

From: Robert Harris <rrharris.mac@mac.com>

Sent: Friday, October 30, 2020 11:33 AM

To: TownBoard

Subject: flawed study

Did you actually use taxpayer money to pay for your fatally flawed DGEIS? If so, please request a full refund of all taxpayer dollars at once. The folks you used, while on board with your political agenda, can't write coherently or even spell.

Bob Harris

October 28, 2020

Dr. Christine Ackerman, Superintendent
Chappaqua Central School District
66 Roaring Brook Road
Chappaqua, NY 10514

*Re: Chappaqua Hamlet Form Based Code Draft Generic Environmental Impact Statement
Town of New Castle, NY
Chazen Project No.: 82047.00*

Dear Dr. Ackerman:

We have completed a preliminary review of the Chappaqua Hamlet Form Based Code Draft Generic Environmental Impact Statement (“Draft GEIS” or “DGEIS”) prepared for the Town of New Castle, Westchester County, NY, accepted September 25, 2020. We offer the following comments and observations:

Background: Form Based Code Proposal

The Town of New Castle proposes rezoning a portion of the Chappaqua Hamlet (“Rezoning” or “Project”), which will increase the number of residents and school-aged children within the study area. Our review of the DGEIS focused on those sections that address the potential for the Project to generate school-aged children, how those evaluations were conducted, and whether the document provides a reasonable “hard look” at the potential impacts to the Chappaqua Central School District (“CCSD”).

The Proposed Action under the State Environmental Quality Review Act (“SEQRA”) is the adoption of a Form Based Code (“FBC”), which will significantly increase the residential development potential (an additional 997 apartments, per the DGEIS) of the study area and establish an administrative approval process with the overall goal of attracting development to revitalize the hamlet of Chappaqua.

Buildout Scenarios

The DGEIS examines the total (or maximum) development potential of the study area under the current zoning, contrasting it with the potential buildout under the proposed FBC. The use of buildout scenarios is a standard method to explore the impacts of rezoning and the potential for increased development. The DGEIS analysis assumes that the full buildout will occur over a 15-year period. This forms the basis for subsequent analyses included in Section 3H Community Facilities and Services (i.e. Schools) and Section 3I. Socioeconomics.

The Buildout Scenario is presented in Appendix C and key information is included in “Section 2 Description of the Action” as well as embedded throughout the document. We found it confusing to evaluate the contents of Appendix C because of a **lack of narrative and several typos/errors**. We believe that Page 3 of Appendix C is “The Action” or buildout under the FBC, however it is labeled “Build-out Analysis Option 2” and the summary table embedded on the same figure is labeled “Scenario D.” We do note that **the table labeled “Scenario D” does match the buildout data presented in Table 2-B-1 on page 2-22** of the DGEIS. Additionally, the spreadsheet which follows page 4 does not coincide with the data presented on page 4 (as an example it reports 1,038 new MF dwelling units).

The DGEIS Buildout Scenario assumes development will occur over a 15-year period. However, the DGEIS contains no explanation of why 15 years was selected, nor is this addressed in the Real Estate Market Scan and 4-Town Comparison (“Market Scan”) included as Appendix E. The Market Scan includes a general examination of demand for rental apartments and explores 4-Towns in order to understand the local marketplace and potential means to differentiate Chappaqua from local competition. The ‘Financial Analysis’ included as a component of this document is a limited/simple proforma of a hypothetical project located in the FBC.

Examination of alternatives is required per SEQRA and assists in identifying options that may avoid or reduce potential adverse impacts, including impacts associated with an increased student population. We note that “Section 4 Alternatives” examines alternative buildout scenarios, including a scenario excluding development on the municipally controlled lands in the study area (Alternative C) as well as a scenario which limits building heights to Four Stories (Alternative D). Alternative C would eliminate 325 apartment units; reducing the total (or net) increase in the number of residential units to 663 (vs 997 in the Full buildout). Alternative D would eliminate 34 apartment units, reducing the net increase to 963 residential units.

Section 3H Community Facilities and Services

Public School Aged Children (PSAC) Estimates

The estimate of public school-aged children (“PSAC”) utilizes Rutgers University Center for Urban Policy Research (“Rutgers”) residential demographic multipliers. This data source published in 2006 is derived from the 2000 Census. Selection of a multiplier is an important factor in estimating the number of public-school aged children; a higher multiplier results in a greater number of students. Multipliers are derived from census data and statistical sampling and analysis of the population. A community’s demographics including the number of school aged children varies and it’s important that the correct parameters are selected.

For a project of this size (where an increase of nearly 1,000 residences is proposed), we would recommend establishing a project-specific multiplier utilizing the most recent American Community Survey (“ACS”) Public Use Microdata Sample (“PUMS”) available for the local geography. The PUMS data can be sampled/queried to address tenure, rental price point/value, size, and bedroom count. Additionally, it may be appropriate to sample comparable local multifamily facilities as an additional point of reference.

Absent development of a project-specific demographic multiplier, there are several sources of information that can be utilized, including (but not limited to) “Who Moves into New York Housing? 2015 Residential Demographic Multipliers” prepared by Econsult Solutions, Inc. (“ESI”). These multipliers were developed from PUMS data for New York households who moved into a unit between 2008 and 2015. We also reviewed PUMS-derived multipliers that were prepared for Port Chester by Urbanomics (acknowledging a different census geography and market). We provide a sample of the multipliers used for the multifamily units and contrast them with the Rutgers multipliers.

Housing Type	Rutgers	ESI	Port Chester
Multi-Family Units			
5+ Unit Structure (rent) 1 Bdrm	0.07	--	0.05
5+ Unit Structure (rent) 2 Bdrm	0.16	--	0.39
5+ Unit Structure (Own or rent) (all sizes)	--	0.261 ⁽¹⁾	

Notes: 1. This figure is for all School-Aged Children (public and private).

We note from the example, that the multipliers for 1-bedroom apartments are comparable. However, the PUMS-derived multiplier for 2 bedroom units in Port Chester would return over double the number of school aged children when compared to the Rutgers multiplier (0.39 x 100 dwelling units = 39 students vs 0.16 x 100 dwelling units = 16 students). We don't suggest that either the ESI or Port Chester multipliers are more accurate than each other, or more accurate than the Rutgers multipliers; however, **this comparison demonstrates that the estimation of school-aged children is highly variable and that use of the Rutgers multiplier may not be a conservative estimate as asserted in the DGEIS**. We note that both the ESI and Rutgers multipliers are NYS-wide. While it is well known that, nationally, household size is trending downward, the occupancy of apartments (and condominiums) varies with geography, location, market, price point, and other factors, including desirability of the school district.

Additionally, **the analysis contained in Section 3H does not address the potential for students generated by new families with PSAC occupying single-family homes vacated by empty-nesters in the CCSD who choose to move into an apartment in the hamlet**. We note that the analysis evaluating the Chappaqua Crossing project, "Chappaqua Crossing's Impact on the Chappaqua Central School District," prepared by Robert Charles Lesser and Co., considered this potential and assumed 55% of the occupants of Chappaqua Crossing to be existing District residents. The Market Scan included as Appendix E to the DGEIS notes the market demand for apartments "by empty nesters seeking to sell their large family homes while they remain in the communities where they raised their children." Given this, the analysis should account for students that may be generated by the "back filling" of single-family homes within the CCSD.

School Enrollment & Capacity

The SEQRA Scoping Document indicates the DGEIS will examine the Project's impacts on school enrollment projections and school capacities. We are aware the CCSD recently provided the Town with enrollment projections, and the analysis should incorporate this information. We also understand that the CCSD has not conducted a Capacity Evaluation (in the last three years). In order to fully understand the Project's impact on the school, **a Capacity Evaluation should be conducted that examines student enrollment, students per classroom/grade, student teacher ratios, physical classroom size and utilization, as well as any planned capital projects. Capacity (and student population) may vary by grade and school, the analysis should consider this. This evaluation could be a collaborative effort between the CCSD and the Town.**

A variety of published sources of demographic multipliers acknowledge the challenge **of quantifying the potential attraction of families to communities with quality educational facilities/well respected school districts**. While it may not be readily quantifiable, SEQRA requires that this **should be given consideration in the analysis**.

Fiscal Impacts

The analysis contained in the DGEIS utilizes an average per capita approach when estimating the impact on the CCSD's budget and assumes that future property tax revenues will offset the expense of educating additional students. **Average per capita methods tend to oversimplify potential impacts. The analysis does not account for any increase in costs over time (or inflation);** assuming a flat rate over the 15-year period. This does address potential impacts to the balance of the taxpayers in the CCSD. **The CCSD is also constrained by the NYS Real Property Tax Cap.**

The buildout scenarios assume all multifamily units are rentals. While in general, demographic (PSAC) multipliers are higher for rental units, **assessed values/methods and tax revenues would be negatively impacted if units are offered as condominium units. The DGEIS and the Market Scan do not provide any rationale for the conclusion that all units would be offered for rent.** We recommend that a mix of rental and for sale/owner-occupied units should be considered in the analysis.

Recommendations

In summary, we suggest that the Town expand their analysis of the Action's impacts on the Chappaqua School District and offer the following three principal recommendations:

1. The Town should develop PSAC multipliers by appropriately sampling the most recently available PUMS data set. The query should correspond to the anticipated housing mix, should include a mix of unit types, size, and tenure (ownership and rental), and should account for potential "backfill" of single family homes by new residents with PSAC. This information may be cross checked by comparing to similar project types in similar markets.
2. The Town should utilize the updated PSAC multipliers to evaluate the impact on school enrollment (by grade) and effects on capacity. **It is not known whether the school has physical and operational capacity to accommodate the additional student population without assessing the current school capacity.** This should be done collaboratively with the School District.
3. **A more robust examination of the impacts to the school budget associated with the anticipated increase in student population should be conducted.** This analysis should examine impacts on both fixed and variable costs in the school budget and **should account for any increased costs attributable to inflation as well as the impact of the NYS tax cap.** As noted, the analysis should consider a mix of for rent/sale units. The analyses recently conducted in support of the Port Chester FBC and/or the New Rochelle FBC may serve as models for a comprehensive analysis of the Project's impacts on the school district.

Closing

The SEQRA process, and preparation of an environmental impact statement, is designed to guide informed decision making. Commenting on the DGEIS is a key component of this process. At the direction of the CCSD, we would be pleased to work with the Town and its consultants to ensure that the analyses adequately address the CCSD's concerns and provides the community with a better understanding of the Project's potential impacts on the school system.

Sincerely,

A handwritten signature in black ink that reads "Christopher J. Round". The signature is written in a cursive style with a large initial "C".

Christopher J Round, AICP
Sr. Principal

cc: Allison Sloto (Sive, Paget & Riesel)
David Shaw (Shaw, Perelson, May & Lambert)