

## **Astorino Defends Stance on U.S. Housing Deal**

*By Westchester County Executive Robert P. Astorino*

In its Sept. 18 editorial, The Journal News claims that I have "missed no opportunity to distort" the meaning of the federal housing settlement entered into in 2009 by my predecessor Andy Spano and the Democratic-controlled Westchester County Board of Legislators.

Nothing could be further from the truth. Even the editorial begrudgingly admits that my "administration has been making progress building the units." In fact, the county, by working cooperatively with municipalities, is a year ahead of schedule — 204 of the required 750 affordable housing units in the 31 so-called "eligible" or mostly white communities already have the monitor's approval.

So compliance is not the issue. But that does not mean I will sit by idly and let the federal Housing and Urban Development Department "distort" the agreement with new demands — sent to the county on May 13 — that the county "go beyond the four corners of the settlement."

I was opposed to the settlement for a number of reasons, including the very thing that is happening right now — Washington using its legal, financial and political clout to try to bully Westchester into doing things that were never part of the settlement, that threaten to bankrupt the county and that go far beyond HUD's legal or statutory authority.

Key among them is HUD's demand — not in the settlement — that the county identify "specific zoning issues that the county will challenge" and "list the steps that the county will take if the municipalities do not enact the changes within three months."

As HUD knows full well, New York is a home rule state, which means the county does not control local zoning. Furthermore, calling for local municipalities to dismantle their zoning laws in 90 days without any consideration for due process shows a frightening lack of legal and common sense.

Here is just a partial list of the specific zoning protections that HUD wants to eliminate:

- Restrictions that limit multi-family housing development.
- Restrictions that directly or indirectly limit the number of bedrooms in a unit.
- Minimum lot sizes and other density requirements that encourage single family housing or restrict multi-family housing.
- Limitations on townhouse development.
- Environmental safeguards, such as rules related to sewer systems, which HUD regards as "impediments to the development of rental or to affordable housing."

In addition to its overreach, HUD is operating from a false premise that Westchester is racially discriminatory when it comes to housing. Also in its May 13 letter, HUD claims without evidence that the county has a "long history of segregation." Let's look at the record.

Fact: In the settlement, there is no finding against or admission by Westchester County of racial discrimination.

Fact: According to the 2010 U.S. Census, Westchester is the fourth most diverse county in New York state, tied with Manhattan. If Westchester were a state, it would rank seventh in Hispanic population and 14th in African-American population.

Critics charge, "yes, that's all true, but African Americans and Hispanics are not evenly distributed across the county."

Fact: According to the 2010 US Census, the Hispanic population of every municipality in Westchester increased over the last 10 years. The population of African Americans and Hispanics in the 31 "eligible" or mostly white communities increased by 56 percent over the last 10 years.

All this migration was the result of natural market forces with no cost to taxpayers.

Now compare the settlement's price tag and impact on diversity.

The cost of the settlement, after factoring in all of HUD's demands, doubles from the approved \$51 million to over \$100 million. Yet if all 750 of the settlement's housing units were evenly distributed among the 31 communities and filled only with African Americans and Hispanics with an average family size of three, the African-American and Hispanic populations in those communities would increase by only 5 percent.

So what's the problem that HUD is trying to solve?

HUD calls the settlement a "grand experiment" and as such would like to use it as a model for social engineering across the country. The problem with "grand experiments" is that they are abstractions that live in bureaucratic bubbles instead of the real world, where even good intentions have price tags.

Westchester already has the highest property taxes in the United States and is facing a budget gap in 2012 of more than \$100 million. What if HUD's "grand experiment" means fewer buses to take people to work, police officers to protect public safety and social programs to serve the needy?

These are not distortions. These are the real-world consequences of HUD's overreach that must be confronted.

It is my job to protect the interests of all of Westchester's residents.

I won't accept the unacceptable.