

PLANNING BOARD

RUTHERFORD HALL  
 VILLAGE HALL  
 SCARSDALE, NY  
 March 22, 2017

A regular meeting of the Planning Board of the Village of Scarsdale was held in Rutherford Hall in the Village Hall on Wednesday, March 22, 2017, at 6:30 p.m.

Those members present were: James Blum, Chair, John Clapp, Linda Doucette-Ashman, Thomas Longman and Dan Steinberg. Also present were Village Attorney Wayne Esannason, Village Engineer David Goessl, Village Planner Elizabeth Marrinan and Assistant to the Planner Cameron McLeod.

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The Chair said good evening. As we begin this evening's meeting I'd like to take a few moments to explain the Board's procedure. We hear each application in the order in which it is noticed -- we hear first from the applicant and then from any persons speaking in favor of or in opposition to the application.

After all of the evening's hearings, the Board deliberates. Deliberations are not open to the public, but the Board's voting on all applications is done in public once the deliberations are over. You are free to leave at the conclusion of your hearing or to wait outside Rutherford Hall during deliberations and return for the Board's vote. Should you decide to leave before the vote, you can obtain the Board's decision by calling Cameron McLeod at Village Hall tomorrow at 722-1131. Also, tomorrow the decisions will be posted on the web at [www.scarsdale.com](http://www.scarsdale.com) under Planning. 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.

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

**LEGAL NOTICE  
 PUBLIC HEARING  
 PLANNING BOARD  
 VILLAGE OF SCARSDALE**

**NOTICE IS HEREBY GIVEN** that a public hearing will be held by the Planning Board of the Village of Scarsdale in Rutherford Hall in Village Hall, 1001 Post Road, Scarsdale NY 10583, on **Wednesday, March 22, 2017**, at 8:00 p.m. at which time and place the Planning Board will consider the following:

1. The application of 69 Mamaroneck Road Corp. for an amendment to the Site Plan, pursuant to Chapter 251 of the Village Code, to construct a swimming pool on this lot at a distance from a street at 69 Mamaroneck Road, identified on the Village tax map as Sec. 17, Blk. 1, Lot 28.
2. A request from 970 Post Road LLC for the first extension of time to file the subdivision plat approved by the Planning Board on September 28, 2016 for the property at 972 Post Road, identified on the Village tax map as Sec. 11, Blk. 4, Lot 24A1.

Copies of the above application are on file in the Coordinating Office at Village Hall and may be viewed by interested parties at any time during usual business hours. To receive meeting agendas by e-mail, visit [www.scarsdale.com](http://www.scarsdale.com) and click on “Notify Me” to subscribe.

By Order of the Planning Board, Scarsdale, New York, dated March 7, 2017.  
Elizabeth Marrinan AICP, Village Planner.

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CASE #5 OF 2017

1. The Chair declared the hearing open on the application of 69 Mamaroneck Road Corp. for an amendment to the Site Plan, pursuant to Chapter 251 of the Village Code, to construct a swimming pool on this lot at a distance from a street at 69 Mamaroneck Road, identified on the Village tax map as Sec. 17, Blk. 1, Lot 28.

Jordan Dubbs, owner and Dan Sherman, landscape architect, were present.

Mr. Sherman described the application. The applicant seeks to amend the site plan to relocate the proposed pool from the rear yard to the side yard. The house was larger than expected once designed, leaving insufficient space in the rear yard. The proposed pool in its new location meets all Special Use Permit requirements.

The applicant also seeks to remove seven Maple trees from the south end of the proposed pool location, as they will shade the pool and shed debris into it. The applicant also proposes to remove a Chestnut tree in poor health, confirmed by a tree service. A number of trees shown on the survey are not actually present and a number originally proposed for removal, now do not need to be removed. These were identified on the submitted survey.

Ms. Doucette Ashman said the plan approved in September 2015 by the Planning

Board did not identify a pool. Ms. Marrinan said it showed a pool to the rear of the house and it was approved.

Mr. Essanason asked whether the plan is an accurate representation of the site. Mr. Sherman said the grading is not up to date. Mr. Goessl said there is significant deviation from the approved SWEC and the plan submitted to the Board.

The Chair asked whether the Board can consider the merits of the application regarding relocation of the proposed pool separate from the accuracy of the site plan and grading. Mr. Essanason said it is best for the Board to have an accurate plan prior to making any decisions, particularly as a stop work order has been issued in this case.

Mr. Longman asked whether a description of what was approved compared to what was built can be provided. Mr. Essanason said yes, the Board can request that be provided by the applicant.

Mr. Dubbs asked whether he needs to present an as built survey. Ms. Marrinan said not necessarily if further changes are proposed. She suggested that he work with his engineer to develop a plan. She suggested he outline what is proposed compared to what was approved, as requested by Mr. Longman.

Mr. Steinberg said the request regarding removal or retention of trees and trees identified on the survey that are not present on-site, is also a substantial deviation from what was approved by the Board. He requested that the applicant reframe their application to sufficiently address the request and amendments.

Ms. Marrinan asked whether any additional deciduous trees are proposed to offset the deciduous trees the applicant intends to remove. Mr. Sherman said no, but they could be added. Mr. Goessl said some of the trees to be removed will require replacement, as per the tree removal regulations in the Village Code. Ms. Marrinan said anything over 36 inches requires replacement.

No other person desiring to be heard, the Chair declared the hearing closed.

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#### CASE #10 OF 2016

2. The Chair opened the discussion regarding the request from 970 Post Road LLC for the first extension of time to file the subdivision plat approved by the Planning Board on September 28, 2016 for the property at 972 Post Road, identified on the Village tax map as Sec. 11, Blk. 4, Lot 24A1.

No members of the Board desired to speak, and upon motion duly made and

seconded, the Board approved the request.

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CASE #5 OF 2017

1. 69 Mamaroneck Road Corp  
69 Mamaroneck Road  
Sec. 24, Blk. 1, Lots 4, 5, 4A and 4B  
Site Plan amendment

The Board considered the application of 69 Mamaroneck Road Corp., Case #14 of 2016, and, upon motion duly made and seconded, held the application over to a future meeting pending receipt and review of the following:

1. Revised plans which accurately reflect the proposed re-grading and landscaping of the property and a description of the differences between the Site Plan approved by the Board on 9/30/2015 and the current proposed plan. The applicant should review the proposed plans with the Village Engineer. A revised lot coverage form should be submitted to reflect the proposed plan.

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CASE #10 OF 2016

2. 970 Post Road LLC  
972 Post Road and 8 Roosevelt Place  
Sec. 11, Blk. 4, Lot 24A1 and 24B1.  
Re-Subdivision Amendment

The Board considered the request from 970 Post Road LLC, Case #10 of 2016, for an extension of time to file the subdivision plat and, upon motion duly made and seconded unanimously adopted the following resolution:

WHEREAS: The Planning Board granted approval of the amendment to the resubdivision located at 972 Post Road and 8 Roosevelt Place at its September 28, 2016 meeting; and

WHEREAS: the amended re-subdivision approval is null and void if the plat is not filed within 180 days of the resolution or by March 27, 2017, and

WHEREAS: the Planning Board has the authority to grant two 90 day extensions of time to file the subdivision plat; and

WHEREAS: the applicant has requested additional time to file the subdivision plat; now therefore be it

RESOLVED: that the Planning Board hereby grants the first 90-day extension of time to file the subdivision plat for the amended re-subdivision located at 972 Post Road and 8 Roosevelt Place which will expire on June 25, 2017.

Upon duly made and seconded, the minutes of the February 22, 2017 meeting were approved as amended.

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The Chair announced that the next meeting of the Planning Board would be held on Wednesday, April 19, 2017, at 8:00 p.m.

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The meeting was adjourned at 8:25 p.m.

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Cameron McLeod  
Assistant to the Village Planner