

**Bridleside Site Plan Application
 Wilder Balter Partners
 Town of North Salem
 Comments from the Public Hearing on May 2, 2012, Correspondence and Responses**

1) What are the tax implications of the project for residents of the Town of Southeast who also reside in the Town of North Salem School District?

The tax implications for the residents of the Town of Southeast who are in the Town of North Salem School District will be very similar to the tax implications for North Salem residents. Each municipality establishes its own equalization rate, which is the proportion of Total Assessed Value to the Total Market Value within the municipality. The Equalization rate is variable and is recalculated on an annual basis. Tax rates are then established to generate the required revenue to each taxing district. Table 1 below shows the current equalization rate and school district tax rate for North Salem School District residents in both the Town of North Salem and the Town of Southeast. As Table 1 shows, the equalization rate for the Town of North Salem is one tenth of the equalization rate for the Town of Southeast, however the school district tax rate for North Salem residents is ten times the rate for Southeast residents, thus the tax impacts are similar.

Table 1 Comparison of North Salem Central School District Tax Rates Town of North Salem vs. Town of Southeast			
Jurisdiction	Equalization Rate	Tax Rate per \$1,000 of Assessed Value	Taxes paid per \$1,000 of Assessed Value
Town of North Salem	10.25%	\$175.57	\$17.99
Town of Southeast	100%	\$17.55	\$17.55

2) Summarize the conclusions of the Salem Hunt SEQRA process regarding traffic impacts to Star Lea Road.

Neither the applicant nor the Town of North Salem can influence the public's choice to use Star Lea Road, since the Town has no legal jurisdiction over the use of the road.

Star Lea Road will not be used for construction traffic. According to the FEIS (August 7, 2009), "the designated route for construction traffic will be from I-684 to Fields Lane,... to North Salem Road/ June Road approaching the site from the north. The applicant will limit large construction vehicles destined to Salem Hunt to June Road / North Salem Road and Fields Lane. Construction traffic, including all dump trucks, concrete trucks, and material delivery, is no longer contemplated on Star Lea Road and Starr Ridge Road".

The Salem Hunt DEIS, FEIS and Findings Statement (October 7, 2009) are posted at: <http://www.timmillerassociates.com/publicreview.html>.

- 3) Summarize the mitigation measures for homeowners whose wells may be affected by the Bridleside project in the future.

The applicant worked with the lead agency and the Town of North Salem consulting hydrogeologist to develop a Well Monitoring and Mitigation Plan. The proposal for monitoring and mitigation was part of the adopted Findings Statement (October 7, 2009) and these measures will be in effect for the Bridleside project. The plan discusses a process for monitoring nearby residential wells for potential impacts from the project. If wells are proven to be affected by the project, a process for homeowner mitigation is provided. The plan proposes to monitor five (5) residential wells; including Mr. Cindrich's well, if Mr. Cindrich agrees to the monitoring. The Well Monitoring and Mitigation Plan for the Salem Hunt project is provided in Appendix L of the FEIS. (see FEIS and Findings Statement posted at: <http://www.timmillerassociates.com/publicreview.html>).

The Well Monitoring and Mitigation Plan applies to the Bridleside project and the revised plan, dated March 14, 2012, is on file at the Town of North Salem Planning Board office.

- 4) What is the percentage of residences that are rented versus owned in the Town of North Salem and is the Bridleside project "consistent with the makeup of the rest of the Town as far as homes that are owned versus homes that are rented".

According to the United States 2010 Census data, the Town of North Salem has approximately 4585 households with 4,175 owner occupied residences and 410 rented residences. Therefore, in 2010 approximately 9 percent of households in the Town were rented.

The applicant is unsure as to what is meant by "consistent with the makeup of the rest of the Town", since any 100 percent rental project could not be consistent with a range of owned and rental properties, as found in all municipalities.

Comments in E-mail from William Monti, dated April 27, 2012

I am most interested in the Applicant's reply to the following --

- 1) The benefits to the Town as articulated by Mr. Balter at the initial Public Hearing.

Mr. Balter clearly explained the benefits of the proposed Bridleside project at the Public Hearing on April 4, 2012. The primary benefit of the project is to provide much needed affordable housing opportunities for people who currently live and work in or near North Salem, but cannot afford to live in the Town, including middle and lower income workers who are vital to the success of the local economy. These workers may include; emergency service providers, municipal and school district employees, store and restaurant employees, office workers, medical staff and home health aides, carpenters and construction workers, and agricultural workers. A further discussion of the benefits of affordable housing is

provided in the attached paper prepared by Tim Miller Associates, Inc: "Affordable Housing, School Tax Revenues and the Costs of Educating School Children".

- 2) The list of promise and obligations his Company has made in order to secure the various Governments monies to build the project.

The applicant was required to apply for project funding through New York State and Westchester County affordable housing programs. The specific funding programs have extensive criteria, which have been described at the Public Hearing and in the documents available at the Planning Board offices¹.

- 3) The contracts between the County, State and Federal Governments to build, run, administer, manage, provide for replacement of worn and/or failed facilities, replacement of facilities that have come to end-of-design/useful life and maintain the housing for the 50 years of its required life.

At the Public Hearing on May 2, 2012, Chairwoman Curtis and the applicant explained that deed restrictions attached to the project funding will require that funds are set aside for property maintenance and capital improvements (see Public Hearing Transcript page 30). These restrictions are tied to the property and will ensure the long term maintenance of the development by the applicant or any future owner (also see Response 14 in the April 26, 2012 Public Hearing Comments and Responses) .

- 4) The marketing plan for the housing, and
- 5) The renter's acceptance qualifications.

The marketing plan for Bridleside was explained in the EAF (page 5 and 23) and at the Public Hearing (see April 4, 2012 Public Hearing Transcript pages 30 and 42). Marketing of the residential units will be done by Wilder Balter Partners, Inc. and the Housing Action Council in consultation with the Town of North Salem Housing Board based on a marketing plan to be approved by Westchester County. Westchester County and other governmental agencies will have no involvement in the marketing of the apartments, other than approving the Marketing Plan. The qualifications for potential residents were explained in the EAF (page 5 and 23) and at the Hearing (see April 4, 2012 Public Hearing Transcript pages 42 and 49).

¹ Documents include: Bridleside EAF Narrative, last revised April 26, 2011, Westchester County Department of Planning Executive Summary, April 30, 2012, Westchester County Planning Board Draft Resolution – Bridleside FAH Funding Request, April 3, 2012.

**Affordable Housing, School Tax Revenues
and The Costs of Educating School Children**

**Tim Miller Associates, Inc. for
Bridleside Site Plan Application
Wilder Balter Partners
Town of North Salem, New York
May 9, 2012**

A 1975 New York State Court of Appeals ruling (*Berenson v. New Castle*) requires that each municipality in the State of New York address the region's need for affordable housing, not just the municipalities own needs.

Although the Court of Appeals ruling requires that each municipality address the region's need for affordable housing, the North Salem 2011 Comprehensive Plan focuses more on the goal of assessing the affordable housing need in North Salem than the needs of the region. The North Salem Plan concludes that there is an existing need for affordable housing in North Salem of five units and a total affordable housing goal of 26 units.

However, the obligation for municipalities to address regional needs as set forth in the *Berenson Case* was underscored by a court case settled in 2009 by the Westchester County Board of Legislators with the Anti-Discrimination Center. That agreement called for the county to spend more than \$50 million of its own money, in addition to other funds, to build or acquire 750 homes or apartments, 630 of which must be provided in towns and villages where black residents constitute three percent or less of the population and Hispanic residents make up less than seven percent. The 120 other residential units must meet different criteria for cost and ethnic concentration.

Even though the County settlement addresses the provision of 750 affordable units, the actual projection of affordable housing needs in Westchester is far higher than this number, more on the order of 11,000 units.

This obligation for the County and associated municipalities to provide affordable housing is accompanied by a number of other commitments and services that governmental agencies historically offer to its residents. These commitments include the provision of safe and efficient infrastructure such as roads, bridges and utilities, and a host of other services that are available to every resident regardless of their income, housing or employment status.

Residents in Westchester County spend more taxpayer funds to educate its school children than most other places in the State of New York and the rest of the country. According to an article in the New York Times and based on US Census data, there are a number of Westchester communities that spend more than \$20,000 per student for education services. These municipalities include Greenburgh, Harrison, Bronxville, North Salem, Elmsford, White Plains and Tuckahoe.

In these communities, and many other communities in Westchester County, it is simply impossible to build affordable or otherwise low cost, non-senior housing that generates school children and covers the costs of educating those school children from the property tax levy of the affordable housing. In fact, even median valued single family housing does not generate sufficient tax dollars to cover the costs of the school children likely generated by a single family home.

The Bridleside project has fewer environmental impacts than the Salem Hunt project in almost every category of review. However, based on the fiscal study submitted with the EAF, the one area of potential impact from the Bridleside project that is different than Salem Hunt, is the fiscal impact associated with education services.

The analysis presented in the EAF, while somewhat useful, does not tell the entire story. There are a number of points offered to put this matter into perspective.

In North Salem, school populations have been declining, according to the long range planning study update prepared by BOCES in December of 2011. The North Salem Central School District showed an overall decrease of 108 students (7.6 percent) between 2001 and 2011. Yet during that time, the school budget actually increased.

In the 2007/2008 school year enrollment was 1,349. The programming budget was \$28.38 million.

In 2011/2012 the student enrollment was 1,302, however, the programming budget was 29.33 million, almost \$1,000,000 more.

This would suggest that the costs of school programming is not tied directly and proportionately to the school population.

In other words, the future fiscal projections set forth in the Bridleside EAF Fiscal analysis will not actually occur in reality. In North Salem, the school budgets went up when the school population increased and also went up when the population decreased.

Furthermore, the North Salem School district has already factored the school children to be generated by the Salem Hunt/Bridleside project into its growth projections. Even with the growth from this project, school population losses are projected in all grade configurations over the next ten years. It is therefore likely that the school population from Bridleside will not have a direct and noticeable impact on the school budget, as the population of the district continues to decline.

Educational services are mandated by the New York State constitution. Like many other governmental services they are free to residents but are paid for by a large pool of people and not necessarily in direct proportion to the people that actually use the services. As a society, we have consistently implemented this approach because it is beneficial to everyone to serve all members of the population. For example, many municipalities have senior services, but often it is only a small portion of the population that are seniors and an even smaller portion that actually make use of senior services. To expect only those seniors who use those services to provide the funding for those services would likely be cost prohibitive and would therefore not happen. That being the case, the entire population participates because it benefits the entire community to address the needs of a specific population. Handicapped parking is another example of this. Libraries are often funded from tax revenues, but it is rare that a majority of the population in any given municipality uses the library.

What has been demonstrated in study after study is that diversity in housing affordability provides stability in the local environment and economy. Well functioning and planned communities respond to the employment and housing needs of their local and regional population, recognizing that such diversity is necessary for a healthy community and a thriving economy.

In this regard, there is no question that the provision of affordable housing, not only in North Salem, but in the region, benefits the town and the region for a number of reasons.

1. There are a wide range of jobs that must be carried out in every community, and some of those jobs do not provide the income that would support the costs of median or even below median housing in certain communities. Yet the residents of the community still require services, demand the services and hire people to do that work, regardless of where they live. Median and lower wage workers include retail clerks, administrative staff in public and private offices, food service workers, maintenance staff, gardeners and landscapers, and, as well as people unemployed, underemployed or retired persons on a fixed income. To deny those people the opportunity to live in the community where they work or where their extended families live reduces diversity in the workforce and represents a disconnect as to how our communities work most efficiently.
2. Affordable housing also provides direct economic advantages to the immediate community. When homes are affordable, the residents have more money to spend on local goods and services. This leads to an increase in the demand of various services and goods leading to increased employment opportunities.
3. Families living in affordable housing can better afford to meet their respective health and education costs. It also provides an adequate security of tenure for improving an individual's capacity to obtain and maintain employment.
4. In addition to that, affordable housing enables some people to continue living in areas where they have been living for a long time. This is very useful for young families, or life changing circumstances such as retirement or divorce.
5. Low and moderate income families unable to afford housing in the areas where they work are often forced to live in areas further away from employment centers. Transportation costs become one of the higher living expenses in such families. Affordable housing lower transportation costs, again, freeing family income for other expenditures such as local goods and services, health care and education.
6. Reduced commute times and lowering fuel consumption is consistent with today's smart growth principles. When workers can live in the local community where they work and can get there quickly, the labor force is invariably more stable and efficient.