

From: Ms Liz Healey [mailto:lizhealey55@yahoo.com]
Sent: Tuesday, November 10, 2020 10:48 AM
To: Chappaqua Forward <chappaquaforward@mynewcastle.org>
Subject: Public Comments on the FBC

Hello,

My name is Liz Healey, I live at 12 Rose Lane in Chappaqua, and I am a Licensed Clinical Social Worker specializing in long-term psychotherapy for trauma and anxiety, among other conditions. I've been in private practice since 2017 in addition to caring for my son, family, and home.

Two months ago, I would have phrased my intro line a little differently: I would have said that I was in private practice in **New York City**. Unfortunately, like many others in 2020, I lost my dream office around the corner from Grand Central after my landlord negotiated an early exit to his long-term lease. He took this action after a lot of thought and multiple conversations with other commercial tenants, not to mention lawyers, and at great emotional and financial expense, because he perceived the longevity of COVID-19 itself as well as the changing economic realities due to the pandemic. Thus, like many others in 2020, I have been working from my home since mid-March providing telehealth, and living with the same uncertainty about my personal and professional futures as everyone else.

Substantive comments #1: I am surrounded as I write these comments with articles such as “At Least Half of People Who Have a Job Fear They’ll Lose it in the Next 12 Months” and “Mapping America’s \$2 Trillion Economic Drop, by State and Sector” (both World Economic Forum), “50 Statistics to Explain America’s Economy During Coronavirus” (*NY Daily News*), and “How Coronavirus Could Do Real, Long-Term Damage to Women’s Careers” (*CNBC*). I could keep adding articles to this list if I wanted to stay on this paragraph all day, because there are plenty of them to choose from written by a wide array of sources, but I’ll just focus on four more, ones that speak most directly to some of the claims underpinning the justification for this zoning change: “The Panic Attack of New York’s Power Brokers” (Curbed Section of *NY Magazine*), “M.T.A. Slashes in Service Could Erase 450,000 Jobs” (*NYTimes*), “Return to Office Survey Results Released – October” (Partnership for New York City), and “9 Future of Work Trends Post-COVID-19” (Gartner). The first of these evaluates the complicated calculus of events in 2020 that almost guarantee a change in the landscape of NYC and commuting, possibly for decades to come or even permanently, and further, postulates that real estate development might not deliver the rescue that it often has in the past. The article about the M.T.A. adds a COVID-19 lens to future transit provision and thereby user habits, summarized nicely in the following quote: “[The M.T.A.] is facing a large budget hole after the system emptied of riders, starving the agency of fares. Ridership has plateaued at about 30 percent of pre-pandemic levels as more companies extend work-from-home policies...The N.Y.U. analysis projects that around 25 percent of the riders still using the system would abandon public transit if service is significantly reduced — draining the agency of its already shrinking fare revenue.” We are still running all-local trains from Chappaqua, as Metro-North ridership is down roughly 77-80% on weekdays compared to equivalent weekdays in 2019, according to the most recent statistics provided by the M.T.A. (<https://new.mta.info/coronavirus/ridership>). While it is likely that ridership numbers will increase over time as the virus becomes more contained, it is also very feasible if not probable that it will never return to pre-COVID numbers, because of loss of employment, loss of *full-time* employment, and/or an increase in remote working set-ups whether employer- or employee-driven. The two analyses from the non-profit Partnership for New York City and leading research and advisory company Gartner highlight these anticipated workforce shifts as well as multiple other speculations.

Substantive Questions #1 Based on Comments: a)-Where is the research behind the idea that there is high demand for “transit-based housing” within a hamlet 70 minutes to the city by train, in general, but

particularly should it come to pass that local train service becomes the norm rather than a temporary measure? What was the proximity to a major city in any of the research you used to formulate your hypothesis about this demand? Did you use any research with towns in a comparable situation (size and distance) to Chappaqua?

b) How did you determine the target demographics for these imagined new developments? How recent is that research and, furthermore, what are the most up-to-date predictions for how these target demographics will be specifically impacted by a post-COVID-19 economy?

c) How does more people requiring a separate home office because of the permanence of at least part-time remote work for a significant percentage of especially white-collar workers play into the FBC's residential and therefore school forecasts? If now only 3-bedroom apartments become "economically viable" from a developer's vantage point, what in the FBC as currently drafted prevents the 1-to-2-bedroom apartments from changing to 3-or-4-bedroom apartments as long as the outward visual form stays the same? Again, how does that possibility impact the school system?

d) More generally, I would like to know how all of the new research coming out on the impact of COVID-19 on the economy, transit, and worker/consumer needs have being factored into the projections of the FBC and, if you are not planning to include any of these critical updates, I would like to know why you are not or why you believe that they are not necessary. I encourage anyone answering these questions to consider the aforementioned articles and research before responding:

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<https://www.cnbc.com/2020/07/14/how-coronavirus-could-do-long-term-damage-to-womens-careers.html>

<https://www.curbed.com/2020/10/future-of-real-estate-nyc.html>

https://www.nytimes.com/2020/10/28/nyregion/mta-budget-cuts.html?fbclid=IwAR3EsrNru0-S1NAWEVIEJm1p-mhsCloBLW99w-igiEzTdeuDVzpFZ_qTpl

<https://pfny.org/news/return-to-office-survey-results-released-october/>

<https://www.gartner.com/smarterwithgartner/9-future-of-work-trends-post-COVID-19/#:~:text=1%3A%20Increase%20in%20remote%20working,versus%2030%25%20before%20the%20pandemic.>

Substantive Questions #2: a) Given that the New Castle Planning Board Chairman Bob Kirkwood at the January 14, 2020, FBC Working Group meeting said that he thought it was "very, very important for public input...because...there is tremendous value in public input and to the extent it's compromised, we suffer...We should be very, very careful in taking away the public's opportunity for input," why or how was the decision made to only include the following representatives on the Working Group that drafted this version of the FBC: the Town Board, the Planning Board, and two landlord/developers with property in town and an architect who does work for one of those developers? How have you accounted for conflicts

of interest given that, outside of government officials and town employees, the only residents chosen to sit at the table of the Working Group to craft this version of FBC legislation are ones that potentially stand to benefit from its passing no matter how it affects the rest of the town? I am not making any accusations of impropriety, let me be very clear, but I am trying to understand whether these issues were even considered in the decision-making process of selecting members of the FBC Working Group, and whether the Town Board is willing to make a complete disclosure of any and all conflicts of interest to which it is subject in determining to move forward with the FBC?

b) Moreover, out of consideration for one of our most crucial local resources, was any stakeholder representing the Chappaqua Central School District (CCSD) not just notified, but invited to actively engage as a member of the Working Group in drafting the FBC and, if not, why?

c) Was any representative of one of those 16 “interested parties” that The Board has mentioned who were notified about the FBC invited to actively engage as a member of the Working Group in drafting the FBC and, if not, why?

d) Were any representatives of any kind of diversity category, be it age, race, sexuality, income, etc. invited to actively engage as a member of the Working Group in the drafting of the FBC and, if not, why?

e) Are there any plans to include more representation on the Working Group for future drafts of this legislation and, if not, why?

I would like an answer to all of these questions that goes beyond the talking points that there was a focus group in 2014 and a Master Plan in 2017, seeing as several of the approximately 250 who participated in 2014 have publicly stated that no one asked for more density or anything even remotely resembling the current FBC and, as for the Master Plan, it offered extremely broad recommendations about “diversity of types of housing”, but nothing like the scope of what the FBC allows.

Substantive Questions #3: The argument keeps getting made that if we just build these mixed-use residential spaces, someone will fill them. Currently, we have developments with more varied types of housing at 91 Bedford, Chappaqua Crossing, and Conifer. What data have you drawn about demand from those properties? Are they fully rented? Is there vacancy at 91 Bedford? Are the commercial spaces garnering interest at 91 Bedford? These are all concrete data points that could inform some of the more generous assumptions of the FBC.

My wife, Peyton McNutt, is a lawyer, and we moved here from Brooklyn with our elementary-aged son in May of 2019. Our decision to make Chappaqua our home pre-dates COVID-19, but I would say that it is inextricably tied to the massive changes that we saw over about 15 years in New York City. Driven by the development of Manhattan into block after block of mixed-used buildings full of ultra-luxury housing, pushing those who couldn't afford \$5-25 million dollar apartments into Brooklyn and then into Queens and beyond, some of the projects taken in isolation were fine or needed, but as a whole, it translated into years of endless development, endless construction, endless luxury housing, more displacement, and more empty storefronts OR ones filled almost exclusively with various chains, banks, real estate offices, and urgent care facilities, not unlike what we see today in Chappaqua Crossing. That's who can afford sky-high rents, which never seem to go down no matter how many buildings go up. Nearly all the small businesses and unique spots where I had spent so much time are now gone. Development not only didn't save them, but pushed them out of business. What's more, the traffic and density became truly unbearable, far beyond what it was like when I moved to New York City in 2003.

As one-half of a two-mom family, I was opposed to leaving the safety of a city. But we knew that it was time for a change, we knew that we would never be able to buy a house in the inflated all-cash NYC market, and we knew that, if we switched to public school, our son's asynchronous needs demanded that we find a place with smaller class sizes yet also a challenging curriculum.

Therefore, over the course of several months during the summer and fall of 2018, I visited every town in the Tristate area that I could think of or that had ever been recommended. The towns did not appeal to me for a variety of reasons (none of which related to newer vs. older buildings or some empty storefronts, because you sadly see the latter everywhere these days).

When I stepped off Metro-North in Chappaqua, however, the first thing that I noticed was the local coffee shop, right there in the charming train station. That shouldn't have been so shocking, but it was! And then, I did my customary walk around the town, as I had decided that I wouldn't move somewhere unless I could walk a full loop around the business district. On my walk, I saw local businesses like Breeze and Chappaqua Village Market, but what really sold me was Scattered Books, if I'm being honest. In this day of Amazon dominance, seeing an independent bookstore was like stumbling upon an oasis in the desert. I walked all the way up King, then along the narrow, grassy shoulder on Bedford, breaking my own rule about sidewalks and walkability in the process. (By the way, if you really want to fix something, you might start by doing whatever it takes to advocate on a County or State level to add a bunch more sidewalks. I bet, if you could make that happen, you would see a lot more "feet on the street" from the 17,000 residents that already live here.) Despite briefly fearing that I would get hit by a car, when I rounded Smith Street to where the Chappaqua Library is, I was sold. The stunning mid-century building and the feel and impression of the library inside told me everything that I needed to know about this town.

Chappaqua wasn't trying to replicate something or be something it wasn't, and it didn't have that look that you see in so many places, the generic look that it will unquestionably end up having if the Form-Based Code as drafted is not better checked. It wasn't about the shopping, it was just a town that felt comfortable, felt unpretentious, and a place that felt loved. And the quiet and lack of density was an absolute relief after living in cities for so many years. Truly, though, the final piece was watching my son settle into the natural environment here. In the year and one-half since we moved, he has become a fisherman, an ornithologist, a gem and rock collector, and an expert, at least in his own mind, on the native animals and plants.

I know that the majority of the public comments are focused on substantive questions. I have plenty of those, too, as you can see above, some which mirror what others have already asked. Still, I thought that it was important to add a human element to this discussion from someone other than a commercial property or local business owner. Don't get me wrong: I do comprehend that the retail situation for business owners seems dire, whether because of lost business during the streetscape construction, now COVID-19, because the marketplace has shifted online, or because the rents are too high to sustain a variety of offerings. There are clearly problems to be solved, but I don't believe that we have to hand over all future planning rights to developers as long as they meet some pre-ordained visual standards in order to find that resolution.

The Board has said that they are open and listening. Please hear this final thought: managed expectations are containing and regulating. When you refuse to give the constituents in this town a fixed amount of time to examine the foundations of this plan and to contribute their voices to the shaping of its final draft, you are contributing to even more uncertainty during the worst of times. No one is asking you to "stop time forever"—although, for the record, we are all living in a period of collective trauma, grief, and time blindness—but it would go a long way to demonstrating your willingness to collaborate if you declared that a final vote will not be taken for 4 or 6 months, so that there is plenty of time to revise this legislation as many times as needed.

As a trauma therapist, I promise you, I am not afraid of change. In fact, I know firsthand the beauty and power of transformative change. Yet, change for the sake of change, based on flawed and outdated research and with expectations that defy logic, that kind of change is not moving any town, let alone Chappaqua, forward.

Thank you,

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