

From: Amy Pappas [<mailto:amy.pappas@verizon.net>]
Sent: Saturday, October 24, 2020 6:38 PM
To: Chappaqua Forward <chappaquaforward@mynewcastle.org>
Cc: PublicComment <PublicComment@mynewcastle.org>
Subject: Questions on Form Based Code

As 35 year residents of Chappaqua, we have been watching both the information sessions and listening to the public hearing sessions relating to the Form Based Code. We wish to thank Sabrina and the Board for all the work that was put into preparing the DGEIS and the Board for being open to listening to opinions from the public. We hope the Board is going through this process with their eyes wide open as to what the future of the Town could look like as the residents of the town are the real risk takers in this process.

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If our 32 home homeowners association has neighbors unaware, I assume that many, many people in Town have no idea either that this is going on.

Question:

Why didn't the Board send a town-wide mailing on such an important topic?

Will you send a mailing to be sure to reach and educate ALL residents, all of whom would be impacted?

Timing

Despite hearing the question asked numerous times, I have not heard an adequate answer from the Board as to why this is being rushed through and why the Board is so intent on getting this done now with numerous open issues, including studies on parking, no breakdown of size of units, no school board input, no real input from the fire department, no analysis on the future attraction of dense housing in the era of Covid, no idea of the future of restaurants and night life in the era of Covid. The studies done by the consultants on some of these issues appear not to be completely thought out. Now is the time to do so. The moratorium is self-imposed by the Board and can apparently be lifted at any time. I received an email saying the County is pressuring the Town to lift the moratorium, but as it was self-imposed, I do not understand how that is important. One of the developers who spoke mentioned it is very unusual to have a public hearing within just a week of ending information sessions and that even to him the length of time between an information session and a public hearing was incredibly short. I cannot understand the rush to get this done.

Question:

What exactly is the rush to pass this with so many unknowns?

What will the Board do regarding the moratorium and how does the moratorium relate to the passing of the Form Based Code legislation?

Will the Town remove or not remove the moratorium if this legislation is passed? What if the legislation is not passed or delayed?

Impact on Schools, Chappaqua Fire Department and CVAC

The School Board has said that it WAS NOT part of the process. While I have heard the Board contend that the School Board was updated along the way, I have also heard the Board admit that the School Board was not notified in detail until late September when the information sessions began. As a long-time resident of Chappaqua, I can tell you that when they built Seven Bridges Middle School the demographic studies were all over the place and although many studies indicated at that time that there would not be a problem beyond a year or two, the School Board nevertheless decided to build the second middle school that for many years (and possibly still today as I don't have kids in school), was never ever filled. To rely on just one demographic study is just not smart. Apparently, there also was no real input from the fire department as to whether they would need new truck(s) to reach potentially five story buildings, would need to build a larger firehouse, or would need to have full-time fire department employees.

Question:

Why not wait for the School Board to present their independent study to get another point of view? I have heard the Supervisor say this would be a waste of money, but it is not prudent to rely on just one study; this is dangerous.

Why not wait to get input from the fire department and CVAC as to how they will be impacted and related costs involved?

Traffic

In the presentation on traffic impacts, many worsening situations would result from a full build out of the Form Based Code, in effect turning traffic patterns now termed "C" into traffic problems termed "F". This was demonstrated at the train station at Woodburn and Greeley Ave, at the intersection of Rte 117 and King Street, and at the triangle coming over the bridge into town. While it is noted future traffic will get worse in any event, it is even worse with a full build out.

Question:

Why would the Board even consider a code that could potentially allow for a build out in the future that knowingly causes big traffic problems?

What are the actual solutions, if any, being considered to mitigate these potential traffic problems?

Parking

While I continue to hear explanations that that there will be no "net loss of parking", the response to questions as to where people will park if the current municipal lots or the train station parking lot, which evidently can handle about 1,100 cars, is every sold to developers continues to be unknown other than reference to a parking "tool box". In response to questions on the cost and type of parking that will be built in the future and if this was ever studied as to cost, the answer I heard was "No, it was not studied". In addition, it has been pointed out that both the train station and South Greeley Avenue are in a high ground water table areas so that NO parking garages could even be built underground in those locations. In addition, it was noted that most residents who would

move into the downtown area would still need a car to do errands such as grocery shopping, bringing even more cars into the downtown.

Question:

Why didn't the Town prepare a fiscal study as to the cost of building parking garage(s) and where they would be built?

How will the loss of these spaces at municipal lots and the train station be made up?

Retail/Nightlife/Covid

I have heard numerous people, including doctors, speak of the unknowns that Covid has brought that may affect retail, restaurants, nightlife and housing. While I appreciate all the work that went in to putting this Form Based Code together, in the past few years things have changed dramatically. The future is unknown. Retail has changed drastically over the past few years, not to mention as a result of Covid. There is no guarantee that retail will ever be successful as it once was in a downtown area. I have heard one of the owners of a property in town discuss how Chappaqua was once bustling, which is somewhat of an exaggeration. I have been a resident for 35 years and can attest to this. Downtown Chappaqua was never really bustling. There were times that most stores were occupied, but retail tenants included video stores, pharmacies (at one time there were three) and tenants like a card store, a toy store, a sporting goods store, and multiple bank branches, all of which will likely never return. There were once two supermarkets in town, a Gristedes at the former Rite Aid location, and a Grand Union/D'Agostino at the current Walgreens location, but that has changed forever too with the addition of Whole Foods, DeCicco's and Wegmans. If the arguments that Chappaqua was once bustling is correct, it should be noted that it was bustling in the complete absence of any downtown residential development.

Question:

Why would the Board commit to something in such a hasty manner with all the unknowns that Covid has brought? Why should any of the data or studies done in the past few years be relied on with so many unknowns?

Loss of Vista/ Height of Buildings

As has been stated over and over again, most people DO NOT move to Chappaqua for its downtown. My husband and I are lifelong residents of Westchester (Over 60 years) and are familiar with every town in Westchester. Chappaqua is not Bronxville, it is not Pelham, it is not Scarsdale, and it is not New Rochelle or Mount Kisco. It is not even anything like many of the towns that I saw in the presentation by the consultants hired by the Board. The physical layout and topography of our downtown is NOT conducive to any sort of large development or large buildings. It has only two streets. It is not within the character of the Town; it is not why people move to this Town (in fact it is often noted that many people like the small town nature of it and why they chose to live here). Towns like Armonk have successfully revitalized their downtown with no massive residential housing bringing in 1,000 residents.

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Why after doing such a lovely renovation to the Town where it looks the best it has looked in the 35 years that I have lived here would the Town Board, despite saying they

want to keep the integrity and character of the town, even consider such massive potential changes, including massive five story buildings?

What example can the Board give, if any, of a similar sized town in which a Form Based Code was enacted and was successful in revitalizing a downtown area?

Why not allow residential housing to be built around the old Rite Aid land or that part of North Greeley Avenue where there is little impact on the vista and where there is a flat piece of land? Why not, through re-zoning, let the owner of this building work with a developer to build an appropriately sized three story residential building?

Why would you allow for development of five story buildings that creates a tunnel like affect when you come over the bridge into town?

Why would the Town want to take away the lovely vista that is seen behind the Bell School looking up into the hills?

Public Referendum

I have heard lots of discussion by the Board about whether there would be a public referendum in which the residents, who have the most at risk as to potential changes in the look of town and the value of their property, are allowed to vote on the sale of town-owned land. It is unclear at this time if the Board would have a public referendum on the selling of town owned land. One Board member actually admitted outright that “No, there would not be a referendum”. It has been noted that residents would have to petition the Town to hold a public referendum. I think it is only fair that the Board members state their position on the referendum.

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Housing/ Number and Type of Units in Each Building

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Especially in the time of Covid, where more open space is desired, rather than dense housing, and where people may no longer need to live anywhere near a train station to get to work, these assumptions on housing demand may no longer be true.

Question:

What evidence is there for this demand?

While it's a welcome thought to have a more diversified population, how can you be sure this would happen?

How can you protect overcrowding in the schools?

Why won't the Town Board wait to see what the situation is with the new building on Bedford Road, the new building that Conifer built and the future of 92 townhomes to be built at the Chappaqua Crossing property before moving ahead with passing this legislation? Again, what is the rush to get this done?

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We look forward to the answers to these questions

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