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**To:** PublicComment <[PublicComment@mynewcastle.org](mailto:PublicComment@mynewcastle.org)>; TownBoard <[townboard@mynewcastle.org](mailto:townboard@mynewcastle.org)>

**Cc:** Kenneth Anand <[kenneth.anand@gmail.com](mailto:kenneth.anand@gmail.com)>

**Subject:** Opposition to the Form Based Code

December 6, 2020

***Via E-Mail***

Members of the New Castle Town Board

Town of New Castle

200 South Greeley Avenue

Chappaqua, NY 10514

Re: Chappaqua Hamlet Form Based Code

Comments to Draft Generic Environmental Impact Statement

Dear Town Board:

We write regarding the Draft Generic Environmental Impact Statement accepted by the Town of New Castle Town Board (the “Town Board”) on September 25, 2020 (the “DGEIS”). The proposed legislative action would abolish the current zoning laws and adopt a developer-centric Form-based Code (“FBC”) for the Town of New Castle. The FBC, as drafted, and the scope of the project outlined in the DGEIS, will negatively impact the environment of the Chappaqua hamlet.

We, like many others in this town, moved to Chappaqua because of the high caliber of the schools and because of the bucolic setting. The FBC will completely change the small town charm and will likely place a heavy burden on the CCSD, which could very well result in a decrease in the caliber of the school system - the town’s number one selling point.

The DGEIS’s estimate of the number of school-age children generated per housing unit under the FBC is not credible. The method of analysis used to arrive at its number needs to be examined and re-visited.

The theoretical maximum buildout in the FBC proposal allows for **997** additional apartments.<sup>2</sup> (DGEIS p. 1-2.) Under the FBC’s Alternative C, where no public property is sold, but only private properties are developed, this would allow for **734** new apartments. (DGEIS p. 4-11.). Under these scenarios, the DGEIS states: (1) only **96** new school

aged children (or 114 with an estimated growth of already existing children) will be generated by **997** new apartments, and (2) a mere **82** new school aged children will be generated by **734** new apartments. (DGEIS p. 3-146, 4-11.)

These numbers are improbable and no valid analysis could possibly support them. In fact, the DGEIS admits that it used a multiplier source that (1) is “over ten years old”; (2) “not specific” to New Castle or even to Westchester County; and (3) “provides very conservative estimates.” (DGEIS p. 3-146.) The actual estimated number of school children that would be produced by 997 units, or by 734 units under Alternative C, must be studied very carefully, given that the FBC envisions many 2- and 3-bedroom apartments, or “multifamily” units. It is well known that New Castle has outstanding public schools – people move here specifically for the schools, as my family did. Many people would love to move to Chappaqua, reap the benefit of great schools for their children and opt for a rental apartment or condominium unit which is not taxed at anywhere near the high rates that single family houses are taxed at.

The likely increase in students that a realistic analysis would estimate would likely overwhelm our school district. If the value of education in our town decreases - or is likely to decrease - many current residents will surely move and if residents choose to stay, our taxes will increase to subsidize the increase in students from the numerous apartments that are contemplated under the FBC.

Additionally, the development contemplated under the FBC will cause downtown Chappaqua to be under construction for several years. Our current retail stores were hurting prior to the pandemic, and even more so after. There are already empty storefronts in downtown Chappaqua and Chappaqua Crossing. Has the increase in residents from the Coppola Building helped those stores?

We strongly oppose the FBC and request that the Town Board reject the FBC.

Regards,

Safia and Kenneth Anand