

From: Scott Eric Le Vine [mailto:scottelevine@hotmail.com]
Sent: Monday, December 21, 2020 2:18 PM
To: PublicComment <PublicComment@mynewcastle.org>
Subject: Public Comment on Form Based Code

Supervisor Ivy Pool opened the Dec 15th Town Board Work Session by falsely claiming that I had said at the Dec 8th hearing that:

- the Form Based code is “*an effort to evict low income residents*”,
- the Town Board is “*trying to clear them [vulnerable residents] out of Chappaqua*”, and
- the Town Board is “*doing this in order to line the pockets of wealthy white developers*”

I said no such things (the full text of what I said is at bottom in **highlighted** text).

I cannot know what the Town Board’s efforts are intended to do (see underlining above); my comment refers to the effects of their actions. **My analysis is accurate: the Form Based Code our Town Board has proposed will have the effect of forcing renters in low-cost housing out of Chappaqua.** This issue of displacement is serious enough that in Port Chester, the most recent place in Westchester to pass a Form Based Code, it is the subject of a lawsuit by residents and the NAACP against the Village. I am not the only one to bring this to the attention of the Town Board; the County’s Planning Commissioner also has. Please do not shoot the messenger.

Because this rezoning is being pursued during COVID without in person meetings, I was unable to verbally correct the record at the Dec 15th meeting. I do so here, and I expect a correction and apology -- of similar prominence to Ivy’s misstatement on Dec 15th -- for misquoting me and mischaracterizing my point, when she opens the next Town Board meeting. More importantly, I hope that the Town Board will address the substantive issue of displacement.

The fact is, the neighborhood in the vicinity of Greeley Avenue contains some of the most affordable – i.e. low-cost – rental housing in Chappaqua.

The Form Based Code will incentivize the owners of these buildings to demolish them and redevelop into larger, higher-rent buildings. This will mean clearing out the current families living in them – our neighbors and community members.

It will not be the Town Board “evicting” residents. But by enacting the Form Based Code they will set into motion the events that will lead directly, and possibly quite quickly, to our neighbors being forced out of our community.

The residents would be forced out by their landlord (e.g. by refusal to consider renewing their lease, after being incentivized by the Town Board to do this), and they will then be unlikely to

find replacement housing in our community at similar cost. Ivy did not contest this; instead she discussed the “property rights” of landlords to get tenants out to redevelop.

Hence the effect of enacting the Form Based Code will be to clear them out of our community, through these straightforward steps. This is not social justice.

I appreciate that the Town Board members say they would like to create housing with the legal designation of “affordable”, and I accept their word that displacing current residents is not their objective.. However, **taking steps that lead to clearing out Chappaqua’s vulnerable renters in inexpensive housing does not help us achieve our diversity goals.**

Can the Town Board please address this problem?

Thank you for your efforts, and enjoy the holidays.

12/8/20

Great, thank you. Scott Le Vine, 149 King Street. First off, agree 100% with Jill, and with Lauren: the holiday lights, the garland, the snowflakes around Town look great, thank you DPW.

OK, so in the brief time I have, I want to bring to everyone’s attention that there are residents in some of the most affordable rental housing in our community, neighbors of mine, living in apartments in the hamlet, who have never been made aware of the Form Based Code and the profound harm it will bring to them.

They live in our community’s truly affordable housing, which will be demolished, and they will be cleared out, unlikely to ever find another place to live in our community. Some of you may think this housing is unattractive or an eyesore, but to my neighbors it is their home, and like me they are very proud of their little corner of our community.

The Form Based Code incentivizes this displacement of our community’s most vulnerable residents, with the consequence that the mainly white, male, wealthy developers who have had an exclusive seat at the table since Day 1 in planning this rezoning, will get wealthier as they gentrify Chappaqua. This is not social justice.

Allow me to read a public comment submitted by a neighbor this afternoon, which the Town will post online tomorrow:

My name is Will. I live in the Opportunity Shop building on Greeley Avenue. My neighbor just told me that you're planning to redevelop our neighborhood with newer buildings, and this might mean that I would need to move. This is the first I am hearing about it, and I am concerned. What is going on and how can I learn more?

OK, so these are my neighbors, our neighbors, they will be gone forever, to make way for the primarily luxury housing that would be built in their place. Please, as you consider the Housing Diversity and Social Diversity aspects of your plans for Chappaqua, do not focus exclusively on the abstract. These are real people, our community members, whose lives you would be upending, and you have never even properly advised them of your plans, let alone given them the opportunity to get involved, have their voices be heard, and to work collaboratively to shape Chappaqua's future.

Thank you all, for your efforts on behalf of our community.