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January 6, 2017

BY E-MAIL

Supervisor Michael J. Schiliro and
Honorable Members of the Town Board
Town of North Castle
Town Hall – 15 Bedford Road
Armonk, New York 10504

Re: Paradigm Treatment Centers LLC ("Paradigm")

Dear Hon. Supervisor Schiliro and Honorable Members of the Town Board:

We represent the Davis Pond Conservancy, Inc. ("The Conservancy") and the many neighboring property owners who are compelled to continue to vigorously oppose the ill-advised and unlawful efforts of Paradigm to open a drug and substance abuse facility at 14-16 Cole Drive in violation of the Town's zoning ordinance. As we have demonstrated in prior submissions, the proposal before the Board represents an egregious misuse and an abuse of the Padavan Law and a callous disregard for the health, safety and welfare of our clients and innumerable Town residents as well.

As the Board will recall, at the November 30, 2016 public hearing (which Paradigm tactically foisted on the Town and its residents on the heels of the Thanksgiving holiday), Paradigm evasively declined to address the numerous legitimate questions and concerns raised by the members of the Board and the community. Claiming that the purpose of the meeting was simply for it to unilaterally "hear" from the Community, Paradigm disclaimed any obligation to respond. At the urging of the community and the Board, Paradigm ultimately committed to respond in writing by December 12, 2016 with all of the necessary information and supporting documentation including (without limitation): competent and professional reports, studies and empirical data with respect to the traffic, septic, well water, safety and security issues implicated by its proposed facility as well as pertinent case and statutory law responsive to that cited in our prior submissions to this Board. (See, e.g., Transcript of November 30, 2016 Public Hearing at 63 - 78 and Paradigm's "agreement" to provide everything by December 12, 2016.)

Both the November 30th hearing transcript and our December 5, 2016 submission provided Paradigm with a clear roadmap to the information, answers, documents, professional reports and studies which, at a minimum, are required of a sponsoring agency in this context (but which, to date, remain conspicuously absent here). Paradigm knew what it needed and promised to do. But it has not delivered.



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December 12 came and went with no substantive response from Paradigm. And, although Paradigm made a written submission on December 20, as already noted in Mr. Baroni's December 21 letter, its "submission" contained *none* of the information or supporting documentation that Paradigm had committed to provide after "hearing" the Board's and the community's numerous concerns.

We are now only two weeks away from the January 25, 2017 meeting at which the Town Board will be called on to formally act with respect to Paradigm's notice. And yet, Paradigm has not deigned to substantively respond even at this late date to Mr. Baroni's letter or to provide any of the information it committed on November 30 to provide. By now, Paradigm's modus operandi is clear. It clandestinely entered into a lease months before delivering its notice. It stealthily timed the delivery of its original notice so as to coincide with the Thanksgiving and year-end holiday season. It underhandedly (and unlawfully) launched a website aggressively marketing the proposed Cole Drive facility as a drug and alcohol treatment center. It surreptitiously pulled the plug on that website after we pointed out that the existence and content of that website revealed what the Cole Drive facility is truly intended to be. It then disingenuously blamed a "webmaster" in an attempt to escape the consequences of its own website content. And now, it has flouted its own representations to this Board and the community by failing and refusing to provide even a modicum of analytical and supporting documentation to allay any of the many legitimate concerns that have been raised.

Paradigm is seeking to make a mockery of this Board and of the Padavan law. It has acted with a disturbing lack of candor and good faith. Paradigm's facility is unquestionably a Drug and Substance Abuse program for teenagers for all of the reasons noted on November 30, 2016, by Dr. Stabinsky of 6 Cole Drive, by William Potvin, by Dr. Roslin, by Keith Safian and everyone else in attendance. Its persistent claim that it will not admit customers with "primary" substance abuse disorders is as meaningless as it is incapable of meaningful verification or enforcement. Its latest gambit to inject "LGTB" and "housing discrimination" issues represents a new low water mark, even for Paradigm. Those concepts have no applicability whatsoever here.

Although disappointing, it is not particularly surprising that Paradigm failed to honor its commitments to the Board and the community and instead has sought to obfuscate and confuse the record with misinformation and irrelevancies. To the extent Paradigm intends to sandbag the Board and the community by submitting (undoubtedly insufficient) additional information at or on the eve of the January 25, 2017 meeting, we will obviously



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object. We also anticipate that any such information (even if it were accepted into the record on such an untimely basis) would only raise more questions while failing to provide any evidence that Paradigm has undertaken even the slightest, elementary level of due diligence.

For the foregoing reasons, and many others previously advanced by the undersigned on behalf of our clients, we urge the Town Board on January 25 to unanimously object and take every action available to the Town to enjoin Paradigm's unlawful misuse of the Padavan law and its threatened violation of the Town's zoning ordinance (which, as you know, bars commercial substance abuse facilities in the residential zone where the subject premises are located).

Thank you for your continued diligent consideration of these matters.

Very truly yours,

A handwritten signature in blue ink, appearing to read "J. Grauer", is written over a faint, larger blue signature that is partially obscured.

Joshua J. Grauer

cc: **VIA E-MAIL**
Roland Baroni, Esq., Town Attorney
Robert Christmas, Esq.