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County Executive

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VIA EMAIL AND UPS

November 2, 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 3Q 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 September 30, 2012; Appendix IV-3 is the 3Q 2012 Affirmative Fair Housing Marketing Report for AFFH Units; Appendix IV-4 contains pictures from the Kensico Dam Plaza July Fourth Fireworks Celebration; and Appendix IV-5 provides a Review of Applications/Marketing for Roundtop at Montrose.
- 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 3Q 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 3Q 2012.

This is the County's eleventh 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
Mary Mahon, Esq., Special Assistant to the County Executive
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Westchester County Fair and Affordable Housing Implementation Plan
Quarterly Report
For the period: July 1, 2012 through September 30, 2012

Overview

September 30, 2012 marks the end of the eleventh 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 both of the Settlement Agreement's 2012 benchmarks for ensuring the development of 750 affordable housing units, in that by the end of this quarter, 272 affordable Affirmatively Furthering Fair Housing ("AFFH") units have all financing in place and 130 units have building permits. The benchmark requirements were for 200 units to have financing in place and 125 units to have building permits.
- There are now a total of 87 completed and occupied units.
- Multiple sites have been reviewed in each of the 31 eligible municipalities, for a total of more than 276 site evaluations.
- Currently 691, or 93%, of the required 750 affordable AFFH units are listed in the Sites Progress List, representing sites in 17 municipalities. There is no longer any site being reported as active on the Site Progress List in the Town of North Castle, though other sites are currently under consideration. At this time, 211 of these 691 units are in blocks that had zero percent African American and zero percent Hispanic population according to the 2000 Census.
- The County reviewed 20 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 was notified that the 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, will be awarded the prestigious National Association for County Community and Economic Development (NACCED) Award of Excellence for Innovation, to be presented at their national conference in Florida in October. This on-line program has been a tremendous success. The site can be accessed on-line at www.westchestergov.com/homeseeker. Over 2,687 households have signed up on this website to receive information on affordable housing opportunities. Those interested come from 21 states, New York City, other Hudson

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Valley counties and all over Westchester County. Forty 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 60,821 unique pageviews visiting the County's Housing website with specifically 4,470 pageviews of the Homeseeker landing page. However, another 24,479 unique pageviews were made of the various properties listed under Homeseeker, suggesting that each visitor going to the Homeseeker site also visits six property listings, on average. Of further interest, is that nine of the top ten properties visited were all rental properties. Of particular note is the fact that the four most visited property sites were all in non-eligible communities. Each of these four properties received over 1,600 unique visitors. In fifth place, is the senior housing site, the Mews, an ineligible development in the Town of Somers, with 1,479 unique visitors during the three month period.
- On July 1, 2012, the County Planning Department expanded its Housing website to include information specifically of interest to municipalities. Included in the site is information on the Model Ordinance Provisions, and sample documents, including draft restrictive covenants, for municipalities to utilize for inclusionary units they may approve.
- Since August 2009, the County has conducted and participated in over 495 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 \$26,675,500 of the \$51.6 million it is required to spend on the 750 units. Included in the total 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 a total of 17 units.
- The Sites Progress list includes two developments that, if constructed, would include new affordable AFFH inclusionary units as part of larger market-rate developments.

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 31 developments and activity through the Acquisition and Rehabilitation Revolving Loan Fund which includes three identified sites and eleven unidentified units.

Specific information on each of these developments is presented in a spreadsheet in Appendix I-1 labeled 3Q 2012 AFFH Sites Progress List. The spreadsheet also lists the current status of each development and the actions expected to occur in the fourth quarter of 2012.

This quarter, the County met its 2012 benchmark under the Settlement Agreement requiring that 125 affordable AFFH units have building permits in place by December 31, 2012. At the end of this quarter, the County reports that a total of 130 affordable AFFH units have building permits in place. The other 2012 benchmark, for 200 affordable AFFH units to have all financing in place by the December 31, 2012 deadline, was met in the second quarter of 2012. At the end of this quarter, the County reports that 272 units have all financing in place.

The spreadsheet accounts for 31 developments that are in various stages of their approval and/or construction process, including two developments that are now being listed as Inactive and will be removed from the Site Progress List with the next quarterly report. The units associated with these developments are not being included in any of the unit counts provided in this section of this Quarterly Report.

With the two Inactive developments removed, the 29 active developments include a total of 1,084 units, of which at least 691 should qualify as affordable AFFH units if they receive all their land use and financing approvals. One of the developments removed from the Site Progress List was in the Town of North Castle. With its removal, the remaining developments are located in 17 different eligible communities. While two additional sites are being considered in the Town of North Castle, neither site had progressed enough to be appropriate for placement on this Sites Progress List.

The 29 developments include eight developments with a total of 130 affordable AFFH units with building permits. As of September 30, 2012 a total of 35 of these units were under construction and 95 units were completed with Certificates of Occupancy. The Roundtop development has been added to the Appendix I-1 spreadsheet Completed section as all of the units are now completed and occupied. While other units have received Certificates of Occupancy, occupancy may not have been completed, or the units are part of a larger development that may have other eligible units with

potential future retenanting of these other units. These developments are not listed under the Completed section of the report.

Of the developments on the Appendix I-1 Sites Progress List that do not yet have building permits, seven developments have all financing in place. These developments have experienced unanticipated issues that have delayed construction. Environmental contamination was identified on one site after the financing was approved; the contamination can be mitigated but remediation work is required before construction can begin. A few developments have been delayed due to extra time required to negotiate final language in the Inter-Municipal-Developer Agreements (IMDAs), which are necessary to allow the County to fund the infrastructure improvements.

The County also continues to list the potential of 69 Existing Occupied Housing units on the Appendix I-1 Sites Progress List. The County remains anxious to resolve the issue of when units that are currently occupied can be counted.

Several developers of the developments with financing either already in place or expected in October 2012, are expecting to pull building permits during the fourth quarter of 2012. Collectively, these sites in Larchmont, Pleasantville, Hastings-on-Hudson, North Salem, Ardsley, Rye Brook and Yorktown represent an additional 163 AFFH building permits that should be requested shortly. With another 45 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 pursuing approval of 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 Board of Legislators is expected to complete review of legislation to finance two affordable AFFH developments, early in the fourth quarter. These developments are in Ardsley and Rye Brook and represent a total of 21 affordable AFFH units.

The remaining developments on the Appendix I-1 Site Progress List have begun the public discussion and land use approval process, which may include 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.

Both the Bridleside and Ellendale Avenue sites were recommended for the County's capital project funding for affordable AFFH units by the County Planning Board this quarter, representing a total of 69 AFFH units. This is the first formal step in securing the County's funding approval.

The Appendix I-1 spreadsheet lists the Acquisition and Rehabilitation Revolving Loan Fund and its expected outcome of a total of 17 units. Three developments have been identified for inclusion under this program. A total of 20 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

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subject the County and the non-profit agencies the County works with, to additional expenses under the Uniform Relocation Act. The County will continue to review additional foreclosed properties for participation in the RLF. Eleven additional units are expected to be assisted through this Acquisition and Rehabilitation RLF.

It should be noted that seven of the 29 developments, accounting for 211 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 11 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.

The various developments on the Sites Progress spreadsheet fall under all of the categories allowed by the Settlement Agreement. It is anticipated that 575 of the units will qualify under Paragraph 7(a), 60 units will qualify under Paragraph 7(b), and 50 units will qualify under Paragraph 7(c). One hundred eight seven units have been identified as potential senior housing units, which would be the maximum allowed by the Settlement Agreement. Ninety-two units are existing housing units, which is well under the 187 allowed in this category. The County is also well within the obligations that at least 50% of the units be rental, and no more than 50% of the units be homeownership. The current pipeline shows 497 units (72%) as rental and 183 units (27%) as homeownership. The last 1% of units represents the 11 unidentified sites under the Acquisition and Rehabilitation program that will likely be a mix of both homeownership and rental units.

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 ordered three appraisals for sites that could potentially yield 78 affordable AFFH units. Two of these appraisals were received before the end of the quarter, as was one appraisal that was ordered late in the second quarter. The County has now conducted appraisals on 599 potential affordable AFFH units. At least four sites where an appraisal had been ordered are no longer deemed feasible for the development that had been proposed.

It should be noted that, to date, the County has done some level of review on over 276 sites with at least two sites in each of the 31 eligible municipalities. While a number of the 276 sites have not proceeded beyond the County's initial review, many are in various stages of additional local review or approval. Municipalities continue to work with local realtors to identify potential sites that could be brought to the County, clearly representative of the cooperation the County has been receiving from the eligible municipalities.

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Quantitative indicators are provided in the spreadsheet in Appendix I-2 labeled Quantitative Indicators on 3Q 2012 Pipeline Listings for the new developments included on the Appendix I-1 spreadsheet listed for the first time this quarter.

The County has also updated the spreadsheet in Appendix I-3 labeled Initial Occupancy Report for AFFH Units as of September 30, 2012 that provides the race and ethnicity of the initial occupants of the completed and occupied units. This spreadsheet reports on the first three 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 83 units now fully occupied in the Roundtop development in the Town of Cortlandt, 33 units are occupied by households identifying themselves as Black or African American. This represents over 43% of the occupied units. Three households identified themselves as other multi racial, and one household represented themselves as American Indian or Alaska Native. It should be noted that six of the 83 households would not indicate their race; representing less than 1% of the total occupied households.

In response to the question of ethnicity, 13 of the 58 households indicated that they were Hispanic, representing almost 16% of the total households. But important to note is that 16 of the 58 households (representing 20% of the total households) did not indicate their ethnicity.

Appendix I-1: 3Q 2012 AFFH Sites Progress List

Appendix I-2: Quantitative Indicators on New 3Q 2012 Pipeline Listings

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

II. Census Analysis

Summary of Actions this Quarter: This Quarter, the County Planning Department undertook a review of the local housing construction trends, specifically through a review of residential building permits issued by the 31 eligible municipalities.

The volume of market rate housing construction in Westchester County has greatly contracted following the collapse of the housing bubble and resulting economic recession. The table in Appendix II-1 shows the number of new residential building permits issued each year from 2000 to 2011 in the 31 eligible communities identified in the Settlement Agreement. The table also includes the yearly averages of building permits for two time periods: 2000-2008 and 2009-2011, in recognition of the construction trends before the economic recession and the three years since. To eliminate any skewing of numbers, building permits issued for County-funded fair and affordable housing were removed from each municipality's yearly total, although locally-defined affordable housing developments remain.

The eligible municipalities saw an average of 661 new building permits issued each year until 2008. The effects of the recession are exhibited during the period 2009 to 2011, when an average of only 121 building permits were issued each year. Given such a reduced number of new market housing units constructed in the eligible municipalities as a whole, the County's contribution to fair and affordable housing in some cases dwarfs that of all other housing. For instance, the filing of building permits for the 72 units at the Mews at Baldwin Place in Somers in 2010 compares to only seven building permits for other new housing units in Somers in that year.

The reduction of other market rate developments indicates that inclusionary units from market developments are not going to amount to any significant number of affordable AFFH units until the housing market recovers, even as more municipalities adopt the Model Ordinance provisions that include inclusionary zoning.

Appendix II-1: Table on Residential Building Permits in 31 Eligible Municipalities 2000-2011

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 five 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. Planning staff gave priority during the quarter to work necessary to address the Monitor's request for additional supplemental zoning analyses. 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 eight 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. 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. 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.

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.

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The County continues to review data from the County Clerk's office each month on foreclosures and *lis pendens* filings. There were 61 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.

Eleven developments (representing 92 potential affordable AFFH units) on the County's 3Q 2012 FAH Sites Progress List qualify under Paragraph 7(h) of the Settlement Agreement, providing for the use of existing housing units. Eleven additional units are anticipated through the balance of units under the Acquisition and Rehabilitation program. The County is currently awaiting further review from the Monitor on the inclusion of all existing units, including occupied units, as Eligible Units.

Efforts to maximize development in the census blocks with the lowest populations of African Americans and Hispanics are continuing. To date, seven developments, representing 211 affordable AFFH units, identified on the 3Q 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 29 sites included on the 3Q 2012 FAH Sites Progress List include developments in 17 different communities. One site in an eighteenth community – North Castle, is now listed as inactive. The Town is currently exploring additional sites, but the feasibility of either site is not completed yet.

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.

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 one meeting 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 ten meetings with municipal officials, developers and property owners. 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, 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 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. As the County was unable to locate additional fair housing posters for distribution, a request was made to the National Fair Housing Alliance, who sent the County the pdf version of two posters and their permission to reproduce additional copies of these posters. The County made 60 additional copies of each poster, with one side in English and the second side in Spanish, in an 11" x 17" glossy format and will begin distributing these additional posters to the municipalities.

Effective July 1, 2012, the County Planning Department launched a new municipal housing website within its existing housing website, after diligently pulling together resources. 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 contains 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, 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.

County Executive Astorino also continued his series of Town Hall meetings this quarter, where he helps local residents understand what County government does and answers questions of local concern. The July meeting was held in the Village of Pelham, the August meeting was held in the

City of White Plains, and the September meeting was held in Town/Village of Scarsdale. These meetings included a number of questions directed at helping residents understand the implications of the 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 fourth quarter.

The County was notified that its Homeseeker Central Intake system won the Award of Excellence for Innovation from the National Association for County Community and Economic Development (NACCED), at their national conference in Florida in early October. 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 County's Housing Website had a total of 60,821 unique pageviews. Welcome Homeseeker page had a total of 4,470 unique pageviews. Another 24,479 unique pageview were made of the various properties listed under Homeseeker, suggesting that each visitor going to the Homeseeker site also visited six property listings, on average. Of further interest, is that nine of the top ten properties visited were rental properties. Of particular note, is the fact that the four most visited property sites were all in non-eligible communities. Each of these four properties received over 1,600 unique visitors. In fifth place, is the non-eligible senior housing site, the Mews in the Town of Somers, with 1,479 unique visitors during the three month period.

The response to date of the Homeseeker sign-ups continues to be strong. This quarter an additional 334 households signed up for information through Homeseeker to create total universe of 2,687 registered households as of September 30, 2012. The number of households that have requested to be removed from the Homeseeker system remains at 40.

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 2,687 registrants between September 30, 2010 and September 30, 2012, 1,708 currently live in Westchester County. Of the balance, the next largest population is 555 households from Bronx County, followed by 159 households from New York County and 67 households from Kings County. Seventy-one responses are from households out of New York State including responses from 20 other states. Of these, the most responses from any one state came from Connecticut with 20, followed by 11 responses from New Jersey and eight from Florida. Other responses came from Arizona, California, Delaware, Georgia, Illinois, Kentucky, Louisiana, Maryland, Massachusetts, Missouri, Nebraska, North Carolina, Oregon, Pennsylvania, South Carolina, Virginia and Washington State. Of the 1,708 Westchester households, 503 households are current residents of Yonkers, followed by 312 households in Mount Vernon, 153 in White Plains and 151 in New Rochelle. A total of 343 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. To date, 1,605 households have expressed interest in homeownership, 403 in rental opportunities and

679 in exploring both. It is in our review of the data 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%). Single person households registering interest represent 17%; 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 42% of the responders indicated they were African American (representing 1131 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 (22), Asian Indian (24) and other Pacific Islander (21) of mixed white and African American (34). Eight hundred fifty-two households (about 32%) represented that they were Hispanic. Five hundred sixty four households (21%) did not respond to the question on ethnicity.

It is interesting to note that the increases in registration seen from quarter to quarter remain consistent – about 330 new households - and that the responses within these households and the various questions asked also remain consistent with previous quarters' data. Percentages have not varied more than two points in any category during the last few quarters.

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, and several months of collaborating with the County Attorney's office, a Request For Proposals (RFP) for a marketing consultant was prepared and issued on August 1, 2012. Two proposals were received by the October 24, 2012 deadline; one proposal was deemed responsive to the RFP requirements. The County subsequently executed a contract with the successful bidder, Housing Action Council, for service as Marketing Consultant. The County has started notifying developers with proposals in various stages of review of the Marketing Consultant selection and the required services. The response from Housing Action Council also included a schedule of values for additional optional services available to developers. The County will send this schedule out to developers so they are aware of these costs prior to finalizing development budgets.

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. After the County met with the Monitor and representatives from HUD, the County worked with Westchester Residential Opportunities (WRO) to have a focus group review the marketing materials, to be sure the message was coming across as expected. The results of two focus groups held in August, were of concern and were shared with the Monitor.

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A second marketing campaign is being developed to get the message across to existing residents that diversity is a positive attribute of our communities. The County's graphics professionals are working on various thought provoking messages to get strong and clear message out to the public on the benefits of diverse communities. It is expected that this campaign will also be reviewed by a focus group before being finalized.

The Human Rights Commission conducted and participated in a number of outreach and education efforts during this quarter. Commission staff conducted a fair housing training at a Community Housing Innovations first-time homebuyers class on August 27, at the White Plains Library, distributed fair housing materials at the Food Bank for Westchester 13th Annual Agency Day Conference on September 18, and spoke to condominium owners of a development in the City of Rye at the development's annual meeting on September 27. Commission staff also participated in a Fair Housing training session in Washington DC this quarter. Additional outreach and education events are planned for the next quarter.

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, most of which groups had at least one meeting during this quarter.

The County also had representation with a table of housing information at the Hispanic 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 County Executive also visited with residents who attended the Fourth of July fireworks at the Kensico Dam Plaza prior to the fireworks display. Appendix IV-4 includes pictures of the County Executive's meeting with a number of families. It is clear from these pictures that there is great diversity in the families who attend outings at the Kensico Dam Plaza.

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 all 83 occupied units of the Roundtop development in the Town of Cortlandt.

Additional review was undertaken in this quarter on the applicant files of these first-to-be-completed large development (Roundtop at Montrose) to better understand who is applying for units and the impacts of their occupancy on the community (e.g. how many school aged children, size of

Westchester County Fair and Affordable Housing Implementation Plan
Quarterly Report

For the period: July 1, 2012 through September 30, 2012

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households, town of business, etc.). This analysis was to help evaluate the effectiveness of marketing efforts to ensure that the word of the housing opportunities was getting out to diverse households. Of particular interest was how the applicants learned of the developments and the available units. While the full report is provided in Appendix IV-5 Roundtop at Montrose – Review of Applications/Marketing, the key findings are summarized here:

- 25% of the applications were received from local Cortlandt Town residents (residing in six villages and hamlets within the Town);
- 803 of the 860 applications received (as of the date of the County’s review – August 6 2012) were submitted by households living within the nine county marketing area;
- 57 applications were submitted by households living outside of the nine county marketing area, including from nine other states, and coming from as far away as Hawaii;
- 31% of responders indicated they heard of the development from a friend;
- 30% of responders indicated they had heard of the development through either press or a website (the press sources and websites in listed in the responses are included in the report);
- 43% of the applicants indicated that they were Black or African American; 34% indicated they were White;
- 57% of the applicants indicated that they were not Hispanic, compared with 23% who indicated they were Hispanic; 20% of the applicants did not respond to this question;
- 19% of applicants indicated they were Disabled; 8% indicated someone in their household was a veteran, but 51% of the applications did not give a response to this question;
- The greatest response group was the one-person households with 318 applications (37%); two person households represented 36% of the applications (309 applications);
- 484 applications (57% of the total application pool) had no school aged children in their household;
- 520 of the applications had someone that worked within the nine county marketing area; but another 303 households either didn’t answer the question or indicated that the household members were retired, disabled or unemployed.

It is 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 also measuring units that are complete and occupied. To date, a total of 87 units have been completed and are occupied. While at least one additional unit is completed, there has been difficulty in selling the unit as qualified buyers hesitate to sign the contract of sale at the last minute, still worried about the security of the employment.

Appendix IV-1: 3Q 2012 Housing Meetings List

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

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

Appendix IV-4: Pictures from Kensico Dam Plaza July Fourth Fireworks Celebration

Appendix IV-5: Roundtop at Montrose – Review of Applications/Marketing

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 continues to promote the Model Ordinance Provisions through discussion at public meetings with municipalities and in County Planning Board referral letters whenever appropriate. 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. Ten 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 continued this quarter to prepare detailed compilations of local actions and to assemble “questions asked” during the local review process to assist with the material for the Municipalities section of the housing website.

The status of the review in the 31 eligible municipalities is described below.

The village or town board of ten 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 North Salem	September 11, 2012
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 Mamaroneck
Town of North Castle.

Based on available information, eleven other municipalities are engaged in a review process whereby the Model Ordinance Provisions are under consideration by the village or town board or 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 Mount Pleasant
Village of Pelham
Village of Pelham Manor
Village of Pleasantville
Town of Pound Ridge

The town board and city council of two municipalities adopted zoning amendments in the recent past but prior to finalization of Model Ordinance Provisions and have stated 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 of the Model Ordinance provisions that may not be addresses; the results will be relayed back to the Town in the fourth quarter.

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 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, this quarter the County Planning Department expanded its housing website to include a section specifically for municipalities. It was made available on July 1, 2012. The County's housing website already includes sections for tenants, landlords, homeowners, developers and senior citizens. The new site is located at www.westchestergov.com/municipalities . Officials had 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. The County has also been asked to 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 four 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. In the County's conducting of a review of current developments, the County found that the Village of Rye Brook is now undertaking and completing its review of the first two proposals to move forward under its streamlined approval process. While the site at 80 Bowman Avenue began the process earlier than the site at 525 Ellendale, the Village completed the Ellendale development sooner because the developer was able to provide the information needed by the Village earlier than the developer of the 80 Bowman Avenue site. The Bowman Avenue site is expected to be the subject of a Village public hearing in October 2012.

The County continues to notice 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 continues to be delayed as he and the current property owner work through the contamination that occurred on his site after all the financing was in place. This has delayed the development for over one year at this point, well beyond anyone's expectation. A second developer has had to deal with the negotiations and delays associated with getting the infrastructure work out to bid. The County is working to address procedural issues related to inter-municipal and developer agreements.

Appendix V-1: 3Q 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 \$2,675,449 of its funds for AFFH developments, though additional funds were obligated. A summary of each area included in the 3Q 2012 Financial Report is presented below.

From the \$21.6 million in the County's CDBG Line of Credit, \$2.8 million in new funds for housing activities were obligated this quarter toward the North Salem Bridleside development. A total of \$18,235,500 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 85% of the \$21.6 million Line of Credit. There remains a balance of \$3,364,500 of unobligated/unapproved funds. A total of \$335,449 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, acquisition funds for the North Salem Bridleside development were approved this quarter. Funds toward the acquisition of two properties – at total of \$2,340,000 - was expended in this category this quarter.

From the \$400,000 that the County is expected to expend for other consultants, outreach and education activities, two activities were obligated this quarter – an outreach and education activities contract with the Pace University Land Use Law Center and the Marketing Consultant Services contract with Housing Action Council. These two contracts obligate a total of \$206,000, for a total of \$226,000 obligated from this account. 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 \$339,245 on other affordable housing activities and housing services provided through three contracts or agreements with housing agencies as follows:

- 1) \$285,000 was expended toward the downpayment for the purchase of modular housing units for the Briarcliff Manor development from FY 2007 HOME funds.
- 2) \$14,774 was expended toward the construction of the Freedom Gardens three unit development in Yorktown under a contract for HOME funds;
- 3) \$39,471 was expended toward site work for the Roundtop development in Cortlandt using the County's 2009-2010 CDBG funds;

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 nor the FY 2012 Action Plan application to HUD for funding under the same programs in the total approximate amount of \$5,228,327 still not been released. The County continues to await approval notice of these grant applications.

The NYS Homes and Community Renewal agency is currently conducting their next Notice of Funding Availability for Low Income Housing Tax Credits. Applications are due in both October and November, depending on a development's level of readiness. 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 deadline for the 2012 application round for potential homeownership development subsidies was July 11, 2012. The County provided support letters for two developments in Rye Brook.

Appendix VI-1: 3Q 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, 272 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 thirty units have achieved this status. This benchmark is almost now met.

The 3Q 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 at least 68 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.

A review of the marketing efforts on the Roundtop development demonstrate that there is significant diversity in the applications received by interested families looking to move into the new apartments.

During this quarter, the County issued a RFP for a marketing consultant to assist with the implementation of the Affirmative Fair Housing Marketing Plans. The County also reviewed the responses received and awarded a contract for the services to Housing Action Council.

Outreach and Education efforts continue through various contracts, including a new contract with Pace Law School for specific programs and services to run through the end of 2013. The Human Right Commission also provides training at various events each quarter.

With a second national award recognizing the quality of the Homeseeker program, the number of households registering their interest in receiving information on affordable housing continues to grow, reaching a very diverse population across the country. Residents from 21 states, including New

York, have now registered. An actual application to be considered for an apartment at the Roundtop development was received from as far away as Hawaii.

Fifty-two percent of the funding available for construction has been awarded for 29% of the units required. However, 5% of the funding awarded is expected to be returned for reuse into a revolving loan fund to help fund additional housing units. Additionally, the County is reporting on the first two developments seeking approvals that include inclusionary units, which will be required to comply with the County's program at no cost to the County.

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 July 1, 2012 and September 30, 2012

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

For the period: July 1, 2012 through September 30, 2012

Appendix I-1: 3Q 2012 AFFH Sites Progress List

3Q 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 District	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		
867 Saw Mill River Rd	ARD	22	17	A	010600	1004	no	Ardsey Union Free				17	2 and 3 BRs	yes	yes	yes	Conrad Roncati (FP)	AHC		\$ 735,000	\$ 1,430,550				Funding under review by the Board of Legislators	Receive authorization from the County Board of Legislators and Board of Acquisition and Contracts and proceed towards land and funding closing.	
445 North State Road	BMR	14	14	A	013202	4000	no	Briarcliff Manor Union Free				14	2 BRs	yes	yes	yes	Cornstock Residential Contracting. (FP)	AHC		\$ 1,510,000	\$ 300,000	14	14		Land acquisition and development financing closing took place on August 15, 2012. Construction has begun.	Continue construction	
Rivertowns Square 50 Livingston Ave	DBF	226	18	C	010500	2001	no	Ardsey Union Free			18			yes	yes	yes	Saber Dobbs Ferry, LLC (FP)								Large 17 acres multi-use development with 18 inclusionary AFFH units currently seeking local approvals.	Developer continuing local approval process	
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		A	010200	1012	yes	Hastings Union Free					3BR Owner and Studio renter	yes	yes	yes	Hastings-on-Hudson Affordable HDFC (NFP)	AHC								Inactive	
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. AFFH Marketing has begun. Still clearing up environmental issue	Complete land transaction and begin construction and marketing.	
22 Old Route 22	NOC			A	012303	9014	yes	Byram Hills Central					2 BRs	yes	yes	yes	Pawling Holdings (FP)	AHC								Inactive	
900 Peach Lake Rd	NSM	2	2	A	015000	2013	yes	North Salem Central		1	2		3BR and 1 BR	no	no	no	ACE - (NFP)				\$ 29,000					The Town of North Salem to acquire and grant a long term lease with ACE. County financial support for ACE'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	\$ 2,800,000	\$ 4,000,000		65			Local approval received. Funding approved by Board of Legislators	Closing on land and financing and begin construction	
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	
495 King Street	NWC	36	28	A	013102	3020	no	Chappaqua	28		28		1 BRs	yes	yes	yes	Mountco	HCR								Developer currently seeking local approvals	Continue local approval process, receive appraisal and begin underwriting
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 Manville 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		6 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 received local approvals and is seeking financial approvals	Developer to secure NYS and County funding. Close on land and financing and begin construction.
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.
259 North Ridge St	RYB	13	13	A	008302	3000	no	Blind Brook		1		13	2 - 1 BR 8 - 2 BRs 3 - 3 BRs	yes	yes	yes	Pawling Holdings (FP)	AHC								Seeking land use approvals.	Secure land use approvals and order an appraisal
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		Construction nearly complete. Condominium plan approved by NYS	Complete construction and begin sales and occupancy.	
Clayton Blvd.	SOM	75	75	A	014908	2000	no	Somers	75		75		61- 1 BRs 14 - 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
57 Route 6	SOM	72	72	A	014908	2002	no	Somers			72		36 - 1 BRs 36 - 2 BRs	yes	yes	yes	National Golfworx New York Realty LLC (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				Land acquisition and development financing closing took place on July 30, 2012. Site preparation has begun.	Continue site work and pull building permits. Infrastructure work to be bid and construction to start .
<p>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</p> <p>2. Pursuant to paragraph 7(h) of the Stipulation, this number cannot exceed 187 units.</p> <p>3. A minimum of 375 units must be in this category.</p> <p>4. A maximum of 375 units can be in this category.</p> <p>5. Eligible after removing the group quarters from the census tract</p> <p>6. Rehabilitation is not required at this time, so there no new building permit required. The original building permit/Certificate of Occupancy remains viable</p>																											

3Q 2012 AFFH Sites Progress List

Project Name/Address	Municipality	Total No. of Units	No. of AFFH Units	Stipulation Area Designation	Census Tract	Census Block	Lowest AA/H	School District	No. of Senior Units ¹	No. of Existing Units ²	No. of Eligible Rental Units ³	No. of Eligible Ownership 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	Lease AFFH units as they are vacated		
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 when unit is vacated		
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. Affirmative Marketing has begun.	Continue affirmative marketing and lease the available AFFH units. Additional units are expected to be vacated.		
Acquisition/Rehabilitation Revolving Loan Fund																											
TBD	TBD	11 ⁸	11							11								AHC						BOL approved \$2.5 million for 17 units. Prospective sites being reviewed.	Seeking sites and underwriting.		
230 Westchester Ave	BUC	1	1	A	014000	1006	no	Hendrick Hudson		1		1		yes	yes	yes	Housing Action Council	AHC						Appraisal has been ordered. Rehabilitation cost estimates under review	Complete underwriting and acquire County funding approvals and proceed towards closing.		
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 HDHC (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		
17 Kaldenberg Pl	TTN	2	2	C	011500	1005	no	Tarrytown Union Free		2	1	1		yes	yes	yes	Housing Action Council	AHC						Appraisal receiveds. Rehabilitation cost estimates under review	Complete underwriting and acquire County funding approvals and proceed towards closing.		
Completed AFFH Developments																											
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	Pawing Holdings(FP)	AHC	\$ 120,000			3	3	Completed	Completed		
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	Completed	Completed		
					Lowest AA/H UnitS	Non- Lowest AA/H Units																					
TOTALS		1084	691		211	469			187	92	497	183							\$ 16,397,000	\$9,175,000	\$ 8,649,909	272	130				
7. Potential AFFH Units not yet eligible due to the issue of current occupancy.																											
8. Estimated Number																											
9/30/2012																											

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

For the period: July 1, 2012 through September 30, 2012

Appendix I-2: Site/Municipal Data and Opportunity Indicators

	Ogden Ave and Danforth Ave	495 King Street	57 Route 6	525 Ellendale Ave *
Municipality	Dobbs Ferry	New Castle	Somers	Rye Brook
Census Tract	105	131.02	105	83.01
Block Group	2 (Block 2001)	3 (Block 3020)	2 (Block 2001)	4 (Block 4003)
School District	Dobbs Ferry	Chappaqua	Somers	Rye Brook
Police Department	Dobbs Ferry	New Castle	Somers	Rye Brook
	<i>Block/Block Group*</i>	<i>Block/Block Group*</i>	<i>Block/Block Group*</i>	<i>Block/Block Group*</i>
<i>County</i>	<i>Municipality</i>	<i>Municipality</i>	<i>Municipality</i>	<i>Municipality</i>
TOTAL POPULATION (source: 2000 U.S. Census of Population and Housing)				
Total population	923,459	17,491	18,346	8,602
SEX (source: 2000 U.S. Census of Population and Housing)				
Male	441,722	8,649	8,757	4,080
Female	481,737	8,842	9,589	4,522
AGE (source: 2000 U.S. Census of Population and Housing)				
Under 5 years	64,242	1,398	1,235	668
5 to 9 years	67,993	1,755	1,277	662
10 to 14 years	63,757	1,619	1,229	570
15 to 17 years	34,805	802	782	295
18 and 19 years	19,558	254	242	88
20 years	9,162	93	131	44
21 years	9,109	58	107	38
22 to 24 years	28,691	233	290	157
25 to 29 years	54,734	412	523	321
30 to 34 years	68,733	871	1,011	566
35 to 39 years	79,809	1,459	1,603	763
40 to 44 years	77,224	1,705	1,582	746
45 to 49 years	68,166	1,813	1,394	648
50 to 54 years	61,832	1,544	1,359	629
55 to 59 years	48,310	1,120	1,129	532
60 and 61 years	16,360	348	372	159
62 to 64 years	22,010	399	549	225
65 and 66 years	13,679	243	336	165
67 to 69 years	20,360	316	579	216
70 to 74 years	32,746	498	957	383
75 to 79 years	26,529	299	751	309
80 to 84 years	17,991	142	474	211
85 years and over	17,659	110	434	207
RACE (source: 2000 U.S. Census of Population and Housing)				
White alone	658,858	16,004	17,400	7,910
Black or African-American alone	131,132	240	313	89
American Indian/Alaska Native alone	2,343	8	9	18
Asian alone	41,367	971	341	366
Native Hawaiian or other Pacific Islander alone	371	3	1	2
Some other race alone	61,227	90	109	117
Two or more races	28,161	175	173	100
HISPANIC ORIGIN (source: 2000 U.S. Census of Population and Housing)				
Hispanic or Latino	144,124	487	543	468
Not Hispanic or Latino	779,335	17,004	17,803	8,134

See notes for descriptions of data and sources. 525 Ellendale Ave site indicator data reflect corrected statistics. This indicator data should be used instead of the data included with the 2Q 2011 Quarterly Report.

	Ogden Ave and Danforth Ave	495 King Street	57 Route 6	525 Ellendale Ave *
Municipality	Dobbs Ferry	New Castle	Somers	Rye Brook
Census Tract	105	131.02	105	83.01
Block Group	2 (Block 2001)	3 (Block 3020)	2 (Block 2001)	4 (Block 4003)
School District	Dobbs Ferry	Chappaqua	Somers	Rye Brook
Police Department	Dobbs Ferry	New Castle	Somers	Rye Brook

County	Municipality	Block/Block Group*	Municipality	Block/Block Group*	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			32.30		1.10	
Persons per square mile	2,056	161.82			567.99		7820.00	

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

Total Number of Workers 16 years and older	425,052	5,101	478	8,309	1,142	8,351	400	4,145	208
Automobile: drove alone	261,742	3,433	362	5,086	733	6,412	290	2,778	148
Automobile: carpooled	40,384	265	53	435	33	587	25	272	7
Public transportation	86,735	1,132	101	2,101	263	783	38	818	39
Motorcycle	158	0	0	0	0	0	0	0	0
Bicycle	472	0	0	5	0	8	8	0	0
Walked	17,180	312	0	41	15	33	0	78	14
Other means	2,076	12	0	39	10	44	7	59	0
Work at home	16,305	15	212	602	88	484	32	172	0

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

Aggregate travel time to work (minutes)	13,379,665	154,565	14,615	321,550	41,730	309,845	16,660	124,790	6,915
Average travel time to work (minutes)	31	30	31	39	37	37	42	30	33

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

Total Population (base for poverty estimates)	935,202	976	9,923	17,390	2,167	17,916	851	8,561	323
Total Population 5-17 years old	166,366	252	1,833	4,085	529	3,040	170	1,550	27
Total Population 5-17 years old in families in poverty	16,803	31	172	175	26	55	14	139	0

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

High School Reading and Math Proficiency Rate		75		90		63		88	
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ment of Justice, Federal Bureau of Investigation, Crime Justice Information Services Division,

Total Population (base for crime reporting)	828,089	6,598		17,806		N/A		9,672	
Total crimes reported	15,783	140		108		N/A		79	
Crime Rate (total crimes per 100,000 population)	1,906	2,122		607		N/A		817	

	Ogden Ave and Danforth Ave	495 King Street	57 Route 6	525 Ellendale Ave *				
Municipality	Dobbs Ferry	New Castle	Somers	Rye Brook				
Census Tract	105	131.02	105	83.01				
Block Group	2 (Block 2001)	3 (Block 3020)	2 (Block 2001)	4 (Block 4003)				
School District	Dobbs Ferry	Chappaqua	Somers	Rye Brook				
Police Department	Dobbs Ferry	New Castle	Somers	Rye Brook				
	<i>Block/Block Group*</i>	<i>Block/Block Group*</i>	<i>Block/Block Group*</i>	<i>Block/Block Group*</i>				
<i>County</i>	<i>Municipality</i>	<i>Municipality</i>	<i>Municipality</i>	<i>Municipality</i>				
TOTAL EMPLOYMENT (source: U.S. Census Bureau, Local Employment Dynamics program,)								
Total Jobs	406,225	2,996	4,153	8,594	6,039			
Dynamics program, 2008)								
\$1,250 per month or less	91,814	785	1,054	1,255	1,073			
\$1,251 to \$3,333 per month	122,030	1,006	1,431	1,823	1,461			
More than \$3,333 per month	192,381	1,205	1,668	5,516	1,361			
EMPLOYMENT BY SECTOR (source: U.S. Census Bureau, Local Employment Dynamics								
Agriculture, Forestry, Fishing and Hunting	424	0	0	89	0			
Mining, Quarrying, and Oil and Gas Extraction	6	0	0	0	0			
Utilities	3,059	0	21	0	0			
Construction	25,117	156	244	493	155			
Manufacturing	17,582	10	23	2,399	17			
Wholesale Trade	17,715	111	71	118	157			
Retail Trade	47,378	427	380	305	522			
Transportation and Warehousing	11,526	16	274	83	131			
Information	12,293	18	52	49	64			
Finance and Insurance	18,587	134	68	128	637			
Real Estate and Rental and Leasing	9,998	129	80	34	87			
Professional, Scientific, and Technical Services	26,303	213	373	240	318			
Management of Companies and Enterprises	8,667	9	1	985	296			
Administration & Support, Waste Management and Remediation	21,875	75	272	445	237			
Educational Services	49,728	733	833	1,477	2,207			
Health Care and Social Assistance	64,792	151	314	1,004	567			
Arts, Entertainment, and Recreation	8,907	157	125	51	56			
Accommodation and Food Services	21,776	330	287	400	371			
Other Services (excluding Public Administration)	19,609	327	733	112	124			
Public Administration	20,883	0	2	182	93			
EDUCATIONAL ATTAINMENT (source: 2000 U.S. Census of Population and Housing)								
Total population 25 years and older	628,941	7,029	653	11,388	1,444	13,040	653	6,160
Associates' degree or less	372,017	3,471	290	2,737	327	6,464	255	2,816
Bachelor's degree or higher	256,924	3,558	363	8,651	1,117	6,576	342	3,344

See notes for descriptions of data and sources. 525 Ellendale Ave site indicator data reflect corrected statistics. This indicator data should be used instead of the data included with the 2Q 2011 Quarterly Report.

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

For the period: July 1, 2012 through September 30, 2012

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

**Initial Occupancy Report for AFFH Units
as of September 30, 2012**

DEVELOPMENT NAME	Residents as of 9/30/12	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 Ave. Pelham	3	1	0	0	0	0	0	0	0	0	1	0	1	2	0	1	
Roundtop (All)*	91	44	35	0	0	0	0	0	0	0	1	4	6	15	60	16	1 Person selected more than 1 Racial Group (1 Black or African American PLUS Other Multi Racial)
Roundtop (County & Veterans ONLY)	83	39	33	0	0	0	0	0	0	0	1	3	6	13	54	16	1 Person selected more than 1 Racial Group (1 Black or African American PLUS Other Multi Racial)
Wildwood (Bedford)	1	1													1		No additional vacancies as of 9/30/2012
Pelham and Roundtop are fully occupied																	
* The County provides the racial and ethnic data for ALL units in this development, as the tenants were all selected as the result of affirmative marketing and the affirmative fair housing marketing plan for this Roundtop development.																	

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

For the period: July 1, 2012 through September 30, 2012

**Appendix II-1: Table on Residential Building Permits in 31 Eligible Municipalities
2000-2011**

**New Residential Building Permits Issued, 2000-2011
Eligible Municipalities, Westchester County, NY**

Municipality	2000	2001	2002	2003	2004	2005	2006	2007	2008	2000-2008 Yearly Avg.	2009	2010	2011	2009-2011 Yearly Avg.
Ardsley	2	8	181	8	9	3	0	1	2	24	2	0	1	1
Bedford	75	42	84	2	5	26	20	9	12	31	4	13	8	8
Briarcliff Manor	5	28	42	4	10	4	3	0	2	11	2	1	1	1
Bronxville	0	2	0	0	0	0	0	0	0	0	0	0	0	0
Buchanan	8	1	7	12	7	3	1	2	0	5	0	0	0	0
Cortlandt	86	65	70	65	66	63	53	37	24	59	19	10	6	12
Croton-on-Hudson	18	5	53	26	5	11	2	17	3	16	1	0	2	1
Dobbs Ferry	64	50	51	51	30	9	7	5	15	31	3	0	4	2
Eastchester	24	29	32	34	28	4	2	0	6	18	0	5	0	2
Harrison	106	113	117	59	29	46	44	50	38	67	15	21	18	18
Hastings-on-Hudson	25	2	1	0	2	11	16	1	0	6	0	1	2	1
Irvington	5	6	6	2	1	1	13	0	2	4	1	1	7	3
Larchmont	0	2	26	4	6	4	1	0	1	5	0	0	2	1
Lewisboro	30	16	13	13	11	5	5	5	0	11	0	0	4	1
Mamaroneck	7	8	5	3	5	22	5	4	12	8	0	4	6	3
Mount Pleasant	30	32	25	27	18	24	19	15	12	22	12	N/A	8	7
New Castle	24	21	23	19	10	16	17	8	1	15	6	9	4	6
North Castle	86	74	75	92	88	23	14	15	8	53	10	1	12	8
North Salem	6	14	8	5	4	5	3	3	2	6	0	0	0	0
Ossining	29	12	11	7	19	5	4	0	0	10	5	2	4	4
Pelham	4	5	7	4	4	3	2	3	1	4	0	0	0	0
Pelham Manor	2	0	0	0	1	2	2	1	1	1	1	3	0	1
Pleasantville	4	2	2	4	4	1	0	0	1	2	3	3	0	2
Pound Ridge	36	23	9	5	5	8	3	7	3	11	2	3	3	3
Rye	14	24	13	15	13	4	9	6	3	11	1	0	0	0
Rye Brook	72	68	74	69	55	56	2	3	1	44	2	0	1	1
Scarsdale	15	19	16	4	3	10	7	18	16	12	10	18	30	19
Somers	119	160	88	103	115	80	21	22	11	80	6	7	0	4
Tarrytown	80	N/A	43	8	3	2	7	5	39	21	6	8	1	5
Tuckahoe	0	6	15	9	17	9	0	9	0	7	0	0	3	1
Yorktown	48	85	95	36	32	187	40	52	37	68	8	4	4	5
Eligible Municipalities	1,024	922	1,192	690	605	647	322	298	253	661	119	114	131	121

Source: US Census Bureau, New Residential Construction Statistics. Prepared by the Westchester County Department of Planning.

<http://www.census.gov/const/www/>

Note: New permits from County-funded affordable housing were removed from each yearly municipal total, however locally-defined affordable housing is included.

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

For the period: July 1, 2012 through September 30, 2012

Appendix IV-1: 3Q 2012 Housing Meetings

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

DATE	TIME	DESCRIPTION
7/5	2:00 PM	Marketing RFP and Payment Discussion
7/6	12:00 PM	Housing - Bridleside
7/11	11:30 AM	AFFH Outreach and Education Campaign Design Meeting
7/12	11:00 AM	WRO Fair Housing Marketing Focus Group
7/13	10:00 AM	Yorktown Discussion on Crompond Crossing Infrastructure
7/16	4:00 PM	North Salem/Somers AFFH Developments and SEQRA Issues
7/17	10:00 AM	BOL Government Operations Committee Update
7/18	9:00 AM	Roundtop Site Visit
7/18	11:00 AM	Mamaroneck Town AFFH Opportunities
8/1	8:00 AM	County Planning Board meeting on Bridleside
8/1	10:00 AM	Update on Conifer Hunt's Place site
8/1	2:00 PM	Review of Fair Housing Marketing Powerpoint for Focus Groups
8/2	3:15 PM	Possible AFFH site in New Castle with MountCo
8/8	1:30 PM	AFFH Housing Infrastructure Construction Management
8/9	3:00 PM	Fair Housing Marketing Campaign #2
8/13	10:00 AM	Possible Tarrytown site meeting with Developers/Owners
8/13	2:00 PM	Fair Housing Marketing Focus Group Result Discussion

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

DATE	TIME	DESCRIPTION
8/14	10:00 AM	BOL Government Operations Committee Update
8/17	9:30 AM	Public Outreach and Education Strategies
8/23	11:30 AM	Infrastructure Escrow Issues meeting with Law Department
9/5	11:00 AM	Outreach and Education Services Implementation
9/5	2:00 PM	Fair Housing Marketing Campaign #2
9/6	2:00 PM	Review of Marketing Consultant Proposals from RFP
9/11	8:00 AM	County Planning Board meeting on Ellendale and Zoning Analysis
9/11	10:00 AM	BOL Government Operations Committee Update
9/13	10:00 AM	Housing Best Practices and policy discussion
9/14	9:00 AM	BOL Capital projects Subcommittee review of Bridleside
9/18	10:00 AM	BOL Government Operations Committee Review of Bridleside and Waterwheel developments
9/18	6:30 PM	Lewisboro AFFH Discussion
9/19	2:00 PM	Fair Housing Marketing Campaign #2
9/19	7:00 PM	Town Hall Meeting at Scarsdale Village Hall
9/20	3:30 PM	Meeting with NFP developer on potential site
9/20	6:00 PM	Housing Opportunity Commission
9/24	10:00 AM	BOL Budget & Appropriations Committee Review of Bridleside development
9/28	8:30 AM	BOL Capital projects Subcommittee review of Waterwheel Development
NVD:10/17/2012		

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

For the period: July 1, 2012 through September 30, 2012

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

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

A total of 2,687 people have signed up for the Central Intake/Homeseeker database between September 30, 2010 and September 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 2,687 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.

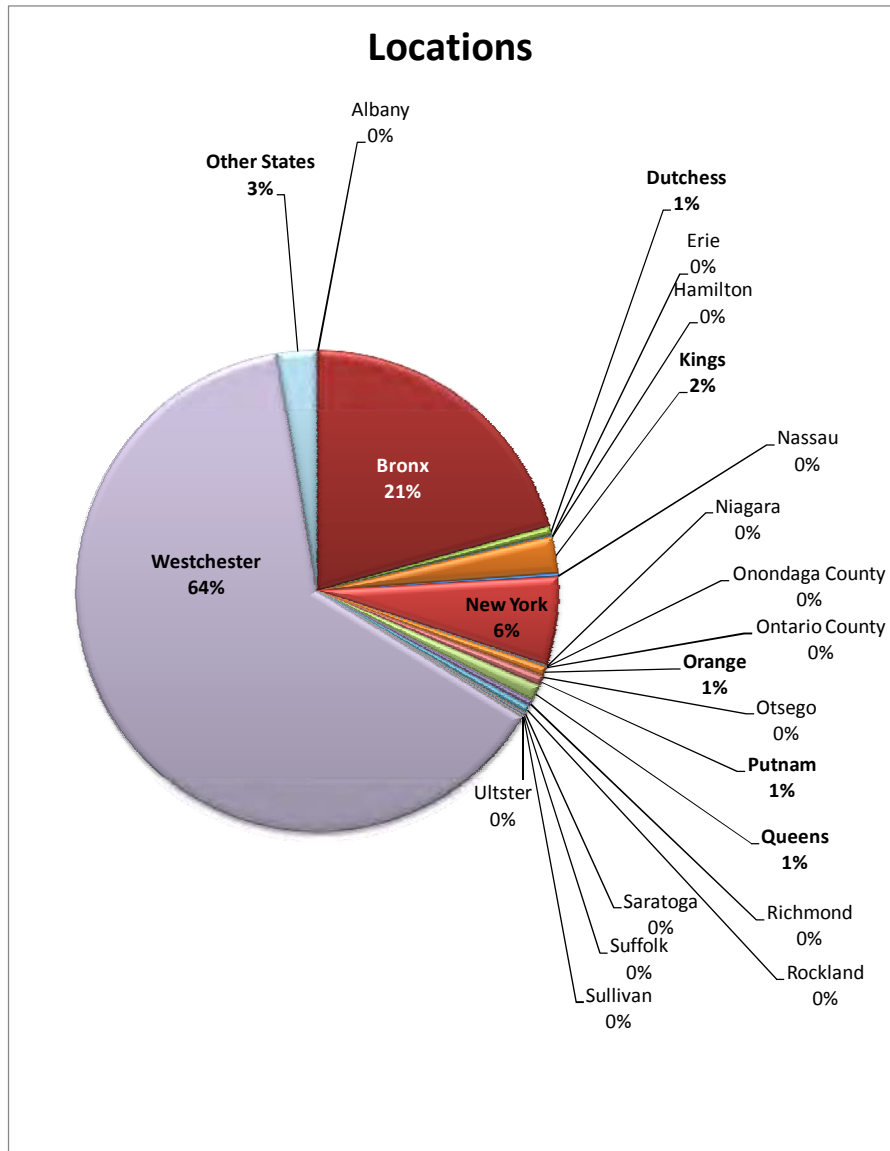
Locations of Persons Signing-Up

New York State Counties

Albany	1
Bronx	555
Dutchess	16
Erie	1
Hamilton	1
Kings	67
Nassau	6
New York	159
Niagara	1
Onondaga County	1
Ontario County	1
Orange	17
Otsego	1
Putnam	18
Queens	29
Richmond	11
Rockland	13
Saratoga	2
Suffolk	5
Sullivan	1
Ulster	2
Westchester	1708
Other States	71
Total	2687

Other States:

Arizona	1
California	1
Connecticut (10 in Fairfield County)	20
Delaware	1
Florida	8
Georgia	6
Illinois	4
Kentucky	1
Louisiana	1
Maryland	2
Massachusetts	1
Missouri	1
Nebraska	1
New Jersey	11
North Carolina	1
Oregon	1
Pennsylvania	5
South Carolina	1
Virginia	2
Washington	2
Total	71

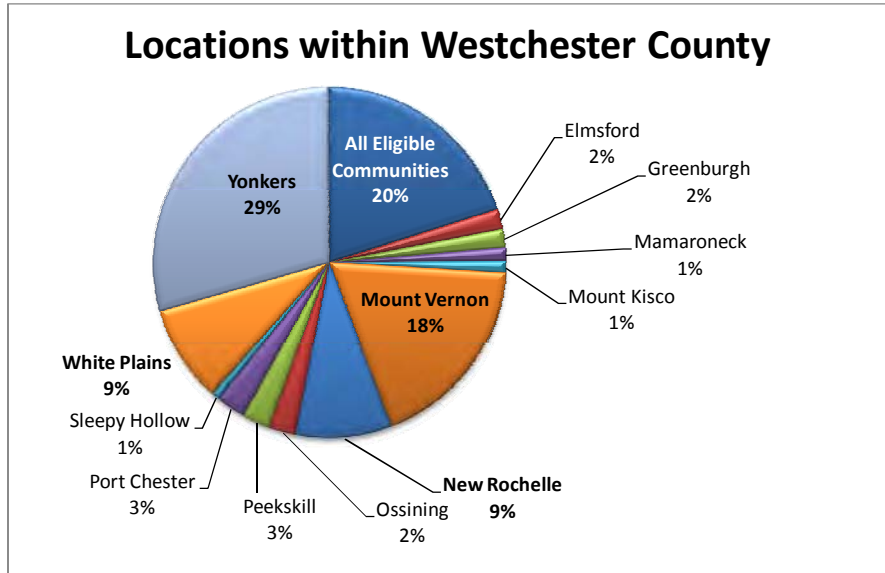


Summary Information on Central Intake/Homeseeker Sign-Ups
 September 30, 2010 - September 30, 2012

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.

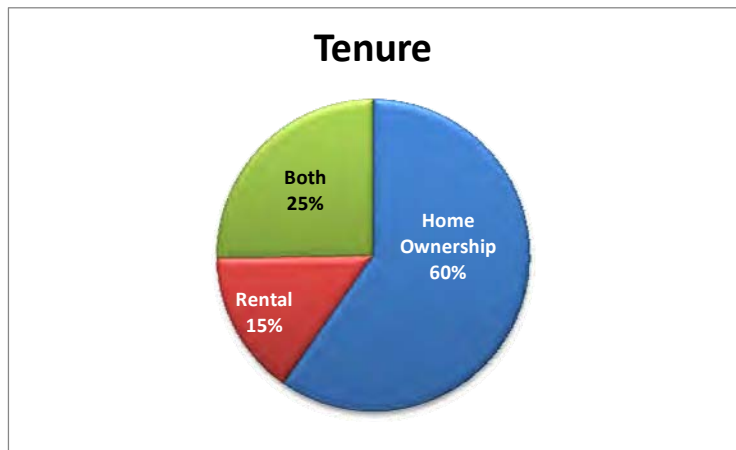
Locations within Westchester County

All Eligible Communities	343
Elmsford	32
Greenburgh	29
Mamaroneck	20
Mount Kisco	19
Mount Vernon	312
New Rochelle	151
Ossining	42
Peekskill	44
Port Chester	47
Sleepy Hollow	12
White Plains	153
Yonkers	503
Total	1707



Tenure*

Home Ownership	1605
Rental	403
Both	679
Total	2687

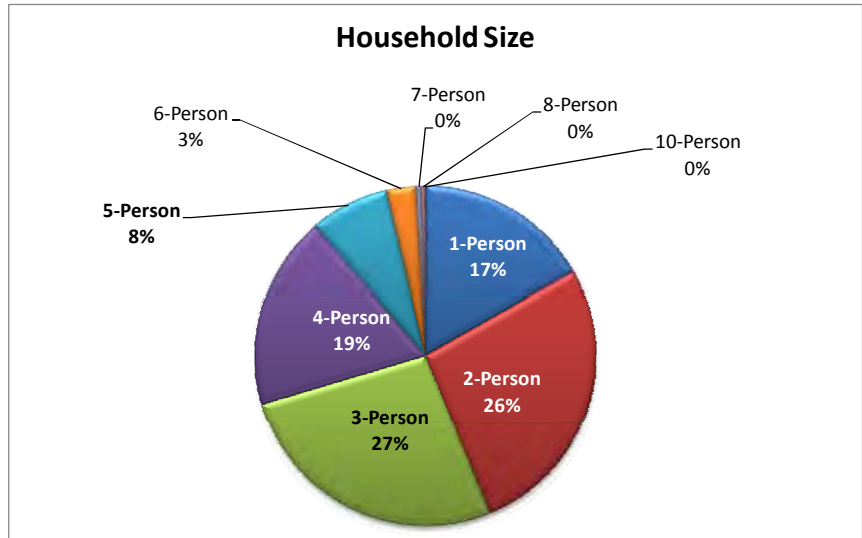


* The option to choose tenure was only offered as of October 1, 2011. Until that time, the list was only open to interested homebuyers. Therefore, this report shows a huge difference in interest between ownership and the other choices. It is expected that this difference will abate over time. Also, anyone 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.

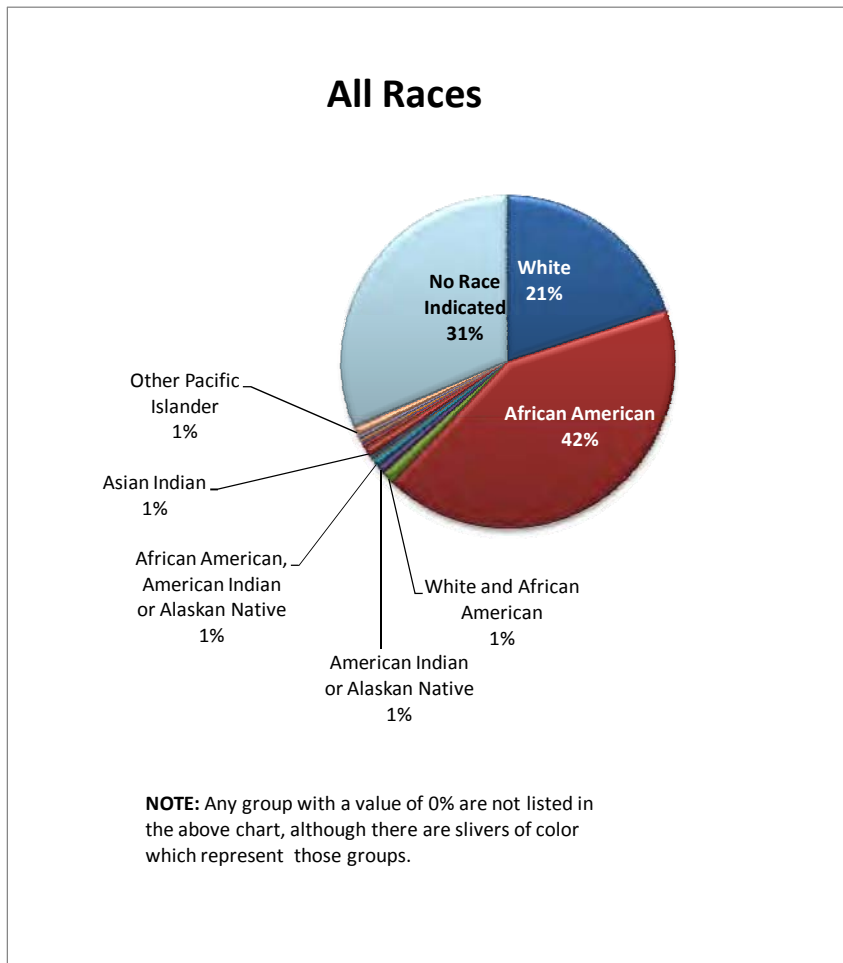
Summary Information on Central Intake/Homeseeker Sign-Ups
 September 30, 2010 - September 30, 2012

Household Size

1-Person	451
2-Person	726
3-Person	714
4-Person	494
5-Person	203
6-Person	75
7-Person	13
8-Person	10
10-Person	1
Total	2687

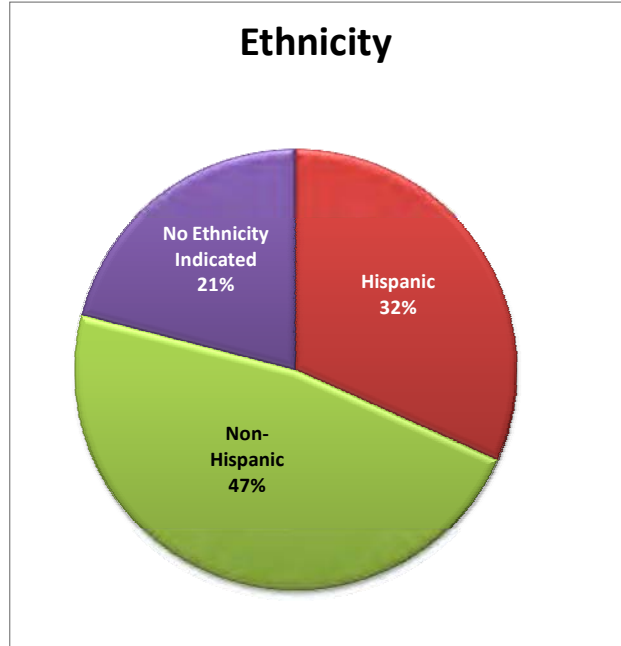


Race:	Total
White	538
African American	1131
White and African American	34
American Indian or Alaskan Native	22
<i>African American, American Indian or Alaskan Native</i>	19
<i>White, American Indian or Alaskan Native</i>	4
<i>White, African American, American Indian or Alaskan Native</i>	8
Asian Indian	24
<i>African American, Asian Indian</i>	2
<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	7
<i>African American, Filipino</i>	2
Vietnamese	0
Samoan	0
Other Asian	10
<i>White, Other Asian</i>	1
Other Pacific Islander	21
<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	843
Total	2687



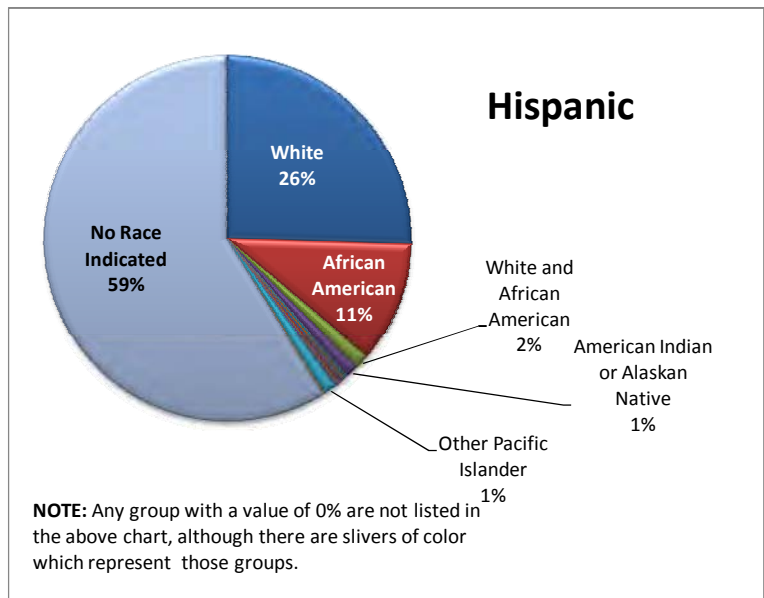
Summary Information on Central Intake/Homeseeker Sign-Ups
September 30, 2010 - September 30, 2012

Race:	Hispanic	Non-Hispanic	No Ethnicity Indicated	Total
White	217	259	62	538
African American	91	807	233	1131
<i>White and African American</i>	11	22	1	34
American Indian or Alaskan Native	10	9	3	22
<i>African American, American Indian or Alaskan Native</i>	2	14	3	19
<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		19	5	24
<i>African American, Asian Indian</i>		1	1	2
<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	6		7
<i>African American, Filipino</i>		2		2
Vietnamese				0
Samoan				0
Other Asian	2	6	2	10
<i>White, Other Asian</i>		1		1
Other Pacific Islander	10	10	1	21
<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	501	95	247	843
Total	852	1271	564	2687



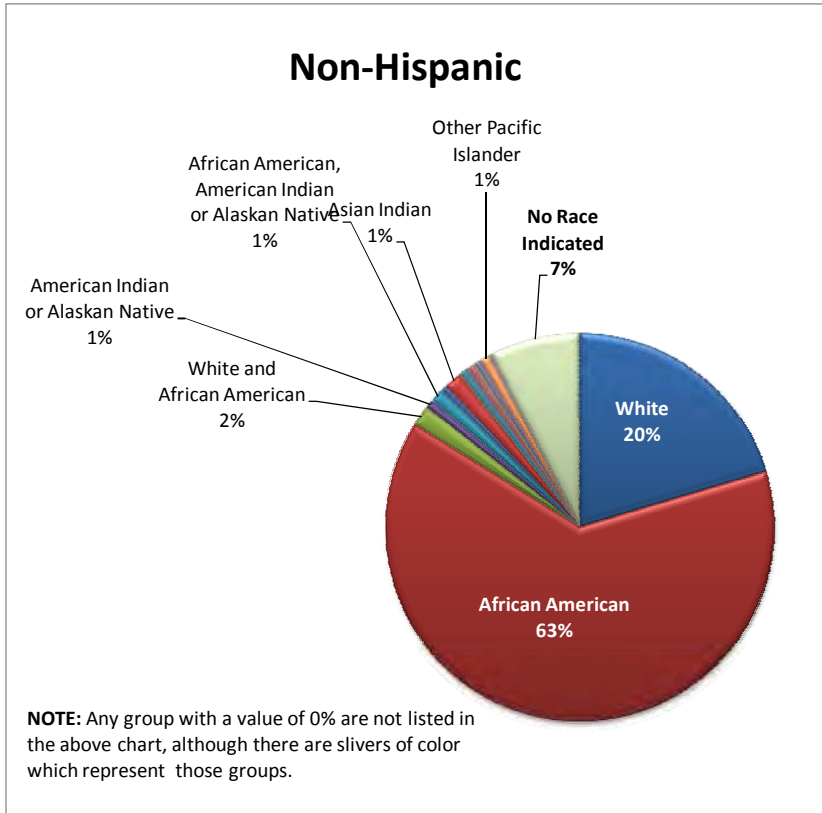
Ethnicity	Count
Hispanic	852
Non-Hispanic	1271
No Ethnicity Indicated	564
Total	2687

Race:	Hispanic
White	217
African American	91
<i>White and African American</i>	11
American Indian or Alaskan Native	10
<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	501
Total	852

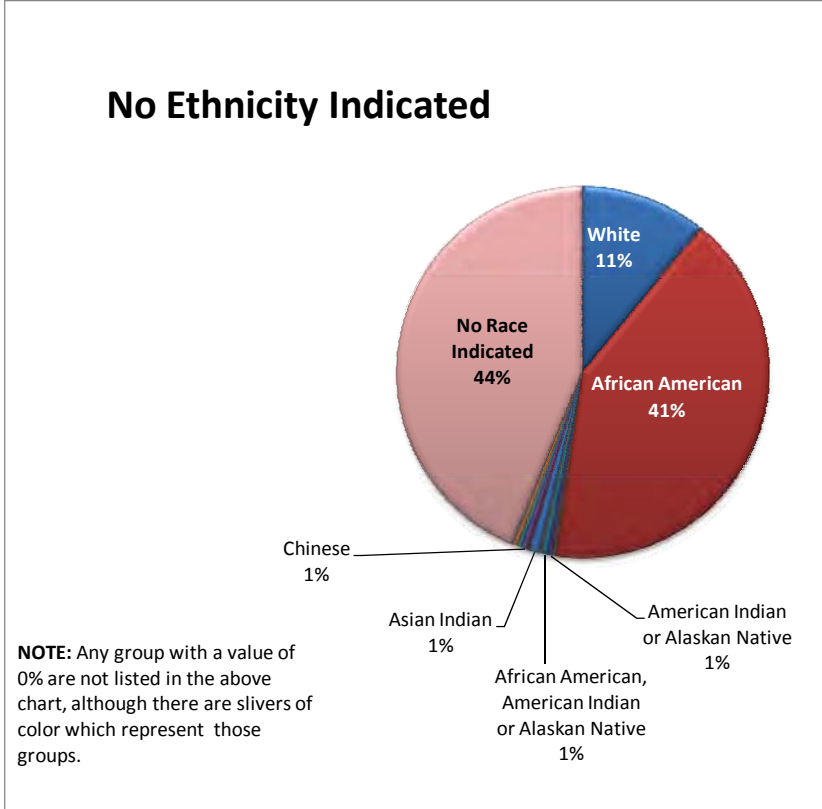


Summary Information on Central Intake/Homeseeker Sign-Ups
 September 30, 2010 - September 30, 2012

Race:	Non-Hispanic
White	259
African American	807
<i>White and African American</i>	22
American Indian or Alaskan Native	9
<i>African American, American Indian or Alaskan Native</i>	14
<i>White, American Indian or Alaskan Native</i>	1
<i>White, African American, American Indian or Alaskan Native</i>	6
Asian Indian	19
<i>African American, Asian Indian</i>	1
<i>White, Japanese</i>	1
Chinese	5
<i>African American, Chinese</i>	1
Korean	3
Filipino	6
<i>African American, Filipino</i>	2
Other Asian	6
<i>White, Other Asian</i>	1
Other Pacific Islander	10
<i>African American, Other Pacific Islander</i>	2
<i>Other Asian, Other Pacific Islander</i>	1
No Race Indicated	95
Total	1271



Race:	No Ethnicity Indicated
White	62
African American	233
<i>White and African American</i>	1
American Indian or Alaskan Native	3
<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	247
Total	564



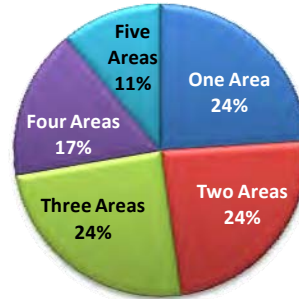
Summary Information on Central Intake/Homeseeker Sign-Ups
September 30, 2010 - September 30, 2012

Areas of Interest

Number of Areas Selected

One Area	623
Two Areas	618
Three Areas	637
Four Areas	431
Five Areas	289
Total	2,598

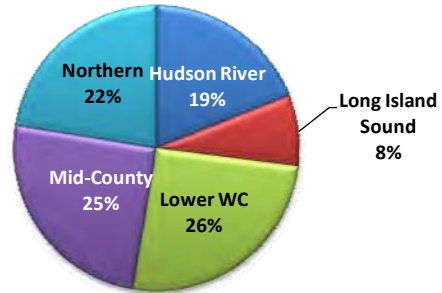
Number of Areas Selected



Area Selected

Hudson River	1,318
Long Island Sound	558
Lower WC	1,778
Mid-County	1,728
Northern	1,557

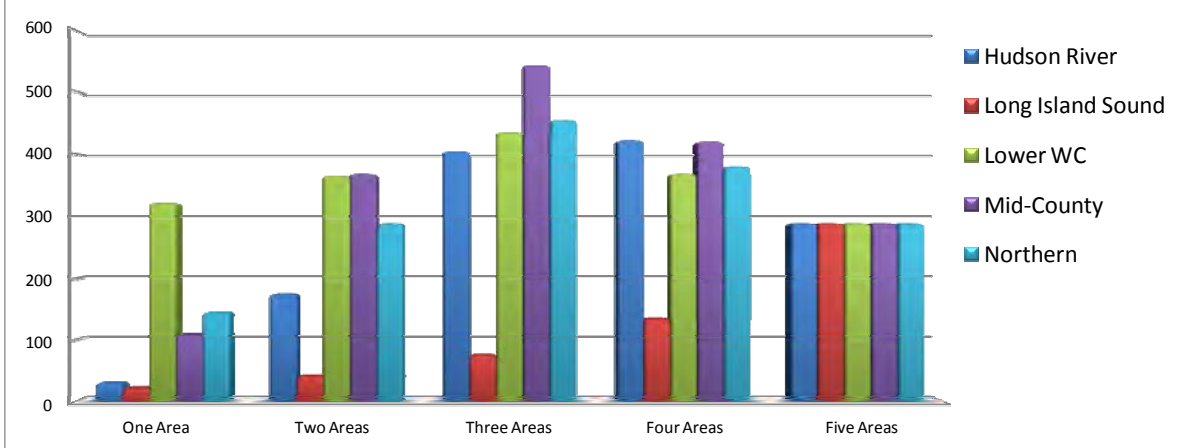
Area Selected



Interest in Areas Grouped by Number Selected

	Two		Three	Four	Five	Total
	One Area	Areas	Areas	Areas	Areas	
Hudson River	29	174	404	422	289	1,318
Long Island Sound	21	40	74	134	289	558
Lower WC	321	365	435	368	289	1,778
Mid-County	108	368	543	420	289	1,728
Northern	144	289	455	380	289	1,557

Areas Grouped by Number Selected



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

For the period: July 1, 2012 through September 30, 2012

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

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

For the period: July 1, 2012 through September 30, 2012

**Appendix IV-4: Pictures from Kensico Dam Plaza July Fourth Fireworks
Celebration**











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

For the period: July 1, 2012 through September 30, 2012

Appendix IV-5: Roundtop at Montrose – Review of Applications/Marketing Efforts

Roundtop At Montrose – Review of Applications/Marketing

In compliance with the Affirmative Fair Housing Marketing Plan approved by the federal monitor in December 2011, the County conducted a review of the applicant pool of the Roundtop at Montrose development upon the substantial completion of its leasing period to determine whether the marketing efforts drew applications from the least likely to apply households from the nine-county area in which the marketing was conducted. The data also revealed how the applicants learned of the development in an effort to determine the effectiveness of the various media sources and identify the most productive sources.

In July 2012, a Master list of the applicant data was supplied by Housing Action Council with some basic household information including current residence and contact information, head of household age, race, ethnicity, whether there was a disabled household member and how the applicants learned about the development.

A review of this data was conducted to ascertain whether the marketing resulted in an applicant pool that demonstrated racial and ethnic diversity. A review was conducted to understand what media or other source the applicants credited with providing information to them to learn of the housing opportunities. Additional review of the data was conducted to get a better sense of why types of households submitted applications, including size of households, disability and veteran status.

The County wished to get a better understanding of why non-resident households applied for these housing opportunities, including employment related factors.

On August 6, 2012, six staff from the Westchester County Department of Planning and one from the County Executive's office physically reviewed 860 applications received by Housing Action Council for the Roundtop at Montrose development. The Planning Department review was to determine several questions:

1. How many school aged children lived in the applicant households?
2. If members of the applicant household worked within the 9 county marketing area?

In reviewing the applications related to work addresses, it was noted that a number of applicants were not working, in that they identified themselves as disabled, retired, or unemployed. All those that indicated any of these categories, were included in the Not Applicable category for totals, as this information was not requested, so it is not clear whether others who did not answer the question might also fall into any of these categories.

The results of the Planning Department review follow in the tables provided.

Roundtop at Montrose - Review of Applications

WCDP:8/6/2012

Question: Do applicants live within Cortlandt? Westchester County? Or 9 County marketing area?

Local - Westchester County	Total	Other Eligible Municipality - Westchester County	Total	Other - Westchester County	Total	9 County area	Total	Other NYS Cities	Total	Out of NY	Total
Montrose	67	Mohegan Lake	19	Peekskill	120	Bronx	98	Wappingers Falls	8	Ridgewood, NJ	2
Croton-on-Hudson	67	Tarrytown	6	Yonkers	85	New York	32	Beacon	7	Lanoka Harbor, NJ	1
Cortlandt Manor	33	Yorktown Heights	6	Ossining	51	Brooklyn	19	Poughkeepsie	4	Shreveport, LA	1
Verplanck	22	Pleasantville	3	Mount Vernon	39	Carmel	4	Monticello	3	Honolulu, HI	1
Buchanan	16	Briarcliff Manor	3	White Plains	22	Garrison	4	Binghamton	2	Charlottesville, NC	1
Crompond	1	Harrison	2	Sleepy Hollow	9	Mahopac	4	Hyde Park	1	Pheonix, AZ	1
		Waccabus	2	New Rochelle	6	Queens	3	Freeport	1	New Milford, CT	1
		Jefferson Valley	2	Elmsford	4	Jamaica, NY	3	Kiamesha Lake	1	Delray Beach, FL	1
		Somers	2	Mount Kisco	4	Putnam Valley	3	Holmes	1	Westfield, NJ	1
		Hastings-on-Hudson	2	Port Chester	3	Danbury, CT	2	Fishkill	1	Orlando, FL	1
		Bedford Hills	2	Hartsdale	3	Staten Island	2	Wingdale	1	St. John, VI	1
		Larchmont	1	Mamaroneck	2	Bridgeport, CT	2	Fort Montgomery	1	New Boston	1
		Katonah	1			Woodside	2	Albany	1		
		Scarsdale	1			Cold Spring	2	Garden City	1		
		Irvington	1			Camrbia Heights	1	Newburgh	1		
		Bronxville	1			Lake Peekskill	1	Goshen	1		
		Maryknoll	1			Little Neck	1	Baldwinsville	1		
						South Ozone Park	1	Monroe	1		
						Corona	1	New Windsor	1		
						Spring Valley	1	Charlottesville	1		
						Monsey	1	Amityville	1		
						Brewster	1	Fresh Meadows	1		
						Flushing	1	Valley Stream	1		
						Bayridge	1	East Meadow	1		
						Nanuet	1	Sunnyside	1		
						Garnerville	1				
						New City	1				
						Norwalk, CT	1				
Total Cortlandt	206	Total Other Eligible	55			Total 9 County	194	Total Other Cities	44	Other States	13
		Total Eligible Areas	261	Total Other WC	348						
				Total All Westchester	609					Outside Marketing Area	57

TOTAL APPLICATIONS FROM 9 COUNTY AREA: 803

TOTAL APPLICATIONS REVIEWED: 860

Roundtop at Montrose - Review of Applications

WCDP:8/6/2012

Question: How did applicants hear about the development?

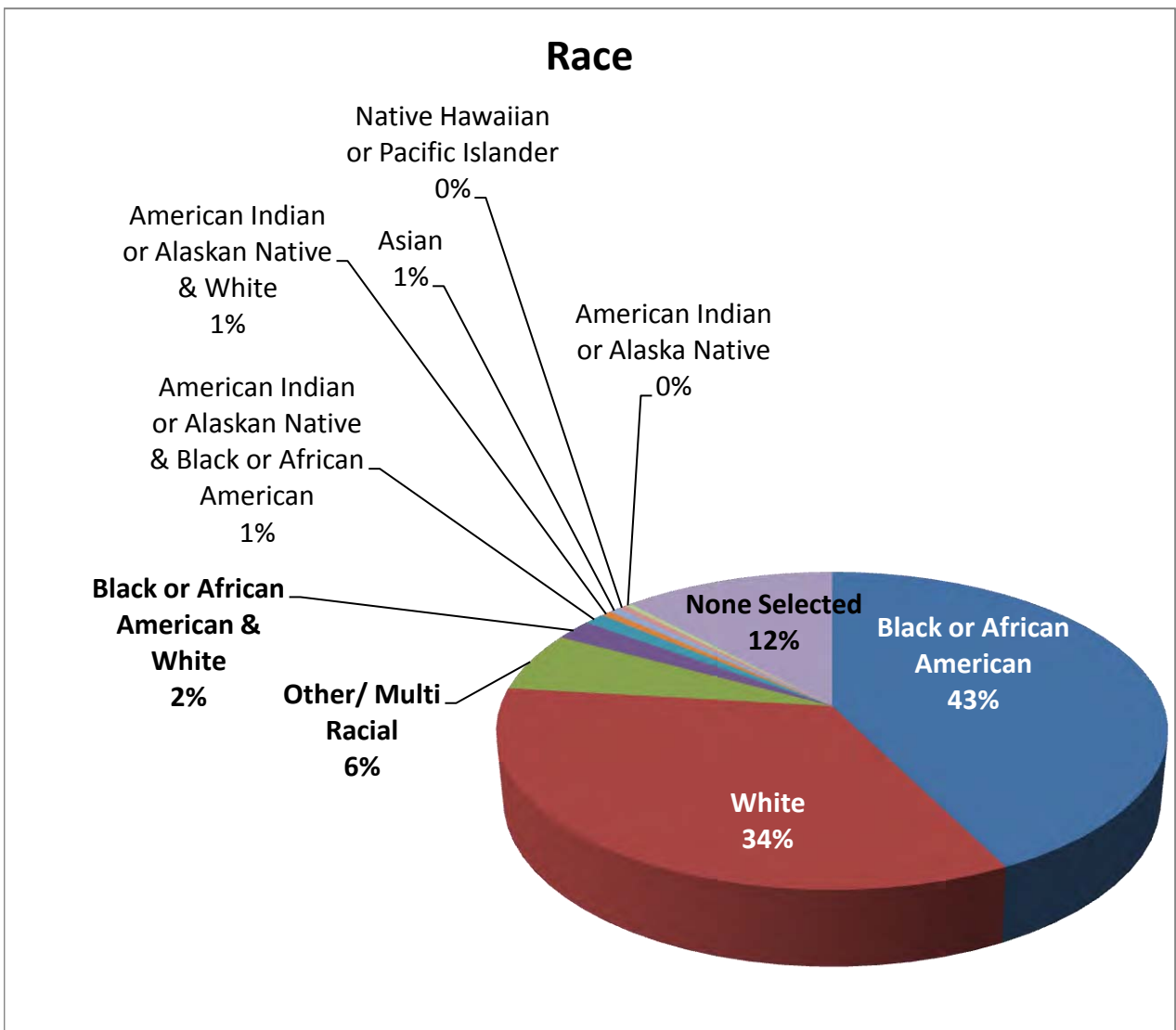
<u>Media Source</u>	<u>Subtotal</u>	<u>Count</u>
Friend		260
Press		164
press (non-specific)	29	
Journal News	44	
Daily News	32	
Pennysaver	22	
MetroNY	19	
NY Post	9	
Bronx Free Press	2	
El Diario	2	
Amsterdam News	1	
North Hudson News	1	
Diario La Prensa	1	
Channel 12 News	1	
Newsday	1	
Internet Websites		94
websites (non-specific)	39	
westchestergov.com	34	
housingactioncouncil.org	7	
google.com	5	
hudsonhealthplan.org	3	
NYC housing website	1	
rent.com	1	
affordable housing website	1	
hrhcare.org	1	
socialserv.com	1	
craigslist	1	
Sign at Site		80
Non-Profit Agency		68
Housing Action Council	35	
Westchester Disabled on the Move	13	
Family Resource Center	3	
Community Organization	3	
Hudson River Health Care	4	
Family Services of Westchester	3	
The Westchester Hispanic Coalition	2	
Community Housing Resource Center	1	
Human Development Services of Westchester	2	
HUD Counselor	1	
Yonkers Affordable Housing Program	1	
Veterans Administration		39
Family member		30
Employer		29
Government Agency		21
Other Housing		15
Municipality		13
Clergy		8
No Answer		133
		<hr/> 860

Roundtop at Montrose - Review of Applications

WCDP:8/6/2012

Question: What is the race of the applicant head of household?

Race	Count
Black or African American	366
White	295
Other/ Multi Racial	52
Black or African American & White	18
American Indian or Alaskan Native & Black or African American	10
American Indian or Alaskan Native & White	5
Asian	5
Native Hawaiian or Pacific Islander	4
American Indian or Alaska Native	3
None Selected	102
Total	860

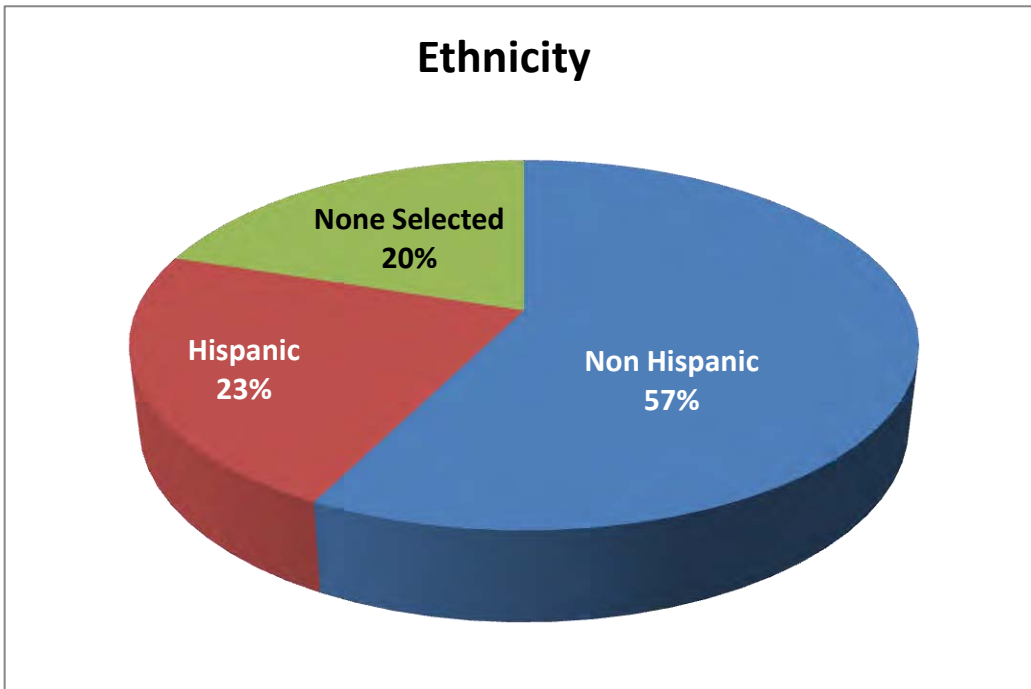


Roundtop at Montrose - Review of Applications

WCDP: 8/6/2012

Question: What is the ethnicity of the applicant head of household?

Ethnicity	Count
Non Hispanic	494
Hispanic	194
None Selected	172
Total	860

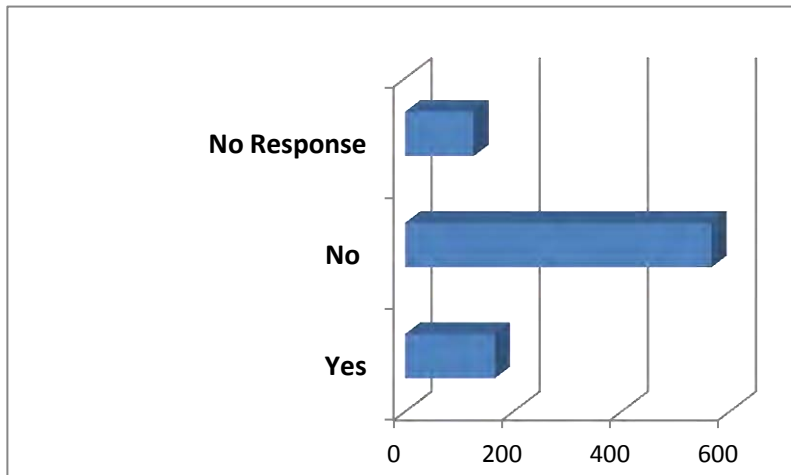
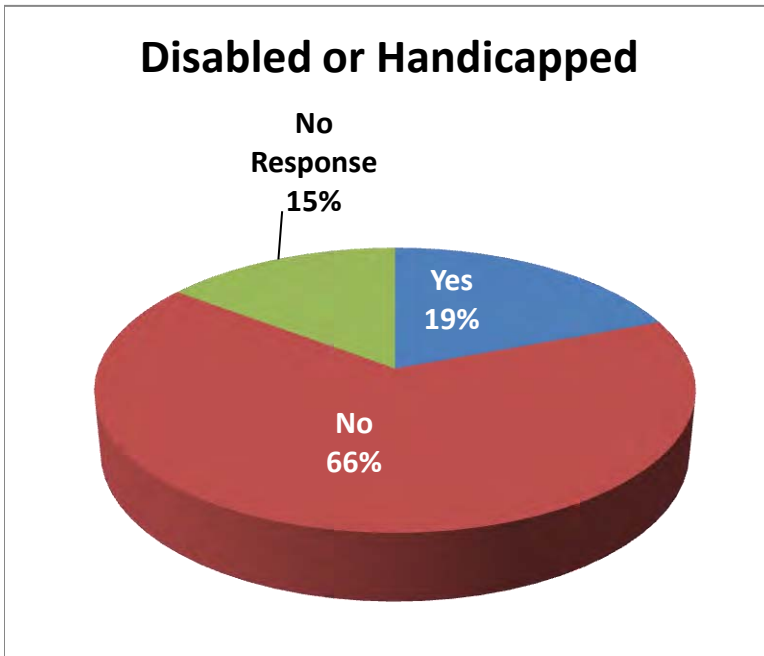


Roundtop at Montrose - Review of Applications

WCDP:8/6/2012

Question: Is the applicant household Disabled or Handicapped?

<u>Disabled or Handicapped</u>	<u>Count</u>
Yes	166
No	567
No Response	<u>127</u>
Total	860

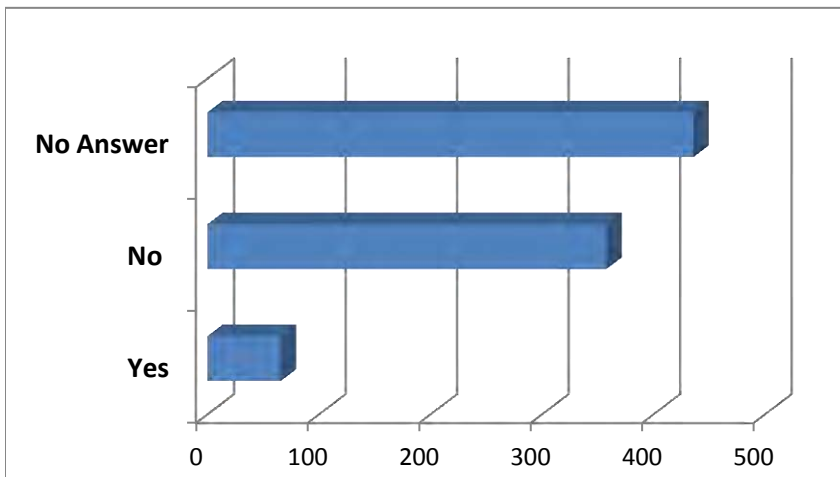
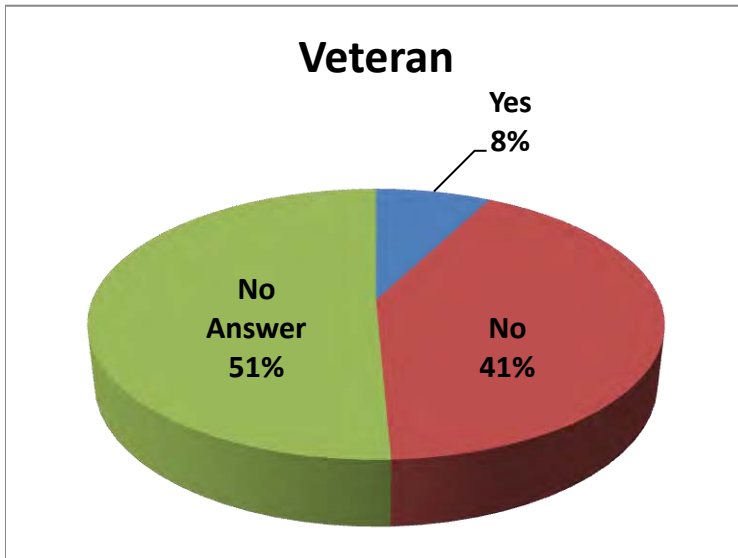


Roundtop at Montrose - Review of Applications

WCDP:8/6/

Question: Is the applicant a veteran?

<u>Veteran of the US Armed Forces</u>	<u>Count</u>
Yes	66
No	358
No Answer	436
Total	860

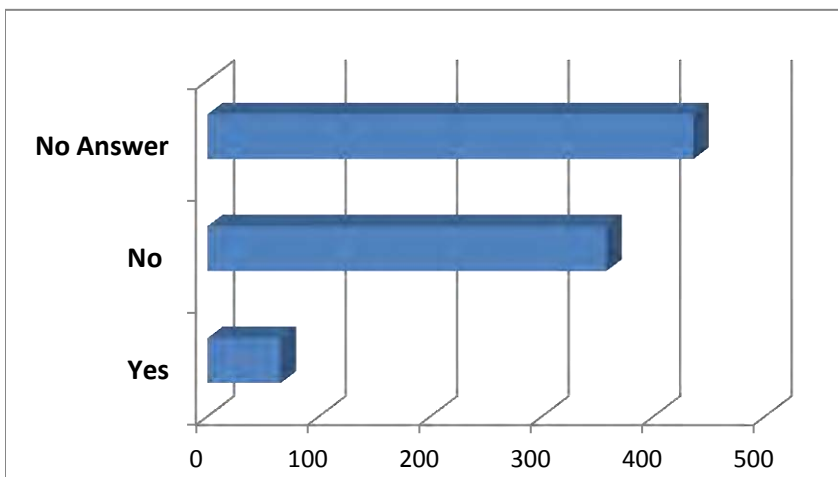
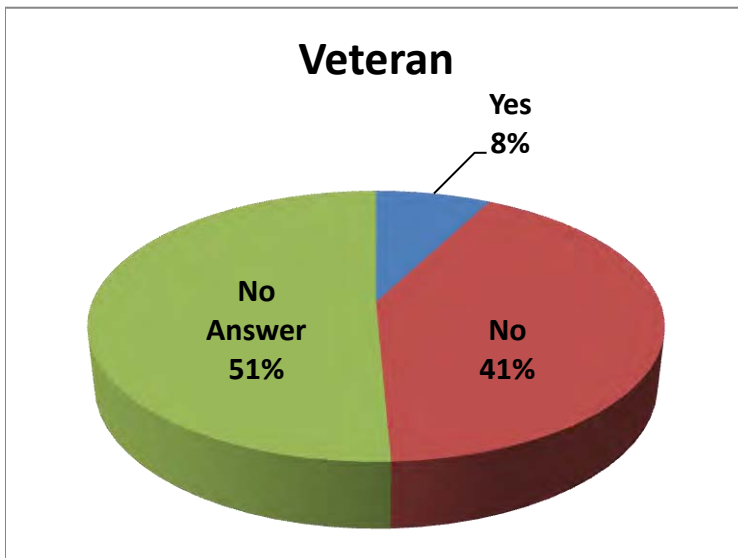


Roundtop at Montrose - Review of Applications

WCDP:8/6/2012

Question: Is the applicant a veteran?

<u>Veteran of the US Armed Forces</u>	<u>Count</u>
Yes	66
No	358
No Answer	436
Total	860

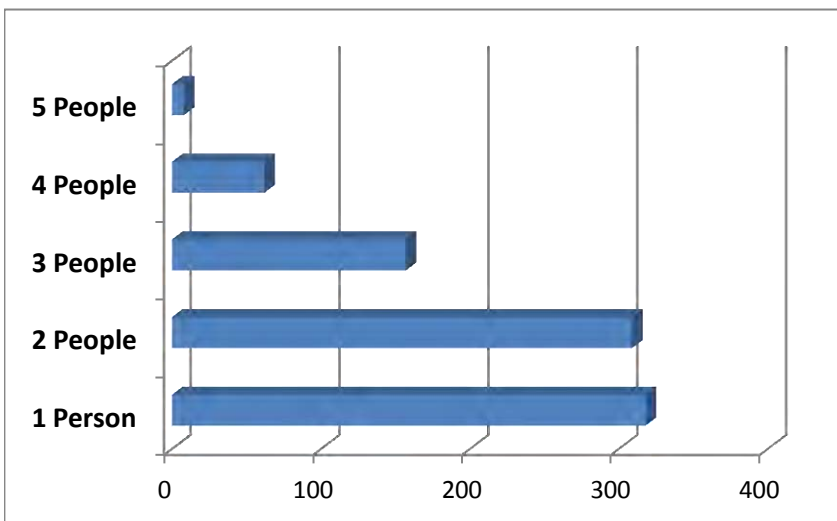
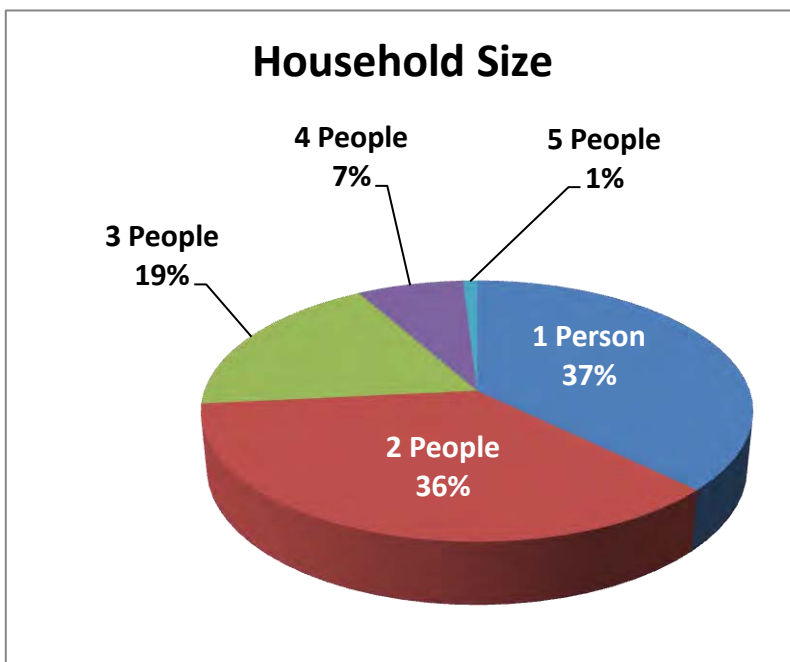


Roundtop at Montrose - Review of Applications

WCDP:8/6/2012

Question: What was the size of the applicant households?

Household Size	Count
1 Person	318
2 People	309
3 People	157
4 People	62
5 People	8
No Answer	6
Total	860

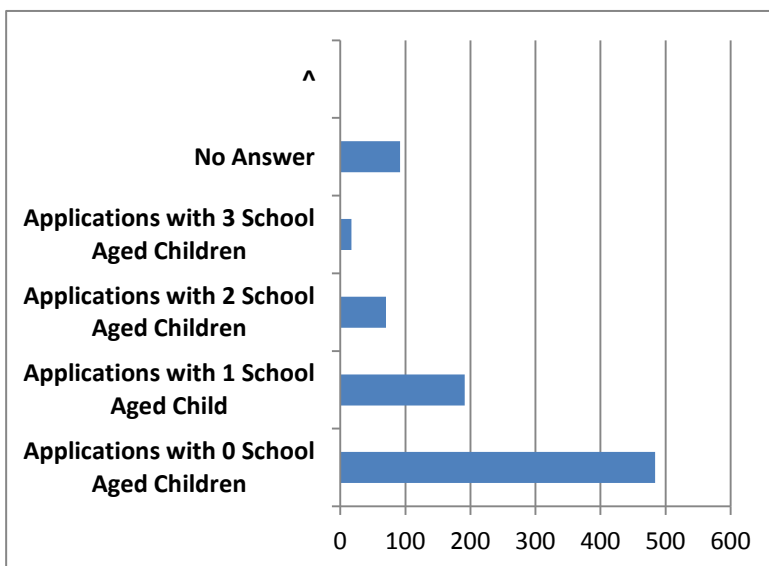
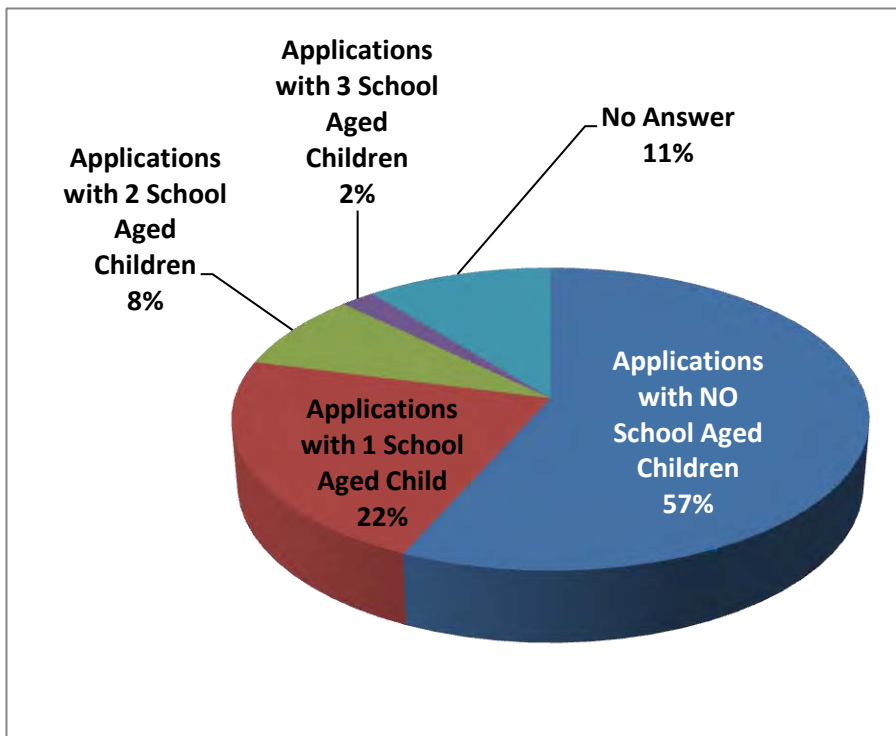


Roundtop at Montrose - Review of Applications

WCDP:8/6/2012

Question: How many applicant households had school aged children?

Potential for School Aged Children from Application Pool	
# of households with School Aged Children	Total
Applications with 0 School Aged Children	484
Applications with 1 School Aged Child	191
Applications with 2 School Aged Children	70
Applications with 3 School Aged Children	17
No Answer	92
^	
Total Applications Reviewed	854



Roundtop at Montrose - Review of Applications

WCDP:8/6/2012

Question: How many applicant households had a member that worked in Cortlandt?

Yes	94
No	461
Not Applicable/No Answer	<u>303</u>
Total	860

Among the N/A	Disabled	81
	Retired	84
	Unemployed	37

Question: How many applicant households had a member that worked in Westchester County?

Yes	374
No	183
Not Applicable/No Answer	<u>303</u>
Total	860

Question: How many applicant households had a member that worked within the 9 county marketing area?

Works in 9 County Area	Total
Yes	520
No	37
Not Applicable/No Answer	<u>303</u>
Total	860

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

For the period: July 1, 2012 through September 30, 2012

Appendix V-1: 3Q 2012 AFFH Referral Letters



Robert P. Astorino
County Executive

County Planning Board

August 24, 2012

Dawn Onufrik, Secretary
Town of North Salem Planning Board
Lobdell House
270 Titicus Road
North Salem, NY 10560

**Subject: Referral File No. NSM 12-007 — The Commons at Purdys; Site Plan and Subdivision
Lead Agency Notification**

Dear Ms. Onufrik:

The Westchester County Planning Board has received a copy of a Notice of Intent for Lead Agency pursuant to the NYS Environmental Quality Review Act (SEQR) as well as site plans (dated July 12, 2012) and related materials for the above referenced proposal.

The application involves the subdivision of a 38.5-acre site into two lots. Lot 1, which would be 38.1 acres, is proposed to be developed with 108 residential units for senior citizens subject to affordability requirements. An existing three-bedroom house would remain on this lot and serve as a superintendant's residence. Lot 2, which would be 0.4 acres, would contain an existing and operational private wastewater treatment plant. This plant, which services an adjacent nursing home development, would also serve the proposed new residences.

The subject site is located on the east side of NYS Route 22, north of NYS Route 116, near where Route 22 crosses under I-684. The site is zoned PD-CCRC (Planned Development Continuing Care Retirement Community District) and R-1 (One Acre Single Family Residential); the proposed buildings are all within the PD-CCRC portion of the site.

We have no objection to the North Salem Planning Board assuming Lead Agency status for this review.

The County Planning Board has conducted an initial review of 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 offers the following preliminary comments:

1. History of the site's zoning and appropriateness for development. The subject site is one of five sites that were zoned by the Town in 2000 to accommodate higher density housing, including an affordable component. The rezoning was preceded by an environmental review in accordance with the SEQR regulations. The SEQR review included the preparation of a generic environmental impact

statement (GEIS) and the adoption of Findings by the North Salem Town Board. The County Planning Board participated in the SEQR review by providing comments in letters dated January 21, 1999, June 15, 2000 and November 27, 2000.

Our earlier records indicate that the five sites zoned to allow higher density residential with affordable units were selected based on application of several specific criteria to all land in North Salem. As per the GEIS, the five sites were determined to best meet the criteria for multi-family development. The GEIS also included development scenarios, or build-out analysis, for the five sites which identified potential development impacts. Of the original five sites, the subject site appears to be the only remaining site with multi-family development potential. Two of the original five were subsequently subdivided for single-family developments and one was acquired by a land preservation organization. The fourth site was recently approved by the Town for the development of 65 affordable affirmatively furthering fair housing (AFFH) units as part of the Bridleside development.

The rezoning by the Town in 2000 was intended to restore multi-family zoning districts which first had been mapped in the 1980s but then rezoned back to single-family districts. It is significant that the 2000 GEIS noted that the site which is the subject of this development application had been added as a new site for affordable housing based on the criteria in the GEIS. The site had not been part of the original five sites that were established in the 1980s. One of the GEIS criteria addressed the ability of a site to have an individual sewage treatment plant. The subject site was unique among all sites in North Salem in that it could be served by an existing, private sewage treatment plant. The build-out analysis in the GEIS identified a maximum development potential on the site of 120 residential units, after taking into consideration site constraints such as steeply sloped land.

As the Town previously conducted a comprehensive analysis and environmental review to identify sites suitable for multi-family development and then completed a build-out analysis of the sites, including the subject site, the scope of environmental review for the current proposal should be able to be limited to the potential site specific impacts of the proposed construction.

2. Affirmatively furthering fair housing. We commend the applicant for proposing a development with 108 affordable units. We believe that Westchester County will welcome the opportunity to work with the applicant and the Town to ensure that the proposed units meet affordable AFFH unit guidelines so as to qualify as eligible units under the provisions of the Stipulation and Order of Settlement and Dismissal entered into in connection with the settlement of the lawsuit titled, *U.S. ex rel. Anti-Discrimination Center of Metro New York v. Westchester County*.

We note that there are limitations to the number of senior-restricted units that may qualify under the Housing Settlement. For this reason, as well as to further planning best practices, we encourage the Town and applicant to consider broadening the range of future residents so as to include in the proposed development both senior-restricted units and units that are not age-restricted that could be in a different building type, such as townhouses.

We point out that the Town's zoning regulations for the PD-CCRC District specify that developments contain a combination of uses. Combining affordable AFFH units that are both age-restricted and non-age-restricted would appear to be very consistent with the Town's zoning objectives.

3. Stormwater management. The site plan shows inclusion of several stormwater management areas. However, the full details of the site's stormwater management plan are not yet identified. We encourage the applicant to include stormwater management techniques such as vegetative rain gardens, permeable paving surfaces and green roofs so as to treat and retain as much stormwater on the site as possible.

4. Other topics for consideration. While the site plan shows a dumpster enclosure, the Town should request the applicant to verify and show that there is sufficient space within the project 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:

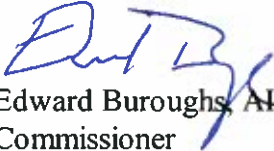
<http://environment.westchestergov.com>

We encourage the Town and applicant to consider providing pedestrian opportunities along driveways and through the site.

Thank you for calling this matter to our attention.

Respectfully,
WESTCHESTER COUNTY PLANNING BOARD

By:


Edward Buroughs, AICP
Commissioner

EEB/LH

Robert P. Astorino
County Executive

County Planning Board

Referral File No. OST 12-003 — Briar Commons — Zoning Map Amendment, Subdivision and Site Plan Application

Date: September 24, 2012

Contact: Sandra Anelli
Planning and Zoning Department
Town of Ossining
P.O. Box 1166
Ossining, NY 10562

Materials received:

- Site plans (dated revised July 10, 2012)
- Topographic survey (dated revised January 29, 2010)
- Subdivision plat (dated revised July 31, 2012)
- Architectural drawings (dated June 18, 2012)
- SEQR Environmental Assessment Form

PROJECT DESCRIPTION

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

The application proposes the demolition of an existing house on a 0.45 acre lot located at 558 North State Road. Zoning splits the lot approximately in half with the section along North State Road in the GB General Business district and the rear of the lot (along Gordon Avenue) within the R-10 zoning district. The applicant is requesting an amendment of the Town's Zoning Map to rezone the entire site to MF – Multi Family with the intention of then applying for cluster subdivision approval to construct 12 semi-attached single-family units. Each of the 12 units would be constructed on its own lot, laid out around a new cul-de-sac road connecting into North State Road. As per Town zoning, three of these units would be affordable affirmatively furthering fair housing (AFFH) units.

REVIEW SUMMARY

Consistency with County Planning Board policies

- The proposal is generally consistent with County Planning Board policies as stated in *Westchester 2025: Plan Together* because it involves the re-use of a site near an existing commercial center with multi-family housing. For more information on *Westchester 2025*, go to <http://westchester2025.westchestergov.com/>
- The County Planning Board supports the inclusion of three affordable units that will affirmatively furthering fair housing (AFFH) and recommends that efforts be made to ensure that they will meet all conditions so as to qualify as AFFH units under the Housing Settlement.

Impacts to County facilities and services.

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

Additional comments

- Common ownership of the new roadway, parking spaces and stormwater management system by a homeowners association should be verified
- The applicant should consider using as much green building technology as possible
- The applicant should consider adding a sidewalk to the subdivision road

COMMENTS AND RECOMMENDATIONS

1. Consistency with County Planning Board policies. The proposal is generally consistent with County Planning Board policies as stated 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, because it involves the reuse of a site near an existing commercial area for multi-family housing. This helps to meet the goal of placing additional growth in areas that can support it with existing infrastructure. This project will place residents within walking distance of a number of businesses as well as within close proximity of the North County Trailway.

2. Affordable AFFH units. The submitted materials indicate that the applicant proposes to take advantage of density bonus provisions within the Town's affordable housing regulations that will lead to the creation of three affordable AFFH units. We support this aspect of the project and encourage the Town to ensure that the AFFH units will meet all criteria (e.g. marketing, timeframe for affordability, income standards) so as to allow the units to qualify as eligible units under the Housing Settlement. County Planning Department staff is available to assist in this process.

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 a 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 units.

4. Ownership of common facilities. The applicant should clarify if the proposed road, conservation easement, stormwater management facilities and parking will be owned and maintained by a homeowners association. The plans indicate that some of these facilities would be under such ownership, but not all facilities are referenced. For example, the proposed guest parking spaces are proposed to be located on various lots, with some spaces split between two lots. The applicant should verify if a homeowners association is responsible for these spaces or if they belong to the individual lots on which they are located.

5. **Green building technology.** We recommend that the applicant consider using as much green building technology as possible in the development.

6. **Sidewalk.** We encourage the applicant to consider a sidewalk along the new subdivision road that would connect to the sidewalk along North State Road. Doing so may encourage walking between the new residential units and nearby businesses. We also point out that the site is near the North County Trailway.

Thank you for the opportunity to comment on this matter.

Respectfully,
WESTCHESTER COUNTY PLANNING BOARD

For:
By:



Edward Buroughs, AICP
Commissioner

EEB/LH

Robert P. Astorino
County Executive

County Planning Board

**Referral File No. PEL 12-002 – Lincoln-Pelham Partners, LLC
Zoning Map Amendment and Site Plan**

Date: September 25, 2012

Contact: Honorable Edward Hotchkiss, Mayor
Village of Pelham
195 Sparks Avenue
Pelham, NY 10803

Materials received:

- Notice of Intent to be Lead Agency
- Petition for Zoning Map Change
- Preliminary site plan, dated March 28, 2012

PROPOSAL

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

Pelham-Lincoln Partners proposes to re-develop a 33,000 square foot parcel at 185 Lincoln Avenue (County Road 84) with an 18-unit (12 one-bedroom, 6 two-bedroom), three story apartment building. Parking for 18 vehicles would be provided beneath the building with six guest spaces in front of the building. The applicant has petitioned the Village to amend the Zoning Map to re-designate the site within the Residence M (multifamily) District. The site is currently located within the Residence A-3 District which does not permit multi-apartment residential uses. The site is currently occupied by a gasoline station, which does not conform to the current A-3 zoning.

A small portion of the site, located along the eastern edge of the property, is within the City of New Rochelle. A driveway curb cut and a portion of the driveway would be located within this area.

REVIEW SUMMARY

The County Planning Board has no objection to the Village of Pelham Board of Trustees assuming Lead Agency status for this review. We respectfully request that we be sent additional materials as this project moves throughout the SEQR process. We offer the following preliminary comments:

Consistency with County Planning Board policies

- The project involves the development of additional housing near a downtown area where existing infrastructure can support it and where shopping and transit can be obtained within walking distance. This is consistent with *Westchester 2025* and County Planning Board policies. Go to <http://westchester2025.westchestergov.com/> for more information on *Westchester 2025*.

- The orientation of the building on the site, with parking in front of the new building, is not ideal when compared with the policies of *Westchester 2025* which calls for the creation of a pedestrian-oriented streetscape with parking in the rear of buildings, when possible.
- We urge the applicant and the Village to consider setting aside a minimum of 10% of the units to meet affordable AFFH unit requirements

Impacts to County facilities and services.

- The project requires review from the County Department of Public Works and Transportation because of the site's frontage on Lincoln Avenue (County Road 84).
- A Bee-Line bus stop is located along the site's frontage. The applicant should contact the County Department of Public Works and Transportation to determine if improvements to this bus stop are warranted or desired as a part of this project.
- The project will increase sewage flows from the site into the County sewer system, which 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 expanded County recycling law.

Additional comments

- The applicant is encouraged to consider using green building technology
- Bicycle racks are recommended

COMMENTS AND RECOMMENDATIONS

1. Consistency with County Planning Board policies. The County Planning Board supports the applicant's development concept. As this site is within walking distance of downtown Pelham, with a bus stop along the site's frontage, it is suitable for multi-family development, particularly those offering a range of unit sizes, such as the proposed building. Because the plan shows a building limited to three stories, it will not place a building that is so large as to be incompatible with surrounding land uses, particularly given that the existing gasoline station is non-conforming. Given these circumstances, we find the proposed zoning map amendment to be generally 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

We note, however, that the proposed building orientation is generally not consistent with *Westchester 2025*. While the proposed site plan keeps the main building entrance at the front of the building along Lincoln Avenue, the building entrance is set behind a row of guest parking and a driveway. It is generally preferable to place buildings and an entrance along the street with parking in the rear. We recommend that the front of the building be moved as close to the street as possible to create a more pedestrian-scaled environment along the site's frontage. This could be accomplished by using the required 20-foot front yard building setback for garden-style landscaping (potentially as a rain-garden for stormwater management purposes). Or, as an alternative, the Village could use this opportunity to

examine its existing setback requirements as part of a larger effort towards defining and protecting community character, as noted in *Westchester 2025*.

2. Affirmatively furthering fair housing. The submitted materials do not indicate if any of the proposed residential units are to be developed as affordable affirmatively furthering fair housing (AFFH) units. We urge the Village and the applicant to consider setting aside a minimum of 10% of the units to meet these requirements.

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.

3. County Road. Lincoln Avenue, within the Village of Pelham, is a County Road (CR 84). Because this project will involve the placement of curb cuts and other site modifications along the site’s frontage with Lincoln Avenue, approval for this work from the Westchester County Department of Public Works (WCDPW) under Section 239 F of the General Municipal Law is required. Pertinent drainage, utility, erosion control and curb cut details need to be provided at the time of Section 239 F submittal. The driveway must also be designed in accordance with current County, State and AASHTO standards.

4. Bee-Line bus stop. Bee-Line bus stop #937 is located along the site’s frontage with Lincoln Avenue. We recommend that the site plan be revised to show the location of this bus stop and that the Village require the applicant to contact the County Department of Public Works and Transportation to determine what impacts, if any, the proposed development will have on the bus stop and to determine if improvements to this bus stop are warranted or desired.

5. 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’ (WCDEF) 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.

6. Provisions for recycling. While the site plans show a proposed trash and utility room, we recommend that the Village require the applicant to verify that there is sufficient space within the project to accommodate the expanded County recycling program that includes plastics with numbers 1 through 7. County regulations for plastic recycling may be found at:

<http://environment.westchestergov.com>.

7. Green building technology and bicycle parking. We encourage the applicant to consider constructing the proposed building as a green building. We also encourage the applicant to consider providing a bicycle storage room for building residents, particularly since the site is partially within the City of New Rochelle which requires bicycle parking for multi-family buildings and offers an extensive system of on-street bicycle routes.

Thank you for the opportunity to comment on this matter.

Respectfully,
WESTCHESTER COUNTY PLANNING BOARD

By: 

Edward Buroughs, AICP
Commissioner

EEB/LH

ec: Michael Dispenza, Contract Administrator, County Department of Public Works
Kevin Roseman, Traffic Engineer, County Department of Public Works
Michael Swee, Associate Transportation Planner, County Department of Public Works & Transportation
Eleanor Sharpe, Director of Planning, City of New Rochelle

Robert P. Astorino
County Executive

County Planning Board

Referral File No. RYB 12-003 – 525 Ellendale Avenue

**Application to Rezone to Fair and Affordable Housing District
Application for Site Plan Approval**

Date: July 13, 2012

Contact: Marilyn Timpone-Mohamed, Consulting Planner
Village of Rye Brook
938 King Street
Rye Brook, NY 10573-1226

Materials received:

- Site plans, dated June 1, 2012
- SEQR Short EAF and related materials

PROPOSAL DESCRIPTION

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

The application proposes the construction of a two-story residential building with four fair and affordable one-bedroom units on a 0.17 acre vacant site. A rezoning of the property from its current R-2F Two Family Residential district to the FAH Fair and Affordable Housing district is proposed which would allow the Village Board to waive several area and parking variances that would otherwise be needed to allow to progress. Site plan approval is also requested.

REVIEW SUMMARY

Consistency with County Planning Board policies

- The project is consistent with *Westchester 2025* and County Planning Board policies because it involves development of fair and affordable units within an existing higher density urban area. Go to <http://westchester2025.westchestergov.com/> for more information on *Westchester 2025*.

Impacts to County facilities and services.

- Sufficient space should be set aside on the site to accommodate the storage of recyclables under the recently expanded County recycling law.

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 and amended January 5, 2010. The application calls for the development of four fair and affordable moderate density residences within an existing urban area that will be consistent with the character of the adjacent neighborhood and will be close to transit, shopping and employment opportunities.

2. **Provisions for recycling.** The applicant should verify that there is sufficient space within the project 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>.

3. **Affordable housing.** This development will be an appropriate application of the Village's FAH Fair and Affordable Housing district.

Thank you for the opportunity to comment on this matter.

Respectfully,
WESTCHESTER COUNTY PLANNING BOARD

For:
By: 

Edward Burroughs, AICP
Commissioner

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

For the period: July 1, 2012 through September 30, 2012

Appendix VI-1: 3Q 2012 Financial Report

FAH CDBG ACCOUNT		\$21,600,000					
REMAINING UNOBLIGATED BALANCE		\$3,364,500					
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	\$4,974,278	\$335,449	\$164,273		
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		
256-258 June Rd. - Town of N. Salem - 65 Units	C-FAH-12-13	\$2,800,000	\$0	\$0	\$2,800,000		
Acquisition and Rehabilitation Revolving Loan Fund	SEE BELOW	\$2,500,000	\$0	\$0	\$2,500,000		
TOTAL		\$18,235,500	\$6,533,778	\$335,449	\$11,366,273		
FAH FUNDS BUDGET		\$30,000,000					
REMAINING UNOBLIGATED BALANCE		\$17,560,000					
ACTIVITIES	CONTRACT NUMBER	ORIGINAL BALANCE	PREVIOUS TOTAL	CURRENT QUARTER	BALANCE REMAINING		
3372 Old Crompond Rd. - Town of Yorktown - 26 Units	C-FAH-11-06/11	\$2,930,000	\$0	\$1,430,000	\$1,500,000		
445 N. State Rd. - Village of Briarcliff Manor - 14 Units	C-FAH-11-08/09	\$1,510,000	\$0	\$910,000	\$600,000		
256-258 June Rd. - Town of N. Salem - 65 Units	C-FAH-12-12	\$4,000,000	\$0	\$0	\$4,000,000		
TOTAL		\$8,440,000	\$0	\$2,340,000	\$6,100,000		
OUTREACH AND EDUCATION BUDGET		\$400,000					
REMAINING UNOBLIGATED BALANCE		\$174,000					
ACTIVITIES		ORIGINAL BALANCE	PREVIOUS TOTAL	CURRENT QUARTER	BALANCE REMAINING		
Pace University - Legal Zoning Review	C-PL-12-369	\$20,000	\$0	\$0	\$20,000		
Pace University - Outreach & Education	C-PL-12-375	\$160,000	\$0	\$0	\$160,000		
Housing Action Council - Marketing Consultant Services Related to AFFH	C-PL-12-375	\$46,000	\$0	\$0	\$46,000		
		\$226,000	\$0	\$0	\$226,000		
ACQUISITION/REHABILITATION RLF BUDGET		\$2,500,000	FUNDED BY FAH CDBG ACCOUNT- ABOVE				
REMAINING BALANCE		\$1,738,500					
ACTIVITIES		ORIGINAL BALANCE	PREVIOUS TOTAL	CURRENT QUARTER	BALANCE REMAINING	TO BE RETURNED	RETURNED AMOUNT
52 Washington Ave, Village of Hastings - 3 Units	C-FAH-11-10	\$761,500	\$0	\$0	\$761,500		
OTHER BUDGET		\$0					
TOTAL APPROPRIATED TO DATE		\$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	\$285,000	\$15,000	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	\$116,761	\$14,774	\$93,465	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	Cancelled
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 Studies	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	\$1,505,376	\$39,471	\$62,153	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 Studies	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	\$16,666	\$0	\$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	\$50,000	\$0	\$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	\$5,872,693	\$339,245	\$2,854,491		
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 will consider bonding the "FAH Funds Budget" of \$30 million when specific eligible developments are identified.
- "Other Budget" expenses will be paid from other sources of funds to leverage the required funding.

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

For the period: July 1, 2012 through September 30, 2012

Appendix VII-1: Public Statements Between July 1, 2012 and September 30, 2012

WESTCHESTER COUNTY PLANNING BOARD ANNOUNCEMENTS & UPDATES July 2012

Port Chester Housing Authority's Weber Avenue Playground Updated



Having a playground near home is essential to creating a neighborhood atmosphere in a housing complex. This project, designed by Planning Department staff, includes a new play structure for ages 2-5 years, toddler swings, basketball court and seating areas.

The completed area will serve as a place for families to gather, young mothers to spend time near home with children, youth to engage in sports and be the site of other outdoor activities. The Port Chester Housing Authority wants to encourage healthy activities by providing play

equipment and grounds suitable for use by children and youth in familiar surroundings, under the watchful eyes of family and neighbors. The population of the Port Chester Housing Authority is almost exclusively comprised of low and moderate income residents.

Lottery Held for Development in Ossining



A lottery was held July 5 for the selection of eligible applicants for the fair and affordable apartments being constructed at 25 State Street in the Village of Ossining. Names were randomly drawn from the 566 applications that were received for the 49 one- and two-bedroom fair and affordable rental apartments. The Red Lion Apartments, a 5-story, elevator

building is nearly complete and will be leasing up in late fall. The apartments will be affordable to households at or below 50% and 60% of Area Median Income and will remain affordable for a minimum of 50 years.

The County supported the development by providing \$1,165,000 of New Homes Land Acquisition Funds for the acquisition of the 0.84 acre site and \$460,000 in Housing Implementation Funds for the construction of site work and related infrastructure, facilitated through a recently executed intermunicipal agreement with the Village of Ossining. For more information visit www.redlionapts.com.

WESTCHESTER COUNTY PLANNING BOARD

Announcements & Updates

July 2012

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2013 Capital Budget Update



At its meeting on July 24, the Planning Board will consider the projects proposed by County departments and agencies for funding in the 2013 Capital Budget and finalize its review, analysis and recommendations on the project requests so as to be able to submit a report to the County Executive, the County Budget Director and the Capital Projects Committee as required under Section 167.31 of the County Code. During the summer months, the Capital Work Group, consisting of the County Executive, the Budget Director, the Commissioner of Planning, and the Commissioner of Public Works and Transportation, will continue to review the proposed projects and may recommend modifications to the capital program. A meeting will be scheduled in late September for the Capital Projects Committee to consider the Work Group's modifications and vote its recommendations to the County Executive.

Village of Elmsford Preparing for Comprehensive Main Street Improvements



In spring 2010, the Village of Elmsford undertook the first phase of revitalizing its downtown with the construction of Centennial Plaza. Designed by the Department and partially funded by Recovery Act stimulus funding, this plaza has been a successful addition to the downtown. Now the Village and the Department are in the process of a second phase of improvements to make walking in the Village safer and more inviting. The first step is to take down the metal utility poles that line Main Street between Route 9A and Robbins Avenue. Working with Con Edison, Verizon and Cablevision, a new system to carry overhead utility lines is being implemented. The second step will involve the installation of new curbing and sidewalks, pedestrian lighting, crosswalks and the State's repaving of the road. These improvements will start in August and are targeted for completion in late spring 2013.

Flood Mitigation Reconnaissance Plans Underway



Staff from the departments of Planning and Public Works and Transportation is preparing reconnaissance plans as called for in the County Stormwater Management Law enacted by the Board of Legislators in 2011. The Commissioner of Planning is responsible for preparing the reconnaissance plans, which will describe each of Westchester's six major drainage basins and recommend a list of projects for design or construction. Once the plans are adopted by the Board of Legislators, municipalities may apply for funding

WESTCHESTER COUNTY PLANNING BOARD

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July 2012

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from the County for included projects. Under the law, the County may fund up to 50% of the project costs.

Staff has prepared maps and questionnaires for each municipality to record information on the worst areas of flooding within their municipalities. The data will be compiled and used to identify and evaluate flooding problems and potential solutions within each watershed. Reconnaissance plans are currently underway for the Bronx River Watershed, Coastal Long Island Sound Watershed and the Saw Mill-Pocantico Watershed, which encompasses the Saw Mill River, Pocantico River and smaller drainage basins south of the Croton River that flow directly to the Hudson River.

Weatherization Assistance Program Successfully Completed



As of June 30, weatherization was successfully completed on over 830 rental housing units occupied by low income households utilizing a \$4.5 million grant received under the Weatherization Assistance Program (WAP). This program was funded under the American Recovery and Reinvestment Act (ARRA) and administered by the NYS Division of Housing and Community Renewal. While these units were certified by the state as completed on May 24, significant work was needed to close out the program, especially to ensure compliance with ARRA regulations, and make certain that all necessary documentation and databases are complete. Final reports will be filed within the next 60 days.

The WAP grant was used to conduct energy audits which analyze existing water, fuel and energy consumption in residences occupied by low income households. The energy audits produced recommendations for specific work to be undertaken to improve energy efficiency. Approximately 40 energy audits were completed on approximately 830 rental units and improvements have been implemented in almost 40 buildings owned and operated by nonprofit agencies, including buildings owned by A-HOME in northern Westchester, Children's Village in the Village of Dobbs Ferry and in residential units in Yonkers; and in properties owned by housing authorities in Port Chester and White Plains.

Planning Department Participating in New I-287 Corridor Working Group

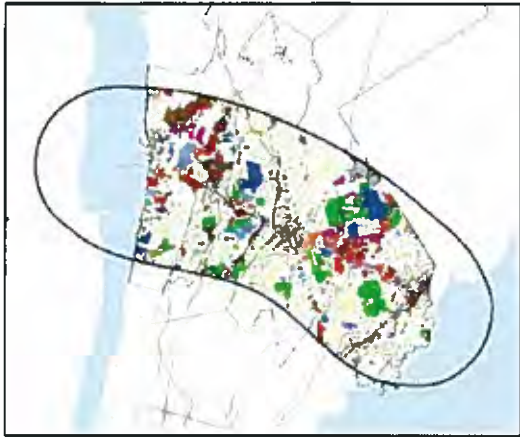
The repurposing of existing office parks along the I-287 Corridor for other non-office uses has been a topic of interest and importance for municipalities, property owners and planners in recent months. It is now also the focus of a new inter-agency group gathering this summer to help better understand the issues and provide guidance as at least two communities, the City of White Plains and the Town/Village of Harrison, consider changes to their zoning ordinances to better address new uses proposed, or desired, in underutilized office parks along the main east-west corridor.

WESTCHESTER COUNTY PLANNING BOARD

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The group was convened as part of the New York/Connecticut Sustainable Communities Consortium. Westchester County is not part of the consortium but County staff along with the Urban Land Institute, the New York Metropolitan Transportation Council and the eight municipalities in the I-287 corridor convened in July to begin to pull together basic data, mapping and lists of properties and development proposals.

Meetings this summer and fall will parallel work sessions to draft suggested strategies, ideas for reconfiguring office complex sites and zoning tools to assist municipalities and property owners as they try to address aging and emptying office buildings while attracting and encouraging new uses that will not negatively impact the area's downtowns, add traffic and noise to nearby neighborhoods or hurt other tenants and owners of the areas office developments. Some non-office uses recently completed or proposed in the corridor include a university satellite facility, a sports and health complex and some types of retail. Potential locations for these and other uses, including housing, will be discussed.

Pleasantville enters the second phase of Roselle Neighborhood Sidewalk Improvements



Although Parkway Terrace is only a small residential street connecting Manville Road and Bedford Road in the Village of Pleasantville, the addition of sidewalks along this street will have a tremendous impact on facilitating pedestrian movement in the Village. This side street is located parallel to the Saw Mill River Parkway and has long been a shortcut for vehicles to enter the Parkway and a boon to pedestrians wanting to cross Manville Road to get to the downtown. With the elimination of the extraneous slip lane to the Parkway, the sidewalks will link the commercial and residential portions of Roselle with a safe passageway. Construction is expected to begin shortly, with final closeout expected in spring 2013.

WESTCHESTER COUNTY PLANNING BOARD

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Referrals to the Planning Board

Between May 16 and July 15, 2012 the County Planning Board received 108 referrals of proposed planning and zoning actions from Westchester's municipalities. These referrals include notifications submitted pursuant to the NYS Environmental Quality Review Act (SEQR). Of the referrals received, 97 were determined to be jurisdictional and 11 were determined to be non-jurisdictional.

Of the jurisdictional referrals, 56 were for an actions pre-determined by the County Planning Board to be a matter of local determination that require notification only; acknowledgements of receipt were sent back to the referring municipality. No further action is required on these matters.

For the entire year 2012, the County Planning Board has received a total of 348 referrals; 298 of these have been jurisdictional. Of the jurisdictional referrals, 176 were for actions pre-determined by the County Planning Board to be matters of local determination that require notification only.

Planning Board action is needed at the May meeting to approve actions taken by staff in response to 40 referrals received with response letters dated from May 16 and July 15, 2012:

- *Comment* letters sent in response to 23 referrals.
- *Comment (Non-jurisdictional)* letters sent in response to 2 referrals.
- *Local Determination* letters sent in response to 15 referrals.

Referrals of Interest

1. Town of Greenburgh — Landmark at Eastview - Draft Scoping Document (GRB 12-002)

Description: Draft scoping document for the continued development of the Greenburgh portion of the Landmark at Eastview campus. The proposed action involves rezoning the 100.17-acre site to a new Planned Economic Development (PED) zoning district which would be added to the Town Zoning Ordinance. If the zoning changes are approved, the applicant intends to seek site plan approval to construct approximately 500,000 square feet of retail and commercial uses in three buildings, along with a 110-room hotel. The plan provides that 34 acres would be preserved as permanent open space. The subject site, which is currently zoned OB-Office Business, is bounded by the Saw Mill Parkway to the west, Saw Mill River Road (NYS Route 9A) to the east, and Old Saw Mill River Road (County Road 303) to the north.

Comments:

- The scope should be amended to include a discussion of County sewer impacts and the provision of I&I mitigation
- The scope should reference that Old Saw Mill River Road is a County road (CR 303) in the westbound direction, and the project will require a permit from WCDPW&T
- The scope should more fully discuss Bee-Line bus service impacts and possible improvements to bus stops

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- The scope should take into account the expanded County recycling law and discuss the developments recycling program. A food composter is recommended for any cafeteria or foodservice operations on the site
- Bicycle parking should be discussed since the site is near a number of trailways
- The scope should include a discussion on the potential use of green building technology

2. City of New Rochelle — Echo Bay Center Waterfront Redevelopment - Amended Scoping Document (NRO 12-005)

Description: Revised scoping document, which was initially reviewed by this Board and responded to in a letter dated July 11, 2008, to reflect a new redevelopment project which is of reduced size and scope when compared to the initial proposal. The project, as currently proposed, would now involve the construction of one large building containing approximately 350,000 square feet. This building would contain approximately 200-300 residential apartments with 25,000 to 50,000 square feet of retail along Main Street (US Route 1). 540 parking spaces would be provided along with a new access drive (“Armory Place”) to provide vehicular access from Main Street. The existing Armory building would be renovated for an undetermined public use. Approximately 4.5 acres would also be set aside for public waterfront access.

The proposed project would require zoning and comprehensive plan and urban renewal plan amendments, along with site plan, special permit and subdivision approvals. One property may also be acquired through eminent domain.

Comments: The amended scope includes all comments that were made by the County Planning Board in 2008. There are no further comments.

3. Town of North Salem — Zoning Text Amendment: Affordable Housing (NSM 12-005)

Description: Proposed Local Law to amend the text of the North Salem Zoning Ordinance to incorporate Westchester County’s Affordable Affirmatively Furthering Fair Housing (AFFH) Model Ordinance Provisions into the Town’s regulations.

In the 1990s, the Town adopted “Moderate-Income Housing Regulations” which provided for a mandatory 20% inclusion of moderate-income units in multi-family developments (10% inclusion in subdivisions) along with bonus provisions for additional inclusion of additional moderate-income units. These regulations, established in the zoning ordinance as Article XXII, also provide for the administration of these units through a Town Housing Board and set standards for unit size, occupancy and rental and sales prices. Income eligibility is calculated using Town employee salaries as a base. Eligibility priority is established according to a formula that gives preference to existing Town residents.

The proposed amendments would modify these regulations to keep the existing “Moderate-Income Housing” regulations in place for the 12 units established under its provisions prior to January 1, 2012. The existing income eligibility and eligibility priority would remain for these 12 moderate-income housing units. A new definition for “Dwelling, Affordable Housing” would be established to be consistent with the County’s affordable AFFH Model Ordinance Provisions. Additional modifications to the existing framework of regulations in Article XXII and elsewhere in the zoning

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ordinance would be implemented to align the regulations with the County's Model Ordinance Provisions.

Comments: The Town is commended for taking this step to incorporate the Model Ordinance Provisions into the existing provisions of the Town Code. Specific comments are offered on the following topics:

- While the required affordable AFFH unit component of multi-family developments remains at 20%, the affordable AFFH component of new subdivisions could result in less than 10% affordable because of how the regulations are written.
- The Town would allow the creation of two affordable accessory apartments in lieu of one affordable single-family dwelling created as part of a subdivision of 10 or more lots, however, more flexibility should be added to this provision since the Town's existing accessory apartment regulations can limit the size and type of these units.
- The Town regulations do not appear to define a minimum time period over which future affordable AFFH units are to remain affordable. This should be a minimum of 50 years.
- The Town regulations setting minimum floor area requirements for affordable units differ from those recommended in the Model Ordinance Provisions. This is especially the case for accessory apartments.
- The Town regulations setting maximum occupancy for affordable units differ from those recommended in the Model Ordinance Provisions
- The lease renewal provisions are missing key language to ensure consistency with certain public funding programs.
- The proposed zoning amendments do not appear to include provisions allowing for an expedited project review process for developments including affordable AFFH units.

4. Village of Port Chester — Port Chester Comprehensive Plan (PCH 12-001C)

Description: Draft Village of Port Chester Comprehensive Plan and Zoning Code Amendments and Map. The Plan is an update of the Village's 1968 Master Plan. The Plan identifies goals, policies and guidelines for the immediate and long-range protection, enhancement, growth and development of Port Chester. The Plan includes a focus on the protection of residential neighborhoods and a focus on future uses and densities in the downtown and waterfront area as well as several key areas in the Village with potential for redevelopment. Rezoning are recommended for many of these areas to better reflect the vision of the Village.

Comments:

- The project is consistent with Westchester 2025 and County Planning Board policies because it involves local policies to concentrate future development in an urban center and along a corridor in close proximity to transit resources.
- We support the Village's recommendation to update the 1995 Sewer System Evaluation Survey to verify and quantify inflow/infiltration (I&I). For all future development projects, measures to offset the projected increase in sewage flows should be considered, including reductions in inflow/infiltration (I&I) at a ratio of three for one.
- We support the Village's vision to protect the character and condition of the Village's residential neighborhoods while focusing redevelopment within the downtown and waterfront areas. We also support the careful attention to the future uses, density and

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required rezoning of several other “Planning Intensity Zones” in the Village to attract more appropriate development. We recommend that Westchester 2025 zoning build-out tools and methodologies be used to understand the impacts of potential development in the downtown and waterfront areas to assure the Village that proposed zoning changes will achieve the greatest benefit and minimize negative impacts to the greatest extent.

5. Village of Rye Brook — 525 Ellendale Avenue Affordable Housing (RYB 12-003)

Description: Petition requesting a zone change from the two-family R2-F District to the Fair and Affordable Housing FAH District. Site plan approval is also being sought to build a four-unit multiple dwelling on the lot that would include parking, a curb cut, storm water management, landscape plantings, fences and a garden wall.

Comments:

- The project is consistent with Westchester 2025 and County Planning Board policies because it involves development of affordable AFFH units within an existing higher density urban area. This development will be an appropriate application of the Village’s FAH Fair and Affordable Housing district.
- Sufficient space should be set aside on the site to accommodate the storage of recyclables under the recently expanded County recycling law.

6. City of White Plains — Zoning Text Amendment: Campus Office District (WHP 12-012)

Description: Proposed amendment to the text of the City’s Zoning Ordinance regarding the C-O Campus Office District. The amendment would add a definition of “Planned Office Park Development” to the ordinance and would revise the List of Use Regulations for the C-O district to include several additional uses including multi-family dwellings that are part of a planned office park development. The amendments are intended to increase the diversity of development within the C-O District, which was established to regulate campus office development along both Westchester Avenue and Mamaroneck Avenue. As development continues to trend away from large, single-tenant uses, it is anticipated that regulations permitting a wider array of development under a master plan approach could increase the future economic viability of these large parcels.

Comments:

- The zoning amendments are consistent with Westchester 2025. The amendments also appear to have taken much of the County Planning Department’s Office Park Housing study into consideration. We commend the City for proposing to make the provision of affordable housing part of the regulations.
- The City should consider adding more flexibility to dimensional and parking standards for the C-O district, since these existing standards were devised for office park uses. Restrictions on the scale of retail uses should also be considered to prevent strip commercial development.

7. City of White Plains — Winbrook Redevelopment - Phase 1 (WHP 12-013)

Description: The application proposes the construction of a 10-story residential building with 103 units and a 13,500 community center on a 1.70 acre site at the northwest corner of the White Plains Housing Authority’s Winbrook housing complex, located at South Lexington Avenue and

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Quarropas Street. A special permit is required to allow the building to exceed 50 feet in height and a waiver is needed for the building to be developed without an increase in parking at the complex. This application is Phase I of a multi-phased redevelopment of the 450-unit Winbrook complex, including the phased demolition of the five existing 90-unit residential buildings and the development of up to 1,024 units of mixed-income housing and some retail uses along South Lexington. The redeveloped complex will continue to include 450 units of public housing. The proposed Phase I building will be partly occupied by residents of the demolished public housing buildings.

Comments:

- The project is consistent with Westchester 2025 because it involves development of high-density residences within an urban center, including additional affordable units.
- Measures to offset the projected increase in sewage flows should be considered, including reductions in inflow/infiltration (I&I) at a ratio of three for one.
- Sufficient space should be set aside on the site to accommodate the storage of recyclables under the recently expanded County recycling law.
- A minimum of 10% of on the non-public housing units in the new development should be subject to restrictions so as to meet affordable guidelines.
- Open space areas for passive recreation should be retained to the greatest extent practicable
- Green building technology should be explored and bicycle parking should be considered

8. City of White Plains — German School of New York - Draft Environmental Impact Statement (WHP 12-014)

Description: The proposed action involves the subdivision of a 4.41-acre site located at 800 North Street (County Road 30) into five lots as part of a proposed plan to expand the student enrollment at the German School of New York from 375 to 500 students over a five-year period. The expansion of enrollment requires an amendment to the existing special permit for the school to allow the enrollment cap to be raised. While the school facilities would not be expanded at this time to accommodate the higher enrollment, the five-lot subdivision would contain four lots for single-family dwellings for faculty and/or students, along with a fifth lot containing a surface parking lot for 62 vehicles with a student drop off area. A new, private, cul-de-sac access road would provide access to these lots from North Street, with two dwellings on each side of the road. Access to the parking lot would be provided at the end of the cul-de-sac via a gated entry. The lot containing this parking abuts the existing property associated with the German School buildings.

In addition to the subdivision and amended special permit approvals, site plan approval would also be required for the residences.

Comments:

- The proposal does not contain impacts relative to ensuring consistency with Westchester 2025 and County Planning Board policies.
- The project requires review from the County Department of Public Works and Transportation because of the site's frontage on North Street (County Road 30) as well as for the proposed curb cut.

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- The draft EIS addresses mitigation to offset the projected increase in sewage flows through reductions in inflow/infiltration (I&I)
- The draft EIS states the site will accommodate the storage of recyclables under the recently expanded County recycling law.
- The school should consider adding food composting facilities for cafeteria operations to reduce food waste.
- Above ground stormwater management measures should be considered, such as rain gardens, to process stormwater runoff.
- The applicant is encouraged to consider as much green building technology as possible.
- Bicycle parking is recommended.

9. Town of Yorktown — State Land Corp. – Lead Agency (YTN 12-006)

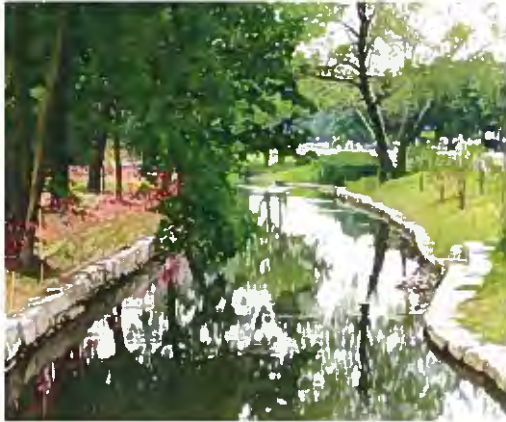
Description: The application proposes the rezoning of an approximately 100-acre property located on the north side of Crompond Road (US Route 202/NYS Route 35) extending west of the intersection of that road with the Bear Mountain Parkway link with the Taconic Parkway. A right-of-way for the unbuilt section of the Bear Mountain Parkway traverses the south side of the site, separating it from the right-of-way of Crompond Road. The applicant is requesting that the property be rezoned from R-160 (four-acre residential) to C-3 Business for the purpose of constructing a 200,000 square foot commercial development. This development would be anchored by a large retail building of 140,000 square feet and have five smaller buildings. Parking for 920 vehicles is proposed – 150 less than zoning requires. The submission states that between 52 and 72.5 acres will be set aside as a preservation area and deeded to the Town of Yorktown to be added to the Sylvan Glen Preserve. The applicant is proposing that the Bear Mountain Parkway right-of-way be relocated to the northern portion of the site, behind the proposed development.

The subject site is within the Croton Watershed. Approximately 50% of the site has slopes over 15% and there are 13.6 acres of wetland including a stream which flows into Hunter Brook. The site plan indicates that extensive grading and some wetland disturbance will be required to create a level development site for the buildings and parking area.

Comments: There is no objection to the Yorktown Town Board assuming Lead Agency status for the review. While the applicant has stated a preference that a full environmental assessment form (EAF) be used in lieu of preparation of an environmental impact statement (EIS), the County Planning Board reviewed a prior proposal (Homart Community Center) for a rezoning and commercial development on this site and responded to the Town in a letter dated May 3, 1995, outlining a set of topics that needed to be addressed. The same topics should receive consideration today, including a discussion of changes since 1995 that may make prior analyses outdated.

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Ceremony Marks Completion of Bronx River Restoration Project



County Executive Robert P. Astorino led a ribbon-cutting on September 5 to celebrate the completion of two restoration projects designed to ease floodwater erosion along a half-mile-long section of the Bronx River near the Westchester County Center in White Plains. The restoration projects of the east and west banks, which restored wetlands and parkland, were financed with \$2.4 million of federal, state and county government funds. The Department of Planning worked with the Department of Public Works and Transportation and the Department of Parks, Recreation and Conservation, as well as state and federal agencies, to implement the

design and construction. On both banks, boulders and thousands of plants were placed. The restoration also protects county infrastructure – including the adjacent Bronx River Parkway and the County Center parking lot bridge.

The newly created vegetative buffer along the river will filter and store stormwater runoff, more slowly releasing it into the river channel to better control water levels and lessen flooding. In addition to improving fish and wildlife habitats and filtering pollutants from stormwater runoff, the projects also improves the appearance of the Bronx River Parkway Reservation.

The U.S. Army Corps of Engineers' New York District contributed 65% of the \$1.7 million cost for the west bank project; the County contributed the remainder, mainly through in-kind services. The \$700,000 funding for the restoration of the east bank was provided through a \$350,000 grant from the New York State Attorney General's Office's Bronx River Watershed Initiative. The County contributed the other \$350,000.

New RiverWalk Segment in Design at Dobbs Ferry Waterfront



Since 2008, the Department of Planning and the Village of Dobbs Ferry have been working to make a new segment of the RiverWalk along the Hudson River a reality. Last winter, construction to stabilize the shoreline at the Village's existing waterfront park was undertaken – thanks to a \$2 million grant from the NYS Department of State and \$1 million of Village funds. In 2013, Phase 2 construction will begin on improvements to transform the park into a new portion of the RiverWalk. *Photo: Existing shoreline & future site of new fishing pier.*

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Phase 2, funded by \$2 million through the County's Legacy Program and more than \$1 million in private donations, will include new walkways, a performance stage, gazebo, new playgrounds for younger and older children, a comfort station, pedestrian lighting, plantings, new picnic tables, grills, benches, and trash. All improvements will emphasize sustainability and environmental sensitivity. Unexpectedly, the Village was awarded a Department of State grant to establish a new fishing pier and boat dock, thus adding another phase of work to the project. *Photo: View from existing park.*



2013 Capital Budget Update

On August 14, the Planning Board Report on the 2013 Capital Project Requests was transmitted to the County Executive, Budget Director and members of the Capital Projects Committee. The report has been posted on the Planning Department's Web site. The link is:

<http://planning.westchestergov.com/images/stories/PlanningBoard/pbreport2013.pdf>

Land Closing for AFFH Development in Yorktown



Closing for the land purchase for the fair and affordable housing development at 3372 Old Crompond Road, known as Crompond Crossing, in the Town of Yorktown took place on July 30. The County provided funds for land acquisition and has approved funds for construction costs and site work totaling \$3.43 million, through a combination of funds from the County's Fair and Affordable Housing (FAH) program and the federal HOME program.

Construction of the development is about to begin and occupancy is anticipated in 2013. All 26 of the 3-bedroom ownership townhomes will Affirmatively Further Fair Housing under the Housing Settlement Agreement under which the County is ensure the development of 750 affordable AFFH units. The AFFH units will be affordable to families at or below 80% of area median income and will remain affordable for 50 years.

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Stormwater Management Workshop to be held September 21



The Department of Planning and the Soil and Water Conservation District are sponsoring a stormwater management workshop titled “Watershed Assessment & Low Impact Development for Local and Regional Stormwater Management” on September 21 at the Westchester County Center. The workshop will focus on evaluating local and regional drainage basins using computer-based data and other information and developing “green infrastructure” or “low impact development (LID)” stormwater management practices.

The workshop will feature speakers with professional expertise in stormwater management including: Franco Montalto and Eric Rothstein of eDesign Dynamics, Chet Arnold of University of Connecticut Center for Land Use Education and Research, Shandor Szalay of AKRF, Inc. and Tracey Corbitt and Bill Brady of the Department of Planning. Additionally, a panel will provide an overview of state and local implementation of LID practices – comprised of Patrick Ferracane, NYS Department of Environmental Conservation; Lee Ellman, City of Yonkers; and Barbara Kendall, Hudson River Watershed Alliance.

The program should qualify for the four-hour annual training required of municipal planning and zoning board members. More information is available on the registration form at: <http://tinyurl.com/stormwater-workshop>.

Land Closing for AFFH Development in Briarcliff Manor

On August 15, the land closing for the fair and affordable housing development at 445 North State Road in the Village of Briarcliff Manor took place. The County purchased the property and sold it to the developer, 445 North State Road Partners, LLC. In addition to the acquisition funding, the County is providing funds for construction and site work through a combination of funds from the County’s Fair and Affordable Housing program and HOME. The total amount funded by the County will be \$1.81 million.



Building permits have been issued and construction is about to begin with occupancy anticipated in 2013. All 14 of the 2-bedroom condominiums will Affirmatively Further Fair Housing under the Housing Settlement Agreement. The AFFH units will be affordable to families at or below 80% of area median income and will remain affordable for 50 years.

Water Quality Improvements Move Forward at Sprain Lake Golf Course



Continuing a partnership with the County Department of Parks, Recreation and Conservation, the Department of Planning is once again designing improvements to a County golf facility. In 2009, the Department teamed up with Parks to enhance the stormwater treatment practices at Saxon Woods Golf Course with great success. The next project involves a similar refurbishment at Sprain Lake Golf Course. The improvements will include an innovative stormwater treatment system for the 2-acre parking lot which will alleviate flooding on the fairways. In addition, an experimental porous pavement cart path

will be added at the 2nd and 3rd holes. In an effort to enhance play, the existing cart paths will be renovated and the fairway at hole 3 will be regraded for better play. Improvements will take place over the course of the winter.

Photo: Location of future parking lot stormwater treatment system.

Zoning Review Continues Under Housing Settlement Agreement

Planning staff has been busy during August preparing responses to detailed data requests made by the housing monitor. The information relates to what the monitor has identified as “six questioned zoning practices.” A briefing on the work and work products will be provided to the Planning Board at the board’s September meeting.

Sale of First Neighborhood Stabilization Property Completed



The County has sold the first homeownership property under the federal Neighborhood Stabilization Program (NSP). It is located at 1400 Main Street in the City of Peekskill. The purchaser was income eligible to purchase the home which was renovated to become a 4-unit, owner occupied home. It includes three rental units for families who meet the program income requirements.

NSP was established under the 2008 Housing and Economic Recovery Act for the purpose of stabilizing communities that have suffered significantly from foreclosures and abandonment. This is realized through the purchase and redevelopment of foreclosed and abandoned homes. The County was awarded funds that are expected to allow 12 properties to be purchased and renovated. Seven of the 12 sites are or soon will be under a contract of sale with accepted offers. The remaining four continue to be actively marketed.

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Restoration of Mamaroneck River Corridor at Saxon Woods Park Completed



The restoration of the Mamaroneck River corridor at Saxon Woods Park along Mamaroneck Avenue between the Hutchinson River Parkway and bridge into the park was completed in August. The 9-acre area flanking the river was overrun by invasive vines, most notably porcelain berry and wild grape. The vines had smothered nearly every other plant growing in the corridor which negatively affected the area's appearance, water quality, stabilization of the river banks, absorption of flood waters and fish and wildlife habitats.

The vines were largely eradicated in 2011. This year the site was sowed with seed mixtures containing a variety of grasses and other native perennial plants plus 1,500 tree saplings. Touch-up treatments to fully eradicate invasive plants also were completed this year.

The project, designed and managed by the Department of Planning in cooperation three other departments, is an "environmental benefit project" originating from a 2008 consent order agreement concerning Long Island Sound between the County and NYS Department of Environmental Conservation. The agreement related to point source discharges. Planning has received a federal grant to design the restoration of an additional five acres immediately south of the existing project. Grant funding will be sought in 2013 to construct this second project.

Referrals to the Planning Board

Between July 16 and August 15, 2012 the County Planning Board received 38 referrals of proposed planning and zoning actions from Westchester's municipalities. These referrals include notifications submitted pursuant to the NYS Environmental Quality Review Act (SEQR). Of the referrals received, 27 were determined to be jurisdictional and 11 were determined to be non-jurisdictional.

Of the jurisdictional referrals, 8 were for an actions pre-determined by the County Planning Board to be a matter of local determination that require notification only; acknowledgements of receipt were sent back to the referring municipality. No further action is required on these matters.

For the entire year 2012, the County Planning Board has received a total of 386 referrals; 325 of these have been jurisdictional. Of the jurisdictional referrals, 184 (56%) were for actions pre-determined by the County Planning Board to be matters of local determination that require notification only.

Planning Board action is needed at the September meeting to approve actions taken by staff in response to 14 referrals received with response letters dated from July 16 and August 15, 2012:

- *Comment* letters sent in response to 10 referrals.

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- *Local Determination* letters sent in response to 4 referrals.

Referrals of Interest

1. City of Mount Vernon — The Mount Vernon Modern (MTV 12-001B)

Description: The proposed development consists of the construction of an 11-story mixed-use building containing 81 apartments (9 studio, 27 one-bedroom and 45 two-bedroom units) with 78 parking spaces on three levels behind the building. The proposed building would contain 9,237 square feet of commercial space and 1,695 square feet of community space on the first two floors with the residential units on the above nine floors. The 20,241 square foot site is located on the southeast corner of Mount Vernon Avenue and MacQuesten Parkway, across from the Mount Vernon West train station.

Comments:

- The project is consistent with County Planning Board policies because it is a transit-oriented development containing residential units and street level retail within close proximity of a train station. The proposed street-oriented building with parking in the rear is also consistent with these policies.
- The project will increase sewage flows from the site into the County sewer system, which 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
- Green building technology should be explored.
- Bicycle parking should be provided

2. Town of New Castle — Upper Westchester Muslim Society Masjid and Islamic Center – Draft Environmental Impact Statement (NWC 12-004)

Description: The proposed action involves the construction of a 24,690 square foot religious building with 170 parking spaces on a 8.33-acre site located at 130 Pines Bridge Road (County Road 1323). The site currently contains a single-family house, detached garage and a tennis court, all to be demolished.

The proposed religious building is intended to serve as both a Masjid (Mosque) and as a community center serving the Muslim community in northern Westchester and adjacent counties. The applicant currently operates a similar facility in a leased space at 401 Claremont Avenue, Thornwood, which the congregation has outgrown. The applicant states that the proposed development is intended to meet both current and future needs of their congregation, which is undergoing an expansion. The current congregation consists of approximately 90 families with a projected increase to 130 families by 2018.

The proposed building will contain a prayer hall, 17 classrooms for religious instruction, a library, social hall and kitchen. The 170-space parking area would be expanded to 217 spaces using a valet parking scheme twice a year on religious holidays that attract higher attendance. While the building would use public water, wastewater would be handled onsite with a subsurface septic system.

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The site is located in the R-2A district in which “places of worship” are permitted with a special use permit issued by the Zoning Board of Appeals. The submission indicates that subdivision approval will be required from the Town Planning Board to combine the two tax lots that comprise the site

Comments:

- The County Planning Board land use policies encourage “destination”-type uses to locate in centers where they can contribute to the vitality of such areas. The proposal is consistent with local zoning.
- Review by the County Department of Public Works and Transportation is required because a driveway curb cut onto Pines Bridge Road (County Road 1323) is proposed.
- Sufficient space should be designated to accommodate the storage of recyclables under the County recycling law. A food composter should be considered for food waste.
- The applicant is to be commended for including permeable paving surfaces and other stormwater management practices, but is encouraged to consider adding as much green building technology as possible to the project.
- Bicycle parking is recommended.

3. Town of Yorktown — Lake Oceola Realty (YTN 12-012)

Description: The proposed action involves demolishing an existing two-story residence and the construction of a 27,000 square foot office building with roadways, utilities and stormwater management. The subject site is 4.396 acres and is located on Hill Boulevard between US Route 6 and East Main Street within the Country Commercial zoning district. The site also contains frontage along Lake Osceola; the proposal includes dedication of land to the Town of Yorktown for public lake access along the lake.

The County Planning Board has no objection to the Yorktown Planning Board assuming Lead Agency status for this review. The following preliminary comments are offered:

Comments:

- The proposal is consistent with Westchester 2025 and County Planning Board policies in that it provides public access to a lake, which is a public benefit. However, the site plan proposes a significant impact on regulated wetland buffer areas. Alternatives should be considered to reduce this disturbance.
- There may be an impact to a County regulated stream, Shrub Oak Brook. The applicant should be referred to the County Department of Public Works.
- A Bee-Line bus stop is located along the site’s frontage. The applicant should contact the County Department of Public Works and Transportation to determine if improvements to this bus stop are warranted or desired as a part of this project.
- Sufficient space should be set aside on the site to accommodate the storage of recyclables under the expanded County recycling law.
- Revisions to the proposed stormwater management system are recommended to ensure future operability.
- The applicant is encouraged to consider inclusion of green building technology.
- Pedestrian access should be improved; provision of bicycle parking is recommended.

MINUTES OF THE MEETING
WESTCHESTER COUNTY PLANNING BOARD

Cassella Conference Room
Michaelian Office Building
White Plains, New York
Tuesday, June 5, 2012

BOARD MEMBERS PRESENT:

Susan Konig, Chair (Village)
Dwight Douglas, Vice Chair (City)
James Arndt (City)
Douglas Hocking (City)
Mark Rosen (Town)
Neil Sullivan (City)
Steven Schoenfeld (Town)
Kathleen O'Connor, Commissioner, Department of Parks, Recreation and Conservation
Patricia Chemka, for Jay Pisco, Commissioner, Department of Public Works and
Transportation
Michael Coley for Thomas Lauro, Commissioner, Department of Environmental Facilities

BOARD MEMBERS ABSENT:

Vacancy (Town)
Vacancy (Village)

STAFF PRESENT:

Edward Buroughs, Commissioner
Patrick Natarelli, Chief Planner
Deborah DeLong, Director of Housing
David Kvinge, Director of Natural Resources
Lawrence Kelley, Program Administrator
Katherine Eisenman, Planner
Lukas Herbert, Associate Planner
Tracey Corbitt, Principal Planner
Nick Magilton, Planner
Ellen Brief, Program Specialist

GUESTS:

Mary Mahon, Special Assistant to the County Executive
Joseph Kenner, Assistant to the County Executive
Catherine Borgia, Legislator, Board of Legislators
Christopher Crane, Assistant to the Board of Legislators
James Guiney, Intern, Office of the County Executive
Jake Williams, Intern, Office of the County Executive

**Westchester County Planning Board
Meeting of June 5, 2012
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I. Call to Order

The meeting was called to order at 8:05 a.m. by the Chair, Susan Konig.

II. Meeting Dates

Ms. Konig said that, if there was no objection, the July and August Board meetings would be consolidated and that the next Board meeting would be held on July 24, and then on September 4 and October 2 at 8 a.m. No opposition to the date change was made.

III. Adoption of Minutes

Ms. Konig solicited corrections and comments on the April 3, 2012 minutes. None were made.

A motion to approve the April 3 minutes was made by Mr. Douglas, seconded by Mr. Hocking and approved by the Board. As Mr. Schoenfeld and Mr. Rosen were not present at the April 3 meeting, they abstained from the vote.

Later in the meeting - after Mr. Herbert's report on the Referral of Interest, Ms. Konig solicited corrections and comments on the May 1, 2012 minutes. None were made.

A motion to approve the May 1 minutes was made by Mr. Douglas, seconded by Mr. Sullivan and approved by the Board. As Mr. Arndt, Mr. Hocking and Mr. Rosen were not present at the May 1 meeting, they abstained from the vote.

IV. Chairman's Remarks

Ms. Konig welcomed the newly appointed member, Mr. Rosen, to his first meeting of the Planning Board. Mr. Buroughs noted that although Mr. Rosen has a Larchmont mailing address, he is a resident of the Town of Mamaroneck. Ms. Konig requested that members and staff in the room introduce themselves, and they did so.

V. Commissioner's Remarks

Mr. Buroughs remarked that, at next month's July meeting, the Board would need to act on the 2013 Capital Project Report, an overview of which Mr. Natarelli will present later in the meeting.

He reported that Mr. Arndt was appointed to serve as the Planning Board liaison on the Housing Opportunities Commission (HOC), and that he will replace Mr. Douglas, who recently resigned his seat on the HOC.

Mr. Buroughs remarked that, at this and future meetings, members could continue to discuss and analyze the Planning Board manual and policy guidelines to determine if these are

currently effective or if they need to be updated and revised - or to determine what items currently in place work and should be retained.

Mr. Buroughs informed the Board that the 39th Annual Westchester Planning Federation Awards dinner will be held this coming Thursday evening at the Sleepy Hollow Country Club, Briarcliff Manor. He said that the County will receive two Special Commendation Awards for The "Brook" at Tibbetts Brook Park in the City of Yonkers and for the Fox Commons Townhomes and Edgewood Park Improvements in the Village of Port Chester. He reported that the former chair of the Planning Board, Cheryl Winter Lewy, will receive the President's Award. Ms. Konig said she plans on attending.

Mr. Buroughs noted that, in the day-of-meeting folder, there is a flyer publicizing a Department of Planning program: *Watershed Assessment & Low Impact Development for Local and Regional Stormwater Management*, to be held on September 21, 2012 at the County Center in White Plains. He said that, to outreach to persons serving on municipal planning and zoning boards, the program presented will be less technical and have a broader approach to the topics.

VI. Referrals

Ratification of actions taken by staff in response to planning and zoning actions referred to the County Planning Board – April 16, 2012 through May 15, 2012.

Ms. Konig invited comments or questions on the referrals. Mr. Schoenfeld said that he approves the referrals report with the exception of NWC 12-002, Chappaqua Station Apartments - Conifer Realty.

A motion to approve the Referrals Report was made by Mr. Hocking seconded by Mr. Douglas and was approved by the board.

Referral of Interest

A. Referral File No. WHP 12-012 – Zoning Text Amendment: Campus Office District City of White Plains

Mr. Herbert described the proposed Zoning Text Amendment intended to increase the diversity of the types of development in the City of White Plains. He said that the city requested and received a copy of the Department of Planning publication *Office Park Housing*, and had based its plan for the reconfiguration of office parks along the I-287 corridor on the content of this report.

He illustrated his talk with a PowerPoint slide show which included aerial views of Mamaroneck Avenue across from Saxon Woods Park where, in Harrison, an office park was divided into multiple tenant sites. In a slide of Westchester Avenue, Mr. Herbert indicated some of the new uses for office parks along this avenue: Fordham University's medical

center, a fitness center on the site of the old Journal News campus, and a swim school for children on Red Oak Lane.

Mr. Herbert said that the City intended to add a definition of "Planned Office Park Development" to the zoning ordinance and expand the List of Use Regulations for the Campus Office District to include, among others, multi-family dwellings.

Mr. Buroughs remarked that because current development trends and the business climate are working against large, single-tenant land uses, this zoning change could increase the economic feasibility of large campus parcels. He said that municipalities, the business community and the Department agree on the viability of adapting campus office parks for multi-use redevelopment.

Mr. Herbert noted that the planned distance of a 75 foot front yard setback requirement should be more flexible to accommodate the accessibility of bus transportation for multi-family housing residents. He said that when possible, the parking space allotment could be scaled downward, as different peak times of use may allow for shared spaces by the multi-use tenants.

Mr. Herbert said in order to achieve a balanced plan development for the City, limits on the percentage of floor area allowed for retail development should be considered so that out-of-scale retail or extensive strip commercial development is limited.

Mr. Douglas commended the Department on its good work - for publishing a report which guided the City of White Plains to the adaptive reuse of its campus office parks.

VII. Matters for Board Action

A. Grant Park II, City of Yonkers – BPL01 Housing Implementation Fund, Capital Budget Amendment

Mr. Kelly noted that members had received copies of the executive summary and the resolution for this project. Accompanied by a PowerPoint slideshow, he presented information on this fair and affordable housing project in the City of Yonkers, a part of the Mulford Gardens HOPE IV Revitalization Plan. The outdated, deteriorated and now demolished 550-unit Mulford Gardens project, built in 1939, was among the county's oldest public housing. The city is requesting Housing Implementation Funds (HIF) for infrastructure improvements for the Grant Park II Apartments at 1 and 5 Whetstone Avenue. These 56 apartments will be located in two four-story elevator buildings.

Mr. Kelly said that the total development cost of the Grant Park II project is \$ 22,284,000 and the total HIF funds needed is \$1,568,000, plus \$235,000 in soft costs, for a total of \$1,803,000. He said there is an array of funding sources, including tax credit equity and federal HOPE IV funds to replace aging public housing.

The development includes an existing 3,500 square foot building that contains an exercise facility, business center and a community room. There will be laundry rooms throughout the buildings and playgrounds on the site.

Earlier phases of the Yonkers' revitalization plan included Croton Heights Apartments, 60 affordable rental apartments; Father Pat Carol Green Townhouses, 62 two-family townhomes; the 40-unit Ashburton Senior Apartments; and the 100 units of Park Terrace (*Grant Park I*). Mr. Kelly noted that a ribbon-cutting for the Park Terrace affordable rental apartments, built on the old Mulford Gardens site, is being held today in Yonkers and that County Executive Robert P. Astorino will attend.

Mr. Kelly reported that there were previously 550 units on the Mulford Gardens site, so once the entire HOPE VI multi-phase affordable housing redevelopment is completed, the resulting 364-units, built utilizing water saving efficiencies, will result in a net reduction of density waste flow.

Answering a question from Mr. Sullivan, Mr. Kelly said that yes, this project fell outside the purview of the housing settlement.

Mr. Kelly briefly reviewed information on a slide that indicated an apartments' square footage, its monthly rental cost and the range of income needed for a household to qualify for tenancy.

Ms. DeLong, answering a question from Mr. Hocking, said that as the project did not go out to bid there are no pre-bid dollar numbers to compare to post bid costs. She said that the state looks at the cost relative to the scope of the project and that the developer has a long standing track record with the city.

Mr. Douglas stated that this was a good project, that there were fewer units on the site, and that the scale of the project was more family friendly.

Mr. Douglas made a motion for the Planning Board to approve the resolution supporting HIF funding, not to exceed \$1.85 million, for the Grant Park II infrastructure improvements in the City of Yonkers. Mr. Schoenfeld seconded the motion and the resolution was unanimously approved.

VIII. Matters for Board Discussion

A. 2013 Capital Project Requests – Overview

Mr. Natarelli projected a PowerPoint slideshow and spoke about the 2013 Capital Budget Project Requests. He made a distinction between the Capital Program, the multi-year scheduling of public physical improvements and the Capital Improvements Budget, which refers to improvements scheduled for the next fiscal year. He said that most projects are large

in scale, but also smaller scale acquisitions such as computers and software may be included in a budget.

He cited some examples of county Capital Projects: needed improvements to county golf courses, maintenance for Playland Park, the River Walk Trailway, upkeep for the Bronx River and Central Westchester Parkways, seven sewer treatment plants and facilities on the Grasslands Reservation. Mr. Natarelli noted that capital projects are financed by County bonding, by local, state and federal funding, by special taxing districts and, in a small way, with County dollars.

Mr. Natarelli said that \$10 million is the maximum amount that can be bonded for a project without holding a state voter referendum for the bond. The last time bonding for a project went to referendum was for the funding of the penitentiary in 2004/2005. He said a project could be bonded in phases.

Mr. Natarelli stated that the capital project requests must be submitted by May 1 of each year to the Planning Board and to the Capital Projects Committee. This nine member committee is comprised of the County Executive (Chairman); the Budget Director; the Commissioners of the Departments of Planning, Public Works and Transportation, Environmental Facilities, and Parks, Recreation and Conservation; the Chief Information Officer; and the Chairpersons of the Board of Legislators (BOL) and the BOL Committee on Budget and Appropriations.

Mr. Natarelli stated that the capital budget expenses impact the county's real estate taxes and that since 2011 the dollar amount for the tax levy appropriations portion of the budget has been trending downward. In 2011 the estimated tax levy appropriations cost was \$152.5 million, in 2012 it was \$118.2 million and in 2013 it may be \$105.2 million.

Mr. Natarelli reported that the district and non tax levy for 2011 was approximately \$12.7 million in 2011, \$61.7 million in 2012 and may be \$94.3 million in 2013. Mr. Natarelli said that the special districts tax only those persons or properties within the special districts, and mentioned examples - such as the airport facility charge and the refuse, recycling, sewer and water districts.

He said the total requested appropriations for 2011 was approximately \$165.2 million, for 2012 was just under \$180 million and for 2013 may be \$199.5 million. He said that these dollar amounts are trending upwards due to the incorporation of the costs for operating and maintaining the good condition of existing facilities.

Mr. Natarelli noted the four major categories of the proposed projects in the 2013 Capital Budget: recreation (\$32.735 million); the county airport (\$16.975 million); sewer and water facilities (\$73.059 million); and building, land and miscellaneous projects (\$36.854 million).

Mr. Natarelli briefly reviewed the major proposed projects in the 2013 Capital Budget:

- Blue Mountain Reservation Building and Sportsmen Center - \$5.5 million
- Golf Courses Rehabilitation - \$6.875 million
- Willson's Woods Site Work - \$3.15 million
- Playland Ice Casino Roof - \$3.35 million

- Fair and Affordable Housing - \$7.5 million
- Underground Steam Main, Valhalla Campus - \$6.5 million
- Woodfield Cottage Renovations - \$9.82 million

Ms. O'Connor stated that the number of visitors each year to Willson's Woods pool in Mt. Vernon had increased and was now 56,000.

Mr. Natarelli noted that if the BOL approves the amount already requested for the Playland Ice Casino Roof then the amount requested for this project will be deleted from the 2013 Capital Budget requests.

Mr. Natarelli reviewed the numerous projects that are requested for the County Airport:

- A002A , Airport Approach Protection - \$0.5 million
- A025B, Electrical System Upgrade - \$0.315 million
- A0060, Fuel Farm Improvements - \$1.0 million
- A083A, Terminal Systems Upgrade - \$2.0 million
- A0096, Aircraft/Firefighter Road Rehabilitation - \$0.410 million
- A0106, Runway 11/29 Rehabilitation - \$0.5 million
- A0108, Runway Safety Area Improvements - \$1.0 million
- A0120, Ground Support Equipment Facility - \$3.5 million

Mr. Natarelli said that the use of runway 11/29 was restricted due to the tree height limitations on nearby Connecticut properties. The useable distance of the runway is diminished because of this. The funding for this project would change the path of this runway to improve this situation.

Ms. Chemka stated that a change in federal aviation regulations mandates a 300 foot safety area at the end of runways be in place by 2015 and that funding was being requested in 2013 to meet this mandate.

Mr. Natarelli announced that a meeting presenting an overview of the 2013 Capital Budget Requests will be held at 2 p.m. today and tomorrow at 1:00 p.m. in conference room A on the 9th floor.

Mr. Buroughs stated that members will receive a draft analysis of the 2013 capital budget projects, that the final Planning Board Capital Project Request will incorporate their comments and that the approved report must be submitted to the Capital Projects Committee by September 10. Mr. Buroughs requested that members submit their comments to the Department prior to the next Board meeting on July 24.

B. Referrals Process

Mr. Buroughs said that, for referrals, the burden is on the municipality, city council, planning or zoning board to follow the correct legal procedures and submit a referral to the County Planning Board. It is then up to the Board to determine how to address the referral. He said in that in 2003 the Board decided to allow for local determination for site plans of less than

5,000 square feet of new or renovated floor area or less than 10,000 square feet of land disturbance. The exception to this is actions that were given a Positive State Environmental Quality Review (SEQR) Declaration. Department staff acknowledges the municipality's e-mail or fax notification to provide the local board with the necessary record to show compliance with the legal referral requirements. Mr. Buroughs said that the Board could consider modifying the square foot parameters or other criteria for determining local determination.

Mr. Herbert reported that about 50% of the referrals are submitted by e-mail and approximately 30% of the referrals submitted do not fall under the Planning Board's jurisdiction. Mr. Douglas said that the City of Peekskill sent all the referrals to the Department via e-mail, as this allowed the referrals to be processed quickly.

Mr. Buroughs briefly reviewed the referrals process material that members had received, and this included information on the referrals review process. He said that, due to time constraints, referral letters may be distributed prior to the Boards official vote of approval and that this process replaced a more cumbersome one where index cards were kept and member's approval was catalogued prior to the comment letter being sent.

He said that state and county law differ, that the state requires municipalities to report their actions on referrals but county code does not. Mr. Buroughs remarked that referrals of interest presented to the Board are often selected if the project requires a change in the zoning code or in the type of use.

Mr. Hocking asked if the referral recommendations were well received by large municipalities and acknowledged that, despite the expertise of the County Planning Department, in New Rochelle, the county's input is not heard.

Mr. Douglas said that the skills and expertise of Department Staff contributes a great value to local municipal planning departments.

Ms. Konig remarked that a zoning change for the Croton-on-Hudson letter was perceived by some as problematic and contained discriminatory language and the project could have benefited from the department following up and sending subsequent comments. Mr. Buroughs said that language accommodating additional comments could be included in the comment letter.

Mr. Herbert stated that some small municipalities will wait until after they receive the Planning Boards referral comment letter before they decide or act on a project. Mr. Schoenfeld said that language in the letter could address this and state that the Board may supplement the comment letter and they are also free to take action. Mr. Douglas stated that, for the most part, the referrals comment letters have worked as is and instances requiring further comment may occur so infrequently that watering down the letter and altering the format as it is currently written in may not be needed.

IX. Matters for Board Information

A. Stormwater Advisory Board and Reconnaissance Plan Development

Due to time constraints, Ms. Konig tabled this item for presentation at the next meeting,

X. Other Business

There was no other business to present.

XI. Adjournment

The meeting adjourned at 9:50 a.m.

MINUTES OF THE MEETING
WESTCHESTER COUNTY PLANNING BOARD

Cassella Conference Room
Michaelian Office Building
White Plains, New York
Tuesday, July 24, 2012

BOARD MEMBERS PRESENT:

Susan Konig, Chair (Village)
James Arndt (City)
Mark Rosen (Town)
Neil Sullivan (City)
Steven Schoenfeld (Town)
Kathleen O'Connor, Commissioner, Department of Parks, Recreation and Conservation
Jay Pisco, Commissioner, Department of Public Works and Transportation
Thomas Lauro, Commissioner, Department of Environmental Facilities

BOARD MEMBERS ABSENT:

Dwight Douglas, Vice Chair (City)
Dennis Starr (City)
Vacancy (Town)
Vacancy (Village)

STAFF PRESENT:

Edward Buroughs, Commissioner
Patrick Natarelli, Chief Planner
Deborah DeLong, Director of Housing
Lawrence Kelley, Program Administrator
Katherine Eisenman, Planner
Lukas Herbert, Associate Planner
Tracey Corbitt, Principal Planner
Susan Darling, Associate Planner
William Brady, Associate Planner
Edward Hoffmeister, Associate Planner
Meghan Flanagan-Miller, Planner
David DeLucia, Director, Department of Parks, Recreation & Conservation
Howard Spreckman, Director of Administrative Services, Department of Information Technology

GUESTS:

Joseph Kenner, Assistant to the County Executive
Christopher Crane, Assistant to the Board of Legislators

I. Call to Order

The meeting was called to order at 8:05 a.m. by the Chair, Susan Konig.

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II. Meeting Dates

Ms. Konig noted that Board members had been alerted via e-mail that a change in the date of the September Board meeting would be considered at this meeting. She said that, if there was no objection, the date will be changed from September 4 to September 11. No opposition to the date change was made. The following meetings will be October 2 at 8 a.m. and November 13, at 8:00 a.m.

III. Adoption of Minutes

Ms. Konig solicited corrections and comments on the June 5, 2012 minutes. Mr Schoenfeld noted the presence of several bracketed items. Commissioner Buroughs explained that these were corrections that should have been made before the draft was distributed.

A motion to approve the June 5 minutes with the corrections was made by Mr. Sullivan, seconded by Mr. Schoenfeld and approved by the Board. As Commissioner Pisco was not present at the June 5 meeting, he abstained from the vote.

IV. Chairman's Remarks

Ms. Konig said that a new member had been appointed by the County Executive, from the City of New Rochelle, and that he would be attending the next meeting. She asked members to give some thought to the Planning Board manual and policy guidelines to identify specific subjects that could be placed on the agenda for discussion.

V. Commissioner's Remarks

Mr. Buroughs remarked that in response to the monitor's request for more information regarding the County's February submission on zoning ordinances and the legal basis for the conclusions drawn, Professor John Nolon of Pace University Law School, an expert on land use law, was retained by the County to prepare a brief on New York State law as it applies exclusionary zoning. His report found that the County's analysis was consistent with the Berenson line of court cases which require that all municipalities have zoning ordinances which allow for multi-family housing units. Commissioner Buroughs noted that not all of the monitor's questions could be answered as the types of data requested do not exist or would require such interpolation of data to produce the requested information that the final figures would be essentially meaningless. He also noted that other data requested relating to local municipal actions on land use matters is not information to which the County has access. He added that the County has been asked to provide the names of all staff who worked on the zoning analysis.

Ms. Konig commented that the legal costs to the County must be mounting. Mr. Sullivan asked if the County is still ahead of schedule on housing construction and whether any

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zoning problems were discovered. He said more clarity was needed in this case. Other members wondered if the County was being made an example of, and asked if the \$12 million in CDBG funds were still being withheld. Commissioner Burroughs said that the money was still being withheld by HUD and that no exclusionary zoning regulation was identified found by the County.

VI. Referrals

Ratification of actions taken by staff in response to planning and zoning actions referred to the County Planning Board.

- May 16, 2012 through July 15, 2012

No Referrals of Interest were reported. A motion to approve was made by Mr. Sullivan seconded by Mr. Rosen and approved by the Board.

VII. Matters for Board Action

A. Planning Board Report on the 2013 Capital Project Requests

Mr. Natarelli said that members had received the draft Planning Board Report of the 2013 Capital Budget Requests and a draft transmittal memo of the report to the County Executive and Capital Projects Committee. The draft report provides the proposed Planning Board analysis and comments on the physical impacts of each proposed capital project. The transmittal memo is intended to provide an overview and to highlight key projects. He asked for any questions or comments. He advised the members that the Planning Board's obligation is to review these projects for their potential environmental impacts and not for fiscal impacts. The actual 2013 Capital Budget to be proposed by the County Executive may not include all of the projects submitted by County departments which are reviewed in the Planning Board's report. He said that the County has a triple A rating from the ratings agencies and that the capital budget is tending lower. Certain departments, such as the County Airport, have their own revenue stream.

Mr. Natarelli said that Westchester is a mature county with a variety of infrastructure renovation and rehabilitation needs which require ongoing attention. He said that any questions or comments members may have about the capital budget should be directed to him.

A motion to approve the Report was made by Mr. Schoenfeld and seconded by Mr. Rosen and approved by the Board.

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B. Bridleside, 256 June Road, Town of North Salem-BPL50 Fair and Affordable Housing - Capital Budget Amendment

Mr. Kelly used a PowerPoint demonstration to illustrate his remarks about the project. He reminded members that this project was before the Board several months ago. At that time, the proposal had not received all local approvals which was a source of concern to some Board members. He reported that all local approvals have now been granted. The matter before the Board is a resolution that recommends the use of County capital funds to purchase the property and to subsidize infrastructure development costs so as to allow the housing units to be rented at affordable limits in compliance with the housing settlement.

Mr. Kelly described the project as 65 affordable AFFH rental units in eight two-story residential buildings, including on-site parking, on 14 acres of a 40.2 acre site. Most of the site will be kept as open space with the buildings clustered, reducing the footprint. He explained that the project will have its own sewage treatment plant on site and subsurface disposal, pursuant to NYS Department of Environmental Conservation and NYC Department of Environmental Protection regulations. The residential units will have a mix of sizes from one to three bedrooms. Transportation will be available free of charge to tenants in provide access to local shopping areas, public transportation and health care facilities. Mr. Kelly noted that the developer, Wilder Balter Partners, has built several successful developments and works cooperatively with the County to obtain funding and local approvals. He said that a number of public hearings were held by the town on the site plan and in compliance with SEQR prior to the grant of necessary approvals.

Ms. Konig noted that if this is to be workforce housing, then the location is very remote for working people with difficult to access to public transportation. Mr. Kelly explained that a lottery would be held for all income eligible applicants and that there are no preferences in the selection process. The County will fulfill its obligation by requiring the developer to market the units to a broad population, including outside of Westchester County, consistent with the terms of the housing settlement. He stressed that this is a public process, that anyone can apply who meets the income requirements and that hundreds of applications are anticipated.

Commissioner Buroughs reiterated that both the North Salem Town Board and Planning Board went through the approval process and noted that the land has been zoned for multi-family development for many years and that no rezoning was requested or required. The zoning of the land for multi-family development was a decision made by the Town long before the housing settlement of 2009. With the zoning in place, this site has presented an excellent opportunity to achieve development of housing units that can meet the terms of the housing settlement.

In response to Ms. Konig's question about what would happen if the Board does not recommend approval of the capital budget amendment, Mr. Buroughs noted that it would

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appear inconsistent with the Board's prior discussion of delaying action until local approvals had been obtained. He said it would also appear to question the actions of the Town of North Salem which has spent much time and effort on the review and approval process for this development.

Mr. Rosen said that if the Town wants this project, then he supports it.

Mr. Sullivan said that since the federal government wants the project to be home to a mix of people, not just people from the town, how will HUD feel if in the end the only residents come from North Salem. Mr. Buroughs stated that what is required is a broad geographic marketing requirement and that there is no pre-determined outcome. All applicants will be placed in a lottery, a fair system with no predictable results. Ms. DeLong said that this project will bring jobs to the area, that applicants make a voluntary choice on whether they want to live in this location and that everyone has the same opportunity. She stated that she has expertise in working with affordable housing in rural areas and that there are many people who find such locations desirable for a variety of reasons and are only too happy to have the opportunity to apply.

Mr. Rosen said that the Planning Board's decision should only be based on issues related to planning and that if all conditions have been satisfied and local approvals obtained the project should proceed.

Commissioner O'Connor said that her family lives in the area and while they may not all be happy about bringing so many additional people into a rural area, the zoning is in place and the law should be followed.

Several member expressed concern about interfering with the local housing market if these units are built and questioned how the financing for the project was put in place. Ms. DeLong explained that because the economy has severely curtailed construction, state-run tax credit programs for affordable housing provide an incentive to build. She said only a few developers can handle this type of project and shepherd it through the process necessary to receive all the approvals, which can take years.

Mr. Buroughs said that if the County does not participate in the funding, that it could be seen as a major blow to others looking for financing of AFFH housing. As the County is obligated to ensure the development of 750 units, he said, the lack of County Planning Board support of housing development on land zoned for such construction and with all local approvals in place would severely hinder the County in meeting its obligations. He stated that all issues have been addressed, the studies completed and everything about the project meets the Town's planning policy and regulations.

Ms Konig said that the federal government is forcing the County to do this. She asked if there was a motion on the draft resolution.

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Mr. Schonfeld moved that the resolution recommending the Capital Budget Amendment regarding *Bridleside* be approved, seconded by Mr. Lauro. On the vote, Mr. Arndt, Mr. Rosen, Mr. Schoenfeld, Commissioner O'Connor, Commissioner Pisco and Commissioner Lauro voted yes. Ms. Konig and Mr. Sullivan voted no. The motion failed with only six votes in favor. Seven votes are required for action.

C. BIT3B Desktop Systems 2012-2016 - Capital Budget Amendment

Mr. Hoffmeister explained that this project is a continuation of previous projects to fund the replacement of aging computer equipment and to make needed upgrades, in this case for new software in the District Attorney's office. He introduced Mr. Spreckman from the IT Department who attested to the fact that this was a needed upgrade which would speed operations and improve the efficiency of the DA's office.

A motion to approve the Capital Budget Amendment was made by Mr. Schoenfeld, seconded by Commissioner Pisco and approved by the Board.

D. Tibbett's Park Bathhouse Infrastructure Rehabilitation - Capital Budget Amendment

Ms. Miller used a Power Point slide show to illustrate her remarks about the phased rehabilitation of the Tibbett's Brook Park pool complex. There is a need to replace the elevator in the bathhouse which is old and in need of constant repair. Replacement parts are scarce and it has been determined that a complete replacement of the elevator is necessary. This unforeseen expense is needed in order to allow handicapped access as well as bringing equipment to the catering areas of the pool off season.

When asked why this was an unforeseen expense, Mr. DeLucia responded that he has been working on this project for a year and a half and at the time this project was begun it was not known how structurally impacted the elevator was. The elevator gets more use now and fails constantly. The replacement will be done this winter.

The Board voted to approve the Resolution on a motion of Mr. Arndt seconded by Commissioner Pisco.

E. RBR03 Pier Rehabilitation, Ashford Avenue Bridge, Village of Ardsley/Dobbs Ferry - Capital Budget Amendment

Ms. Miller used a Power Point slide show to illustrate her remarks about the stabilization of the concrete bridge piers and other work as needed. She showed a slide of the five piers to be rehabilitated and explained that the bridge joints also need sealing. She noted that everyone has probably heard about the recent incident of chunks falling from the bridge onto the roadway below. Netting and planking has been put in place as protection. The work is expected to take approximately three months to complete.

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The Board voted to approve the Resolution on a motion of Mr. Rosen seconded by Commissioner Pisco.

F. Recognition of Douglas Wyatt Hocking

Ms. Konig said that this recognition of former Board member Hocking was well deserved. Mr. Hocking, a resident of New Rochelle, was a member from 2009 until June 2012. The Board expressed gratitude for his years of service.

The resolution in recognition of Douglas Wyatt Hocking was adopted on a motion of Mr. Sullivan, seconded by Commissioner Pisco.

VIII. Matters for Board Discussion

There were no matters for discussion.

IX. Matters for Board Information

A. Village of Rye Brook Comprehensive Plan Base Studies

Mr. Brady showed Power Point slides to illustrate his discussion of the planning base studies prepared for Rye Brook as the first step in preparing a Village Comprehensive Plan. The work draws on the many and varied data bases and sources that are maintained by County departments. Mr. Brady and Ms Corbitt will present the work at a public meeting this evening in Rye Brook. He showed members a hard copy of the study, which may be obtained for a \$75 fee from the Planning Department, but is available free of charge on line at the County's web site.

He explained that the Village asked for help with its plan in order to save the money a consultant would have charged to do the base studies. This way the Village can hire a consultant to do the "next steps" in the process such as outreach, public meetings and specialized studies as well as drafting the plan itself.

The Planning Department has now standardized and formatted the process so that it can be used again to assist other municipalities who have decided to update a local comprehensive plan. Many Department staff participated in the process. Mr. Brady said that the base studies report contains 13 chapters, 21 appendices, 88 figures and tables, 28 maps and is 128 pages long. He gave members a quick look at the chapters and their content beginning with the Introduction which outlines planning studies that were previously completed over decades. Next is a chapter on External Influences-Regional Context which also covers the County Planning Board's *Westchester 2025: Plan Together* initiative. Other chapters include Land Use, Population, Transportation, Natural Resources and Recreation. The maps developed by the Planning Department include a new color-coded Soils Map. There are chapters covering

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Commercial and Residential Development as well as a Build-Out Analysis and Current Zoning.

Mr. Brady concluded that the Village is very pleased with what it has received, that the process worked well and the Department is ready to take on more such studies if requested to do so.

Ms Konig thanked Mr. Brady, Ms Corbitt and the staff for their work on this plan.

X. Other Business

There was no other business to present.

XI. Adjournment

The meeting adjourned at 10:00 a.m.

MINUTES OF THE SPECIAL MEETING
WESTCHESTER COUNTY PLANNING BOARD

Cassella Conference Room
Michaelian Office Building
White Plains, New York
Wednesday, August 1, 2012

BOARD MEMBERS PRESENT:

Dwight Douglas, Vice Chair (City)
James Arndt (City)
Mark Rosen (Town)
Neil Sullivan (City)
Steven Schoenfeld (Town)
Dave DeLucia for Kathleen O'Connor, Commissioner, Department of Parks, Recreation and Conservation
Jay Pisco, Commissioner, Department of Public Works and Transportation
Michael Coley for Thomas Lauro, Commissioner, Department of Environmental Facilities

BOARD MEMBERS ABSENT:

Susan Konig, Chair (Village)
Dennis Starr (City)
Vacancy (Town)
Vacancy (Village)

STAFF PRESENT:

Edward Buroughs, Commissioner
Norma Drummond, Deputy Commissioner
Patrick Natarelli, Chief Planner
Deborah DeLong, Director of Housing
Lawrence Kelley, Program Administrator
Katherine Eisenman, Planner
Ellen Brief, Program Specialist

GUESTS:

Joseph Kenner, Assistant to the County Executive
Catherine Borgia, County Legislator, 9th District

I. Call to Order

The meeting was called to order at 8:03 a.m. by the Vice Chair, Dwight Douglas.

II. Matters for Board Action

A. Bridleside, 256 June Road, Town of North Salem – BPL50 Fair and Affordable Housing, Capital Budget Amendment

Mr. Douglas asked if there were any updates on this item since Mr. Kelly made a presentation on the fair and affordable housing project, Bridleside, at the July 24 Planning Board meeting. There were none. He inquired if the Town of North Salem had granted all necessary approvals. Mr. Kelly said that the Town has completed the SEQR process and granted site plan approval.

Mr. Douglas stated that the 65 affordable housing rental apartments of the project would count towards the amount of units required to be built in the county under the terms of the Stipulation and Order of Settlement and Dismissal. He said that the total \$6.8 million proposed to be provided by the County is comprised of \$4 million to purchase the land and \$2.8 million for the construction of infrastructure improvements.

Mr. Douglas requested a motion to approve the resolution recommending the use of County capital funds to support the development. Mr. Schoenfeld made the motion, Mr. Pisco seconded it. A vote was taken and the resolution was approved. Mr. Sullivan voted no.

Mr. Buroughs reminded members that the September meeting of the Planning Board has been rescheduled to September 11.

Mr. Sullivan asked if at the next meeting a report could be given on the impediments to electronic voting. Mr. Buroughs said that he had done some research and discovered dated County Attorney opinions on this question. He said that he would ask the County Attorney to revisit the matter.

III. Adjournment

The meeting adjourned at 8:05 a.m.

**MINUTES OF THE MEETING
WESTCHESTER COUNTY HOUSING OPPORTUNITY COMMISSION**

Cassella Conference Room
Michaelian Office Building
White Plains, New York
Thursday September 20, 2012

BOARD MEMBERS PRESENT:

Jim Arndt
Keith Bloomfield
Rosemarie Jarosz, Chair
Adolphus Lacy
Thomas McFarland
Linda Press Wolfe
Michael A. Romano
John White

BOARD MEMBERS ABSENT:

Albert Annunziata
Peter Tripodi

STAFF PRESENT:

Deborah DeLong, Director of Housing
Mary Mahon, Special Assistant to the County Executive & Director of Real Estate

GUESTS PRESENT:

Karen Schatzel, League of Women Voters
Betsy Weiner, League of Women Voters

I. Call to Order

The meeting was called to order at 6:00 p.m.

II. Chair's Remarks

Ms. Jarosz opened the meeting by introducing herself and asked those at the table to also introduce themselves. It was noted that there was much to cover at the meeting.

III. HOC Purpose and Mission

Ms. DeLong reviewed the authorizing legislation with the members, as a way of providing context for the role of the HOC. Its purpose is to assist the Board of Legislators, the County Executive, and the Westchester County Planning Board by:

1. Educating itself, elected and appointed officials at all levels within the County of Westchester, and the general public about issues involving fair and affordable housing need, including but not limited to legal authorities, regulatory issues, public perception and misperception, and any other issues that are relevant to this duty;
2. Advocating before the relevant committees of the Board of Legislators, to the County Executive, to the Westchester County Planning Board and to the municipalities for specific and general policies that it feels are appropriate and relevant to the issue of fair and affordable housing need;
3. Accepting specific assignments from the Board of Legislators and the County Executive for preparing research projects; and
4. Serving in an advisory capacity in the preparation of any reports by the County, which identifies impediments to implementation of fair and affordable housing, in conformance with the requirements of the United States Department of Housing and Urban Development.

A copy of the HOC's 2011 report was provided to the members for background on activities undertaken in 2011.

Ms DeLong provided the members with a copy of the 2008 Office Park Housing Study as an example of a project undertaken by the HOC in past years. While it did not result in any project being undertaken immediately, both the City of White Plains and the Town of Harrison are now undertaking reviews of office parks in their jurisdictions and are using the Study as a reference.

The members were very interested in the study, with Mr. White discussing the potential for office parks located in northern Westchester. Mr. Arndt confirmed that he was aware of the review underway by the City of White Plains and that the study was helpful in that respect. Members felt that undertaking a project or other venture would be important to the HOC.

IV. 2012 Second Quarterly Report t the Housing Monitor

Ms. DeLong and Ms. Mahon covered the highlights contained in the report:

- 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.

Westchester County Housing Opportunity Commission
Meeting of September 20, 2012
Page 3

- 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 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.

V. Status of Zoning Analysis and Supplemental Submissions

Ms. DeLong and Ms. Mahon discussed the extent and current status of required submissions to the monitor related to the zoning analysis. It was noted that the analysis was only related to “as of right” multifamily zoning and did not include special permit processes or other zoning techniques that would result in permitting multifamily housing to be constructed. Mr. Arndt confirmed this understanding, based on the presentation made to the County Planning Board. Ms. DeLong explained that census information related to race and ethnicity population measures included in the lawsuit were determined for the multifamily zoned districts (African American and Hispanic). The Monitor is now requesting that the population information be expanded to include the number of White households. In addition, Ms. DeLong provided a copy of the updated HOC allocation plan chart to the members which shows the number of affordable housing units needed from 2000 – 2015. The HOC plan was developed and issued in 2005. The chart was updated through 2011 as requested by the Monitor to show all affordable housing units funded by the County from 2000-2011. Additionally, the chart included self-reported numbers of locally defined affordable housing units. Of the inquiries made, only 6 local governments responded with this information. The Monitor requested that the County again survey the municipalities. The HOC could assist with encouraging responses to this survey.

VI. Status of Marketing Consultant RFP

Ms. DeLong detailed the RFP process and status. The RFP was reviewed by the Housing Monitor, who provided comments and also forwarded HUD comments. All comments were accommodated in the final RFP, which was issued on August 3. Responses were due on August 24, and two were submitted for County review. Ms. DeLong noted that the small number of responses were likely due to the very specialized nature of the RFP – the respondents needed to have experience with HUD programs, affirmative marketing of housing, and provision of housing counseling services. Of the two responses, only one submitted by Housing Action Council (HAC) was complete and addressed virtually all of the County’s criteria. The other, submitted by Greater Centennial was considered by the review team as not responsive to the RFP. The review team recommended selection of HAC, and the County’s Board of Acquisition and Contracts approved entering into an agreement with HAC for the services included in the RFP.

VII. Status of Outreach Efforts

Ms. DeLong noted that the June HOC meeting covered the affirmative marketing requirements under the Settlement Agreement. Since then, we have collected information from applications submitted for two of the completed fair and affordable housing developments: 42 First Avenue, Pelham and Roundtop, Cortlandt.

Of the 24 applications submitted for the homeownership property in Pelham, the majority (15 or 63%) were from Westchester County. However, very few of the applicants currently resided in Pelham at the time of application (3 of the 24). Most of the applicants either lived in Westchester or in the nine county outreach and marketing area (21 of the 24). The applicants were very diverse, with the head of household indicating race as follows:

- 7 as Black/African-American;
- 6 as White;
- 3 as Other Multi-Racial;
- 1 as Asian;
- 1 as American Indian or Alaska Native and African American; and
- 6 did not indicate any racial category.

Also, of the 24 applicants 9 (37%) indicated ethnicity as Hispanic, 3 indicated non-Hispanic, and 12 did not respond or info was not included.

In Roundtop, the review included the question of how did the applicant hear of the development. Of all the responses (approximately 860) nearly one-third heard about the development through a friend and nearly 20% from the Press. Internet outreach also played a large part in notifying likely tenants, with 11% finding information about the development on websites. Other responses indicate that a variety of outreach is important, with 8% seeing the on-site signage, and somewhat smaller numbers getting the information from nonprofit agencies, the VA, Family members, Employers, Government Agencies, other housing information sources, Municipalities or Clergy.

The applicants for Roundtop are also primarily from Westchester County, with over 600 (71% of the total) indicating they currently live in the County. A significant number of these, 206 (fully 1/3) currently reside in the Town of Cortlandt, where Roundtop is located. The other applicants include 194 from the other eight counties in the nine-county outreach and marketing area; 44 in other areas within New York State; and 14 from other states.

Two-thirds of the applicants had a household member that works in Westchester County, and 11% have a member which works in the Town of Cortlandt. In addition, Two-thirds of the households were either one-person households or two-person households, approximately equal numbers of each at 318 and 309 respectively. There were also a significant number of three-person households at 19% of the total, and then fewer four-person and larger households at 8% total.

Of all applicants who applied, 43% indicated that the head of household is Black or African-American, 34% indicated White, 6% Other or Multi-Racial, and significantly smaller percentages of other Racial groups. Also, of all applicants, 57% indicated the head of household was Non-Hispanic and 23% indicated the head of household is Hispanic, with 20% not indicating ethnicity.

Roundtop also include units made available to Veterans. Of the total who applied, 66 (or 8% indicated they were Veterans; 42% indicated they were not, but 50% did not respond to the question.

Lastly, nearly 20% of the applicants confirmed they were disabled, another 66% (567) indicated they were not disabled, and 15% did not respond to the question.

VIII. Next Meeting Date

The next meeting will be held October 25, 6:00 PM in Room 420 at the County Office Building. The members agreed that they would adopt the 2013 meeting schedule at this meeting. Ms. DeLong also asked if the HOC members have any interest in changing the time of the meeting to earlier in the day. The consensus of the group was to keep it at 6:00 p.m.

IX. New Business

No new business was added to the agenda.

VII. Adjournment

The meeting was adjourned at 7:30 p.m.

Talking points for County Executive for Newsmakers 7/19/2012

Housing Settlement

- Earlier this month, a comprehensive legal analysis, supported by leading affordable housing advocate, showed that local zoning practices in Westchester were not exclusionary.

- Ahead of schedule:
 - 207 have financing (Benchmark – 200 by end of 2012)
 - 116 have building permits (Benchmark – 125 by end of 2012)
 - 569 units in pipeline (76 percent of the total)

- Settlement:
 - \$51.6 million
 - 750 units built over 7 years
 - 31 “eligible” communities
 - Market to “diverse” households

- Opposed the settlement but am complying with what is IN settlement.

- A deal is a deal

- In own words, HUD now demanding we go “beyond the four corners of the settlement.”

- HUD wants the county to challenge the zoning practices of local municipalities and sue them if necessary.

- HUD calling for half of the 750 units to be three bedroom units.

- HUD demanding that private property owners do business with the federal government by turning the voluntary Section 8 voucher program into a federal mandate.
- Federal government asking county to spend money we don't have, pick fights with our own municipalities, do things we have no power to do, and in fact may violate the NYS Constitution, local zoning and a host of environmental laws.
- HUD withholding \$12 million it promised to communities – many not involved in settlement – to try and force county to bend to their will.
- Complying with settlement but will defend principles of law and liberty and do all in power to resist the overreach.

Community View

County balks at HUD's demands

Fair housing shouldn't put undue burden on taxpayers

By Robert P. Astorino

As county executive, I am fully committed to satisfying all of Westchester County's obligations under the affordable housing settlement reached three years ago by former County Executive Andrew Spano, the Board of Legislators and the federal government.

But I have drawn the line at not letting the federal government arbitrarily and unilaterally impose additional burdens on the county. The U.S. Department of Housing and Urban Development's demands are laid out in a letter dated May 13, 2011, which calls for the county to "go beyond the four corners of the settlement."

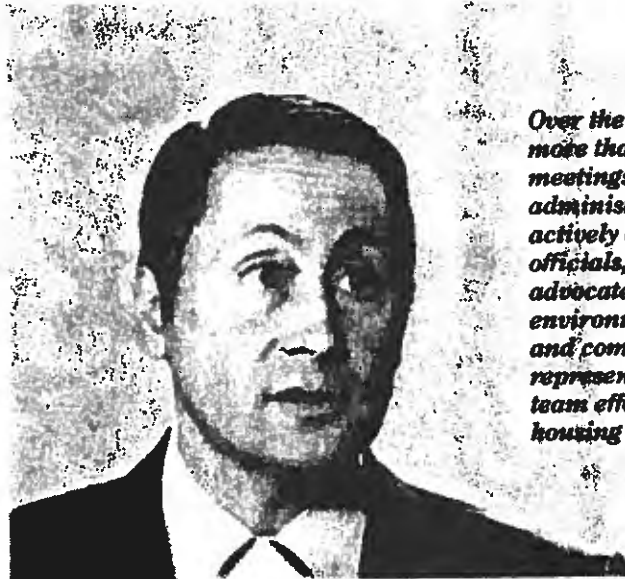
What HUD is asking for basically comes down to creating a county with no zoning and where property owners are forced to do business with the federal government. (Find copies of the HUD letter and other settlement documents online at <http://bit.ly/NeAEKs>.) If anyone thinks I am overstating the case, I urge them to compare the terms of the settlement to the demands of HUD's May 13 letter.

It's important to remember that the settlement was an out-of-court compromise — agreed to by all parties — to avoid a trial. Like most compromises, there is plenty not to like. For example, I don't think it makes sense to spend \$400,000 for marketing aimed at attracting people who don't live in Westchester when we have more than enough residents who need and qualify for affordable housing being built under the settlement.

And why are there limits on the number of seniors — who make up 20 percent of the population — and, contrary to impressions created by HUD, a ban on set asides for workforce housing for police, firefighters, teachers and others?

But, a deal is a deal and these stipulations were all part of the agreement that preceded me.

The settlement's fundamental obligation is for the county to



Westchester County Executive Rob Astorino has been at odds with Washington over how to implement the 2009 affordable housing settlement. MELISSA LUJAN/THE JOURNAL NEWS

Over the course of more than 350 meetings, our administration has actively engaged local officials, housing advocates, lenders, environmentalists and community representatives in a team effort to get the housing built.

THE ISSUE

Three years ago last month, then-Westchester County Executive Andrew Spano and the Department of Housing and Urban Development reached a settlement to end litigation over charges it made false representations to the government about its efforts to promote fair housing. HUD and Spano's successor, Rob Astorino, have been at odds ever since. We asked both HUD and Westchester to report back to readers on the status of the settlement; what follows is the comment from the county executive. HUD's report appeared earlier.

LEARN MORE

Read an Aug. 11 Community View by HUD Deputy Secretary Maurice Jones; go to <http://LoHud.us/124765>.

Read our Aug. 20 editorial: "If there's a bill for Westchester's daily living in fair housing case, send it to County Exec Astorino"; go to <http://LoHud.us/106438>.

use \$51.6 million to build 750 units of affordable housing over seven years in 31 "eligible," or mostly white communities. I'm proud to say the county is well ahead of schedule. We had to have 200 units with financing in place by the end of the year, and we already have 207. We had to have 125 building permits issued by the end of the year, and we already have 130.

No fluke

Our success is no fluke. It is the result of the county's strategy of cooperation. Over the course of more than 350 meetings, our administration has actively engaged local officials, housing advocates, lenders, en-

vironmentalists and community representatives in a team effort to get the housing built.

Our disagreements with HUD involve its overreaching. The seeds were sown the day the settlement was announced, when HUD called it a "grand experiment." Westchester agreed to the terms of a 38-page document. It did not sign up to be a social engineering project.

HUD takes the view that the settlement is an integration order. But the word "integration" never appears in the agreement and Westchester is already the state's most diverse county outside New York City in terms of African-American and Hispanic representation.

HUD's not satisfied that we

simply build affordable housing. The agency says that under the settlement we must do it in a way that "affirmatively furthers fair housing" (AFFH). Fine. But what does that mean? HUD has never told us. A year after a top HUD official came to White Plains to say AFFH guidance was in the works, we are still waiting.

If HUD is more interested in changing the county's demographics than in building affordable housing, that's its prerogative. But the settlement as written isn't going to help much. According to the U.S. census, the African-American and Hispanic populations of the 31 mostly white communities in the settlement grew by 56 percent between 2000 and 2010. The growth came through natural market forces without government intervention. In contrast, the most the populations of those two groups could grow under the settlement is 5 percent and at a cost that could approach \$100 million for taxpayers. That's the math.

Two issues are now in dispute — local zoning laws and source of income.

On zoning, HUD is demanding the county find local codes to be exclusionary. But an exhaustive analysis of all 853 zoning districts in Westchester found no exclusionary impacts.

HUD then demanded a legal analysis. The county complied, hiring Pace University law professor John Nolon, a respected advocate for affordable housing. Nolon's legal analysis supported our conclusion.

Nonetheless, HUD and the federal monitor keep insisting that the county come up with a strategy to combat nonexistent exclusionary zoning, which includes describing the "sticks" we are going to use against local communities. HUD wants the county to reach a conclusion that's not supported by the facts, and that's why I am standing up for our communities.

The source of income legislation would require landlords to accept government Section 8 vouchers as rent. With acceptance come all of Section 8's rules, red tape, costs and potential fines. Right now, the program — under the federal government's own rules — is voluntary. It should remain that way. Property owners should not be forced to go into business with the federal government.

'Promote'

This issue focuses on a single line in the settlement and one word in particular: that the county executive "promote" source of income legislation. The federal government maintains the word "promote" requires me to sign the legislation. Such an interpretation throws the English language and our system of laws upside down, and that's why the issue is in court.

Finally, it is not too early to raise the likelihood that the county will run out of money before all 750 units are built. The \$51.6 million works out to about \$68,000 a unit and so far the county has been spending about \$89,000 a unit.

I am committed to ensuring the county meets all its obligations under the settlement. But it is very possible that meeting those obligations could come at the expense of some county programs or services.

Three years in, the county is complying, ahead of schedule and defending against federal government overreach. If my comments come across as direct, they are meant to be. The public deserves straight talk on these important issues.

Again, I urge residents to read the settlement and the May 13 letter to reach their own conclusions.

GREATER NEW YORK



This Market Rally Gets No Respect

MONEY & INVESTING

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HUD-on-Hudson

Outside the Big Apple, Westchester County—the liberal-leaning suburb that stretches from Yonkers to Port Chester to Bedford—is the most racially diverse county in the state of New York. It also has an excellent record when it comes to subsidized housing, something for which it had been praised by Republican and Democratic Administrations. Which makes it an odd target in the Obama Administration's efforts to racially engineer American neighborhoods.

Yet that's the hand the county has been dealt following a court order this month that it comply with the demands of the Department of Housing and Urban Development. At issue is the interpretation of a 2009 settlement Westchester reached with HUD over the availability of "affordable housing." The deal required the county to spend more than \$50 million on 750 new subsidized housing units over seven years, mostly in areas with low black or Hispanic populations, and market those units to minorities.

Three years later, Westchester has 569 units in the pipeline and is building them ahead of schedule. But that hasn't been enough to satisfy HUD. It also wants the county to apply a line in the settlement that calls on it to "promote" legislation that would forbid landlords from rejecting tenants who use federally subsidized Section 8 housing vouchers to pay rent.

The Board of Legislators considered such a bill in 2009 but it was never voted on. Similar legislation was vetoed the following year by new county executive Rob Astorino, which led HUD to withhold millions of dol-

The feds tell Westchester County how to run local housing policy.

lars in community grants to the county. So the county sued, noting that "promote" doesn't mean "sign." In March a district court sided with the county, but HUD appealed and got the ruling reversed in May. The Second Court of Appeals recently granted Westchester an expedited appeal but lifted a stay on the May ruling.

Now the lawyer overseeing the settlement has insisted that Mr. Astorino comply with the May ruling, no doubt as a way of rendering the expedited appeal moot. HUD is also demanding that Westchester provide a list of legal tools it can use should it ever discover evidence of racially exclusionary zoning within its borders. Never mind that a county-commissioned study of 853 zoning districts within Westchester's 43 municipalities produced zero evidence of any exclusionary practices, anywhere.

Nobody should stand for discriminatory housing practices, but the days in which blacks, Jews and other minorities were systematically kept out of suburban neighborhoods are long behind us. Nor is it evidence of racism if landlords fear that people who use Section 8 vouchers to help pay the rent might not meet their criteria as financially reliable tenants.

The record of government-mandated social engineering, abroad and in the U.S., isn't inspiring. Americans did not overcome a legacy of racial discrimination so that Uncle Sam could force local officials to go hunting for ghost trails, much less arrange the racial palette of their communities according to the tastes of Washington bureaucrats.



Residents Talk Taxes, Housing at Scarsdale "Ask Astorino" Town Hall

Last Updated on Friday, 05 October 2012 15:45

Area residents, business owners and public officials gathered at Scarsdale Village Hall last week to discuss a variety of issues with County Executive Rob Astorino. The event was part of the popular "Ask Astorino" town hall series, where people are invited to bring any questions or ideas they would like to discuss face-to-face with the county executive.

Scarsdale Mayor Miriam Levitt Flisser kicked off the evening by welcoming the crowd and introducing the county executive who opened up the dialogue with the goals of his administration and the challenges that face county government.

Taxes and the skyrocketing cost of living in Westchester were common themes throughout the conversations. Many residents were frustrated by watching their tax bill go up and services go down.

"What Scarsdale is dealing with, Westchester is dealing with. In the five years before I took office, taxes went up 17 percent and spending increased 23 percent," said Astorino. "Since becoming county executive, we reduced the county tax levy 2 percent and that took a lot of tough decisions."

Astorino bemoaned that 82 cents out of every county tax dollar is consumed by Albany through unfunded mandates, which state government imposes on its local municipalities. Astorino noted the costs of unfunded mandates continue to soar. In 2001, for example, the county's pension price tag was \$4 million. In 2012, this cost was \$79 million. Next year it is projected to be \$91 million.

The 2009 housing settlement with the federal government was also on the minds of residents. The county is ahead of schedule in satisfying the terms of the agreement thanks to the cooperation of local governments. However, Astorino warned of the potential infringements on local control of zoning and on the rights of property owners, if the federal government succeeds in going "beyond the four corners of the settlement."

Astorino also spoke with residents about the construction that began on Crane Road Bridge this summer and the county's continued efforts to minimize the impact of the project on the community. The county executive encouraged residents to visit www.westchestergov.com/craneroad where residents can sign up for e-mail alerts regarding road closures and traffic pattern changes and can also submit questions and comments.

Other topics of discussion were plans for the county-owned Playland Park in Rye and the safety of Indian Point Nuclear Power Plant in Buchanan.

- **Read the entire Scarsdale "Ask Astorino" presentation.**

The open forum was the fourth hosted by Astorino around the county in as many months. In addition, this spring he held his fourth "tele" town hall that attracted approximately 21,000 listeners as well as participants via social media.

Photo: Westchester County Executive Rob Astorino speaks with area residents at the "Ask Astorino" town hall held at Scarsdale Village Hall Wednesday night.





Astorino Details How County Is Complying with Housing Settlement

Last Updated on Tuesday, 25 September 2012 17:36

Aug. 23, 2012 -- As part of Westchester's ongoing efforts to comply with the federal affordable housing settlement, County Executive Robert P. Astorino Thursday sent a letter to the monitor in the case stating how the county would comply with an Aug. 10 order by U.S. District Judge Denise Cote.

In the letter to James Johnson, the monitor, Astorino makes the following points:

- The county is well ahead of schedule in meeting the benchmarks for building the 750 units of affordable housing required in the 2009 housing settlement signed by former County Executive Andrew J. Spano and ratified by the Board of Legislators.
- The county believes its appeal before the U.S. Second Circuit Court of Appeals will vindicate its position that the federal government's demands go far beyond the terms of the settlement.
- The county's actions continue to demonstrate its compliance with the terms of the settlement.

"Our case continues," Astorino said. "The arguments we have made to the Second Circuit Court of Appeals are strong and grounded in the principles that are fundamental to our Constitution. While I think it would have made much more common sense for the government to wait until the Second Circuit rules in the case, the District Court has told me to move forward on source of income legislation and I am compelled to follow the order of the judge."

The letter to Johnson addresses the three points in Judge Cote's order: reintroduction of source of income legislation, followed by analysis and signing of the legislation.

- On point one, the county executive will submit a letter to Board of Legislators Chairman Ken Jenkins by Aug. 31, asking him to have the board reintroduce the prior source of income legislation that had been before the board.
- On point two, the administration will provide information and assist the board in analyzing the impact of the legislation.
- On point three, the county executive will wait to see the final legislation before making a determination of whether he will sign it because its content will not be known until then.

The last point is at the heart of the county's legal case. The county maintains there is nothing in the settlement that requires the county executive to sign source of income legislation -- the agreement says only that he must "promote" it. In addition, the county believes the source of income requirement expired in 2009 because legislation referenced in the settlement was "currently" before the board at that time.

"To compel an elected official to sign legislation sight unseen and to give up his or her responsibility to vote his conscience goes against everything our country stands for," Astorino said. "We don't think the settlement says that, and that is one of the issues we are fighting in court."

Astorino has taken a principled stand against source of income legislation because he believes it would take away the rights of property owners and hurt the prospects of building affordable housing. At the heart of the legislation is the requirement that property owners must accept Section 8 vouchers as rent. The program now is voluntary. If made mandatory, every property owner offered a Section 8 vouchers would be required to accept it and be bound by all the rules and regulations and potential fines attached to the program.

Astorino stressed, "I will continue to abide by all lawful orders of the Court in effect at any given time."

The 2009 housing settlement requires the county government to take steps to ensure that 750 units of fair and affordable housing are built in 31 so-called "eligible," or mostly white communities.

Just this week, the county exceeded the two key benchmarks for the end of 2012: it has in place 130 building permits and secured financing for 207 units. The settlement required 125 building permits and 200 units with financing by the end of the year.



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"What Scarsdale is dealing with, Westchester is dealing with. In the five years before I took office, taxes went up 17 percent and spending increased 23 percent," said Astorino. "Since becoming county executive, we reduced the county tax levy 2 percent and that took a lot of tough decisions."



Astorino bemoaned that 82 cents out of every county tax dollar is consumed by Albany through unfunded mandates, which state government imposes on its local municipalities. Astorino noted the costs of unfunded mandates continue to soar. In 2001, for example, the county's pension price tag was \$4 million. In 2012, this cost was \$79 million. Next year it is projected to be \$91 million.

The 2009 housing settlement with the federal government was also on the minds of residents. The county is ahead of schedule in satisfying the terms of the agreement thanks to the cooperation of local governments. However, Astorino warned of the potential infringements on local control of zoning and on the rights of property owners, if the federal government succeeds in going "beyond the four corners of the settlement."

Astorino also spoke with residents about the construction that began on Crane Road Bridge this summer and the county's continued efforts to minimize the impact of the project on the community. The county executive encouraged residents to visit www.westchestergov.com/craneroad where residents can sign up for e-mail alerts regarding road closures and traffic pattern changes and can also submit questions and comments.

Other topics of discussion were plans for the county-owned Playland Park in Rye and the safety of Indian Point Nuclear Power Plant in Buchanan.

- **Read the entire Scarsdale "Ask Astorino" presentation.**

The open forum was the fourth hosted by Astorino around the county in as many months. In addition, this spring he held his fourth "tele" town hall that attracted approximately 21,000 listeners as well as participants via social media.

Photo: Westchester County Executive Rob Astorino speaks with area residents at the "Ask Astorino" town hall held at Scarsdale Village Hall Wednesday night.



Astorino Details How County Is Complying with Housing Settlement

Last Updated on Tuesday 25 September 2012 17:36

Aug. 23, 2012 -- As part of Westchester's ongoing efforts to comply with the federal affordable housing settlement, County Executive Robert P. Astorino Thursday sent a letter to the monitor in the case stating how the county would comply with an Aug. 10 order by U.S. District Judge Denise Cote.

In the letter to James Johnson, the monitor, Astorino makes the following points:

- The county is well ahead of schedule in meeting the benchmarks for building the 750 units of affordable housing required in the 2009 housing settlement signed by former County Executive Andrew J. Spano and ratified by the Board of Legislators.
- The county believes its appeal before the U.S. Second Circuit Court of Appeals will vindicate its position that the federal government's demands go far beyond the terms of the settlement.
- The county's actions continue to demonstrate its compliance with the terms of the settlement.

"Our case continues," Astorino said. "The arguments we have made to the Second Circuit Court of Appeals are strong and grounded in the principles that are fundamental to our Constitution. While I think it would have made much more common sense for the government to wait until the Second Circuit rules in the case, the District Court has told me to move forward on source of income legislation and I am compelled to follow the order of the judge."

The letter to Johnson addresses the three points in Judge Cote's order: reintroduction of source of income legislation, followed by analysis and signing of the legislation.

- On point one, the county executive will submit a letter to Board of Legislators Chairman Ken Jenkins by Aug. 31, asking him to have the board reintroduce the prior source of income legislation that had been before the board.
- On point two, the administration will provide information and assist the board in analyzing the impact of the legislation.
- On point three, the county executive will wait to see the final legislation before making a determination of whether he will sign it because its content will not be known until then.

The last point is at the heart of the county's legal case. The county maintains there is nothing in the settlement that requires the county executive to sign source of income legislation – the agreement says only that he must "promote" it. In addition, the county believes the source of income requirement expired in 2009 because legislation referenced in the settlement was "currently" before the board at that time.

"To compel an elected official to sign legislation sight unseen and to give up his or her responsibility to vote his conscience goes against everything our country stands for," Astorino said. "We don't think the settlement says that, and that is one of the issues we are fighting in court."

Astorino has taken a principled stand against source of income legislation because he believes it would take away the rights of property owners and hurt the prospects of building affordable housing. At the heart of the legislation is the requirement that property owners must accept Section 8 vouchers as rent. The program now is voluntary. If made mandatory, every property owner offered a Section 8 vouchers would be required to accept it and be bound by all the rules and regulations and potential fines attached to the program.

Astorino stressed, "I will continue to abide by all lawful orders of the Court in effect at any given time."

The 2009 housing settlement requires the county government to take steps to ensure that 750 units of fair and affordable housing are built in 31 so-called "eligible," or mostly white communities.

Just this week, the county exceeded the two key benchmarks for the end of 2012: it has in place 130 building permits and secured financing for 207 units. The settlement required 125 building permits and 200 units with financing by the end of the year.



Standing Room Only at "Ask Astorino" White Plains Town Hall

Last Updated on Friday, 24 August 2012 16:36

Aug. 23, 2012 – Nearly 150 people packed into White Plains City Hall Wednesday night to talk about a wide range of issues with Westchester County Executive Robert P. Astorino. The event was part of the popular "Ask Astorino" town hall series, where area residents are invited to bring any questions or ideas they would like to discuss face-to-face with the county executive.

"I really enjoy these town halls, because they are a way for me to speak directly with our residents," said Astorino. "They can tell me what is on their minds, and I can make sure county government is responding to their concerns."

This was the third town hall event hosted by Astorino this summer. This spring, he also held his fourth "tele" town hall that attracted approximately 21,000 listeners as well as participants via social media.

After an introduction by White Plains Mayor Tom Roach, Astorino began last night's meeting by giving an update on the progress his administration is making in delivering on his three major goals: providing tax relief, preserving essential services and promoting economic development. He noted that county spending and taxes have both been reduced since he took office.



During the open forum, a common topic of discussion was how to maintain services like buses, pools and day care that are important to residents while at the same time reduce taxes so that residents can afford to continue to live in Westchester.

"Protecting the taxpayer is job number one," said Astorino. "We've got to make the tough decisions now and not kick them down the road. It's not liberal or conservative. It's simple math. Our children won't have a chance to live in Westchester, if we don't get taxes under control."

Astorino also provided an update on plans for a new Tappan Zee Bridge. Earlier this week the county executive voted to support the new bridge and joined Gov. Andrew Cuomo in requesting federal funding to help pay for construction. The county executive said that he has been a strong supporter of building a new bridge and was pleased that the framework of the plan now includes mass transit from the beginning and that cost controls will be put in place to protect taxpayers.

Another topic was the impact of the 2009 affordable housing settlement with the federal government. Astorino said the county was working closely with local officials to meet the requirements of the settlement with the Department of Housing and Urban Development and the Department of Justice.

State Assemblyman Robert Castelli and County Legislators Bill Ryan and Alfreda Williams were in attendance as well.

Photo: Westchester County Executive Robert P. Astorino speaks with area residents at the "Ask Astorino" town hall held at White Plains City Hall Wednesday night.



Follow us on Twitter. 89 years and still going strong! Great time at the Our Lady of Mount Carmel Italian Feast in Verplanck last night. <http://t.co/LIMG0yuga>

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OFFICE OF THE CE

Legal Analysis Shows Westchester Zoning is Not Exclusionary

LAST UPDATED ON MONDAY 09 JULY 2012 10:27

A comprehensive legal analysis conducted by Westchester County and supported by a leading expert and advocate for affordable housing has concluded that local zoning practices in Westchester are not exclusionary.



The findings were submitted last week to the monitor overseeing the county's 2009 affordable housing settlement with the federal government as well as the U.S Department of Housing and Urban Development (HUD).

"The monitor and HUD have asked for information and we have complied," said County Executive Robert P. Astorino. "My hope is that they will accept the objective conclusions we have presented."

The county's analysis was supported by Professor John Nolon of the Pace University School of Law Land Use Center, whom the county retained to validate the soundness of its legal reasoning.

As practical proof, Astorino added that the county had already met its 2012 benchmark for having 200 units of affordable housing with financing in place – six months ahead of schedule.

"It is hard to see how our zoning is exclusionary if we are ahead of schedule when it comes to actually building the housing," Astorino said.

In February, the county released an analysis based on accepted planning principles that covered 853 zoning districts across all 43 Westchester municipalities and examined 31 land-use criteria. After examining more than 5,000 potential outcomes, the report found no evidence of exclusionary impacts.

Today's submission went a step further, adding a legal analysis to the zoning study.

The legal analysis is rooted in what is known as the "Berenson line of cases," a series of rulings by the New York State Court of Appeals, the state's highest court.

In his report, Nolon points out that in New York there is no constitutional or statutory definition of exclusionary zoning and that only towns, villages and cities have zoning power. However, against this backdrop, the Berenson cases have established the parameters of acceptable zoning practices.

Nolon cites the following as key Berenson principles for whether a community's zoning is constitutional:

- Zoning should provide for a properly balanced and well ordered plan for the community
- Regional needs must be considered
- Zoning ordinances enjoy a presumption of constitutionality
- The burden of proving zoning is not reasonable is on the challenger
- Courts look at the zoning pattern for the entire community, not at any particular zoning

WESTCHESTER COUNTY IN PICTURES



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district or neighborhood

Localities have no responsibility to facilitate the development of housing [that is] specifically affordable to lower-income households, but their zoning must accommodate an array of opportunities for housing facilities.

Against this backdrop, the county has found that local communities are in compliance with the principles of Berenson and that additional actions are neither appropriate nor necessary to bring local zoning into legal compliance at this time.

"As the County has not found any unconstitutional exclusionary zoning provision in the municipal ordinances which have been analyzed, it is respectfully submitted that it cannot formulate a strategy to 'overcome' such provisions which have not been found to exist." Deputy County Executive Kevin Plunkett wrote in his July 6 letter to the federal monitor.

Both Nolon and the county agree that there is a role for the county to play going forward. Such actions include continued promotion among municipalities of the county's model ordinance; maintaining ongoing communications among the county, communities, local officials, HUD, and non profits; and using transit-based advertising to reinforce the message that Westchester provides welcoming communities to those seeking fair and affordable housing.

The 2009 housing settlement with the federal government, entered into by former County Executive Andrew J. Spano and approved by the Board of Legislators, requires Westchester to facilitate the construction of 750 units of fair and affordable housing in 31 so-called eligible or mostly white communities in seven years.

Today's submission as well as past housing settlement documents are available at www.westchestergov.com/housingsettlement.



- North 60 RFO
- County Events Calendar
- Recycling Events
- Current Jobs
- LEPC



Drummond, Norma

From: Mahon, Mary
Sent: Tuesday, August 21, 2012 6:34 PM
To: Drummond, Norma
Subject: FW: Photo: Astorino Helps to Launch La Fuente
Attachments: LaFuenteLaunch.JPG; PR Astorino Helps to Launch La Fuente 8.21.12.doc

Please hold for 3Q Quarterly Report. Mary

From: Costello, Diana
Sent: Tuesday, August 21, 2012 5:10 PM
Subject: Photo: Astorino Helps to Launch La Fuente

NEWS RELEASE AND PHOTO

Ned McCormack, Communications Director (914) 995-2932
Contact: Diana Costello (914) 995-2950

FOR IMMEDIATE RELEASE: August 21, 2012

**ASTORINO JOINS WESTCHESTER INDEPENDENT LIVING CENTER
TO HELP LAUNCH LA FUENTE**
Website geared toward Latino residents provides information on a wide array of services

Westchester County Executive Robert P. Astorino joined Westchester Independent Living Center (WILC) today to officially launch La Fuente, a new website and coalition of service providers devoted to helping Spanish-speaking residents gain access to information about jobs and health benefits, social services, and education opportunities.

“It is so vitally important that Westchester’s growing Hispanic community has access to the information it needs,” Astorino said. “La Fuente will complement the county’s efforts to better serve our vibrant Hispanic population.”

The latest U.S. Census shows that Westchester’s Latino population grew 44 percent between 2000 and 2010. During that same period, the total population of Westchester County grew by less than 3 percent.

Since its inception in 1981, WILC has maintained a steady presence in Westchester as one of the leading advocacy organizations for individuals with disabilities. WILC developed La Fuente in an effort to help connect Latinos to services while also facilitating better coordination among service agencies. The new website can be viewed at www.LaFuenteNY.org.

“The ultimate benefit will be if people who are Latino can find what they need in the community,” said Joseph Bravo, executive director of WILC. “That is the challenge and that is the objective of La Fuente.



Westchester County Executive Robert P. Astorino, center, joined Westchester Independent Living Center Executive Director Joseph Bravo to help launch La Fuente, a new coalition and website devoted to helping Spanish-speaking residents gain access to information about social services. They are pictured here with Tamaris Princi, left, WILC minority outreach coordinator, and Maricelly Velez, Westchester Hispanic Advisory Board liaison to the County Executive.

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Westchester
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ASK
ASTORINO
ON THE ROAD



“The Three P’s”

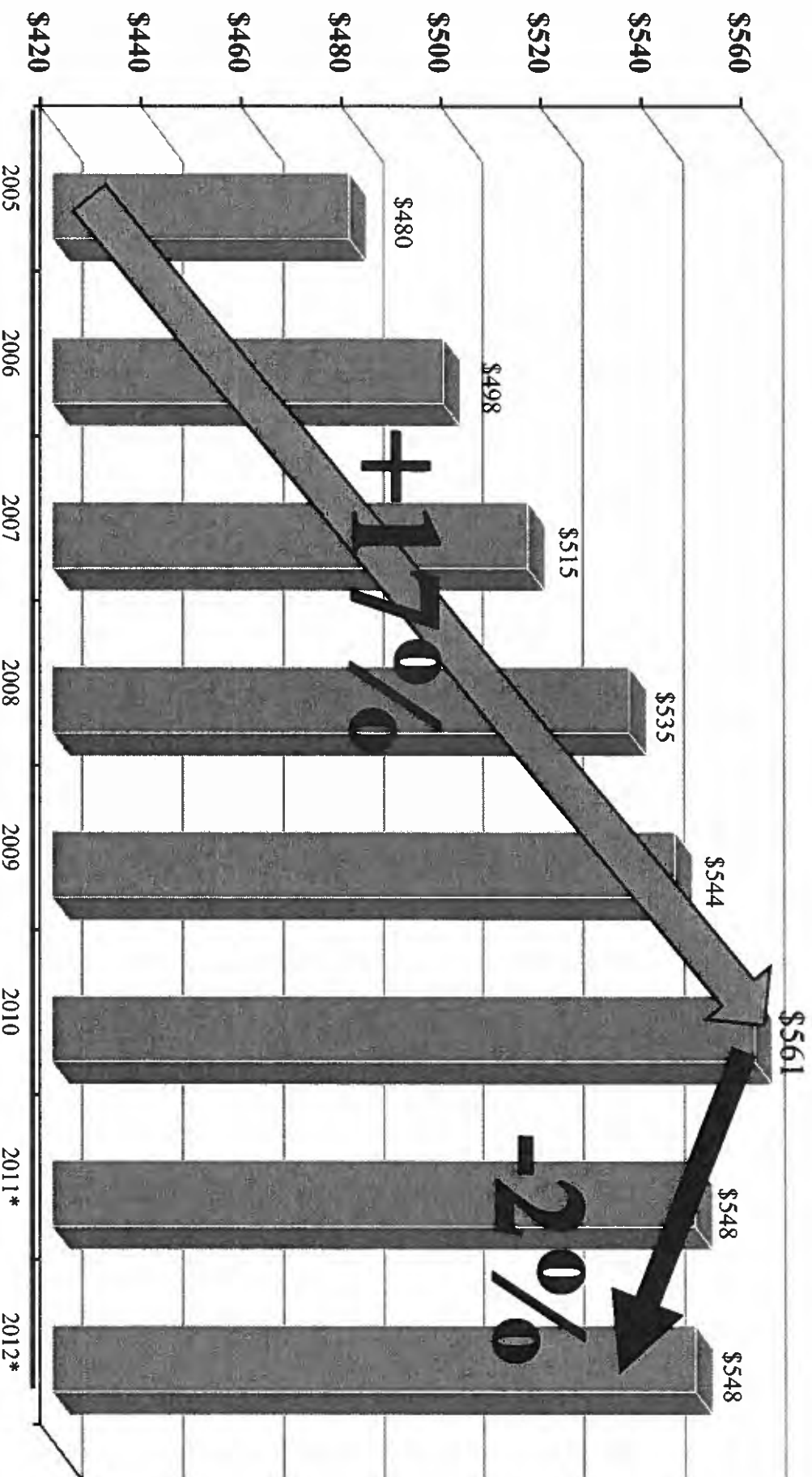
Protect Taxpayers

Preserve Essential Services

Promote Economic Growth

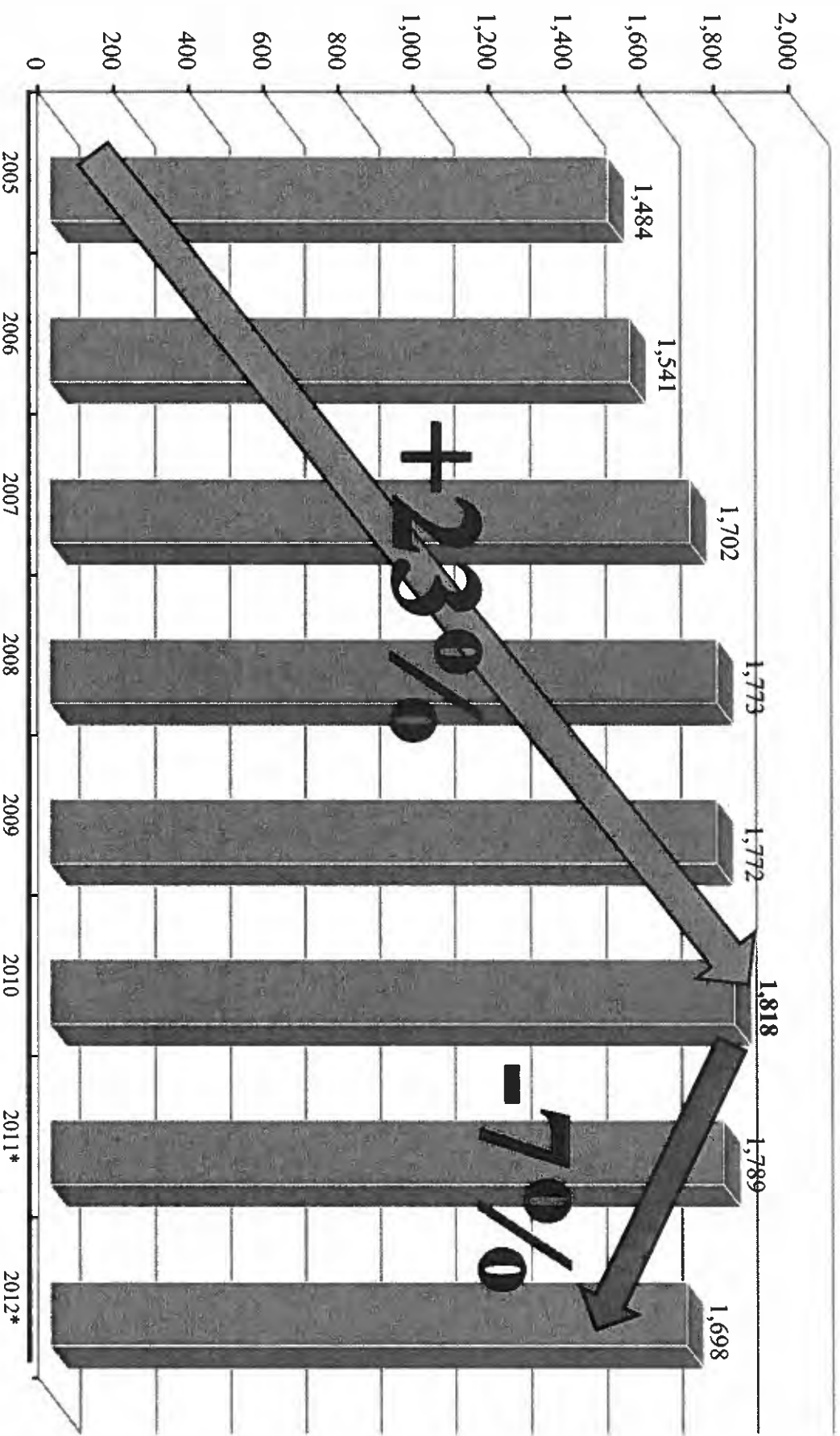
#AskAstorino

Stopping the Tax Madness



2011* 2012*
#AskAstorino

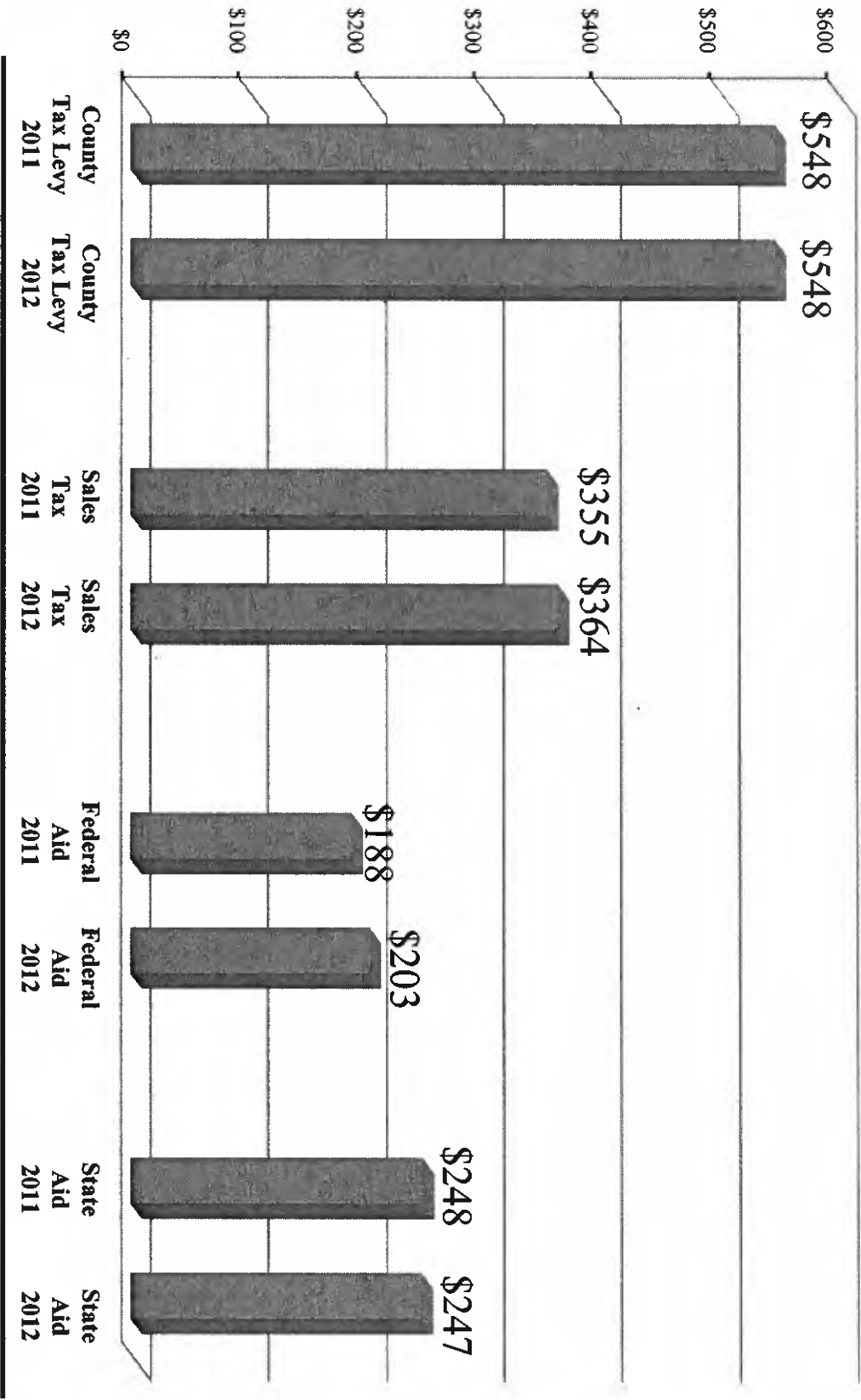
Putting the Brakes on Spending



#AskAstorino

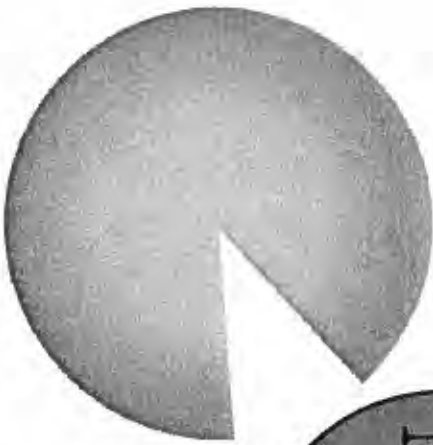


Little to No Revenue Growth



#AskAstorino

State Mandate Trap



82%

Of County Tax Levy

\$216 M
Medicaid

\$79.9 M
Pensions

\$44.5 M
Preschool

\$43.3 M
Public
Assistance

\$2.6 M
Youth
Detention

\$13.5 M
Early
Intervention

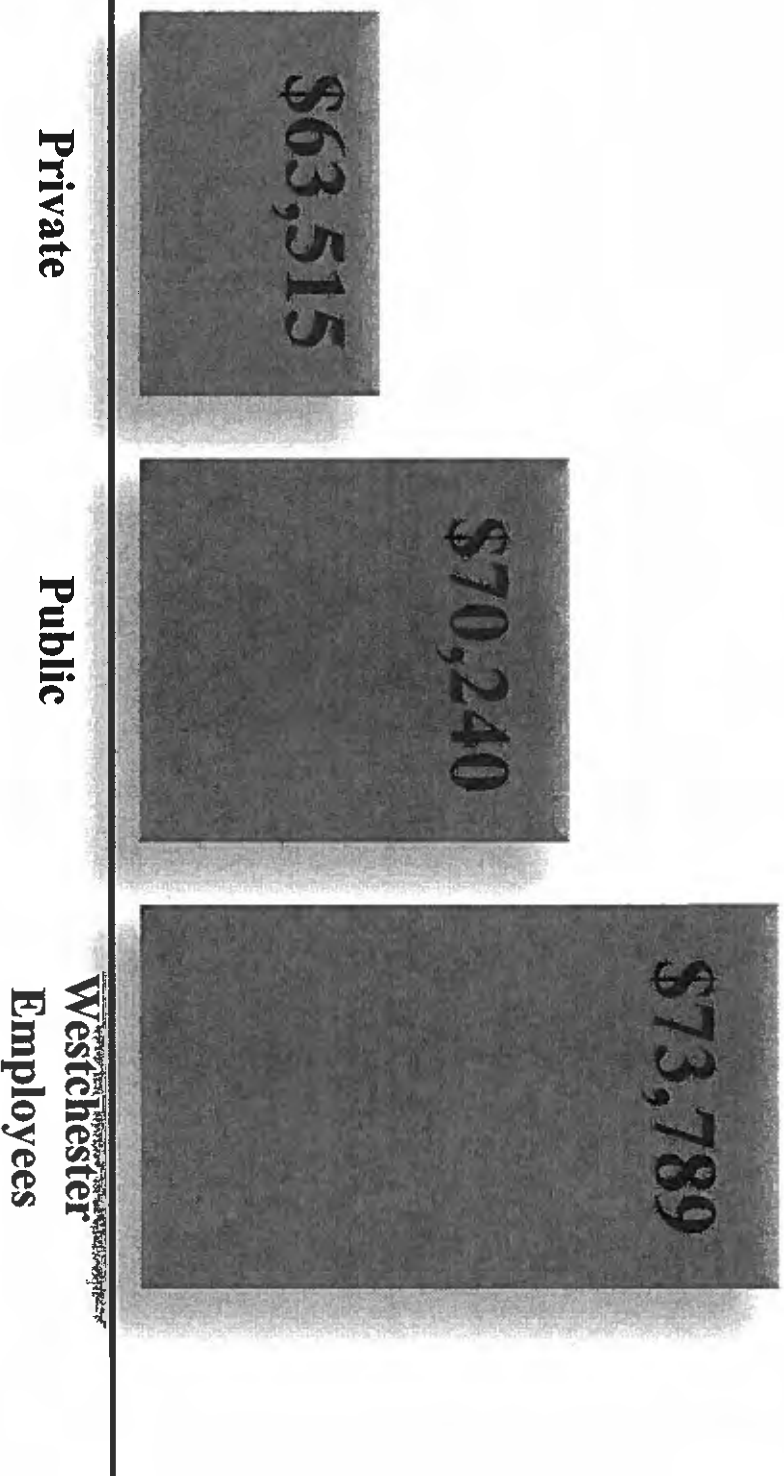
\$15.5 M
Probation

\$16.25 M
Child
Welfare

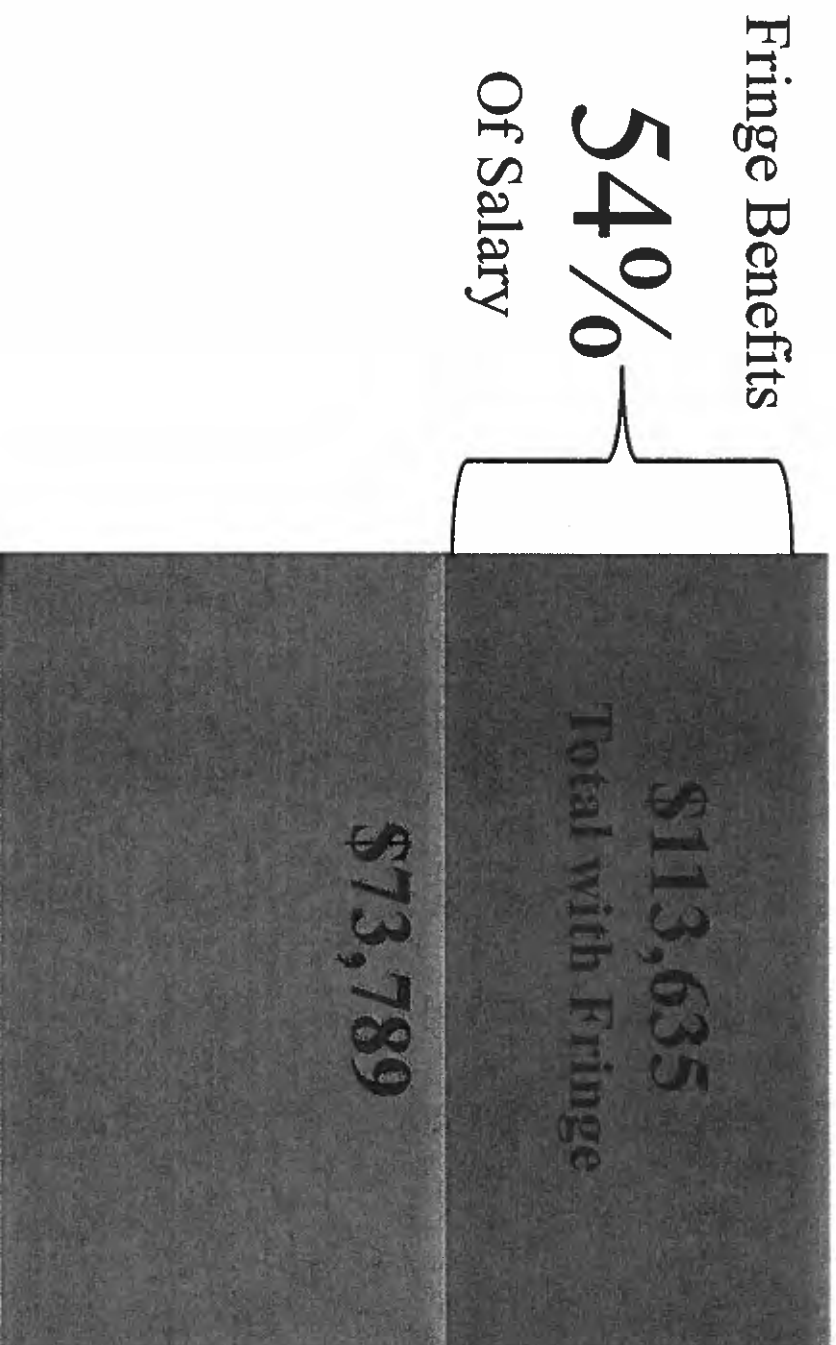
\$17 M
Indigent
Defense

#AskAstorino

Westchester Salary Comparisons



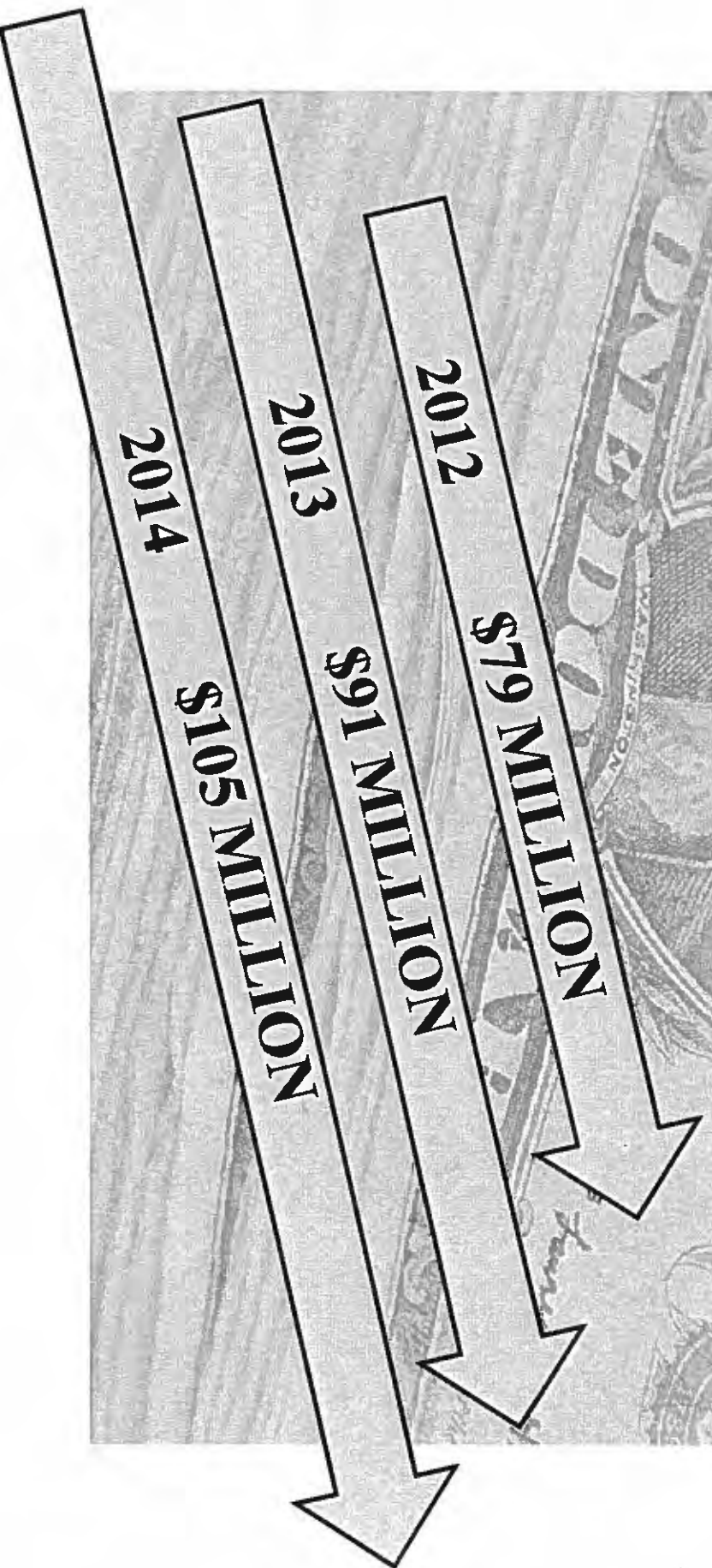
Westchester Employee Total Compensation



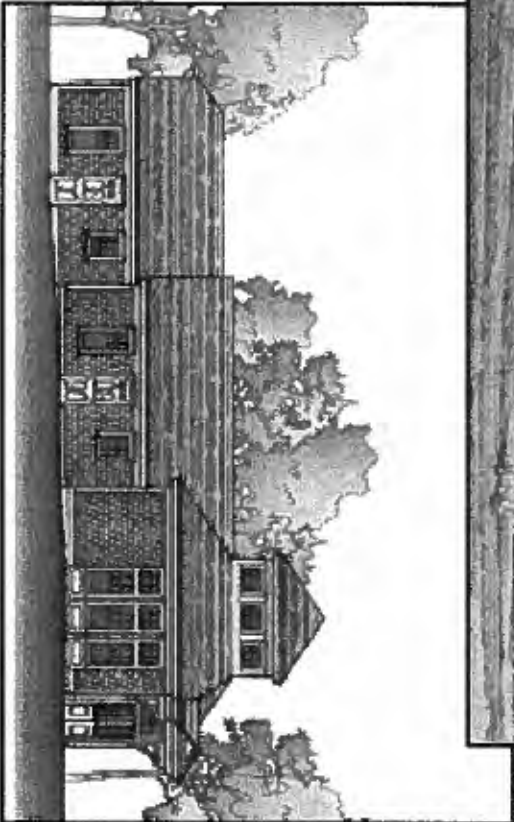
Westchester
Employees

#AskAstorino

Projected Pension Bill



#AskAstorino



Affordable Housing Settlement

#AskAstorino

Key Settlement Requirements

\$51.6 million

750 Units

31 Eligible
Communities

Market to
Diverse
Households

7 Years

#AskAstorino



Ahead of Schedule

- ➡ 207 have financing (200 needed by end of 2012)
- ➡ 116 have building permits (125 by end of 2012)
- ➡ 569 units in pipeline (76% of total)

#AskAstorino



Settlement: Pelham

- ➡ First units occupied
- ➡ 3-family
- ➡ Near Metro-North



#AskAstorino



Our Approach


- ➡ Comply with terms “IN” the settlement
- ➡ Work cooperatively with communities
- ➡ Meet our obligations

#AskAstorino



A deal is a deal.

#AskAstorino



No obligation to do things “NOT” in the settlement

- ➡ HUD cannot make up new terms
- ➡ HUD cannot “go beyond the four corners of the settlement”
- ➡ Not looking for a fight, but standing on principles



Source of Income Legislation

- ➡ HUD wants to turn voluntary Section 8 voucher program into a federal mandate
- ➡ Should citizens be forced to do business with the federal government?
- ➡ Even Obamacare was passed by Congress. HUD wants to rule by fiat


#AskAstorino



Zoning

- ➡ Analyzed 31 criteria in 853 zoning districts
- ➡ No evidence of exclusionary zoning impacts
- ➡ Comprehensive legal analysis supported by leading affordable housing advocate
- ➡ HUD wants a conclusion that defies logic

#AskAstorino



HUD Is Hurting the Very People it Claims to Help by Withholding \$12 Million

- ➡ Homeless prevention programs
- ➡ Foreclosure counseling
- ➡ Neighborhood rehabilitation
- ➡ Youth and seniors programs

#AskAstorino



**HUD Withholding \$150,000
from Village of Pelham**

➡ **\$100,000 for 7th Avenue
Streetscape Improvements**

➡ **\$50,000 for 5th Avenue
Sanitary Sewer Improvements**

#AskAstorino

QUESTIONS?

WestchesterGov.com

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HousingSettlement

@WestchesterGov



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ASK
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ON THE ROAD

“The Three P’s”

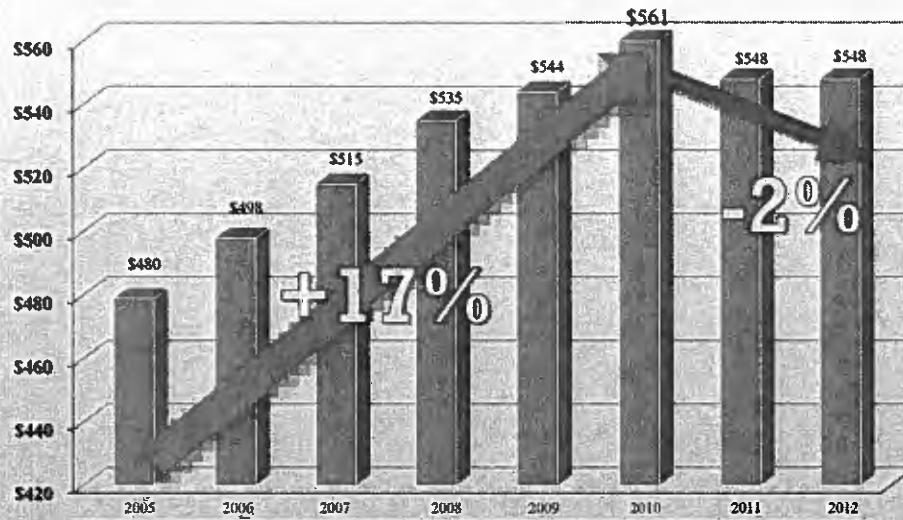
Protect Taxpayers

Preserve Essential Services

Promote Economic Growth

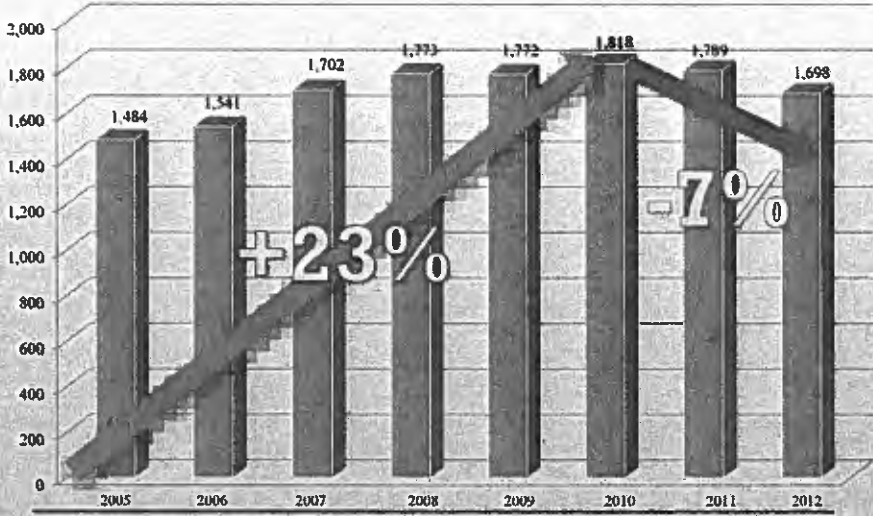
#AskAstorino

Stopping the Tax Madness



#AskAstorino

Putting the Brakes on Spending



#AskAstorino

Little to No Revenue Growth



#AskAstorino

State Mandate Trap



82%

Of County Tax Levy *

* 2012 Budget

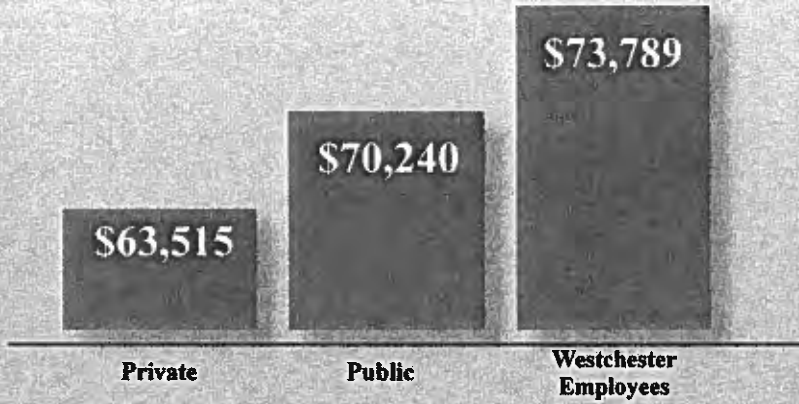
#AskAstorino

Projected Pension Bill



#AskAstorino

Westchester Salary Comparisons



Westchester Employee Total Compensation

Fringe Benefits

54%

Of Salary

\$113,635
Total with Fringe

\$73,789

Westchester
Employees

Triple A Ratings in Jeopardy

Unrestricted Fund Balance: Dip Increases Risk of Credit Downgrade



*in millions

#AskAstorino



Affordable Housing Settlement

#AskAstorino

Key Settlement Requirements

\$51.6 million

750 Units

31 Eligible
Communities

Market to
Diverse
Households

7 Years

#AskAstorino

Ahead of Schedule

130 Building Permits (125 Required for 2012)

207 Financing (200 Required for 2012)

671 In the Pipeline ~ 90% of Total

#AskAstorino

“...beyond the four corners of the Settlement.”

- HUD, May 13, 2011

- ↳ HUD cannot dictate new terms
- ↳ “Source of Income Legislation”
- ↳ No evidence of exclusionary zoning

#AskAstorino

- ➔ Comply with terms “IN” the settlement
- ➔ HUD cannot go “beyond the four corners” of the settlement
- ➔ Standing on principles, which is why we are in court

By Withholding \$12 million, HUD Is Slowing Implementation and Hurting the People it Claims to Help

- ➡ Homeless prevention programs
- ➡ Foreclosure counseling
- ➡ Neighborhood rehabilitation
- ➡ Youth and seniors programs

#AskAstorino



Better, Safer Bridge

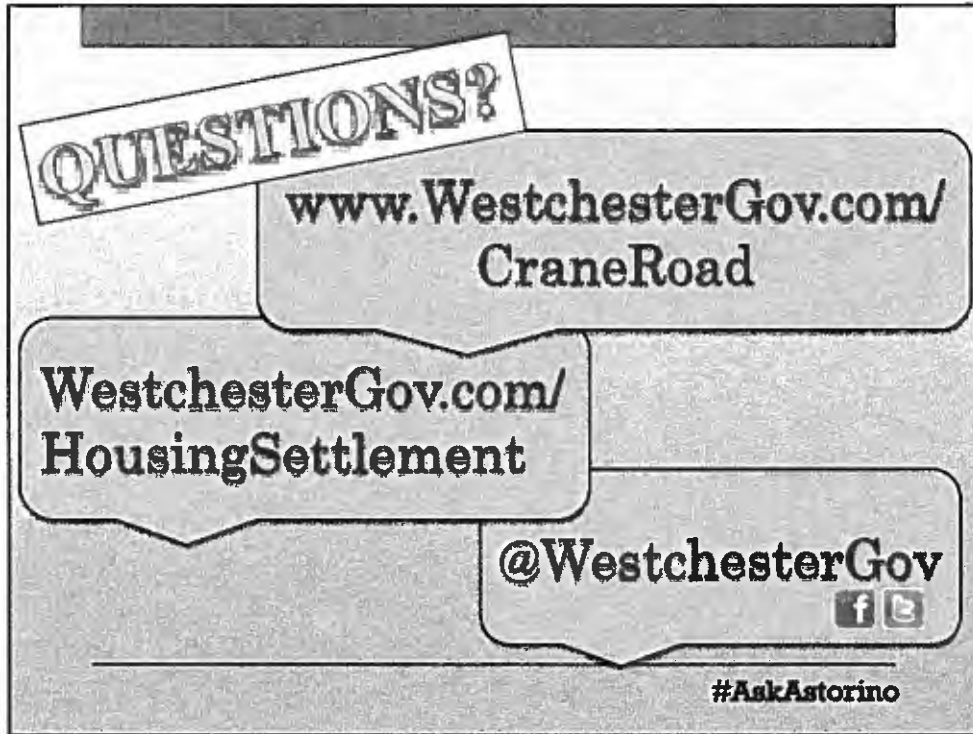
- The bridge is nearly a century old and in poor condition. It needs to be replaced.
- The new bridge will be constructed alongside the existing bridge. The old bridge will then be demolished.
- The look of the original design will be preserved.
- Wider lanes and shoulders.
- Northbound deceleration lane to Crane Road.
- Roadway less curved.
- Sidewalks will be constructed to enhance pedestrian access to the Bronx River Parkway reservation and the southbound Metro-North platform.

Largest Project of its Kind

- It's the largest construction project ever undertaken on any county road.
- Total project cost is approximately \$54 million.
- Federal funds covering 80% of that and the state covering 15%.
- County portion is about \$2.7 million. No cost to the village.
- Project has been in the works more than 5 years.
- Construction began in June 2012.
- Project will be completed in spring 2015.
- The project will create approximately 400 construction jobs.

We're Listening

- Held numerous public meetings.
- Met with residents and local business owners.
- Our goal is to minimize the impact on the community as much as possible.
- Visit www.westchestergov.com/craneroad for updates or to submit questions or comments.



Visit www.westchestergov.com/craneroad for updates or to submit questions or comments about Crane Road.

Westchester
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ASK
ASTORINO
ON THE ROAD

Congratulations!!

**TOP 100
PLACES TO LIVE**

Money Magazine Ranks White Plains #44

- Large corporate offices
- Entrepreneurial spirit
- Great schools
- Bike paths, golf courses, jogging trails, nightlife

#AskAstorino

“The Three P’s”

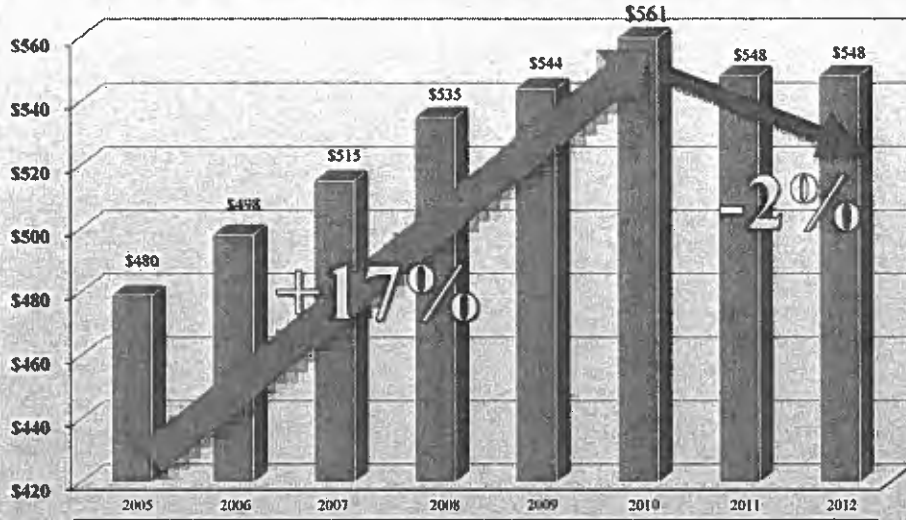
Protect Taxpayers

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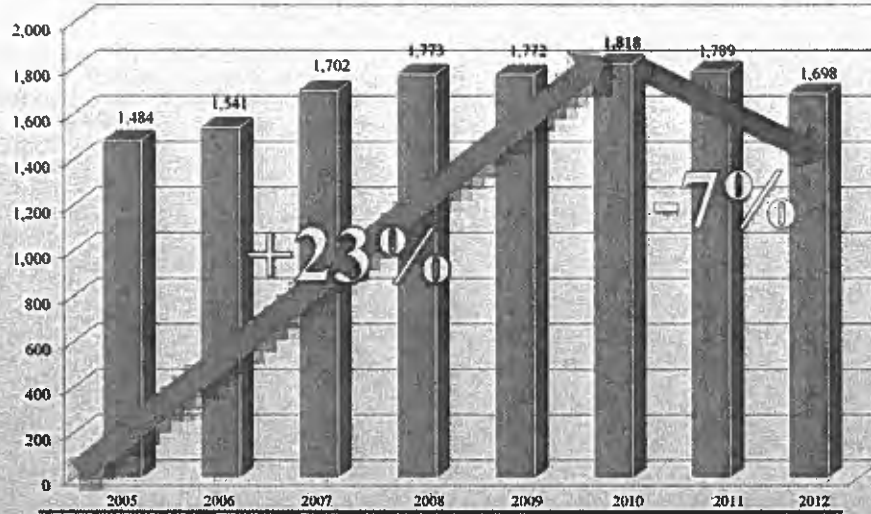
#AskAstorino

Stopping the Tax Madness



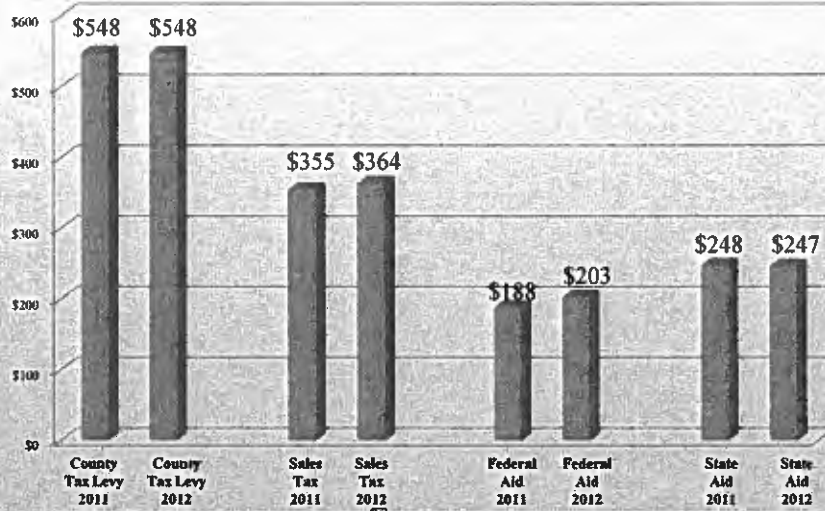
#AskAstorino

Putting the Brakes on Spending



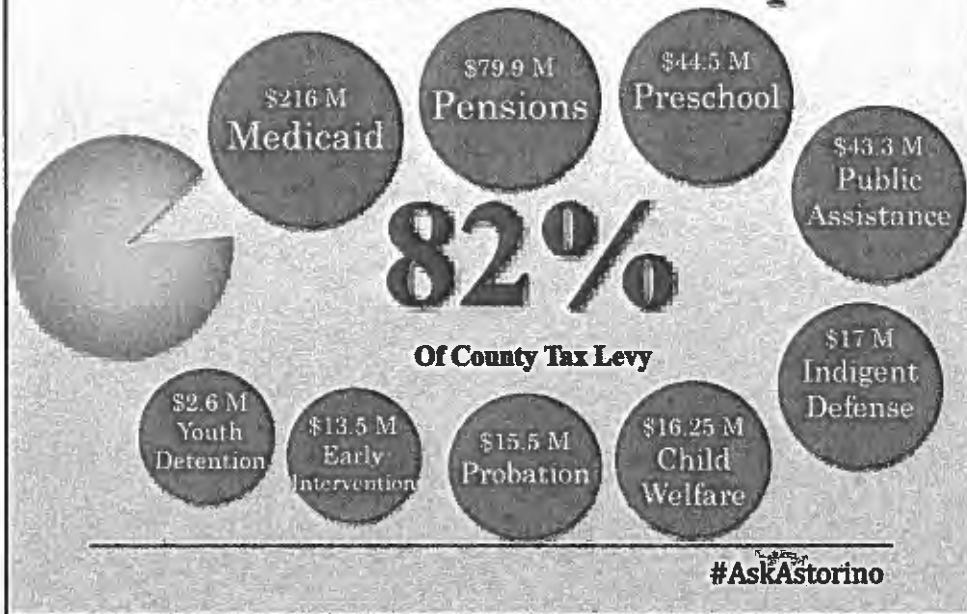
#AskAstorino

Little to No Revenue Growth

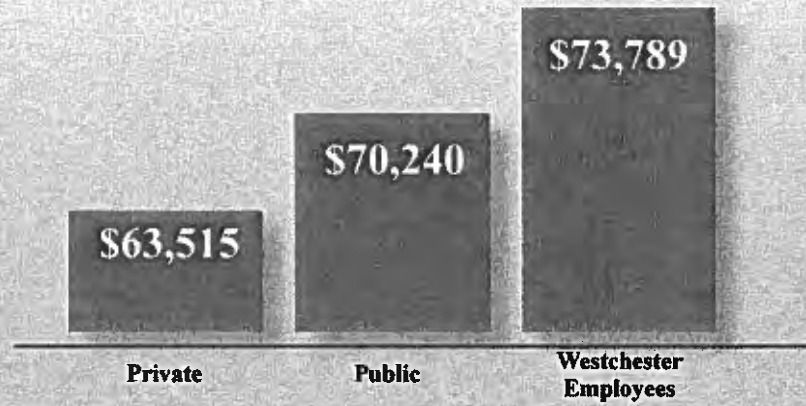


#AskAstorino

State Mandate Trap



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Westchester
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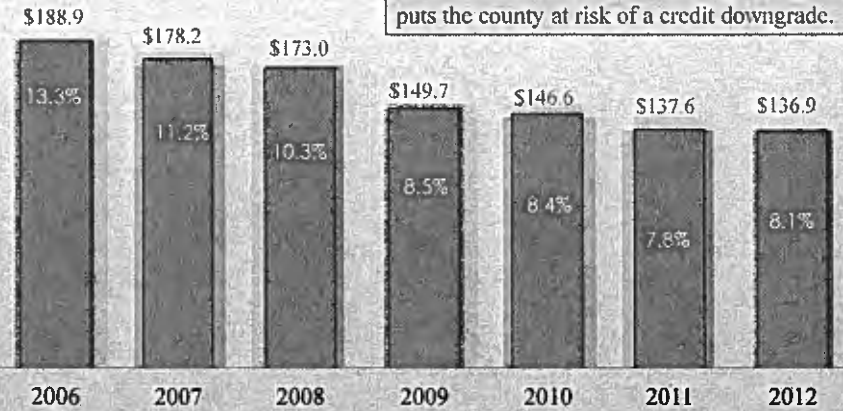


#AskAstorino

Triple A Ratings in Jeopardy

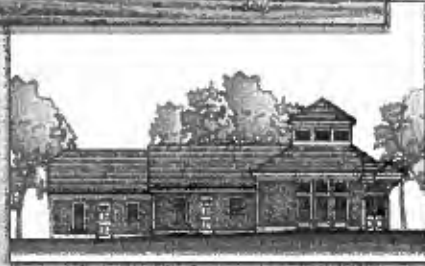
Unrestricted-Fund Balance

At 8.1% of the total budget, Westchester's Unrestricted Fund Balance is dangerously low and puts the county at risk of a credit downgrade.



*in millions

#AskAstorino



Affordable Housing Settlement

#AskAstorino

Key Settlement Requirements

\$51.6 million

750 Units

31 Eligible
Communities

Market to
Diverse
Households

7 Years

#AskAstorino

Ahead of Schedule

- ➡ **BREAKING NEWS:** 130 units have building permits *(125 required by end of 2012)*
- ➡ 207 have financing *(200 required by end of 2012)*

#AskAstorino

A Deal is a Deal

- ⇒ Comply with terms “IN” the settlement
- ⇒ HUD cannot go “beyond the four corners” of the settlement
- ⇒ Standing on principles, which is why we are in court

#AskAstorino

Source of Income Legislation

- ➡ A single line in the settlement with a sunset clause to “promote” legislation “currently” before the Board of Legislators
- ➡ HUD wants to turn voluntary Section 8 voucher program into a federal mandate
- ➡ Should citizens be forced to do business with the federal government?

#AskAstorino

Zoning

- ⇒ Analyzed 31 criteria in 853 zoning districts
- ⇒ No evidence of exclusionary zoning impacts
- ⇒ Comprehensive legal analysis supported by leading advocate of affordable housing
- ⇒ HUD wants a conclusion that defies logic

#AskAstorino

HUD Is Hurting the Very People it Claims to Help by Withholding \$12 Million

- ➡ Homeless prevention programs
- ➡ Foreclosure counseling
- ➡ Neighborhood rehabilitation
- ➡ Youth and seniors programs

#AskAstorino

County/City Collaboration

➡ Infrastructure Projects

- \$4.1M Restoration of North Street
- \$2.1M Restoration of North Broadway
- \$870,000 TransCenter Bus Terminal

➡ Flood Mitigation

➡ ParaTransit Bee-Line Taxi

#AskAstorino

→ Infrastructure Projects

Restoration of North Street

- Location: North Street in White Plains from the Harrison Town Line past the White Plains High School.
- Cost: \$4,075,000.
- Status: The project was completed in early in 2012.

Restoration of North Broadway

- Location: 1.51 miles of North Broadway from the beginning of the road up to the North Castle Town line.
- Cost: \$2,080,000.

TransCenter Enhancements:

- The TransCenter bus terminal adjacent to the White Plains train station is the county's biggest transfer point.
- Recent improvements to the county-owned property include: new sidewalks, decorative light poles, stone walls, decorative bollards, bike racks, signage and pavement markings, etc.

→ FLOOD MITIGATION

The causes of flooding in this county are a result of many complex factors that cannot be fixed overnight or without significant capital investments beyond the means of the county. But the county can and must continue to do whatever it can on its own.

QUESTIONS?

WestchesterGov.com

**WestchesterGov.com/
HousingSettlement**

@WestchesterGov



#AskAstorino

**Astorino Joins Westchester Independent Living Center
to Launch Spanish-Language Website**

Tuesday, August 21

10 a.m.

200 Hamilton Ave., White Plains, NY

POC: Tamaris Princi, 914-682-3926 ext. 2114

Podium and mic - yes

Media invited.

Westchester Independent Living Center launches La Fuente - a new coalition and first-ever local website devoted to helping Spanish-speaking residents.

The Westchester Hispanic Advisory Board recognized the need to provide additional Spanish-language content and supported La Fuente in its mission to do so.

La Fuente invited Rob to speak at press conference to raise profile of the event.

La Fuente aims to address important questions about child care, domestic violence, family court services, housing, immigration, health care, English language services, employment, medical information, transportation, and more.

Member organizations currently include Family Service Society of Yonkers, Fidelis Care of New York, Food Bank of Westchester, Hope's Door, The VIVE School and WILC.

Westchester County will be listed on the La Fuente website.

Other notables and number of attendees TBA Monday.

NOTE:

The United Way of Westchester and Putnam - which runs 2-1-1 - called today (Friday, 8/17) to express concern that some of the content on La Fuente's site is very outdated.

As such, 2-1-1 is working with La Fuente to help update some of the content so it is accurate.

Westchester partners with 2-1-1.

2-1-1 has a very extensive database of service providers that it connects callers to.

2-1-1 requested that we mention that they are available to help if a Spanish-speaking person needs to speak directly to someone for help.

I have a call into La Fuente to check if they are OK with us mentioning this, but the contact is off today. Will confirm Monday and provide update as needed.

REMARKS (See below for Spanish translation)

Good morning.

I am pleased to be here today to help launch La Fuente.

I want to thank Westchester Independent Living Center and The Westchester Hispanic Advisory Board for recognizing the need to provide more resources to the growing Hispanic community in Westchester County.

Great ideas and eager individuals dedicated to serving the Spanish-speaking community make projects such as this possible.

Westchester County has so much to offer its residents, and we don't want language to be a barrier.

La Fuente will have Spanish-language information about employment, social services, health, wellness and education, among many other things.

It will bring together information that was previously not available in one place online.

Westchester County relies on partnerships such as this to get things done efficiently and effectively.

The county also partners with 2-1-1, a free, confidential and multi-lingual helpline run by the United Way of Westchester and Putnam.

So if you ever need to speak with someone in Spanish, just dial 2-1-1 and you will be connected to help.

It is part of our continuing commitment to expanding Spanish-language content to our residents.

You should be aware that Westchester County's main website has a Spanish-language section that we update regularly with news. I urge you to check it out...www.westchestergov.com/enaccion

I would again like to thank La Fuente and the Westchester Hispanic Advisory Board for creating this resource for our Hispanic Community.

I know this will be a wonderful asset.

REMARKS

Good morning y buenos días.

Me alegro de estar aquí con ustedes hoy para ayudar a lanzar La Fuente.

Quiero darle las gracias al Westchester Independent Living Center y a la Junta Asesora Hispana de Westchester por reconocer la necesidad que existe de proporcionar más recursos a la creciente comunidad hispana en Westchester.

Las grandes ideas y los individuos emprendedores dedicados a servir a la comunidad de habla hispana son los que hacen que proyectos como éste sean posibles.

El Condado de Westchester tiene mucho que ofrecer a sus residentes, y no queremos que el idioma sea una barrera.

La Fuente tendrá información en español sobre el empleo, los servicios sociales, la salud, el bienestar, la educación, y muchas cosas más.

El sitio web reunirá información que no estaba previamente disponible en un solo lugar.

El Condado de Westchester se basa en asociaciones como ésta para que las cosas se hagan de una manera económica y eficaz.

El condado también tiene una asociación con 2-1-1, una línea de ayuda gratis, confidencial y multilingüe dirigido por el United Way de Westchester y Putnam.

Si necesitas hablar con alguien en español, marca 2-1-1 y será conectado con ayuda.

Esto es parte de nuestro compromiso continuo de expandir el material disponible en español para nuestros residentes.

Deben saber que el sitio web principal del Condado de Westchester tiene una sección en español que se actualiza regularmente con las noticias. Les insto a que visiten [www\(punto\)westchestergov\(punto\)com\(guión\)enaccion](http://www(punto)westchestergov(punto)com(guión)enaccion) - *sin espacios*.

Yo quisiera volverle a dar las gracias a La Fuente por la creación de este recurso tan provechoso para nuestra comunidad hispana. Sé que será un vehículo de información esencial para nuestros residentes de habla hispana.