



**TOWN BOARD  
TOWN OF OSSINING  
BIRDSALL-FAGAN POLICE/COURT FACILITY  
86-88 SPRING STREET  
OSSINING, NEW YORK**

**MARCH 22, 2011  
7:30 P.M.**

**SUPERVISOR  
Catherine Borgia**

**COUNCILMEMBERS  
Geoffrey Harter    Michael L. Tawil  
Peter Tripodi      Northern Wilcher**

**I. CALL TO ORDER – PLEDGE OF ALLEGIANCE – ROLL CALL**

The Regular Meeting of the Town Board of the Town of Ossining was held on March 22, 2011 in the Police/Court Facility, 86-88 Spring Street in Ossining. The meeting was called to order at 7:30 p.m. by Supervisor Catherine Borgia. Members of the Board present were: Councilmembers Geoffrey Harter, Michael Tawil, Peter Tripodi and Northern Wilcher. Also present were Town Attorney Wayne Spector and Town Clerk Mary Ann Roberts.

**II. PUBLIC HEARING-Visitors shall be accorded one (4) four minute opportunity to address the Board on issues relating to these public hearings.**

- **PUBLIC HEARING-** to consider Local Laws to amend the Zoning Law

At 7:36 P.M., the Public Hearing was opened.

Supervisor Borgia described the Public Hearing Process. The Board will listen to the comments and input from the Community. The Board then have further discussion of the material and if all of the questions are answered, they will adopt the local laws at a future Legislative Meeting.

Supervisor Borgia introduced George Weeks, Town Planning Board Chairman, and David Stolman from Frederick P. Clarke & Associates.

Mr. Stolman stated that prior to the adoption of the Comprehensive Plan by the Town in 2002 the last one was adopted in 1960. Obviously that Comprehensive Plan was out of date. The Town formed a Comprehensive Plan Committee in the summer of 2000 and it was adopted on September 24, 2002. The Comprehensive Plan suggested implementation of different aspects of the plan. Zoning is a must and has not been amended since 1960. This is the first real substantial amendment to Zoning.

Supervisor Borgia stated that the Town Board took a look into two changes after the last meeting regarding the worries of the auto use owners. Should a natural disaster occur they are allowed to rebuild in the same footprint.

Ellen Kahan, Ganung Drive, questioned the definition of grandfathered (Non-Conforming). Why are we adding more non-conforming use in a business district? Unless there is a clear cut reason why these uses are a problem in that area they should not be declared nonconforming or grandfathered in.

Joseph Ferraro, Macy Road, Briarcliff, suggested that the Town Board leave the zoning the same as it is now. He hopes that when/if the businesses are sold that they get what its worth.

**Lisa Mastro, North State Road, stated that her Father's property on North State Road burned (Billy's Auto Repair shop). Ms. Mastro stated that they would like to rebuild the exact same footprint and questioned if they would be allowed to do this?**

**Town Attorney Wayne Spector did confirm that this has been proposed in the new law.**

**John Perillo, Havell Street, stated that he had no business interests on North State Road. Years ago no one wanted to live on North State Road and the business careers should be respected. Government is forcing businesses out. Residents should have known where they were buying homes.**

**Doris Ferraro, Linden Avenue, was born and raised here with the business dating back in the 20's. This zoning change is affecting their spirits and they are losing their self worth.**

**Andre LaMarre, Haymont Terrace, stated that the businesses on North State Road are the highest employers in the Community. There are eight or nine taxpayers at each business. They pay local, State and Federal taxes. There have been a number of changes on North State Road starting with the installation of proper sewer lines. Prior to the sewer line installation, Club Fit had a serious odor problem.**

**JoAnn Ahearn, Tuttle Road, read a letter from Marisa Caruso who was unable to attend this evening's meeting. New York State recommends a Comprehensive Plan/Master Plan. They "encourage" not require such a plan. These zoning changes are being recommended ten years after the adoption of the Comprehensive Plan. The Town Board should provide for a plan to review the long range plans as we need successful businesses to support our Community. (A copy of Ms. Caruso's letter is attached)**

**Fred Indorf, Fred's Auto Repair, North State Road, was established in 1966. At that time the septic tank at Club Fit was pumped out on a daily basis. Mr. Indorf expressed concern over his business. Does not understand why this zoning can't be left alone.**

**Supervisor Borgia responded to the question of wanting to remove auto sales from North State Road which was a recommendation of the Comprehensive Plan. The Board did not want to follow it strictly. The grandfathered use is not intended to prevent sales as existed.**

**Mr. Stolman stated that the Comprehensive Plan was clear about its recommendations on grandfathering the site and to rebuild. There is no potential for expansion at those sites. Mr. Stolman clarified that these recommendations are not connected to the recent fire on North State Road.**

**Town Attorney Spector stated that as of today that business could not be rebuilt. This allows for protection of the business owners. Mr. Stolman provided the history of the automotive uses which in 1981 provided that these businesses are 2,500 feet from one another. As an example, Billy's Auto Body would not be able to rebuild.**

**Tom Baccari expressed confusion as to whether it could be rebuilt or not.**

**Mr. Stolman responded that it was a matter of interpretation and protection to the business owners. The local law clearly states it can absolutely be rebuilt.**

**Supervisor Borgia stated that it was changing a number from three months which was a short window to one year. Under the grandfathering the use may be sold with physical plant growth. To underscore this prevents competition from moving onto the street. It is a moral issue and could be a threat to businesses. If it is changed from non-conforming to grandfather, it now becomes a moral change. Supervisor Borgia stated that she was happy the businesses brought it forward to protect the**

**municipality as well as to protect businesses. It is currently under discussion with the Chamber to bring additional customers to the North State Road area.**

**John Perillo questioned when the clock starts ticking? He suggested that the Board table this public hearing rather than closing the hearing. Has the law been written for us to read? Hopes that the Town Board considers to Table this public hearing since there is a contradiction between the Town Attorney and Town Planner.**

**Supervisor Borgia advised that the current law is written and on the website for review.**

**Mr. Stolman stated that the six local laws are all on the website. The non-complying is not to be changed. The clock comes back into use after 365 days.**

**Town Attorney Spector stated that everything is a matter of interpretation.**

**Mr. Stolman stated that pretty much everything is in place now with the 2,500 feet which is approximately ½ a mile.**

**Supervisor Borgia read a letter in which it is stated that no penalty for not having a Comprehensive Plan. The process is not complete. The Town is in compliance with the zoning. The Comprehensive Plan is a broader picture of what the Community wanted to see.**

**Mr. Stolman stated it was much safer to have a Comprehensive Plan rather than write your own version.**

**Fred Indorf questioned why body shops were singled out? Mr. Stolman stated that it was a Comprehensive Plan recommendation. There should be a progression of auto body and residential or known as mixed use.**

**Supervisor Borgia stated that the planning circle includes residential for foot traffic as well as destination locations such as Club Fit.**

**Councilmember Tripodi apologized to Mr. Stolman for chastising him. He questioned if the auto bodies remain as permitted use as they are now?**

**Mr. Stolman answered, no, they would become a grandfathered use.**

**Mr. Tripodi questioned, will they be able to operate if they have been closed for over a year if the law is passed?**

**Mr. Stolman answered that they cannot do that now because it is only three months.**

**Mr. Tripodi questioned how many businesses fall under a 2,500 foot requirement?**

**Mr. Stolman answered that they all do. He will get the actual number of businesses to Councilman Tripodi.**

**Mr. Stolman questioned if it was not 2,500 feet then what is the number?**

**Councilmember Tripodi questioned whether they would be allowed to expand?**

**Mr. Stolman responded that they could not expand but they could rebuild.**

**Councilmember Tripodi stated that with the traffic on North State Road and auto body shops there now there is no point in creating a new law. Councilman Tripodi does not see why we should pass this law now. He feels that what is in place now should remain the same. We should strongly consider taking it off of the books.**

**Councilmember Tawil was a member of the Zoning Board of Appeals stated that non-conforming changed to grandfathered is not as onerous. There is a certain air**

of protection to auto body shops. The three month rule changed to one year and not setting a sunset provision should work well for all. Nothing in the law pertains to not allowing businesses maxed out to continue working. Billy's Auto Body can rebuild. Councilman Tawil added that we would not do anything to hurt these businesses as he uses them often. He feels that someone went around trying to scare all of these businesses and this law actually protects these businesses.

Supervisor Borgia stated that this allows housing in the realm of possibilities. The market does have something to do with it.

Supervisor Borgia thanked everyone for coming and expressing their opinions on this matter. Also, Supervisor Borgia added that zoning laws are subject to interpretation. Therefore, we have to hear from those who are involved.

At 8:50 P.M., Councilmember Tawil moved and it was seconded by Councilmember Harter that the Public Hearing be closed.

Vote: 4-0-1

Voting Aye: Tawil, Harter,  
Wilcher & Borgia

Nay: Tripodi

- **PUBLIC HEARING** –In the matter of the Application for a Cabaret License for the North River Hospitality Group, Inc., 25 Studio Hill Road, Briarcliff Manor.

At 9:05 P.M., the Public Hearing was opened.

Supervisor Borgia explained the process of the public hearing. The Board will hear comments on this specific issue and further discuss them at a work session.

Mr. David Breschel, North River Hospitality Group Inc attorney provided a brief history of the former Maison Lafitte which was built in 1904 and will be named Haymount House the birth place of its original owner who was born in Haymount, North Carolina. Initially we plan on weddings and catering functions with a farm to table atmosphere. Once we become established we will then open as a farm to table restaurant. We want the Town to be proud of this facility. We are in the process of renovating the facility and we will be putting money into the grounds as well. Landscaping will be done with the noise factor being taken into consideration by planting trees, shrubs. We want to be a good neighbor. We will be installing sound measuring equipment and have no plans for amplified music. The materials used will muffle sound. We have informally met with some of the neighbors and will be working together so that outdoor lighting does not go into their windows. We are using local vendors and hiring will be done with a preference to the Town residents.

Ellen Kahan, Ganung Drive. Ms. Kahan stated that according to Article 68.5 the Town is required to keep the action on the inside of the building. Hours should be limited if they intend to utilize the paved patio for dining. They should only be using the first floor and the patio. There should be a conditional license and if not, the application should be denied. The Board should consider installing sound barriers and setting limitations to the hours of the cabaret or denying the application.

Lorraine Giametta, Haymont Terrace, questioned whether continued use has been maintained? Does the zoning section affect 25 Studio Hill Road? How do we get our questions to the Zoning Board of Appeals? Was there an event on March 11, 2011?

Supervisor Borgia responded that zoning changes would affect every non-conforming use in the municipality.

Town Attorney, Wayne Spector stated that affidavits regarding the events at this location would indicate compliance with the code. It is set up as a restaurant and/or a catering facility. The Zoning Board of Appeals meets for specific purposes. They

do not take questions unless specific to the item on the agenda and these meeting are open to the public. There was a paid dinner event on March 11, 2011 at the restaurant. Town Attorney Wayne Spector could not speak to the specifics of this event.

Ms. Giametta questioned if the Town would inquire more about the specifics of the event and how they would go about doing that? Such as obtaining bills, etc...

Town Attorney feels that questioning if there was an actual event on the premises is an inflexible method of interpreting use of the premises. This applicant has an on-going application and has been in the process of renovating the business. Mr. Spector believes that this event did not have to occur. The cabaret license is separate from the use of the premises.

Supervisor Borgia stated that this a restaurant use to be preparing to open as a restaurant.

Town Attorney Wayne Spector confirmed that North River Hospitality is taking the necessary steps to making this a more suitable location.

Stuart Kahan, Ganung Drive, questioned outdoor use. The applicant proposes to use the outdoor area. This is not part of the stipulation of settlement that was entered into. The proposed zoning ordinance defines a patio as an impervious surface. There is a patio adjacent to rear doors of this location. If this Board allows a cabaret license without restrictions we will have such events going on to the grassy area which is not permitted. We all know what the terms of the settlement agreement indicates. We cannot have events that will go on that lower area. The board is entitled to put restrictions on the license and feels that such a restriction should be put on the license and it is imperative that this be considered. Mr. Stolman indicated that the use be expanded and must conform to the settlement agreement.

Councilmember Tripodi requested copies of the March, 2011 documents and copies of bills and receipts. He also stated that if residents do want the Board to investigate bills and receipts we should do so. It's my duty to represent them and feels that this is a unique and peculiar issue and if they want it I want it. Councilman Tripodi questioned law 68-5 and would like to know why this law is not followed? What is the point of having this law if it is not followed?

Town Attorney Wayne Spector advised that this was a federal court stipulation and was made available to all the board members.

Councilman Tripodi questioned if this law would apply to any other cabaret licenses?

Town Attorney Wayne Spector added that no, there are very specific provisions that were agreed upon in the stipulation from 2005.

Councilman Tripodi feels that there is some sort of medium ground that has been reached such as limiting cabaret outside and/or limiting the hours of operation and hopes that we could come to some agreement on moving forward. He would feel more comfortable granting the cabaret with the information previously mentioned.

Councilmember Tawil stated that he would like to see a responsible operator and to take into account the needs, wants and desires of the neighbors and so far he likes what he is hearing. Councilman Tawil added to Mr. Kahan's comment regarding the ZBA hearing that issue was regarding a tent going on to the grass area. The tent would therefore change the footprint of the building and it did not have anything to do with people going on to the grass. Councilmember Tawil feels that we should be reasonable with each other and try and get along. It would be nice to have an operator that can be successful and proud to call a neighbor. Councilman Tawil has spoken to residents regarding the noise complaints and is very well aware of what

it's like to live with noise. This will be a nice upscale restaurant and they are taking steps to keep the neighbors happy.

Town Attorney Wayne Spector responded that this was helpful for the Board and re-stating this history of this location. This location was essentially very contentious in 2007. This restaurant dates back to 1950 and was sold to the present owner in 2001. The stipulation of settlement in 2007 and this establishment was used by various tenants as a restaurant. It then became a catering hall. The Building Inspector stated it could not open as a restaurant again and it was sent to the Zoning Board of Appeals for an interpretation. The owner was confined to using it as a catering facility. An Article 78 was filed. They did file for a use variance and the Zoning Board of Appeal turned down the use variance on August 11, 2009 and the Zoning Board determination was annulled.

Councilmember Wilcher questioned what would the neighbors like there?

Mindy LaMarre, Haymont Terrace. Ms. LaMarre stated that they would not mind an indoor restaurant. Residential is stated as conforming and commercial is stated as non-conforming and does not feel that we should defer to the commercial building. If this business is very successful then every weekend we will not be able to do our yard work.

Ellen Kahan, Ganung Drive. Ms. Kahan advised that when she brought her property the cabaret license there was to be no noise on my property. If you look at decibels, a flute is 82 decibels that is more than three times the commercial resident. When there was one tenant at the building the noise was so loud her family could not hold a conversation in her home. Therefore, we complained and the result was that the Town was sued. We would just like to be able to utilize our homes. Ms. Kahan questions how do we protect ourselves from the next person when it gets noisy? The Town needs to be protected and we need to be protected and the only way we can be protected is by following the law. Ms. Kahan does not feel that high sound barriers would prevent the noise.

Councilman Wilcher added that the sound barriers on the highway are not attractive and not effective.

Ms. Kahan would like to see a quiet restaurant and indoor catering. Issuing a license with restrictions would protect us all. She would like to protect the Town. She wants to make sure the zoning and cabaret license laws are followed.

Town Attorney Spector stated there would be regular renewals and public hearings. Cabaret licenses are not transferrable and are renewable every year.

Councilmember Tawil added that all of us should be reasonable. He understands how it is like to live with noise. It seems to me that if everyone works together it could be less erroneous. We would like to make the operator and the residents happy. We have established that there will not be any amplified noise outside.

At 10:00 P.M., Councilmember Wilcher moved and it was seconded by Councilmember Tawil that the Public Hearing be closed.

Vote: 4-0-1  
Voting Aye: Tawil, Harter,  
Wilcher & Borgia  
Nay: Tripodi

### **III. ANNOUNCEMENTS**

Supervisor Borgia announced that on March 25 there would be a retirement dinner for Judge Shapiro at the Travelers Rest at 6:30 p.m. The fee is \$41 and if you would like to attend call the Supervisor's office at 762-6001. A question was raised at a previous meeting relative to a Town vehicle on loan to OVAC was parked at the Home Depot. The vehicle was at Home Depot being measured for a piece of plywood to hold radios, etc. in the vehicle. The Ambulance District will be purchasing this vehicle.

### **IV. PUBLIC COMMENT ON AGENDA ITEMS**

Jerry Gershner discussed Resolution D (C.S.E.A. Contract) as it addresses salary increases, health insurance contributions as well as pension contributions; Resolution F (Contract Renewal – Police Facility – Uninterrupted Power Supply) and questioned why is the building open and why do we need it? The Town should be exploring other uses for 507 North State Road such as relocating the Town employees located at the Armory, 86-88 Spring Street and 16 Croton Avenue.

Supervisor Borgia responded that as far as the C.S.E.A. Contract is concerned the retirement for each tier is a different amount. There will be no salary increase in 2010, 2011 a lump sum which is a 2.5% payment, 2012 a 2.5% increase and 2013 a 2.75% increase. No individual pays for health. Beginning on January 1, 2011 there will be a 15% contribution for individual and 15% for family. As far as 507 North State Road is concerned, the County doesn't need it. The residents requested that the officers be dispatched from 507 North State Road in order to receive the same level of coverage. We are still using this facility.

Councilmember Tripodi questioned why we are protecting the County's investment for computers while the Town is paying for this protection while they are not paying any rent. The Union should not have a pay increase as they did not make enough concessions. The Union is unwilling to give.

Councilmember Tawil stated that Mr. Tripodi should have voted for the tax cut. Every week that there are tax rebates on the voucher detail, he votes nay.

Supervisor Borgia stated that as far as people losing their homes in Ossining, that is absolutely not true. Our Tax Receiver stated that no property taxpayers are in jeopardy of losing their homes. Mrs. Freid should be commended for her outreach and working with residents.

Councilmember Tripodi stated that Councilmember Tawil voted for pay increases as well as health insurance. I do not take health insurance nor did I take the pay increase. Mr. Tripodi continued that minimal renovations are required at 507 North State Road to make it suitable for other uses.

Supervisor Borgia stated that there was a great deal of activity at 507 North State Road and a great deal of Town equipment.

### **BOARD RESOLUTIONS**

#### **A. Approval of Minutes**

Councilmember Harter moved and it was seconded by Councilmember Tawil that the following be approved:

Resolved, that the Town Board of the Town of Ossining hereby approves the March 8, 2011 Minutes of the Regular Meeting as presented.

**Motion Carried: Unanimously**

**B. Approval of Minutes-Special Meeting**

Councilmember Tawil moved and it was seconded by Councilmember Wilcher that the following be approved:

Resolved, that the Town Board of the Town of Ossining hereby approves the March 15, 2011 Minutes of the Special Meeting as presented.

Motion Carried: Unanimously

**C. Approval of Voucher Detail Report**

Councilmember Harter moved and it was seconded by Councilmember Tawil that the following be approved:

Resolved, that the Town Board of the Town of Ossining hereby approves the Voucher Detail Report dated March 22, 2011 in the amount of \$335.32 for 2010 and \$ 240,057.99 for 2011; for a total of \$240,393.31

Vote:4-0-1

Voting Aye: Tawil, Harter,  
Wilcher & Borgia

Nay: Tripodi

**D. C.S.E.A. Contract**

Councilmember Wilcher moved and it was seconded by Councilmember Tawil that the following be approved:

Resolved, that the Town Board hereby ratifies and approves the Memorandum of Agreement between the Town of Ossining and the Civil Service Employees Association, Inc., Local 1000, AFSCME, AFL-CIO, Town of Ossining Unit, Westchester County Local 860, dated February 24, 2011 covering the period from January 1, 2010 through December 31, 2013 and approves the funding for such Agreement; and be it further

Resolved, that the Town Supervisor is authorized to execute a collective bargaining agreement for the period from January 1, 2010 through December 31, 2013 that is consistent with the terms of the Memorandum of Agreement.

Vote:4-0-1

Voting Aye: Tawil, Harter,  
Wilcher & Borgia

Nay: Tripodi

**E. Finance-2010 Budget Adjustments**

Councilmember Harter moved and it was seconded by Councilmember Tawil that the following be approved:

Resolved, that the Town Board of the Town of Ossining hereby authorizes the following budget adjustments be made to the 2010 budget:

TRANSFER TO G/L ACCOUNT	AMOUNT	AMOUNT	TRANSFER FROM G/L ACCOUNT
<b>Cemetery</b>			
032-8810-0203-Car	200.00	8998.00	032.8810.0442-Capital Improv.
032.8810.0401-Supplies	198.00		
032.8810.0411-Gasoline	545.00		
032.8810-0419-Maint/Repair	7462.00		
032.8810.0438-Supplies & Services	79.00		



032.8810.0492-  
Contr/Miscellaneous 500.00  
032.9730.0403-Filing Fees 14.00

**Highway Dept.**  
031.5130.0449-Parts/Labor 169.00 169.00 031.5130.0201-Equipment  
010.1410.0419-Maint/Repair 194.00 194.00 010.1450.0419-Maint/Repair

**Motion Carried: Unanimously**

**F. Contract Renewal-Police Facility-Uninterrupted Power Supply**

**Councilmember Tawil moved and it was seconded by Councilmember Wilcher that the following be approved:**

**Resolved, that the Town Board of the Town of Ossining hereby authorizes the Supervisor to sign a contract renewal with Eaton Corp., Raleigh, NC 27615 for the period March 18, 2011 through March 17, 2012 to continue power protection coverage for the Uninterrupted Power Supply located at the Police Facility, 507 North State Road. The annual charge to the Town of Ossining shall not exceed \$3,689.00.**

**Vote:4-0-1  
Voting Aye: Tawil, Harter,  
Wilcher & Borgia  
Nay: Tripodi**

**G. Memorandum of Understanding-Hudson River Valley Greenway Grant**

**Councilmember Wilcher moved and it was seconded by Councilmember Tawil that the following be approved:**

**Resolved, that the Town Board of the Town of Ossining hereby authorizes the Supervisor to sign a Memorandum of Understanding between the Hudson River Valley Greenway Communities Council and the Town of Ossining for a parks feasibility study as described in further detail in the Memorandum of Understanding dated January 20, 2011.**

**Motion Carried: Unanimously**

**V. MONTHLY REPORTS**

**Councilmember Wilcher moved and it was seconded by Councilmember Tawil that the following be approved:**

**Resolved, that the Town Board of the Town of Ossining hereby accepts the monthly report for the month of February 2011 from the Police Department.**

**Motion Carried: Unanimously**

**VI. VISITOR RECOGNITION**

**VII. ADJOURNMENT**

**At 10:42 P.M. Councilmember Tawil moved and it was seconded by Councilmember Wilcher that the meeting be adjourned in memory of Anthony Bush.**

**Approved:**

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**Mary Ann Roberts, Town Clerk**

Marisa S. Caruso  
2 Redway Road  
Ossining, New York 10562

March 18, 2011

VIA E-MAIL

Catherine Borgia, Town Supervisor  
Town of Ossining  
16 Croton Avenue  
Ossining, New York 10562

Re: Public Hearing on Proposed Zoning Changes

Dear Ms. Borgia:

I understand that a public hearing on proposed zoning changes is scheduled for Tuesday, March 22, 2011. Due to a prior commitment I will be unable to attend the hearing and write this letter to express the issues I have with your consideration of such changes.

It appears to me that the sole basis you give for these proposed changes is the adoption of a Comprehensive Plan from 2002 (the "Plan"). With regard to the plan process as posted on the Town's website, you state: *NYS recommends each municipality have a Comprehensive or Master Plan*. I think the key word here is "recommends". Section 272-a. 1(h) of the NYS Statute on Comprehensive Planning specifies: *It is the intent of the legislature to encourage, but not to require, the preparation and adoption of a comprehensive plan. . .* The key phrase here is "*...encourage, but not [to] require*". Based on the fact that this is a recommendation rather than a requirement, I am at a loss to understand why today, almost ten years later, you feel compelled to act on these Plan recommendations, when clearly they do not suit the current needs of our community?

More importantly, Section 272-a. 10 states: *The town board shall provide, as a component of such proposed comprehensive plan, the maximum intervals at which the adopted plan shall be reviewed*. Unless there was an oversight on my part, which I invite you to point out to me, it does not appear that the Plan I saw contains the Periodic review component which, in fact, is determined by legislature to be a requirement. Accordingly, it is my opinion that the Plan that you are basing your considerations on is not only outdated, it is flawed.

Catherine Borgia, Supervisor  
March 18, 2011  
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Our economy has seen tremendous changes since the adoption of said Plan. The recommendations made in the Plan do not reflect the current or foreseeable needs of our community. Now, more than ever, this Plan should be reviewed to determine whether it incorporates the "immediate and long-range protection, enhancement, growth and development" of our community. I imagine, that if data were collected today for the same purpose it would be very different from that which was compiled back in 2002.

This community needs our successful businesses to remain in the community and continue to help alleviate the tax burden placed on residential homeowners. At a time when our school board is asking the community to support a \$69 million dollar bond to address overcrowding, additional housing (as proposed in the Plan) is not the answer to our problems. Rather, it should be the priority of Town and Village officials to take prudent steps to address the overcrowding issues in our schools and community to save the taxpayer from additional increases. Your failure to work with the school board and respective officials in this regard, makes our community undesirable and unaffordable.

As a town of Ossining homeowner, patron of businesses that would be affected by the proposed changes and parent of a child attending the Ossining public schools, I urge you to stop ignoring the more urgent needs of our community and stop busying yourself and the Board by creating unnecessary issues that, as-is, have had no negative effect on our community and are not in need of remediation.

Sincerely,

  
Marisa S. Caruso

cc: Geoffrey J. Harter  
Michael L. Tawil  
Peter Tripodi IV  
Northern Wilcher