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**Sent:** Tuesday, October 27, 2020 8:50 PM  
**To:** PublicComment <[PublicComment@mynewcastle.org](mailto:PublicComment@mynewcastle.org)>  
**Subject:** Comments on the DGEIS

## Comments on the DGEIS and Proposed Form Based Code

Dear Town Board,

First, I'd like to reiterate the thoughts of many that during this pandemic, we need to **PAUSE this process** and not move forward with any substantive changes. After the new normal reveals itself we can so much better address what our town's needs are / will be. This plan is premature in a way that could not have been anticipated in 2017, or even 2019. **We need to be able to review 2020 first and learn from it.**

When my husband and I attended the 2014 work sessions on what we loved and what could be improved on in our town, I mentioned rentals. No one else did. I thought it would be nice to have some more rental apartments for those who weren't in a position to buy here. I envisioned **nothing** like the proposed FBC changes in terms of density or height of buildings. That this would become 4 story buildings and nearly 1,000 new units was unimaginable to me in our little town. It is not welcome! It seems like developers highjacked our wish lists in 2017. Time to take note of what people want and don't want NOW before moving forward.

At this point in time **there is much that is incomplete in the DGEIS document. And some of the information presented there needs correction or refinement.** My questions and comments are below, after some opinion on the options.

**The most palatable of the choices is Option #B.**

**B. Buildout under Existing Zoning** – discussion of a potential Buildout in the study area with existing zoning as mapped (with no moratorium). Required parking to be addressed on private parcels, and municipal lots shall remain as parking.

Option #B projects an increase of 341 housing units.

**Question: I would like to know if this is the total quantity of units in Plan #B at maximum allowed buildout or if it assumes many builders would not be interested in raising building heights to 3 stories? This is important because of the below:**

To the assumption in the DGEIS that builders would not be profitable at only 3 stories, we have evidence right here and now that this is not the case! Some local residents with real estate and finance expertise think the "cap rate" used to determine this was incorrect. **Proof of this may be that our newest build at 91 Bedford Avenue.** It's 3 stories! Apts upstairs and retail below. Also the new apartment bldg./retail space on Washington Ave in Pleasantville is 3

stories. So they both anticipated ROI and got financing. I'm sure they wouldn't have been interested in building 3 story structures if it wasn't expected to be profitable.

The GENTLE growth that Plan #B projects would be much easier to absorb than the wholesale growth allowed in Options #C and #D. As long as there were architectural standards set, it wouldn't harm the small town feel nearly as much as taller building options would!

### **As to plans #C and #D**

I am not in favor of any sale of public land, and even Ivy Pool stated repeatedly that the town would get to vote on such a sale. Though that turns out not to be true, we should NOT sell our public land to increase the density in our hamlet.

In general, four and five story buildings would permanently remove the word "bucolic" from our town description. When you think of what our town would look like, that is obvious. Please take these plans off the table.

### **Missing Pieces:**

#### **NCFD#1 Needs**

The Board of Fire Commissioners for New Castle Fire Department #1 expressed in their October 8<sup>th</sup> meeting pressing concerns about their ability to handle some of the elements of the proposed FBC. From my notes of that meeting, and earlier email exchanges with Chairman Erik Nickolaysen, the following are areas of concern.

#### **QUESTION: How would the below FD issues and expenses be mitigated in the DGEIS plan? There is currently no discussion of this in the DGEIS**

1. Bigger buildings in town will require new apparatus to be purchased.
2. Bigger apparatus will require larger bays to house that equipment than exists now in our current firehouse.
3. The department already struggles to have enough volunteer firefighters and drivers to cover our populace.
4. An increased population in the district would likely require either a part-paid / part volunteer crew or else an all paid crew. Salary and benefits for these employees would be a big added expense, which has never been needed in our town before.
5. Paid crew would need a "bunking space."
6. Current budget for a proposed Firehouse expansion does not include the build-out of "bunking space" for paid crew on its second floor. Paid crew would require that space to be built out greatly adding to the cost of construction.

7. All of these budgetary increases would not be spread evenly throughout our town. ***These expenses would only accrue in the way of increased Fire Taxes to those in the NCFD#1 district. So our fire district would be supporting the entire Downtown and its needs for a potential additional 1,000 housing units.***

## **CVAC Needs**

Captain Kane Clough has said the ambulance corps already has trouble recruiting enough volunteers for CVAC. But she thinks they could handle a population expansion. I think further digging needs to be done here. Those two statements do not seem to be in agreement with each other.

If there are not enough volunteers available for a greatly increased population now, and which will soon include: the Conifer residents, the 91 Bedford Road residents and the future residents of the townhomes at Chappaqua Crossing, how will enough volunteers magically appear to take care of the residents who will fill yet another 1,000 housing units? If indeed there logically seems to be a disconnect, might we need to bring in paid EMT's? What would that cost? Will we need more apparatus?

**QUESTION: There is already difficulty recruiting enough volunteers. How will this issue be remediated when we have a large population increase?**

## **CCSD Needs**

Many people are sharing their concerns about the stresses such a large population increase would present to our school district. I await the consultant's report from CCSD. But the equation seems simple. More apartments and condos - which will not be taxed at a rate to pull their own weight - to educate the children living there means one of two things:

1. Spending less money per child and offering less to all students to avoid increasing taxes on all of the other residents, or
2. Raising school taxes on all single family home residents.

Our school system as it is now is rated one of the most highly desirable in the state and in the country. Sacrificing what has been offered to the students in order to preserve their budget and avoid tax increases would surely impact the quality and reputation of our school system.

Losing that reputation would surely impact property values.

Raising school taxes when they are already very high would also impact property value by raising the total cost of owning here. But more importantly, it may well impact our working class and middle class residents, as well as empty nesters who want to stay in their beloved homes. This would be a travesty and a violation of the covenant that the town makes to its residents. It would be forcing them out instead of being inclusive of ALL financial strata of people. It also flies in the face of one of the FBC key goals!

## **Question: What could be done to remediate the above quite serious education / tax issues?**

### **HOUSING NEEDS OF THE COMMUNITY**

#### **The DGEIS says this:**

“In terms of local objectives, the Chappaqua Hamlet Rezoning would help meet the need, described in the Town’s 2017 Comprehensive Plan, for a broader range of housing types to help satisfy the evolving local demands for housing from various demographic groups. As described in this DGEIS, rezoning could create housing options for residents at various stages of life and ability, helping to retain young families, empty nesters, the elderly, and others who might be seeking something other than a single-family home. The result would support the long-term sustainability of the community, enabling it to accommodate town residents, as well as county and regional residents.”

My comments on that stated goal are these:

**There are NO protections for any of the groups mentioned above.**

There is **no requirement for Workforce housing** which is a terrible lost opportunity for both the town and for those residents and future residents who might take advantage of it. (Further that would be a great recruiting tool for our volunteer ambulance corps and fire departments who need more volunteers!)

**Except for 10% required to go to Affordable Housing residents, there are no built-in protections for anyone else here BTW, Affordable is an income-based category. Under the Fair Housing Act, eligibility cannot be based on race or ethnicity.**

But aside from the 10% affordable housing, everything else built will be at MARKET RATE. Rents at 91 Bedford and the Cupola building are at market rate. Right now market rate at the Cupola Building is \$3,075 for the cheapest 1 bedroom and up to \$4,800. The 91 Bedford Rd apartments are renting for \$2,900 - \$4,000. How do these rents work on a working class or middle class budget? How do they work for empty nesters who aren’t well-to-do? The new builds will be the same unless there is something built into the FBC.

For people with disabilities? There are no carve-outs for them in the Plan.

Increased school enrollments from these apartments will mean higher school taxes for everyone else.

**For newer residents who may have reached as high as they can financially to rent or buy a home in our lovely town with its great school district. What happens to them when taxes jump up so high, the numbers no longer work? THEY may also lose their homes or have to move.**

**Young people - some of whom grew up here and want to come back to raise their families? Can they afford to rent at those rates? There are now apartments in Manhattan renting for less!**

#### **BUCOLIC?**

Meanwhile, the sweet vintage home neighborhoods which branch off all along King Street up the hill, are owned and rented by many working and middle class people of all races and ethnicities.

Longer-term residents invested in their homes years ago and have held on while taxes increase every year. **Higher school taxes may well put many of them at risk of losing their homes, especially empty nesters on fixed incomes.**

At the same time, in our vintage hamlet neighborhoods, many may find their homes lose value by the increased proximity to much bigger buildings which will detract from that little hamlet feel, their light, their green spaces and sense of privacy that these homes have now. This would also make them less attractive to buyers due to the impact of increased taxes."

**All of the above would push Chappaqua toward the almost inevitable fate of only rich and poor being able to live here. Hardly the diverse mix of residents the plan was charged with providing for.**

**Question: Socio-economic. How would these impacts to current residents, workforce, empty nesters, working and middle-class residents be mitigated in the FBC?"**

**Question: Socio-economic. How would these terrible impacts to current residents, workforce, working and middle-class residents be mitigated in the FBC?**

## **RETAIL CHALLENGES**

More than any other part of this plan, I think it's clear that this is the most important reason to pause until *after* Covid reveals its impact on our future. **There is no intel and no plan to revive retail! No studies reliably say more people means healthier retail. If this were true all NYC retailers would be successful.**

We all know that retail had been changing in the last several years. Now Covid has pivoted us all even more toward online shopping. But where will it end up? What retail businesses would the post-Covid New Castle need, want and support?

To be a truly walking town, the hamlet would need a supermarket. Many of us in the middle cannot afford to do any major shopping at the charming Chappaqua Village Market. Those qualifying for affordable housing surely won't be able to. So every family needs at least one if not two cars to navigate work, shopping, kids, and kids' sports.

What else do we need? This question begs to be answered before unleashing construction to enhance retail.

All of this needs to be analyzed by EXPERTS, AFTER COVID settles to help us decide what is needed and what we should do. As can be proven all over NYC and many towns across Westchester, "If you build it they will come" does not work. Building residential to support retail with no other plan doesn't work anywhere. We need to be smart. Anything else would produce MORE EMPTY storefronts!

The DGEIS references how difficult it is to create a vibrant destination town without an anchor.

**We are lacking is any real "attraction," a compelling draw or entertainment to become a destination town.** We have CPAC now, but nothing Downtown. The FBC makes no mention of

what that might be, and also doesn't show how that could be squeezed into this tiny Downtown area? Where would it even fit?

**QUESTION: Just adding residents and building retail space is not a PLAN for successful retail. How can the FBC avoid the trap of just creating more empty retail spaces which may never be filled?**

### **Construction Disruption**

It's not difficult to imagine what having our little Downtown disrupted by construction for years. All of we residents and most all of the retailers which are left survived it, but it was a nightmare. Traffic woes, no parking to be found, many, many ruined tires, people giving up on trying to shop even at their favorite stores due to all of that. Now imagine going thru this sme disruption over 15 years!

In that time, I predict that due to teardowns, it's inevitable that many downtown residents will be displaced, and others will suffer through years of nights without sleep for themselves and their kids due to incessant construction noise. We have been told that the parking lot behind and the buildings on South Greeley will need to have twenty foot pilings drilled and placed before doing construction because the ground used to be a swamp. Imagine hearing that sound?

Retailers, salons and restaurants will suffer loss of customers and many will be displaced when buildings are torn down. Along with the loud and incessant noise and the fact that it chases away customers, many will just retire or throw in the towel. This does not help our current retailers!

**QUESTION: How will the terrible ongoing construction, which this plan will thrust upon both the town residents and the retailers, possibly be mitigated so as not to hurt the very people and businesses this plan is designed to help.**

Thank you in advance for addressing my concerns.

Sincerely,

Lynne Lambert

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