



**OUR ASSEMBLYMAN JAKE**  
**BLUMENCRANZ**  
REPRESENTING THE PEOPLE OF THE 15<sup>TH</sup> DISTRICT



**invites you to an URGENT legislative briefing on  
pending legislation/budget proposal  
("The NYS Faith Based Affordable Housing Act")  
which would:**

**FORCE**  
**AS-OF-RIGHT**  
**DEVELOPMENT OF**  
**AFFORDABLE HOUSING**  
**IN OUR COMMUNITIES**

**BYPASS**  
**LOCAL ZONING**

**RUSH**  
**ENVIRONMENTAL**  
**REVIEWS**

**When:**  
**Tuesday**  
**April 2nd**

**Where:**  
**Zoom**



# **Faith-Based Affordable Housing Act**

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**Assembly Bill A.8386 (Cunningham)  
Senate Bill S.7791 (Gounardes)**



# What is the “Faith-Based Affordable Housing Act?”

- This bill would use religious institutions as a vehicle to FORCE as-of-right development of affordable housing in our communities
  - **How?** By allowing **any** parcel or group of parcels owned solely, directly, or indirectly by a religious corporation or corporations.
- This bill would **require** villages, towns, and cities to allow the **unregulated** construction and occupation of residential buildings on any place of worship (places of worship such as temples, churches, mosques; and synagogues).



Sponsor's Memo: [the bill would] “*dramatically* accelerate the timeline on which affordable housing on religious property can be built.”

What does this mean for villages, towns, and cities?

- The building department **must**, within **sixty days** of receiving an application under this bill:
  - ministerially and **without discretionary review** or hearing **APPROVE** a building permit application, regardless of the provisions of any local law, ordinance, resolution, or regulation
  - No review or study of the environmental impact is required

What if a village, town, or city denies a “faith-based affordable housing” building permit?

- A religious institution can initiate an Article 78 civil lawsuit and **ALL** attorney fees and expenses will be awarded against the village, town or city whose failure or refusal gave birth to the particular procedure.





# What could “faith-based affordable housing” look like?



- Residential buildings may be constructed up to 35 feet (**3 stories**) tall AND up to a density of thirty residential units per acre in villages, towns, or cities with less than fifty thousand occupants.\*
- Residential buildings up to 55 feet (**5 stories**) tall AND up to a density of fifty residential units per acre in villages, town, or cities with fifty thousand or more people.\*

\*or the height of the tallest existing building, whichever is taller

What the density  
of this affordable  
housing could  
look like:





Saint Josaphat's Monastery  
118 acres  
Potentially 3,500 affordable housing units





St. Paul the Apostle  
**31 acres**  
Approximately 1,500 affordable housing units



# What does this mean for our community?

- **For residential buildings constructed:**
  - a village, town or city may **NOT** require any development standards or conditions of approval, other than state law, building, and fire codes.
- It means our school districts on Long Island will be excessively **burdened**, as these developments would be tax-exempt
- It would increase class sizes significantly and adversely **interfere** with the quality of education on Long Island
- It would **remove** local input from zoning decisions
- It would **undermine** New York State Home Rule regulations and municipal zoning ordinances
- It would place significantly legal **liability** on localities which seek to preserve their autonomy

# Can a place of worship SELL their new development?

- **YES**, a religious institution may dispose of land through the sale or lease for the development of a residential building.
- All that is required is that the place of worship must complete a training course before a religious corporation may dispose of land through the sale or lease for the development of a residential building.



# What is the status of this bill and when could this become a reality?

- This bill is gaining traction in the Assembly and Senate.
- This identical language is in the **Senate** One-House Budget.
- There is similar language expressing support for such a measure in the **Assembly** One-House Budget.
- The Governor has expressed support for an initiative like this.
- This bill would become effective **IMMEDIATELY** if passed and enacted.

# What can we do to fight?

- Sign-on to my letter to the Governor; Speaker of the Assembly; and Temporary President of the Senate expressing opposition of this affront and the potential and generational damage this would cause to suburbs on Long Island
- Call Members of the Assembly and Senate to voice your opposition
- Join me in FIGHTING AGAINST any initiative which seeks to shift the burden of New York City's housing crisis to hard-working, tax-paying and law-abiding Long Islanders



THE ASSEMBLY  
STATE OF NEW YORK  
ALBANY

RANKING MINORITY MEMBER  
Science and Technology  
COMMITTEES  
Consumer Affairs and Protection  
Health  
Insurance  
Mental Health  
SUBCOMMITTEE  
Internet and New Technology

April 3, 2024

Honorable Governor Kathy Hochul  
Governor of the State of New York  
Executive Chamber  
New York State Capitol  
Albany, New York 12224

Re: *New York State Faith-Based Affordable Housing Act*

Dear Governor Hochul, Majority Leader Stewart-Cousins and Speaker Heastie:

I proudly represent Assembly District 15 in the New York State Assembly. I, along with the undersigned Long Island leaders, write to respectfully express our strong opposition to the proposed New York State Faith-Based Affordable Housing Act (Assembly Bill A.8386, Senate Bill S.7791) currently under consideration in both houses of the State Legislature and being considered in budget proposals.

This legislation, if enacted, would undermine local control and circumvent crucial regulations, taxes, and environmental reviews by allowing the unregulated development of affordable housing on land owned by religious institutions without adherence to established municipal guidelines. As leaders representing our respective communities, we understand the critical importance of affordable housing initiatives in addressing the needs of New Yorkers from all across the state. However, we firmly believe that any such initiatives must be implemented in accordance with the principles of local governance and municipal home rule.

Allowing religious instructions to unilaterally determine the development of affordable housing on their properties without accountability to local regulations sets a dangerous precedent that erodes the foundations of our democratic process. Furthermore, the proposed legislation runs counter to the principles enshrined in the New York State Constitution, which recognizes the significance of municipal home rule and affirms the rights of local governments to enact laws and regulations that reflect the unique needs and values of their communities. A one-size-fits-all approach to affordable housing fails to acknowledge the diverse challenges and circumstances faced by different municipalities across the state, especially suburban communities in the 15<sup>th</sup> Assembly District which I am honored to represent.

We urge you to engage in meaningful dialogue with local leaders and stakeholders to develop solutions that respect the principles of local control, uphold the integrity of our democratic institutions, and address the pressing need for affordable housing in a manner that is respectful, transparent, and accountable.

Thank you for your prompt attention to this important matter.

Sincerely,

Jake Blumenkrantz  
Member of Assembly  
15<sup>th</sup> Assembly District

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