

**DELBELLO DONNELLAN WEINGARTEN
WISE & WIEDERKEHR, LLP**

Peter J. Wise
pjw@ddw-law.com

COUNSELLORS AT LAW
THE GATEWAY BUILDING
ONE NORTH LEXINGTON AVENUE
WHITE PLAINS, NEW YORK 10601
(914) 681-0200
FACSIMILE (914) 684-0288

Connecticut Office
1111 SUMMER STREET
STAMFORD, CT 06905
(203) 298-0000

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By Hand Delivery

Chairman Ching Wah Chin
Members of the Planning Board
Town of Ossining
John-Paul Rodrigues Operations Center
101 Route 9A
Ossining, New York 10562

Re: Applications of Artis Senior Living, LLC

Dear Chairman Chin and Members of the Planning Board:

At the last hearing on October 19, 2016, the Board raised a few issues requiring a response by the Applicant. In no particular order, the issues, and responses, are as follows¹:

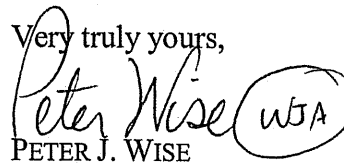
1. The Board asked for a view of the rear of the building from the Sharrett residence using reasonably available data sources, and perhaps utilizing Google Earth to create an image file. The project architect tried to use Google Earth to create the view, but in our estimation the result was very inaccurate, and would not provide any better information than the illustrative "rear perspective" previously submitted. Instead, the architect and project engineer have collaborated to produce from available GIS data the illustrative views titled "Illustrative View From 84 Morningside Drive (Approximate Location), With Trees," and "Illustrative View From 84 Morningside Drive (Approximate Location), Without Trees," both dated October 24, 2016, and submitted with this letter. Like the rear perspective, these plans are only illustrative (and do not purport to show all vegetation and natural features) but we believe them to be a reasonably accurate depiction of the view of the building (at the finished first floor elevation of 353 feet) from the residence (at an estimated "eye-level" elevation of 387 feet). These plans and the "site section" previously submitted (which is intended only to show relative heights of the Sharrett residence, the existing home on the site, and the proposed building) together also show the spatial relationship between the residence and new building. Regarding Ms. Sharrett's concerns, we acknowledge that the rear clerestory windows in the central core will be visible from her residence, and, although we have not measured it, will be at approximately the same elevation as their kitchen window, as she has indicated.

¹ This letter also addresses Ms. Sharrett's written comments dated October 20, 2016 and October 24, 2016.

2. Regarding the rear clerestory windows, in response to comments, the Applicant will commit to darken the glass (through application of film or other measures) and/or install blinds or other window treatment to reduce emission.
3. Although it is not the preferred architectural design, the Applicant will eliminate the four (4) rear windows in the two (2) stairways in the wings. A revised "northwest elevation," "1st floor plan," and "2nd floor plan," all prepared by LK Architecture and dated October 24, 2016, are submitted with this letter.
4. Blinds or other window treatment will be installed on the rear window in the stairway in the central core shown as "stair #1" on the floor plans.
5. Lighting in the space at the rear of the central core (the "studio" on the first floor, and "health center," "office," and "barber/beauty shop" on the second floor) will be on occupancy sensors. All interior lighting will comply with applicable safety and energy conservation codes.
6. Regarding the wetland mitigation and monitoring plans, Sheet 6 of 11 of the site plan has been revised to: (i) provide for irrigation and replacement of plantings during the 5 year monitoring period; (ii) provide for knotweed removal first by manual means, and then secondarily, by glyphosate injection; and (iii) show an 8 foot high deer fence, which like the solid fence will require a variance from the Zoning Board of Appeals, and will have passageways for small wildlife. The draft Wetland Buffer Monitoring and Maintenance Plan, and a separate draft Wetland Mitigation Plantings Maintenance Agreement (imposing a perpetual requirement to replace wetland mitigation plantings after the expiration of the monitoring period), both dated October 24, 2016, are submitted with this letter.
7. Sheets 3 and 11 of 11 of the site plan have been revised to address Mr. Ciarcia's comment regarding manhole #5. The revised drawings, prepared by Kellard Sessions Consulting and dated October 24, 2016, are submitted with this letter.
8. We have reviewed the tree inventory on Sheet 4 of 11 of the site plan, and confirm that all trees on the site with 6 inch or greater diameter at breast height are identified, in accordance with Town Code Chapter 183. Regarding the birch near the existing residence, although the project landscape architect indicated to Ms. Sharrett it could be preserved, the project engineer has since determined that it cannot be saved. A note indicating that existing spicebush (in the northwest corner) will be saved has been added to Sheet 6 of 11.
9. We believe that the distance between the rear facing (short) wall of the screened porches on the sides of the wings and the Sharrett residence and the extensive landscaping the Board is requiring between that point and the property line appropriately mitigate any potential impacts from porch lighting, which we note will not regularly be on after dusk, because residents are permitted to be in the porches only during the day. The Applicant therefore declines to substitute an evergreen for the "ivory silk lilac" next to the rear facing wall, which as a spring flowering species is intended for the enjoyment of the residents.

10. The Applicant agrees to install an in-ground irrigation system in the buffer area.
11. The site does not have habitat for any threatened or endangered bat (Indiana Bat or Northern Long-eared Bat) or bird species. Given this, limiting tree removal to the period prior to April is not warranted.
12. The first floor elevation of the building cannot be lowered to elevation 549 feet. As we have stated on a number of occasions, the first floor elevation is set by, among other factors, the elevation of North State Road, and by engineering of utilities.
13. Finally, regarding blasting, as we indicated at the hearing on October 19, we think the best approach is to impose this approval condition: "Where bedrock removal is required, the Applicant will first attempt to remove the rock through mechanical means (i.e., ripping or chipping), provided that if mechanical methods are infeasible due to natural factors including the hardness and/or density of the rock, blasting may be utilized in strict and full compliance with the provisions of the Town's blasting law (Chapter 89 of the Town Code), and the approved Blasting Protocol dated October 24, 2016, attached to this resolution." Because adherence to a pre-approved protocol (requiring, among other things, a pre-blast survey, and permitting the Town to at the Applicant's expense engage an expert blasting consultant) would be required, there would not be any reason to return to the Board for approval to blast. The proposed Blasting Protocol, dated October 24, 2016, is submitted with this letter.

The Applicant has worked diligently since early summer to address all comments and concerns of the Board, Ms. Sharrett and others. As most recently modified by the materials submitted with this letter, the site plan layout, building design, and landscape design all fairly and reasonably balance the sometimes competing interests of all stakeholders. Our client has been responsive to the concerns of the Board and the public, including Ms. Sharrett and Mr. Kamber, and has made all reasonably requested changes and compromises. We believe that it is now appropriate to bring this thorough and rigorous review process to conclusion, and respectfully ask the Board to do so. On behalf of Artis Senior Living, we look forward to approval of the project at your meeting on November 16, 2016.

Very truly yours,

PETER J. WISE

Enc.

cc: David Stolman, AICP
Dan Ciarcia, P.E.
Katherine Zalantis, Esq.
Max Ferentinos
Paul Folger, Assoc. AIA
David Sessions, RLA
Brian Hildenbrand, P.E.