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September 20, 2022

Hon. Lisa S. Katz
Town Supervisor
Town of New Castle
200 South Greeley Avenue
Chappaqua, NY 10514

Re: Former Rite Aid site, 50 North Greeley Avenue, Chappaqua

Dear Supervisor Katz:

On behalf of FFLP Holding 50 North Greeley LLC (the site owner, whose principal is Don Feinberg) and Bear Development Holdings (the designated developer, whose principal is Jeffrey Davis), I am pleased to submit this application to facilitate the redevelopment of the above-referenced site, which is near the Metro-North train station in the Chappaqua hamlet. We are proposing to develop an aesthetically significant, mass timber, low-carbon footprint, 4-story mixed-use building. The building would include 45 apartment units, including 5 designated affordable units, and ground-floor commercial uses.

The Development Context

On June 21, 2017, the Town Board adopted the Town's Comprehensive Plan (<http://www.wmpf.org/wp-content/uploads/2018/08/Approved-2017-Comp-Plan.pdf>). The plan establishes the goal of locating high density residential development in the hamlets, facilitating a range of housing types in the hamlets affordable to a diverse residential population, and encouraging the integrated inclusion of market-rate and designated affordable units. Our proposed building would be consistent with this goal.

The proposed building would enable people to live downtown and would diversify the local housing options to allow residents downsizing to stay in Chappaqua without continuing to assume the burdens of a single-family residence. Our proposal would increase the vibrancy and economic activity in the hamlet, while complimenting the existing building-scape of the downtown and making an architectural contribution that Chappaqua will be proud of.

As owners of one of the more central properties in the Hamlet, we want to help enable more people to live, work, play, shop, dine and enjoy Chappaqua. We want to do this by developing a modern, green apartment residence that will reduce car dependency and car congestion. The reason so many people today want to live in towns like Chappaqua that have a train station or other mass transit option is so they are much less dependent on a car. This is certainly true for older people who are downsizing and more and more true for millennials as well.

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To make Chappaqua's downtown more active and vibrant, attracting people to live downtown is key. This is how to strengthen Chappaqua's future and make it even a better place to reside. Not too long ago, Chappaqua was a bustling place, with successful establishments servicing the nearby residences. It can be that again by bringing people who want to live in the hamlet proper, experience the charms of walking its streets, using its unique train access and not being chained to a car for shopping, dining, recreation or education.

The 45-unit development we envision would enable people to enjoy living centrally at a location where they are able to walk to the train (or a stop on the Westchester Bee Line No. 19 and No. 6 buses that travel to locations such as White Plains, Ossining and Mount Kisco) and enjoy all aspects of the community without constant reliance on a car. The 40 market-rate apartments would represent \$10,000,000 in new income, living and spending downtown (based on average household income for the 10514 zip-code). Additionally, rental housing is a much-needed and sorely missed part of the housing mix for Chappaqua. Not everyone can afford the \$200,000 deposit required for the average Chappaqua house costing well over \$1 million. But people who can afford to rent, be they young couples or empty-nesters, appreciate what makes Chappaqua special and deserve the opportunity to live here. Their added economic activity and a diversity of perspectives will further enrich Chappaqua. Importantly, our development will also provide 5 units of much-needed designated affordable housing units and help the Town meet its affordable housing goals.

The Proposed Building

Being sensitive to the existing design character of the Chappaqua's downtown core while recognizing the importance today of creating a project with the smallest possible carbon footprint, we are proposing to develop a building that adds to the streetscape and walkability of the hamlet: a building that will attract people wanting to move away from car use, exactly the demographic that will increase the vitality of downtown without increasing traffic or parking congestion. The project's design architect is Gray Organschi Architecture (<https://grayorganschi.com>), one of the most highly considered architectural firms in the country, with extensive experience in designing green buildings and whose principals teach at the Yale School of Architecture.

The site is oriented in a general north-south direction with the adjoining Metro-North railroad tracks to the west and its extensive North Greeley Avenue frontage to the east. Parking at the site would be tucked beneath the building rather than in a surface parking lot. Thus, most of the first floor of the building would be an indoor parking lot, but the North Greeley Avenue frontage that faces the hamlet would include commercial space to enliven the pedestrian experience. The first floor of the building would not "read" as a parking lot to passersby. The upper floors of the building would be residential and would include roof-top courtyards fronting North Greeley

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Avenue and shielded by the rear of the building from the clamour of the passing trains. The building would include windows with high sound attenuation to limit noise intrusion for the residents.

Presentation materials from our architects are enclosed. The vision for the proposed development is captured by this rendering, which shows the view from the southeast.



The use of timber as a building material is one way to reduce our carbon footprint. A recent analysis comparing CO₂e emissions of wood and conventional building concluded that substituting wood for conventional building materials reduces emissions by 69% (publication available at <https://www.sciencedirect.com/science/article/pii/S2666165920300260>). The building would be 100% electric – with no fossil-fuel fired furnaces, hot water heaters or stoves. As New York State transforms its electric grid to be increasingly dependent on renewable energy, as required by the State’s Climate Leadership and Community Protection Act, the building’s carbon footprint would dwindle to zero.

The residential units would be a mix of studio, 1-bedroom and 2-bedroom apartments. It would not include any 3-bedroom units. We believe that this mix would be most attractive to Chappaqua “empty-nesters” seeking to downsize and millennials who are singles or young couples. A development of this configuration in this downtown location would generate additional real property tax revenue and would not adversely affect the school district. The ground-floor commercial space could be configured as a community restaurant or a retail use, depending on market demand.

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Zoning and Next Steps

The proposed development would require an amendment to the Town's zoning code, as envisioned by the Town's Comprehensive Plan. Our proposed zoning text amendment is enclosed for your review. If enacted, the zoning text amendment would create a new Downtown Mixed-Use Transit Oriented Development (DMTOD) special use permit that would be issued by the Town Board upon certain findings, including that the proposed development has superior environmental attributes and would be located in the existing B-RP zoning district on a 22,000 square feet (minimum) lot within 2,500 feet of the Chappaqua railroad station building.

The architect's presentation materials include a proposed site plan for the development.

Also enclosed for your review is Part 1 of the Environmental Assessment Form required by the State Environmental Quality Review Act. We look forward to working with the Town to undertake any additional studies required to complete the SEQRA process. Our planner and environmental consultant is Nanette H. Bourne, whose contact information is presented in the EAF. An application for a special use permit is also enclosed.

We request that the Town Board, before holding its own public hearing on the proposed zoning amendment, refer the proposed amendment to the Planning Board for its report and recommendation, as required by section 60-600 of the Town's zoning code.

We also request that the Town Board pass a resolution terminating the moratorium enacted by Local Law No. 5 of 2022. Absent further action by the Town Board, the moratorium is set to expire on November 19, 2022. The moratorium is a continuation of prior Town moratoria that have been in effect for years, freezing the status quo in which the site is vacant, causing severe hardship to the owner, which has been and remains unable to re-tenant the site, because any new tenant or subtenant would require modifications to the existing signage and building, and potentially, modifications to the site plan. The vacancy of the site has led to the deterioration of the building and increased costs to the owner. Section 3[3] of Local Law No. 5 allows the Town Board to terminate the moratorium by resolution. Alternatively, we request that the Town Board pass a resolution to exempt the site from the moratorium.

The site owner, designated developer and their representatives look forward to working with the Town to redevelop the site in an environmentally sustainable way that benefits the community.

Very truly yours,



Philip E. Karmel

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cc: Deputy Town Supervisor Victoria Tipp
Council Member Christian Hildenbrand
Council Member Tara Kassal
Council Member Jeremy Saland
Director of Planning Sabrina D. Charney Hull, AICP
Jeffrey Davis
Don Feinberg
Nanette H. Bourne