

Mr. Ray Tartaglione
101 Westmoreland Ave
White Plains N.Y. 10606

April 18, 2008

For Settlement Purposes Only – Without Prejudice and a Full Reservation of Right

Dear Mr. Ederer,

I am writing you with regard to your proposed construction on Hen Island and the recently filed Article 78 proceeding filed by me against you, the City of Rye Zoning Board of Appeals, and Kuder Island Colony Inc. The issues concerning your plans submitted are exactly what we were trying to avoid at the Rye Zoning Board of Appeals meeting on February 21, 2008.

At that meeting, you stated that you intended to comply with all necessary building and health codes in effect in the City of Rye and the County of Westchester. The plans you submit do not do so, specifically, your plans show an existing gray water tank that does not and has not existed. This is contrary to your statements by letter to the Westchester County Department of Health commissioner Meyerson. Additionally you stated that the cottage had two bedrooms when in fact it only had one.

It is my belief that you misrepresented the number of bedrooms in a further attempt at avoiding Health Department inspection and approval. Also that you inaccurately stated to the ZBA, the ARB and the Rye building department facts that your project is a renovation/alteration when in actuality you completely demolished your cottage and are in the process of building a new structure without following the proper permit or approval processes for both demolition and construction. You have continually misrepresented that the use of your cottage and its water and sewage disposal systems was continual, when it was not.

Notwithstanding these inaccurate and intentionally misleading statements, my most significant complaint is that you intend to circumvent the installation of compliant and proper domestic water and septic systems.

This letter is to inform you that should you decide to comply with all the existing city and county codes regarding domestic water usage and sewage disposal, I will agree to discontinue my Article 78 proceeding. I hope that this letter will encourage you, the City of Rye and the Board of Hen Island to re-evaluate your position with regard to sewage and domestic water use on Hen Island.

Sincerely,

Ray Tartaglione