

VETO MESSAGE - No. 62

TO THE ASSEMBLY:

I am returning herewith, without my approval, the following bill:

Assembly Bill Number 3173, entitled:

"AN ACT to amend the general municipal law, in relation to creating the Westchester county workforce housing incentive program"

NOT APPROVED

In past years, housing prices have risen dramatically in Westchester County, which has placed housing out of reach for an increasing number of individuals and families. The intent of this bill is to encourage the construction of new affordable housing. I share that purpose, and appreciate the sponsors' efforts in this regard. Unfortunately, in light of the bill's technical flaws, I am compelled to veto it.

The bill would require that when a local government approves the construction of five or more residential units through site plan, subdivision, or mixed use development, a condition of approval would be that the developer set aside ten percent of the units as affordable housing units. In return for this set aside, contractors would be awarded "density bonuses" which would permit them to include more housing units in the proposed development project than permitted by existing zoning and development regulations. The bill would require municipalities to establish procedures to modify development and zoning standards, and defines affordable workforce housing as housing made specifically available to individuals or families whose income is at or below 80 percent of Westchester's median income.

Westchester municipalities strongly object to this bill, and argue compellingly that it is a "one size fits all" plan that provides insufficient flexibility to municipalities in planning for additional affordable housing. In addition, enactment of the bill would hinder the completion of affordable housing projects that are currently under way, and could impact local zoning and other regulations in a manner that may result in more density bonuses for private developers rather than additional affordable housing.

In light of these concerns, the Senate sponsor of the legislation now requests that it be vetoed. I appreciate that the sponsor has brought the problems with the bill to my attention, and agree that - despite the important policy goals that underlie this bill - it should not be approved.

The bill is disapproved.

(signed) DAVID A. PATERSON

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