

Town of Ossining (Westchester County, New York)
Application for Planning Board

A copy of this form accompanied by a \$350.00 Filing Fee, Escrow Deposit as outlined on the Town fee schedule, 10 Copies and 1 PDF of an accurate intelligible plan of the property. This must be submitted to the Planning Board Secretary on the specified submission date prior to the regularly scheduled meeting (see Calendar).

I, (We) Parth Knolls, LLC

Address Property Address - 87 Hawkes Avenue, Ossining, NY 10562

Mailing Address - 500 Executive Boulevard, Suite 203, Ossining
New York 10562

Phone Number 914 - 762-7898 Email apbmgmt@ aol.com

Request a Planning Board Hearing for:

☐ Preliminary Site Plan Review

☐ Architectural Review

☒ **Site Plan Approval Amendment.**

☐ Conditional Use Permit

☐ Rezoning Application

☐ Subdivision Approval

☐ Filling and Grading Permit

☐ Wetland Approval

See Letter of dated October 19, 2020 previously submitted to Planning Board requesting Temporary Certificate of Occupancy attached.

RECEIVED

NOV 02 2020

Town of Ossining
Building & Planning Department

Location of Property 87 Hawkes Avenue, Ossining, New York 10562

Section 80 Plate 20 Block 1 Lot(s) 15 Tax Map # 554289

Present Zoning MF-1

Purpose of Hearing: Amendment to Parth Knolls Residential Development Resolution
of Site Plan Resolution Approval

Date: October 30, 2020


Signature of Applicant

Note: The applicant is responsible for complying with all rules and regulations with respect to filing of final subdivision plats with the Westchester County Clerk.

Submission Checklist:

☒ **Application Form & Plans (10) & (1) PDF File** Letter to Planning Board Attached

☐ **Environmental EAF**

☒ **Fees, Section 200-51** Check No 0674 dated 10/27/2020 in the amount of \$350.00 attach

☒ **Property Owner Authorization** Owner is the Applicant

PARTH KNOLLS, LLC.
500 EXECUTIVE BOULEVARD, SUITE 203
OSSINING, NEW YORK 10562
Tele. No.914-762-7898
Fax. 914-762-8251
Email. apbmgmt@aol.com

Sent Via Email to: Town of Ossining Planning Board at bldgdept@townofossining.com.

October 19, 2020

Town of Ossining Planning Board
Ching Wah Chin, Chairman
101 Route 9A
PO Box 1166
Ossining, New York

Re: Request for a Temporary Certificate of Occupancy for Building No. 1, and thereafter a Temporary Certificated of Occupancy for the apartments as they are completed on the first (1st) and then on the second (2nd) floor in Building No. 1 of the Parth Knolls, Residential Development.

Dear Chairman Chin and Board Members:

The Parth Knolls, LLC., Residential Development Resolution of Site Plan Approval was adopted on December 21, 2016 and signed by Ching Wah Chin, Chairman of the Town of Ossining Planning Board on January 25, 2017. The Site Plan Drawings were signed by the Planning Board Chairman on October 18, 2017.

Building Numbers 1 and 2 and the Site are substantially completed and work is continuing to full completion of both Buildings and the project for its occupancy.

Building No. 1 is in the finishing stage, and the Owner, Parth Knolls, is now ready to begin marketing of the apartments in said Building for rental.

Our General Liability Insurance Policy will not allow the Owner to physically show the apartments for rental without a Temporary Certificate of Occupancy for Building No. 1.

The Owner is requesting that the Planning Board grant the Owner's request in allowing the Town of Ossining Building Inspector to issue a Temporary Certificate of Occupancy for Building No. 1, provided that all Building's life and safety issues have been adequately addressed.

It is understood that the Apartments will not be occupied in Building No. 1 until the Owner is in receipt of a Temporary Certificate of Occupancy for the Apartments based on their completion.

Further to the above, the Owner on October 7, 2020 had a meeting with the Town of Ossining Building Inspector, Mr John Hamilton and the Town of Ossining Planner, Ms. Valerie Monastra and the following was discussed:

1. The Temporary Certificate of Occupancy would be issued for the Apartments as the apartments are fully completed by floor.
 - a. The Ten (10) apartments on the first (1st) floor will be completed first (1st); and
 - b. The Fourteen (14) apartments on the second (2nd) floor will be completed thereafter; and
2. As set forth on Page 8 of the Resolution of Site Plan Approval, paragraph 3, "The following conditions shall be fulfilled prior to the issuance of a Temporary Certificate of Occupancy for Building No. 1 of the Project":
 - 3.a. Completed. The existing stone structure has been removed; and
 - 3.b. Completed. The Applicant has entered into a storm water facilities maintenance agreement with the Town of Ossining. Parth Knolls has also posted the required bond and enter into the above agreement. The wetland area has been planted and is in a healthy state of growth; and
 - 3.c. Completed. See condition 1.d. The NYSDOT denied the Applicant's request, and the \$9,000.00 was forfeited to the Town of Ossining as allowed pursuant to the resolution; and
 - 3.d. The Swimming pool and attendant pool recreation facilities. The pool is under construction. The pool concrete shell has been completed, and all under ground utilities have been installed for the pool, and the pool equipment room is in the final stages of completion.

The pool and the equipment room were inspected by the Westchester County Board of Health on August 21, 2020, and was approved for final completion. A copy of said inspection was submitted to the Town of Ossining Building Department. In addition, the Town of Ossining Building Department inspected the Pool Equipment room on August 24, 2020. Construction has continued and conditioned upon the weather, the following work has been scheduled: 1) installation of the pool coping; and 2) the installation of the pool tile depth markers; and 3) the concrete deck will be installed; and 4) completion of the installation of the pool equipment in the equipment room.

The final phases of completion of the pool will commence in April of

2021, which will include plastering of the pool. Upon plastering of the pool, it must be filled with water for curing purposes, and the pool equipment will be in operation.

The Pool will require the final inspection and approval by the Westchester County Department of Health before it can be used. The WCDOH inspections are not timely and the Temporary Certificate of Occupancy for Building No 1 for the apartments are not to be contingent upon the WCDOH approval of the pool's use.

Note that in the Parth Knolls, LLC Residential Development, Resolution of Site Plan approval, on page 7 .e. line 9. "(1) Building 1 and the pool and the attendant recreational facilities are constructed in the first phase; and the remaining recreation areas are constructed with the construction of building 2."

The Playground will also be completed at this time.

- 3.e. Construction continuing: Construction of Building No. 2 is continuing. The Building's rough framing and exterior is fully completed and interior utilities are being installed within the Building; such as water, electrical, plumbing, fire sprinkler system, interior steel stairs, and heating and cooling systems.

The Site is being completed for access to both Buildings Nos. 1 and 2. The work includes: 1) the Asphalt Binder has been installed; and 2) Concrete curbs and Sidewalks have been installed; and 3) the Pavers are being installed in front of Building No. 1; and 4) trees and grass are being planted throughout the site; and 5) the Generator has been installed and is operational for Building No 1; and 6) parking lot lighting is in the process of being installed; and 7) the walking trails are being cleaned of debris, due to the last storm.

- 3.f. Notification. The Building Inspector shall inform the Planning Board of Applicant's request for a Temporary Certificate of Occupancy.

- 3. As set forth on Page 9 of the Resolution of Site Plan Approval, paragraph 4, "The following conditions shall be fulfilled prior to the issuance of a Temporary Certificate of Occupancy for Building No. 1, or and Certificate of occupancy for the Project":

- 4.a. The Applicant shall provide a "Recreation Fee" of \$178,000.00 for both Buildings No, 1 and 2; and
- 4.b. In the event a Temporary Certificate of Occupancy is issued for Building No. 1, the Recreation Fee shall be paid as follows:

(1) \$89,000.00 due prior to the issuance of a Temporary Certificate of Occupancy for Building 1 and as a condition for the issuance of the TCO for Building No. 1; and (2) \$89,000.00 upon the issuance of a Certificate of Occupancy for Building No 2 and the project.

1. Parth Knolls is requesting that the Recreation Fee of \$89,000.00, required for the issuance of the Temporary Certificate of Occupancy (TCO) for Building No. 1, and the twenty (24) Apartments will be paid as follows:
 - a. Upon the receipt of the TCO for the Ten (10) apartment on the first (1st) floor, in the amount of \$44,500.00; and
 - b. Upon the receipt of the TCO for the Fourteen (14) apartment on the second (2nd), in the amount of \$44,500.00.
4. As set forth on Page 10 of the Resolution of Site Plan Approval, paragraph 5, "The following general conditions, which shall be fulfilled as the project progresses to completion:
 1. 5.a through 5.g., 5.I and 5.j of the general conditions are being complied with and fulfilled during the progresses of completion the project;
 2. Paragraph 5.h. The Applicant and the School District have entered into an agreement whereby the Applicant will make a monetary payment, "District Donation Fee" to the District in the total amount of \$85,000.00 the "Payment". The Applicant shall remit payment to the District in accordance with the schedule of payment:
 - a. The 1st payment of \$50,000.00 is due upon receipt by the applicant of all of the required approvals and permits from: the Town of Ossining Planning Board for the 53 apartment; and receipt of all approval from any and all other approving Boards, Agencies, or Departments including, but not limited to; The County of Westchester, and the County of Westchester Health Department, the Village of Ossining, the Town of Ossining and all permits and approval are issued.

The 1st payment of \$50,000.00 will be paid to the District by the Applicant upon the receipt of the Temporary Certificate of Occupancy for the 24 apartments.
 - b. The 2nd payment of \$35,000.00, the "Balance is due upon receipt by the applicant of all of the required approvals and permits for Building No. 2 and the Project.

The 2nd payment of \$35,000.00 will be paid to the District by the Applicant upon the receipt of the Temporary Certificate of Occupancy for the 29 apartments in Building no 2, and the Project.

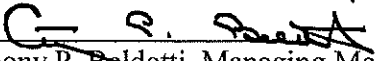
The Applicant is requesting that the Town of Ossining Planning Board allow the Town of Ossining Building Inspector to issue the Temporary Certificate of Occupancy for Building No. 1 and the Apartments in Building No.1 as requested in this letter.

A delay in marketing the Apartments now and renting them upon their completion, will further add to the financial hardships encountered by the Applicant due to and attributed to; COVID-19 Virus, the lock down of the project for months, the lack of the ability in procuring material and labor timely, and delays cause by the power outages.

The Applicant thanks Mr. Ching Wah Chin, and the Board's members for their consideration of the Applicant's requests and their approval.

Very truly yours,

Parth Knolls, LLC.

By: 
Anthony P. Beldotti, Managing Member

CC: Valerie Monastra, Planner, vmonastra@nelsonpope.com

CC: John Hamilton, Town of Ossining Building Department. jhamilton@townofossining.com