

PLANNING BOARD

RUTHERFORD HALL  
VILLAGE HALL  
SCARSDALE, N.Y.

April 23, 2025

Village of Scarsdale  
JUN 25 3:24 PM  
Clerk.Treasury

A regular meeting of the Planning Board of the Village of Scarsdale was held in person in Rutherford Hall in the Village of Scarsdale Village Hall, 1001 Post Road, Scarsdale, N.Y. 10583 on Wednesday, April 23, 2025, at 7:00 p.m.

The members present were John Clapp, Chair; Deborah Pekarek, Frank Badalato and Lynn Brooks Avni. Also present were David Goessl, Village Engineer; Donna Myers, Planning Secretary; and Village Attorney; Robert Zitt, of Keane & Beane P.C.

Board member Mark Seiden and Village Planner Kellan Cantrell were absent.

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The Chair said please allow me to take a few moments of your time to explain the Board's procedures. We hear each application in the order in which it is noticed – we hear first from the applicant and then from any person wishing to speak.

After all of the evening's hearings, the Board will deliberate. Deliberations are open to the public. You are free to leave at the conclusion of your hearing or to stay for the deliberations. Some applicants choose to leave once their hearings have been concluded, while others choose to remain here. Should you decide to leave before the Board's deliberations, you may obtain the Board's decision by calling Donna Myers tomorrow at (914) 722-1131. Also, tomorrow the decisions will be posted on the web at [www.scarsdale.gov](http://www.scarsdale.gov) in the Agenda Center. Whether you stay or go has no bearing on the Board's deliberations or decision.

At the conclusion of deliberations on each application, the Board attempts to reach a consensus. For an application to be granted, at least three of the Board's five members must vote in favor of that application. The Board's decision is memorialized in a written resolution. The resolutions are filed at Village Hall and are available to the public.

This evening there are only four Board members in attendance. If applicants would prefer to be heard by the full Board, they may ask to be held over without prejudice.

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The Chair called the April 2025 Planning Board meeting to order at 7:00 p.m.

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The reading of the following legal notice was waived by the unanimous vote of the Board.

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LEGAL NOTICE  
PUBLIC HEARING  
PLANNING BOARD  
VILLAGE OF SCARSDALE

NOTICE IS HEREBY GIVEN that a Public Meeting will be held by the Planning Board of the Village of Scarsdale in Rutherford Hall in Village Hall, 1001 Post Road, Scarsdale N.Y. 10583, on Wednesday, April 23, 2025, at 7:00 p.m. at which time and place the Planning Board will consider the following:

1. The application of 189 Heathcote LLC for Site Plan approval related to disturbance in the Adjoining Property Buffer, pursuant to Chapter 254 of the Village Code and exceeding the Site Disturbance threshold pursuant to Chapter 251 of the Village Code at 189 Heathcote Road, identified on the Village tax map as Sec. 18, Blk. 01, Lot 43A.
2. The application of Benjamin Taylor for Site Plan approval related to disturbance in the Adjoining Property Buffer pursuant to Chapter 254 of the Village Code and exceeding the Site Disturbance threshold pursuant to Chapter 251 of the Village Code for a proposed swimming pool and patio at 129 Fox Meadow Road, identified on the Village tax map as Sec. 04, Blk. 03, Lot 899.
3. The application of the Fox Meadow Tennis Club for a Non-Residential Special Use Permit related to amending the existing Special Use Permit pursuant to Chapter 310-89 of the Village Code to install additional court lighting and reconfiguring an existing court at 14 Wayside Lane identified on the Village tax map as Sec. 03, Blk. 03, Lot 02.
4. The application of Mohamed Latib for Site Plan approval related to disturbance in the Adjoining Property Buffer pursuant to Chapter 254 of the Village Code and exceeding the Site Disturbance threshold pursuant to Chapter 251 of the Village Code for a proposed swimming pool at 62 Stratton Road, identified on the Village tax map as Sec. 22, Blk. 19, Lot 42.
5. The application of Cooper Real Estate Development LLC to amend the landscape plan pursuant to Chapter 310-88 of the Village Code at 2 Cooper Road identified on the Village tax map as Sec. 14, Blk. 03, Lot 9.10C. ADJOURNED
6. The application of Mr. and Mrs. Rotter for Site Plan approval related to disturbance in the Adjoining Property Buffer pursuant to Chapter 254 of the Village Code and exceeding the Site Disturbance threshold pursuant to Chapter 251 of the Village Code to modify a driveway and various site improvements at 20 Meadow Road, identified on the Village tax map as Sec. 23, Blk. 01, Lot 108.
7. The application of Mr. and Mrs. Rotter for Site Plan approval related to disturbance in the Adjoining Property Buffer pursuant to Chapter 254 of the Village Code, exceeding the Site Disturbance threshold pursuant to Chapter 251 of the Village Code and Demolition pursuant to Chapter 251 of the Village Code to demolish the existing home, build a new home with various site improvements at 22 Meadow Road, identified on the Village tax map as Sec. 23, Blk. 01, Lot 109.

8. The application of Mr. and Mrs. Moyles for Site Plan approval related to disturbance in the Adjoining Property Buffer pursuant to Chapter 254 of the Village Code and exceeding the Site Disturbance threshold pursuant to Chapter 251 of the Village Code to reconfigure the driveway at 3 Mamaroneck Road identified on the Village tax map as Sec. 15, Blk. 01, Lot 21.

Submitted materials may be viewed by –

- Logging on to [www.scarsdale.gov](http://www.scarsdale.gov)
- Scroll down to the calendar
- Click on PLANNING BOARD – MEETING date, and
- Click on APPLICATIONS AND SUPPORTING DOCUMENTS

Please email [planning@scarsdale.gov](mailto:planning@scarsdale.gov) with any comments or questions.

To receive meeting agendas by e-mail, visit [www.scarsdale.gov](http://www.scarsdale.gov) and click on “Notify Me” to subscribe.

By Order of the Planning Board, Scarsdale, N.Y, April 7, 2025. Updated 4/14/2025. Updated 4/15/2025. Kellan D. Cantrell, AICP, Village Planner

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#### CASE #16 OF 2024

1. The application of 189 Heathcote LLC for Site Plan approval related to disturbance in the Adjoining Property Buffer pursuant to Chapter 254 of the Village Code and exceeding the Site Disturbance threshold pursuant to Chapter 251 of the Village Code at 189 Heathcote Road identified on the Village tax map as Sec. 18, Blk. 01, Lot 43A.

Eliot Senor, civil engineer and land surveyor with Gabriel E. Senor P.C., was present. Mr. Senor said upon referral we presented to the Board of Architectural Review on March 24, 2025, for the retaining wall. The updated plans show the removal of the swimming pool and sport court.

The Chair asked if there were any members of the public who wished to be heard with respect to this application. No persons desiring to be heard, and hearing no objection, the Chair ended the discussion on the application.

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#### CASE #2 OF 2025

2. The application of Benjamin Taylor for Site Plan approval related to disturbance in the Adjoining Property Buffer pursuant to Chapter 254 of the Village Code and exceeding the Site Disturbance threshold pursuant to Chapter 251 of the Village Code for a proposed swimming pool and patio at 129 Fox Meadow Road, identified on the Village tax map as Sec. 04, Blk. 03, Lot 899.

Eliot Senor, civil engineer and land surveyor with Gabriel E. Senor P.C., and Benjamin and Melissa Taylor the owners were present. Mr. Senor said the Zoning Board of Appeals approved the swimming pool on November 13, 2024. Upon referral from the Planning Board, we presented to the Board of Architectural Review on March 3, 2025, for the addition and retaining walls.

The Chair asked about the BAR report noting a concern about the survivability of the plantings in the outcrop area and the sight line screening for the neighbor. Mr. Senor said the only rock is on the side and the swimming pool is sunken into the landscape by six to eight feet. There is a solid hedge of arborvitae around the property.

The Chair asked for confirmation that the transparent barriers are designed not to be climbed over. Mr. Senor said the barrier is solid glass with no foothold making it better than a chain link or picket fence. The retaining walls measure 6 feet high and the clear glass barriers are not climbable.

The Chair asked about the rock chipping. Mr. Senor said his report states rock chipping would be between 9:00 a.m. to 3:00 p.m. when kids are in school. Before the start of construction, we will put a flyer in the neighbors' mailboxes.

Mr. Badalato referred to the letter from the neighbor consenting to incidental use of the property for rear yard access. Mr. Senor said the letter from the neighbor stated we can trespass on the property. Mr. Badalato asked how many trees are to be removed. Mrs. Taylor said the assessment of the three trees removed on the right side confirmed two were dead and one was in the process of dying. Another tree in the rear was previously removed because it was starting to lean towards the house.

Ms. Pekarek said the landscape plan shows a lot of other trees had been removed and should be replaced. Mrs. Taylor said they will be replaced, and more trees will be added to improve the property line with the neighbor.

Mr. Goessl said as part of the rock chipping, a geotechnical engineer will monitor the adjacent neighboring properties and structures. Will there be other professionals overseeing the project as project manager for all the other key elements. Mr. Senor said no as he will be readily available for all other inspections. Mr. Goessl said regarding the noise associated with the rock chipping; the Village will require certified mailings to a radius of 500 feet with a contact person listed in case of an emergency.

The Chair asked if there were any members of the public who wished to be heard with respect to this application. No persons desiring to be heard, and hearing no objection, the Chair ended the discussion on the application.

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CASE #7 OF 2025

3. The application of the Fox Meadow Tennis Club for a Non-Residential Special Use Permit related to amending the existing Special Use Permit pursuant to Chapter 310-89 of the Village Code to install additional court lighting and reconfiguring an existing court at 14 Wayside Lane identified on the Village tax map as Sec. 03, Blk. 03, Lot 02.

Mark Behr of Richard Henry Behr Architects, P.C. was present. Mr. Behr said per the January 25, 2017, resolution the approval conditions and the signed landscape agreement between the Tennis Club and the Village have been submitted. As of April 5, 2025, the light shields are on all the lights at the paddle tennis courts. The only minor item outstanding is the easement agreement between the Tennis Club and the Village.

The Chair asked if the existing special use permit specifically allows pickle ball playing. Mr. Behr said he was not sure.

Mr. Behr said the three courts proposed will have less lighting than the current courts. We submitted a standard photometric study by the lighting designers. We still need to provide information on fire truck access and landscape refinement plans.

Mr. Behr said he would like to propose lighting and sound testing on court #9. We are adding low vegetation, opaque sound batts and a 12-foot-high netting for sound mitigation. The Chair asked for before and after with verifiable documents of the lights and noise. The Board members would like to do a site visit.

Mr. Badalato asked if only members play during match play league nights. Mr. Behr said league play is comprised of club members and members from other clubs.

Mr. Goessl asked what the plan is to ensure compliance with lighting, lighting shields, photometrics, maintenance of the plantings and compliance with the hours of operations. Mr. Behr said they are open to discuss.

Myles Akabas of 43 Church Lane submitted a letter for the record.

Rikin Sheth, 27 Stonehouse Road is concerned about the proposed acoustic fence, lighting and history of the special use permit. The testing of the acoustic fence and type of court is irrelevant. The proposed acoustic fence will reduce sound by 50% while the play time is increased by 30%. Pickle ball was declined on the pro court but now it is being proposed on courts 7-9. The initial special use permit was for paddle play during the winter months.

Ken Mazer of 47 Church Lane submitted a letter for the record.

Melissa Mazer of 47 Church Lane added that by increasing court play will also increase traffic and hazards to those living nearby.

Woody MaWhinney of 45 Church Lane submitted a letter for the record.

Bela Sheth of 27 Stonehouse Road echoed what Mr. MaWhinney spoke about. A spokesperson for the tennis club referred to a weekend tournament in which music was played through the sound system from a speaker outside the clubhouse. When the police arrived, he said the noise was well within the limit.

Mr. Badalato asked if music is allowed to be played outside.

Mr. Behr said the testing showed no degradation on the material over time. The tennis club is not increasing their membership. We are offering to set up and schedule a lighting test.

The Chair asked if there were any other members of the public who wished to be heard with respect to this application. No subsequent persons desiring to be heard, and hearing no objection, the Chair ended the discussion on the application.

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#### CASE #1 OF 2025

4. The application of Mohamed Latib for Site Plan approval related to disturbance in the Adjoining Property Buffer pursuant to Chapter 254 of the Village Code and exceeding the Site Disturbance threshold pursuant to Chapter 251 of the Village Code for a proposed swimming pool at 62 Stratton Road, identified on the Village tax map as Sec. 22, Blk. 19, Lot 42.

Daniel Sherman, landscape architect, and Gregory Caccioppoli P.E. were present. Mr. Sherman said the Zoning Board of Appeals approved a Special Use Permit for the swimming pool on February 5, 2025. We presented to the Board of Architectural Review on April 7, 2025, for the shed. A couple of board members felt the shed was too large and enhanced screening was needed behind the shed. The shed is for the patio furniture and pool filter.

The Chair said a condition and notation is needed on the plans about contractors parking in the driveway and not on the street.

The Chair asked if there were any members of the public who wished to be heard with respect to this application. No persons desiring to be heard, and hearing no objection, the Chair ended the discussion on the application.

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#### CASE #8 OF 2025

5. The application of Cooper Real Estate Development LLC to amend the landscape plan pursuant to Chapter 310-88 of the Village Code at 2 Cooper Road, identified on the Village tax map as Sec. 14, Blk. 03, Lot 9.10C.

The Chair said item #5 on the agenda was administratively adjourned to the May 28, 2025, Planning Board meeting.

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CASE #12 OF 2025

6. The application of Mr. and Mrs. Rotter for Site Plan approval related to disturbance in the Adjoining Property Buffer pursuant to Chapter 254 of the Village Code and exceeding the Site Disturbance threshold pursuant to Chapter 251 of the Village Code to modify a driveway and various improvements at 20 Meadow Road identified on the Village tax map as Sec. 23, Blk. 01, Lot 108.

Lucia Chiochio and Jessica Zalin of Cuddy & Feder, Michael Smith architect, Rosalia Sanni Designs, Abdulazeez Yusuf of Hudson Engineering and Mr. & Mrs. Rotter owners were present. Ms. Chiochio said this application does not include any modifications to the existing house, the swimming pool or the patio. We are proposing to record a declaration against the two properties in the event they are sold that the shared driveway will be removed, the garage at 22 Meadow Road to be turned so that it faces the street with a separate entrance driveway for 22 Meadow Road be constructed. This declaration will put any future owners on notice of this situation they would need to comply with. This will be subject to review and approval by the Village.

The Chair said under the Village Code this Board will refer these applications to the Board of Architectural Review for an initial review.

Ms. Sanni said the proposal is to keep the circular driveway in place so that the curb cut would be accessed from 20 Meadow into 22 Meadow and to a motor court area near the garage. This will eliminate the need for a curb cut at 22 Meadow Road. There will be a couple of pathways connecting the two houses. We plan to remove some hardscape material for permeable pavers. Currently, the house is non-compliant under the new Village Code. The landscape plan shows the existing landscape will remain as is with additional plantings added. We are proposing a 3-foot-high retaining wall with 4-foot-high pillars with gates that stretches across both properties to access the driveway. Also, a 2-foot-high retaining wall in the rear.

Mr. Yusuf said the property at 20 Meadow Road was built in 2016 and has an existing drainage structure installed by Hudson Engineering. We are adding seven cultec chambers and an infiltration system near the driveway.

Ms. Pekarek asked about the tree removal and replacement plan for 22 Meadow Road. Ms. Sanni said nine trees are to be removed and replaced with medium-sized ornamental trees. We can add some taller native trees from the Village approved tree listing. The Chair asked about the big tree #13 in the rear at 22 Meadow Road. Ms. Sanni said #13 is a large oak tree with a very large root system and preserving a few trees near it.

The Chair asked about an easement for the shared driveway while in common ownership. Ms. Chiochio confirmed while in common ownership there is an easement. If the properties were sold out of common ownership the shared driveway turns into a separate driveway for 22 Meadow Road.

Ms. Brooks Avni asked about the front retaining wall shared by both properties and if that counts as a structure and if it can be built across the walkways? Ms. Chiochio said the retaining wall is like the shared driveway and can be separated. Ms. Brooks Avni also asked if these properties are under common ownership, can they request to be one property over time. Ms. Chiochio said under the Village Code there is an automatic merger provision that only applies to adjacent properties and common ownership. When one of the lots is not conforming with respect to the lot area, you can have two lots that are of common ownership. The only way to merge the lots is by seeking Planning Board approval requesting to merge the two lots and file an updated subdivision map.

Mr. Goessl said 20 Meadow Road has a swimming pool, barrier and equipment and is solely independent of 22 Meadow Road. However, the plans show a common pool barrier across both parcels. Also, what is the definition for the putting green and sand trap and if a special use permit is required.

Jonathan Rieber of 15 Meadow Road, a lifelong resident of Scarsdale, is concerned about the front retaining wall which is not consistent with the other homes. The Chair said that concern is for the Board of Architectural Review to address.

The Chair asked if there were any other members of the public who wished to be heard with respect to this application. No subsequent persons desiring to be heard, and hearing no objection, the Chair ended the discussion on the application.

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#### CASE #11 OF 2025

7. The application of Mr. and Mrs. Rotter for Site Plan approval related to disturbance in the Adjoining Property Buffer pursuant to Chapter 254 of the Village Code, exceeding the Site Disturbance threshold pursuant to Chapter 251 of the Village Code and Demolition pursuant to Chapter 251 of the Village Code to demolish the existing home, build a new home with various site improvements at 22 Meadow Road identified on the Village tax map as Sec. 23, Blk. 01, Lot 109.

The above application was included in the discussion for agenda item #6 for 20 Meadow Road.

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#### CASE #13 OF 2025

8. The application of Mr. and Mrs. Moyles for Site Plan approval related to disturbance in the Adjoining Property Buffer pursuant to Chapter 254 of the Village Code and exceeding the Site Disturbance threshold pursuant to Chapter 251 of the Village Code to reconfigure the driveway at 3 Mamaroneck Road identified on the Village tax map as Sec. 15, Blk. 01, Lot 21.

Gregory Caccioppoli P.E. was present. Mr. Caccioppoli said the plans are for an extension of the driveway to allow for better maneuverability onto Mamaroneck Road and for a new patio on the side of the house. The existing garage will be removed, and the rear yard will be regraded. Proposing a new staircase for access to the basement. The landscape screening around the perimeter will consist of arborvitaes. A stormwater system will be installed. To create useable space in the rear yard some trees are to be removed. There is a piped watercourse.

The Chair said that the Village had a detention pond installed. The underground pipe counts as a watercourse under the Village Code and asks for it to be mapped for its location.

The Chair asked about parking. In this zone two parking spots are required and should be noted on the plans.

Ms. Pekarek commented about the tree removal plan. Why are you only replacing with arborvitaes and not with similar or same species of trees. Mr. Caccioppoli said all the bamboo is to be removed. Ms. Pekarek asked for a more comprehensive tree removal and replacement report.

Mr. Goessl said that the revised FEMA map indicates that the special flood hazard area may be in the front setback near Rugby Lane.

The Chair asked if there were any members of the public who wished to be heard with respect to this application. No persons desiring to be heard, and hearing no objection, the Chair ended the discussion on the application.

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CASE #16 OF 2024

1. 189 Heathcote LLC  
Site Plan-Adjoining Property Buffer  
Site Plan – Site Disturbance  
189 Heathcote Road  
Sec. 18, Blk. 01, Lot 43A

The Board considered the application of 189 Heathcote LLC case #16 of 2024, for Site Plan approval related to Adjoining Property Buffer Disturbance and exceeding the Site Disturbance threshold to construct a new home, property grading, the construction of a retaining wall within the Adjoining Property Buffer and various site improvements at 189 Heathcote Road and, upon motion duly made and seconded, adopted the following resolution:

WHEREAS: The Board has considered the subject application pursuant to the State Environmental Quality Review Act and Chapter 152 of the Village Code; now therefore be it

RESOLVED: That after careful examination of the site and evaluation of the information submitted with the application, the Board determined that such application, the

construction of a single-family dwelling, is a Type II action pursuant to 6 NYCRR 617.5(c) (11). A Short Environmental Assessment Form is on file; and

WHEREAS: The property is located in the A-1 (1 acre) zoning district and is listed in the Assessor's records as 1.31 acres and on the submitted lot coverage form as 57,141 sq. ft. (quadrilateral); and

WHEREAS: The property is currently vacant; and

WHEREAS: On February 3, 2025, the Planning Board referred the application to the Board of Architectural Review and on March 24, 2025, the Board of Architectural Review provided a Referral Report containing comments on the application which the Planning Board considered at its April 23, 2025, meeting; and

WHEREAS: On February 3, 2025, the Planning Board referred the application to the Zoning Board of Appeals to render a decision on the proposed swimming pool and sports court;

WHEREAS: By letter dated April 15, 2025, addressed to the Planning Board, the applicant's engineering firm, Gabriel E. Senior, P.C., stated that the decision was made to remove the swimming pool and sports court from the application and that the plan set had been updated to remove the proposed swimming pool and sports court; and

WHEREAS: Chapter 251-1 of the Village Code authorizes the Planning Board to consider Site Plan approval for land disturbing activities in the Adjoining Property Buffer and Site Disturbance; and

WHEREAS: Chapter 254 of the Village Code authorizes the Planning Board to consider site plan approval for land disturbing activities in the Adjoining Property Buffer; and

WHEREAS: The applicant adequately addressed the review criteria outlined in Chapter 251-7 of Village Code; and

WHEREAS: The applicant adequately addressed the review criteria outlined in Chapter 254-10.1 of Village Code; and

WHEREAS: The Board members have visited the site and are familiar with the materials in the application; and now therefore be it

RESOLVED: That the application of 189 Heathcote LLC case #16 of 2024, for Site Plan approval for land-disturbing activities in the Adjoining Property Buffer and Site Disturbance related to the construction of a new home, regrading, the construction of a retaining wall within the Adjoining Property Buffer and various site improvements at 189 Heathcote Road as shown on the Plans titled "Grading Plan" SW-1, and

“Stormwater Pollution Prevention Erosion Control Plan” SW-2, SW-3 and SW-4 all dated September 28, 2024 and in the case of SW-1 through SW-3, last revised 2/28/2025, the Plan titled “Exterior Elevations” A-3.1 dated 5/31/2024, last revised 7/11/24, the undated “Property Master Plan” CM-01 (two sheets) as such Plan relates to tree removals and replacements, and the undated construction schedule titled “Fehrenebaker Residence Construction Schedule”, be approved with the following conditions:

1. The applicant shall comply with all of the approved plans and documents referenced in this resolution. If the approved plans are substantially amended or not complied with, the applicant shall be remanded back to the Planning Board.
2. The applicant shall submit to the Village Engineer an updated tree removal and replacement plan complying with Chapter 281 of the Village Code.

Motion to approve with condition: Ms. Pekarek  
 Second: Ms. Brooks Avni

	Aye	Nay	Abstain	Absent
Mr. Clapp	X			
Ms. Pekarek	X			
Mr. Badalato	X			
Mr. Seiden				X
Ms. Brooks Avni	X			

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CASE #2 OF 2025

2. Benjamin Taylor  
 Site Plan – Adjoining Property Buffer Disturbance  
 Site Plan – Site Disturbance  
 129 Fox Meadow Road  
 Sec. 4, Blk. 03, Lot 899

The Board considered the application of Benjamin Taylor case #2 of 2025, for Site Plan approval related to Adjoining Property Buffer Disturbance and exceeding the Site Disturbance threshold related to the construction of a swimming pool, addition, site regrading and retaining walls at 129 Fox

Meadow Road and, upon motion duly made and seconded, adopted the following resolution:

WHEREAS: The Board has considered the subject application pursuant to the State Environmental Quality Review Act and Chapter 152 of the Village Code; now therefore be it

RESOLVED: That after careful examination of the site and evaluation of the information submitted with the application, the Board determined that such application, the

construction of minor accessory structures (such as driveways, fences or pools) is a Type II action pursuant to 6 NYCRR 617.5(c) (12) and no further environmental review is required pursuant to said regulations; and

WHEREAS: The property is located in the A-3 (10,000 sq. ft.) zoning district and is listed in the Assessor's records as .39 acres and on the submitted lot coverage form as 17,342 sq. ft.; and

WHEREAS: The owner of the property received approval from the Zoning Board of Appeals on March 12, 2025, to install a swimming pool and related improvements; and

WHEREAS: On February 3, 2025, the Planning Board referred the application to the Board of Architectural Review and on March 3, 2025, the Board of Architectural Review provided a Referral Report containing comments on the application, which the Planning Board considered at its April 23, 2025, meeting; and

WHEREAS: Chapter 251-1 of the Village Code authorizes the Planning Board to consider Site Plan approval for land disturbing activities in the Adjoining Property Buffer, and Site Disturbance; and

WHEREAS: Chapter 254 of the Village Code authorizes the Planning Board to consider site plan approval for land disturbing activities in the Adjoining Property Buffer; and

WHEREAS: The applicant adequately addressed the review criteria outlined in Chapter 251-7 of Village Code; and

WHEREAS: The applicant adequately addressed the review criteria outlined in Chapter 254-10.1 of Village Code; and

WHEREAS: The Board members have visited the site and are familiar with the materials in the application; and now therefore be it

RESOLVED: That the application of Benjamin Taylor case #2 of 2025, for Site Plan approval for Adjoining Property Buffer Disturbance and exceeding the Site Disturbance threshold related to the construction of a swimming pool, addition, site regrading and retaining walls at 129 Fox Meadow Road as referenced in the Construction Management Phasing Plan dated April 10, 2025, the report titled "Geotechnical Letter Report" dated December 24, 2024 by Geotechnical Engineering Services, P.C., the undated Engineering Structural Analysis by Eliot Senor, P.E., the undated Safety Plan by Eliot Senor, the Report titled " Adjacent Property Monitoring Proposal dated April 9, 2025 by Geotechnical Engineering Services P.C., the drawing titled " Pool Screening & Tree Removal Site Logistics" SW-3, dated September 5, 2024 and last revised 4/10/25, the drawings titled "Stormwater Pollution Prevention and Erosion Control Plan" SW-1, SW-2 and SW-4 all dated September 5, 2024 and all last revised 4/10/25 and the drawings titled "Rendering

Set” A-0.0.0 through A-4.1.0 (eleven pages total) dated October 21, 2024 be approved with the following conditions:

1. The applicant must engage a Construction Manager to oversee the project, ensure compliance with the approved project plans and report to the Village Engineer at least weekly on the project milestones and legal compliance.
2. All construction vehicles must be phased so as to not queue on the roadway or to create a safety hazard.
3. At least two weeks prior to commencement of any rock chipping, the applicant shall complete and submit to the Village evidence of a Certified mailing to all owners of property, any part of which is within 500 feet of any point on the boundary of the subject property notifying them of the rock chipping and rock removal times and commencement and end dates and providing the Owner, contractor and Construction Manager’s name, phone and other contact details. A draft of the notification letter shall be submitted to the Village Planning department for review and approval prior to the mailing.
4. Rock chipping shall only occur Monday through Friday between 9AM and 3PM. All rock chipping and removal shall be completed within three weeks of commencement of rock chipping.
5. The rock chipping and removal process shall follow all elements as listed in the Adjacent Property Monitoring Proposal dated April 9, 2025, by Geotechnical Engineering Services P.C, including but not limited to preliminary investigations, surveys, seismograph monitoring and inspection by the geotechnical professional.
6. The applicant shall comply with all of the approved plans and documents referenced in this resolution. If the approved plans are substantially amended or not complied with, the applicant shall be remanded back to the Planning Board.

Motion to approve with conditions: Mr. Badalato

Second: Ms. Pekarek

	Aye	Nay	Abstain	Absent
Mr. Clapp	X			
Ms. Pekarek	X			
Mr. Badalato	X			
Mr. Seiden				X
Ms. Brooks Avni	X			

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CASE #7 OF 2025

3. Fox Meadow Tennis Club  
 Amending a Non-Residential Special Use Permit  
 14 Wayside Lane  
 Sec. 03, Blk. 03, Lot 02

The Board considered the application of the Fox Meadow Tennis Club case #7 of 2025, for a Non-Residential Special Use Permit and to amend an existing Non-Residential Special Use Permit related to additional court lighting and reconfiguring an existing court at 14 Wayside Lane and, upon motion duly made and seconded, continued the public hearing to the May 28, 2025, Planning Board meeting pending the following, and potentially additional submission items:

1. The applicant shall satisfy any remaining unsatisfied conditions set down in the January 25, 2017, Planning Board resolution.
2. The applicant shall schedule, in conjunction with the Village Planner, a nighttime public site visit to demonstrate the proposed “Acoustifence” product and respond to any questions concerning the proposed improvements. The site visit shall be noticed as a public hearing and noticed to the neighbors at least two weeks prior to the demonstration.
3. The applicant shall provide information on the practicality of installing LED or other lower-glare light bulbs on courts 1 through 6.
4. The applicant shall provide such information as it considers relevant for the Board to use in deliberating on the conditions of the proposed special use permit, including duration, scope of permitted activities, nighttime curfew hours for use of lighting, number of days annually that the lit courts are used for league play, proposed later curfew for league play days, and nighttime use of the property, including the club house, for social activities.
5. The applicant shall report on the status of landscaping replacement adjacent to court no. 9.

Motion to continue the public hearing to the May 28, 2025, Planning Board meeting: Mr. Badalato  
 Second: Ms. Brooks Avni

	Aye	Nay	Abstain	Absent
Mr. Clapp	X			
Ms. Pekarek	X			
Mr. Badalato	X			
Mr. Seiden				X
Ms. Brooks Avni	X			

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CASE #1 OF 2025

4. Mohamed Latib  
Site Plan – Adjoining Property Buffer Disturbance  
Site Plan – Site Disturbance  
62 Stratton Road  
Sec. 22, Blk. 19, Lot 42

The Board considered the application of Mohamed Latib case #1 of 2025, for Site Plan approval related to Adjoining Property Buffer Disturbance and exceeding the Site Disturbance threshold related to the construction of a swimming pool, patio, shed and various site improvements at 62 Stratton Road and upon motion duly made and seconded, adopted the following resolution:

WHEREAS: The Board has considered the subject application pursuant to the State Environmental Quality Review Act and Chapter 152 of the Village Code; now therefore be it

RESOLVED: That after careful examination of the site and evaluation of the information submitted with the application, the Board determined that such application, the construction of minor accessory structures (such as driveways, fences or pools) is a Type II action pursuant to 6 NYCRR 617.5(c) (12) and no further environmental review is required pursuant to said regulations; and

WHEREAS: The property is located in the A-2 (20,000 sq. ft.) zoning district and is listed in the Assessor's records as .47 acres and on the submitted lot coverage form as 18,749 sq. ft. (quadrilateral); and

WHEREAS: The property is improved with a home built in 1954; and

WHEREAS: The owner of the property received a Special Use Permit from the Zoning Board of Appeals on February 5, 2025, to install a swimming pool, swimming pool equipment and associated landscaping improvements; and

WHEREAS: On February 3, 2025, the Planning Board referred the application to the Board of Architectural Review and on April 7, 2025, the Board of Architectural Review provided a Referral Report containing comments on the application, which the Planning Board considered at its April 23, 2025, meeting; and

WHEREAS: Chapter 251-1 of the Village Code authorizes the Planning Board to consider Site Plan approval for land disturbing activities in the Adjoining Property Buffer and Site Disturbance; and

WHEREAS: Chapter 254 of the Village Code authorizes the Planning Board to consider site plan approval for land disturbing activities in the Adjoining Property Buffer; and

WHEREAS: The applicant adequately addressed the review criteria outlined in Chapter 251-7 of Village Code; and

WHEREAS: The applicant adequately addressed the review criteria outlined in Chapter 254-10.1

of Village Code; and

WHEREAS: The Board members have visited the site and are familiar with the materials in the application; and now therefore be it

RESOLVED: that the application of Mohamed Latib case #1 of 2025, for Site Plan approval related to Adjoining Property Buffer Disturbance and exceeding the Site Disturbance threshold related to the construction of a swimming pool, patio, shed and various site improvements at 62 Stratton Road as shown on the Drawing titled “Proposed Pool Site Plan” sheet L-1 dated September 10, 2024 and last revised April 8, 2025, and the Plans prepared by Gregory Caccioppoli, P.E. sheets 1 through 4 dated November 22, 2024 be approved subject to the following condition:

1. The applicant shall place a note on the SWEC Plan indicating that all contractors and subcontractors park in the driveway.

Motion to approve with condition: Ms. Pekarek

Second: Ms. Brooks Avni

	Aye	Nay	Abstain	Absent
Mr. Clapp	X			
Ms. Pekarek	X			
Mr. Badalato	X			
Mr. Seiden				X
Ms. Brooks Avni	X			

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CASE #12 OF 2025

6. Mr. and Mrs. Rotter  
Site Plan – Adjoining Property Buffer Disturbance  
Site Plan – Site Disturbance  
20 Meadow Road  
Sec. 23, Blk. 01, Lot 108

The Board considered the application of Mr. and Mrs. Rotter, case #12 of 2025, for Site Plan approval related to Adjoining Property Buffer Disturbance and exceeding the Site Disturbance threshold associated with reconfiguring the driveway, installation of a stone wall, minor regrading in the rear yard and stormwater improvements at 20 Meadow Road and upon motion duly made and seconded, adopted the following referral resolution:

WHEREAS: Chapter 251-1 of the Village Code authorizes the Planning Board to consider Site Plan approval for Adjoining Property Buffer Disturbance and exceeding the Site Disturbance threshold; and

WHEREAS: Chapter 251-5F of the Village Code authorizes the Planning Board to refer applications to other Boards, including the Board of Architectural Review, for review and reporting; and

WHEREAS: Chapter 18-16 of the Village Code states that the Board of Architectural Review shall advise the Planning Board upon referral; and

RESOLVED: by the Planning Board of the Village of Scarsdale at its April 23, 2025, meeting that the application for Site Plan approval at 20 Meadow Road be referred to the Village of Scarsdale Board of Architectural Review for review and reporting, pursuant to Chapters 18-16 and 251-5 of the Village Code; and

RESOLVED: that the Board of Architectural Review report shall focus on the following applicable Site Plan Review Standards:

1. Landscape design as it pertains to the structure (Village Code Chapter 251-7B(2)).
2. Relationship and scaling of building design and exterior architectural features to the environment to which it is visually related (Village Code Chapter 251-7B(6)).
  - a. Front yard stone wall.
  - b. Shared driveway with 22 Meadow Road.

RESOLVED: that the Board of Architectural Review shall submit the completed referral report to the Planning Department.

Motion to refer the application to the Board of Architectural Review: Mr. Badalato  
 Second: Ms. Pekarek

	Aye	Nay	Abstain	Absent
Mr. Clapp	X			
Ms. Pekarek	X			
Mr. Badalato	X			
Mr. Seiden				X
Ms. Brooks Avni	X			

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CASE #12 OF 2025

6. Mr. and Mrs. Rotter  
 Site Plan – Adjoining Property Buffer Disturbance  
 Site Plan – Site Disturbance  
 20 Meadow Road  
 Sec. 23, Blk. 01, Lot 108

The Board considered the application of Mr. and Mrs. Rotter, case #12 of 2025, for Site Plan approval related to Adjoining Property Buffer Disturbance and exceeding the Site Disturbance threshold associated with reconfiguring the driveway, installation of a stone wall, minor regrading

in the rear yard and stormwater improvements at 20 Meadow Road and upon motion duly made and seconded,  
 continued the public hearing to the May 28, 2025, Planning Board meeting pending the following, and potentially additional submission items:

1. The applicant should provide an updated submission based on the comments by the Board of Architectural Review.
2. The applicant should provide a draft of the proposed Deed Restriction and Easement relating to the proposed shared driveway with 22 Meadow Road.
3. The applicant should amend the plans so that all pool equipment remains in the current location.

Motion to continue the public hearing to the May 28, 2025, Planning Board meeting: Mr. Badalato  
 Second: Ms. Pekarek

	Aye	Nay	Abstain	Absent
Mr. Clapp	X			
Ms. Pekarek	X			
Mr. Badalato	X			
Mr. Seiden				X
Ms. Brooks Avni	X			

\* \* \* \* \*

CASE #11 OF 2025

7. Mr. and Mrs. Rotter  
 Site Plan – Adjoining Property Buffer Disturbance  
 Site Plan – Site Disturbance  
 Site Plan - Demolition  
 22 Meadow Road  
 Sec. 23, Blk. 01, Lot 109

The Board considered the application of Mr. and Mrs. Rotter, case #11 of 2025, for Site Plan approval related to disturbance in the adjoining property buffer, exceeding the Site Disturbance threshold and demolition associated with the demolition of the existing home, construction of a new home, reconfiguring the driveway, regrading in the rear yard and stormwater improvements at 22 Meadow Road and upon motion duly made and seconded, adopted the following referral resolution:

WHEREAS: Chapter 251-1 of the Village Code authorizes the Planning Board to consider Site Plan approval for Adjoining Property Buffer Disturbance, exceeding the Site Disturbance threshold and Demolition; and

WHEREAS: Chapter 251-5F of the Village Code authorizes the Planning Board to refer applications to other Boards, including the Board of Architectural Review, for review and reporting; and

WHEREAS: Chapter 18-16 of the Village Code states that the Board of Architectural Review shall advise the Planning Board upon referral; and

RESOLVED: by the Planning Board of the Village of Scarsdale at its April 23, 2025; meeting that the application for Site Plan approval at 22 Meadow Road be referred to the Village of Scarsdale Board of Architectural Review for review and reporting, pursuant to Chapters 18-16 and 251-5 of the Village Code; and

RESOLVED: that the Board of Architectural Review report shall focus on the following applicable Site Plan Review Standards:

1. Siting of buildings (Village Code Chapter 251-7B(1)).
  - a. Proposed location of the new home.
2. Landscape design as it pertains to the structure (Village Code Chapter 251-7B(2)).
3. Relationship and scaling of building design and exterior architectural features to the environment to which it is visually related (Village Code Chapter 251-7B(6)).
  - a. Exterior dimensions of the new home.
  - b. Front yard stone wall.
  - c. Shared driveway with 20 Meadow Road.

RESOLVED: that the Board of Architectural Review shall submit the completed referral report to the Planning Department.

Motion to refer the application to the Board of Architectural Review: Mr. Badalato  
 Second: Ms. Pekarek

	Aye	Nay	Abstain	Absent
Mr. Clapp	X			
Ms. Pekarek	X			
Mr. Badalato	X			
Mr. Seiden				X
Ms. Brooks Avni	X			

\* \* \* \* \*

CASE #11 OF 2025

7. Mr. and Mrs. Rotter  
 Site Plan – Adjoining Property Buffer Disturbance  
 Site Plan – Site Disturbance  
 Site Plan - Demolition

22 Meadow Road  
 Sec. 23, Blk. 01, Lot 109

The Board considered the application of Mr. and Mrs. Rotter, case #11 of 2025, for Site Plan approval related to disturbance in the adjoining property buffer, exceeding the Site Disturbance threshold and demolition associated with the demolition of the existing home, construction of a new home, reconfiguring the driveway, regrading in the rear yard and stormwater improvements at 22 Meadow Road and upon motion duly made and seconded, continued the public hearing to the May 28, 2025, Planning Board meeting pending the following, and potentially additional submission items:

1. The applicant should provide an updated submission based on the comments by the Board of Architectural Review.
2. The applicant should submit a Code compliant tree removal and replacement plan, including to preserve tree number 13 in the middle of the rear yard.
3. The applicant should provide a draft of the proposed Deed Restriction and Easement relating to the proposed shared driveway with 20 Meadow Road.

Motion to continue the public hearing to the May 28, 2025, Planning Board meeting: Mr. Badalato  
 Second: Ms. Pekarek

	Aye	Nay	Abstain	Absent
Mr. Clapp	X			
Ms. Pekarek	X			
Mr. Badalato	X			
Mr. Seiden				X
Ms. Brooks Avni	X			

\* \* \* \* \*

CASE #13 OF 2025

8. Mr. & Mrs. Moyles  
 Site Plan – Adjoining Property Buffer Disturbance  
 Site Plan - Site Disturbance  
 3 Mamaroneck Road  
 Sec. 15, Blk. 01, Lot 21

The Board considered the application of Mr. & Mrs. Moyles, case #13 of 2025, for Site Plan approval related to disturbance in the adjoining property buffer and exceeding the Site Disturbance threshold associated with reconfiguring the existing driveway, installing a patio and regrading in the rear yard at 3 Mamaroneck Road and upon motion duly made and seconded, continued the public hearing to the May 28, 2025, Planning Board meeting pending the following, and potentially additional submission items:

1. The applicant shall provide mapping for the FEMA Floodplain and the Watercourse and watercourse buffer.
2. Label the submitted plan with “no parking; turnaround only” in the front turnaround.
3. Reconfigure the side yard driveway to provide the required minimum two parking spaces.
4. The applicant should provide a tree replacement plan that complies with the Village Code.
5. Update the plans to provide for removal of invasive bamboo.

Motion to continue the public hearing to the May 28, 2025, Planning Board meeting: Ms. Pekarek  
 Second: Ms. Brooks Avni

	Aye	Nay	Abstain	Absent
Mr. Clapp	X			
Ms. Pekarek	X			
Mr. Badalato	X			
Mr. Seiden				X
Ms. Brooks Avni	X			

\* \* \* \* \*

Upon motion, duly made by Ms. Brooks Avni, and seconded by Ms. Pekarek, the minutes of the February 26, 2025, meeting were unanimously approved.

\* \* \* \* \*

The Chair announced the next meeting of the Planning Board will be held on Wednesday, May 28, 2025, at 7:00 p.m.

\* \* \* \* \*

The meeting was adjourned at 10:25 p.m.



Kellan D. Cantrell, AICP, Village Planner

