HONORABLE BOARD OF LEGISLATORS THE COUNTY OF WESTCHESTER

Your Committee is in receipt of a communication from the County Executive recommending the enactment of the following:

Land Purchase and Conveyance. An Act (the "Land Acquisition Act") to authorize the purchase and subsequent conveyance of approximately +/- 2.4 acres of real property located at 41-51 Maple Street (the "Property") in the Village of Croton-On-Hudson (the "Village") to Regan Development Corp., its successors or assigns, (the "Developer") as part of the County's program to support the creation of affordable housing units that affirmatively further fair housing (the "Affordable AFFH Units"). The Land Acquisition Act also authorizes the County to grant and accept any property rights necessary in furtherance thereof.

Acquisition Financing. A New Homes Land Acquisition Bond Act (the "NHLA Bond Act"), prepared by the firm of Hawkins Delafield & Wood LLP, to authorize the issuance of bonds of the County in a total amount not to exceed \$1,757,576 as a part of Capital Project BPL30 New Homes Land Acquisition II. The Department of Planning ("Planning") has advised that subject to the receipt of approval of your Honorable Board, the proposed NHLA Bond Act will authorize an amount not to exceed \$1,757,576 to purchase the Property from the current owner to create twentynine (29) Affordable AFFH Units for rent including one superintendent's unit. Upon acquisition, the County will file a Declaration of Restrictive Covenants against the Property, to require that the proposed Affordable AFFH Units be marketed and leased in accordance with an approved affordable fair housing marketing plan to households earning at or below 30% and up to 80% of the Westchester County area median income and will remain affordable for a period of not less than fifty (50) years noting that the income limits are subject to change based on the median income levels at the time of initial occupancy and subsequent occupancies, as established by the U.S. Department of Housing and Urban Development.

<u>Capital Budget Amendment</u>. An Act authorizing an amendment of the County's 2021 Capital Budget (the "CBA") by increasing the amount authorized for BPL30 by \$1,800,000 as part

of the County's program to ensure the development of new affordable AFFH housing units. This CBA is necessary to use BPL30 to pay for the acquisition of the land and settlement costs

In accordance with the Land Acquisition Act, the County will subsequently convey the Property to Regan Development Corp. (the "Developer"), its successors or assigns, for ONE DOLLAR (\$1.00) to construct the twenty-nine (29) Affordable AFFH Units including one superintendent's unit. The Village currently owns the land and once the Developer owns the Property it will construct two new two-story buildings with approximately fifty-four (54) parking spaces for use by the residents.

Your Committee has been advised that additional funds for the Development are anticipated to be provided from Low Income Housing Tax Credits allocated by New York State Homes and Community Renewal ("HCR"), HCR Subsidy and a conventional bank loan for an estimated total development cost of approximately \$14.87 Million.

As your Honorable Board is aware, no action may be taken with regard to the proposed legislation until the requirements of the State Environmental Quality Review ("SEQR") Act have been met. Planning has advised that the Village classified the proposed Development as an Unlisted action pursuant to 6 NYCRR Part 617, the implementing regulations of SEQR. Planning has further advised that the Village of Croton-On-Hudson Board of Trustees served as lead agency and issued a Negative Declaration for the Development on May 17, 2021. Your Committee has been advised that because the Village undertook a coordinated review pursuant to SEQR and the County was included in the process, no further environmental review is required by the County. Your Committee has reviewed the attached analysis prepared by Planning and concurs with this conclusion

Your Committee has been further advised that on July 6, 2021, the Westchester County Planning Board (the "Planning Board") adopted Resolution No. 21-16 that recommends funding for the purchase and conveyance of the Property. In addition, Section 167.131 of the County Charter mandates that a Capital Budget Amendment that introduces a new capital project or

changes the location, size or character of an existing capital project be accompanied by a report of the Planning Board with respect to the physical planning aspects of the project. Accordingly, the necessary Planning Board report for BPL30 has been annexed. In addition, the report of the Commissioner of Planning is annexed pursuant to Section 191.41 of the Westchester County Charter.

Based on the importance of creating more affordable housing units that affirmatively further fair housing in the County, your favorable action on the annexed Acts is respectfully requested, noting that the Land Acquisition Act and the NHLA Bond Act require the affirmative vote of two-thirds of the members of your Honorable Board.

White Plains, New York

COMMITTEE ON C;lac4.9.21.

Dated: September 20, 2021 White Plains, New York

The following members attended the meeting remotely, pursuant to Chapter 417 of New York State Laws of 2021, and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

Committee(s) on:

Labor & Housing

Budget & Appropriations

Public Works & Transportation

Damon R. Maker

Catherine F. Parker

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Tylla

Catherine F. Parken

Dovid a Tubiot

Damon R. Maker

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Catherine F. Parker

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4HL

FISCAL IMPACT STATEMENT

CAPITAL PROJECT	#:BPL30	NO FISCAL IMPACT PROJECTED		
SECTION A - CAPITAL BUDGET IMPACT To Be Completed by Budget				
X GENERAL FUN	D AIRPORT FUND	SPECIAL DISTRICTS FUND		
	Source of County Funds (check one):	Current Appropriations		
		X Capital Budget Amendment		
SECTION B - BONDING AUTHORIZATIONS To Be Completed by Finance				
Total Principal	\$ 1,800,000 PPU	30 Anticipated Interest Rate 1.25%		
Anticipated A	nnual Cost (Principal and Interest):	\$ 71,735		
Total Debt Ser	vice (Annual Cost x Term):	\$ 2,152,050		
Finance Depar	tment: Interest rates from July 19, 2	021 Bond Buyer - ASBA		
S	SECTION C - IMPACT ON OPERATING BUD To Be Completed by Submitting Departm	9		
Potential Rela	ted Expenses (Annual): \$, ·		
Potential Rela	ted Revenues (Annual): \$	18		
Anticipated savings to County and/or impact of department operations (describe in detail for current and next four years):				
SECTION D - EMPLOYMENT				
As per federal guidelines, each \$92,000 of appropriation funds one FTE Job				
Number of Full Time Equivalent (FTE) Jobs Funded: N/A				
	SECTION E - EXPECTED DESIGN			
County Staff	Consultant	X Not Applicable		
Prepared by:	Norma V. Drummond			
Title:	Commissioner	Reviewed By:		
Department:	Planning	Budget Director		
Date:	7/26/21	Date: /		

Memorandum



Department of Planning 432 Michaelian Office Building 148 Martine Avenue White Plains, NY 10601

TO:

Honorable George Latimer

County Executive

FROM:

Norma V. Drummond

Commissioner

DATE:

July 28, 2021

SUBJECT:

Acquisition of Real Property-41-51 Maple Street-Village of Croton-

On-Hudson

Pursuant to Section 191.41 of the County Charter, submitted herewith is the required report of the Commissioner of Planning on the proposed acquisition and subsequent conveyance of +/-2.4 acres of real property located at 41-51 Maple Street in the Village of Croton-On-Hudson, identified on the Village tax maps as Section 78, Block 12, Lot 3.3 (the "Property") for the purpose of creating 29 affordable housing units (the "Affordable AFFH Units"), including one superintendent's unit that will affirmatively further fair housing ("AFFH"). The development will also provide approximately 54 parking spaces for residents.

The County of Westchester ("the County") intends to finance the purchase of the Property from the current owner in an amount not to exceed \$1,757,576 as a part of Capital Project BPL30 New Homes Land Acquisition II. Upon acquisition of the Property, the County will file a Declaration of Restrictive Covenants to require that the Affordable AFFH Units are marketed and leased in accordance with an approved affirmative fair housing marketing plan and will remain available to eligible households for a period of not less than 50 years. The County will then convey ownership of the Property to Regan Development Corp. (the "Developer"), its successors or assigns, for One (\$1.00) Dollar.

The Developer proposes to construct two new two-story buildings on the Property that will include a mix of affordable one, two and three bedroom rental apartments that will be leased to households who earn at or below 30% and up to 80% of the area median income (collectively the "Development").

I recommend funding for acquisition and conveyance of the Property for the following reasons:

- 1. The acquisition of this Property will advance the County's efforts to provide fair and affordable housing;
- 2. The acquisition and subsequent conveyance of the Property to develop fair and affordable housing is consistent with development policies adopted by the County Planning

- Board as set forth in Westchester 2025 Context for County and Municipal Planning in Westchester County and Policies to Guide County Planning, adopted May 6, 2008, and amended January 5, 2010, and the recommended strategies set forth in Patterns for Westchester: The Land and the People, adopted December 5, 1995;
- 3. The Development is proposed to include green technology, such as high efficiency windows; an airtight envelope; energy efficient appliances, lighting and heating systems and water-conserving fixtures to reduce operating and maintenance costs, minimize energy consumption and conserve natural resources. Electric from solar will be used to offset the electric demand for the elevators, common area lighting, site lighting and common area HVAC. The Development is designed to meet the green building standards of LEEDS Silver, Energy Star Multifamily New Construction and NYSERDA Multifamily New Construction, Tier III.;
- 4. The Development is consistent with the land use policies and regulations of the Village of Croton-On-Hudson; and
- 5. On July 6, 2021, the County Planning Board adopted a resolution to recommend County financing towards the purchase the Property to support the Development.

NVD/lg

cc: Kenneth Jenkins, Deputy County Executive Joan McDonald, Director of Operations John M. Nonna, County Attorney Westchester County Planning Board



Memorandum Department of Planning

TO:

Leonard Gruenfeld

Program Administrator

FROM:

David S. Kvinge, AICP, RLA, CFM

Director of Environmental Planning

DATE:

July 22, 2021

SUBJECT:

STATE ENVIRONMENTAL QUALITY REVIEW FOR

BPL30 NEW HOMES LAND ACQUISITION II 41-51 MAPLE STREET, CROTON-ON-HUDSON

Pursuant to your request, Environmental Planning staff has reviewed the above referenced project with respect to the State Environmental Quality Review Act and its implementing regulations, 6 NYCRR Part 617 (SEQR).

The action involves the provision of County funding under capital projects BPL30 – New Homes Land Acquisition II to facilitate the development of affordable housing at 41-51 Maple Street in the Village of Croton-on-Hudson. Funds from BPL30 funds will be applied towards the purchase of approximately 2.4 acres of property, upon which the County will file a restrictive covenant that will require 29 of the proposed 33 residential units to be marketed and leased to households meeting certain income thresholds for a period of not less than 50 years.

This project is classified as an Unlisted action pursuant to SEQR. The proposed housing development is part of a larger project—including parking, a playground and a public pocket park—which was reviewed by the Village of Croton-on-Hudson. On March 4, 2021, the Village Board of Trustees issued a notice of intent to serve as lead agency for the environmental review of the overall project and issued a Negative Declaration for the project on May 17, 2021. Since the County of Westchester was included as an involved agency in the Town's review, no further environmental review is required by the County.

Please contact me if you require any additional information regarding this document.

DSK/cnm

Att.

cc:

Norma Drummond, Commissioner, Department of Planning

William Brady, Chief Planner Michael Lipkin, Associate Planner

Claudia Maxwell, Associate Environmental Planner

RESOLUTION 21-16

WESTCHESTER COUNTY PLANNING BOARD

New Homes Land Acquisition II Capital Project Funding Request 41-51 Maple Street, Village of Croton-On-Hudson

WHEREAS, the County of Westchester (the "County") has established Capital Project BPL30 New Homes Land Acquisition II ("NHLA") to assist in the acquisition of property associated with the development and preservation of fair and affordable housing; and

WHEREAS, Regan Development Corporation, its successors or assigns, (the "Developer") desires to develop the real property located at 41-51 Maple Street in the Village of Croton-On-Hudson (the "Village"), identified on the Village tax maps as Section 78; Block 12; Lot 3.3 (the "Property") to create 33 residential units and 54 parking spaces for the exclusive use of the residents (the "Development"). Twenty-nine (29) of the units will be affordable residential units that will affirmatively further fair housing ("AFFH"; collectively the "Affordable AFFH Units"); and

WHEREAS, the County proposes to purchase the Property from the owner of record, for a not to exceed amount of \$1,757,576 with funds from NHLA and subsequently convey the Property to the Developer for One (\$1.00) Dollar to underwrite the cost of the land; and

WHEREAS, upon acquisition, the County will file a Declaration of Restrictive Covenants to require that the Affordable AFFH Units constructed on the Property be leased to households who earn at or below 30% and up to 80% of the Westchester County Area Median Income ("AMI"); and

WHEREAS, the County will convey ownership of the Property to the Developer to construct a mix of one, two and three-bedroom apartments to be leased to eligible households, pursuant to an approved Affirmative Fair Housing Marketing Plan, for a minimum of 50 years; and

WHEREAS, in furtherance of the above, the County Executive will be submitting legislation to the Board of Legislators to amend Capital Project BPL30 NHLA II to add the Property, 41-51 Maple Street, Village of Croton-On-Hudson, and authorize bonding in a not to exceed amount of \$1,757,576 to develop the Property; and

WHEREAS, the Development is subject to approvals by the Village of Croton-On-Hudson; and

WHEREAS, the funding to support the development of the Affordable AFFH Units is consistent with and reinforces Westchester 2025 – Policies to Guide County Planning, the County Planning Board's adopted long-range land use and development policies, by contributing to the development of "a range of housing types" "affordable to all income levels"; and

WHEREAS, the staff of the County Department of Planning have reviewed the proposal and recommend the requested funding associated with acquisition of the Property; and

WHEREAS, the staff of the County Department of Planning note that with the funding required for both this development and a portion of the recently approved resolution with the funding recommendation for the 26 Garden Street development in the City of New Rochelle, the funding in BPL30 has been depleted and funding in the Capital Project needs to be increased, including \$4,486,350 for the balance needed for 26 Garden Street and \$1,757,576 for this development for a total of \$6,243,926; thus a request is included here to increase BPL30 by \$6.3 Million;

NOW THEREFORE BE IT RESOLVED, that the Westchester County Planning Board after completing a review of the physical planning aspects of the Affordable AFFH Units, subject to an appraisal, recommends that the County provide financial assistance in a not-to-exceed amount of \$1,757,576 from BPL30 NHLA II for property acquisition; and be it further

RESOLVED, that the Westchester County Planning Board amends its report on the 2021 Capital Project requests to include 41-51 Maple Street in the Village of Croton-On-Hudson, as a new component project in Capital Project BPL30 under the heading of Buildings, Land and Miscellaneous and adds \$6.3 Million to the FY 2021 appropriation; and

Adopted this 6th day of July 2021.

Richard Hyman, Chair

An Act amending the 2021 County Capital Budget Appropriations for Capital Project BPL30 - New Homes Land Acquisition II

BE IT ENACTED by the Board of Legislators of the County of Westchester as follows:

Section 1. The Capital section of the 2021 County Budget is hereby amended as follows:

	Previous 2021 Appropriation	Change	Revised 2021 Appropriation
I. Appropriation	\$47,700,000	\$1,800,000	\$49,500,000

Section 2. The estimated method of financing in the Capital Section of the 2021 Westchester County Capital Budget is amended as follows:

II. METHOD OF FINANCING

Bonds and/or Notes	\$47,700,000	\$1,800,000	\$49,500,000
Non County Shares	\$0		\$0
Cash	\$0_		\$0
Total	\$47,700,000	\$1,800,000	\$49,500,000

Section 3. The ACT shall take effect immediately.

__TIOUNDATURE

Development:	41-51 Maple Street, Croton-On-Hudson, New York 10520	
Applicant:	Regan Development Corporation 1055 Saw Mill River Road Ardsley, New York 10502	
Development Overview:	Regan Development Corporation, its successors or assigns, (the "Developer") proposes to construct two new buildings on the approximately 2.4 acre site at 41-51 Maple Street in the Village of Croton-On-Hudson (the "Property"). This Developer will construct 33 residential units with approximately 54 parking spaces (the "Development").	
No.	The Development will include 11 one-bedroom, 11 two-bedroom and 11 three-bedroom units. Twenty-nine (29) of the units will be available to eligible households that earn at or below 30% and up to 80% of Westchester County Area Median Income ("AMI") and these units will affirmatively further fair housing ("AFFH") (collectively the "Affordable AFFH Units"). One unit will be a superintendent's unit. Four units will be unrestricted and are expected to be rented at market rate. The Development will include a community room, management office and laundry facilities. A children's play area will also be constructed on site for the residents. Approximately 54 parking spaces will be located on grade in front of the two buildings.	
	The Property is currently vacant and owned by the Village of Croton-On-Hudson. The Village, through a request for proposals process selected the Developer, Regan Development Corporation. As part of their proposal, the Developer has agreed to build a public park with benches, landscaping and stone walkways at the corner of Maple Street and Municipal Place. Site plan approval from the Village of Croton-On-Hudson Planning Board is expected in August.	
	The Developer has completed Phase I and Phase II environmental studies that document that the only environmental issue near the site was the existence of a dry cleaner across Maple Street. A passive vapor system will be installed as a precaution. With no known environmental issues, construction of the two-story buildings with a total of approximately 42,000 square feet can commence once all the financing is in place.	
	The Development's design will incorporate high efficiency windows; an airtight envelope; energy efficient appliances, lighting and heating systems and water-conserving fixtures to reduce operating and maintenance costs, minimize energy consumption and conserve natural resources. Electric from solar will be used to offset the electric demand for the elevators, common area lighting, site lighting and common area HVAC. The Development is designed to meet the green building standards of LEEDS Silver, Energy Star Multifamily New Construction and NYSERDA Multifamily New Construction, Tier III.	

To support the creation of the Affordable AFFH Units, Westchester County (the "County") will provide a total not to exceed amount of \$1,757,576 through Capital Project BPL30 New Homes Land Acquisition II ("NHLA II") to fund a portion of the acquisition costs.

The County will file a Declaration of Restrictive Covenants to require that the Affordable AFFH Units be marketed and leased pursuant to an approved affirmative fair housing marketing plan to households earning at or below 30% and up to 80% of AMI and will remain affordable for a minimum of 50 years. The average affordability of the units will be approximately 56.55% of AMI.

The Developer is finalizing its financing with New York State Homes and Community Renewal ("HCR"), and it will likely be funded with federal and state low income housing tax credits, HCR subsidy loans and a construction and permanent loan. The total Development cost is estimated to be approximately \$14.87 million.

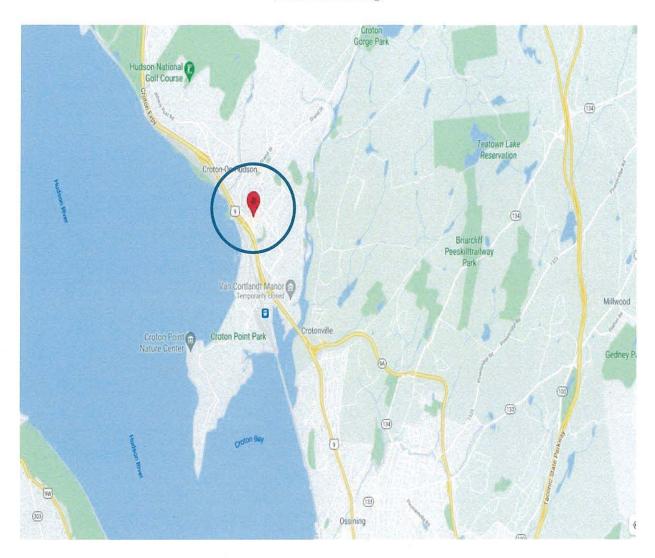
	3] \$17.87 HHHOH.		
**************************************	Program	Amount	Per AFFH Unit Cost
County Funds Requested:	BPL30 New Homes Land Acquisition II (NHLA)	<u>\$1,757,576</u>	<u>\$60,606</u>
	TOTAL:	\$1,757,576	\$60,606
Proposed Total Funding:	Sources	Total Project	Per Affordable Unit
	Construction Lender First Mortgage	\$1,540,000	\$53,103
	Federal Low Income Housing Tax Credits	\$6,090,591	\$210,020
*	State Low Income Housing Tax Credit	\$1,276,841	\$44,029
18 m	NYS HTF Subsidy	\$3,400,000	\$117,241
	NYS MIHP Subsidy	\$560,000	\$19,310
	Westchester County New Homes Land Acquisition II	\$1,757,576	\$60,606
	Deferred Developer Fee	\$246,698	\$8,507
	Total Sources	\$14,871,706	\$512,817
	Uses	Total Project	Per Affordable Unit
	Acquisition Cost	\$2,000,000	\$68,966
#-	Hard Construction Costs	\$8,599,500	\$296,534
	Soft Costs	\$2,506,866	\$86,444
	Reserves and Escrows	\$120,685	\$4,162
	Developer Fee	\$1,644,655	\$56,712

7	Total Uses	\$14,871,706	\$512,817	
Universal Design:	The Affordable AFFH Units will comply with the Universal Design Requirements as identified in Board of Legislators Act #2011-93.			
Proposed Rents:	Affordable Units - Income Levels	Number of Units	Expected Monthly Rent/Unit	
	1-Bedroom @ 30% AMI	1	\$717	
	2-Bedroom @ 30% AMI	2	\$861	
	3-Bedroom @ 30% AMI	1	\$994	
	1 Bedroom @ 50% AMI	3	\$1,116	
	2 Bedroom @ 50% AMI	2	\$1,195	
	3 Bedroom @ 50% AMI	3	\$1,435	
	1-Bedroom @ 60% AMI	5	\$1,339	
	2-Bedroom @ 60% AMI 3			
	3-Bedroom @ 60% AMI	4	\$1,434 \$1,722	
	1-Bedroom @ 80% AMI	1	\$1,913	
	2-Bedroom @ 80% AMI	1	\$2,296	
	3-Bedroom @ 80% AMI	2	\$2,652	
	Superintendent @ 80% AMI	1	\$0	
\$	Total AFFH Units 30%-80%:	29	X	
Access to Recreation, Shopping, Transportation and Public Schools	The Development site is conveniently located within a short walk of neighborhood services affording residents' access to retail, government offices, educational and healthcare facilities. The Development is located near major roadways including the Croton Expressway (U.S. Route 9) and the Taconic State Parkway. The Croton Harmon Train Station, located approximately one mile from the Development, provides service via the MTA Metro-North Railroad Hudson Line and the Amtrak Empire Corridor Service Trains. Local transit is provided by the Westchester County Bee-Line Bus System. Several Bee Line bus routes make stops in front of the Development including Route 10 (Croton Commuter), and Route 14 (southbound to White Plains, Northbound to Peekskill/Mohegan Lake). The Development is located within walking distance to Duck Pond Park. The Village of Croton-on-Hudson Department of Parks and Recreation maintains several nearby parks and open spaces and offers a variety of programs for seniors, adults and children. The Development is located in the Croton-Harmon School District. The district has two elementary, one middle and one high school. A number of day care and nursery			
Tax Map ID:	schools are located in the immediate area.			
Tax Map ID.	Section 78, Block 12; Lot: 3.3 The Development sits in the Municipal Gateway Overlay District and the C-2 district			
Zoning:	(permits multifamily development).			

Variance/Zoning Change:	N/A		
Site Plan Approval:	Site Plan approval pending with the Village of Croton-on-Hudson Planning Board.		
SEQRA:	The Village of Croton-On-Hudson Board of Trustees classified the Proposed Development as an Unlisted action and issued a Negative Declaration for the Development on May 17, 2021.		
Flood Plain:	This Development is not located in a designated flood zone, per FEMA FIRM Map #36119C0109F, effective September 28, 2007.		
Site Control:	The Village of Croton-on-Hudson is the owner of the property.		
Appraised Value:	An appraisal, certified to the County, will be completed shortly.		
Purchase Price:	\$1,757,576		
Development Site Owner:	Village of Croton-on-Hudson		
Development. T ëam :	Developer:	Architect/Engineer:	
ream:	Regan Development Corporation. 1055 Saw Mill River Road Ardsley, New York 10502 914-693-6613	Coppola Associates 6 Old North Plank Rd Suite 101 Newburgh, New York 12550 845-561-3559	
	Attorney: Marketing Consultant:		
	Cannon Heyman & Weiss, LLP 54 State St. Albany, New York 12207 518-465-1500	Housing Action Council, Inc. 55 South Broadway Tarrytown, New York 10591 Rosemarie Noonan, Executive Director 914-332-4144	

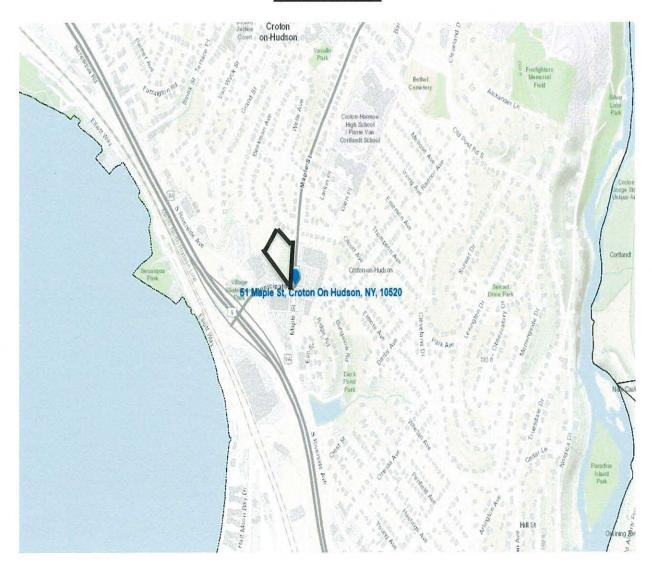


Location Map





Location Map





Existing Conditions







Existing Conditions



Site Plan





Elevation

