

Housing & Planning BOL Meeting Minutes - Final



Committee Chair: Shanae Williams

800 Michaelian Office Bldg.
148 Martine Avenue, 8th Floor
White Plains, NY 10601
www.westchesterlegislators.com

Monday, October 28, 2024

1:00 PM

Committee Room

Joint with LEG

CALL TO ORDER

Please note: Meetings of the Board of Legislators and its committees are held at the Michaelian Office Building, 148 Martine Avenue, White Plains, New York, 10601, and remotely via the WebEx video conferencing system. Legislators may participate in person or via Webex. Members of the public may attend meetings in person at any of its locations, or view it online on the Westchester County Legislature's website: <https://westchestercountyny.legistar.com/> This website also provides links to materials for all matters to be discussed at a given meeting.

Joint with Legislation committee.

Legislator Colin Smith will be participating remotely from 1132 main Street, Suit 1, Peekskill, NY 10566.

With a quorum present, Chair Williams called the meeting to order at 1:10 p.m

Others in Attendance: BOL: Legislators: James Nolan, Margaret Cunzio, and Erika Pierce; Committee Coordinators: Jill Axelrod, Ethan Samuel, and Dayana Gomez; Marcello Figueroa, and Lisa Hochman: Law Dept.: Justin Adina and Alida Marcos; Planning Dept.: Susan Darling and Ted Leimbach

Present: Legislator Williams, Legislator Imamura, Legislator Williams Johnson and Legislator Woodson-Samuels

Remote: Legislator Smith

MINUTES APPROVAL

I. ITEMS FOR DISCUSSION

[2024-494](#)

Legislators Williams and Imamura - Proposed Act Requiring Area Median and Local Area Median Income

AN ACT requiring inclusion of Area Median Income and Local Area Median Income by the Westchester County Department of Planning when a Capital Project which includes affordable housing units is presented to the Westchester County Planning Board.

SUBMITTED BY: COMMITTEES ON LEGISLATION AND HOUSING & PLANNING

Guests: Law Dept.: Assistant Chief Deputy County Attorney Justin Adin and Assistant County Attorney Alida Marcos; Planning Dept.: Susan Darling, Chief Planner and Ted Leimbach, Associate Planner

Legislator Imamura said that the legislators had a new draft of the legislation which reflects the changes suggested at the last meeting, but it had not been approved yet by the Law Department. Marcello Figueroa, Legislative Director for the Board of Legislators, reviewed the changes.

Mr. Figueroa said that Section 4 was changed to clarify the legislators' intent that when the Planning Department is presenting an affordable housing project to the Planning Board, they shall provide AMI and Local AMI if applicable.

Mr. Figueroa said that Section 5 was amended to provide that the law will go into effect after data provided by the U.S. Census Bureau needed to calculate the local AMI is made available. Mr. Leimbach said that provision should align with the release of County AMI data instead of Census Bureau data, because the Census Bureau releases their data in December, and HUD releases the County AMI data the following April, which is when the Planning Department puts in on their website. Mr. Adin said he would change the language of the bill to reflect that.

Mr. Figueroa stated that the new draft deletes "applicable" from Section 1 because it could create confusion given that the bill already specifies a limitation on the municipalities for which a local AMI can be calculated.

Mr. Figueroa said that the new draft was restructured so that the various requirements associated with the local AMI were consolidated into one paragraph, which is now Section 2. Although the draft did not have a specific time frame, he and Mr. Adin agreed that language will be added requiring the Planning Department to comply with the requirements set forth in Section 2 within 60 days after the County AMI data is made available. Mr. Figueroa also noted that the information could be provided electronically via email.

Mr. Leimbach said that the Planning Department wants to ensure that it is clear that the local AMI is presented for informational purposes only, and is not being used for income qualification. Mr. Adin said this can be addressed through framing the information posted on the website and the transmittal letters to the municipalities. After discussion with the committee members, Mr. Leimbach, and Mr. Adin, the members decided that Section 2 should be amended to provide that the Planning Department shall provide both the AMI and the LAMI to the applicable municipalities.

The meeting can be viewed in its entirety at https://westchestercountyny.granicus.com/player/clip/7313?view_id=1&redirect=true.

This COMMUNICATION - Memo of Legislation was continued

II. OTHER BUSINESS

III. RECEIVE & FILE

ADJOURNMENT

Moved by Legislator Woodson-Samuels, seconded by Legislator Williams Johnson, the Committee adjourned at 1:32 p.m.