

Town of Lewisboro Housing Committee Meeting Minutes

Tuesday, May 25, 2021

5:30pm -- By Zoom

Present: Jane Lindau (chair); Linda Press Wolfe, Linda Rae, Karen Conti, Elana Shneyer (members); Town Board Liaison Dan Welch; Adam Ochs, Barbara Mangione, Jessica Leibman (non members). Members Andrea Danalewich and Priscilla Scheaffer were not able to attend.

Jane Lindau called the meeting to order at 6:00pm.

Jessica Leibman, reporter for the Bedford Record-Review, attended the meeting and wrote an article covering the meeting. Below the text of the meeting is inserted to serve as meeting minutes:

The final legal challenge aimed at blocking construction of the 42-unit affordable housing complex in Goldens Bridge called Lewisboro Commons appears over.

During Tuesday night's Lewisboro Housing Committee meeting, Jane Lindau, committee chair, announced that Elizabeth Agostino, the first and final petitioner of an Article 78 proceeding filed against the Lewisboro Planning Board, failed to meet a deadline on her appeal filing. As a result, Ms. Landau said, the appeal effort is over.

An Article 78 petition was filed against the Lewisboro Planning Board March 27, 2019, for not fully considering environmental and safety factors in their approval of Wilder Balter Partners' proposed housing complex in Goldens Bridge.

In October 2020, the New York State Supreme Court dismissed the Article 78 proceeding against the planning board, but Ms. Agostino and Michael Ottaviano filed a Notice of Appeal Friday, Nov. 6, 2020. The Notice of Appeal expired May 6.

During the meeting, Ms. Lindau read the message she received from an executive of Wilder Balter Partners, John Bainlardi, stating, "The petitioner did not perfect her appeal by the May 6 deadline, so the Article 78 proceeding challenging the site plan approval has been fully adjudicated in our favor," Mr. Bainlardi said.

Mr. Bainlardi told the Housing Committee that he expects the first building will be ready for occupancy around March or April 2022, and that the fifth and final building will be ready for occupancy in the fourth quarter of 2022.

“Finally, after all these years of the slowdowns it would be great to actually get those units filled with people who want to live here,” Ms. Lindau said.

The town spent over two years in litigation, with over \$90,000 in court fees, according to Town Supervisor Peter Parsons.

Councilmember Dan Welsh, who was in attendance at the Housing Committee meeting, said that the town had expected to receive a substantial amount of money from Wilder Balter Partners for a Goldens Bridge community benefits fund, but due to the lengthy and costly court process, Wilder Balter said it was forced to reduce the amount it would donate to the Goldens Bridge Hamlet Organization.

To date, the developer has donated \$15,000 to the GBHO, it was announced at the May 10 Lewisboro Town Board meeting. The original planned amount of the donation was \$50,000. It is unclear if Wilder Balter plans to make additional payments to the community group.

During Tuesday night’s meeting, the committee also discussed how affordable housing and overlay zoning could be worked into the town’s soon-to-be created Lewisboro Comprehensive Plan.

Mr. Welsh explained to the committee that overlay zoning provides different types of uses under specific criteria and on an individual basis to existing zoning. He added that overlay zones can be flexible in many ways to allow for more uses in certain zoning areas.

Mr. Welsh said that overlay zoning can be used to get around the town’s zoning constraints, which could lead to complaints and legal liability on the part of the town for participating in spot-zoning. However, if written and incorporated carefully, it can work hand-in-hand with the town’s existing zoning to achieve positive community goals.

Mr. Welsh noted that several goals articulated by the Housing Committee's prior chair, Jeff Vreeland, such as using larger nonresidential facilities in the town's residential zoning districts for affordable or workforce housing, are still relevant and could be addressed in overlay zones. He added that an overlay zone for senior housing is also common where, for example, the town could allow for housing of more than one family in a collective senior setting within a quarter mile of hamlet centers.

Mr. Welsh said, given the town was in the process of revising its Comprehensive Plan, this was a good time to discuss the future of housing in Lewisboro and provide input to the Comprehensive Plan Steering Committee.

Ms. Lindau said she will send an email to the steering committee to request a question about affordable or senior housing to be added to the committee's initial community survey to gauge residents' priorities in the new Comprehensive Plan.

Ms. Lindau added that she will also compile a wish list of the Housing Committee's priorities for the Comprehensive Plan, which the Housing Committee will discuss at its next meeting on June 29.

1. The next meeting date was set for Tuesday, June 29.
2. Executive Session was held.

Jane Lindau adjourned the meeting at 7:10pm.