

**VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK**  
**BOARD OF TRUSTEES**  
**PUBLIC HEARING**  
**JANUARY 6, 2015**

A Public Hearing was held by the Board of Trustees on Tuesday, January 6, 2015 at 7:32 p.m. in the Meeting Room, Municipal Building, 7 Maple Avenue.

**PRESENT:** Mayor Peter Swiderski, Trustee Bruce Jennings, Trustee Marjorie Apel, Trustee Meg Walker, Trustee Nicola Armacost, Village Manager Francis A. Frobel, Village Attorney Linda Whitehead, and Village Clerk Susan Maggiotto

**CITIZENS:** Fourteen (14).

Mayor Swiderski declared the Board in session for the purpose of conducting a Public Hearing in accordance with the legal notice that appeared in the December 19, 2014 issue of *The Rivertowns Enterprise* to consider the advisability of adopting Proposed Local Law No. 6 of 2014 amending Chapter 295 Zoning of the Code of the Village of Hastings-on-Hudson, Westchester County, New York, to add a provision for rounding numbers in relation to the set-aside requirement for affordable and workforce housing units.

Be it enacted by the Board of Trustees of the Village of Hastings-on-Hudson as follows (added language in **bold**):

**SECTION 1.** Section 295-112.1A(1) of the Code of the Village of Hastings-on-Hudson is hereby amended to read as follows:

**§ 295-112.1. Affordable and workforce housing set-aside.**

A. Set-aside requirement. Before the Planning Board may approve a site plan for a residential development containing eight or more dwelling units, whether in single-family, two-family or multifamily buildings, such site plan shall show affordable and workforce housing units as follows:

(1) Fifteen percent of all units in such development shall meet either the definition of an "affordable housing unit" or a "workforce housing unit." At least 2/3 of these units shall be affordable housing units. The remaining 1/3 may be either affordable housing units or workforce housing units. **The calculation of the required number of affordable and workforce housing units shall in each case be rounded to the closest whole number, i.e. 1.1 to 1.4 units would be rounded down to 1 unit, and 1.5 to 1.9 units would be rounded up to 2 units.**

## **SECTION 2. SEVERABILITY**

If any section, subsection, clause, phrase or other portion of this Local Law is, for any reason, declared invalid, in whole or in part, by any court, agency, commission, legislative body or other authority of competent jurisdiction, such portion shall be deemed a separate, distinct and independent portion. Such declaration shall not affect the validity of the remaining portions hereof, which other portions shall continue in full force and effect.

## **SECTION 3. EFFECTIVE DATE**

This local law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule Law.

**Mayor Swiderski:** Is there anyone here who wishes to speak to the modification to the Affordable Housing Law?

**Sue Smith, Chair, Affordable Housing Committee:** We wanted a clarification which was not stated in the law. And also, we felt that this kind of rounding is fairer to small developers particularly; a slightly less burdensome situation. But it had never been stated, so that when people would look at that for guidance they were not clear on what was going to happen. So I think this is a good improvement to the law.

**Mayor Swiderski:** We have a letter that should be entered into the record of the public hearing, from the county, that weighed in here and did not disagree with the change. The letter referenced a 10 percent set-aside. We are substantially higher than that.

**Ms. Smith:** Just a clarification of that. That 10 percent is what they have requested of communities. We have gone the step further, with 15. Mr. Burroughs was reporting on just what the model recommendation had been for the county.

**Mayor Swiderski:** Right. The county urged the rounding up, but was speaking to a 10 percent set-aside. We are at 15, so no matter how we round we are going to do better than what the county standard is.

**Village Attorney Whitehead:** You referred this out to both the Planning Board and the Zoning Board of Appeals for their recommendations. I was at their meetings when they considered it. Both were supportive of it. They felt that clarification was a good thing. It is always better for the code to be clear, and they both indicated that they supported the amendment.

Hearing no further comments, Mayor Swiderski asked for a motion to close the Public Hearing.

**CLOSE OF PUBLIC HEARING**

On MOTION of Trustee Walker, SECONDED by Trustee Armacost with a voice vote of all in favor, Mayor Swiderski closed the Public Hearing at 7:37 p.m.

**Ms. Smith:** May I add one more thing? I wanted to bring to your attention and to the community that we are, this week, starting the active marketing for the three condominiums at 52 Washington Avenue. The office and the library and the Community Center will have forms for applications, as well as a flier of basic information in English and in Spanish. We are very pleased to be at this stage. It is going to take a couple of months to get all the applications, but we have begun and that is a great statement. Thank you for your support.

**Mayor Swiderski:** Congratulations. That is good stuff. And that building certainly looks so much better than what it was before.