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To: PublicComment <PublicComment@mynewcastle.org>
Subject: Form Based Code

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I am writing to you with regards to the “Form Based Code” (FBC) which is currently proposed and is being processed through the Chappaqua Town Board. Above all it feels that whilst the words of “we are listening” are being spoken, the reality feels as if process is continuing without a truly consultative approach involving the town residents. I listened to the entirety of the last Town Board meeting, and was surprised that the talk was not of **whether** this was the right next step for Chappaqua, but instead the discussion revolved around **How** the board would make this happen. The last 3 “Public Hearing” sessions have generated a lot of questions, but per my comments during the last one, I feel that not much is being actually “Heard” by the Town Board. Indeed the closing remark at the last meeting was “We can have another Public Hearing and remain on track / on time”. It does feel as if there is only lip service being given to the challenges being raised by the town residents.

My concerns regarding the FBC are detailed below as follows :

1. **“Form Based Code”**. This term is beyond confusing as it does not state what is being proposed, namely the demolition of the downtown area, followed by wholesale reconstruction / restructuring / remodeling of Chappaqua Hamlet. Many people mistook this for a school project on Coding, and others such as myself were simply unaware of what this meant until we were made aware (not by the Town, but by others in the area). Equally it appears that Chappaqua Hamlet is already listed “For Sale”, so are these meetings a means for the Town Board to tick a box? The FBC proposes not only to change the character of the Hamlet, but actually to transform the Hamlet into a Town, and that this has been able to proceed for so long below the community radar, is largely due to the name and manner in which this has been progressed. How can this be allowed to proceed without a full town referendum or vote as a simple Yes or No vote to accept or not? This would force a full evaluation of the positives and negatives associated with the FBC, and ensure it was the decision made by the majority, not the Town Board in isolation.

2. **Chappaqua Village Character** - Chappaqua, Armonk, Pound Ridge & Bedford (to name but a few) all possess unique characters as historic Hamlets, all of which bring degrees of charm to living here. They represent local communities, a healthy mix of residential, locally owned stores and local restaurants all of which make living here such a pleasure. The buildings are individual in character, form and their diversity brings uniqueness to the Hamlet. In addition, the Summer market at the Train Station is always

such a treat with the whole town coming together, music playing and a true sense of community, along with the special events such as Memorial Day Parades, Halloween etc. Equally the mixture of housing plus trees, greenery all bring a localized charm. Above all, living here is a tremendous relief from the endless chain stores, uniform look of bland modern towns, malls, apartment complexes which are increasingly the norm in suburban America. We chose to move to Chappaqua 2 years ago because of its charm and thus were horrified to discover that the FBC might turn this historic hamlet into a 'mini White Plains'. Witness the characterless, sterile feel of the recently finished Chappaqua Crossing which is not only a soulless experience, but largely empty and hardly indicative of a thriving community. Without Whole Foods & Starbucks the place would quickly cease to exist, with multiple store fronts empty already. Equally, the arrival of the likes of Whole Foods will no doubt be having an adverse impact on local business, such as DeCicco's or Chappaqua Village Market etc. I stopped on the bridge over the Train Station the other day, and tried to imagine the FBC skyline, the 4-5 stories, the 5-6 garages and found myself looking up to the sky, realizing I would not be able to see much of the town any longer. Bell School would have disappeared behind a wall of modern buildings, the hillside & trees no longer visible, and even BOBO's at the station dwarfed by buildings 4-5x its size. My greatest fear is that despite the best intentions, which I'm sure exist, the reality is that with the FBC will come apartment blocks & more people, and as such the Hamlet will become a series of fast food, chain stores, laundromats, gyms mini supermarkets etc, all of which exist to service the needs of apartment owners, and not the delightful hamlet we know and love.

3. Loss of Control. Why would the Town Board want to lose control of the destiny of the Town, unless it was for personal gain? Under the FBC, my understanding is that the town would be turned over to developers, who then have Carte Blanche within a few Guidelines to create, feel and do as they please, with a decade of construction and no certainty as to what this will result in. The FBC is not being driven by the Community, but instead by a small working group, along with developers and their consultants. Dare I say it, but there are enough stories and videos circulating indicating potential conflicts of interest. Thus I would expect that there to be sworn affidavits by all Town Board members that nobody on the Town Board or their families will stand to personally profit from the FBC. From all I've heard, there is significant doubt here, which is sadly not creating a sense of a unified community with the Town Board serving the needs of the residents.

4. Consultants vs Locals. As a CEO of a few companies, I have worked with many world class consultants over 30+ years in business, and whilst they can offer a perspective and professional advice, they never know **our** business (in this case our town) as well as we, the residents, do. The decisions that resulted in the FBC were not made by the community but by a group that included developers and pro-developer consultants. Town Residents were not represented, and as a result we have a consultant solution vs a resident based approach. Consultants by their nature are here to make money, to do so in short time, and above all sell solutions to people, and do not have to live here with the consequences of the decisions. When the first building is torn down, they will be onto the next project and we will be quickly forgotten. Many aspects of the base level consultant thinking is fundamentally flawed, and is designed to deliver one result (the FBC), in particular around the number of 1BR apartments vs 2 and 3BR. The knock on effect of this is huge in terms of # of new residents, CCSD Students, # of Cars, Traffic, CO2 and Environmental considerations, not to mention the types of retail needed to support such a community.

5. Chappaqua Crossing / 91 Bedford and others - Have these projects been a success? What were the KPI's and have these been met? On the surface, none of them would seem to be doing well, most notably the Crossing. It would be good to understand what the KPIs were and why they are not being met?

6. What are the advantages of FBC? I've not yet heard from the Town Board as to what are the benefits of the FBC are, and would welcome this education in any future session. A few basic questions which I feel will require to be answered are as follows....Will the FBC....

a. Reduce or increase Local Taxes?

b. Reduce or increase the value of homes ? (Based on projections)

c. Increase the # of students in the school system?

d. Increase the amount of traffic congestion on the streets?

e. Make my commute to NYC longer or will it stay the same? (Easier / more difficult to park)

f. Improve or reduce the air / water and overall quality of our environment?

g. Improve other aspects of the Town living - more funding = more sports fields, more community programming etc.?

h. Require expanded services such as Police / Fire etc ? Would crime increase? Impact on schools, esp kids at Bell?

i. With answers to the above, we can then answer the core question - Will the FBC enhance or reduce the quality of life in Chappaqua?

6. Timing - We are already in an unprecedented time and will not exit back to the old ways of doing anything. I for one am not simply reverting to my Pre-Pandemic plan in the next 2-3 years but am taking what we've learned and applying that to a new normal as this evolves. Equally, flexibility for the next few years is critical as we understand the shape of the "new normals" across all aspects of our lives, from business to retail to fitness and even restaurants / bars.

The FBC was conceived Pre-Pandemic, and thus I find the desire to keep moving / stay on track / and plough ahead with a plan that would result in a loss of control / loss of flexibility somewhat mysterious. Why the rush? If ever there was a time to pause, it is very much now when the conditions are as uncertain and the future changing before our eyes. I'd be shocked if the Town Board proceeded to vote on this until such time as we have exited the pandemic, have seen the economic impacts materialize and seen what how the new normal for living here looked.

7. Vision - I think the core disagreement between residents and the Board is that there is not a shared Vision for the future of the Hamlet. On one side, the Board wants to transform the Hamlet into a Town, a mini commuter metropolis, whereas the residents want to retain the historic charm, keep our school district at the highest standard, and preserve the stunning environment in which we live. We need an aligned Vision for what we want Chappaqua to be, our DNA, and thus the things we value so that the community can align, get behind a series of plans to continually evolve aspects of living in this delightful town.

I look forward to hearing more from the Town Board, would urge that a “time-out” is taken, no decisions are made without a referendum, and above all alignment around a Vision for the future of the Town takes place.

With best regards

Charles

Sent from my iPhone
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