

TOWN OF LEWISBORO
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TOWN OF LEWISBORO
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PETER H. PARSONS, SUPERVISOR

June 18, 2013

James E. Johnson, Esq.
DeBevoise & Plimpton, LLP
919 Third Avenue
New York, NY 10022

Dear Mr. Johnson:

This responds to your letter of March 23, 2013.

Lewisboro is in no way antagonistic to the goals of the Settlement between Westchester County and H.U.D. This is demonstrated by the Town's vanguard role in using bonus density to create Middle Income Housing in the 1970's and its contribution to regional housing need through its five group homes. Lewisboro's dilemma is that its physical and human geography has created a disparity of purpose between the Settlement, the region, New York State and the municipality.

The region asks Lewisboro to satisfy needs which require it to remain relatively undeveloped.

- 1. PROVISION OF DRINKING WATER FOR NEIGHBORING URBAN AREAS:** A primary obstacle and development issue regarding the potential for increased site density within the Town of Lewisboro is the lack of public sanitary sewer and drinking water infrastructure. Approximately 75% of the overall land area within the Town limit is located in the NYC East-of-Hudson Watershed and tributary to various reservoirs within the NYCDEP Watershed Area and drinking water supply. The remaining area within the Town is tributary to drinking water reservoirs for portions of the State of Connecticut. The NYCDEP imposes heightened restrictions and regulations for the treatment and disposal of wastewater within the New York City Watershed for the protection of their drinking water supply. These regulations specifically prohibit point-source discharge of sewage treatment plant effluent. Treated wastewater effluent is required to be discharged to a subsurface, on-site wastewater

treatment system (OWTS) typical of community-type septic systems. The Westchester County Department of Health requires a minimum of one acre of land access for conventional development of single residential lots with OWTS and private wells. It is not uncommon to require more than the minimum to meet regulatory setbacks and sizing requirements. This minimum required lot area also assumes that there are no additional environmental constraints such as unsuitable soils, steep slopes, shallow depth to bedrock and groundwater, and setbacks from wetlands and watercourses; all very common environmental factors prominent throughout the township. These added constraints commonly result in the necessity for 2-3 acres of land to accomplish the same goal. As a result it is impractical to expect high density development where community infrastructure cannot be supported.

2. **REDUCTION OF CARBON-DIOXIDE EMISSIONS:** At noon on May 4, 2013 carbon-dioxide concentrations in the atmosphere at the Mauna Loa Observatory hit 400 parts per million (ppm). At the current rate of increase this reading will rise to 450 ppm in 2037 resulting in an estimated two degree Celsius increase in global temperature – the likely maximum increase which could be safe. To increase development in heavily forested Lewisboro is to strike a blow against efforts to reduce carbon-dioxide in the atmosphere. This is not only because we all rely on this vegetation to reduce carbon-dioxide but also because development in Lewisboro increases dependence on the use of carbon fuels. Even a simple trip to get milk results in the overwhelming majority of the population using a vehicle.
3. **PROVISION OF PASSIVE RECREATION TO OUR REGION:** Lewisboro offers a major resource to the entire metropolitan region via its preserves, reservoirs and streams. The outstanding examples are the 5,738 acres of Westchester’s Ward Pound Ridge Reservation and Mountain Lakes Park (these are spread across the towns of Lewisboro, Pound Ridge and North Salem). In addition the Town owns 500 acres of preserves with trails. There are also another 16 preserves in Town with trails accessible to the public plus several without trails.

New York State wants to foster agriculture in Lewisboro.

New York State Department of Agriculture is demanding that the Town amend its zoning laws and streamline its procedures so that Agricultural Districts can be created at will. Such districts have the immediate consequence of increasing real estate taxes on other residents by reducing the tax rolls and the longer term result that if such a district is discontinued ten years of back taxes are owed.

The Municipality of Lewisboro has little in the way of shopping or public transport and relies completely on its volunteers to provide fire and ambulance services.

Affordable housing works best where there are sidewalks to get to stores and restaurants plus public transport within walking distance. Currently only the extreme western part of the Town provides either of these – an area where New York City has acquired a large proportion of the buildable vacant land in order to protect their watershed from any form of development.

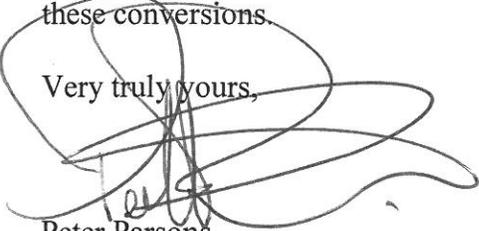
The Town also needs to ensure that its emergency services are well staffed. A thinly populated dispersed town such as Lewisboro can not afford to pay its firemen and ambulance workers. We are already somewhat at risk during storms because too many of our highway workers reside some distance from the Town. It is clear that Lewisboro needs to increase the affordable housing stock where these workers are given preference.

A way forward for Lewisboro?

Currently Lewisboro's Town Board is considering a draft of the Model Ordinance which has been prepared by the Housing Committee.

My personal opinion is that the Ordinance should recognize the reality of our area by accepting that large scale development in Lewisboro will not be able to be reconciled with the needs discussed above and that a more practical way forward would be to facilitate accessory apartments and conversion of existing housing stock into two family housing while giving some priority to Town employees and volunteers in a percentage of these conversions.

Very truly yours,

A large, stylized handwritten signature in black ink, appearing to be 'Peter Parsons', written over the 'Very truly yours,' text.

Peter Parsons
Supervisor
Town of Lewisboro