

**112644**

DATE: December 5, 2025

TO: Board of Acquisition and Contract

FROM: Blanca P. Lopez  
Commissioner of Planning

Christopher D. Steers  
Director of Countywide Administrative Services

SUBJECT: Resolution authorizing the County of Westchester to enter into any and all agreements necessary to purchase and subsequently convey approximately 0.577 acres of real property located at 438 Main Street in the City of New Rochelle through the New Homes Land Acquisition Program to create 114 affordable rental housing units that will affirmatively further fair housing.

---

On November 17, 2025, the Westchester County Board of Legislators approved Act No. 243-2025 authorizing the County of Westchester (the "County"), acting by and through the Department of Planning (the "Department"), to purchase approximately 0.577 acres of real property located at 438 Main Street in the City of New Rochelle (the "Property") from the current owner(s) of record in an amount not to exceed \$4,505,000 and to then convey the Property to 438 Main Development LLC, its successors or assigns, or any entity created to carry out the purpose of the proposed transaction, (the "Developer") for One (\$1.00) Dollar for the purpose of developing one hundred fourteen (114) affordable rental housing units that will affirmatively further fair housing (the "Affordable AFFH Units" or the "Development") in connection with the County's New Homes Land Acquisition Program ("NHLA Program").

Your Honorable Board's authority is requested to authorize the County to enter into any and all agreements necessary to purchase the Property from the current owner(s) of record, in an amount not to exceed \$4,505,000, which will be funded from Capital Project BPL37 New Homes Land Acquisition III, and to convey fee title to the Property to the Developer for One (\$1.00) Dollar.

Upon acquisition of the Property, and prior to conveyance to the Developer, the County will record a Declaration of Restrictive Covenants ("DRC") against the Property in connection with the NHLA Program requiring that the Affordable AFFH Units be affordable to eligible households with incomes at or below 50% and up to 60% of AMI, as adjusted for family size, for a period of not less than fifty (50) years, and that the Affordable AFFH Units will be marketed and leased pursuant to an approved affirmative fair housing marketing plan.

In addition to the NHLA Program funding for this Development, on December 12, 2024, your Honorable Board approved a Resolution authorizing the disbursement of \$9,200,000 of County Housing Flex Funds and to enter into loan agreements for the construction of the Development.

Your Honorable Board's authority is now requested to authorize the County to enter into any and all agreements necessary to purchase the Property from the current owner(s) of record, in an amount not to exceed \$4,505,000, which will be funded from Capital Project BPL37 New Homes Land Acquisition III, and to convey fee title to the Property to the Developer for one dollar (\$1.00).

The goal and objective of the attached Resolution is to provide affordable housing rental units in Westchester County to low and moderate income households. The attached Resolution will serve a public purpose by providing rental housing for those who may not otherwise be able to afford to live in Westchester County. Department staff will monitor compliance with the ongoing affordable housing requirements.

Your Honorable Board's approval of the attached Resolution is respectfully requested.

BPL/CDS/lg  
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 12/11/2025 - RAYMOND S. SUTHERLAND, SECRETARY

## RESOLUTION

UPON A COMMUNICATION FROM THE COMMISSIONER OF PLANNING AND THE DIRECTOR OF COUNTYWIDE ADMINISTRATIVE SERVICES, BE IT HEREBY

RESOLVED, that the County of Westchester (the "County"), acting by and through the Department of Planning, is hereby authorized to enter into any and all agreements necessary to purchase approximately 0.577 acres of real property located at 438 Main Street in the City of New Rochelle (the "Property") from the current owner(s) of record in an amount not to exceed FOUR MILLION, FIVE HUNDRED FIVE THOUSAND (\$4,505,000.00) DOLLARS and to convey the Property to 438 Main Development LLC, its successors or assigns, or any entity created to carry out the purpose of the proposed transaction, (the "Developer") for ONE (\$1.00) DOLLAR and to grant and/or accept any and all property rights in connection therewith for the purpose of creating 114 rental housing units that will affirmatively further fair housing (the "Affordable AFFH Units"; and be it further

RESOLVED, that the purchase and conveyance of the Property shall be by such deeds as shall be approved by the County Attorney; and be it further

RESOLVED, that upon acquisition of the Property, and prior to conveyance to the Developer, the County will record a Declaration of Restrictive Covenants against the Property, in connection with the County's New Homes Land Acquisition Program requiring that the Affordable AFFH Units be available to eligible households with incomes at or below 50% and up to 60% of the Westchester County area median income as adjusted for family size, for a period of not less than fifty (50) years , and that the Affordable AFFH Units will be marketed and leased pursuant to an approved affirmative fair housing marketing plan; and be if further

RESOLVED: that the County Executive or his duly authorized designee is hereby authorized to execute any and all documents and to take any actions necessary to effectuate the purposes hereof.

Account to be  
Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub Object	Bond Act	Dollars
318	19	BPL37-02-R	6050	242-2025	\$4,505,000

Budget Funding Year(s) FY 2025 Start Date: Upon Execution End Date: Fifteen years from execution

Funding Source

Tax Dollars \$4,505,000

State Aid \_\_\_\_\_

**\$4,505,000**

(must match resolution)

Federal Aid \_\_\_\_\_

Other \_\_\_\_\_

APPROVED BOARD OF ACQUISITION & CONTRACT - 12/11/2025 - RAYMOND SCULKY, SECRETARY