

April 6, 2021

Mr. Ching Wah Chin, Chairman
and Members of the Planning Board
Town of Ossining
John-Paul Rodrigues Operations Center
101 Route 9A - P.O. Box 1166
Ossining, New York 10562

Re: Request for Extension of Subdivision Approval
and Tree Removal Condition Discussion
Santucci Minor Subdivision
Ossining, New York

Dear Chairman Chin and Members of the Planning Board:

On behalf of the Applicant, we would like to provide the Planning Board an update regarding the conditions to be satisfied prior to endorsement of the Subdivision Plat per the Planning Board's approval resolution and discuss the condition related to the proposed tree removal.

Subdivision Approval Extension

The Westchester County Department of Health has informed the Applicant that it has completed its review for Realty Subdivision Approval, and the subdivision plat drawings are currently being processed for final signatures before they can be submitted to the Planning Board for its endorsement.

The Planning Board most recently granted additional 90-day extensions to April 25, 2021. We respectfully request that the Planning Board further extend the final subdivision approval for the Santucci and Schemmer Minor Subdivision (37-41 Croton Dam Road) for an additional period so that the Applicant can finalize satisfying the remaining conditions required prior to the Planning Board Chairman's endorsement of the approved subdivision plat.

Tree Removal Condition

We would also like to discuss with the Board condition "h" from the November 7, 2018 Resolution of Minor Subdivision Plat Approval ("Approval Resolution") in connection with the satisfaction the unmet portion of the tree replacement requirement by making a payment to the Town Tree Bank Fund. For your convenience, we have enclosed a copy of the subject condition from the Approval Resolution.

The PB's Approval Resolution found that per the approved concept site plan 1,072 caliper inches of trees would be removed requiring replacement of 536 caliper inches. Based on the concept planting plan, 324 caliper inches of trees were proposed leaving a deficit of 212 caliper inches. Based on the tree fund fee established by the Town Board of \$165 per inch, the required payment would be \$34,980.

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As the Applicant has worked to satisfy the Approval Resolution conditions, six trees with a combined diameter of 76 caliper inches have fallen due to storm winds. Without these trees, the update removal would total 996 caliper inches requiring a replacement of 498 caliper inches. This would result in an updated deficit of 174 caliper inches. Based on the tree fund fee established by the Town Board of \$165 per inch, the required payment would be \$28,710. No change to the tree replacement of 324 caliper inches identified in the Subdivision Approval Resolution is proposed. The Applicant respectfully requests that the Planning Board consider amending the referenced number of caliper inches of trees that would be removed in its Approval Resolution.

If you have any questions regarding the above, please contact us. Thank you for your continued cooperation and consideration on this matter.

Very truly yours,

DIVNEY TUNG SCHWALBE, LLP



Matthew N. Steinberg, AICP
Associate

cc: V. Schemmer
File 818