


The Unusable Zoning Override Threat: Analyzing the State Urban Development Corporation's Westchester Plans

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Abstract

This research report aims to explicate the tactics underpinning the State Urban Development Corporation's ill-fated efforts, between February 18, 1970 and 1973, to construct affordable housing in generally affluent, suburban Westchester County. Designed to cut through federal and local municipal red tape that disincentivized private industry from entering the affordable housing field, Governor Nelson Rockefeller hoped that the Urban Development Corporation (UDC) could play a pivotal role in solving the state's housing crisis. The UDC bore the unique power to override local zoning codes. It thus became immediately controversial, inducing the corporation's first president, the (in)famous Bostonian urban planner Edward Logue, to emphasize the UDC's ability to work with local municipal officials to construct much-needed housing, often through a locally-managed subsidiary corporation. When the UDC entered Westchester County on February 18, 1970, hoping to expand its operations to the state's suburbs, these tactics proved ineffective in the face of the county's traditionally decentralized politics, municipal and county officials' long history of support for restrictive zoning and single-family residential construction, and the weakening political position of the county's once-powerful Republican Party. Additionally, widespread protests against state-led public works projects in the late 1960s sapped local support for Governor Rockefeller's administration just before the UDC entered the county. Combined, these factors conspired to enable affluent, white Westchester residents and officials to stall out the UDC until they could form a coalition of state legislators to pass a bill eliminating the UDC's zoning override powers, effectively ending state-level efforts to construct affordable housing.

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On April 9, 1968, the state legislature, at New York State Governor Nelson Rockefeller's urging, signed into law the State Urban Development Corporation (UDC). Designed to elude the typical bureaucratic barriers impeding low- and middle-income housing, the UDC was Rockefeller's pride and joy, the culmination of a decades-long fascination with planning and architecture that helped solidify his status as a "builder" – a doer – among those in his inner circle. Critical to its powers was its ability to override local zoning and building codes, which the UDC's first president, the notorious Boston urban planner Edward J. Logue, convinced Rockefeller would be necessary to ensure local municipal compliance with its housing developments. However, when the UDC entered Westchester County, a wealthy, predominantly white suburban county where the Rockefeller family's own Pocantico Hills estate was located, it found itself politically outmatched. On June 7, 1973, New York State Governor Nelson Rockefeller, facing insurmountable political pressure from a coalition of state legislators, assembled by Westchester's delegation, reluctantly signed a bill removing the UDC's zoning override powers, effectively ending its mission of constructing low- and middle-income housing throughout the state.

This research report aims to explain the UDC's strategy for constructing affordable housing in Westchester County, as well as the reasons for its failure. Traditionally, the UDC heavily relied on subsidiary corporations to build local support for its housing projects, but local Westchester politics long revolved around home rule (as expressed in restrictive zoning policy), and widespread protests against state-led public works projects in the late 1960s sapped local support for Governor Rockefeller's administration at precisely the time the UDC was about to enter the county. Counteracting local opposition required active support from Westchester politicians and business leaders. However, Westchester's decentralized governmental system and moribund county apparatus prevented the formation of an efficacious central council to guide UDC projects, and Governor Rockefeller's primary Westchester contacts were either unwilling or unable to help consolidate municipal support. Combined, these factors conspired to enable affluent, white Westchester residents and their local

officials to stall out the UDC until they could form a coalition of state legislators to pass a bill stripping the UDC of its local zoning override powers, effectively ending state-level efforts to construct affordable housing in the process.

The UDC's Powers, Formation, and Methods

Before analyzing the Urban Development Corporation's Westchester plans, it is first necessary to establish the scope of its powers. The UDC emerged from conversations between Nelson and David Rockefeller in late 1966 regarding the feasibility of inducing private real estate interests to address New York State's dire housing shortage. State voters had twice voted down public bonds for affordable housing construction, and state urban renewal projects took an average of eight years (thirteen years in New York City proper) to complete, largely for the same reasons private industry proved reluctant to construct affordable housing. "The worst part of these urban renovations," Housing Commissioner Charles Urstadt recalled of his time in the private housing field, "was where you thought you were going to go right in and start building," only to get "held up by zoning and planning and by federal HUD regulations [...] and the overhead was killing you."¹ For private real estate interests to participate in building low- and middle-income housing, the bureaucratic obstacles impeding the building process would have to be circumvented.

The UDC, as envisioned by Urstadt, Alton Marshall, and David Rockefeller associates Warren Lindquist and Maxwell Tretter, would do just that. "The truly innovative character of the corporation," planners Sy Schulman and William K. Reilly argued, "is its power to initiate and carry out its own enterprises," and this is a "capability that has not been seen before in America – a multi-purpose public authority empowered to act out any or all of the roles associated with urban development from acquisition to management."² In the traditional urban renewal process, a local governmental authority had to identify a substandard area, formulate a building plan, find a developer, go through the condemnation process, locate housing for displaced persons, and find a potential tenant, all before the construction process could begin. By contrast, the UDC could begin construction before even finding a developer, utilizing a highly

professional staff capable of formulating market projections and plans, and could front its own seed money, making “operations which are conventionally sequential become simultaneous.”³ These functions enabled the UDC to eliminate the inherent financial risks of affordable housing development for private industry while addressing the state’s housing shortage.

Ironically, the UDC’s most infamous power – the ability to override local zoning and building codes – was a late addition to the drafting process. When Marshall, Urstadt, and State Budget Director T. Norman Hurd broached the possibility in July 1967, Urstadt rejected it: “I just thought you couldn’t win and ride over home rule,” he confessed.⁴ But when Edward Logue, the (in)famous Boston urban planner and Nelson Rockefeller’s first choice to be the corporation’s president, arrived at the governor’s mansion to review the UDC legislation in early 1968, he invoked Nelson Rockefeller’s rivalry with New York City Mayor John Lindsay to convince him that the UDC required local zoning and building code overrides to function. Without such powers, Logue informed Rockefeller, “you’re not going to be able to do anything that John Lindsay doesn’t want you to do,” and “you will never know why you didn’t get a building permit or why you didn’t get this little zoning change or whatever.”⁵ Governor Rockefeller immediately agreed. Though he was aware these powers would ruffle municipal authorities’ feathers, he believed that “no local government has any power except as it is given to it by the State,” and “with every right goes a responsibility.”⁶ Because the municipalities had neglected their responsibility to construct affordable housing, it thus fell to the state government to fulfill it instead.

But these expansive powers created political issues for the fledging corporation. Concerned attendees fielded numerous questions regarding the UDC’s zoning override powers during Nelson Rockefeller’s February 27, 1968 press conference on the UDC bill, with one going so far as to ask “is there any protection under the law, at all, against this?”⁷ When the state legislature voted on the UDC’s authorizing legislation on April 9, 1968, the State Assembly nearly voted it down by a 48-84 margin, driving a furious Rockefeller to threaten recalcitrant assemblymen to vote for the bill; other legislators extracted promises from Marshall for various municipal improvements in exchange for their votes. Although the UDC ultimately passed through the state legislature, the critical issue in both houses of the state legislature, as per Marshall, Urstadt, Lieutenant

Governor Malcolm Wilson, and Duryea, revolved precisely around its zoning override powers, a fact that bode ill for the corporation's political survival.⁸

Logue keenly understood his corporation's political precariousness. Throughout its first five years of existence, the UDC only utilized its zoning override powers in four out of 101 cases, mostly, by Logue's own admission, "so that our statute isn't repealed by the legislature."⁹ Instead, Logue repeatedly stressed that the UDC "will only work at the invitation of a locality," that it was a collaborative organization uninterested in building "where we're not wanted."¹⁰ Logue, of course, was not content to wait for municipal invitations; instead, he actively courted mayors throughout the state, emphasizing the UDC's tremendous efficiency, its ability to cut through bureaucratic red tape to construct housing far faster – and more efficiently – than any conventional urban renewal program. That the omnipresent, but implicit threat of the UDC's zoning override powers always hung over Logue's overtures – that the UDC could force uncompliant municipalities to construct housing – did not diminish the public relations value of attaining municipalities' voluntary assent for housing development.

In this respect, at least, the UDC's Westchester experience was typical. Its staffers always understood they would eventually have to venture into the state's suburbs to construct housing, as did the initial drafters of the UDC legislation. To this end, the UDC commissioned the Regional Planning Association to compose a report on New York City metropolitan region housing needs. Published in September 1969, the report confirmed that New York City could not solve its own housing needs on its own, recommending the UDC construct apartment houses in the suburbs to satiate its housing needs. To illustrate "the scale of opportunity in the existing suburbs," the report cited the fact that there existed almost 210 square miles of vacant land in Nassau, Westchester, and Rockland Counties that could currently accommodate 470,000 people under current zoning ordinances; if these 210 square miles were "developed at contiguous population densities," they could accommodate 890,000 more persons "without increasing existing zoning densities" and "without losing the suburban sense of spaciousness."¹¹ While it is unclear why the UDC elected to go into Westchester specifically, the fact that Rockefeller lived in the region and had connections to county officials and the local Urban League chapter likely influenced Logue's decision. Logue made his first overture to longtime county executive Edwin Michaelian on June 18,

1969, speaking before the Westchester Municipal Planning Federation and Westchester Council of Social Agencies to make Michaelian an offer: “to respond to an invitation to appoint a subsidiary corporation [...] to carry out appropriate plans for housing in Westchester.”¹² Logue’s phrasing was very deliberate: despite opening the door for Michaelian, Logue hoped that Westchester “inviting” the UDC into the county would grant it additional legitimacy.

Michaelian, for his part, had ample reason to invite the UDC. Westchester County’s municipalities had long relied on property taxes to fund necessary municipal and county services, but a series of reports from the planning department revealed that a dearth of buildable land in heavily-developed southern Westchester, in conjunction with northern Westchester’s overly stringent zoning codes, was pricing out low- and middle-income residents. Without adequate housing for their employees, industries refused to enter (or, worse, decided to move out of) Westchester, with one anonymous “observer” fuming that county residents “all say they want expansion and development in Westchester but they don’t want it to happen in their own community.”¹³ Michaelian understood full well the implications: without broadening its income base, Westchester was already becoming unaffordable to all but the wealthiest of citizens, significantly impeding its long-term economic viability. Logue independently confirmed this, writing to Nelson Rockefeller that a newly-built Westchester home “rarely sells for less than \$40,000 for a single family dwelling and apartment construction for less than \$70 per room,” with SUNY Purchase (among other institutions) reporting significant difficulty in attracting qualified faculty as a result.¹⁴

Consequently, Logue and Michaelian found themselves in accord. Recognizing that the county’s internal housing studies were nearing completion, Logue proposed a joint UDC-Westchester program in a July 17, 1969 letter to Michaelian, the full details of which were essentially fully hashed out by November 25. As per the memorandum of understanding (a draft of which Logue provided to Governor Rockefeller on November 25), the UDC would form a subsidiary corporation, the Westchester Urban Development Corporation (or WUDC), that would gather professional and institutional knowledge for six months before then analyzing the county’s housing needs, drawing from the county’s ongoing housing studies. It would then formulate a plan for building houses on a countywide basis, the implementation and funding of which the UDC

would accept as its full responsibility. The UDC's Westchester plans did not heavily deviate from the corporation's other suburban housing endeavors; the UDC formed a similar such subsidiary in Monroe County, hoping to construct housing not only in the county seat of Rochester, but also its neighboring suburbs. To manage the WUDC, Logue enlisted as its chairman Sy Schulman, the Westchester County Planning Commissioner between 1961 and 1968, while Governor Rockefeller himself recommended the services of his son-in-law, William Strawbridge, who would serve as the UDC's Westchester area coordinator. Schulman brought extensive planning expertise and a firm belief in the necessity of state intervention to construct affordable housing, one expressed in an effusive article Schulman co-wrote in *The Urban Lawyer* explaining the necessity of the UDC's vast powers, while Strawbridge, as the well-respected president of Westchester's Urban League chapter, knew housing activists throughout the county.¹⁵

Logue immediately recognized the potential. His view, he later recalled to Cary Reich, was that Strawbridge "knew everybody" as the Westchester Urban League's president, "Schulman was the professional and knew everybody that way," so "here I had this Westchester operation."¹⁶ Nelson Rockefeller gave his blessing to the UDC's Westchester plans, and so Logue, Rockefeller, and Michaelian, on February 18, 1970, met at the New York Hilton Hotel to sign the memorandum of understanding between the UDC and Westchester, officially authorizing the UDC to develop a countywide housing program. Shortly after this celebratory occasion, however, the UDC would receive dire warnings from local residents, who better understood the character of Westchester's inevitable opposition. During a May 12, 1970 luncheon with the League of Women Voters, Logue explained his unwillingness to utilize the UDC's zoning override powers for fear of state legislative reprisal, saying that the UDC was "not going to get into the business of saying to local governments, 'Get out of the way, we're coming in whether you like it or not,'" only to be met with an icy reply from one Mrs. Kaldis: "in that case," she scoffed, "please don't give us high-sounding promises that will only result in dashed hopes when we run into racists and the failure of public officials."¹⁷ An attendee of a UDC meeting in White Plains, the seat of Westchester's county government, similarly offered as warning the real reason why Michaelian could support the UDC: "Ed, for Christ's sake don't you know he's not going to run again?"¹⁸

Ill Portents: Political Instability in Westchester

Years later, Logue would blame the UDC's failures in Westchester not on its program or strategy, but on the fact that "we didn't sell it properly." Strawbridge was quite personable, but he fell out of favor with his father-in-law after his 1972 divorce from Mary Rockefeller, and Logue laid him off in early 1973 "to get ahead of the nut." As for Schulman, Logue largely blamed him for failing to "sell it properly," although Schulman was a knowledgeable and accomplished planner, he was also notoriously abrasive, rendering him a poor choice for negotiating with local municipalities. To demonstrate the UDC's ability to build in suburbia, Logue highlighted the accomplishments of UDC's Monroe County subsidiary, headed by Dick Pine, who united a coalition of Rochester businessmen to secure commitments for housing developments in Rochester and its neighboring suburbs. "Pine was perfect and Schulmann [sic], talented as he was, managed to infuriate the League of Women Voters in 15 minutes," or so Logue argued.¹⁹

But were things truly so simple? Westchester County differed from Monroe County's suburbs in several respects, chief among them Westchester's diffuse, decentralized political structure. Whereas Pine could assemble a coalition of Rochester businessmen and politicians to support the UDC's housing goals in Rochester's neighboring suburbs, Westchester's central city, New York City, consisted of counties of its own, and thus lacked direct political influence within the county. Instead, Westchester's politics were largely dominated by its local municipal supervisors (essentially the chief executives of their respective municipalities), who had never successfully been brought together to work on collaborative planning projects despite the efforts of professional and civic groups like the Westchester Planning Federation and Michaelian's Westchester Coalition. Despite its Republican allegiance, moreover, county politicians historically proved quite rebellious against the Republican Party, the state apparatus, or both. William Lukens Ward, Westchester's political "boss" from 1899 until his 1933 passing, almost singlehandedly solidified the Republicans' dominance in the county, but he did so through local patronage politics, creating a self-sustaining polity largely independent from the state Republican apparatus. Ward could thus, according to one obituary, "afford to be in or out of the [state Republican party] as the occasion may dictate," whipping Westchester's state legislators to support Theodore Roosevelt's

third-party candidacy in 1912; vote for Herbert Hoover to serve as the Republican presidential candidate during the 1920 Republican National Convention over eventual nominee Warren G. Harding; and oppose a state-led probe of New York City supported by the entire rest of the state Republican Party.²⁰

By the late 1960s, just before the UDC came to Westchester, this rebellious streak against the Republican apparatus and the state government had resurfaced, fanned by the ill-fated Hudson River Expressway project. Designed to relieve heavy traffic congestion near Tarrytown, North Tarrytown, and Ossining, opponents successfully fended off the expressway by directly tying it to Nelson Rockefeller, portraying themselves as put-upon underdogs fighting a dictatorial governor ramming through the Expressway to bolster his family's Pocantico Hills property values, all at the expense of local residents and wildlife. Tarrytown Mayor Anthony Veteran, during a June 20, 1968 hearing in North Tarrytown, denounced the expressway as “an arbitrarily imposed extravagance of primary benefit to the Rockefeller interests at the public expense – a fraud, from start to finish.” Another speaker, hoping to accentuate the point, alleged that Nelson Rockefeller could not attend the hearing because he was busy partying in the Chicago Loop, while a Josh Williamson vowed that if the Hudson River Valley Commission (a citizens' commission Rockefeller had formed) were to vote on the matter, “you will see that the common man does not want any part of this road.”²¹ Democratic Representative Richard Ottinger, who spearheaded the protests, gave critics a national stage before the Subcommittee on Fisheries and Wildlife Conservation on June 24 and 25, 1969, where they struck very similar themes. One speaker, a Tarrytown writer formerly employed by the Hudson River Valley Commission, even called Nelson Rockefeller “a despotic monarch,” not that “different from that of ‘ole King George’ while representing himself as a ‘liberal.’”²²

Governor Rockefeller was furious. As Ottinger retrospectively (but unapologetically) admitted to Cary Reich, the protests directly impugned the Rockefeller family's moral character, as well as their impressive conservationist record; even worse, Ottinger was a Democratic congressman who had been elected right out of northern Westchester, normally the Rockefellers' base of operations.²³ Put differently, opposition to the Hudson River Expressway signified the governor's inability to exert control over precisely those northern Westchester towns that would become central to the UDC's

Westchester housing plans (owing to the fact that northern Westchester, unlike the county's more developed southern half, still possessed open residential land on which to build). Worse, the expressway opposition also marked the reemergence of the county's rebellious streak, this time directed against the State apparatus, Governor Rockefeller included. Just a month after the UDC and Westchester announced their memorandum of understanding, the Metropolitan Transportation Authority's proposals for a local commercial airport at a public hearing in Somers sparked so supremely hostile a reception that *The Yorktown* declared it to be "as close to maximum unity northern Westchester has ever seen, or, perhaps, will ever see again." Importantly for the UDC, protesters decisively rejected the notion that Somers had to pivot away from single-family residential development, with state senator and Somers resident Bernard Gordon bluntly informing the MTA that "nobody wants the kind of commercial growth the MTA thinks is good for northern Westchester."²⁴ In 1970, North Tarrytown Democrats took three positions on the previously unanimously-Republican Town Board buoyed by anti-Hudson River Expressway – and, by extension, anti-Nelson Rockefeller – sentiment. Afterwards, Nina Jones, Rockefeller's primary Westchester contact, lamented that "Now there are some irreversible complications, both in Family and campaign terms in that area."²⁵

Against this fraught political backdrop, the governor proved unable to effectively build support for the UDC. Though the Rockefellers traditionally preferred to operate with a soft hand in Westchester, Nelson twice proposed donating Pocantico Hills lots to the UDC as a sign of good faith: once immediately after Logue presented his Westchester proposal to the governor, the second time in June 1972. Both times, his proposals were rebuffed. None of the other Rockefellers supported the first proposal, and by 1972, anti-UDC sentiment had become so "virulent," according to Nina Jones, that she advised against it, since linking the UDC with the Rockefellers "could simply extend the mantle of villainy," an assessment Rockefeller legal counsel Donal O'Brien agreed with.²⁶ Even as early as 1970, the UDC's first year of operation in Westchester, Jones noted to Nelson Rockefeller "the danger that a certain viciousness in the opposition is reaching out to try to join you personally with the mindless anti-UDC charges," reminding him that "this same method was used in the case of the Expressway."²⁷ By October 11, 1972, during an anti-UDC event, Cortlandt Supervisor and UDC foe William

Hitt “drew the evening’s only enthusiastic applause by proposing a large UDC site in Pocantico Hills.”²⁸

Theoretically, Nelson Rockefeller could have leveraged his Westchester connections to indirectly build support for the UDC, circumventing his personal inability to campaign for the agency. In practice, however, the Westchester politicians among Rockefeller’s inner circle lacked either the popularity or ability necessary to build public support for the UDC. Michaelian, the well-respected four-term county executive who invited the UDC into Westchester, retained political power through what Jones deemed “unceasing machinations on all levels;” by 1966, his machinations “undercut [county Republican Party chairman] Powers and his authority in many ways,” vitiating the local Republican Party.²⁹ Lieutenant Governor Malcolm Wilson was uncompromisingly loyal to Nelson Rockefeller and exerted power from behind the scenes in his native Westchester, but had actually tried to warn him away from supporting the Nine Towns plan, deriding it as “social engineering” (and a political liability besides).³⁰ Worse, Wilson actively feuded with Michaelian, who inculcated resentment against the lieutenant governor by highlighting his absences from Westchester and backroom dealings.

Courtesy of this political infighting, the Westchester Republican Party was, by June 1972, teetering on collapse. That month, Jones reported to Nelson Rockefeller that Michaelian had “lost real control of the County Board of Legislators and has sassy ‘traitors’ in his cabinet,” while the local Republican Party organization “is an [sic] antediluvian shambles,” having “done nothing to cope with the new demands and appeal to new voters.”³¹ The county’s historically disorganized Democratic Party could not fill the resulting power vacuum despite recent electoral successes, and as Jones claimed, neither could the county’s civic agencies, which suffered from a dearth of political and/or financial support. “It is not so much that a new power structure has usurped the old,” Jones reported, “but rather that there is really none,” and this had dire implications for the UDC.³² Without a centralized county power structure, neither the governor’s office nor the UDC’s local allies could effectively marshal support for the organization; nor could they counterbalance the pressure state legislators inevitably faced from civic groups agitating for the UDC’s elimination (or, failing that, the removal of its zoning powers). Town and village boards, recognizing the UDC’s weak political

position, refused to work with its Westchester subsidiary to determine potential site locations, forcing the UDC to waste valuable time conducting site surveys and wading through red tape it was legally permitted (but politically unable) to circumvent.

Ironically, this was clearly visible in the UDC's mid-1972 Fair Share report, published to reveal its Westchester housing plans, complete with individual sections explaining the selection process for each of the UDC's nine 100-unit sites, all but two of which were located in the county's northern townships, owing to their greater amount of undeveloped land compared to southern Westchester municipalities. Arguably, they did so too well, revealing the UDC's utter inability to solicit local municipal support. When the UDC approached Greenburgh, the report explains, it "met with town officials, who had no sites to suggest."³³ In Bedford, town officials suggested fourteen sites during their initial Summer 1970 meeting with the UDC, later offering an additional two sites; staffers deemed every single suggested site unusable. Relations with the Lewisboro Town Board likewise soured soon after the initial 1970 meetings, and the UDC only managed to secure a site close to its original proposed location after fruitless months of negotiations over the original site. Of the remaining six sites, the report offers no indication that the UDC successfully collaborated with the involved townships, despite the UDC tailoring its program to be as inoffensive as possible to local residents. Whereas Logue elsewhere emphasized the breadth and scope of UDC projects, the Fair Share report instead highlights the Nine Towns plan's "smallness in scale rather than representing large deviation from community values."³⁴

Said "smallness" could similarly be seen in the Nine Towns plan's myriad concessions. Typically, the UDC designed far larger housing projects, with units occasionally numbering in the thousands; indeed, Logue himself initially speculated that the UDC might construct "many, many thousands" of housing units when the UDC initially arrived in the county.³⁵ Instead, the Fair Share report proposed for Westchester scant 100-unit developments, despite confessing that such a low amount of units would make a miniscule dent on the county's housing supply "in comparison to the need."³⁶ In fact, these 100-unit developments were the absolute smallest they could construct while still turning a profit, with the Fair Share report itself admitting that "anything smaller could not be constructed and managed economically."³⁷ The UDC's proposed resident composition, while typical in the context of its broader state-wide housing plans, also

served to preemptively mollify critics by lessening their housing's impact. Seventy percent of residents would be middle-income, while another 10% of housing units would be set aside for the elderly (who often tended to be of lesser means); only 20% of housing units would be designated for low-income residents. Indeed, the UDC's Fair Share report insisted that these small developments would "not create any serious impact on the character of local neighborhoods, the quality of public schools or the burden of property taxes;" just in case, however, the UDC preemptively ceded further ground to the supervisors, announcing they would "consider alternative sites suggested by the Supervisors which meet feasibility requirements." While the UDC admitted "there may be considerable opposition, political or otherwise," to its housing proposals, they hoped these concessions would help ensure that "the discussion will be rational and that those many organizations and individuals who have recognized the need for such programs will make their voices heard."³⁸

Westchester's Rebellion: The UDC Defanged

Such reassurances failed to mollify the UDC's mounting opposition. Before the UDC even publicly unveiled the Fair Share report, North Castle's supervisor, John Lombardi, was already mobilizing like-minded Bedford and North Castle residents to form what would become the United Towns for Home Rule (UTFHR). Building off the efforts of pre-existing anti-UDC civic groups in the county like the Harrison Citizens for Local Control, the UTFHR aimed to pressure state legislators into revoking the UDC's zoning powers (if not its outright elimination), with Republican State Representative Alvin Suchin being named its honorary chairman. UTFHR members deliberately construed their opposition in similar terms as the Hudson River Expressway protesters, situating themselves as every-men fending off an imperialistic state agency.³⁹ State Assemblyman J. Edward Meyer III, for instance, proclaimed that "we are fighting for the right to run our own lives," that "we are not getting a fair shake and we want it now," while another assemblyman, Peter Peyser, deemed "the ability to override local zoning and to move into an area without the cooperation of the local community is contrary to every concept to local determination."⁴⁰

Despite using superficially race-neutral rhetoric, racial animus implicitly lied behind much of the UDC's opposition in Westchester. Sometimes, this animus was merely implied: in early 1972, County Legislator Edward J. Brady voiced fears that the UDC was "attempting to change the 'sociological' nature of our county."⁴¹ Other critics proved less circumspect. Warren Jackson, a columnist for the Gannett Newspaper chain, related to readers a letter he claimed to have received after expressing support for the Nine Towns plan that denounced him as a "bubble-headed ignorant slob who should move back to whatever cotton patch you were hatched in," apparently not realizing that Jackson grew up in Yonkers.⁴² Most notably, the UTFHR's leadership evinced great difficulty reining in the bigoted undercurrent lying just beneath the surface of anti-UDC protests. Stuart Greene, speaking before the UTFHR in a June 28 meeting, clarified four times that the UTFHR opposed housing discrimination, recognizing – and hoping to counter – the fact that "the defense [...] Logue has against us is bigotry," only for an attendee to warn that the Nine Towns plan would attract "welfare clients" and other people "peddling dope on the streets," tapping into precisely the thinly-veiled racism so successfully used by Richard Nixon (among others) during the 1968 presidential race. A clearly frustrated Greene swiftly admonished the speaker, reminding him that "That kind of a question gives aid and comfort to those we're trying to best."⁴³

Aware that anti-UDC activism had reached new heights, but still unwilling to invoke the corporation's zoning override powers, Logue made a fateful decision. Sometime in July, State Senator Gordon (who represented all seven northern towns for which the UDC had announced housing) opened a dialogue with Logue, resulting in a compromise that Logue informed Nelson Rockefeller about on July 27. The UDC would still hold its upcoming public hearings in Bedford and Greenburgh, but after consulting with Gordon, Logue agreed with the state senator "that we will benefit and the climate will be improved if we defer taking action and make renewed offers to the Supervisors" for an unspecified period of time.⁴⁴ Although skeptical "that the Town Supervisors will change their attitudes," Logue nevertheless argued to Governor Rockefeller "that this is the best available way for us to proceed," hoping the temporary moratorium would illustrate the UDC's willingness to work with local officials.⁴⁵ Gordon announced the stay shortly afterwards, and the governor himself would, in late September, extend the

housing moratorium until January 15, 1973, by which date townships unwilling to collaborate with the UDC would have to submit their own housing plans.⁴⁶

Tactically, the compromise backfired. It did virtually nothing to mollify the UTFHR, which portrayed the moratorium as a Rockefeller stalling tactic to avoid voter backlash just before a critical election, and (just as Logue predicted) Westchester towns already reluctant to work with the UDC did not reassess their stance over the next five months. Most did not submit alternate plans to the governor; the town of North Castle was purported to be devising a 445-unit middle- and upper-income housing project, but Daniel L. Miller, Schulman's replacement as UDC Westchester area director, confirmed that they had not presented any firm plans. Happenings in other townships were similarly dismal. New Castle and Cortlandt refused to contact the UDC, negotiations in Somers were stalled pending a letter from Governor Rockefeller, and the UDC, having agreed to shift its Lewisboro development's location yet again, were awaiting the completion of engineering studies for the township's preferred location. Only two townships, Bedford and Greenburgh, had firm commitments with the UDC, a situation that made Greenburgh's town board increasingly nervous. "Shouldn't we have firm plans for more than two towns so that they and Bedford are not left alone," the town board asked UDC officials during a public hearing?⁴⁷

In essence, the UDC's political situation remained unchanged; it was no closer to establishing affordable housing after the moratorium ended in January 1973 than it was back in August 1972. In some ways, it actually deteriorated. Formerly supportive state legislators, like State Assemblyman Joseph Pisani of New Rochelle, facing difficult races against vociferously anti-UDC opponents, changed tack, voicing their disapproval for the agency. Unanimously united against the corporation, Westchester's representatives spent 1972 introducing bills that would, at minimum, prevent the UDC from utilizing its zoning override powers, supported by a coalition of suburban state legislators from throughout the state. One Assembly bill, introduced by Peyser and Hamilton Fish Jr. on September 5, 1972, would even have prevented any state agency from building in Westchester without local approval, further highlighting how interconnected opposition to the UDC, MTA, and the state Department of Transportation had become. Indeed, the county legislators had, earlier that year,

publicly disapproved a proposed Rye-Oyster Bay bridge connecting Westchester and Long Island, directly defying Michaelian to do so.⁴⁸

Nelson Rockefeller, of course, vetoed every bill the Westchester coalition introduced in the state legislature. Although the majority of the state legislature opposed the UDC, they did not have the votes to override Rockefeller's veto; in fact, the legislature raised the UDC's bonded indebtedness limit from \$1,000,000,000 to \$1,500,000,000! Even as the UDC engaged in fruitless negotiations with Westchester municipalities, its financial situation steadily deteriorated. Although the UDC's statute enabled it to raise \$1,000,000,000 (now \$1,500,000,000) in funds through public bonds, the corporation quickly became dependent on Federal Section 236 subsidies, established under the Federal Housing Act of 1968, which subsidized mortgage interest rates exceeding 1% for multi-dwelling complexes of at least five units, aiming to service low- and moderate-income families. The UDC dominated New York State's share of Section 236 funds, using 60% of the entire nation's Section 236 subsidies. By 1971, Logue himself admitted that "UDC projects are not feasible without 236 assistance; today's cost of money, materials, and labor require such subsidy."⁴⁹ That same year, however, Logue also acknowledged that Federal Department of Housing and Urban Development Chairman George Romney required voluminous amounts of paperwork before approving Section 236 funds, something Logue suspected served to ration dwindling subsidiary funds.⁵⁰ Because the UDC had come to rely so heavily on Section 236, the tightening, or even outright withdrawal, of these funds could force the UDC into a desperate financial situation.

That is precisely what happened. Shortly after the UDC's Westchester moratorium ended in January 1973, the Nixon administration froze federal housing subsidies, immediately throwing the corporation into financial turmoil. By the month's end, Logue submitted a letter to Nelson Rockefeller announcing drastic financial cutbacks, reducing the corporation's staff by 10%; suspending annual reviews and cost of living increases; and extending an employee hiring freeze previously implemented in October 1972. More importantly, Logue confessed to Rockefeller that the moratorium made it impossible to "stick to my hoped-for goal of being self-supporting from our own fees," necessitating "appropriations at this session."⁵¹ This, however, gave the legislature critical leverage over the governor, something Malcolm Wilson recognized immediately

in an early 1973 meeting with Logue and the governor. “You can keep vetoing this bill as long as you want,” Logue recalls him as saying, “but you cannot make them appropriate money;” by pairing the bill to eliminate the UDC’s zoning override powers with the appropriations the UDC desperately needed, the state legislature could now force the governor’s compliance.⁵²

Ultimately, the state legislature succeeded. Rockefeller held out for as long as possible, but simple necessity forced him to sign a bill, on May 27, that removed the UDC’s zoning override powers to acquire its necessary appropriations. All nine Westchester townships withdrew from their housing proposals almost immediately afterwards, with Harrison Supervisor John Passidomo lamenting that, although “with good sense and intelligence, they could have made inroads in Westchester,” the UDC “tried to bulldoze their way in instead, and this ultimately proved to be their downfall.”⁵³ In truth, local correspondents recognized that Westchester would likely prove hostile to low- and middle-income housing; indeed, this was precisely what Mrs. Kaldis attempted to tell Logue during his meeting with the Westchester League of Women Voters. Because the UDC was politically controversial, however, it could never comfortably utilize its zoning override powers, instead directing local affiliates to negotiate with municipal officials to build up political support, a strategy that fell flat in a suburban environment wherein (white) residents and officials repeatedly refused to construct housing. Logue himself inadvertently illustrated the issue when he wrote, to Bernard Gordon, that “Although we have been eager to proceed after more than two years of discussion, negotiations and attempted negotiations, we are persuaded by your experienced judgement that we should continue the process of discussion and negotiation.”⁵⁴ Unable to use the corporation’s potent powers over zoning and building codes due to political turmoil, the UDC instead embarked upon a course its own president believed unlikely to produce firm results, a belief validated by the Westchester townships’ lack of progress by January 15, 1973.

In the end, the UDC was caught in a Catch-22. Westchester’s townships would never voluntarily construct low- and middle-income housing, but the UDC could only circumvent this resistance with a tool too politically controversial to actually use. Unable to maneuver around this paradoxical political situation, the UDC emerged from its fight with Westchester with virtually nothing; no housing in Westchester, and sans

the very powers that enabled the UDC to cut through the red tape retarding housing construction throughout the state. In the long term, the fight's consequences would be disastrous. Never again would New York State embark upon such an ambitious program of housing development; the UDC itself, after 1975 Moreland Commission hearings regarding its unstable financing, would reorient itself towards commercial development, largely abandoning the low- and middle-income housing mission that had driven the corporation in its early years. As for Westchester, a 2019 Hudson River Valley for Progress report noted that the county's share of 30- to 44-year-olds dropped by 19% between 2000 and 2017, indicating "a housing supply issue, especially with affordable housing options for young families," while "the vast majority of new rental developments are priced well above an affordable level for many residents living and working in the county..." precisely the same situation, in other words, that prevailed in the 1970s, when the UDC attempted to intervene in Westchester's housing market.⁵⁵

¹ Cary Reich, "Charlie Urstadt Interview," 2. Cary Reich Papers, Series 1: Interview Transcripts and Subject Files, Box 7, Folder 290: Charlie Urstadt Interview. Rockefeller Archive Center (hereafter RAC).

² William K. Reilly and S. J. Schulman, "The State Urban Development Corporation: New York's Innovation," *The Urban Lawyer*, Summer 1969, 9 & 10. David Rockefeller Papers, Associates, Warren T. Lindquist Papers, Series 1: 1953-1975, Box 41, Folder 317: New York State UDC, 1969. RAC.

³ *Ibid*, 12.

⁴ Reich, "Charlie Urstadt Interview," 6.

⁵ "Ed Logue Interview," May 11, 1982, 5 & 6. Cary Reich Papers, Series 1, Box 8, Folder 326: Cary Reich Papers, Ed Logue Interview. RAC.

⁶ "News Conference of Governor Nelson A. Rockefeller in Red Room, State Capitol Albany, N.Y., February 27, 1968." 5. Nelson A. Rockefeller Gubernatorial Papers, Record Group III 15.27, Series 27: Public Relations, Subseries 1: Books and Articles, Box 2, Folder 27: Urban Development Corporation – Pamphlet: To Rebuild Slums... To Build Better Lives... RAC.

⁷ *Ibid*, 15.

⁸ "Assembly Votes \$6B Slum Bill," *Daily News*, April 10, 1968, 10. David Rockefeller Papers, Associates, Warren T. Lindquist Papers, Series 1, Box 41, Folder 322. RAC.

⁹ Richard Schickel, "New York's Mr. Urban Renewal," *New York Times Magazine*, March 2, 1970, 32. David Rockefeller Papers, Associates, Warren T. Lindquist Papers, Series 1, Box 41, Folder 322: New York State UDC: Clippings on Joint Corporation, 1967-1970. RAC

¹⁰ *Ibid*, 36.

¹¹ "Housing Opportunities: An Analysis of New York City and its Northern and Eastern Suburbs for the New York State Urban Development Corporation," *Regional Plan News*, September 1969, No. 91, 17. David Rockefeller Papers, Associates, Warren T. Lindquist Papers, Series 1, Box 41, Folder 322. RAC.

¹² Nora Applegate, "State's Urban Development Chief Offers Aid for County Housing," *Port Chester Daily Item*, June 20, 1969, 18.

¹³ John Griffin, *Industrial Location in the New York Area* (New York: City College Press, 1956), 69-70.

¹⁴ Edward J. Logue to Nelson A. Rockefeller, "Memorandum," November 25, 1969, 2. David Rockefeller Papers, Associates, Warren T. Lindquist Papers, Series 1, Box 41, Folder 318: New York State UDC, 1967-1970. RAC.

¹⁵ Edward J. Logue to Edwin Michaelian, July 17, 1969, 1-2. Nelson A. Rockefeller Gubernatorial Records, Office Subject Files, Third Administration, Subseries 37.3, County Reel 55. RAC; Edward J. Logue to Nelson A. Rockefeller, "Memorandum," November 25, 1969. David Rockefeller Papers, Associates, Warren T. Lindquist Papers, Series 1, Box 41, Folder 318: New York State UDC, 1967-1970. RAC; *Memorandum of Understanding Between the New York State Urban Development Corporation and the County of Westchester*, Draft, November 25, 1969. David Rockefeller Papers, Associates, Warren T. Lindquist Papers, Series 1, Box 41, Folder 318. RAC; Edward J. Logue, "The President's Statement," April 17, 1973, 10. In *Annual Report of the New York State Urban Development Corporation, 1972* (New York: New York State Urban Development Corporation, May 21, 1973), 7-13. Nelson A. Rockefeller Gubernatorial Records, Series 25: Press Office, Subseries 3: Agency and Commission Reports, RG III 15 25, Box 75, Folder 170: Urban Development Corporation – 1972 Annual Report, 1973 May 21. RAC. For more on Strawbridge's tenure as the Westchester County Urban League's president, see "Strawbridge Urban Group Heads County," *Tarrytown News*, Thursday, February 11, 1965, Clippings File. Rockefeller Family, General Files, 1962-1976, Series 22: Race Relations, RG 3, Box 1096, Folder 6. RAC; Warren T. Lindquist to William J. Strawbridge Jr., March 17, 1964. Rockefeller Family, General Files, 1962-1976, Series 22, RG 3, Box 1096, Folder 6. RAC. For more on Westchester Urban League programs during Strawbridge's tenure, see Mrs. Benedict Ginsburg, William Rowe, and William J. Strawbridge, Jr. to John D. Rockefeller 3rd, July 24, 1969. Rockefeller Family, General Files, 1962-1976, Series 22, RG 3, Box 1096, Folder 6. RAC. "Project Enables --- Yonkers: A Success Story," *Urban League News, Westchester County, New York*, February 1968, 1. Rockefeller Family, General Files, 1962-1976, Series 22, RG 3, Box 1096, Folder 6. RAC.

¹⁶ "Ed Logue Interview," May 11, 1982, 50. Cary Reich Papers, Series 1, Box 8, Folder 326. RAC.

¹⁷ "Urban Chief's Cautious Comments Criticized by League of Women Voters," *Port Chester Daily Item*, May 13, 1970, 4.

¹⁸ *Ibid*, 32.

¹⁹ "Ed Logue Interview," 57; 51; 27 & 28. Cary Reich Papers, Series 1, Box 8, Folder 326: Cary Reich Papers, Ed Logue Interview. RAC.

²⁰ Quote from Edwin S. McIntosh, "William L. Ward, Political Warhorse of Westchester," *New York Tribune*, March 1, 1931, A9. For more regarding Ward and Westchester's early political development, see "W. L. Ward Dies at 76 after Operation," *The New York Times*, July 17, 1933, 1 & 13; John H. Crider, *Boss Ward: the Story of Modern Westchester* (New York: N.P., 1935; New York: Library of the Westchester County Historical Society, October 1937), 1. Westchester County Archives; Ernest Freeland Griffin, *Westchester County and Its People: A Record, Volume 1* (New York: Lewis Historical Publishing Company, 1946); and Ernest Freeland Griffin, *Westchester County and Its People: A Record, Volume 2* (New York: Lewis Historical Publishing Company, 1946).

²¹ "Hudson River Expressway, excerpts from Hudson River Valley Commission Hearings, North Tarrytown, June 20, 1968," 69, 166, & 118. Nelson A. Rockefeller Personal Papers, Series J.1:

Politics – New York City Office, Subseries 5: Office of the Governor, RG III 4 J.1, Box 7, Folder 811: NAR Gov – Jones, Nina, 2 of 2. RAC.

²² “Hudson River Expressway, excerpts from Subcommittee on Fisheries and Wildlife Hearings, Washington, June 24 and 25, 1969,” 307. Nelson A. Rockefeller Personal Papers, Series J.1: Politics – New York City Office, Subseries 5, Record Group III 4 J.1, Box 7, Folder 811. RAC.

²³ Cary Reich, “Richard Ottinger Interview,” 2. Cary Reich Papers, Series 1: Interview Transcripts and Subject Files, Box 2, Folder 81: Ottinger Interview. RAC.

²⁴ George Candreva, “Airport Hearing Jam-Packed,” *The Yorktowne*, Vol. 3, No. 20, March 6, 1969, 1. Nelson A. Rockefeller Personal Papers, Series J.1: Politics – New York City Office, Subseries 5: Office of the Governor, Record Group III 4 J.1, Box 7, Folder 810: NAR Gov – Jones, Nina, 1 of 2. RAC.

²⁵ “Nina Jones to Louise Boyer,” March 19, 1970. Nelson A. Rockefeller Personal Papers, Series J.1: Politics – New York City Office, Subseries 5: Office of the Governor, RG III 4 J.1, Box 7, Folder 810. RAC.

²⁶ Nina Jones to Nelson A. Rockefeller, June 14, 1972, 1. Nelson A. Rockefeller Personal Papers, Ann C. Whitman – Politics, Series P, RG III 4 P, Box 14, Folder 338: O’Brien, Donal. RAC.

²⁷ Nina Jones to Nelson A. Rockefeller, July 17, 1972. Nelson A. Rockefeller Gubernatorial Records, Diane Van Wie, Series 34, Subseries 4: Executive Chamber Staff Memos, RG III 15 34, Box 40, Folder 1046: Jones, Nina, 1972-1973. RAC.

²⁸ “New Anti-UDC President Plans Political Pressure,” *Patent Trader*, October 12, 1972. Nelson A. Rockefeller Personal Papers, Ann C. Whitman – Politics, Series P, RG III 4 P, Box 12, Folder 275: Logue, Edward J. RAC.

²⁹ Nina Jones to Nelson A. Rockefeller, December 21, 1966, 3. Nelson A. Rockefeller Gubernatorial Records, Diane Van Wie, Series 34, RG III 15 34, Subseries 4: Executive Chamber Staff Memos, Box 40, Folder 1047: Jones, Nina (Mrs. Robert Fink) 1966-1969. RAC.

³⁰ Cary Reich, “Malcolm Wilson Interview – III,” 46 & 91. Cary Reich Papers, Series 1: Interview Transcripts and Subject Files, Box 4, Folder 161: Malcolm Wilson Interview – III. Rockefeller Archive Center.

³¹ Nina Jones, “Untitled Memo,” June 22, 1972, 3. Nelson A. Rockefeller Gubernatorial Records, Diane Van Wie, Series 34, Subseries 4, RG III 15 34, Box 40, Folder 1046. RAC.

³² *Ibid*, 1.

³³ *Fair Share: A Report on Westchester’s Housing Shortage for Low and Moderate-Income Families and the Elderly* (White Plains: UDC Westchester Office, 1972), 16. David Rockefeller Papers, Associates, Warren T. Lindquist Papers, Series 2: 1978 Accession, Box 87, Folder 766: Westchester County Housing, 1972. RAC.

³⁴ *Ibid*, 6.

³⁵ “Urban Chief’s Cautious Comments Criticized by League of Women Voters,” *Port Chester Daily Item*, May 13, 1970, 4.

³⁶ *Fair Share*, 6.

³⁷ *Ibid*.

³⁸ *Ibid*, 7.

³⁹ Dantia Quirk, *The Record*, February 16, 1972. Nelson A. Rockefeller Personal Papers, Ann C. Whitman – Politics, Series P, RG III 4 P, Box 14, Folder 338: O’Brien, Donal. RAC.

⁴⁰ Nina Jones, “Housing – UDC,” July 17, 1972, 3. Nelson A. Rockefeller Gubernatorial Records, Diane Van Wie, Series 34, Subseries 4, RG III 15 34, Box 40, Folder 1046. RAC; “Peyser and Fish Unveil Bill to Restrict Power of UDC,” *The Standard Star*, September 5, 1972, 1.

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- ⁴² Warren Jackson, “Hate Mail Follows Columns Defending UDC in County,” *Port Chester Daily Item*, September 5, 1972, 18.
- ⁴³ Marlene Merritt, “Vergari Asks UDC to Declare 9-Month Moratorium in County,” *Port Chester Daily Item*, July 28, 1972, 16.
- ⁴⁴ “Confidential,” Edward Logue to Nelson Rockefeller, July 27, 1972, 1. Nelson A. Rockefeller Gubernatorial Records, Counsel’s Office, Series 10, Subseries 3: Robert R. Douglass, RG III 10.15.3, Box 27, Folder 278: Housing – Urban Development Corporation, 1970-1972. RAC.
- ⁴⁵ *Ibid*, 2.
- ⁴⁶ See Linda Greenhouse, “Westchester Towns Win a Moratorium on U.D.C. Housing,” *The New York Times*, August 2, 1972, 1 & 41; Milton Hoffman, “Rockefeller UDC Delay is Official,” *Port Chester Daily Item*, September 29, 1972.
- ⁴⁷ Daniel L. Miller to Edward J. Logue, February 5, 1973, 1. Nelson A. Rockefeller Personal Papers, Ann C. Whitman – Politics, Series P, RG III 4 P, Box 12, Folder 275. RAC.
- ⁴⁸ Jones to Nelson A. Rockefeller, “Some Westchester UDC Background,” September 8, 1972. Nelson A. Rockefeller Gubernatorial Records, Diane Van Wie, Series 34, Subseries 4, RG III 15 34, Box 40, Folder 1046. RAC; Nina Jones to Nelson Rockefeller, April 5, 1972. Nelson A. Rockefeller Gubernatorial Records, Diane Van Wie, Series 34, Subseries 4, RG III 15 34, Box 40, Folder 1046. RAC.
- ⁴⁹ “Memorandum,” Richard L. Dunham to T. Norman Hurd and Robert R. Douglass, February 16, 1972. Nelson A. Rockefeller Gubernatorial Records, Counsel’s Office, Series 10, Record Group III 10.15.3, Subseries 3: Robert R. Douglass, Box 25, Folder 264: Housing, 1972 – Housing Finance Agency; Mitchell-Lama; Correspondence. RAC. For information regarding Section 236 funds (and other federal funds used by New York State agencies regarding housing), see “Memorandum,” Richard L. Dunham to T. Norman Hurd and Robert R. Douglass, February 16, 1972. Nelson A. Rockefeller Gubernatorial Records, Counsel’s Office, Series 10, Subseries 3, RG III 10.15.3, Box 25, Folder 264. RAC. For the UDC’s share of Section 236 subsidy funds, see Lizabeth Cohen, *Saving America’s Cities: Ed Logue and the Struggle to Renew Urban America in the Suburban Age* (New York: Farrar, Straus and Giroux, 2019), 276.
- ⁵⁰ Edward J. Logue to Nelson A. Rockefeller, August 17, 1971, 3. Nelson A. Rockefeller Gubernatorial Records, Counsel’s Office, Series 10, Subseries 3, RG III 10.15.3, Box 27, Folder 278. RAC.
- ⁵¹ Edward J. Logue to Nelson A. Rockefeller, January 29, 1973, 2. Nelson A. Rockefeller Personal Papers, Ann C. Whitman – Politics, Series P, Record Group III 4 P, Box 12, Folder 275. RAC.
- ⁵² “Ed Logue Interview,” 29.
- ⁵³ F.A. Farber, “Assembly Approves a Bill Barring UDC Projects,” *The New York Times*, May 26, 1973, 13.
- ⁵⁴ Edward J. Logue to Bernard G. Gordon, July 28, 1972, 4. Nelson A. Rockefeller Gubernatorial Records, Counsel’s Office, Series 10, Subseries 3, RG III 10.15.3, Box 27, Folder 278. RAC.
- ⁵⁵ *Westchester County Housing Needs Assessment*, Hudson Valley Pattern for Progress, November 19, 2019, 44, 24, 39, & 7, accessed February 19, 2023, <https://tinyurl.com/sbpxkv3>.