



August 1, 2024

Ms. Carolyn Stevens, Chairperson
Planning Board & Board of Architectural Review
Town of Ossining
John-Paul Rodriguez Operations Center
101 Route 9A
Ossining, New York 10562

RE: 549 North State Road, Briarcliff Manor
(S/B/L: 90.15 – 1 – 44, Zoning District: “GB”)

Dear Ms. Stevens and Honorable Members of the Planning Board

As it relates to the aforementioned property/project location, we are seeking Site Plan approval for a new restaurant in the General Business District on behalf of our Client, *North State Development Group, Inc. (Mr. Angelo Fabbri) and his tenant*, proposing to adaptively reuse the existing building.

The Plaza currently contains two structures and is improved by 51 parking spaces and landscaped grounds. The larger structure (6500 Sq. Ft.) has 5 retail stores. The second (3,700 Sq. Ft.) structure was previously used as a Fitness Center/Gym. and it will be fit-out for use as a food establishment. The restaurant will have a capacity for 78 seats and will mostly operate as a dining establishment with a reduced lunch menu. Please note the following comments are in response to the feedback and comments received from the last Board Meeting.

Landscaping: The landscaping will not be changed except for adding some Mountain Laurel shrubs behind the existing fence at the South-west of the property to further mitigate the location of the proposed Walk-In-Box. Please note that the shrubs will be planted behind an existing 4' High Privacy Fence which sits on top of a 48" average high concrete wall.

Hours of operation: F Diamond Restaurant & Lounge proposed hours of operation will be 6:30 AM to 11:00 PM (Kitchen closing at 10:00 PM). Peak hours are anticipated to be Breakfast and Dinner.

Noise: The proposed restaurant operation and HVAC equipment will comply with #130-6(A)(3) Equipment noise level will not exceed 60dB(A) and indoor operations will not exceed 50 dB(A).

SITE PLAN COMMENTS REPLIES

1. **Parking.** The Project Site provides 51 parking spaces, but the applicant will need 59 spaces. They are seeking a reduction in the required parking per §200-29(A)(7), Combined Spaces. However, the section of the code states “when any lot contains two or more uses having different parking

requirements, the parking requirements for each use shall apply to the extent of that use. Where it can be conclusively demonstrated that one or more such uses will be generating a demand for parking spaces primarily during periods when the other use or uses are not in operation, the Planning Board may reduce the total parking spaces required for that use to the least requirement." No information has been provided that demonstrates the various demand periods for the site. Please provide this information.

- **Parking:** The site currently has 50 Parking spaces. The revised parking requirements with the proposed new tenant (Restaurant) will be 59 Parking Spaces. We are seeking a reduction of 9 parking spaces (approximately 15%) under #200-29(A)(7) of the Town Code. See Sheet T-002 please find a chart which indicates all hours of operation for the proposed restaurant and existing retail stores. Please note that at the peak hours of the restaurant operation (Breakfast and Dinner) and it's highest parking demand corresponds with closing hours, with some or most of the other stores in the plaza.
2. **Lighting.** The existing lighting is not proposed to change from the approved plan. Will the lighting be illuminated for longer periods of time than the prior use of the site?
- **Lighting:** No new outdoor lighting is proposed currently, nor are there any changes to the timing of operations of the fixtures as presently stand at the site.
3. **Signs.** Are you proposing any new signs for the site?
- **Signage:** Our client is proposing two wall mounted signs. The signs comply with the Town of Ossining requirements (#200-18.1(C) (2)) One sign will replace the existing prior tenant sign and the second one will be along North State Road side.

Please accept our thanks and appreciate in advance for your time and consideration. As always, should you or any of the Board Members have any additional questions or comments, please feel free to contact our office at your earliest convenience.

Regards,



Jorge B. Hernandez, R.A.
President

Cc: Job File No.: 24-068