

**From:** Maggie Christ [mailto:[maggiechrist@gmail.com](mailto:maggiechrist@gmail.com)]

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**To:** Lauren Cascone <[lcascone@mynewcastle.org](mailto:lcascone@mynewcastle.org)>; TownBoard <[townboard@mynewcastle.org](mailto:townboard@mynewcastle.org)>; Chappaqua Forward <[chappaquaforward@mynewcastle.org](mailto:chappaquaforward@mynewcastle.org)>

**Subject:** FBC comment

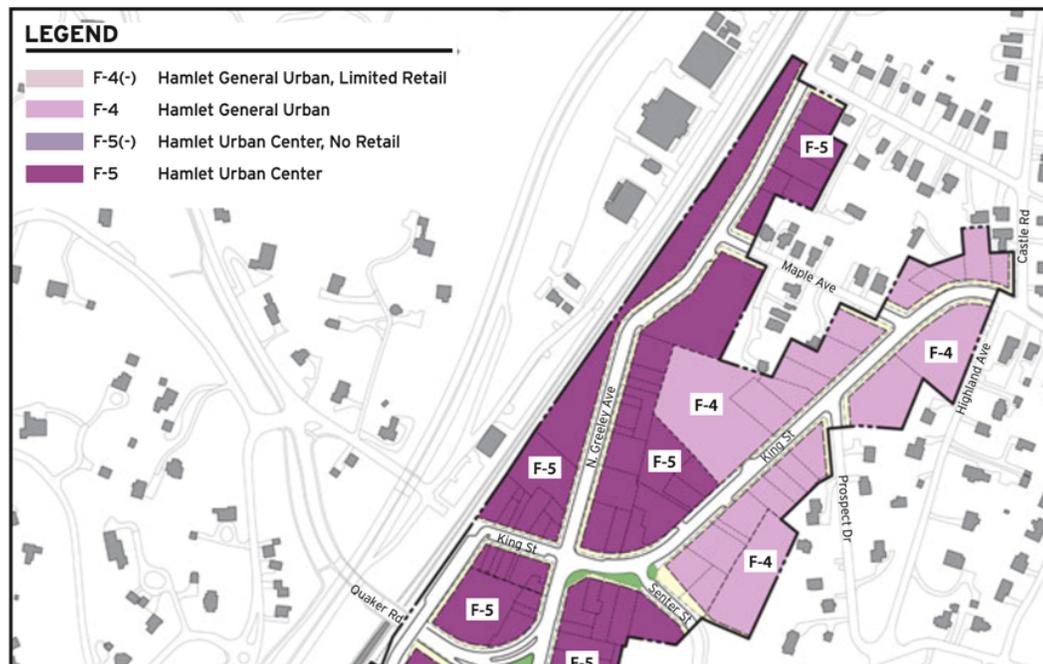
I have another comment on the proposed Form Based Code.

I'm not sure why the King Street hill corridor is included in the Form Based Code proposal, given that it is largely residential, or has the feeling of residential. I think the zoning change - IF ANY - should stop at Senter Street on the south side side, and at the little parking lot between what was the real estate agent (at 101 King) and the dentist (at 125) on the north side. At the other end, it seems reasonable to stop at Poillon on the south side, and at the Walgreen's lot on the north side - as it is currently drawn.

In other words, eliminate most or all of the pale pink F4 on the way up King. (I can't tell from your map where my demarkation point between 101 and 125 is - which is why I say all or most of.)

## Town of New Castle, New York: Chapter 60 Zoning

### § 60-860: Transect – Uses and Building Heights



I understand that much of that corridor is currently zoned B-R (business retail), which doesn't allow for the kind of mixed use that includes residential. However, the solution to that isn't a wholesale rezoning, but rather by the allowing variances on a case by case basis. Presumably the currently existing buildings that have residential units have proper certificates of occupancy, and have already gone through the process

of obtaining variances. If they have not, that would seem to be a dereliction on the part of the building department.

Allowing large mixed use buildings on the King Street hill would significantly increase traffic, decrease tree cover, and impede already terrible pedestrian access. And pedestrian access brings me to my next point.

There is currently no sidewalk on the south side of King from a little below the intersection with Prospect, all the way up to Poillon. The FBC requires a sidewalk (or sidewalk with verge) of 10' to 20' wide. Therefore, logic says that there is no way to build under the FBC on much of the south side of King from because THERE IS NO WAY TO PUT IN A SIDEWALK due to the steep slopes. In my opinion, that's a stand alone reason to eliminate the south side pale pink F4 area. Why rezone to something that is simply impossible?

Thank you.

-Maggie Christ  
Chappaqua NY 10514