1			1
Other Race				0
No Race Indicated	449	88	219	756
Total	760	1096	497	2353



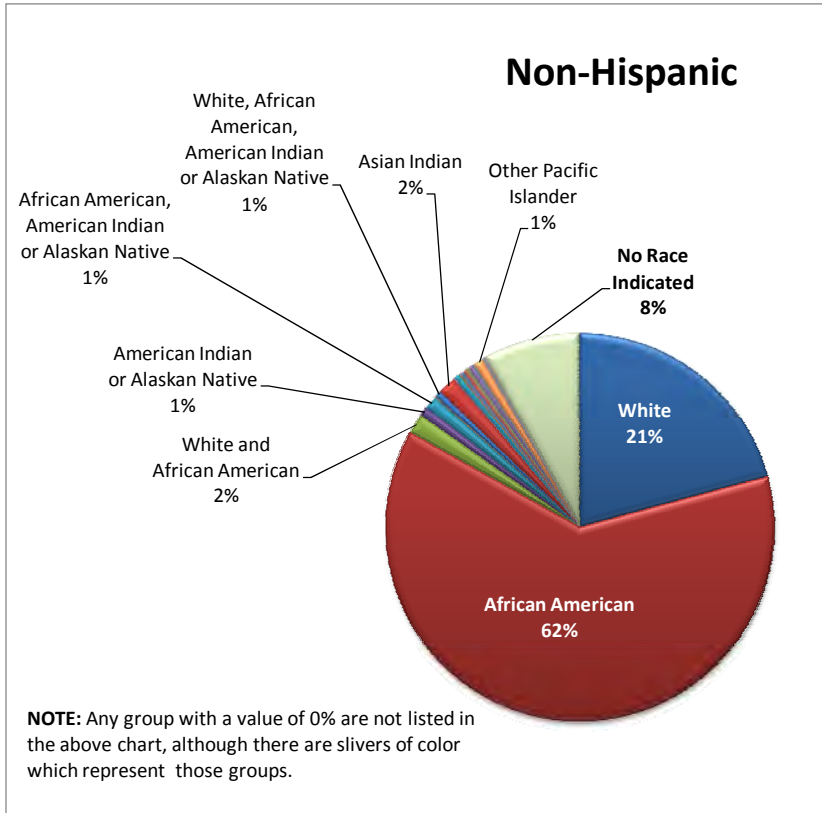
Ethnicity	Total
Hispanic	760
Non-Hispanic	1096
No Ethnicity Indicated	497
Total	2353

Race:	Hispanic
White	190
African American	81
<i>White and African American</i>	11
American Indian or Alaskan Native	7
<i>African American, American Indian or Alaskan Native</i>	2
<i>White, American Indian or Alaskan Native</i>	2
<i>White, African American, American Indian or Alaskan Native</i>	2
Chinese	2
Filipino	1
Other Asian	2
Other Pacific Islander	10
<i>White, Other Pacific Islander</i>	1
No Race Indicated	449
Total	760

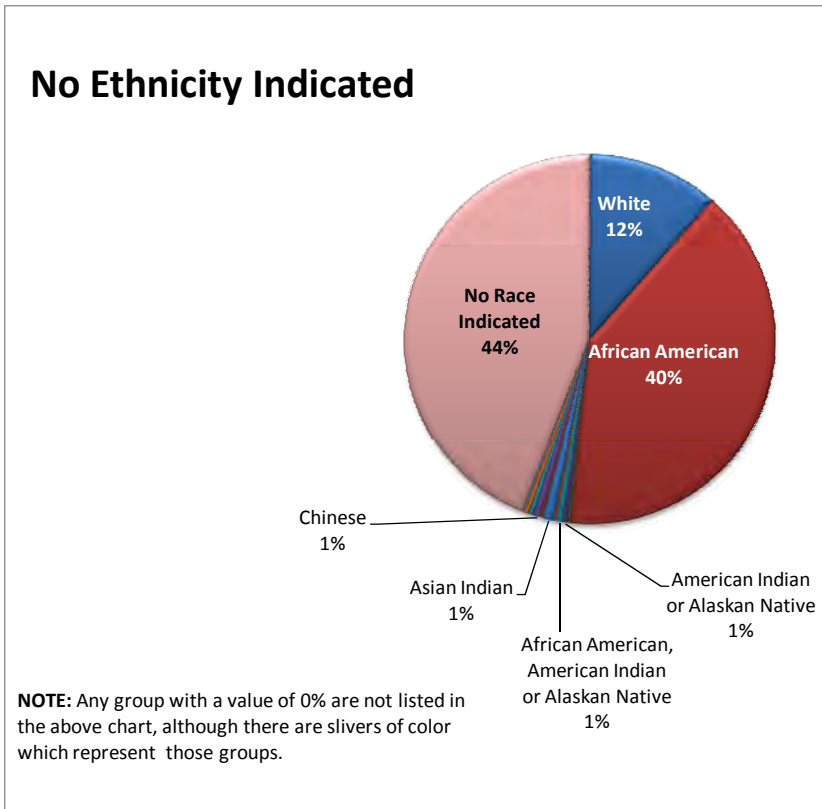


Summary Information on Central Intake/Homeseeker Sign-Ups
September 30, 2010 - June 30, 2012

Race:	Non-Hispanic
White	228
African American	683
<i>White and African American</i>	18
American Indian or Alaskan Native	9
<i>African American, American Indian or Alaskan Native</i>	12
<i>White, American Indian or Alaskan Native</i>	1
<i>White, African American, American Indian or Alaskan Native</i>	6
Asian Indian	17
<i>African American, Asian Indian</i>	0
<i>White, Japanese</i>	1
Chinese	5
<i>African American, Chinese</i>	1
Korean	3
Filipino	4
<i>African American, Filipino</i>	2
Other Asian	5
<i>White, Other Asian</i>	1
Other Pacific Islander	9
<i>African American, Other Pacific Islander</i>	2
<i>Other Asian, Other Pacific Islander</i>	1
No Race Indicated	88
Total	1096



Race:	No Ethnicity Indicated
White	57
African American	200
<i>White and African American</i>	1
American Indian or Alaskan Native	2
<i>African American, American Indian or Alaskan Native</i>	3
<i>White, American Indian or Alaskan Native</i>	1
Asian Indian	5
<i>African American, Asian Indian</i>	1
<i>Native Hawaiian, Asian Indian</i>	0
Chinese	3
Korean	2
Other Asian	2
Other Pacific Islander	1
No Race Indicated	219
Total	497



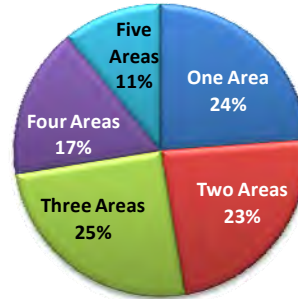
Summary Information on Central Intake/Homeseeker Sign-Ups
September 30, 2010 - June 30, 2012

Areas of Interest

Number of Areas Selected

One Area	542
Two Areas	534
Three Areas	570
Four Areas	379
Five Areas	248
Total	2,273

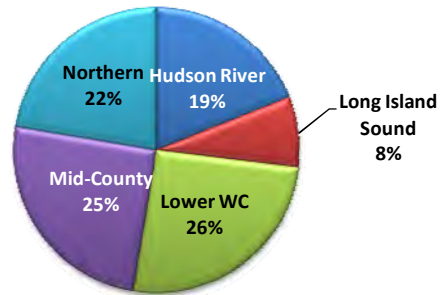
Number of Areas Selected



Area Selected

Hudson River	1,154
Long Island Sound	484
Lower WC	1,558
Mid-County	1,522
Northern	1,358

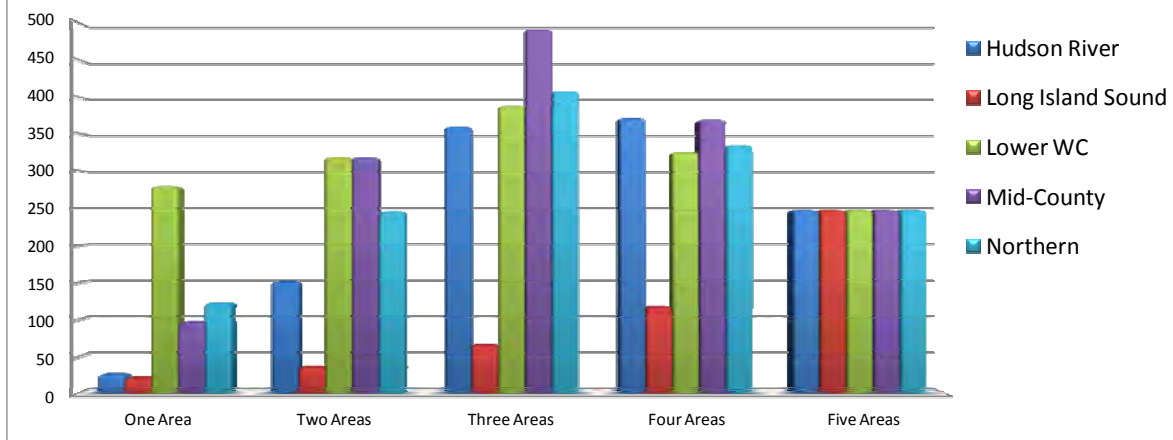
Area Selected



Interest in Areas Grouped by Number Selected

	Two		Three	Four	Five	Total
	One Area	Areas	Areas	Areas	Areas	
Hudson River	25	151	359	371	248	1,154
Long Island Sound	20	35	64	117	248	484
Lower WC	279	318	388	325	248	1,558
Mid-County	96	318	491	369	248	1,522
Northern	122	246	408	334	248	1,358

Areas Grouped by Number Selected



**WESTCHESTER COUNTY FAIR AND AFFORDABLE HOUSING
QUARTERLY REPORT**

For the period: April 1, 2012 through June 30, 2012

**Appendix IV-3: Affirmative Fair Housing Marketing Report for AFFH Units for
2Q 2012**

Affirmative Fair Housing Marketing Report for Affirmatively Furthering Fair Housing Units - 2nd Quarter 2012

DEVELOPMENT NAME	Application Deadline (For Application to be included in Lottery)	LOTTERY DATE	NUMBER OF PERSONS IN LOTTERY (For applications post marked by deadline)	RACIAL GROUP IDENTIFICATION										ETHNICITY			Comments	
				White	Black or African American	Asian	American Indian or Alaska Native	Native Hawaiian or Other Pacific Islander	American Indian & Alaska Native & White	Asian & White	Black or African American & White	American Indian or Alaska Native & Black or African American	Other Multi Racial	No Race Selected	Hispanic	Non Hispanic		No Ethnicity Selected
42 1st Avenue Pelham	4/15/2011	5/10/2011	15	5	6	1	0	0	0	0	0	0	1	2	6	3	6	None
Roundtop, Cortlandt	9/30/2011	10/14/2011	524	172	247	2	2	3	4	0	10	5	28	48	113	308	103	1 applicant checked the Black or African American box and the American Indian or Alaska Native box, but crossed out African American and Alaska Native; 1 Applicant checked the Black or African American & White box plus the Other Multi-Racial; 1 Applicant checked the White box plus Other Multi-Racial box
Manville Road, Pleasantville	12/2/2011	12/5/2011	19	11	5	0	0	1	0	0	0	0	0	1	3	13	3	1 applicant wrote in Hispanic under Race
Cottage Landing, Rye	12/29/2011	1/5/2012	64	23	26	6	0	1	0	0	3	0	3	3	12	41	11	1 applicant wrote in Italian under Race; 1 Applicant checked Black or African American plus Black or African American & White
Wildwood, Bedford	4/9/2012	4/16/2012	8	4	1							1		2		2	6	#7 on the lottery list confirmed on 6/29 that they would like to rent the apartment as of August 1, 2012; however they have not yet signed a lease or left a security deposit.

**WESTCHESTER COUNTY FAIR AND AFFORDABLE HOUSING
QUARTERLY REPORT**

For the period: April 1, 2012 through June 30, 2012

Appendix V-1: 2Q 2012 AFFH Referral Letters



Robert P. Astorino
County Executive

Department of Planning

Edward Burroughs, AICP
Commissioner

May 29, 2011

Chris Kehoe, AICP, Deputy Planning Director
Town of Cortlandt Department of Technical Services
1 Heady Street
Cortlandt Manor, New York 10567-1254

Subject: **Referral File No. CTD 12-002 – Croton Realty & Development – Subdivision
Draft Scoping Document**

Dear Mr. Kehoe:

The Westchester County Planning Department has received a draft scoping document for the preparation of an environmental impact statement pursuant to the New York State Environmental Quality Review Act (SEQR) for the above referenced proposal. The proposal calls for a 26-lot subdivision of a 35.9-acre site located on the east side of Croton Avenue approximately 400 feet north of Furnace Dock Road. The subdivision would establish 25 building lots for single-family houses and one conservation lot. The site is located in the R-40 District.

We offer the following comment on the draft scope:

Affordable affirmatively furthering fair housing (AFFH). The draft scoping document does not require inclusion of a discussion of provision of affordable affirmatively furthering fair housing units. We recommend that the scope be revised to require such a discussion, whether the proposed development will include such units and how the development will relate to the Town's efforts to promote the construction of AFFH units that meet the requirements of the County's Housing Settlement with the federal government.

As you know, the County Planning Board has endorsed the "Model Zoning Ordinance Provisions for Affordable Affirmatively Furthering Fair Housing Units" as included in the *Westchester County Fair and Affordable Housing Implementation Plan* (dated August 9, 2010). These provisions include, among other recommended requirements, that:

Within all residential developments of 10 or more units created by subdivision or site plan approval, no less than 10% of the total number of units must be created as affordable AFFH units. In residential developments of five to nine units, at least one affordable AFFH unit shall be created.

Research conducted in preparation of the Model Ordinance Provisions found that the 10% inclusionary requirement should be possible without the use of public funding subsidy. More detailed information on the Implementation Plan can be found on the County's website at <http://homes.westchestergov.com> under the "Housing Settlement" tab.

As a separate matter, we encourage the Town to give consideration to amending the Town zoning ordinance so as to adopt language from the model ordinance provisions to ensure that all future development in Cortlandt will include a fair and affordable component.

Respectfully,

WESTCHESTER COUNTY PLANNING DEPARTMENT

For:

By:



Edward Buroughs, AICP

Commissioner

EEB/LH

Robert P. Astorino
County Executive

County Planning Board

**Referral File No. IRV 12-004 – Continuum Living at Irvington – Zoning Text Amendment,
Comprehensive Plan Amendment, Site Plan and Special Permit
Draft Environmental Impact Statement**

Date: May 4, 2012

Contact: William Hoffman, Chair
Village of Irvington Planning Board
85 Main Street
Irvington, NY 10533

Materials received:

- Draft environmental impact statement (EIS), dated accepted February 1, 2012, prepared pursuant to the NYS Environmental Quality Review Act (SEQR).

PROPOSAL DESCRIPTION

Our understanding of the application, based on these materials, is:

The applicant proposes to redevelop a 4.6-acre site located at 30 South Broadway, currently occupied by the Foundation for Economic Education and within the MF – Multifamily zoning district. As proposed, most or all of the existing buildings on the site would be demolished (depending on the alternative chosen) and a new assisted living facility would be developed. This new building would contain 121 dwelling units of which 81 would be assisted living and 40 would be for “memory care.” Of the assisted living units, the proposed unit mix is 9 studios, 9 alcove studios, 24 “shared suites,” 24 one-bedroom units and 15 two-bedroom units. Of the memory care units, 32 would be studio and eight would be shared suites. Along with ancillary facilities such as common dining areas and recreational space, a total of 105,000 square feet of floor area is proposed in a series of interconnected buildings. The exact building height would vary depending on whether an existing building on the site is retained and repurposed. However, the building height would not exceed four stories. Fifty parking spaces are proposed, with vehicular access to South Broadway. The site abuts the Old Croton Aqueduct State Park Trailway along the rear of the site.

The applicant is seeking approval to amend the Village Zoning Ordinance to add assisted living as a special permit use in the MF – multifamily district. A comprehensive plan amendment is also sought to change the 2003 Comprehensive Plan Map for the site from “educational” to “high density residential.” After these approvals from the Board of Trustees, the applicant would seek site plan and special permit approvals from the Village Planning Board.

The draft EIS presents a number of development alternatives. The applicant’s preferred alternative is to demolish all buildings on the site and build a new assisted living facility. A second alternative would be

to retain the existing main building on the site and expand it with various wings to create the new facility. Additional project alternatives consider: no action, multifamily under existing zoning, office development under existing zoning, retention of the existing use, a school and single family under existing zoning.

APPLICATION REVIEW SUMMARY

Consistency with County Planning Board policies

- The project involves redevelopment within an existing center, consistent with *Westchester 2025*.
- The proposed zoning standards may permit a development that could be of a density and size that is out of scale with the surrounding area and which may impact the scenic functions of Broadway and the Old Croton Aqueduct.
- If the subject parcel is developed with assisted living, it may limit the potential for additional multi-family development within the Village
- The proposal does not address the inclusion of affordable affirmatively further fair housing units.

Impacts to County facilities and services.

- Increased sewage flows from the site into the County sewer system should be offset through inflow and infiltration (I&I) mitigation. The draft EIS does not discuss this.
- Sufficient space should be set aside on the site to accommodate the storage of recyclables under the recently expanded County recycling law. Food composters should also be considered to process waste from foodservice operations.

Additional comments

- The applicant is commended for incorporating green building technology, rain gardens and permeable paving surfaces into the project.
- Review by NYS DOT may be required due to proposed curb cuts on South Broadway (US Route 9), a State road.

COMMENTS AND RECOMMENDATIONS

1. Consistency with County Planning Board policies. The proposal contains both consistencies and potential inconsistencies with the County Planning Board's long-range planning policies and strategies set forth in *Westchester 2025—Context for County and Municipal Planning and Policies to Guide County Planning*, adopted by the County Planning Board on May 6, 2008, amended January 5, 2010, and the strategies in *Patterns for Westchester*. The proposal would re-use an existing site near a downtown center, where the existing infrastructure can support growth and where public transit and access to downtown amenities can be effectively provided.

However, several more specific aspects of the proposal require further discussion:

SCALE OF DEVELOPMENT While the draft EIS describes the proposed development as serving "as a transitional use between the abutting single-family residential community and the higher

density residential uses to the north and east,” the development is shown to have a higher number of dwelling units per acre than all surrounding properties. In addition, the proposed zoning amendments would permit building setbacks for the site that are significantly less, and a building coverage that is significantly higher, than in place on surrounding properties.

Because the Irvington Zoning Ordinance does not contain regulations permitting or regulating assisted living facilities, the applicant has proposed zoning standards based on the proposed development, which as noted above, would be larger than the existing regulations permit on surrounding parcels. For example, the new regulations would allow assisted living facilities to have side yard setbacks of 25 feet; multi-family uses must have a setback of 50 feet. Building coverage would be permitted at 30%; multi-family uses are limited to 10%. In addition, the Zoning Ordinance requires a “Broadway Buffer” of 100 feet and a “Croton Aqueduct Buffer” of 30 feet for all properties abutting these rights of way. The proposed amendments would change these requirements for assisted living facilities so as to require a Broadway Buffer (for structures less than six feet in height) of 40 feet and a zero-foot Croton Aqueduct Buffer (only for emergency access driveways). The proposed locational requirements for assisted living special permit uses will essentially limit the location of assisted living facilities to the subject site.

We note that the multi-family alternative presented in the draft EIS indicates that 24 to 26 multi-family units could be constructed on the site versus 121 units in the proposed development.

The Village will need to consider these factors in the context of local planning policy.

SCENIC FUNCTION OF BROADWAY AND OLD CROTON AQUEDUCT The 2003 Irvington Comprehensive Plan contains specific policy objectives regarding the scenic qualities of Broadway and the Old Croton Aqueduct. The comprehensive plan specifically calls for “deepening the buffer requirement on properties that can be developed in the future.” The proposed assisted living regulations, which would decrease the required buffer setbacks for both Broadway and the Old Croton Aqueduct, may impact the scenic functions of these corridors. The Village will need to consider potential impacts, the relationship to Comprehensive Plan recommendations and any precedent that may be set.

2. Affordable affirmatively furthering fair housing (AFFH). The proposed assisted living would be constructed on one of the few remaining MF – multi-family zoned sites not currently developed with multi-family housing. We recommend that the final EIS acknowledge this and discuss how the use of this site for assisted living may impact future opportunities to develop multi-family housing in Irvington.

Further, while Irvington does have an affordable housing ordinance in place that promotes the construction of affordable AFFH units, the draft EIS does not discuss how that ordinance should be amended to address assisted living facilities. The Village ordinance requires that no less than 10% of all dwelling units in a residential development created by site plan or subdivision approval be set aside as affordable AFFH. Is that requirement to be applied to assisted living developments?

We recommend that the final EIS include a discussion of the Village affordable housing regulations and the inclusion of affordable AFFH units so that the Village may determine how the affordable housing ordinance should apply to the proposed development. Because of the cost factor involved with assisted living, one option that we recommend be considered is to require construction of standard affordable AFFH units that are not age restricted as a 10% portion of the development.

3. County sewer impacts. The development will increase sewage flows from this site into the existing infrastructure. The increased flow will add to the volume of sewage flow requiring treatment at the Yonkers Joint Wastewater Treatment Plant operated by Westchester County. As a matter of County Department of Environmental Facilities' policy, we recommend that the Village implement, or require the developer to implement, measures that will offset the projected increase in flow. The best means to do so is through reductions in inflow/infiltration (I&I), normally at a ratio of three for one.

The draft EIS did not include a discussion of this mitigation. We recommend the final EIS provide specific details on how implementation of these improvements is to be accomplished. For example, will the applicant be required to place funds into a dedicated account for I&I work based on a per gallon cost of removal of flow through I&I? How will I&I projects to be identified? Who will conduct the work and in what timeframe?

4. Provisions for recycling and composting. The draft EIS correctly identifies the source separation requirements for recyclables. The applicant should be made aware of the recently expanded County recycling program that now includes plastics with numbers 1 through 7 and sufficient space for the storage of these recyclables should be provided. New County regulations for plastic recycling may be found at <http://environment.westchestergov.com>.

In addition, because the proposed development will feature foodservice amenities for residents, we urge the applicant to consider using a food composter on site to recycle food waste. This will help greatly in reducing the waste stream from the site into the waste management system.

5. Green building technology and bicycle parking. We commend the applicant for including a number of green building features into the proposed development, including rain gardens, permeable paving surfaces and a green roof above the memory care facility. We encourage the applicant to consider using as much green building technology as possible in the development. We also encourage the applicant to consider providing bicycle parking for employees, particularly since the Old Croton Aqueduct trailway abuts the site.

6. NYS DOT review. South Broadway (US Route 9) is a State highway. The Village should forward a copy of the application to NYS DOT to identify any required permits for the proposed development and to evaluate potential traffic impacts.

Thank you for the opportunity to comment on this matter.

Respectfully,

WESTCHESTER COUNTY PLANNING BOARD

Per:

By:

A handwritten signature in blue ink, appearing to read "Edward Buroughs", written over a horizontal line.

Edward Buroughs, AICP
Commissioner

EEB/LH

Robert P. Astorino
County Executive

County Planning Board
April 2, 2012

Dawn Onufrik, Planning Board Secretary
Town of North Salem
270 Titicus Road
North Salem, New York 10560

Subject: Referral File No. NSM 12-002– Titicus Road Commons – Zoning Text Amendment, Site Plan and Special Permit Approvals

Dear Ms. Onufrik:

The Westchester County Planning Board has received a petition to amend the text of the North Salem Zoning Ordinance to permit accessory apartments above commercial establishments as conditional uses in the NB, GB, RO and PO districts, approved by the Town Planning Board. Currently, regulations for accessory apartments require special permits issued by the Zoning Board of Appeals, and restrict accessory apartments within the PO District to be located within the main dwelling. This restriction would be eliminated under the proposed petition.

In addition to the petition for the zoning amendment, the applicant is also seeking additional approvals to add an office use on the first floor and an accessory apartment use on the second floor of an existing structure, located at 104 Titicus Road (NYS Route 116).

We have reviewed this matter under the provisions of Section 239 L, M and N of the General Municipal Law and Section 277.61 of the County Administrative Code and find that the site plan and possible special permit approvals contain no County or intermunicipal planning issues of concern to the County Planning Board. These actions are matters for local determination in accordance with your community's planning and zoning policies.

With regard to the proposed zoning amendment petition, we support the proposed amendment as it will increase the ability for more affordable dwellings to be developed within the town. As a separate matter, we recommend the Town also consider amending local regulations so as to be consistent with the County's "Model Zoning Ordinance Provisions for Affordable Affirmatively Furthering Fair Housing Units" as included in the *Westchester County Fair and Affordable Housing Implementation Plan* (dated August 9, 2010).

Thank you for calling this matter to our attention.

Respectfully,
WESTCHESTER COUNTY PLANNING BOARD

FOR:
By:



Edward Burroughs, AICP
Commissioner

EEB/LH

Robert P. Astorino
County Executive

County Planning Board

**Referral File No. NWC 12-002 – Chappaqua Station Apartments – Conifer Realty
Special Permit Application**

Date: April 3, 2012

Contact: Jill Simon Shapiro, Town Clerk
Town of New Castle
200 South Greeley Avenue
Chappaqua, NY 10514-3399

Materials received:

- Site plans, dated revised February 7, 2012
- Other application materials

PROPOSAL DESCRIPTION

Our understanding of the application, based on these materials, is:

The applicant proposes to construct a five-story apartment building on a 16,617 square foot lot bounded by the Quaker Road (NYS Route 120) bridge, the Saw Mill River Parkway, Hunts Place and the Metro-North Railroad Harlem Line in the downtown Chappaqua hamlet. The proposed building would contain 36 affordable affirmatively furthering fair housing (AFFH) units (24 one-bedroom and 12 two-bedroom) with 40 parking spaces provided on the ground level under the units. Vehicular access would be provided via Hunts Place with pedestrian access provided to the Quaker Road Bridge via a pedestrian bridge at the second floor level of the building. The project requires a Town Board special permit to allow for “workforce housing” in the I-G General Industrial District (permitted if a property is within 500 feet of the Chappaqua train station). Town Board approval is also sought to reduce the required parking from 52 to 40 spaces. The applicant will need to obtain access and construction easements from NYS DOT and Metro-North Railroad.

APPLICATION REVIEW SUMMARY

Consistency with County Planning Board policies

- The project is consistent with County Planning Board policies because it is a transit-oriented development containing affordable AFFH units within close proximity of a train station and a downtown area. Go to <http://westchester2025.westchestergov.com/> for more information on *Westchester 2025*.

Impacts to County facilities and services.

- A critical section of the County’s Saw Mill trunk sewer line is located near the project site

- Increased sewage flows from the site into the County sewer system should be offset through inflow and infiltration (I&I) mitigation.
- Sufficient space should be set aside on the site to accommodate the storage of recyclables under the recently expanded County recycling law.

Additional comments

- The location of the building between the Saw Mill Parkway and the Metro-North Harlem line raises potential noise and air-quality concerns for future tenants of the building.
- The visual impact of the development from the Parkway should be considered.
- The proposed parking reduction appears reasonable.
- The applicant is commended for providing bicycle parking and is encouraged to incorporate as much green building technology as possible.

COMMENTS AND RECOMMENDATIONS

1. Consistency with County Planning Board policies. The proposal is consistent with the County Planning Board's long-range planning policies and strategies set forth in *Westchester 2025—Context for County and Municipal Planning and Policies to Guide County Planning*, adopted by the County Planning Board on May 6, 2008, amended January 5, 2010, because it would establish a transit-oriented development in an existing downtown with easy pedestrian access to the Chappaqua train station and downtown amenities. This development will also contribute towards affirmatively furthering fair housing in Westchester County by providing 36 affordable AFFH units.

2. County sewer impacts. The development will be located near a critical section of the County's Saw Mill trunk sewer line. The applicant must work with the County Department of Environmental Facilities to determine where a sewer connection can be made so as to ensure that there will be no adverse impacts to the trunk line.

In addition, the proposed development will increase sewage flows from this site into the existing infrastructure. The increased flow will add to the volume of sewage flow requiring treatment at the Yonkers Joint Wastewater Treatment Plant operated by Westchester County. As a matter of County Department of Environmental Facilities' policy, we recommend that the Town implement or require the developer to implement measures that will offset the projected increase in flow. The best means to do so is through reductions in inflow/infiltration (I&I), normally at a ratio of three for one. However, given that this development will create affordable housing, a one for one ratio will be acceptable.

3. Provisions for recycling. While the site plan shows an outdoor trash collection area as well as trash collection closets on each floor, we recommend that the Town request the applicant to verify that there is sufficient space to accommodate the storage of recyclables under the expanded County recycling program that now includes plastics with numbers 1 through 7. New County regulations for plastic recycling may be found at <http://environment.westchestergov.com>.

4. **Air-quality and noise impacts to tenants.** The proposed building will be adjacent to a busy local road, the Saw Mill River Parkway and the Metro-North Harlem rail line. Given the proximity of 36 apartments to these rights-of-way, we recommend that the applicant be required to document that potential negative impacts of noise and car exhaust will be minimized for prospective tenants of this building. Features such as heavier windows or air filtering may be necessary.

5. **Visual relationship to Saw Mill River Parkway.** The Saw Mill, like other parkways in the region constructed during the early 20th century, was largely designed as a route for pleasure driving bordered by wooded areas or meadows. While today it is a key transportation route serving commuters, it retains much of its bucolic quality. We recommend that the Town's review of the development proposal include consideration of the visual relationship of the development to the parkway.

6. **Parking reduction.** The Town zoning code requires the development to provide 52 parking spaces, but allows for a waiver from the Town Board. In this case, the applicant is requesting a waiver for 12 spaces to bring the total parking down to 40. This amount of parking may be sufficient for a project with this level of transit orientation, as it will provide one parking space per unit, with 8 additional spaces for guests. Apartments located so close to a train station will likely attract tenants seeking to use public transit to commute. Such households have the ability to reduce the need for multiple cars per household and the related costs of car ownership.

7. **Bicycle parking and green building technology.** We commend the applicant for including a covered bicycle parking area on the parking level of the building. We also encourage the applicant to consider using as much green building technology as possible in the development.

Thank you for the opportunity to comment on this matter.

Respectfully,
WESTCHESTER COUNTY PLANNING BOARD

F00:
By:



Edward Buroughs, AICP
Commissioner

EEB/LH

Robert P. Astorino
County Executive

County Planning Board

Referral File No. PEL 12-001 – Commercial Zoning Revisions

Date: April 2, 2012

Contact: Hon. Geoff Lewis, Deputy Mayor
Village of Pelham
195 Sparks Avenue
Pelham, NY 10803

Materials received:

- Proposed commercial zoning revisions
- Map proofs of existing zoning
- Memo from Village Planning Board to Board of Trustees containing recommendations on the proposed zoning revisions
- Copy of the current Village Comprehensive Plan

Our understanding of the proposed zoning revisions, based on the above materials is as follows:

The proposed commercial zoning revisions would replace the existing business district zoning (B-1, B-2 and B-3 districts) with two new commercial zones (C-1 and C-2). The C-1 district would replace the B-1 and B-2 districts and the C-2 district would replace the B-3 district. Portions of the existing M – Multifamily district would also be rezoned to C-1. The new commercial zones would also contain revised regulations enumerating 97 permitted uses in the C-1 District and 138 permitted uses in the C-2 District. Dwelling units are permitted in both districts with a minimum size of 650 square feet. Other revisions are as follows:

- Building heights in the commercial zones are limited to 70 feet with no more than 6 floors above ground level. Any façade facing 4th Avenue shall not exceed 48 feet in height unless stepped back 10 feet from the setback line, which is 10 feet.
- Banks, dry cleaners, electrolysis studios, insurance brokers, nail salons and tanning salons must be at least 250 feet apart in the C-1 district to encourage a diversity of businesses.
- New office uses will no longer be permitted on the street level within the C-1 district.
- M District regulations will be revised to make them less restrictive, allowing for multi-family housing instead of being limited to housing for the elderly.

COMMENTS AND RECOMMENDATIONS

1. Consistency with County Planning Board policies. The County Planning Board supports the periodic updating of zoning ordinances to ensure their functionality. This is consistent with the County Planning Board's long-range planning policies and strategies set forth in *Westchester 2025—Context*

for County and Municipal Planning and Policies to Guide County Planning, adopted by the County Planning Board on May 6, 2008, and amended January 5, 2010. In this situation, the Village's objective is to simplify existing zoning, a result of the merger between the Villages of Pelham and North Pelham, so as to make the regulations easier to enforce and understand. We support this effort.

2. Affirmatively furthering fair housing. The proposed zoning changes keep in place regulations to permit multi-family housing in the C-1, C-2 and M zoning districts. We recommend the Village, as part of a separate matter, also consider amending local regulations so as to be consistent with the County's "Model Zoning Ordinance Provisions for Affordable Affirmatively Furthering Fair Housing Units" as included in the *Westchester County Fair and Affordable Housing Implementation Plan* (dated August 9, 2010). Doing so will help ensure that affordable affirmatively furthering fair housing (AFFH) units can be developed in the Village. The County welcomes the opportunity to work with the Village in this regard.

3. Enumeration of permitted uses. The new commercial zones would contain regulations enumerating 97 permitted uses in the C-1 District and 138 permitted uses in the C-2 District. We note that such a detailed listing of uses may result in unintended situations. For example, each use may be more likely to be subject to questions of definition than if broader permitted use categories were to be used. Also, this approach provides little flexibility in the future as new retail and commercial uses appear in the commercial market. In both situations, future applicants may have to petition for interpretations or zoning amendments.

4. Distance and floor restrictions. We support the proposed location restrictions on banks, dry cleaners, electrolysis studios, insurance brokers, nail salons and tanning salons, requiring the same uses to be at least 250 feet apart in the C-1 district so as to encourage a diversity of businesses. We also support the proposed revision that would prohibit new office uses from locating on the street level floor. Both of these regulations have proven to be effective tools in increasing business diversity and promoting more active use of the streetscape through promoting business uses with the most foot traffic at ground level. We note that both the City of Rye and the City of New York have implemented similar provisions regarding the locations of banks, with some level of success.

Thank you for the opportunity to comment on this matter.

Respectfully,
WESTCHESTER COUNTY PLANNING BOARD

For:
By:



Edward Buroughs, AICP
Commissioner

EEB/LH

cc: Robert Yamuder, Village Administrator

Robert P. Astorino
County Executive

County Planning Board

Referral File No. SOM 12-001 – The Green at Somers – Revised Site Plans

Date: April 2, 2012

Contact: Sabrina Charney Hull, Town Planner
Town of Somers Town House
335 Route 202
Somers, NY 10589

Materials received:

- Site plans and associated material, dated February 29, 2012

PROJECT DESCRIPTION

Our understanding of the proposal, based on these materials, is as follows:

The project proposes the construction of five buildings with combined ground coverage of 37,595 square feet and a total of 110,540 square feet of floor area. First-floor space is identified for retail or residential use. The second and third floors of three buildings would be developed with residential units for a total of 84 residential units. The applicant is proposing to provide 234 parking spaces on the site, including 71 spaces on a lower level of four buildings, accessible at grade-level at the rear of the buildings. In total, the development will include 3.2 acres of site coverage by driveways, parking and buildings, and 0.6 acres of site disturbance within regulated wetland buffers.

REVIEW HISTORY

The County Planning Board has participated in the various stages of review for this project. The Board received initial site plans and responded on December 12, 2007. Revised site plans were sent twice in 2009 with comments sent back on January 23, 2009 and February 12, 2009. Revised site plans were again addressed by the County Planning Board on March 24, 2010. The most recent response regarding intent for Lead Agency was acknowledged by the Board on June 23, 2010.

Our current review of the submitted materials finds that many of the concerns we previously raised have been addressed with project revisions. In particular, we commend the applicant for the reduction in parking from 348 spaces to the 234 spaces proposed now. The applicant should also be commended for pursuing a project design that includes permeable paving, on-site stormwater management and retention and improved pedestrian access.

This correspondence addresses past comments and concerns that remain unaddressed as well as new opportunities found in the February 29, 2012 site plans.

COMMENTS AND RECOMMENDATIONS

1. County sewer impacts. The site is not within a Town or County sewer district. The applicant proposes that the site be added to Town and County districts so as to allow sewage generated by the development to flow to and be treated at the Peekskill Wastewater Treatment Plant operated by Westchester County. We continue to be concerned about a lot-by-lot approach to proposing property additions to the County sewer district. The subject site is not contiguous to a property within the sewer district nor is a service line located nearby; the existing sewer lines located along the south side of the Route 6 right-of-way are both force mains.

We continue to recommend that the Town of Somers prepare a study of the entire Route 6 corridor to assess the potential for additional proposals for property additions to the sewer district, to determine if all or any such potential additions are consistent with the Town's comprehensive planning and to quantify the potential impact on the Peekskill Wastewater Treatment Plant and on the transporting infrastructure. The Town's future plans for the Lake Shenorock community should also be taken into consideration in this study of future needs.

2. Fair and affordable housing. In the letter accompanying the site plan, the applicant has indicated 50% of the housing units will be considered affordable dwelling units according to the Town's definition of affordable housing. We urge the Town and the applicant to ensure these units are developed as affordable affirmatively furthering fair housing (AFFH) units:

For-purchase housing units must be affordable to a household whose income does not exceed 80% of the area median income (AMI) for Westchester, as defined annually by the U.S. Department of Housing and Urban Development (HUD), and the annual housing costs of a unit including common charges, principal, interest, taxes and insurance (PITI) does not exceed 33% of 80% AMI, adjusted for family size. No preferences in selection of buyers may be permitted. Marketing must be in accordance with the County's AFFH marketing plans.

Rental units must be affordable to a household whose income does not exceed 60% AMI and the annual housing cost of the unit, defined as rent plus any tenant paid utilities, does not exceed 30% of 60% AMI adjusted for family size. No preferences in selection of renters may be permitted. Marketing must be in accordance with the County's AFFH marketing plans.

The County Planning Board also encourages the Town to cite and to adopt the "Model Zoning Ordinance Provisions for Affordable Affirmatively Furthering Fair Housing Units" as included in the *Westchester County Fair and Affordable Housing Implementation Plan* (dated August 9, 2010). More detailed information on the Housing Settlement and the implementation plan can be found on the County's website at <http://homes.westchestergov.com> under the "Housing Settlement" tab.

3. Croton Watershed protection. The site is located in the Croton Watershed. The proposed development will entail site disturbance during construction and will result in the creation of new impervious building and parking lot surfaces. Components of the site development may be subject

to compliance with the New York City Department of Environmental Protection (NYC DEP) *Rules and Regulations for the Protection from Contamination, Degradation and Pollution of the New York City Water Supply and its Sources*, including the preparation of a Stormwater Pollution Prevention Plan. Therefore, erosion and sediment control and stormwater runoff water quality protection, both during and after construction, are of critical importance.

4. Mixed-use development and consistency with County planning policies. *Westchester 2025 – Policies to Guide County Planning*, the County Planning Board's long-range land use and development policy document, calls for the channeling of development toward mixed-use centers where existing infrastructure can support increased density. Center-based mixed-use development supports the use of transit, bicycling and walking and allows residents to access necessary stores, services and workplaces without the use of personal automobiles. Baldwin Place is discussed in *Westchester 2025* as not meeting the criteria of a center today but cited as a place where key land use policies need to be addressed and implemented in accordance with local comprehensive planning if a functioning center is to be realized. One key element of policy development is the need to address infrastructure, including the potential for central sewer collection as discussed below.

Today, the area surrounding the subject site is heavily dependent on automobile transportation. Given the large number of parking spaces proposed for the development and its lack of pedestrian connections, we are concerned that the proposed project would do little to reduce automobile trips in the area or establish a basis for creating a viable Baldwin Place center. Unless the on-site retail stores offered services that would be useful on a regular basis to residents of the development, residents would most likely use cars to access necessary services and workplaces elsewhere, even if such amenities are located nearby. While this project is consistent with County planning policies in regard to mixed-use development, the applicant should consider additional opportunities for site design, public transportation and infrastructure approaches discussed below which will help make this project a true mixed-use "center".

5. Site layout and design approach. The proposed development layout features five buildings arranged around parking lots where the parking facilities would be the dominant features of the site. Mixed-use developments are typically constructed to encourage walking and transit. In addition, we note that the current site layout, in which the buildings are oriented around the central parking area and courtyard, does little to relate the proposed buildings to the property's frontage along Route 6. In effect, this arrangement would segregate the proposed development from other existing and proposed development along the Route 6 corridor. Buildings in the development should take advantage and maximize the available frontage along Route 6. Prominent pedestrian entry areas should be placed adjacent to the corridor.

The Town's design guidelines for the NS zoning district encourage a pedestrian orientation for building design and site layout, a policy which is supported by the County's planning policies. This project, along with others in the immediate vicinity, provides the Town with an opportunity to redevelop the Route 6 corridor and Baldwin Place as a walkable, aesthetically-pleasing neighborhood business district. We recommend that the Town require the applicant to prepare an alternative layout for this project that addresses the above-mentioned concerns.

6. Impervious coverage and parking. The proposed parking scheme includes 163 spaces of surface parking and 71 spaces of parking located beneath three of the proposed buildings. While we are encouraged by the use of garaged parking, the Town should work with the applicant to reduce the amount of surface parking required on the site. The proposed parking includes 10 spaces above the required amount under current zoning. Less parking would reduce the amount of stormwater runoff from the site and present less risk to stormwater quality. The reduction of impervious surfaces is especially critical given the site's location in the Croton Watershed. Given the mixed-use character of the development, there may be considerable opportunities for shared parking schemes to reduce the amount of pavement required on the site. The Town should encourage the applicant to apply for a special permit to reduce the parking required for the development under a shared parking scheme. Furthermore, the site's transit access could reduce the demand for parking at the site. The applicant is to be commended for specifying pervious paving for nine parking spaces on site. The Town should request the applicant to consider applying this treatment to a larger share of the surface parking spaces.

Additionally, we encourage the Town to consider reducing the amount of parking required under zoning for developments of this nature. Since it is the goal of mixed-use development to reduce unnecessary automobile trips, we encourage the reduction of parking requirements for mixed-use, transit-accessible developments.

7. Landscape buffer at retaining walls. The proposed retaining walls adjacent to the rear of Buildings 1-4 have heights of up to 13 feet. In the spots where walls are 13 feet in height, they will be as tall as a one-story structure. We recommend that the Town advise the applicant to propose alternative site layouts that reduce the height and length of retaining walls. For any walls found to be necessary, the applicant should consider the use of wall materials with varied textures and/or landscape buffers in order to avoid the retaining walls appearing as large monolithic structures to residents and project neighbors.

8. Provisions for recycling. While the site plan shows areas for trash and refuse storage, the Town should request the applicant to verify that the enclosure is of sufficient size to accommodate the expanded County recycling program that includes plastics with numbers 1 through 7. New County regulations for plastic recycling may be found at <http://environment.westchestergov.com>

9. Bee-Line bus stop. The Route 6 corridor is presently served by Bee-Line Bus Routes 16 and 77. We recommend that the applicant contact the County Department of Transportation to consider/coordinate the addition of local bus stop(s) in front of the site to serve area residents who may choose to access or commute from the site via public transit.

10. Provide bicycle parking and recreational opportunities for residents. We note that the site plan does not indicate that bicycle parking will be provided on the site. We recommend that the Town require the plans to be revised to include bicycle parking near the entrance(s) to the building(s). Providing bicycle racks is a low-cost way to encourage bicycling within the Town as a way to reduce traffic, reduce air pollution and improve public health while reducing parking demand on the site. Since a majority of the development is residential, the applicant should consider

adding passive or active recreation amenities on site. The 84 residential units in the project create enough density to indicate a high need for on-site recreational space.

Respectfully,
WESTCHESTER COUNTY PLANNING BOARD

For:
By:



Edward Burroughs, AICP
Commissioner

EEB/NM

cc: Hon. Mary Beth Murphy, Supervisor
Thomas Lauro, Commissioner of Environmental Facilities
Marilyn Shanahan, Bureau of Water Supply, NYC Department of Environmental Protection
Richard Dillman, PE, SEQR Unit, NYS Department of Transportation, Region 8
Deborah DeLong, Director of Housing
Michael Swee, Associate Planner, Department of Transportation

Robert P. Astorino
County Executive

County Planning Board

Referral File No. SOM 12-001B – The Green at Somers – Lead Agency

Date: April 19, 2012

Contact: Sabrina Charney Hull, Town Planner
Town of Somers Town House
335 Route 202
Somers, NY 10589

Materials received:

- Lead Agency Notification
- Full Environmental Assessment Form

We have no objection to the Somers Planning Board assuming Lead Agency Status for this review.

The County Planning Board has participated in the various stages of review for this project. The Board received initial site plans and responded on December 12, 2007. Revised site plans were sent twice in 2009 with comments sent back on January 23, 2009 and February 12, 2009. Revised site plans were again addressed by the County Planning Board on March 24, 2010. A response regarding a prior notice of intent for Lead Agency was acknowledged by the Board on June 23, 2010. The most recent comments were provided on site plan revisions in a letter dated April 2, 2012.

We have no further comments at this time other than to refer you to our most recent letter. The comments are summarized below:

Consistency with County Planning Board policies

- The project is consistent with the County Planning Board's long-range planning policies of creating mixed-use development. Go to <http://westchester2025.westchestergov.com/> for more information.
- Efforts should be made to include affordable AFFH units in the development that will meet the requirements of the County's Housing Settlement with the federal government.
- The applicant should consider making revisions to the site plan to help define the character of the neighborhood business district and enhance the Route 6 corridor.
- The applicant should make provisions for bicycle parking and recreational opportunities on site to promote alternative vehicle use, improved sustainability of the Town and encourage active design leading to healthier lifestyles in the development.

Impacts to County facilities and services.

- Increased sewage flows from the site into the County sewer system should be offset through inflow and infiltration (I&I) mitigation. The Town should also consider studying the entire Route 6 corridor rather than lot-by-lot approach that currently exists.
- Sufficient space should be set aside on the site to accommodate the storage of recyclables under the recently expanded County recycling law.
- Bee-Line Bus Routes 16 and 77 currently serve the Route 6 corridor; applicant should consider making provisions for bus stops at the project site.

Additional comments

- Consideration should be made for reducing both the number of parking spaces on site as well as increasing the amount of pervious pavement in the parking areas.
- The site is located in the Croton Watershed and components of the site may be subject to compliance with the New York City Department of Environmental Protection (NYC DEP) rules and regulations.
- Landscape buffers should be proposed next to retaining walls located at the rear of buildings 1-4.
- The Town should encourage the use of green technology throughout the project.

Respectfully,
WESTCHESTER COUNTY PLANNING BOARD

FOR:
By: 

Edward Burroughs, AICP
Commissioner

EEB/LH

Robert P. Astorino
County Executive

County Planning Board

Referral File No. SOM 12-001C – The Green at Somers – Revised Site Plans

Date: June 18, 2012

Contact: Syrette Dym, Town Planner
Town of Somers Town House
335 Route 202
Somers, NY 10589

Materials received:

- Alternate Site Plan, dated May 26, 2012
- Landscape Plan, dated June 1, 2012
- Revised Building Elevations, dated May 31, 2012
- Letter from Nathaniel J. Holt, PE, dated June 4, 2012
- Letter from Linda B. Whitehead to Somers Planning Board, dated June 4, 2012
- Letter from Linda B. Whitehead to Edward Burroughs, dated June 4, 2012

The County Planning Board has participated in the various stages of review for this project. The Board received initial site plans and responded on December 12, 2007. Revised site plans were sent twice in 2009 with comments sent back on January 23, 2009 and February 12, 2009. Revised site plans were again addressed by the County Planning Board on March 24, 2010. A response regarding a prior notice of intent for Lead Agency was acknowledged by the Board on June 23, 2010. The most recent comments were provided on site plan revisions in a letters dated April 2, 2012 and April 19, 2012.

The Alternate Site Plan, dated May 26, 2012 includes several positive changes that will result in smaller post development stormwater impacts. Parking has been reduced from 234 spaces on the February 29, 2012 site plans to 227 spaces as currently proposed. The stormwater mitigation area has been moved outside of the 100' wetland setback and overall site coverage has been reduced. It is also encouraging to note that a landscape buffer adjacent to tall retaining walls has been included in landscape plans dated April 2, 2012 and June 1, 2012 which respond to comments made in both the April 2, 2012 and April 19, 2012 letters.

A letter dated June 4, 2012 was included in the latest submission packet. This letter was written by the project's attorney, Ms. Linda B. Whitehead and addressed to Mr. Edward Burroughs, Commissioner, requesting clarification on three items referred to in both the April 2, 2012 and April 19, 2012 letters from the Westchester County Planning Board. The responses to the request are noted below:

1. **County sewer impacts.** The County Planning Board acknowledges that the property across from the subject site, the Somers Realty Planned Hamlet, as well as the Somers Commons shopping center, are within the Town and County sewer districts. It is still recommended that the Town of Somers study the entire area for potential additions to the sewer districts as it has been policy to approach additions and modifications to sewer districts through comprehensive study rather than on a case by case basis. Study is also necessary because we believe the existing sewer line is a force main, which may reduce the practicality of directly connecting to the sewer system at this location. While we are suggesting this study, it is not our intention to hold up the project application on this item.

2. **Fair and affordable housing.** We acknowledge that the applicant has proposed a minimum of 50% affordable housing units, according to the Town's definition of affordable housing, in this project.

3. **Site layout and design approach.** While we acknowledge the applicant's opinion that Route 6 is not conducive to pedestrian traffic adjacent to and/or crossing Route 6, the applicable NS zoning points out: "Building and site design shall be planned to enhance the pedestrian experience" in the design guidelines of the town code. The design guidelines further point out: "Site design shall seek to create an attractive visual link to neighboring public highways and, where appropriate, to create a sense of entrance to the community". This project, with its mix of uses and scale, is a project with the potential not only to start a pedestrian experience along the Route 6 corridor, but also to signal an entrance to the community. This entrance should be planned for all residents, whether they arrive by car, bus, bicycle or on foot. Inclusion of pedestrians in the design of this project will aid in making Route 6 a corridor where pedestrians are welcomed. We are encouraged by the applicant stating that they will include bicycle racks in the project.

We have no further comments at this time. Thank you for calling this matter to our attention.

Respectfully,
WESTCHESTER COUNTY PLANNING BOARD

For:
By: 

Edward Burroughs, AICP
Commissioner

EEB/NM

Robert P. Astorino
County Executive

County Planning Board

Referral File No. TTN 12-001B – Greystone on Hudson, Application for Subdivision Approval

Date: April 10, 2012

Contacts: Stanley Friedlander, Planning Board Chairman
Tarrytown Village Hall
One Depot Plaza
Tarrytown, New York 10591

Materials received:

- Subdivision plans dated revised December 30, 2011
- Draft environmental impact statement (EIS), dated complete February 29, 2012
- Stormwater analysis, dated January 2012

PROJECT DESCRIPTION

Our understanding of the proposal, based on these materials, is as follows:

The application proposes the subdivision of an 84-acre site located in both the Village of Tarrytown and unincorporated Town of Greenburgh. A 23.3-acre property in Tarrytown will be combined with a 56.6-acre parcel in Greenburgh, to be connected by acquiring a 4.9-acre portion of a 14.9-acre property that is located between the two parcels containing an existing single-family house which will remain.

The proposed subdivision would create eight building lots in Tarrytown and 12 building lots in Greenburgh for a total of 20 new single-family houses. Vehicular access is proposed along a new private road with access from South Broadway. This new road would be constructed along the alignment of an existing carriage road on the site.

As part of the application, the applicant proposes to donate a historic gateway on the property's frontage with South Broadway to provide access to a segment of the Old Croton Aqueduct State Trailway which is not currently accessible. The applicant is also proposing to donate 21.70 acres at the eastern edge of the site to the Town of Greenburgh to be added to the Taxter Ridge preserve. A ten-foot wide access easement will be provided through one of the building lots to provide pedestrian access to the park from Jardim Estates East.

REVIEW SUMMARY

Consistency with County Planning Board policies

- The proposal is consistent with County Planning Board policies as stated in *Westchester 2025: Plan Together* with regards to open space because it would contribute land to both a State park and a County park.

- The proposal does not include affordable affirmatively furthering fair housing (AFFH) units, which is inconsistent with County Planning Board policies. More information on *Westchester 2025* can be found at: <http://westchester2025.westchestergov.com/>.

Impacts to County facilities and services.

- Increased sewage flows from the site into the County sewer system should be offset through inflow and infiltration (I&I) mitigation.

Additional comments

- The applicant should consider using as much green building technology as possible.
- Review by NYS DOT may be required due to proposed curb cuts on South Broadway (US Route 9), a State road.

COMMENTS AND RECOMMENDATIONS

1. **Consistency with County Planning Board policies.** The County Planning Board's long-range planning policies and strategies set forth in *Westchester 2025—Context for County and Municipal Planning and Policies to Guide County Planning*, adopted by the County Planning Board on May 6, 2008, and amended January 5, 2010, call for a "diverse and interconnected system of open space." This proposal is consistent with this policy as it will help facilitate additional connectivity of two major open space assets: the Old Croton Aqueduct State Park Trailway and Taxter Ridge. We commend the applicant for including the donation of open space to these parks as part of the proposal.

2. **Affordable affirmatively furthering fair housing (AFFH) units.** The draft EIS does not explain how the project will comply with existing Village of Tarrytown regulations regarding the provision of affordable AFFH units. Our records indicate that on December 5, 2011, the Village adopted regulations based on the County's "Model Zoning Ordinance Provisions for Affordable Affirmatively Furthering Fair Housing Units" as included in the *Westchester County Fair and Affordable Housing Implementation Plan* (dated August 9, 2010). To be fully consistent with the Model Ordinance Provisions, the proposed development should contain one affordable AFFH unit within the Tarrytown portion of the development. The final EIS should include a discussion of compliance with the local law and the inclusionary requirement.

3. **County sewer impacts.** The proposed development will increase sewage flows from this site into the existing infrastructure. The increased flow will add to the volume of sewage flow requiring treatment at the Yonkers Joint Wastewater Treatment Plant operated by Westchester County. As a matter of County Department of Environmental Facilities' policy, we recommend that the Village implement or require the developer to implement measures that will offset the projected increase in flow. The best means to do so is through reductions in inflow/infiltration (I&I) at a ratio of three for one for the market rate units and one for one for the affordable AFFH unit. The final EIS should include a discussion of proposed mitigation.

4. Green building technology. We encourage the applicant to consider using as much green building technology as possible in the proposed development. We note that the applicant has stated that rain gardens may be used as part of the stormwater management system on the site, which we encourage. We also encourage the use of permeable paving surfaces as well as other green building elements.

5. NYS DOT review. South Broadway (US Route 9) is a State highway. The Village should forward a copy of the application to NYS DOT to identify any required permits for the proposed development and to evaluate potential traffic impacts.

Thank you for the opportunity to comment on this matter.

Respectfully,
WESTCHESTER COUNTY PLANNING BOARD

For:
By:



Edward Burroughs, AICP
Commissioner

EEB/LH

cc: Richard Dillman, PE, SEQR Unit, NYS Department of Transportation, Region 8

Robert P. Astorino
County Executive

County Planning Board

Referral File No. TTN 12-001C – Greystone on Hudson, Application for Subdivision Approval

Date: May 7, 2012

Contacts: Stanley Friedlander, Planning Board Chairman
Tarrytown Village Hall
One Depot Plaza
Tarrytown, New York 10591

Materials received:

- Final environmental impact statement (EIS), dated complete April 23, 2012

PROJECT DESCRIPTION

Our understanding of the proposal, based on these materials, is as follows:

The application proposes the subdivision of an 84-acre site located in both the Village of Tarrytown and unincorporated Town of Greenburgh. A 23.3-acre property in Tarrytown will be combined with a 56.6-acre parcel in Greenburgh, to be connected by acquiring a 4.9-acre portion of a 14.9-acre property that is located between the two parcels containing an existing single-family house which will remain.

The proposed subdivision would create eight building lots in Tarrytown and 12 building lots in Greenburgh for a total of 20 new single-family houses. Vehicular access is proposed along a new private road with access from South Broadway. This new road would be constructed along the alignment of an existing carriage road on the site.

As part of the application, the applicant proposes to donate a historic gateway on the property's frontage with South Broadway to provide access to a segment of the Old Croton Aqueduct State Trailway which is not currently accessible. The applicant is also proposing to donate 21.70 acres at the eastern edge of the site to the Town of Greenburgh to be added to the Taxter Ridge preserve. A ten-foot wide access easement will be provided through one of the building lots to provide pedestrian access to the park from Jardim Estates East.

COMMENTS

We previously reviewed the draft EIS and responded to the Village in a letter dated April 10, 2012. Our review of the final EIS finds that most of our comments have been addressed. We offer the following additional comments:

1. **Affordable affirmatively furthering fair housing (AFFH) units.** The final EIS notes that the applicant will comply with the Tarrytown affordable housing ordinance, which requires the provision of one affordable AFFH unit for this project.

2. **Addition to Taxter Ridge Park and railway connections.** We again commend the applicant for including the donation of open space as part of this project. However, concerning the railway connection between Sheldon Avenue and the new parcel that will be donated to Taxter Ridge, we note that the recent draft EIS for Jardim Estates East does not include any discussion of this railway. This is a concern since cooperation from Jardim Estates East is necessary for the applicant's vision for this railway connection to occur. We urge the Village to work with both applicants to clarify this matter.

It is important that this railway connection be made as one of the County's goals in participating in the acquisition of the Taxter Ridge property was to be able to link the major open space parcels in Tarrytown, Greenburgh and Irvington through a system of trailways and connect those open space parcels to the Old Croton Aqueduct and RiverWalk trailways. We urge the Village to work with the two applicants to make the above noted connection a reality as part of the approval process of the Jardim East and Greystone on Hudson subdivision approvals.

3. **County sewer impacts.** The proposed development will increase sewage flows from this site into the existing infrastructure and add to the volume of sewage flow requiring treatment at the Yonkers Joint Wastewater Treatment Plant operated by Westchester County. Consistent with County Department of Environmental Facilities (DEF) policy, we previously recommended that the Village require the applicant to commit to implement measures that will offset the projected increase in flow through reductions in inflow/infiltration (I&I) at a ratio of three for one.

While the final EIS noted this comment and stated "the applicant will work with Village Engineer for mitigation" we had originally hoped that the FEIS would provide specific details on how implementation of I&I improvements could be accomplished. For example, will the applicant be required to place funds into a dedicated account for I&I work based on a per gallon cost of removal of flow through I&I? How will I&I projects be identified? Who will conduct the work and in what timeframe?

Thank you for the opportunity to comment on this matter.

Respectfully,
WESTCHESTER COUNTY PLANNING BOARD

For:
By: 

Edward Buroughs, AICP
Commissioner

EEB/PN

cc: Thomas Lauro, P.E., Commissioner, County Department of Environmental Facilities

Robert P. Astorino
County Executive

County Planning Board

Referral File No. TTN 12-002 – Jardim Estates East, Subdivision and Site Plan Approvals

Date: April 24, 2012

Contacts: Stanley Friedlander, Planning Board Chairman
Tarrytown Village Hall
One Depot Plaza
Tarrytown, New York 10591

Materials received:

- Draft environmental impact statement (EIS), dated complete March 26, 2012

PROJECT DESCRIPTION

Our understanding of the proposal, based on these materials, is as follows:

The application involves the disposition of the final portion of a 400-acre property owned by the Holy Spirit Association for the Unification of World Christianity. This disposition process has occurred over several years and has resulted in several parcels that have either been developed or preserved as open space, including Taxter Ridge in Greenburgh and the County's Waterfront Park in Tarrytown. The remaining 46.6-acre property, comprised of eight tax lots, is proposed to be subdivided into 12 single-family residential lots that conform to the R-60 Zoning District regulations.

Two existing structures, Gracemere Courts and the Gate House, will be demolished. Two other structures, Gracemere Lodge and Gracemere Hall, will remain with each occupying one of the 12 lots. Gracemere Lodge currently contains three apartments. Gracemere Hall currently contains eight apartments. The other 10 lots would be available for future single-family home construction. All but one of the existing and proposed structures are to be served by municipal water and sewer, with the remaining lot serviced by a septic system and well water.

Primary access to 10 of the lots would be provided from an extension of an existing private road, known as Gracemere, which connects to Browning Lane at the western edge of the site. The two easternmost lots would be accessed via an existing shared driveway along the eastern edge of the site that connects to Sheldon Avenue.

The applicant is seeking subdivision approval. Site plan approval will be required for each of the houses in the proposed subdivision.

REVIEW SUMMARY

Consistency with County Planning Board policies

- The proposal does not include affordable affirmatively furthering fair housing (AFFH) units, which is inconsistent with County Planning Board policies.

Impacts to County facilities and services.

- Increased sewage flows from the site into the County sewer system should be offset through inflow and infiltration (I&I) mitigation.

Additional comments

- The draft EIS does not discuss a proposed arrangement to provide public access to Taxter Ridge that was identified in the draft EIS for an adjacent development, Greystone on Hudson.

COMMENTS AND RECOMMENDATIONS

1. Affordable affirmatively furthering fair housing (AFFH) units. The draft EIS does not explain how the project will comply with existing Village of Tarrytown regulations regarding the provision of affordable AFFH units. Our records indicate that on December 5, 2011, the Village adopted regulations based on the County's "Model Zoning Ordinance Provisions for Affordable Affirmatively Furthering Fair Housing Units" as included in the *Westchester County Fair and Affordable Housing Implementation Plan* (dated August 9, 2010). To be fully consistent with the Model Ordinance Provisions, the proposed development should contain two affordable AFFH units within the development. The final EIS should include a discussion of compliance with the local law and the inclusionary requirement.

We also note that while the draft EIS states that Gracemere Lodge and Gracemere Hall will be retained on the site, the draft EIS is not clear as to whether the applicant will seek to renovate these structures into single-family houses or keep them as multi-family buildings. Model ordinance provisions provide for multiple affordable AFFH units within structures that are part of single family subdivisions. The final EIS should explore if these buildings could be used to satisfy the AFFH requirement for the site.

2. County sewer impacts. The proposed development will increase sewage flows from this site into the existing infrastructure. The increased flow will add to the volume of sewage flow requiring treatment at the Yonkers Joint Wastewater Treatment Plant operated by Westchester County. As a matter of County Department of Environmental Facilities' policy, we recommend that the Village implement or require the developer to implement measures that will offset the projected increase in flow. The best means to do so is through reductions in inflow/infiltration (I&I) at a ratio of three for one for the market rate units and one for one for the affordable AFFH unit. The final EIS should include a discussion of proposed mitigation.

3. Public access to Taxter Ridge Park. We recently reviewed a draft EIS for the Greystone on Hudson subdivision and offered our support for a proposed pedestrian pathway to Taxter Ridge described as part of that project. As described on page 100 of the Greystone on Hudson draft EIS, the Greystone

subdivision would include the development of a trail connecting “the Open Space Parcel in the proposed Jardim Estates East Subdivision” to a new parcel of open space that the Greystone subdivision would donate to Taxter Ridge. The draft EIS states that this would facilitate a connection between Sheldon Avenue and Taxter Ridge, through the Jardim Estates East subdivision.

We note that the draft EIS for Jardim Estates does not reference this proposal, or show an open space parcel near where the Greystone on Hudson pathway would be provided (approximately abutting proposed Lot 5). The final EIS should clarify this issue and resolve the matter to the satisfaction of the Village consistent with any action to be taken with respect to the Greystone on Hudson proposal.

Thank you for the opportunity to comment on this matter.

Respectfully,
WESTCHESTER COUNTY PLANNING BOARD

For:

By:



Edward Buroughs, AICP
Commissioner

EEB/LH

cc: Chuck Pateman, Applicant Representative, Greystone on Hudson Subdivision
Andy Todd, Applicant Representative, Greystone on Hudson Subdivision

Robert P. Astorino
County Executive

County Planning Board

April 2, 2012

Alice E. Roker, Town Clerk
Town of Yorktown
363 Underhill Road
Yorktown Heights, NY 10598

Subject: **Referral File No. YTN 12-003 – Zoning Text Amendment:
Conformance with Affordable Housing Law**

Dear Ms. Roker:

The Westchester County Planning Board has received proposed amendments to the text of the Town's Zoning Code that would allow the Zoning Code to conform with the recently adopted Chapter 102 of the Town Code: "Affordable Housing". This chapter was adopted to incorporate provisions of Westchester County's Affordable Affirmatively Furthering Fair Housing Model Ordinance Provisions into the Town Code. Since this was done through a separate chapter in the Town Code, the proposed zoning amendments are intended to ensure consistency between the two chapters.

We have reviewed this matter under the provisions of Section 239 L, M and N of the General Municipal Law and Section 277.61 of the County Administrative Code and we support the proposed zoning revisions as they are consistent with a comment we made previously in a letter dated June 27, 2011 in response to the Town's Affordable Housing law.

Thank you for calling this matter to our attention.

Respectfully,
WESTCHESTER COUNTY PLANNING BOARD

For:
By:



Edward Buroughs, AICP
Commissioner

EEB/LH

**WESTCHESTER COUNTY FAIR AND AFFORDABLE HOUSING
QUARTERLY REPORT**

For the period: April 1, 2012 through June 30, 2012

Appendix VI-1: 2Q 2012 Financial Report

FAH CDBG ACCOUNT						
REMAINING UNOBLIGATED BALANCE		\$21,600,000				
		\$6,164,500				
ACTIVITIES	CONTRACT NUMBER	ORIGINAL BALANCE	PREVIOUS TOTAL	CURRENT QUARTER	BALANCE REMAINING	
15 Edgar Place - City of Rye - 18 Units	C-FAH-10-01	\$1,356,000	\$1,227,000	\$0	\$129,000	
Roundtop - Town of Cortlandt - 57 Units	C-FAH-10-02	\$5,474,000	\$3,919,118	\$1,054,558	\$500,324	
Palmer Ave - Village of Larchmont - 46 Units	C-FAH-10-03	\$5,673,000	\$0	\$0	\$5,673,000	
42 First Ave - Village of Pelham - 3 Units	C-FAH-10-04	\$120,000	\$120,000	\$0	\$0	
293 Manville Rd. - Village of Pleasantville - 1 Unit	C-FAH-11-05	\$212,500	\$212,500	\$0	\$0	
55 Pleasant Ave. - Village of Pleasantville - 2 Units	C-FAH-11-07	\$100,000	\$0	\$0	\$100,000	
Acquisition and Rehabilitation Revolving Loan Fund	SEE BELOW	\$2,500,000	\$0	\$0	\$2,500,000	
TOTAL		\$15,435,500	\$5,478,618	\$1,054,558	\$8,902,324	
FAH FUNDS BUDGET						
REMAINING BALANCE		\$30,000,000				
		\$25,560,000				
ACTIVITIES	CONTRACT NUMBER	ORIGINAL BALANCE	PREVIOUS TOTAL	CURRENT QUARTER	BALANCE REMAINING	
3372 Old Crompond Rd. - Town of Yorktown - 26 Units	C-FAH-11-06	\$2,930,000	\$0	\$0	\$2,930,000	
445 N. State Rd. - Village of Briarcliff Manor - 14 Units	C-FAH-11-08/09	\$1,510,000	\$0	\$0	\$1,510,000	
TOTAL		\$4,440,000	\$0	\$0	\$4,440,000	
OUTREACH AND EDUCATION BUDGET						
REMAINING BALANCE		\$400,000				
		\$380,000				
ACTIVITIES		ORIGINAL BALANCE	PREVIOUS TOTAL	CURRENT QUARTER	BALANCE REMAINING	
Pace University - Legal Zoning Review	C-PL-12-369	\$20,000	\$0	\$0	\$20,000	
ACQUISITION/REHABILITATION RLF BUDGET						
REMAINING BALANCE		\$2,500,000				
		\$1,738,500				
ACTIVITIES		ORIGINAL BALANCE	PREVIOUS TOTAL	CURRENT QUARTER	BALANCE REMAINING	TO BE RETURNED
52 Washington Ave, Village of Hastings - 3 Units	C-FAH-11-10	\$761,500	\$0	\$0	\$761,500	
OTHER BUDGET						
TOTAL APPROPRIATED TO DATE		\$0				
		\$9,066,429				
ACTIVITIES	CONTRACT NUMBER	ORIGINAL BALANCE	PREVIOUS TOTAL	CURRENT QUARTER	BALANCE REMAINING	FUNDING SOURCE
WFN Consulting (AI Consultant)	CEX-NEWTON-10	\$97,000	\$80,000	\$0	\$17,000	2009 Bonds
Housing Action Council - Down Payment Assistance	C-HOME-04-64	\$60,000	\$60,000	\$0	\$0	2004 HOME
445 N. State Rd. - Village of Briarcliff Manor - 14 Units	C-HOME-07-89	\$300,000	\$0	\$0	\$300,000	2007 HOME
3372 Old Crompond Rd. - Town of Yorktown - 26 Units	C-HOME-07-90	\$500,000	\$0	\$0	\$500,000	2007 HOME
Cottage Landing, LLC - City of Rye - 18 Units	C-HOME-09-83	\$880,000	\$880,000	\$0	\$0	2009 HOME
Freedom Gardens - Town of Yorktown - 3 units	C-HOME - 09-85	\$225,000	\$0	\$116,761	\$108,239	2009 HOME
Palmer Ave - Village of Larchmont - 46 units	C-HOME-10-86	\$1,025,000	\$0	\$0	\$1,025,000	2010 HOME
22 Old Rt 22 - Town of North Castle - 10 units	C-HOME-10-87	\$425,000	\$0	\$0	\$425,000	2010 HOME
52 Washington Ave, Village of Hastings - 3 Units	C-HOME-10-92	\$257,539	\$0	\$0	\$257,539	2010 HOME
2010 Affordable Housing Expo (3/2010)	N/A	\$1,778	\$1,778	\$0	\$0	2009 CDBG
2009 WRO - Senior Housing Counseling	C-67-09-S49	\$42,281	\$42,281	\$0	\$0	2009 CDBG
2009 WRO - Equal Housing	C-67-09-S53	\$47,013	\$47,013	\$0	\$0	2009 CDBG
2009 Community Capital Resources - Affordable Housing Feasibility Study	C-67-09-T06	\$75,000	\$75,000	\$0	\$0	2009 CDBG
2009 Housing Action Council- Homeownership Counseling Ctr.	C-67-09-S47	\$50,000	\$50,000	\$0	\$0	2009 CDBG
Roundtop - Montrose, Town of Cortlandt - 34 Units	C-67-10-T27	\$1,607,000	\$1,433,017	\$72,359	\$101,624	2009-2010 CDBG PROPERTY IMPROVEMENT PROGRAM (PIP)
2012 Affordable Housing Expo (3/2012)	N/A	\$2,193	\$2,193	\$0	\$0	2011 PIP Program Income
Housing Action Council- Homeownership Counseling Ctr.	C-67-10-T17	\$65,000	\$65,000	\$0	\$0	2010 CDBG
2010 WRO - Equal Housing	C-67-10-T07	\$112,000	\$112,000	\$0	\$0	2010 CDBG
2010 WRO - Senior Housing Counseling	C-67-10-T15	\$112,000	\$112,000	\$0	\$0	2010 CDBG
2010 Community Capital Resources - Affordable Housing Feasibility Study	C-67-10-T30	\$75,000	\$75,000	\$0	\$0	2010 CDBG
2011 Affordable Housing Expo (3/2011)	N/A	\$1,858	\$1,858	\$0	\$0	2010 CDBG
900 Peach Lake Rd Stabilization - Town of N. Salem - 2 Units	C-67-10-T43	\$29,000	\$0	\$0	\$29,000	2010 CDBG
2010 Housing Action Council - Technical Assistance	C-PL-10-342	\$100,000	\$100,000	\$0	\$0	2010 Tax Levy
2010 WRO - Housing Education	C-PL-10-343	\$30,000	\$30,000	\$0	\$0	2010 Tax Levy
2010 Community Capital Resources -Technical Assistance	C-PL-10-344	\$100,000	\$100,000	\$0	\$0	2010 Tax Levy
2011 Community Capital Resources -Technical Assistance	C-PL-11-353	\$99,652	\$99,652	\$0	\$0	2011 Tax Levy
2011 Housing Action Council- Technical Assistance	C-PL-11-354	\$100,000	\$100,000	\$0	\$0	2011 Tax Levy
2011 WRO - Housing Education	C-PL-11-355	\$30,000	\$30,000	\$0	\$0	2011 Tax Levy
2012 Housing Action Council- Technical Assistance	C-PL-12-364	\$100,000	\$0	\$16,666	\$83,334	2012 Tax Levy
2012 WRO - Housing Education	C-PL-12-365	\$30,000	\$0	\$0	\$30,000	2012 Tax Levy
2012 Community Capital Resources -Technical Assistance	C-PL-12-366	\$100,000	\$0	\$50,000	\$50,000	2012 Tax Levy
Roundtop - Montrose, Town of Cortlandt - 34 Units	C-FAH-10-02	\$1,659,000	\$1,659,000	\$0	\$0	2010 NEW HOMES LAND ACQUISITION
Palmer Ave - Village of Larchmont - 5 units	C-LA-11-52	\$267,000	\$0	\$0	\$267,000	2011 NEW HOMES LAND ACQUISITION
37 Wildwood Rd - Town of Bedford - 7 Units - Acquisition	C-LA-11-54	\$400,000	\$400,000	\$0	\$0	2011 NEW HOMES LAND ACQUISITION
37 Wildwood Rd - Town of Bedford - 7 Units - Lead Paint Control	C-LSW-10-211	\$61,115	\$61,115	\$0	\$0	2009 HUD Lead Demo Control
TOTAL		\$9,066,429	\$5,616,907	\$255,786	\$3,193,736	
PROGRAM INCOME						
ACTIVITIES	CONTRACT NUMBER	ORIGINAL BALANCE	PREVIOUS TOTAL	CURRENT QUARTER	BALANCE REMAINING	FUNDING SOURCE

Footnotes

- The "FAH CDBG Account Budget" and the "Outreach and Education Budget" were bonded in January 2010. FAH CDBG funds were paid to HUD and returned to the County's CDBG line of credit, available for draw.
- The County intends to bond the "Bond Funds Budget" of \$30 million when specific eligible projects are identified.
- "Other Budget" expenses will be paid from other sources of funds to leverage the required funding.