

**NORTH SALEM TOWN HOUSING BOARD  
MEETING MINUTES**

**October 14, 2009, 6:30 p.m.  
Delancey Hall**

**Members Present:**           **Janet Capolino  
Lori Ferguson  
Anthony Navarro**

**Others Present:**           **Warren Lucas, Town Supervisor  
Charlotte Harris, Planning Board Member  
Janice Will, Secretary**

Supervisor Warren Lucas opened the discussion, telling the others present that Peter Harckham, County Legislator, attended a recent Town Board meeting to go over points on the affordable housing settlement just ratified by the County. The Town needs approximately 7 units, based on the number of parcels in Town. The Supervisor explained that these units must be advertised in the newspaper. There is no specific requirement to place Hispanic or African Americans in such units, but they must be advertised broadly enough, and applicants must qualify. He said New Castle and North Salem have good ordinances already; others will need work. In North Salem, eligibility is currently based on Town employee income. This will need to be changed to County figures. Additionally, the North Salem ordinance has a point system for qualification, but its preference for North Salem residents will need to be changed to preference for County residents.

The Supervisor stated that Mr. Harckham said North Salem has a requirement/goal of 183 affordable units (including existing units). Of the 750 units that the County must build re the diversity requirements, any constructed in North Salem would also count towards the 183 figure. Supervisor Lucas said the 13 proposed affordable units in Salem Hunt will help with affordable units and hopefully with diversity requirements.

To provide some background on the diversity issue, Supervisor Lucas explained that an organization in New York City sued Westchester County, saying that when it was giving out community development block grant money, a required form asking how the project benefits affordable housing and diversity was not properly filled out. In response to a judgment of approximately \$300,000,000, the County settled/local Towns will have to provide the diversity units. The Supervisor said that most of the required units are north of 287 and the Towns that have to build this diversity housing are those that have less than a certain percentage of African American and Hispanic residents. He reiterated that North Salem just needs to advertise widely when offering such units.

The Supervisor said the County has funds available for recreation projects like ball fields in Towns that step up to participate in creation of diversity units. He stated that the County put together a list of all the affordable projects they knew were on-going and nothing on that list may count toward the diversity requirement. Salem Hunt is not on the list,

although certain other local properties are. Supervisor Lucas said there are also some derelict properties worth looking at in Croton Falls, because the County will spend up to \$230,000 to renovate a house. There will be a meeting on November 5 with the County to look at properties for renovation.

When Michael Palma arrived, the Supervisor explained to the THB members that he had spoken to Mr. Palma about getting on the Board and invited him to the meeting.

Anthony Navarro asked if there is any deadline for meeting the demands of the settlement.

Supervisor Lucas said there is, but it is not easy to do. He stated that the way the North Salem ordinance works, for every certain number of lots, the Town carves out an extra lot that is essentially free and a house is built on it to be sold at a price set by the Housing Board. The Supervisor said they should speak to Norma Drummond down-County to make sure North Salem will be able to get the 13 Salem Hunt affordable units counted toward the 183-unit requirement.

The Supervisor stated that he told Andy Spano that North Salem has 1800 homes; at a 10-to-1 ratio, in order to produce 183 new affordable units the number of homes in Town would have to double. He said the model doesn't work here. Supervisor Lucas said the affordable units should be spread around Town. He commented that Mr. Spano took a court-appointed moderator around some local towns to point out the water shed areas, lack of public transportation, lack of sewers, shopping etc. The moderator understood and indicated that he might arrange to give a 20% bonus, i.e. if a town builds 10 units they may be credited for 12.

Supervisor Lucas stated that the North Salem plan is to be returned to the County by December 10. Mr. Spano indicated that a plan from the Town will be better than having the County direct where and what number of units there will be.

Regarding the need to change the local ordinance, the Supervisor said that basing income eligibility on a County factor rather than a North Salem number is one step. Additionally, a move from giving priority to North Salem residents to giving priority to County residents won't really hurt. He pointed out that only one of the affordable units in Salem Chase was sold to a North Salem resident, and changing the ordinance will allow the addition of the affordable units in Salem Hunt to the total number the Town will have. Once the County has reviewed the changes to the local ordinance, the units at Salem Hunt could count toward both the affordable unit requirement and the diversity requirement. The Supervisor said guidance is needed in determining just how much advertising and where is sufficient.

The Supervisor stated that in addition to being income-eligible, a potential buyer of a moderate income unit must also be able to afford it/qualify for a mortgage.

Ms. Harris said the Salem Hunt units are anticipated to sell for approximately \$225,000.

Mr. Navarro asked if vacant affordable units still count.

The Supervisor replied that they do. He further stated that he learned that an apartment in Croton Falls has been vacant for over a year when a resident called him about maintenance not being done on the property. WestHab (County) uses the money from rent receipts to take care of the building at 2 East Cross Street, and they have not been receiving rent for that one apartment for a year. The Supervisor said it is important to place a tenant there soon.

Mr. Palma asked if the Supervisor thinks the units at Salem Hunt will cover the Town re diversity units, and Supervisor Lucas said he thinks the County really just wants towns to offer to do something. He added that the Salem Hunt units will certainly count toward affordable units.

Ms. Harris said all 13 affordable units at Salem Hunt are proposed to be 2-bedroom units (as are all the other units). She explained that the developer feels there is no market for 1-bedroom units, and going with all 2-bedroom units is to keep the development school district-neutral.

Supervisor Lucas referred to a September 3, 2009 letter from the County Planning Board which offered comments, including a suggestion that a mix of unit-sizes be constructed in Salem Hunt, stating that 2-bedroom units are too small for some families and too large for single people who desire housing in this kind of development. The letter was forwarded to the Housing Board with a September 14 cover letter from Cynthia Curtis, Planning Board Chairperson, requesting comments and inviting the THB to the Planning Board meeting on September 16 (meeting minutes provided).

The Supervisor stated that the Planning Board prefers 2-bedroom units and it would be appropriate to support the 2-bedroom recommendation so the builder may avoid re-doing the SEQRA review, which would be expensive and time-consuming and possibly result in a lawsuit.

The Supervisor asked Ms. Harris if the Planning Board expects a written response from the Housing Board, and she replied that they would like one.

Supervisor Lucas said he will ask Roland Baroni (Town attorney) to draft a letter for the Housing Board to edit and/or approve. He commented that the issue is too important not to do exactly what is needed.

Ms. Harris agreed to see what Ms. Curtis is looking for in the THB comments letter.

Next the Supervisor stated that one of the 5 affordable units in Salem Chase was being rented, which is not permitted. The owners now say they want to sell it. The house has lower taxes than the market-price houses in the development, and the THB will need to calculate the price at which the affordable house may be sold, based on income figures.

Supervisor Lucas said Martin Bernstein resigned as Chairman of the Housing Board. He added that Mr. Palma is interested in serving on the Board. He asked Mr. Palma and the 3 THB members to think about whether or not they are interested in being the chairperson, and to e-mail him if they are. As the Board is meant to have 5 members, the Supervisor

also asked those present to see if anyone they know might be interested in being on the THB.

The Supervisor observed that the THB has a lot to do, saying they must hold some meetings. He commented that applicants who are not approved for affordable units (as well as other people) have the right to FOIL records, meeting minutes, etc. He stated that it is necessary to have open and objective meetings. Supervisor Lucas said it isn't easy getting enough qualified candidates who want to purchase affordable houses and can qualify for mortgages, although wider-reaching advertising may help. He also said the County should be consulted about making changes to the Ordinance and asked if advertising affordable/diversity units in the Journal News is sufficient/are other papers necessary.

The group discussed the public's confusion of "moderate income" with "low income" when housing units are advertised.

Mr. Palma asked how other town price their affordable houses for sale, and Supervisor Lucas responded that they are based on median income and the lower prices help keep the taxes down as well.

Mr. Palma expressed concern about the need to be able to make a down-payment, pay interest on the mortgage, insurance and taxes.

Mr. Navarro asked if the County offers any assistance re financing of these units.

The Supervisor said they do not. He went on to say that Peter Harckham and Rose Noonan of the Housing Council will be helpful to the THB if they decided to change the Ordinance. He commented that once the County settlement was announced, builders started calling him, but he has had to tell them that he can't talk to them yet/needs to know what the County wants first.

Ms. Ferguson asked about timing for compliance, and Supervisor Lucas said the deadline was originally December 10 but has been extended to some time in January.

Mr. Palma said that, with the Salem Hunt development pending, it would be good to get things done as soon as possible/before the County decides more units or restrictions are necessary.

Ms. Harris displayed a site plan, pointing out the location of the affordable units.

Mr. Palma asked if it will be included in the Peach Lake sewer district, and Ms. Harris replied that it will not, but they will have their own treatment plant.

Mr. Palma said he would especially like to have the County's assistance with pricing of affordable units.

Supervisor Lucas said he will call Rose Noonan to find out when she would be available to meet with the Housing Board about unit pricing and appropriate changes to the Ordinance.

The THB members said they will be available to meet on either Monday, November 2 or Wednesday, November 4 at 6:30 p.m. They will review applications for the apartment at 2 East Cross Street at that time and, hopefully, meet with someone from ALOFT also.

The meeting was then adjourned.

Respectfully submitted,

  
Janice Will, Recording Secretary