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January 8, 2018

By E-mail

Mayor Ronald Belmont
Members of the Town/Village Board
Town/Village of Harrison
Municipal Building
One Heineman Place
Harrison, New York 10528

**Re: Harrison Station Transit Oriented Development: Section 18, Block
182, Lots 12 and 15 (AvalonBay Communities, Inc.)**

Dear Mayor Belmont and Members of the Board of Trustees:

On December 21, 2017, the Town/Village Board adopted amendments to the Town/Village Zoning Ordinance creating a new Transit Oriented Development District ("TOD District"), and to the Zoning Map of the Town/Village to re-zone the referenced property to the new TOD District. Applications for site plan, minor subdivision, and TOD District special use permit approvals for the proposed mixed-use project are currently pending before the Planning Board, and, now that the development site has been re-zoned to TOD District, are expected to be granted shortly.

As the plans for the project progressed, we realized that as a result of the configuration of the buildings and site, the MTA commuter garage and the separate lot on which it will be located (which will both be surrounded on three sides by the new multi-family building, and on the fourth by the railroad right-of-way) will be accessed solely by easement over two driveways from Halstead Avenue crossing the lot owned by AvalonBay Communities, and that the MTA lot will therefore not have access and frontage directly on a public street, as required by New York Town Law Section 280-a. The MTA lot ("Garage Parcel") and surrounding residential building lot ("East Parcel") are shown on "Subdivision Plan" attached to this letter. The access driveways from Halstead Avenue are shown on the attached "Site Plan - Ground Level" and "Halstead Avenue Elevations" drawings attached to this letter. As shown on the "Halstead Avenue Elevations" drawing, the driveways will be located at grade, below the new residential building.

As you likely are aware, under Town Law Section 280-a, access to the MTA lot by easement is permitted if the development site is designated by the Town/Village Board as an "open development area." Although more typically utilized to allow private rights-of-way in conventional subdivisions, we respectfully submit that open development area designation is appropriate here to accommodate the unique circumstances presented by this public/private project. Accordingly, please consider this letter to be a request for designation. Under Town Law Section 280-a, a proposed open development area must be referred to the Planning Board for advisory report. We would appreciate it if the Town/Village Board would do so at your next meeting, so that all approvals for the development of this important project can be in place at the earliest possible opportunity.

Thank you for your consideration.

Very truly yours,



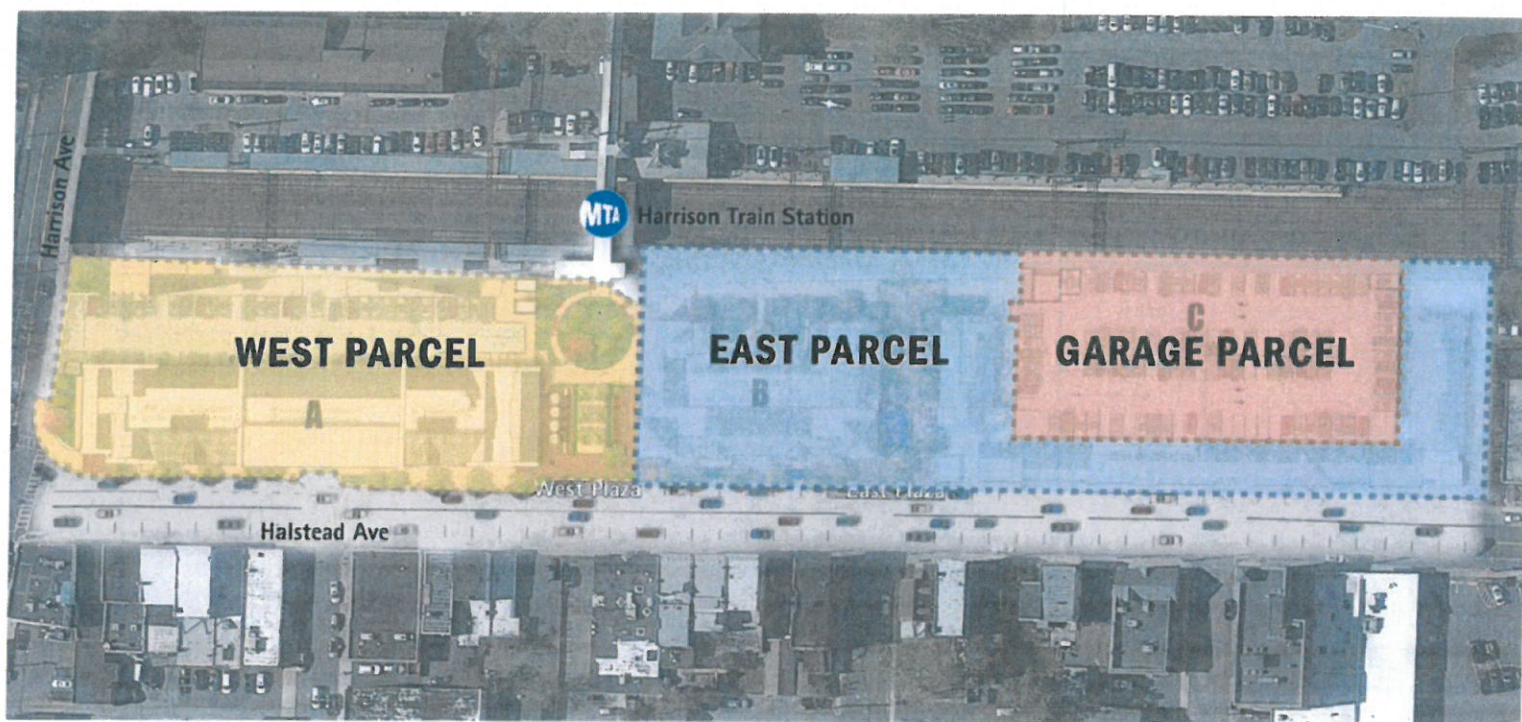
PETER J. WISE

Enc.

cc: Patrick Cleary, AICP
Andrea Rendo, Esq.
Grant Jaber, Senior Development Director
Mark P. Weingarten, Esq.

Subdivision Plan

AvalonBay
COMMUNITIES



Site Plan – Ground Level

AvalonBay
COMMUNITIES



Halstead Avenue Elevations

AvalonBay
COMMUNITIES

