

From: Larry Rose [mailto:larry@therosegroupre.com]
Sent: Tuesday, November 17, 2020 6:39 AM
To: PublicComment <PublicComment@mynewcastle.org>
Subject: DGEIS Comment letter

Attached please find a letter containing my questions and comments to the New Castle Town Board regarding the DGEIS for the Form Based Code.

Thank you,
Larry Rose

November 15, 2020

New Castle Town Board
Planning Department
200 S Greeley Ave
Chappaqua, NY 10514

Dear New Castle Town Board,

I am submitting this letter as it reflects my thoughts, questions and comments regarding the DGEIS for the Form Based Code. I attended all three information sessions and have listened to the public hearings that have occurred so far. As someone who works in real estate, I understand that it is possible to have a vibrant downtown and a strong school district. They do not have to be mutually exclusive. The code, as proposed, has many challenges that need to be addressed. That said, it is important to encourage mixed use development in the hamlet.

It is clear the public has not been fully engaged on the FBC. While engagement is a two-way street, referring to focus groups from two or four years ago is not the same as having ongoing dialogue. The amount of development possible if the proposed rezoning is approved is significant and will have a generational impact on the Town. Also, having just three information sessions on the accepted DGEIS, each one on a different topic, only speaks to the large amount of information provided.

I believe there is still an opportunity to build consensus, even though changes to the FBC are necessary. As many are clamoring for reduced density, the idea of allowing residential above retail should not be ignored. The downtown would be enhanced with having apartments above retail and would allow for more continuity of restaurants and retail as there would be a built-in clientele already there. We all want to make informed decisions, especially if those decisions affect our school system. Providing answers to the questions raised below will help us all be better informed.

Section 60-840 B (1) “The Development Dept may also, at its discretion, elect to combine review submissions for any project.” I suggest considering placing a maximum size limit, based on square footage, for combining zoning review submissions.

Section 60-860

G 1 – There should be a height maximum, in feet, to eliminate any confusion.

Section 60-880

Please explain what the sentence below in the FBC means. It was taken directly from the FBC. Does this mean an applicant can offer an easement to the Town and waive any parking requirement? Is this for new construction or what is already built?

F Parking Required

- (1) “Notwithstanding the foregoing, the requirement for providing off-street parking and loading spaces for all existing uses constructed on or before January 1, 2020, shall be waived where the applicant has voluntarily offered to dedicate to the parking district or the Town of New Castle an easement over the entire designated parking/loading/circulation/setback area on the site proposed for development for off-street parking, loading and/or circulation purposes.”

For shared parking, are there any basic parameters that can be included now regarding shared parking? Shared parking is great. A movie theater and an office building could share a parking lot with very little overlap. The uses contemplated in the hamlet may not be as complementary. The sentence below was taken directly from the FBC.

F 2. e. “Shared Parking shall be permitted. The rate of reduction in parking shall be determined by a professional parking consultant and approved by the Dev Dept. “

G Parking Location

Please explain how off-site parking is going to help make the retail successful. Retailers rely on convenience and easy accessibility for customer parking. The more friction you create for the customer, the less likely they are to shop that establishment. If retail parking is not convenient, people will just go elsewhere. Offsite parking for residential makes more sense.

H. Parking Provision – Fee in Lieu of Parking

Please explain how fee-in-lieu of parking alleviates the need for parking for a mixed-use development that is proposed for any given site. How does paying for parking spaces but not actually building the parking spaces help the ground floor retail? How do you decide which projects get to do fee-in-lieu and which ones don't get to do that?

J. Municipal Parking, Overnight

Please explain how overnight parking in municipal lots will function during daytime hours. For instance, if 20% (as proposed) can parking overnight at the train station, those spaces become de facto permanent spots for those residents. It is great to use the train station parking lot and other muni lots overnight (when they are virtually empty), the question is how to get those cars moved so the commuters who rely on those spaces can access them in the morning or shoppers who use the other municipal lots.

DGEIS Appendix F – Traffic Study

C. Future Traffic Operating Conditions

g) Proposed Mitigation Language currently in the DGEIS – “To alleviate the delays identified at two of the Quaker Road triangle intersections, it is recommended that the Quaker Road approach to South Greeley Avenue be reconfigured to provide a traditional “T”- intersection and that a traffic signal be installed. All approaches will provide two lanes. The eastbound Quaker Road approach will provide one left-turn lane and one right-turn lane. “

Please provide sketches showing what the recommended traffic mitigation plans will look like. Not sure why this was not provided previously. For example, based on the proposed language copied above, the Quaker Road triangle would be eliminated as the "T" intersection and traffic light would basically eliminate the green space within triangle. Green space can most likely be added adjacent to the existing sidewalks on both sides of the proposed intersection. Also, while this may alleviate the traffic issue, the proposed mitigation will eliminate basically all the convenient street parking on South Greeley Avenue in front of retail stores.

Also, please explain who is going to pay for all the traffic mitigation proposed. How is that going to be determined?

As the questions surrounding the potential for a large influx of school age kids has been elevated in the public discussions, below is a list of questions that would help provide a realistic assessment of what the number of school aged children might be. I believe this issue has been overblown and obtaining info from recently built multifamily projects will provide some sorely needed context.

Can you please provide unit mix breakdowns, rents, percentage of affordable housing units and number of school-aged children in other Westchester mixed use projects or TOD projects (post-2000) with similar high quality school districts (Scarsdale, Bronxville, Byram Hills, Edgemont, Rye City and Rye Neck). Including a few other multi-family projects from the metro area such as Great Neck or Princeton (which have highly regarded public schools and recent large multi-family projects) would also be helpful. Providing this information may help alleviate the concerns of over-crowding the schools.

Can you please provide the Public School Children Estimate from the FEIS from these other projects so we can see the source of their background data? Did those projects also use the Rutgers Study or did they use different background data? Stony Brook University released a study on school aged children in May 2019 that was based on actual Long Island multifamily projects. If nothing else, it would be a useful data point to have and can be accessed on-line.

It is difficult to know what unit mix is realistic for the hamlet without having the information requested above. What sources did the Town use in creating the unit mix provided in the DGEIS? The unit mix is a critical component as it affects traffic, parking and number of school aged kids.

We should accommodate having mixed use zoning in the hamlet with retail/commercial use on grade and residential above grade. Also, placing more density on properties adjacent to the train tracks seems reasonable. We have an opportunity to create a sustainable, walkable and vibrant environment in our hamlet.

I would like to thank the Town Board for now taking the time to engage the public on all the concerns being raised. While most of the current Town Board did not initiate the FBC, you are now responsible for its final form. This is a large undertaking during normal times and is only

more complicated during the pandemic. I would also like to point out that the Town Staff has proven to be excellent. Sabrina Hull has explained the FBC well and has shown the patience needed to not only answer the public's questions, but also point out how to ensure comments made would be considered substantive. We are lucky to have a strong, dedicated team supporting our Town's efforts.

Respectfully,

Lawrence Rose
(REDACTED)
Chappaqua, NY