

December 15, 2015

BY FIRST CLASS MAIL AND EMAIL

Robert P. Astorino  
County Executive  
Westchester County  
148 Martine Avenue  
White Plains, New York 10601

**United States ex rel. Anti-Discrimination Center of Metro New York, Inc. v.  
Westchester County, New York, No. 06 Civ. 2860 (DLC)**

Dear Mr. Astorino:

I write regarding a proposal to build a senior-citizen multifamily housing development on a vacant seven-acre site zoned for commercial and industrial use along John Walsh Boulevard in the Village of Buchanan. The proposed development would contain 56 units of AFFH housing and 10 market-rate units. The Buchanan Village Planning Board recommended that the proposed site be re-zoned to permit the construction of multifamily housing, as contemplated by the Village's 2004 master plan. I understand that the County has supported the proposal. It would appear that the development could potentially be counted in determining whether the County has met its obligations under the consent decree.

The matter is now before the Village Board, which is expected to vote on the rezoning proposal on January 5, 2016. According to news media reports, three of the five members of the Village Board have signaled their opposition to the rezoning. *See, e.g.,* David McKay Wilson, *Times Square hero opposes Buchanan senior housing*, THE JOURNAL NEWS, Nov. 20, 2015, available at: <http://www.lohud.com/story/money/personal-finance/taxes/david-mckay-wilson/2015/11/20/times-square-hero-opposes-senior-housing-buchanan/76067396/>. Buchanan Mayor Theresa Knickerbocker has criticized the proposed development and opposition from village residents appears to stem, at least in part, from the fact that the AFFH units would be marketed to surrounding counties, including New York City. *Id.*

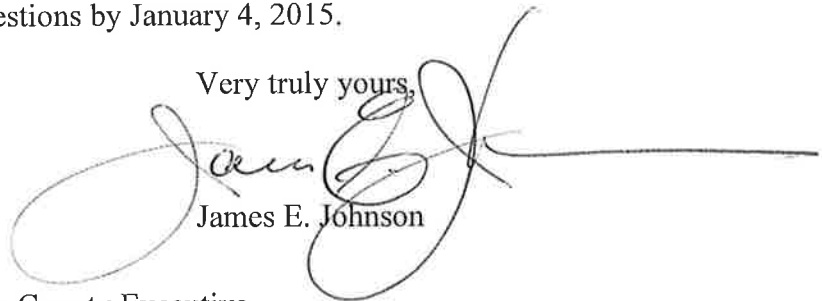
Paragraph 7(j) of the Settlement provides that the County "shall use all available means as appropriate to address" action by municipalities that hinder the

objectives of the Settlement's affordable housing development benchmarks. Given the County's interest in ensuring that this development moves forward, I respectfully request, pursuant to my authority under paragraphs 13(b) and 16 of the Settlement, that the County provide responses to the following interrogatories:

1. What incentives has the County considered offering to Buchanan to influence Buchanan's decision to grant zoning approvals for this development?
2. Will the County use its discretionary funding policy to encourage Buchanan to grant zoning approvals for this development?

Please respond to these questions by January 4, 2015.

Very truly yours,

A handwritten signature in black ink, appearing to read 'James E. Johnson', is written over the typed name. The signature is stylized with large loops and a long horizontal tail extending to the right.

James E. Johnson

cc: Kevin J. Plunkett, Deputy County Executive  
Robert F. Meehan, Esq., County Attorney  
Mary J. Mahon, Special Assistant to the County Executive  
Michael B. Kaplowitz, Chairman, County Board of Legislators  
Holly M. Leicht, Regional Administrator, HUD  
Glenda Fussá, Esq., Deputy Regional Counsel, HUD  
David J. Kennedy, Assistant United States Attorney (S.D.N.Y.)  
Benjamin H. Torrance, Assistant United States Attorney (S.D.N.Y.)  
Lara K. Eshkenazi, Assistant United States Attorney (S.D.N.Y.)  
Alexander H. Roberts, Westchester Workforce Housing Coalition  
Glenn Griffin, Griffin's Landscaping