

COUNTY OF SUFFOLK




OFFICE OF THE COUNTY EXECUTIVE

Steve Levy  
COUNTY EXECUTIVE

February 11, 2008

Honorable John Flanagan  
NYS Senator  
Room 817 LOB  
Albany, NY 12247

Dear Senator Flanagan 

Thank you for your sponsorship and introduction of the Long Island Workforce Housing Act (S.6823).

Its introduction presents a unique opportunity to enhance the ability of local municipalities to provide much needed workforce housing on Long Island. The success of this legislation would impact the long term development and economic growth of the region.

Most significantly, the passage of this legislation would represent a legislative consensus that workforce housing must be built on Long Island. This consensus could provide momentum to additional legislation like the "Downstate Suburban Workforce Housing for Economic Sustainability Act" that will provide the planning, economic incentives, and housing principles needed for a comprehensive approach for balanced economic growth in our region. Together, both bills will get homes built that will be affordable to our suburban workforce and will allow balanced, sustainable and well planned development and economic growth on Long Island.

Because S.6823 represents such an important beginning, it should be crafted to encourage workforce housing that meets the needs of those households most impacted by the high cost of Long Island.

As currently crafted, this legislation offers a broad approach to providing workforce homes. It also includes sections that could inadvertently work against the legislation's purpose to provide homes for our essential workforce. To insure that this legislation: 1) effectively utilizes limited resources; 2) produces workforce units that meet the needs of those most impacted by the region's high costs; and 3) promotes economic sustainability, I respectfully suggest the following enhancements to the legislation:

- 1) Provide a tiered income structure that targets a more economically diverse workforce. The 130% of median income works (for a family of four, \$121,950) as an upper limit; however, there should be a requirement in the legislation that a percentage of homes be made available to persons at or below 80% and 120% of median income. This will ensure that a more economically diverse population (firefighters, entry-level workers, and other moderately paid occupations) will share in

the benefits of the legislation. Moreover such a tiered approach will have more likelihood of success in stopping and reversing Long Island's brain drain

- 2) Language should be considered that describes the criteria and conditions that would permit an applicant to make a payment in lieu of building a workforce housing unit or allow transfer of a workforce unit from one community to another. Both the payment of a fee and the transferring of a unit could have the effect of building workforce units only in lower-income communities. Such a concentration will deprive the higher-income communities of the benefit of workforce homes – keeping their young to volunteer for fire and ambulance departments and keeping their sons and daughters in the community to maintain family and enhance the vibrancy of the community.
- 3) The language of the legislation, “The provisions of this article shall not apply when an applicant elects a lesser percentage than the maximum allowable residential density, or floor area ratio if part of a mixed-use development, under the applicable zoning ordinance and comprehensive plan in effect as of the date of the application by the applicant to the local government.”, would exempt developers from building workforce homes if they do not build to the maximum density allowed under existing zoning. In other words, a developer could chose to build one fewer home than allowable under “as of right” zoning, and he/she would then be relieved of the obligation to build any workforce homes. This section, in effect, eliminates the requirement to include workforce homes in housing developments.
- 4) The language of the legislation states that funds placed in a trust fund are required to be utilized within three years. However, there is no enforcement provision; indeed there is no mention as to what happens to the monies after three years. There needs to be an enforcement mechanism to ensure that for each fee paid an affordable unit is created.
- 5) Consideration should be given to expressly include both owner-occupied and rental units in the definition of “affordable workforce housing”.
- 6) The definition of local government should include the Counties. The legislation fails to recognize the involvement/authority of the County of Nassau with respect to land use/subdivisions in the County as well as the involvement of Suffolk County Department of Health Services in density determinations.

Suffolk County has been a strong and accomplished facilitator of workforce homes. The passage of legislation that imposes inclusionary zoning would be another tool to assist local governments in achieving the economic sustainability of our County. I believe that the recommendation presented in this letter will further this goal and assure that affordable housing is dispersed throughout the County to meet the existing and future employment needs of Long Island.

Should you have any questions or require additional information regarding the County's recommendations, please do not hesitate to contact Jim Morgo, Chief Deputy County Executive or me.

Sincerely,



Steve Levy

Suffolk County Executive

SL:jp  
Cc: District office