

Mr. James E. Johnson
Debevoise & Plimpton
919 Third Avenue
New York, NY 10022

Re: United States ex rel Anti-Discrimination Center of Metro New York, Inc. v. Westchester County, New York

May 13, 2013

Dear Mr. Johnson:

The Town of Mamaroneck received your letter of March 21, 2013 and on behalf of the Town government I want to thank you for reaching out to us for input on the matter of fair and affordable housing in Westchester County and the Town of Mamaroneck. In December of 2011, then Town Supervisor Valerie O’Keeffe, responded to your request for information regarding our work with Westchester County in exploring alternatives to advance opportunities for fair and affordable housing in the Town. In November of 2012, Town Administrator Stephen Altieri responded to a request for information by Westchester County on our actions in the area of housing. Copies of both letters are attached for your information.

In this letter we will report to you on our progress in working towards the mutual goal of providing additional fair and affordable housing in our community. Also we have under consideration other programs and strategies that seek to accomplish the goals of the Settlement that I will elaborate upon.

First, however it would be helpful to provide some history on the Town’s efforts and commitment to offering fair and affordable housing in our community. In the late 1970’s the Town created a Public Housing Agency to administer a Section 8 Housing Voucher Program. Today the agency has grown to over 640 vouchers.

Second, in 1994 the Town created the Mamaroneck Housing Authority. With a blend of Mamaroneck tax dollars and grants, the Town constructed what is known as the Hommocks Park Apartments. This 54 unit residential development provides a mix of housing meeting strict income guidelines.

Before addressing your letter, I want to clarify that some information you provided to the Town seems misleading. You state that “additional actions will be necessary to make meaningful progress towards meeting its affordable housing obligation under the Settlement”. To our knowledge no specific housing obligation goal for the Town of Mamaroneck has been established under the Settlement. If you are referring to the 2005 Housing Allocation Study, this report was not formally adopted nor discussed with the Town of Mamaroneck. We do not know how this allocation was calculated or what steps would be

required by the Town to accomplish this goal. While we are certainly open to further discussion about that report we ask that the report not be used as a measure since there appear to be flaws in some of its conclusions. More important, we ask that the report not be used to characterize the Town as unsupportive of the goal of fair and affordable housing since the Town has continued to look for ways to encourage fair and affordable housing.

Your own analysis of the Town demonstrates why it has been so difficult for the Town to identify new areas for fair and affordable housing. Virtually every parcel of land within the Town has been developed, leaving little open space for future development. That being said, the Town has been working on alternatives to provide additional opportunities for fair and affordable housing in the community. The most significant is a proposed amendment to our zoning code that would permit residential uses within our business and service business zones. These zones are located close to public transportation, schools and shopping, making them ideal candidates for fair and affordable housing. Under this proposal, multi-family residential and mixed use development will now be permitted. Included in the zoning amendment is a requirement that 10% of all new units constructed be fair and affordable housing. The new zoning also permits additional height and floor area for developments constructed in these zoning districts. With the adoption of this zoning amendment, the planning firm which prepared the environmental impact statements for this legislation estimates that an additional 308 housing units could be constructed within the 54 acres of property included in the new zoning.

At this stage we have completed the environmental review of the proposal as mandated by New York State Environmental Regulations. The zoning code amendment has been composed and referred to the Planning Board for review and a report. The Planning Board must render its report within 45 days. The final step will be a public hearing to be held by the Town Board to consider final adoption of the amended zoning code. We anticipate that the Town Board will vote on this law by the end of June. I have every reason to believe that the Town Board members will vote in favor of the proposed amendment. Simultaneously, the Town Board has been reviewing the model housing ordinance and working on draft legislation for adoption. Subsequent to the hearing on the new zoning amendment, the Town will take up the issue of the model housing ordinance.

While the Settlement discussion has focused largely on the construction of new housing, other techniques and strategies to create more fair and affordable housing units are underway in the Town of Mamaroneck. As I mentioned, the Town operates a Section 8 Housing Voucher Program with 647 authorized vouchers. Of that total, 515 vouchers are in use today. Working effectively with local landlords, this program has created additional opportunities for persons on our waiting list who are eligible for the program. Many of those on the list do not currently reside in the Town of Mamaroneck.

To make this program even more effective the Town is considering an amendment to our Section 8 Housing Administrative Plan that would change the manner in which those on the waiting list are selected for available housing. Currently, an applicant's position on the waiting list is determined by the date and time the application was received as well as preferences for senior citizens, people with

disabilities, victims of domestic violence, veterans and working families whose income is at or below 30% of median income for Westchester County. An alternate method of determining position on the list is by lottery which can be administered electronically within the waiting list software. Changing the methodology to a lottery system would increase opportunities for applicants to benefit from the new HUD Small Area Fair Market Rent demonstration project in which the Town was selected by HUD to participate.

The project seeks to encourage families to move to communities that offer better housing options, better school systems and greater employment opportunities. This is accomplished by offering higher rent subsidies in communities like the Town of Mamaroneck where the rents are higher. The Town looks forward to success with this program by attracting more landlords and creating more fair and affordable housing.

Lastly, in terms of more recent housing construction in the Town, for the first time in decades, a multifamily residential project of 149 units was proposed in the Town. The Town approved it in 2006. The terms of the approval require the developer to include 10 affordable rental apartments. The building is under construction at this time. The Town submitted an application to Westchester County to include these ten affordable units in the Housing Settlement goal over a year ago. No funding would be required for the project and the conditions of the approval include a thorough certification process to make certain that the tenants would be eligible under the required income regulation. To date we have not received a response to our application. I mention this as yet another opportunity to recognize fair and affordable housing in the community.

Mamaroneck Town has a long and progressive history in offering fair and affordable housing opportunities to a diverse socio-economic population. The additional steps outlined here demonstrate our continued commitment to fair and affordable housing in our community. We look forward to working with you further on this matter. We would be happy to schedule a meeting and provide a tour of the Town of Mamaroneck if that would be helpful.

Sincerely,

Nancy Seligson
Town Supervisor