

**AUDUBON MANOR Co., L.L.C.**

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October 12, 2015

Mrs. Susanne Donnelly  
Supervisor  
Town of Ossining  
16 Croton Avenue  
Ossining, New York 10562

RE: Parth Knolls Development, 87 Hawkes Avenue. Effects of the proposed Second Draft of Local Law No. 7, dated 9-1-15, entitled "Local Law # 7, amending the Current Zoning Law, pertaining to Freshwater Wetlands, Watercourses and Water Bodies Protection Chapter of the Town Zoning Code, on the Proposed 53 Unit Multifamily Development at 87 Hawkes Avenue, Ossining, NY 10562, known as Parth Knolls.

Dear Mrs. Donnelly:

I have reviewed the above referred to proposed second draft amendment to Chapter 105 of the Code of the Town Ossining, New York, "Freshwater Wetlands, Watercourses and Water Body Protection", received from your office on October 8, 2015.

The effects of such proposed second amendment would be disastrous to the Parth Knolls Development. It has the potential of substantially reducing the buildable area on the site, due to the method of determining the Wetland, which would be based on "Hydric Soil".

As you recall, we have had several meetings regarding the proposed Parth Knolls Development:

At our first meeting on April 22, 2015, we had a general preliminary meeting with Paul Fraioli, Engineer for the Village of Ossining, and the applicant's Site Engineer, Joseph Riina, to discuss connecting to the Town-owned sanitary sewer and water systems located on Hawkes Avenue, near the north entrance to Deerfield, or possibly eliminating one of the lift pump stations and connecting directly to the remaining lift pump station on the Deerfield Property; and

Our second pre-planning review meeting on July 10, 2015, at your office, was a more detailed review of the Parth Knolls Development. The following were present at said meeting: representing the Town of Ossining: yourself, the Town of Ossining Planning Consultant, David H. Stolman, the Town of Ossining Planning Board Engineer, Daniel A. Ciarcia, and the Town of Ossining Attorney, Wayne Spector, and representing the applicant, Audubon Manor Co., LLC: myself, Anthony E. Beldotti and the applicant's Architects, Jorge B. Hernandez and his associate. At this meeting, the entire project was discussed, including the proposed plans,

dated July 8, 2015, that were presented and reviewed by all parties present. At that meeting, there was no mention of the current code, Chapter 105, Freshwater Wetlands, Watercourses and Water Body Protection of the Code of Ossining, New York, being amended, or Wetlands determination based on "Hydric Soil".

Further to the above, we have expended several thousands of dollars on professional fees in developing the necessary plans, studies and surveys, along with consultant fees to the Town of Ossining, for the proposed 53 unit multifamily development at 87 Hawkes Avenue, for presentations to the Town of Ossining Planning Board on August 5, 2015, September 16, 2015, October 7, 2015, and the upcoming meeting on October 21, 2015.

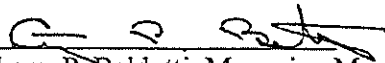
At the September 16, 2015 meeting, I requested that the Planning Board appoint an Environmental Consultant to represent the Town in its review of the Site Plan and the Wetland's Flagging as prepared by Senior Environmental Planner, Steve Marino of Tim Miller Associates, Inc. and surveyed by JRL Land Survey, PC. It was agreed by the Board that Steve Coleman would be appointed and would be contacted the next day to commence his review of the proposed wetlands and provide comments on same. As I had not received any comments from Mr. Coleman, I reiterated my request at the October 7, 2015 Planning Board meeting to receive comments on the Wetlands and again the Board agreed to contact Mr. Coleman. This should not have been a problem, as the applicant is paying the Town for Mr. Coleman's professional services. This delay is unnecessarily stalling movement through the application process and adversely impacting the progress of the project.

Based on the above, the applicant believes that it's application is far enough through the Planning Board review process for the project to be grandfathered under the existing Town of Ossining Zoning Code, Chapter 105, and that 87 Hawkes Avenue should be exempt from the proposed Second Draft, or any other change or amendment, as stated in Local Law No. 7, amending or revising the Current Zoning Law, pertaining to Freshwater Wetlands, Watercourses and Water Bodies Protection Chapter of the Town Zoning Code.

Please present my request to grandfather and exempt 87 Hawkes Avenue from the effect of the proposed amendment referred to herein to the Town Board for their consideration.

Your cooperation and that of the Town Board would be appreciated.

Audubon Manor Co., LLC

By:   
Anthony P. Beldotti, Managing Member

CC: David H. Stolman (Via Email-dstolman@fpclark.com)  
Daniel Ciarcia (Via Email-dan@ciarcia.com)  
Chair and Members of the Town of Ossining Planning Board