

**Village of Buchanan
Mayor & Board of Trustees
Village Board Informational Meeting
April 21, 2015**

PRESENT:

Mayor Theresa Knickerbocker

Trustees Richard A. Funchion, Duane M. Jackson and Cesare Pasquale

Village Attorney Stephanie V. Porteus

Village Administrator Kevin Hay

Village Board Secretary Susan F. Matthews

Norma V. Drummond, Westchester County Deputy Commissioner of Housing & Community Development

Rosemarie Noonan, Executive Director of the Housing Action Council, Inc.

Bill Balter, President of Wilder Balter

Jim Wildling, Wilder Balter

Debra Reid, Wilder Balter

ABSENT:

Trustee Nicolas Zachary – on vacation

OVERVIEW OF PROPOSED DEVELOPMENT:

Mayor Knickerbocker announced that the opening of the Informational Meeting would necessarily be deferred awaiting the arrival of the other Trustees. She invited Bill Balter of Wilder Balter to give an overview of the proposed development project.

1. PLEDGE OF ALLEGIANCE:

Mayor Knickerbocker opened the meeting at 7:30 PM, welcomed everyone, informed them of the fire regulations and led the Pledge of Allegiance. She advised that Trustee Zachary was on vacation in Florida.

Mayor Knickerbocker announced that this evening is an informational meeting on the proposed Senior multi-family project. She introduced Norma Drummond, Deputy Commissioner, Westchester County Department of Planning; Rose Noonan, Executive Director of the Housing Action Council and the marketing consultant for the County for projects such as this; and Bill Balter, the developer of the proposed project. She advised that after the presentation if anyone has any questions they should come to the microphone and state their name and where they live. She then called on Norma Drummond.

Ms. Drummond said that to make the presentation easier to follow they have given out a handout taken from their Power Point slides (*copy attached*). It is titled Affirmatively Furthering Fair Housing. If anyone has questions they may go to their web site, e-mail her at nvv1@westchestergov.com or call them.

She started with a definition of affordable housing. The County uses two definitions; one for home ownership and one for rental development. For home ownership, they talk about families who earn no more than 80% of the area median income as defined by HUD on an annual basis and adjusted by household size. The 2015 income limits came out in March. They are found on slide 3. For rental development it is generally up to 60% of the area median income. Some funding programs require that you go with lower income limits. Some Senior housing developments may be as low as 30%. Different Federal and State funding programs will set different numbers. She noted that on the third slide she circled the 80% number for a family of three, \$76,750, because on April 1 they just sold a 3 bedroom house family house on Westchester Avenue in Buchanan. So that is now an affordable housing unit. It is a completed, rehabilitated single family house that now qualifies under the County's affordable housing program. That family earns up to \$76,000 a year.

Ms. Drummond said that for the proposed development on Bleakley Avenue and John Walsh Boulevard, it is 50% and 60% of median. For 60% it is \$44,400 max for a one person household and \$37,000 for a 50% unit. She noted the income limits on the chart for households with more than one person, such as with a spouse. Concerning funding, she advised that the County has a number of different programs depending upon what the development needs. She commented that whether building affordable housing or building market rate housing, there is no difference in the number of 2x4's you need. It is the same construction. The difference is in the level of finishes in the unit. You are not going to have a fireplace or granite countertops or the higher finishes you would have in a luxury unit. They are still going to be durable materials meant to last. She said depending on what the gap is if it costs to build a unit up here but the developer with his other sources and based on the income of the rents he will be charging can only afford this amount of debt, the County is going to look to fund the gap. So whatever this gap is, the County then looks to see what are the sources or what are the eligible activities that need funding and how can they bring funding into the development.

There are two ways that the County brings money in. One is land acquisition. Because it so expensive in Westchester County, they take the cost of land out of the equation. The County will purchase the land at the price at which it is for sale or whatever they have negotiated with the developer based what his need is within the development. The County will buy the land and then sell it to the developer for \$1.00. Because the cost of land comes out of the equation, the

developer does not have to have long term debt on that property. They will just be able to buy that land in the first place.

The second way is that the County will generally work with the municipality to provide public infrastructure: roads, lighting, landscaping, bringing utilities to the site, sewer and water lines. She said they work with the municipality and the developer to bring the public infrastructure to the development, sometimes into it usually up to the footprints of the buildings. They underwrite and take the cost of the infrastructure out the equation.

They generally do not get involved in the cost of the construction of the units themselves. That money tends to come more from the equity that the developer spoke about or from the subsidy that might come from New York State or the Federal government. If they are using low income housing tax credits, that can be used to fund construction of the development. She said that generally speaking there are multiple programs. There is an affordable housing web site that explains all of the County's funding programs and those of the State.

Ms. Drummond said that when we are talking about affordable housing in Buchanan, we are not talking about high rise apartments. She commented that does not make sense. What is important to the County, especially since they negotiated the housing settlement, is that affordable housing has to be locally defined. It has to be subject to the approval of the villages, towns and cities the County is working with. She noted the affordable housing in our area: the single family house on Westchester Avenue; Round Top with a total of 92 units which was done just a couple of years ago; one Senior affordable housing unit that was added onto a building in Croton. There are 611 other units in the County's pipeline to meet the requirements of the housing settlement agreement that the County is obligated to meet by December 31, 2106. She noted that right now to meet the 750 units they need, they actually have 765 units in the pipeline. She commented that they may not all get to the finish line but they are working with a number of developers to get them there. They are single family homes, apartment building, single condos, 2, 3 and 4 family houses, and town houses. They might be new construction or rehabilitated existing ones, foreclosure of short sales. There is no "one size fits all". There is no one formula that they use. Affordable housing can take on many different looks, funding programs and how it is going to look and operate.

Concerning the housing settlement and what the County is obligated and has agreed to do, there was an agreement signed with the Federal government on August 10, 2009. Most people think that the County only has to build 750 units. There are actually many other things that the County has to do as part of that settlement. They had to work with the County Planning Board and Board of Legislators to amend their long range use policies to embody the goal of the settlement. They had to promote a model ordinance to the municipalities to be able to encourage and define affordable housing so that we are talking the same language in all the municipalities when a

developer or a resident wants affordable housing. She said that affordable housing should mean the same in every municipality in Westchester.

They have to implement a discretionary funding policy so that if a municipality wishes to receive discretionary funding, the CHIPS program being the most recent, there are certain obligations the municipality would have to have in place to be eligible. One is that if you have any in rem properties, noting that she knows that the Town of Cortlandt handles foreclosures for the Village, the County would be have to offered right of first refusal for them before they get auctioned off. They must advertise the rights of all persons to fair housing and to address and redress allegations of housing discrimination. She noted that Mark Fang, Executive Director of the Human Rights Commission was present and can answer any questions on this. His contact information is in the handout. They need to create and fund campaigns to broaden support for affordable housing. They handed out posters to the municipalities and asked that they be posted in public places so that people can read them and get a better understanding of what affordable housing is.

The County has to insure the development of 750 affordable housing units by December 31, 2016. They have to be built in 31 eligible communities. 24 municipalities are eligible under what is called "Paragraph 7A". Buchanan is one of them. Those are municipalities which had an African-American population of less than 3% and a Hispanic population of less than 7% based on the 2000 census. According to the 2000 census there were 24 municipalities that were the least diverse in the County.

She noted that based on the 2010 census, Buchanan would come off that list based on the natural diversity on the changes in our market in the last 10 years. We are the only municipality that would have come off the list. However we cannot because the agreement specifically says that municipalities do not come off the list. Of the 750 units, 630 must be built in the municipalities in these least diverse municipalities.

There are 5 category "7B" communities including the Town of Cortlandt and Croton. There are 60 units that the County is allowed to build in those communities. Round Top was 57 of those 60. They are allowed 60 units under category "7C". They had according to the 2000 census up to 14% African-American, and up to 16% Hispanic. She noted that they were more diverse communities in 2000 but still below the County average at that time. Of those 60 units, all are in the pipeline. Some might not get to the finish line. Certain blocks of "7A" municipalities were not eligible in the first place because the specific block or area in that municipality may have been very diverse. There is a block in Yorktown where the Phoenix House is. That block is not eligible. There is another block in Rye near the border with Portchester that is not eligible because it is very diverse.

There are other rules the County must follow. At least 50% of the units must be rental housing. Up to 50% can be home ownership housing. She thinks that the Federal government realizes that home ownership is more acceptable and easier to do in some communities. She said that there is less financing for it so it costs the County more.

No more than 25% of the 750 units can be Senior housing. That allows up 187 units. She said that there are many municipalities that asked to do Senior housing but they have allocated the Senior housing units to Buchanan because Bill Balter was actually working on this development for a while now. There is a development in Somers and one in Croton and the City of Rye. Those are the only places. No more 25% can be existing housing. Ms. Drummond said that they bought some foreclosures and some short sales to get existing housing units.

Paragraph 22(f) of the agreement requires that the County has to maximize development in the blocks that had the lowest populations of African Americans and Hispanics according to the 2000 census. They are called "zero/zero blocks"; in 2000, 0% of the population was African American and 0% was Hispanic. Currently 44% of the units in the County's pipeline are within those blocks.

The settlement agreement has annual benchmarks that have to be met. The first category is units with financing in place. Currently, they have met the benchmarks for 2011, 2013, 2013 and 2014. They have to have 600 units with financing in place by the end of this year. They must have 525 building permits. They currently have 423 so they are well on their way to meet the 2015 benchmark. There are developments in all different places of construction compliance and feasibility. All of the units have to have financing and building permits in place by December 31, 2016.

They have explored 549 different sites in this county for the potential for affordable housing. In every municipality they looked at least 4 sites except for the Village of Ardsley where they looked at 3. In some they have looked at 60 sites. There are more sites in the works. They are just not far enough along where there is a public discussion about it and they do not want to jeopardize the ability to move forward. They are reporting on 56 developments in 27 of the 31 communities. They are helping the County meet its obligation of the 750 units. As of March 31, the first 12 developments have occupants. 50 are home ownership. 252 are rental units. 57% are head of household. 57% are White; 25% African American; 1% Asian; 9% Other including multi-racial; 8% declined to answer. 22% are Hispanic; 61% non-Hispanic; 17% declined to answer.

Ms. Drummond said that Rose Noonan of the Housing Action Council is the contracted marketing consultant. Every developer must contract with the Housing Action Council to conduct their monitoring so that the County and the monitor are clear that all marketing is done

in the same manner in accordance with the affirmative fair housing marketing plan that the monitor developed and which was approved in 2011. All developments are marketed in the same way based on how many units are within the development. For the first 21 developments where they have completed marketing, 5,189 applications were received. Of the heads of household, 35% were African American; 36% White; 2% Asian; 7% multi-racial; 5% Other; 15% declined to answer. 27% were Hispanic; 54% non-Hispanic; 19% declined to say.

One of the requirements is that the County has to do broader marketing than they did before. She noted that the County has been doing affordable housing for 30 years. Before the settlement, the County collected applications through HUD certified agencies to help the developer fill the units. A good response was 5 applications per unit. She said they are now getting from 11-20 per unit. So they feel that their marketing is working. They are getting to a broader base of applicants. Not better; just more.

They have looked more closely at some of the developments and asked applicants why they are applying there since they do not live in the community. One reason is a County web site called HOMESEEKER. As of March 31, it had almost 7,000 households registered. They were from 30 states across the country. The highest numbers from other states were from Connecticut, New Jersey and Florida. They have interpreted this to possibly be former Westchester residents who may have retired and now want to come back to Westchester to be closer to family members. When they looked at a recently completed development in No. Salem they found that many applicants heard about it from immediate family members. Of the 4,000 registered households who live in Westchester, approximately 47% live in Yonkers and Mt. Vernon; 20% in the 31 municipalities mentioned earlier; and approximately 37% in the Bronx. Concerning the latter, it is believed that they may work in Westchester and want to move closer to where they work. When they sign on to HOMESEEKER, they have the ability to get information on available units. 40% of those who registered are African American; 22% are White; 31% declined to answer. 32% are Hispanic; 49% are non-Hispanic. The area most registrants are interested in is lower Westchester, especially Yonkers and Mt. Vernon. Northern Westchester is the third most popular category at 20%. The least interest was in the Long Island Sound communities, New Rochelle, Portchester and Rye.

They are asked if they want home ownership or rental and how big their household is. The most popular size is 2 people which can fit into the smaller size units. 708 people have 5 or more household members. She commented that they actually have people with 10 persons or more. Ms. Drummond noted that the handout contained information on the HOMESEEKER web site and a map of affordable housing that is currently being marketed. Application can be made on-line. Each development has its own application. There is a 90 day marketing period followed by a lottery. She introduced Rose Noonan of the Housing Action Council.

Ms. Noonan said that they are a non-profit organization based in Tarrytown and under contract with the County to handle the marketing of these developments. One of the requirements of the County's settlement is that all these homes that are being developed must be affirmatively marketed. She said what that means is that everyone has an equal opportunity to apply and be selected to rent or purchase the homes that are being developed pursuant to the housing settlement or a zoning ordinance that incorporates affirmative marketing principles. As to what affirmative marketing encompasses, the HOMESEEKER on the County web site gives people an opportunity so the County and the Housing Action Council know of their interest in affordable housing development throughout Westchester. Whenever there is a development to be marketed everyone on that list is notified and has the opportunity to ask the Housing Action Council about it. They market through community organizations. They reach out to a 9 county area that includes Westchester, Putnam, Rockland and Fairfield Counties and all of New York City. When they reach out to these community organizations they ask to let others know. They pass it on to their constituents or congregations. They also hold workshops for every development they are marketing. They are held in the locality in which they are being developed and in areas where people would not be as familiar with the municipality where the development is located. She said that in a development such as the one being discussed tonight, they would ask for help locally to advertise the workshops and the availability of the units. They would probably do a workshop in Peekskill and in Mount Vernon so that people who might not know that this development is under construction would have an opportunity to apply.

They market for at least 90 days. They solicit applications. They are not screened for eligibility at that time. They are held for the 90 days. At the end of the period, they have a public lottery held in a place convenient to get to. Every applicant is notified. They pick from number 1 to however many applicants they received. They had close to 400 applications in Somers which was an age restricted development. People are notified of their number and then they are screened for income and eligibility requirements. In a rental reasonable situation that would include if they had been satisfactory tenants where they had lived before.

Ms. Noonan showed 3 locations and where the applicants came from: Round Top, with 91 units in the Town of Cortlandt; the Mews II in Somers which is 95% occupied at this point; and Jacobs Hill in the Town of Cortlandt which was developed by Bill Balter.

Round Top is not age restricted. Anyone can apply. There were 471 applicants from the 9 county marketing area. Just over 50% resided in Westchester. 12% were from the Town of Cortlandt. 45 applicants came from outside the primary marketing area including other states. 32% were White; 47% African American; 2% Asian; 10% multi-racial; 9% declined to answer. 21% were Hispanic; 58% were non-Hispanic; 19% declined to answer. The majority were in the 1 or 2 person household category. The majority indicated that they heard about it through a friend or family member. For a development of the size proposed here there will be paid

advertising in newspapers through the metropolitan area. Many people pass that information on to friends and relatives.

Mews II off Route 6 at Baldwin Place in Somers is in the second phase of development. There are 75 one and two bedroom units. It is age restricted. At least one member of the household must be 55 years old or older. She showed the breakdown of who applied for Mews II by where they lived at the time of their application, their Race and Ethnicity and age range. She noted that sometimes people do not answer what their Race or Ethnicity is. It just gives a flavor of the diversity of who applied. A few people were under 55 and were disqualified after the lottery. Most fall in the one person household category. She noted that is typical of the other age restricted developments she has marketed. Most heard about the Mews through friends and family.

Ms. Noonan noted that Jacobs Hill has been around longer than Round Top and the Mews II. It was not subject to the housing settlement but it did have State and other funding involved so it was subject to affirmative marketing. It was marketed locally and very broadly. She noted that among those who lived there, one was from Buchanan. 8 were from Putnam County. A few were from New York City. She said that quite a few came from the local area.

Ms. Noonan said that Mark Fang, Executive Director of the Westchester County Human Rights Commission was present if anyone had questions. They work very closely together. They deal with the issues of affirmative marketing to protect people's rights under the State and Federal Fair Housing laws.

Mayor Knickerbocker thanked the speakers. She called for questions and comments from the Board.

BOARD MEMBERS COMMENTS:

Trustee Funchion asked if the applicants must be citizens. Ms. Noonan advised that they must be legal residents. They must have a Green Card.

Trustee Funchion asked why affordable housing is broken down to ethnicity and race. He thought that affordable housing is supposed to be equal across the board to everyone. Ms. Noonan said that they are maintaining records to responding to a housing court settlement. It was based on a determination that came out of the settlement that certain communities were less diverse than others based on populations being Black and Hispanic were fewer than White.

She said they are maintaining records on who is applying because they are reaching out to people who fall into those categories but not to the exclusion of everyone else. Affirmative marketing provides an equal opportunity for everyone. She said it is not giving an edge over another

person. Anyone can apply. She said they market broadly to everyone and then when they are selected it is through the lottery. Then everyone has an equal chance. There are no quotas.

Trustee Funchion said that he is not talking about a quota. He thought that this settlement was basically an economic issue in that there would not be any identification of where the person came from and what their background was other than economic and citizenship. Ms. Noonan said that eligibility is based on the income of the household but they collect the information so that they can assure the monitor and the court that the expanded marketing they are doing is bringing in a broader base of applications.

Mayor Knickerbocker said they mentioned that we were on the list from the 2000 census that said that our diversity was one of the lower percentages. But in 2010, we have that diversity but we are not coming off the list. Ms. Drummond advised that the agreement specifically says that the municipalities that were eligible in 2000 remain eligible. Mayor Knickerbocker wanted to confirm that concerning the affirmative action, we are not involved in that and we would not have to meet a requirement such as Harrison to put in "x" amount of units. Ms. Drummond said there is no obligation under the agreement for any municipality to meet any specific number of units. She said that at the end of the day the monitor and the court would like to see at least one unit in each municipality. She said that in Harrison, who has not adopted the model ordinance so there is no requirement that any percentage of housing development be affordable housing, the issue is that there are advocates saying that there are a large number of housing units coming up for approval and that it is an opportunity they do not want the town to miss out on. The County has been conducting negotiations with certain developers within the Town of Harrison to see if they can make sure that affordable units are included in those developments. Ms. Drummond said that all 750 units could have been built in one municipality. That would not have been in the spirit of the agreement. They are trying to get at least one unit in every municipality.

Mayor Knickerbocker noted Ms. Drummond's comments that the County would purchase the land and wanted to know if they would be doing that for this development and then selling it to the developer for \$1.00. Ms. Drummond advised that based on what she has read, they would. She said that for some developments that is all that they do. For others, they have to do additional work. In this case, they are probably going to fund some infrastructure as well.

Trustee Jackson thanked them for coming tonight. He commented that in his estimation he would have liked to have had this information earlier in the process. He commented that one of the things he talked about when this was first brought before the Board was if this was consistent with current land use here in the Village. We are single family homes. A lot of those homes were built by the people who live in them. He had a concern that it was out of the norm of what was existing. He would have preferred that they be ownership townhouses which are more consistent with what we have now. He said that we asked at the beginning of the process if we

would be subject to the HUD requirements for affordable housing. We were told no. He noted that was before Mr. Balter came into the process. Trustee Jackson commented that once we get into this affordable thing, he has questions.

He wanted to know if you do not make this racial mix which we said does not exist, what is that process. He said if they are taking 66 applications and have a pool of 500 applicants, they are looking at who meets the economic and age criteria but they also want to make sure that minorities have the opportunity. Ms. Drummond said that is not correct. The County cannot violate Fair Housing laws. There is no mandate that the units be occupied by any specific mix of residents.

Trustee Jackson said that there are some places in the region where first responders are given a preference. He believes that would not apply to this development. Ms. Drummond advised that when appropriate they have the ability to identify and appeal to the monitor a preference. She said that for Round Top, they were able to demonstrate to the monitor that veterans within the Hudson Valley were a diverse group. Based on that, they were able to set aside 15 units at Round Top specifically for them. She said that they did explore the Race & Ethnicity of first responders; firefighters in particular. She said that historically they are not a diverse group in the Hudson Valley and the New York area in particular. She said that there have been law suits about certain testing for firefighters. That is why first responders would not qualify for any preference for any kind of units. Trustee Jackson commented that it has been done in other locations. Ms. Drummond advised not in Westchester, at least not with any Federal or County funding. It may have been some local group.

Trustee Jackson wanted an explanation of the model ordinance. He wanted to know if that was only for the marketing. Ms. Drummond said that advertising is done under the Fair Housing Affirmative Marketing Plan. There was a template created and each development needs to develop one of its own specific to that development. A model ordinance was for municipalities to consider that would define affordable housing if it was not already defined in their municipal ordinances. It defines occupancy standards. It would set aside income limits. Certain municipalities in Westchester have income limits set based on the average employee salary of a municipal official in that municipality. Someone who is looking for affordable housing in Buchanan might have a different threshold of eligibility than someone looking in Lewisboro or Bedford. The County is trying to get a standard definition so someone who is looking for affordable housing or a developer who is building affordable housing know what level they are building it at and who is going to be eligible. Trustee Jackson wanted to know if this ordinance was something the municipality would sign off on. Ms. Drummond advised that it is correct because it also defines what it should look like and how many units in a development should be affordable. It gives guidance to future developers that some units must be affordable so that they should not need subsidies from the County.

Trustee Pasquale wanted to know if when they do the public lottery there were any criteria in addition to age and income. Ms. Noonan advised that it depends on the type of development. If it is an age restricted development, age must be documented. If it is a home ownership development, they would look at whether the household can secure a mortgage and afford the unit they would be purchasing. She said that many times those who apply are not in a position to do that for reasons of credit or income. They are screened out after the lottery. In a rental situation, she said that as any rental agent would do, they look at if they are credit worthy and at their income to see if they can pay the rent. Ms. Drummond added that they also look at household size. They must have the required minimum size household for the available housing. The model ordinance sets the minimum and maximum occupancy number. It protects that no one occupying an affordable housing unit should exceed that standard.

Trustee Pasquale wanted to know if they do a criminal background check. Ms. Drummond said that they do. She introduced Debra Reid who advised that first everyone gets a credit check and then a criminal record check. She said they do not accept anybody who has a criminal background.

Bill Balter wanted to make clear that while the County is involved, at the end of the day this is a private development. They own it just like they own the other developments that they are involved in. They have more applicants than they have units. He said that it is in their interest to have the best tenants they can have. So they do screen people for criminal, income all the things they would do whether it was a market rate development or affordable housing. He commented that we heard a lot about the Mews and Round Top and where the applicants came from. He wished that we had where the applicants came from and where those who actually chose to live there come from because the percentages are different. Part of the settlement is reaching those least likely to apply. He said that when we talk about reaching out to the 9 counties it is because in the past people from the Bronx for example, might not know about something and so were the least likely to apply. He said that does not mean that if you reach someone in the Bronx or Manhattan that they are going to live here. He said that if you look at the radius of where the applicants are from, it is pretty big. But when you talk about who actually lives there, the radius gets a lot smaller, especially with Seniors.

Trustee Jackson commented that earlier there was mention of town houses versus rentals. He wanted to know if that was ever looked at. Mr. Balter said that they had. He did not think that a town house development here would work financially. It was too big a risk for that location. Ms. Drummond said that there are very limited subsidies available for home ownership and town houses. When you are talking about development of more than 10 units, it gets difficult for the County to financially support a home ownership development. Mr. Balter said that in an age restricted development and people with limited income, asking them to buy a condo with the

restrictions these have because of affordability greatly narrows the market. He said that they are currently doing a development in Larchmont where they have a tremendous population that wants to live there because it is 22 minutes to Manhattan by train. They did it there but that is very unusual. He said that under this they have Round Top, Bridal Side and Larchmont. Two of the three are rentals. He said that here in Buchanan, condos would not work for them.

Trustee Jackson commented that if we are talking about complying with the Federal law suit, the Federal propaganda of ownership is the key to upward mobility. It seems that it is at odds because we are talking about public money, which is our money, to satisfy a judgement from the Federal government against Westchester. He commented that the idea of saying that we cannot do a home ownership thing with home ownership because it would not fit the criterion, where we are talking about purchasing with tax payer money land that is worth a lot more than \$1.00 to make this happen begs the point, especially when you talk about the existing usage in the community where you are dropping something into. Mr. Balter said that he thinks that if they had proposed a project that was not Senior housing, a family development, that would have been more of a possibility. But as a Senior affordable condo, it is not something that they have ever proposed. The one that he mentioned in Larchmont is a family development, not Senior. Trustee Jackson noted that Jacob's Hill is half rental and half ownership. Mr. Balter advised that the condos were not affordable housing. They did not use any County funding for them. They could not because they sold for higher. They were moderately priced and 8 of the 58 units were affordable housing. Trustee Jackson wanted to know if that decision was made before this settlement was reached. Mr. Balter advised that it was not. It was zoned for 45 single family homes. He said that when he went through the approval process in the Town of Cortlandt, he proposed as an alternative a 161 unit affordable and moderately priced Senior development with a mix of housing types. Part of the negotiation was a mix of different things. So it started out as a 45 lot subdivision. Trustee Jackson wanted to confirm that the zoning was already in place. Mr. Balter advised that it was for the single family homes, not the Senior housing. Trustee Jackson commented that in our case, we would have to change our zoning to permit this. Mr. Balter said that Jacob's Hill was zoned as single family and they had to get the Town to up zone it to multi-family. For the proposed project in the Village, it is currently zoned commercial and would have to be changed to allow residential.

Trustee Jackson asked for an explanation of the CHIPS program. Mayor Knickerbocker advised that it is funding that the State does. When we do our roads we get back a percentage of the money from CHIPS. Ms. Drummond advised that last year County Executive Astorino proposed a Community Housing Investment Infrastructure Program [CHIPS]. In essence, it would be a replacement for the Federally funded Community Development Block Grant [CDBG] program. If the County had continued with the CDBG program, it would have fallen under the same rules of the discretionary funding policy because there is no mandate that the County has to give each municipality some portion of the funds. It is a program that the County Board of Legislators

must approve. Ms. Drummond believes that the Village has submitted an application for a development project that we had previously applied for under CBDG. The County is trying to move that program forward. Ultimately it will be subject to the approval of the County Board of Legislators. Trustee Jackson wanted to know if this CHIPS program would apply to this proposed development. Ms. Drummond advised that it would not. There is a separate funding program available that would fund the infrastructure specific to this development.

Mayor Knickerbocker advised that the County has put money aside specifically for those grants. We did not get it because of the housing settlement and the money being cut off. The County Executive and Board of Legislators decided to do this. We have reapplied. She asked if Ms. Drummond knew when we would get an answer. Ms. Drummond did not know because it is subject to the approval of the Board of Legislators and their agenda.

Trustee Funchion commented that many years ago New York City had a program called scatter site housing. The concept was to take poorer people and scatter them all over the city. The reality was that the poorer people were scattered into low and middle income areas. The wealthier areas never had any poor people put into them. Trustee Funchion commented that this sounds very familiar to that because they are putting an income level on this. He wanted to know why not just put one standard income level for anywhere in Westchester. Ms. Drummond advised that income standard is the same for all of Westchester. It is 80% of the county median income for home ownership and 50% and 60% for rental. Trustee Funchion noted that is the county median, not of the community. Ms. Drummond confirmed that is for all of Westchester County. Any municipality that is building affordable housing has to comply with that. 27 of the 31 municipalities have units. She noted that of the 4 that do not, the County has tried. Bronxville is one of them. She commented that cost of doing anything in Bronxville would blow you away. She noted that they have 4 rental units in Scarsdale. She said that New Castle has been very controversial about 28 units. There are other units being developed in Chappaqua. Some are part of larger subdivisions.

Trustee Funchion wanted to know when one of these apartments has been occupied but becomes vacant, such as someone passing away, if the County is still involved with that. Ms. Drummond advised that the County will be monitoring these units for the next 50 years. Trustee Funchion wanted to know who chooses who would get that vacant apartment. Ms. Drummond advised that they would go to the next number on the waiting list.

Trustee Funchion wanted to know who was the monitor and if it was a person, an agency or an elected official. Ms. Drummond advised that he is Federal monitor appointed by the court. His name is James Johnson. The County must file reports with him four times per year. He files reports with the court based on what he sees is the County's performance. He is an attorney, not an elected official.

Mayor Knickerbocker referred to the income limits on page 1 of Ms. Drummond's handouts. She noted that there is a 60%, a 50% and a 30%. She wanted to know if the 30% criteria would apply to this proposed development. Ms. Drummond was not sure. She advised that Mews has 30% as a Senior housing development. She does not think that Mr. Balter is anticipating that here at this time. She said that different funding sources have different requirements.

Comments From The Floor:

Mayor Knickerbocker called for comments from the floor. She advised that due to the large number of people present that comments would be limited to 5 minutes per person.

Joseph Ryan, 11 Lake Drive, noted that he and Trustee Jackson both built their houses there. He commented that he is wearing a Verplanck Fire Company shirt. He said that when he first came here in 1969 that he lived in Montrose. In 1974, he moved to Verplanck where he said he rides the ambulance and does so to this day. He commented that is his main concern. He said that he is not trying to attack the proposed development. He noted that for 12 years he was on the New York State Board For Historic Preservation. He knows that HUD has done a tremendous amount of studies on how the best Senior Citizen housing should be designed. He commented that he has not looked at any of Mr. Balter's developments so he does not know if the quality of life would be the best design for this type of project. He is 69 years old. He joked that he has white hair because he has taught 3,211 Seventh Graders. He commented that he makes ambulance calls with the Verplanck Fire Department. They back up the Cortlandt Community Volunteer Ambulance Corp. [CCVAC] and the Peekskill Volunteer Ambulance Corp. He said that it is getting harder and harder to get people to be on the ambulances. Now the County wants to put this development in our community. He commented that the marketing and all the rest of it is great but the bottom line is they have heart attacks and serious medical situations and the volunteers have to be "boots on the ground". He is not concerned about the diversity and all that. He said that what concerns him is when he is putting the gurney in. He said that he understands a little bit about the judgment against all of us as citizens in Westchester County and that we have to deal with this Federal judgment. He wants to know what the County is going to do to help us here. He said that he does not mean \$250,000 for the Buchanan Fire Department because it is going to be 12 o'clock at night when all "you know what" is breaking loose and we are going to need some help. He asked if the County is going to give us ambulance crews. He does not know the answer. He thinks that we do need, noting that it may be part of the many formulas, if there was any help with housing for those of us "with boots on the ground". That is his issue. He congratulated the Mayor saying that she has done very well.

Ms. Drummond said that one of the things to think about is that, as they have reported, many of the people who have applied have been local residents. It could very well be that we have a 69

year old who is currently in a 3 bedroom house who may move into this affordable development because they can no longer afford to keep that 3 bedroom house which might then be taken by a younger family who might volunteer. She cannot say that the County is going to offer any assistance as to how it relates to how to meet fire calls. The County has emergency services and training opportunities but actual recruitment is a difficult task for every municipality in the County.

Mayor Knickerbocker said that the stress on our services is one of the concerns that have been raised since the beginning of this process. She knows that our ambulance corps is stressed to the max. It is not necessarily a dollar amount. It is the bodies. Also our Fire Department. The Mayor said that we are small community. Other communities like the Town of Cortlandt or the City of Peekskill can absorb things better than we can. We are small. One of her big concerns has been stressing our services like our Fire and Police Departments. That is still her concern.

Former Mayor Sean Murray, 205 Gallagher Street, noted that he was the mayor when this proposed project came before the Village and that he was in favor of it for a couple of reasons. It was to be 90 units and market value with 10% as affordable housing. He thought that having Seniors being able to stay in the Village was an advantage. A lot of people, including his parents, would be more than happy to rent a town house or an apartment at that location. Now he sees that it has changed to be all affordable housing. Using those income guidelines, the majority of the Village would not be eligible. He noted that using the 60% guideline for a single person, you cannot have more than \$2300 per month as income outside of your maximum Social Security. With 50%, for 2 people you cannot have more than \$500 each outside income outside of Social Security.

Former Mayor Murray noted that the Village of Buchanan has only a few low to mod areas. He explained that low to mod talks about CDBG. We have a couple of those because of the income levels and the type of populations and only those areas are eligible for the CHIPS money. He said in 2012 or 2013, he and the Village Attorney had gone down and spoken with the County representative on affordable housing. They talked about some mitigating strategies being a couple of properties we have for sale in the Village. One is owned by the Village and one the County has excessive liens on. The County would not budge on it. He said that they would not help us out. In turn, we did not help them out. Concerning the model ordinance, former mayor Murray said that he decided not to bring that to the Village because he felt that the Village residents should be the ones who controlled our zoning, not the County. Especially when the County was not willing to negotiate with us on any aspect of it. He said that they would not even help us out with the sewage treatment plant. He wants to caution the Board that whenever the County brings something that is gilded in gold, it really is not. He encourages our elected officials to not endorse any plan that alienates the residents of the Village of Buchanan. He feels that a market value development would be suitable for this area. There is a need for it in this

area. There is a waiting list in Springvale which he noted was exactly what he thought of. It is age 55 and older. It has the same kind of income requirements, two and a half times the base which would be around 30%. He feels that if this is not going to be open to the Village residents, it should not be going forward.

Mayor Knickerbocker noted that Springvale is market value. They are currently advertising \$765 for an efficiency. Former Mayor Murray said that Springvale is affordable at the County limits. Springvale is market value. The only requirement is that you have two and a half times your income over your rent. That means that if your rent is \$1,000 you have to have two and a half times that which is similar to the County's requirement of no more than 30%. The Mayor commented that she knows that we have been talking about affordability and affirmative action but that the way she has looked at it is that affordability for a Senior in our area is \$765,000 starting, compared to \$1,200. Former Mayor Murray said that when he went there last year when he was trying to find a place for his uncle, it ranged from \$900 to \$1,200 per month which he said was similar to the guidelines. He said that when you look at the web site you see the maximum number for rent. You then have to go to the other chart that shows what they can be charged for cooking, for gas, for garbage pick up. There is a different matrix and that gets added on to the rental. Everything adds up. He encourages everyone to be aware of that.

Ms. Drummond said that Mr. Murray may have been addressing that we do not have a low to mod population in the Village of Buchanan. Former Mayor Murray said that he had said that we do. Ms. Drummond said that we have one of the top populations as a whole of the 40 municipalities that participated in the County's consortium. Buchanan was in the top 10 municipalities. Former Mayor Murray said that they only accepted two areas in the Village for CDBG which we were going to use to put in sidewalks and curbs. Part of Lindsey Avenue and part of Bleakley Avenue were the only ones we were allowed to apply for. That was in 2008 and 2010 because it runs 5 years. Ms. Drummond said that CDBG ran for 3 years at a time. She said that they worked with the Village to identify applications. The Village did not put in a whole lot of applications. She does agree that there are specific low to mod areas but that at the end of the day when you look at the percentages, Buchanan as a whole has one of the highest percentages of municipalities in Westchester low to mod residents. Former Mayor Murray commented that he now wishes that we had put in for the max. Ms. Drummond said that there is no max. Some put in 15 to 19 applications. Former Mayor Murray said that it had to be in low to mod areas. Ms. Drummond said or benefits a low to moderate population. Former Mayor Murray agreed but noted that the entire Village is not low to mod. He said that he had begun his comments by noting that we do have some low to mod areas which are available for those grants Ms Drummond was speaking about but it is not the majority of the Village. Ms. Drummond agreed. Mayor Knickerbocker said that we put in an application for the sidewalk on Route 9 by the service station and also the Lent's Cove area. Former Mayor Murray said that in the previous

block in 2008 and 2009, we had put in some sidewalks on Lindsey Avenue and we were targeting some other areas on Westchester Avenue.

Ben Martinelli, 91 Tate Avenue, commented that he was confused. He wanted to know who was renting this thing, the County or the builder. Ms. Drummond advised that it was the builder. Mr. Martinelli wanted to know then why then were the representatives from the County at this meeting. Mayor Knickerbocker advised that Ms. Drummond is here to explain what affordable housing is and how the lottery works. Mr. Martinelli said that the builder is subject to the rules so the builder will do the screening, not the County. Debra Reid of Wilder Balter advised that Ms. Noonan of the Human Action Council does most of the marketing into the 9 counties. She logs in all the applicants and does the lottery. She then gives them all to the development company. They contact each applicant, in order, for an interview to determine that they meet the criteria. The management company works with the owner which would be the developer. She said that their interest would be to get the best possible applicant pool. She said that in their experience with Senior housing they do not have to go through that many applicants because for most, their credit is great and they move in and stay for an average of 7 years. Most do not move out unless they die or go into a nursing home. She said that they had 12 to 24 people who came to them from Springvale because of the rents and added cost there. Mr. Martinelli wanted to know how someone gets an application and said that he was still not clear on who determines who gets in. Ms. Drummond said that you would get an application from either the Human Action Council, the County web site or from Wilder Balter. When it is submitted it goes to Ms. Noonan of the Human Action Council. She has to keep track of it. Ms. Noonan will do the lottery as an objective third party and provide a prioritized list to the developer who contacts and interviews the applicants in order.

Eileen Absenger, 138 Tate Avenue, wanted to know how many projects do they have for 55 and older versus 62 and older and does the County ever look at those to see what the differences are. Ms. Drummond said that Mews I was 62. Mews II is 55. They have a number of Senior developments. They are a mix. It depends on the area and what makes the most sense for that development, and what the funding sources require. Ms. Absenger commented that this developer did not want to go with 62. Mr. Balter said that it has now been changed. They did not think that they could do it as a 62 and older but they told the Village that they could do either. First, the Village has to allow them to do it, which he commented is obviously in doubt. If the Village does choose to do it, it can be 55 or 62, whatever it the Village's choice. Mayor Knickerbocker advised that is a new development today.

Eileen Absenger said that our Village planner stated that depending upon how many affordable units are designated, the builder has the option to change it to all, 100%, affordable. She wanted to know if that is still being considered. Mr. Balter said that when Wilder Balter got involved and did the zone change, the zone change is that it has to be at least 10% affordable. What they

are proposing is 100% affordable. Ms. Absenger commented that makes the County happy because that is 66 units added onto their total. And the Village is an indentured servant for 50 years. She commented that it ends up that when the Village Board has to change this zoning, there is a piece of property on Route 6 that is commercial will have to be changed to be zoned residential. The Town Board and Town Planning Board are concurrently looking at this and having the Environmental Impact Statement [EIS], wetlands and things of that nature going on. She wanted to know if the Village Board is going to be doing this concurrently with the Planning Board and when Mr. Balter's site plan comes to the Planning Board. Mayor Knickerbocker advised that she would like to have all the information possible before we do this vote. This is a very substantial undertaking for the Village. She has a lot of concerns. There are steep slopes and wetlands over there. Ms. Absenger commented that if the Town can do that concurrently, she does not see why the Village cannot do it concurrently. The Mayor advised that this will be in front of the Board on May 5. That will be the first Public Hearing. If the Board decides to go with this development, what the developer is asking for is not a zoning change. It is a use change of that property. If the Village Board approves that use change, it will still go in front of the Planning Board but basically that is it so the Mayor said that she would like to have all the information possible before we get there.

Ms. Absenger commented that she agrees with Mr. Ryan and that she has heard the same thing. The Police Department makes the first response. Then they have to wait. She commented that heaven forbid that any other calls come in after that because we would need another police officer. She said that we are getting a supposedly good deal from Entergy. We have gotten an extra amount of money. She does not want to see that money go out the window in spending for other personnel when that is not necessary. She commented that she hopes that the Board is not seduced by this project; that they look at it hard and long. She commented that Mr. Balter is a very nice builder and a very nice man but he is also in it for the money. He is in it to get what he can. She said that it may not behoove the Village to go ahead with this project whether it helps the County or helps Mr. Balter. Mayor Knickerbocker commented that when we do this vote, we all must look at this project and not only have all the questions answered but if it is the best interests of the Village.

John Mattis, Tate Avenue, commented that what Ms. Absenger referred to was a project across from the Town Center in Cortlandt that requires a change in zoning. He said that the Town Board will not even think of voting for that change until they have a full EIS. He thinks that the Village Board is putting the cart before the horse because they are going to approve it and then wait for the EIS. He feels that is the wrong way to do it. He thinks that we should have the EIS first. He said that it is going to take the Town a year before they vote on it. He noted that this proposal is for 66 units. He looked at the 2010 census. We are more diverse now. In 2015 we are more diverse than 2010. He noted that 66 units is 8% of the whole quota for the County. The Village of Buchanan has less than .2% of the population of the county. The number of

housing units in the County, the number in Buchanan, our fair share would be 1.2 units. But they want us to 66. He noted that Harrison is only doing 5% of what they are building. He said that even if you give them 10%, they are getting 6. He feels that the Village Board is taking on more than we should.

Mr. Mattis commented that Jacob's Hill is not part of the housing settlement. They marketed it totally different. He noted that it was said that they got one person from Buchanan. He said that he wished they would show for Jacobs Hill how many people from the local area moved there. They showed who applied but not who actually moved in. He said that they market in a totally different way to the 9 counties. He said that they conveniently left out the "LLA". That is the "Least Likely Applicant". He said that changes by community. The Least Likely Applicant is what they have to market to. That is the least likely person on diversity that would be in this Village. He doubts that it would be marketed to people around here.

Ms. Noonan said that it definitely will be marketed around here. It will be marketed through the 9 county area. In preparing the affirmative marketing plan for this development, they will be looking at the demographics of the area because those are the people who are most likely to apply. She said based on their work in this area over the past several years, it is very likely that based on those demographics the Least Likely to Apply applicants will be African Americans, Hispanics and Asians. She said they will make special efforts to reach out to those community groups and those newspapers that target African American, Asian and Hispanic populations to let them know about this development but not to the exclusion of the people in this community. The development will be here. There will be a prominent sign advertising the availability of the apartments. We will also hold workshops here or perhaps in a nearby library. It will be marketed through local newspapers as well as newspapers that cover the metropolitan area. It will be marketed here in the Village, the Town and throughout Northern Westchester.

Laura Wiand, 202 First Street, commented that this was being marketed through all these newspapers throughout the County and New York City. Since they were supposed to reaching Senior Citizens, she wanted to know specifically where they were marketing. She asked why young people would even be interested in applying if it was Senior housing. He said that she drives by Mews II all the time and never saw it state that it was Senior housing. Ms. Noonan said that there are very few young people applying to Mews II. Nearly all the applicants are 55 and older. She said that the next time Ms. Wiand goes by Mews II that she will see that it is identified as a Senior residence, as would this development because it is age restricted. That is one of their requirements. She said that in terms of community organizations they will reach out to, it will be those whose constituencies represent an older population. They will look for newspapers and periodicals that are read by an older population. They also put it in newspapers with general circulation such as the Journal News.

Ms. Wiand said that she is 33. They have two young kids. She wanted to know how they plan to reach out of state like Florida. Ms. Noonan said they will not be reaching out in any specific way to residents of Florida. They believe that people who heard about the opportunity through the marketing they do to the 9 county area let their friends and relatives who live in other states know. Ms. Drummond noted that they do reach out to those in other states who register on HOMESEEKERS. Ms. Wiand wanted to know how this compares to Drum Hill in Peekskill. Ms. Drummond said that they are very similar as it relates to the income requirement. Ms. Wiand commented that Drum Hill has medical. She said that we are very limited in our resources here in the Village. They would have to prioritize the most important calls. If it were to an elder person, she would be for that but resources are limited. She said that she does not want to compare but her grandmother lives in a Senior community in Florida where they have the resources right there for them. She thinks that this should be considered.

Vicky Goldberg, 154 Tate Avenue, said that for 8 years she served on the Conservation Advisory Committee for the Town of Cortlandt. One of the biggest concerns in this area are the wetlands. This area is adjacent to wetlands. She wanted to know who is going to be responsible for cleaning and maintaining it or if it is just going to be built on another pile of trash. She said that we have a responsibility to the river. That is why we live here. We cannot put more garbage there. Mayor Knickerbocker advised that the wetlands are on the property. During the site development, those questions have to be addressed. How are we going to protect the wetlands during the development? Mr. Balter said in the site plan approval, if they had any wetlands disturbance they would have a permit. This is a privately owned property so they would be requested to do the maintenance as required by the Planning Board. It would not be something left to the Village.

Mayor Knickerbocker thanked everyone for coming. She advised that this was an informational meeting. The first Public Hearing will be on Tuesday, May 5. Anyone who is interested may questions. She thanked Norma Drummond, Rosemary Noonan and Bill Balter for coming.

Mayor Knickerbocker adjourned the meeting at 9:15 PM.