

AUDUBON MANOR Co., LLC

500 EXECUTIVE BOULEVARD, SUITE 203
OSSINING, NEW YORK 10562
(914) 762-7898
Fax: (914) 762-8251

September 4, 2015

Ms. Ingrid Richards, Chair
Town of Ossining Planning Board
Town of Ossining
P.O. Box 1166
Ossining, New York 10562

RE: Parth Knolls Residential Development. Owner's responses to David H Stolman's, of Frederick P. Clark Associates, Inc., comments of August 25, 2015

Dear Ms. Richards:

Please find below the Owner's responses to the comments listed in the above-referenced Memorandum from David H. Stolman, of Frederick P. Clark Associates, Inc., to the Town of Ossining Planning Board, dated August 25, 2015, attached hereto as Exhibit "A", for ease of reference.

Proposed Project.

The Memorandum states that twelve of the total 53 dwelling units are to be Below Market Rate dwellings.

Owner's Response:

The number of affordable units of twelve (12) BMR units was placed in error on the Zoning Data Summary, on Drawing T1, dated July 8, 2015, Rev.# 1, July 22, 2015.

The corrected number of BMR Units is six (6) BMR units, based on the following Sections of the Town of Ossining Zoning Code.

1. **Article VI. Affordable Housing.**

Section 200 - 33 of the Town of Ossining Zoning Code.
Required below market rate unit component.

As Stated in Section 200 - 33. "Within all residential developments of 10 or more units created by subdivision or site plan approval, no fewer than **10% of the total number of units shall be created as BMR units.**"

The number of BMR units that will be created is Six (6)
The percentage of BMR units is:
6 BMR units/53 Total number of Apartments = 11.32%

The total number of six (6) BMR units, is subject to the applicant receiving Site Plan approval for fifty-three (53) multifamily units, as proposed. If the number of proposed units decreases, the number of BMR units will decrease accordingly, and the decrease will be based on the formulas set forth in the appropriate Zoning Codes referred to herein.

The percentage of 11.32% exceeds the requirements set forth in section 200 - 33 of the Town of Ossining Zoning Code.

2. Summary of calculations of Apartment Type, Ratio, and BMR Units:

A. Pursuant to Section 200-34.A: Residential Density Bonus; Multifamily
Lot area of more than 5 acres but fewer than 10 acres are permitted a 30% Density Bonus. The Site contains 5.527 acres, thus it is permitted a 30% Density Bonus
Number of Apartment Units permitted per Section 200 - 22:
One (1) Bedroom 31 units
Two (2) Bedroom 10 units
Total Units 41 units [x] 30% Bonus 12 Bonus Units

Paragraph A. of 200-34, states that:

One Half (½) of the unit Density Bonus shall consist of BMR units

Under this provision and formula, the number of BMR units shall equal ½ (x) 12 Bonus units, which is 6 BMR units.

3. Summary of calculations:

Column (1) Apartment Type	Column (2) Apartments permitted per Section 200 - 22	Column (3) Residential Density Bonus allowed (30%), per Section 200 - 34	Column (4) Total Number of Apartments with the Density Bonus	Column (5) Number of Apartments <u>that are not</u> BMR Units	Column (6) Number of Apartments <u>that are</u> BMR Units 200-34.A : ½ of Col (3)	Col. (7) % Ratio of total no. of Units
One (1) B/R	31	9	40	35	5	75.47
Two (2) B/R	10	3	13	12	1	24.53
Totals	<u>41</u>	<u>12</u>	<u>53</u>	<u>47</u>	<u>6</u>	<u>100</u>

Section 200-35. Below - market - rate units.

Paragraph A. BMR Apartments. The apartment square feet stated below will not be less than 80% of the market units of the same type and/or rent rate units.

Paragraph B. BMR Apartment. The minimum gross floor area of the BMR Units will be, as stated in Section 200-35.B below, as follows:

One (1) Bedroom BMR Units	675 Square feet
Two (2) Bedroom BMR Units	750 Square feet

Proposed Project .

The Memorandum states that the project is proposed to contain 41 one-bedroom units and 12 two-bedroom units and a total of 108 parking spaces.

Owner's Response:

The Owner has made the following revisions to the unit mix for the Proposed Project as set forth in the schedule below. These revisions will be reflected in the Site Plan and related documents being submitted for the September 16, 2015 Planning Board Meeting:

Summary:

Column (1) Apartment Type	Column (2) Apartments Permitted per Section 200 - 22	Column (3) Residential Density Bonus allowed (30%), per Section 200 - 34	Column (4) Total Number of Apartments	Column (5) Number of Apartments <u>that are not</u> BMR Units	Column (6) Number of Apartments <u>that are</u> BMR Units 200-34.A : ½ of Col (3)	Col. (7) No. of B/R
One (1) B/R	31	9	40	35	5	40
Two (2) B/R	10	3	13	12	1	26
Totals	<u>41</u>	<u>12</u>	<u>53</u>	<u>47</u>	<u>6</u>	<u>66</u>

Section 200-29, Parking and loading.

Dwelling, multifamily

Required Parking: 2 for each dwelling unit plus 0.5 for each bedroom more than 2 bedrooms

<u>Column. (4)</u>	One (1) Bedroom Apartment 40 (x) 2	=	80
	Two (2) Bedroom Apartment 13 (x) 2	=	26
	<u>Total minimum parking required</u>		<u>106</u>

Analysis and Recommendations:

Comment No. 1.

Stolman's Comment: Eliminate the requirement for a Conditional Use Permit.

Owner's Response:

Correction to the Full Environmental Assessment Form, Part I, Project and Setting.

As a result of a zoning amendment, which was adopted by the Town of Ossining Board on July 22, 2014, eliminating the requirement for a Conditional Use Permit, the Owner has eliminated the requirement for a Conditional Use Permit for the development, in the Full Environmental Assessment Form, Part I(EAF), originally submitted on July 24, 2015, now revised and being resubmitted. Revisions are noted as "Revised 9/4/15".

Comment No. 2.

Stolman's Comment: The Table on Sheet T1, as it pertains to Section 200-22, density, is to be modified in accordance with the requirements of Section 200-22.

Owner's Response:

The Table on Sheet T1, as it pertains to density, has been modified and revised in accordance with Section 200-22 of the Zoning Code, and the revised Sheet T1 will be submitted for the September 16, 2015 Planning Board Meeting .

Comment No. 3.

Stolman's Comment: Section 200-16C(1)(b). The Site Plan shall show compliance with the requirement of Section 200-16C(1)(b), " Minimum distance between principal buildings shall equal two times the height of the highest building..."

Owner's Response:

The revised Site Plan shall show compliance with the requirement of Section 200-16C(1)(b), showing that the minimum distance between the two (2) principal buildings is equal to two (2) times the height of the highest building, as calculated pursuant to the Zoning Code. The revised site plan will be submitted for the September 16, 2015 Planning Board Meeting .

Comment No. 4.

Stolman's Comment: Section 200-16C(1)(d). The Site Plan shall show compliance with the requirement of Section 200-16C(1)(d), "There shall be provided on the same lot a suitably equipped and landscaped children's play area with a minimum of 400 square feet for each dwelling unit."

Owner's Response:

The revised Site Plan will show compliance with the requirement of Section 200-16C(1)(d), locating a suitably equipped and landscaped children's play area with a minimum of 400 square feet for each dwelling unit. The revised site plan will be submitted for the September

16, 2015 Planning Board Meeting.

The Owner feels that this requirement should be reduced, as the area required of 22,200 square feet (53 units [x] 400 square feet) is grossly overstated for a development that only has thirteen (13) two (2) bedroom apartment units, and the pool is not included in the required area. Further, "suitably equipped and landscaped children's play area" is not very well defined, as to what it includes. Does it include open areas, walking trails, benches for table games, etc.

Comment No. 5.

Stolman's Comment: Section 200-22 of the Zoning Code. The Site Plan shall show compliance with the requirement of Section 200-22

Owner's Response:

The revised Site Plan will show compliance with all of the requirement of Section 200-22 of the Zoning Code. The revised site plan will be submitted for the September 16, 2015 Planning Board Meeting.

Comment No. 6.

Stolman's Comment: Section 200-16C(3)(a) of the Zoning Code. The Site Plan shall show compliance with the requirement of Section 200-16C(3)(a) of the Zoning Code regarding dedication of permanent open space.

Owner's Response:

The revised Zoning Data portion of the Site Plan will show compliance with all of the requirement of Section 200-16C(3)(a) of the Zoning Code. The revised Zoning Data Portion of the site plan will be submitted for the September 16, 2015 Planning Board Meeting.

Comment No. 7.

Stolman's Comment: The revised Sheet S2, provided at the Planning Board Meeting of August 5, 2015 did not bear a new revision date.

Owner's Response:

The revised Sheet S2, provided at the Planning Board Meeting of August 5, 2015 will be revised to bear a new revision date and resubmitted with the Submission Package for the September 16, 2015 meeting.

Very truly yours,
Audubon Manor Co., LLC

By: Anthony P. Beldotti
Anthony P. Beldotti, Managing Member

Enclosure