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Town of Lewisboro Housing Committee  
Notes from the Meeting held November 13, 2012

Present were: Tom Herzog (chair), Peter Parsons (Town Supervisor), Linda Press-Wolfe, Linda Rae and Richard Sklarin.

The Committee devoted the meeting to discussing Richard Sklarin's proposed legislation, to be called Lewisboro's Enhancement and Promotion of Housing Opportunities for Citizens Act ("LEPHOCA"). Members began by considering John Pappalardo's and Joe Cirillo's comments, which were submitted in writing prior to the meeting.

Preamble: The Committee did not agree with John on deleting the reference in the preamble to the 20 Westchester municipalities that have enacted zoning code changes, feeling it gave context, and so agreed to retain it. Tom Herzog and Linda Rae felt that the word last phrase "prospective" was unclear; it was decided to say "when adopted" instead. The Committee discussed Joe's comments on the words "seeks to ensure," but felt the wording was acceptable as is.

Clause #4: Linda P-W and Richard Sklarin said that the answer to John's question was yes – we can restrict new subdivisions in this way, and that the proposal was taken directly from the Burroughs draft amendments.

Clause #5: Linda P-W agreed with John, saying that the clause was too restrictive, that it was not the Committee's purview to promote commercial development and in fact that incentives should be for developing housing. Tom said that Master Plans take a long time to review, and that they are also not law (they are a "vision," Linda P-W said). It was agreed to add "Town Code," as the town zoning code is what is under scrutiny. Linda P-W said that HUD objects to segregating housing, and is not interested in clustering in Town centers, so wording was changed to include the word "town-wide" in a). In regard to b), Richard said that at the recent Pace Law School Land Use course he attended, a speaker mentioned getting a preliminary assessment from Planning Boards, holding informal pre-meetings to find out what rules they should be aware of. Following the discussion, clause a) was extensively rewritten, and b) was left as is.

Clause #7: the committee discussed John's and Joe's proposal to delete the phrase, "so long as they are not inconsistent with etc." No one at the meeting objected to the phrase, so it was left as is.

The Committee felt that the grandfathering issue – that the code applies to future development – would be made more clear if an additional explanatory clause (a new #8) were inserted for this purpose. The Committee decided not to incorporate anything on marketing.

It was decided to meet in January to review and vote on the amended LEPHOCA draft to be presented to the Town Board. Linda P-W stressed the importance of having all members attend this important meeting. Linda R. was to make the corrections and circulate the new draft. Peter Parsons said he would add a sentence to the draft to recommend that the legislation should not be construed to prevent the Town of Lewisboro from providing housing for its emergency workers.

The next meeting was scheduled for Wednesday, January 15 at 7:30 at the Town House. The meeting was adjourned at 8:50 pm.

Respectfully submitted,

Linda S. Rae

Two Appendices attached:

- 1) Draft #3 of proposed Housing Committee resolution (LEPHOCA), dated January 3, 2012
- 2) Draft #2 of proposed Housing Committee resolution (LEPHOCA), dated December 31, 2012

## Appendix 1

Proposed Housing Committee Resolution – Draft 3 (Herzog)*“Enhancement and Promotion of Housing Opportunities for Citizens Act (LEPHOCA)”*:

“WHEREAS, the Town of Lewisboro seeks to ensure that its zoning code remains in compliance with applicable federal, state, and county law, as has already been enacted in some twenty Westchester municipalities during, 2011 and 2012, and

“WHEREAS, the Town of Lewisboro intends to encourage development of fair and affordable housing development throughout all of Westchester County, while simultaneously preserving and protecting the uniquely rural character and all environmentally significant areas within our Town, Therefore,

BE IT RESOLVED that the Town of Lewisboro Housing Committee recommends that the Lewisboro Town Board, in consultation with all appropriate subsidiary Boards, Committees, and Councils, amend the Town’s zoning ordinance (Section 220 of the Town Code) to incorporate the following provisions when adopted:

- (1) Any applicable owner-occupied fair and affordable home is considered “fair and affordable” under LEPHOCA when:
  - (a) the homeowner’s household income does not exceed 80% of Westchester County’s median income as defined by the U.S. Department of Housing and Urban Development (HUD), and
  - (b) total costs of home ownership (e.g., mortgage, taxes, insurance, common charges, etc.) do not exceed 33% of household income, thereby ensuring the financial stability and security of these homeowners.
- (2) Any applicable fair and affordable rental unit is considered “fair and affordable” under LEPHOCA when:
  - (a) the renter’s income does not exceed 60% of Westchester’s median income as defined by the U.S. Department of Housing and Urban Development (HUD), and
  - (b) total housing costs for the rental unit (e.g., rent, utilities, common charges, etc.) do not exceed 30% of the renter’s household income, thereby ensuring the financial stability and security of these renters.
- (3) No person(s), including those currently residing in the Town of Lewisboro, is/are entitled to any type of preference or priority in applying for or residing in a LEPHOCA fair and affordable home within the Town of Lewisboro (whether the unit is owner-occupied or a rental unit) following the effective date of LEPHOCA,
- (4) Following the enactment and effective date of LEPHOCA, the developer of any newly proposed development that contains ten or more homes to be constructed in the Town of Lewisboro must designate, within his application to the Town, one residence for each ten units built as “fair and affordable” under LEPHOCA.
- (5) When the Town’s Master Plan and Zoning Code are reviewed, it is recommended that they be simplified and streamlined to promote the following zoning/planning strategies which are consistent with the goals of LEPHOCA:

December 31, 2012

Draft # 2 of proposed legislation for consideration by the Lewisboro Town Board: Lewisboro's Enhancement and Promotion of Housing Opportunities for Citizens Act (LEPHOCA):

WHEREAS, the Town of Lewisboro seeks to ensure that its zoning code remains in compliance with applicable federal, state and county law, and as already enacted in some 20 Westchester municipalities during 2011 and 2012, while ensuring that the future provision and promotion of fair and affordable housing development exists throughout all of Westchester County, yet simultaneously preserving and protecting the uniquely rural character and all environmentally significant areas within our Town, we recommend that the Town Board, in consultation with all appropriate Boards and Committees, amend its zoning ordinance (Section 220 of the Town of Lewisboro Code) to incorporate the following provisions when adopted:

- 1) Any applicable owner-occupied fair and affordable home is "fair and affordable" under LEPHOCA when: a) the homeowner's household income does not exceed 80% of Westchester County's median income as defined by the U.S. Department of Housing and Urban Development (HUD); and b) total costs of home ownership (e.g. mortgage, taxes, insurance, common charges) does not exceed 33% of their household income to ensure the financial stability and security of all Town homeowners.
- 2) Any applicable fair and affordable rental unit is "fair and affordable" under LEPHOCA when: a) the renter's income does not exceed 60% of Westchester County's median income as defined by the U.S. Department of Housing and Urban Development (HUD); and b) total housing costs for a rental unit (e.g. rent, utilities, etc.) does not exceed 30% of their household income to ensure the financial stability and security of all current and future Town residents.
- 3) No person(s) currently residing within the Town of Lewisboro is entitled to any type of preference or priority in applying for, or residing within, a fair and affordable home within the Town of Lewisboro (whether owner occupied or a rental unit) following the effective date of LEPHOCA.
- 4) Any newly proposed subdivision development constructed within the Town of Lewisboro containing 10 or more homes (following the enactment and effective date of LEPHOCA) must designate, within its application to the Town, 1 or more residences as "fair and affordable" as set forth herein.
- 5) When the Town's Master Plan and Zoning Code are reviewed, it is recommended that they be simplified and streamlined to promote the following zoning/planning strategies which are consistent with the goals of LEPHOCA: a) encouragement of bonus density zoning/special use permits town-wide, and cluster housing guidelines for future Town subdivision applications (as well as economic incentives for construction and conversion of fair and affordable housing); and b) an expedited project review process (including an early negative declaration under SEQRA when appropriate).
- 6) All fair and affordable homes which are established within the Town of Lewisboro following the effective date of LEPHOCA must remain fair and affordable, as defined herein, for a period of 50 years as mandated by Westchester County.
- 7) All fair and affordable homes which are established within the Town of Lewisboro following enactment of LEPHOCA shall comply with all other requirements delineated within existing Town of Lewisboro Code provisions (e.g. home appearance, siting, minimum floor area, maximum occupancy of home, applicable health and safety provisions, etc.) which shall remain

in full force and effect, so long as they are not inconsistent with the goal of increasing future "fair and affordable" housing opportunities within the Town of Lewisboro.

8) It is the express intention of LEPHOCA that these recommendations apply solely to future construction, renovation or conversions following the date of adoption.

9) The Town of Lewisboro Housing Committee shall propose appropriate rules and regulations for implementation of LEPHOCA to the Town Board within a reasonable time following the effective date of LEPHOCA.

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Town of Lewisboro Housing Committee  
Notes from the Meeting held October 16, 2012

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Present were: Tom Herzog (chair), Peter Parsons (Town Supervisor), Joe Cirillo, Rich Ellrodt, John Pappalardo, Linda Rae and Richard Sklarin. A member of the public, Jon Monti from Goldens Bridge, also attended.

The meeting was called to order at 7:35.

Tom Herzog passed out a proposed resolution for discussion worded as follows:

RESOLVED that the Town of Lewisboro Housing Committee does hereby recommend that the Lewisboro Town Board take the following actions:

1. Either:

- a. Adopt Westchester County's Affordable Affirmatively Furthering Fair Housing (AFFH) Units Model Ordinance for all such units built after the date that the model ordinance is adopted; or
- b. Adopt the "Four Potential Zoning Text Amendments to Address Westchester County's AFH Units Model Ordinance Provisions" proposed by Planning Commissioner Ed Burroughs on April 23, 2012, for all such units built after the date that these amendments are adopted.

2. Grandfather all the Town's existing "Middle Income Units" from the above action, those units being allowed to continue to exist under the rules and regulations now existing in the Town's current Code.

Linda Press-Wolfe said she could not comfortably recommend that the Town of Lewisboro adopt the Model Ordinance as it stands, as there are provisions that would be impossible to adopt for this town. However, there are other provisions of the ordinance that we could recommend for Town bodies to review.

Joe Cirillo felt that the committee needs another meeting to review Burrough's proposals again to see what to recommend; John Pappalardo agreed. Richard Sklarin felt we should start with Burrough's proposals, build on the concept and see where it goes.

Discussion following on grandfathering. Richard S. was concerned that grandfathering could be viewed as discriminatory and set up a conflict with the County. Peter Parsons warned that the Monitor would view grandfathering as discriminatory. John said that we will pass the issue to legal counsel to be advised if this would be the case. Linda Rae said that the County won't provide funding if we retain preferences (ie., through grandfathering), and Peter Parsons added that this would mean that the County would not provide funding for converting the police house in South Salem for firefighters. Linda P-W, however, said she did not get the feeling that the County would punish the Town for grandfathering. Tom added that you can't boot 35 families out of their homes.

Definitions: Linda P-W said that definitions would be easy to adopt, though we will have to make it clear that the "middle income" definition applies to *existing* units, while "AFFH" applies to the *future*. Peter suggested that we redefine "middle income" units for emergency workers; Richard S. said middle income housing could be reprioritized for emergency workers. Linda P-W, however, said making housing more exclusionary would be a "red flag." Richard S. suggested using wording such as "existing and occupied" vs. "newly constructed" to indicate that we will keep the status quo for current units, but that any affordable housing coming on line in the future will come under something as close to the Model Ordinance as we can get. This would protect the existing property owners and put future units into a different category.

Discussion followed on various points in the proposed ordinance. Linda P-W said that in new developments, the minimum should be ten units before a unit of AFFH housing is required – ie., one in ten units, instead of 5. Peter

said he preferred to scatter units of 2 or 3 around town. John said the whole purpose of the Settlement was to integrate.

Discussion followed on how to proceed and how specific the Committee should be in its recommendations. Linda P-W favored going through the document and revising specific issues, passing on the 4 amendments with revisions. Tom Herzog said the problem of recommending specific language is that the proposal had to be reviewed by so many people and Town bodies. John warned against getting bogged down in specifics, and instead said we should educate the Town Board in theory rather than legislation. He said it would be a collaborative process. Joe said we need to outline the thought process, and develop positions.

Tom proposed that Richard Sklarin and John Pappalardo rewrite the proposals. Richard said he could set out the recommendations as 5 – 10 bullet points to go to the Planning Board/Town Board.

Linda P-W said we should take the entire next meeting to review all areas of the proposed amendments and put forward our recommendations.

Tom summed up the Committee's consensus:

- No one on the committee favored adopting #1 a of his proposed resolution.
- All Agreed on #2, grandfathering.
- We will work next time on #1 b.

In the meantime, Linda P-W will provide some additional comments since the first draft of the proposed revisions to the Town Code, and Richard S. will come up with bullet points to use for our recommendations.

Peter said that AFFH has to be key to our agenda next year – he said otherwise we will “have a target on our back.” Linda P-W said that in her work on the County Committee, she has asked if HUD would go after municipalities and was told that the answer was no. She believes that we have the moral obligation to do the right thing – to make sure that the Town Code does not have bias or elements that could be viewed or misconstrued as discriminatory practices. She said that's why we should be doing this, not because we have a target on our back.

The next meeting will be on Tuesday, November 13.

Respectfully submitted,  
Linda S. Rae



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Town of Lewisboro Housing Committee  
Notes from the Meeting Held September 18, 2012 at Lewisboro Town House  
with Westchester County Deputy Commissioner of Planning Norma Drummond

Others present were: Tom Herzog (Chair), Joe Cirillo, Peter Parsons (Town Supervisor), Linda S. Rae and Richard Sklarin. Members of the public were Adam Ochs (Vista Fire Dept. Commissioner & Chair) and Jon Monti of Goldens Bridge.

Adam Ochs explained the need for affordable housing for young fire fighter volunteers, who have grown up in town but cannot afford to remain because of the high real estate prices, rents and the difficulty in obtaining mortgages. Fire departments need young people for firefighting, so the Vista Fire Dept. is trying to find a way to provide housing for these young volunteers. Peter Parsons said this was becoming an increasing problem around the County, and was not taken into account by the federal government (in regard to the housing settlement).

Tom Herzog said that the county will not be able to give funds to any town that limits housing with preference for its first responders, as any preferences are deemed discriminatory. Norma Drummond said the County will allow preferences only if they are shown to have diversity, as for veterans in Cortland (11% African American). The County studied diversity among firefighters, and found that even in New York City, they are not diverse (the composition must be greater than 1% African American and 3% Hispanic).

Rich Sklarin said that it was difficult for a town to know if a proposal would be accepted under the settlement, as the monitor is not telling localities what specifically they can work towards. Ms. Drummond said that the County felt it has complied with the heart of the settlement. She said that although some money is still being withheld (\$21 million), other funds (\$3 million) are available for development. Of the 750 units that must be developed, 675 are identified and in the pipeline, with 86 accepted. She said there was nothing in the settlement that gave the monitor the authority to approve or reject units. Peter pointed out that the monitor, however, can decide that the ethnic composition of a town hasn't been changed.

Ms. Drummond reported that the County has been working on the required marketing initiative. They are also required not just to identify and market AFFH housing units, but also to move the units to financing and development.

Discussion followed on the issue of zoning and the County's Model Ordinance. Tom reported that the Lewisboro Housing Committee, in reviewing revisions to the Model Ordinance proposed by Westchester Planning Commissioner Ed Burroughs, is considering grandfathering existing middle income units and adopting provisions from the Model Ordinance for *future* development. Ms. Drummond said that towns with middle income housing units can keep their existing units, although if they retain preferences they can not qualify for County funding or be counted under the settlement. She said that the County is required to promote new inclusive zoning. So far, 10 municipalities have adopted the Model Ordinance, though not all have adopted the entire Ordinance (and are not required to do so). North Salem has just adopted portions of the Ordinance, as has Bedford, while Somers is reviewing it (the County website shows what towns have adopted the Ordinance); the County is reviewing proposed zoning changes from Hastings, Dobbs Ferry and Ardsley. When Tom explained that Lewisboro was experiencing difficulty in enforcing the existing housing code, she said that the County would be able to enforce the code if the Model ordinance were adopted.

Joe Cirillo asked about the timetable: Ms. Drummond said the County must have met its benchmarks by 2016. She said there were units in the pipeline in 18 of the 31 municipalities in the purview of the settlement, and that the monitor is keeping track of what each municipality is doing to comply. Many towns, she added, were looking for possible sites to develop in order to "take the target off their backs."

Rich asked if there were any "red flags" in our existing ordinances. Ms. Drummond said that preferences were a red flag. Tom pointed out that Lewisboro lacks any infrastructure for development, and is in the NYC watershed.

Re timing: Tom explained that the Committee needed "two or so" meetings to complete its review of the Model Ordinance, and that we would then refer our recommendations to the Town Board, who might send the proposal

to the Planning Board for comments. Peter said that the Town Planner would also want to reconcile the various Town bodies' draft recommendations. Ms. Drummond said that circulating drafts would be viewed as progress.

The next meeting will be on Tuesday, October 16, at 7:30 at the Town House.

Respectfully submitted,  
Linda S. Rae



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Town of Lewisboro Housing Committee

Notes from the Meeting Held June 19, 2012 at Lewisboro Town House

Attending: Tom Herzog (Chair), Peter Parsons (Town Supervisor), Joe Cirillo, John Pappalardo, Linda Press-Wolfe and Linda S. Rae. Members of the public attending were: James Marcarello (from the Vista Fire Dept.); and Jonathan Monti, Randy Herman and Jack Zitomer of Goldens Bridge.

The meeting was called to order at 7:40 p.m.

1. Tom Herzog reminded the committee that the purpose of the meeting was to review Ed Burroughs' proposed revisions to the zoning code to bring it into conformance with the County's Model Zoning Ordinance. He reminded the visitors that the committee was an advisory board only. General comments:

a. Linda Press Wolfe said that some things in the model ordinance were reasonable to adopt, though she felt uncomfortable abdicating to a regional need for housing as called for in the Settlement signed by the County. However, there could be consequences in refusing to adopt any of the proposals: the town could lose discretionary funds such as Legacy monies, or Community Block Development Grants (CBDG). Those two discretionary funds, administered by the County, originating from the Federal government, are both shrinking. Could the Town become a target for desegregation law suits? This has not been discussed or even mentioned at the County level, however, it is something the Supervisor, Parsons, has some concern about.

b. John Pappalardo said that the committee should not make recommendations that were "blatantly not in accord" with the County housing settlement.

c. In reply to a question by Jack Zitomer on losing block grants, Linda P-W said that actions taken in accordance with the Settlement, such as adopting the Model Ordinance, would have to remain in effect for 50 years.

d. Peter Parsons reported on a meeting with Norma Drummond, Deputy Commissioner of the Westchester Planning Dept. on amending the zoning code and creating housing. Mr. Parsons said that the federal authorities are pressuring county officials, who maintain that the power of zoning resides in the towns. The result may increase the possibility that non-compliant towns are targeted for legal action.

e. Linda P-W explained that the Model Ordinance removes the suggestion that any zoning provisions are discriminatory. Preferential lists for housing priority (such as Lewisboro's for seniors, municipal employees, first-responders, etc.) are viewed as exclusionary provisions in a Town land use code and restrictive in providing housing for a regional need, such as for residents the Bronx and other NYC boroughs – and are thus interpreted by the HUD Housing Monitor as discriminatory.

f. Peter is asking County officials to consider the municipalities' critical interest in having first responders live in town, without prejudice on the basis of race or ethnicity. This could extend to applicants from out of town who pledge to volunteer as first responders. Ms. Drummond said that this exemption might be acceptable.

2. The Committee then went through Ed Burroughs' proposed revisions to the zoning code. Linda P-W, who had volunteered at the last meeting to review the document and prepare comments, and had circulated her comments prior to the meeting, led the discussion. Some points that were made during the discussion:

a. Page 2: Linda felt that Section F (also Section 220.25-1 on page 3) requiring at least one affordable unit in a development of 5 – 9 units could mean 20%, would be too high. More typically in Northern Westchester, the number is one out of 10 units.

b. Re the County Marketing plan (page 3): Linda P-W noted that the current plan does not commit the County to cover the cost of the marketing in perpetuity. Without specifically obligating the County for this expense over the long haul, could it fall to the municipality? She suggested we add a comment in our recommendations that "municipalities should not be held responsible for the cost."

c. Jonathan Monti asked about possible loss of tax revenue from affordable units, saying that North Salem was looking at 10% less in school taxes from its proposed developments. Peter warned that developers can get the County to override local zoning laws on a specific property. He said the federal authorities are talking about large developments, though he felt this was unlikely to be proposed for Lewisboro. Tom, however, said such developments could be possible if our zoning code was thrown out.

d. Discussion followed on Burrough's proposal that affordable units remain so in perpetuity (page 3, Section 220-25.1 B) vs. 50 years. Linda P-W was worried that perpetuity might deter developers, and suggested the committee defer this issue. Perpetuity is currently a Town of Lewisboro code; 50-years is the Settlement requirement in the Model Ordinance.

e. Page 4: should units be restricted to a "primary residence" per Burroughs' proposed amendment? John felt this restriction had "resonance," that it was advantageous for the Town for regulatory reasons but said the issue should be discussed further.

f. Page 4, Section D (1) regarding lot size. Linda P-W asked if the proposed ordinance would mandate that a 2-family AFFH unit should be located on 4-acres. She suggested we ask for clarification.

g. Page 5: the proposal to drop preferential lists: John said it was a question of complying with the county settlement over which we have no control. Peter said he would fight to give preference to emergency workers that are so vital for the Town. The suggestion was made to drop the preferential list "except for first responders, emergency and municipal employees," as Peter requested, with an explanation of the urgency of retaining such workers.

h. Page 7, Section I (2) on determining eligibility of renters: Linda P-W feels the requirement for rental property owners to determine income eligibility is an impractical imposition and that we might want to strike this out.

i. Conclusion: Linda P-W suggested that the committee ponder, look at meeting notes and revisit. In the meantime, she will consult with the County Committee. Tom felt we should work on two tracks: grandfathering our current codes and recommending that the Town Board adopt portions of the Model Ordinance for future developments.

3. Linda P-W answered questions raised at the start of the meeting by Jack Zitomer concerning the County housing settlement.

a. The County is ahead of the requirement to build 750 units but must have municipalities remove exclusionary zoning provisions and impediments to AFFH.

b. HUD doesn't understand the environmental and water restrictions nor the lack of infrastructure in Northern Westchester-- they don't view these as impediments.

c. HUD's racial distribution information on County based on 2000 census – things have changed since then.

d. First responder issue: Peter said that the tax cost to the Town for paying for ambulance and fire personnel would be huge. James Marcarello said a full-time EMT crew (one crew on 24-7 and 1 ambulance) is \$600,000.

e. Lewisboro does not have an assigned number of AFFH units to build.

f. Senior housing: the settlement stipulated that a small number of units can be set aside for seniors, but not until half of the 750 units have been built and marketed.

g. Linda P-W said Astorino is adhering to all the provisions in the Settlement, and that he and his administration are challenging anything that is outside of the agreement as written.

h. Peter said Astorino is trying to get Towns to adopt the Model Ordinance. He expressed concern that HUD may take municipalities to court to force the Towns to comply with and pass the Model Ordinance, or that HUD may bypass the County and go directly after the Towns. Linda P-W disagreed. She cited the case of Yonkers, and how this differs from the current Settlement and challenges posed by adopting the Ordinance. Yonkers apparently took a very hard nosed approach, and did not comply or modify any Town codes which left it subject to lawsuits. The case dragged on for 8 years at the cost of millions, and Yorkers ultimately lost. She said the County hasn't adopted a hard nosed approach towards towns, but has so far met its obligations.

i. Linda P-W felt that we are about two meetings away from agreeing on recommendations, and suggested we share then with Burroughs and Drummond at that point.

The next meeting will be held on Tuesday, August 14 at 7:30 pm at the Town House. The meeting was adjourned at

9:25 pm.

Respectfully submitted,  
Linda S. Rae

## **Town of Lewisboro Housing Committee**

### Notes from the Meeting Held May 29, 2012 at Lewisboro Town House

Attending: Tom Herzog (Chair), Peter Parsons (Town Supervisor), Joe Cirillo, Linda Press-Wolfe, Richard Sklarin and Linda S. Rae

The meeting was called to order at 7:40 p.m.

1. Tom Herzog distributed information on neighboring towns' applications for affordable housing: Bedford, N. Salem, Pound Ridge (through A-Home), Somers (through Housing Action Council), Yorktown (Section 8)
2. The Vista fire fighters' housing initiative: Tom reported on the 3 meetings they have held.
  - a. Goal: provide housing for first responders
  - b. Adam Oakes is in charge (also heads Town's emergency committee)
  - c. Though Norma Drummond said the County has money, Linda Press-Wolfe cautioned that Vista will not qualify for funding if they do align with the County settlement – she will follow up with Norma
  - d. Tom said the fire dept. is thinking of buying a couple of Oakridge units
  - e. Peter Parsons said he met again with Ed Burroughs, but wants the Housing Committee to be involved  
Linda P-W moved that Tom be the official liaison to the Vista fire dept. The motion passed unanimously.
  - f. Linda P-W suggested that Tom find out what the Vista committee's priorities are
  - g. Richard asked if prioritizing first responders would cause a conflict with the Federal gov't
    - i. Linda P-W said that this kind of restriction is being frowned upon as “exclusionary zoning,” but added it was a worthy project
3. Burroughs proposed code revisions
  - a. Tom asked if we should adopt parallel codes as Bedford has – ie., adopt the County's zoning for new housing moving forward, and grandfather existing code for existing housing.
    - i. Richard Sklarin pointed out we need to grandfather because people are living in our affordable units
  - b. Linda P-W said we should see what other towns are doing, but that we have a moral obligation to make recommendations on land use, especially in regard to anything that might be seen as discriminatory– and that we want to do the right thing for the Town
  - c. It was agreed that Ed Burroughs recommendations were a starting point, but that not all were appropriate
  - d. Peter said he would like to hold a Town meeting on the subject and invite “opinion” leaders to comment
    - i. There was discussion as to whether the committee should draft proposal before or after this meeting
  - e. Peter urged Committee to retain first responders as priority (discussed cost of hiring fire fighters etc)
  - f. Richard said the federal gov't is moving goal posts – we need some assurance from HUD if we go down this road that Town will comply with certain requirements
    - i. Linda P-W said until white areas in County have more minorities, HUD will continue find fault.
  - g. Peter warned that Lewisboro may be a test case –especially if we end up being the only town that does not adopt any of the County Model Ordinance – we would be “painting a target on our backs”
    - i. Linda P-W said our taking action would be the right thing to do, not because we are being bullied

- h. Peter said Oakridge is going before Planning Board to build units, but wants build regular units first
- i. Linda P-W suggested we devote all or almost all of the next meeting to talk over amendments and then make proposal to Town Board (Tom and others agreed). Linda will write up comments on Burroughs draft and circulate [emailed to committee May 31]
- 4. Housing Committee Survey
  - a. Tom said we had received 10 responses (about 26 to go).
  - b. Peter felt we should send to owner/manager of housing development per zoning code.
    - i. Tom said the manager just collects fees and mows lawn
    - ii. But Linda P-W felt the condo association could be helpful if we approach them in harmonious way
  - c. Peter has had complaints about the income tax request.
    - Richard suggested calling it "income verification", not "survey"
  - d. Tom will have 2<sup>nd</sup> letter sent out certified after May 31
    - i. Peter will find out if we can levy fine on those who do not respond
    - ii. Tom said Section 220-71 (A) gives us authority to revoke building permit
    - iii. John Pappalardo said that a third letter should be specific about there being a penalty, such as "failure to comply subjects you to any and all remedies under the Town Code"
- 5. Calculation of what percentage allowed of "fair market" value of total investments, savings, etc. for eligibility
  - a. Tom said 8% unrealistic as no one makes this kind of return any more
  - b. Joe Cirillo asked what other towns were doing. He doesn't see why we should include at all.
  - c. Discussion ensued on income vs. wealth, and our need to avoid applicant with large investments,
  - c. Discussion tabled
- 6. Peter Parsons reported on his tour of town with Joan Arnold of A-Home
  - a. Joan said large development will not happen in Lewisboro because of DEP restrictions and other reasons
  - b. Looked at 3 properties:
    - i. South Salem: Handler property corner Rte. 35 & 123:
    - ii. Goldens Bridge: 2 houses on left in disrepair. Walking distance to train & shopping
    - iii. Cross River: Reynolds sisters' house. They approached A-Home, have run out of money.  
Linda P-W said may be out of reach because of land cost.

The next meeting will be held on Tuesday, June 19 at 7:30 pm at the Town House. The meeting was adjourned at approximately 9:30 pm.

Respectfully submitted,  
Linda S. Rae

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## Town of Lewisboro Housing Committee

### Notes from the Meeting Held April 24, 2012 at Lewisboro Town House

Attending: Tom Herzog (Chair), Peter Parsons (Town Supervisor), Joe Cirillo, Rich Ellrodt, Linda S. Rae

The meeting was called to order at 7:45 p.m.

#### 1. Housing Survey, as amended by Tom Herzog

a. The committee approved the stronger tone and suggested several revisions, including "possible imprisonment." Rich Ellrodt said that we should imply that there would be ramification for renters as well as owners for not returning the survey.

b. Tom pointed out that, in his opinion, Zoning Code Section 220.71 means that the building inspector could withdraw the building permit for violation of the code. He said he would reword the survey to make it stronger.

#### 2. Rich's proposals (March 20 email)

a. Rich recommended that overtime be included in determining the allowed annual income. Tom explained that the base salary is being used to keep the median from being too high.

b. Peter said the Town's need was to have firefighters living in town. Rich said using only base salaries excludes a significant portion of our firefighters. Including overtime would be in keeping with our goal to include more people. We need to create as big a population as possible and then use our preferential list.

c. Tom said it was too late to change for this year, but that we could do it next year.

e. Discussion followed on Rich's 2<sup>nd</sup> proposal, to lower the percentage of fair market value of investment to be included in the family's aggregate family income from 8% to 3% or 4%. The higher number excludes many applicants. Rich felt we should be "in the middle on percentages." We need to keep something to exclude owners of million-dollar properties. Joe Cirillo suggested using the word "equity," and said he would take a look at rewording.

f. On Rich's 3<sup>rd</sup> proposal on deed restriction, Richard Sklarin explained in a previous meeting that the restrictive clause stays effective even if dropped from the actual deed.

g. Discussion followed on Rich's 4<sup>th</sup> proposal to levy fees for failure to respond to the questionnaire on income (he suggested \$250 per 45-day period). Rich felt the code provided a mechanism to allow enforcement. Peter will check with the Town attorney to see if this can be done by a simple resolution – *ie.*, how we go about assigning punishment.

h. Inheritance: Lewisboro currently allows units to be inherited (Linda Rae said that Bedford does not). Should this be allowed? Rich felt that the units could be rented out and that we should be pushing rentals.

i. Tom said the county has money to help would-be purchasers who are having trouble obtaining mortgages.

j. It was agreed that we would follow up on Rich's proposals after consultation with the Town attorney.

#### 3. County Housing matters

a. Joe asked how our current affordable housing related to the County settlement.

b. Peter feels we need to separate objectives:

- We want town employees and first responders to have housing in town to allow the town to continue functioning reasonably
- The county is applying pressure on the towns in regard to the housing settlement (AFFH); he doesn't feel we can say or do nothing. We are surrounded by towns that are doing something. We need to look at a couple of places in town that could be turned into AFFH. For instance, one idea would be



to have the former school district headquarters turned over to A-Home.

- Peter will talk to Gary Warshauer to see where Pound Ridge is going. North Salem is developing units. He pointed out that the county has right of first refusal on foreclosed properties.

4. Ed Burroughs' proposed revision of the Lewisboro Town code per the Model Ordinance

a. Most of the committee had not had a chance to review, since the proposal was just received by email.

b. Tom said that Burroughs has basically proposed we drop our housing code entirely and use the County's model ordinance

c. Peter would like to keep as much under Town control as possible, but feels we should look at adopting some of the proposed ordinances. Linda Rae felt we could adopt some of the proposals to apply to future developments as Bedford has, while preserving our own code for current middle income housing.

d. Peter will talk to A-Home about the former school district headquarters, the Russell sister's house, the Old Goldens Bridge buildings. He felt it shouldn't be too difficult to find some properties in town where it might be appropriate for A-Home to put in some affordable housing.

e. Further discussion of Burrough's proposed zoning amendments was tabled until committee members have a chance to review the proposal.

5. Vista Meeting. Tom reported on the meeting of the Vista fire dept. on developing affordable housing.

a. Norma Drummond gave an informative talk. Vista had a site in mind but found it wouldn't work because of wetlands.

b. There will be another meeting in May.

The next meeting of the Housing Committee will be on Tuesday, May 29, at 7:30 pm. The meeting was adjourned at 9:45 pm.

Respectfully submitted,  
Linda S. Rae

✓

**Town of Lewisboro Housing Committee**  
Notes from the Meeting Held March 20, 2012 at Lewisboro Town House

Attending: Tom Herzog (Chair), Peter Parsons (Town Supervisor), Linda Press Wolfe, Linda Rae and Richard Sklarin. Dan Welsh joined in towards the end of the meeting.

The meeting was called to order at 7:35 p.m. The main topics of discussion were the County Housing Settlement and the Houlihan agreement.

1. Linda Press Wolfe reported on the latest developments on the County Settlement:

a. The County has been fulfilling its obligations and is close to its goal of 750 units

b. A U.S. Magistrate has ruled in favor of the County on the source of income requirement, which it was contesting. This should clear the path to free up the \$7 million in HUD funding currently blocked

c. Linda said the County would fulfill its obligations by counseling municipalities, but cannot force them to adopt the settlement provisions. She said there would be no consequence if the Town did not take action, as Lewisboro is not eligible for block grants (because of the high income level). However, she said the answer to the question as to whether we have a moral obligation to adopt non-discriminatory zoning is yes.

d. Peter Parsons said he was getting a very different message than Linda PW's from County representatives, who were making it clear the County expected some action from the Town. He said that he believes we need to do something and show good faith. He would like to use an organization like A-Home, which monitors its projects, and also have financial support in our community.

e. Tom Herzog reported on his and Peter's meeting with Ed Burroughs from the County. Burroughs said he would look through our Town Code to see how we could change it to make it closer to the Model Ordinance. Linda PW asked what obligations we would be under from HUD if we adopt the Ordinance, and Richard Sklarin said we need an assurance that any action we take would mean we have complied with the Settlement. Linda Rae said that to comply with the Model Ordinance, Lewisboro would have to adopt the County median income, market units aggressively according to the County plan, and drop preferential lists.

2. The committee discussed whether the Town had complied with Houlihan agreement, by making a "good faith" effort to provide and monitor affordable housing as specified. Linda PW felt that we could make a good case for having complied. *[Since the March 20 meeting, however, email correspondence occurred among committee members concerning a 2008 Town Meeting with County Legislator Peter Harckham; it was Tom's opinion that the Town may not have met all its obligations, as the nine required additional affordable units specified in the agreement have not materialized, nor can the committee verify the income of all those living in the existing units.]*

3. Other points:

a. The possibility of providing Senior housing was discussed. Tom was not certain this would work, pointing out that if seniors cannot stay in their own homes, they tend to want to be near their children and grandchildren, who may or may not (usually the latter) live in Lewisboro. Linda PW said the Town might not be able to restrict such housing to seniors (she will check on provisions in the Settlement).

b. North Salem's 60 units of affordable housing were discussed. Peter will obtain information on Pound Ridge's units. Peter also reported on interest being shown on several properties in Lewisboro.

c. Richard suggested the need for a hotel in our area. It would be low impact, provide a venue for functions, and would draw revenue. Dan Welsh, who joined the meeting late, suggested doing a small market survey of local businesses such as IBM, that could also look at the location of housing.

d. Richard S. will look over Rich Ellrod's memo (attached) on an enforcement mechanism. Tom suggested that John Pappalardo should also look it over.

The next meeting will be held on Tuesday, April 24 at 7:30 pm. The meeting was adjourned at 9:15 pm.

Respectfully submitted, Linda S. Rae

Attachment: Rich Ellrod's suggested revisions to the Town Code to provide a means of enforcement

## **Town of Lewisboro Housing Committee**

### Notes from the Meeting Held February 15, 2012 at Lewisboro Town House

Attending: Tom Herzog (Chair), Peter Parsons (Town Supervisor), Rich Ellrodt, Linda Rae and John Pappalardo (Town Board Liaison)

The meeting was called to order at 7:35 p.m. Peter Parsons presented his vision for the Housing Committee, and reviewed the status of the County Settlement and Lewisboro's existing affordable units.

1. Questions were raised regarding the existing units at Oakridge:
  - a. Why are we relatively unsuccessful in attracting the people for whom they are designed? Are there some people in the units who do not qualify? Why does one individual own more than one unit? If the units are not fulfilling their original purpose, how do we fix?
  - b. Tom Herzog reported that only 46% of owners replied to the annual survey last year. The committee has no means of enforcement. After initial applications, we lose track of the people occupying the units. The committee asked the Town Attorney to draft proposed changes to the zoning code, but the proposals were too cumbersome and were not adopted.
  - c. It was suggested that we write a common-sense proposed amendment to the zoning code to provide a means of enforcement, that the Town Board could then review. Rich Ellrodt volunteered to draft this.
  - d. A notification mechanism is needed to make sure that the committee knows of any change in ownership or rental. The Oakridge board does not appear to have such a notification requirement.
  - e. Revisions to the code should include a fine or withdrawal of the certificate of occupancy if the occupant or owner does not reply to the annual survey, to ensure that the committee knows who is occupying the units. The process could include a registered letter from the Court Clerk, with a citation for noncompliance similar to a code violation. The proposed change should be sent to John Pappalardo for his review.
2. The County Settlement: Peter reported that the County is taking an interest in what Lewisboro is doing to comply with the provisions of the settlement. If the town "just says no," the federal government could intervene, perhaps leaning on the County to take legal action.
  - a. Discussion followed on the Settlement as an integration order, with Lewisboro one of the targeted communities; past public opposition to housing proposals; and the Town's obligations.
  - b. It was asked what the County would do to make it possible to build, given the lack of sewers and other infrastructure.
  - c. Peter reported that the Town has been approached by organizations such as A-Home interested in small developments of 5 to 10 units. He said that Supervisor Lee Roberts in Bedford has been very supportive of A-Home, which manages its own units and has significant support in Lewisboro.
  - d. If Lewisboro were to market any possible new units according to the County marketing plan, John said this would satisfy the Monitor, and Lewisboro could meet its obligations in that regard.
  - e. In the meantime, the committee could revisit our zoning code to bring it closer to the County's Model Ordinance, as Bedford has done. Bedford's revised code applies only to future, not existing units.
  - f. Peter will check if the Town still has any obligations regarding the Houlihan property.
3. The next meeting will be held on Tuesday, March 20. The meeting was adjourned at 9:00 pm.

**TOWN OF LEWISBORO  
OAKRIDGE MIDDLE INCOME HOUSING UNITS  
SOUTH SALEM, NEW YORK 10590**

**Middle Income Requests For Applications for 2011**

**22 applications directly mailed out, unable to account for interest on the website**

**Out of the 22 applications, 5 applications applied for review by Housing Comm.**

**Out of the 5 reviewed applications, 1 application was denied  
4 were approved as eligible for a middle income unit.**

**Out of the 4 approved, 1 purchased and 2 rented and 1 dissatisfied with unit size.**

|   |                     |      |     |    |    |
|---|---------------------|------|-----|----|----|
| Jeanette Moore Ritch sold to<br>Diane Reiter  | 117 Stone Meadow    | 9830 | 117 | 13 | M1 |
| Jean-Luc Le Gall rented to<br>Edward Balinoff | 45 Bittersweet Lane | 9830 | 45  | 11 | M1 |
| Jessica Hanlon rented to<br>Hannah Lloyd      | 25 Fox Run          | 9830 | 25  | 8  | M1 |

**Annual Survey for 2011**

**35 surveys mailed out with 15 total responses at 42.5% return**

**\*\*It should be noted that the survey was mailed out twice.**

**Active Units For Sale As Of January 1, 2012**

| Current Owner Name                                     | Address    | Blk  | Lot | Bld | Unit |                    |
|--|------------|------|-----|-----|------|--------------------|
| Joan Laquidara (deceased)<br>**Approved Joanne Tarrant | 59 Fox Run | 9830 | 59  | 2   | M1   | Pending<br>Finance |

**SUMMARY**

|                   |             |          |
|-------------------|-------------|----------|
| <b>Efficiency</b> | <b>(ME)</b> | <b>0</b> |
| <b>1 Bedroom</b>  | <b>(M1)</b> | <b>1</b> |
| <b>2 Bedroom</b>  | <b>(M2)</b> | <b>0</b> |
| <b>3 Bedroom</b>  | <b>(M3)</b> | <b>0</b> |

**Active Units For Rent As Of January 1, 2012**

| Current Owner Name   | Address          | Blk  | Lot | Bld | Unit |                                  |
|--|------------------|------|-----|-----|------|----------------------------------|
| Matthew & Linda Brotmann<br>c/o Brotmann Law Group<br>2 Gannett Drive, Suite 108<br>White Plains, NY 10604 | 268 Maplewood Dr | 9830 | 268 | 31  | M3   | Never<br>contacts<br>the<br>Town |

**\*\*I have personal knowledge that the current renter is moving out in mid February**

**SUMMARY**

**Efficiency (ME) 0**  
**1 Bedroom (M1) 0**  
**2 Bedroom (M2) 0**  
**3 Bedroom (M3) 1**

**Current Rental Units**

|  |                     |      |     |    |    |
|--|---------------------|------|-----|----|----|
| Gail Labow Anton<br>13 Elm Street<br>Cortlandt Manor, NY 10567   | 12 Fox Run          | 9830 | 12  | 7  | ME |
| Jessica Hanlon   | 25 Fox Run          | 9830 | 25  | 8  | M1 |
| Jean-Luc Le Gall   | 45 Bittersweet Lane | 9830 | 45  | 11 | M1 |
| John Cano<br>PO Box 33<br>Bedford, NY 10506  | 194 Laurel Ridge Rd | 9830 | 194 | 20 | M1 |
| Thomas G. Connolly<br>44 Hillside Avenue<br>New Canaan, CT   | 263 Maplewood Dr    | 9830 | 263 | 31 | M1 |
| Scott Mikolay<br>51 Laurel Mountain Court<br>Kent, NY 10512  | 265 Maplewood Dr    | 9830 | 265 | 31 | M1 |
| Matthew & Linda Brotmann<br>c/o Brotmann Law Group<br>2 Gannett Drive, Suite 108<br>White Plains, NY 10604 | 268 Maplewood Dr    | 9830 | 268 | 31 | M3 |

**SUMMARY**

**Efficiency (ME) 1**  
**1 Bedroom (M1) 5**  
**2 Bedroom (M2) 0**  
**3 Bedroom (M3) 1**

Proposed Housing Committee Resolution

*Lewisboro Enhancement and Promotion of Housing Opportunities for Citizens Act (LEPHOCA)*

WHEREAS, the Town of Lewisboro seeks to ensure that its zoning code remains in compliance with applicable federal, state, and county law, as has already been enacted in some twenty Westchester municipalities during 2011 and 2012, including Bedford, North Salem, Pound Ridge and Somers, and

WHEREAS, the Town of Lewisboro intends to encourage development of fair and affordable housing development throughout all of Westchester County, while simultaneously preserving and protecting the uniquely rural character and all environmentally significant areas within our Town, therefore,

BE IT RESOLVED that the Town of Lewisboro Housing Committee recommends that the Lewisboro Town Board, in consultation with all appropriate subsidiary Boards, Committees, and Councils, amend the Town's zoning ordinance (Section 220 of the Town Code) to incorporate the following provisions when adopted:

- (1) Any applicable owner-occupied fair and affordable home is considered "fair and affordable" under LEPHOCA when:
  - (a) the homeowner's household income does not exceed 80% of Westchester County's median income as defined by the U.S. Department of Housing and Urban Development (HUD), and
  - (b) total costs of home ownership (e.g., mortgage, taxes, insurance, common charges, etc.) do not exceed 33% of household income, thereby ensuring the financial stability and security of these homeowners.
- (2) Any applicable fair and affordable rental unit is considered "fair and affordable" under LEPHOCA when:
  - (a) the renter's income does not exceed 60% of Westchester's median income as defined by the U.S. Department of Housing and Urban Development (HUD), and
  - (b) total housing costs for the rental unit (e.g., rent, utilities, common charges, etc.) do not exceed 30% of the renter's household income, thereby ensuring the financial stability and security of these renters.
- (3) No person(s), including those currently residing in the Town of Lewisboro, is/are entitled to any type of preference or priority in applying for or residing in a LEPHOCA fair and affordable home within the Town of Lewisboro (whether the unit is owner-occupied or a rental unit) following the effective date of LEPHOCA.
- (4) Following the enactment and effective date of LEPHOCA, the developer of any newly proposed development that contains ten or more units to be constructed in the Town of Lewisboro must designate, within his application to the Town, one residence for each ten



units built as “fair and affordable” under LEPHOCA.

- (5) When the Town’s Master Plan and Zoning Code are reviewed, it is recommended that they be simplified and streamlined to promote the following zoning/planning strategies which are consistent with the goals of LEPHOCA:
  - (a) encouragement of bonus density/special-use town-wide,
  - (b) cluster-housing guidelines for future Town subdivision applications,
  - (c) economic incentives for construction of and conversion to fair and affordable housing,
  - (d) an expedited project review process, including an early negative declaration under SEQRA, when appropriate.
- (6) All “fair and affordable” homes which are established within the Town of Lewisboro following the effective date of LEPHOCA must remain “fair and affordable”, as defined herein, for a period of fifty years, as mandated by Westchester County.
- (7) All fair and affordable homes which are established within the Town of Lewisboro following the enactment of LEPHOCA shall comply with all other requirements delineated within existing Town of Lewisboro Code provisions (e.g., home appearance, siting, minimum floor area, maximum occupancy of home, applicable health and safety provisions, etc.).
- (8) It is the express intention of LEPHOCA that these recommendations apply solely to future construction, renovations or conversions following the date of adoption of LEPHOCA.
- (9) The Town of Lewisboro Housing Committee shall propose to the Town Board appropriate rules and regulations for the implementation of LEPHOCA within a reasonable time following the effective date of LEPHOCA, if asked to do so.
- (10) All LEPHOCA units, whether for purchase or rent, shall be marketed in accordance with the requirements, policies and protocols established in the Westchester County Fair & Affordable Housing Affirmative Marketing Plan, so as to ensure outreach to racially and ethnically diverse households.

**TOWN OF LEWISBORO**  
**Housing Committee**  
**Onatru Farm**  
**99 Elmwood Road**  
**South Salem, NY 10590**  
**(914)763-3822**

**2011/2012**  
**TABLE OF MAXIMUM INCOME & SALES PRICES**  
**FOR MIDDLE INCOME HOUSING UNITS**

Effective date April 1, 2011 (Revised May 2, 2011)

The formulae for determining the maximum income eligibility and unit sales prices for Middle Income Units may be found in sections 220-2 and 220-26 of the Code of the Town of Lewisboro.

Median Town – Paid Wages in 2010: \$ 66,528

**MAXIMUM FAMILY INCOME**

| SIZE OF FAMILY | MULTIPLE OF MEDIAN<br>ANNUAL TOWN-PAID<br>WAGES | MAXIMUM FAMILY<br>INCOME<br>Effective April 1, 2011 |
|----------------|---|---|
| 1              | 0.9   | \$ 59,875   |
| 2              | 1.1   | \$ 73,181   |
| 3              | 1.3   | \$ 86,486   |
| 4              | 1.4   | \$ 93,139   |
| 5              | 1.6   | \$ 106,445  |
| 6              | 1.7   | \$ 113,098  |

**MAXIMUM SALES PRICES\***

| UNIT       | MINIMUM/MAXIMUM<br>OCCUPANCY | MAXIMUM SALES<br>PRICE<br>Effective April 1, 2011 |
|------------|------------------------------|---|
| EFFICIENCY | -1                           | \$ 119,750  |
| 1 BEDROOM  | 1-2                          | \$ 146,362  |
| 2 BEDROOM  | 2-4                          | \$ 186,278  |
| 3 BEDROOM  | 3-6                          | \$ 227,796  |

\*Please note: The Maximum Sales Prices are derived from a set formula and do not reflect the Market Value.

Prepared by the Lewisboro Housing Committee

**TOWN OF LEWISBORO  
Housing Committee  
Onatru Farm  
99 Elmwood Road  
South Salem, NY 10590  
(914)763-3822**

**Maximum Monthly Rental Amounts For  
Middle Income Housing Units For 2011 / 2012**

**(Revised, 5/2/11)**

The maximum on units is as follows.

EFFICIENCY: \$ 1,045

1 BEDROOM: \$ 1,281

2 BEDROOMS: \$ 1,630

3 BEDROOMS: \$ 1,979



## Town of Lewisboro Housing Committee

### Notes from the Meeting Held February 8, 2011 at Lewisboro Town House

Attending: Ed Mahoney (Chairman), Tom Herzog, Linda Rae, Dan Welsh (Town Board Liaison)

The meeting was called to order at 7:36 p.m.

#### Matters discussed:

1. The meeting was devoted almost entirely to a discussion of the County's "Update on Model Ordinance and County Discretionary Funding Policy", dated January 26, 2011. Several concerns emerged from this discussion; the most significant of these were
  - a. Where is the County Marketing Plan, referred to several times in these documents? No one on this Committee has seen it.
  - b. What is the definition of "discretionary funds"? Are the Town's share of sales and mortgage taxes part of discretionary funds, or do they only include funds such as the Legacy Fund and aid for purchasing open space?
  - c. Does Lewisboro want to abandon its right to give preference to Lewisboro residents, employees, first responders, etc.?
  - d. What are the benefits for Lewisboro residents if the Town decides to adopt an ordinance based on the County's model?
2. **Motion** – After the above discussion above the Committee voted 3 – 0 to adopt the following motion:  
"RESOLVED that the Housing Committee of the Town of Lewisboro, after preliminary review and discussion, advises the Lewisboro Town Board not to move forward on adopting an affordable housing ordinance, based on the County's model, at this time."
3. There was a short discussion of possible Lewisboro sites for affordable housing. The Cross River Shopping Plaza (as part of a general upgrade) and the "office building property" in Goldens Bridge were mentioned.
4. The meeting was adjourned at 9:12 p.m.
5. The date for the next meeting of the Committee was not set.

Thomas D. Herzog  
Committee Member