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WESTCHESTER COUNTY, N.Y.



MARY BETH MURPHY
SUPERVISOR

March 29, 2013

James J. Johnson, Esq.
Debevoise & Plimpton LLP
919 Third Avenue
New York NY 10022

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

Dear Mr. Johnson:

Thank you for your letter dated March 21, 2013. At your request I have reviewed it together with the attachment of proposed factual findings concerning zoning in the Town of Somers and offer the following:

1 – The districts in which the Town has provided mandates and incentives for fair and affordable housing exist throughout the Town – although not every zoning district in the Town contains these mandates and incentives.

2 – In addition to the 72 units your letter mentioned, an additional 75 units of fair and affordable housing have been approved. Construction is to begin in July, 2013 with occupancy anticipated in August, 2014. It is my understanding that you toured this property (commonly referred to as Mews 2) and approved it. I regret that I was unable to meet you for that tour as I received very short notice and had a previous commitment.

3 - No preferences to Somers residents have been given for the 72 units of fair and affordable housing already occupied nor will any be given for the 75 units of fair and affordable housing referenced above, being constructed in 2013 - 2014.

4 - The Planned Hamlet Master Plan has been approved and has both a 15% mandated affordable component as well as a density bonus for affordable units (21 fair and affordable housing units are expected to be built).

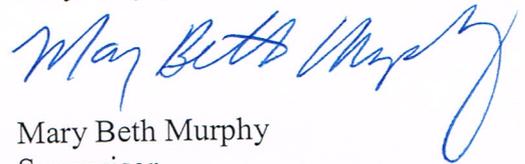
James J. Johnson, Esq.
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Please note that additional factual discrepancies may be ascertained upon further review.

I trust that you will review and revise the conclusions drawn in the proposed factual findings concerning zoning in the Town of Somers based on this information.

Thank you for the opportunity to comment.

Very truly yours,



Mary Beth Murphy
Supervisor

MBM/bjs

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