

Wetland and Wetland Buffer Monitoring & Maintenance Plan
Artis Senior Living
North State Road
Town of Ossining
October 24, 2016

1. Wetland and Wetland Buffer Monitoring & Maintenance Plan

The purpose of the Wetland and Wetland Buffer Monitoring & Maintenance Plan is to ensure that development in the on-site portion of the wetland which is located primarily on the adjoining property known as 84 Morningside Drive, and the on-site wetland buffer area, including the planting and maintenance of new wetland mitigation plantings and existing vegetation, and management of invasive plant species, as shown on drawing Sheet 6 of 11 prepared by Kellard Sessions Consulting, P.C., titled "Wetland Mitigation Plan", and dated last revised October 24, 2016, and described in the notes on Sheet 6 of 11 (such drawing and the notes, the "Mitigation Plan"), does not compromise the functional integrity of the on-site or off-site wetland or buffer, and the required mitigation meets its stated goals as described in the Mitigation Plan and final resolution granting a wetlands permit to Artis Senior Living (the "Permittee") under Town Code Chapter 105, titled "Artis Senior Living Resolution of Wetlands Permit Approval," adopted by the Town of Ossining Planning Board (the "Planning Board") on November __, 2016.

2. Protocol for Commencement of Wetland and Wetland Buffer Monitoring & Maintenance Plan

- a. The Permittee shall implement the Mitigation Plan (including the invasive species removal/management plan) approved by the Planning Board.
- b. Following the installation of all wetland mitigation plantings and the removal of invasive species in accordance with the Mitigation Plan, the Permittee shall submit two (2) copies of the following to the Town Environmental Consultant:
 - i. Certification from a Licensed Landscape Architect or qualified Environmental Consultant engaged by the Permittee at its expense verifying the proper installation of all plants and materials and removal of invasive species in accordance with the approved Mitigation Plan. The Landscape Architect or Environmental Consultant shall note any deficiencies in the installation of the plant materials or deviations from the approved Mitigation Plan so that these can be corrected before final approval.
 - ii. "As-built" plan of the mitigation area prepared by a Licensed Landscape Architect, Professional Engineer or Licensed Surveyor, and detailing (1) the specific locations of plantings, and (2) the number and species of individual plants.
- c. The five (5) year monitoring period shall begin upon certification by the Town's Environmental Consultant that the Mitigation Plan has been completely and properly implemented (the "Town Approval").

3. Assurances

- a. All mitigation plantings shall be accomplished in accordance with the Mitigation Plan and completed within the first growing season after site work/grading and building construction are complete and topsoil is re-spread on the disturbed areas to be re-vegetated.
- b. In accordance with General Planting Note 12 to the Mitigation Plan, the Permittee shall ensure that all mitigation plantings shall survive and be healthy and in vigorous growing condition (the "Plant Survival Requirement") for five (5) years after the date the Town Approval is issued. The Permittee shall take all necessary measures to best ensure that the Plant Survival Requirement is met, including replanting, re-grading with topsoil, and re-mulching, if necessary.

4. Monitoring Reports

- a. The Permittee shall at its expense provide an annual mitigation monitoring and maintenance report to the Town (a "Monitoring Report"). The purposes of each Monitoring Report shall be to: (1) assess compliance with the Plant Survival Requirement, and the invasive species removal/management program described in the Mitigation Plan; and (2) identify those aspects of the mitigation area that may require remediation by the Permittee in order to achieve the objectives of the Mitigation Plan. The Monitoring Reports shall be prepared by the Permittee's Landscape Architect or Environmental Consultant.
- b. Permittee shall submit the first Monitoring Report to the Town's Environmental Consultant for review no later than November 1st of the year following the year in which the Town Approval is issued, and annually for the next four (4) years thereafter by November 1st of each such year.
- c. Information for the annual Monitoring Reports shall be collected a minimum of seven times: (1) once prior to site disturbance for site work/building construction; (2) once immediately post completion of site grading and building construction; and (3) monthly post completion of site grading and building construction between the months of June and September.
- d. Minimum Requirements of the Monitoring Reports: The Monitoring Reports shall:
 - i. Identify the number of surviving plants and area coverage at the time of the observation, and detail the condition, vigor, size (dbh for trees and height for shrubs) of all planted material and compliance with approved Mitigation Plan.
 - ii. Include color photographs from established stations approved by the Environmental Consultant generally showing the mitigation area taken annually between June 1st and September 1st.
 - iii. Provide an estimate of the vegetative cover in the mitigation area, noting, in particular, areas which are bare of vegetation and/or locations where erosion and sedimentation are occurring; or where invasive plant species continue to survive or have become re-established.
 - iv. Include detailed descriptions of any soil instability and/or erosion in the mitigation area.
 - v. Provide a qualitative analysis of the extent to which the Mitigation Plan has been successfully implemented, noting deficiencies and/or non-compliance and recommending measures to be taken to ensure the success of the Mitigation Plan.
 - vi. Include additional observations (e.g., observed wildlife) and/or information as recommended by the Town's Environmental Consultant.

5. Completion of Monitoring Period

- a. A final Monitoring Report shall be submitted by the Permittee's Landscape Architect and/or Environmental Consultant.
- b. The Town's Environmental Consultant will review the final Monitoring Report and perform an inspection of the mitigation area for conformance with the approved Mitigation Plan and "as-built" plan. After review and inspection, and implementation by the Permittee of any required final remediation measures, the Town's Environmental Consultant shall confirm completion of the monitoring program.