

## VILLAGE OF SCARSDALE

April 21, 2017

Dr. Ramnath Kapoor  
2 Leatherstocking Lane  
Scarsdale, NY 10583

### **Re: 138 Fox Meadow Road Construction and Rock Removal Activity**

Dear Dr. Kapoor:

In response to our phone conversations and your letter received by our office on April 19, 2017, please be advised that the developer is conducting his construction operation, including rock removal, in accordance with the Village's noise ordinance § 205-2 - Outdoor Power Tools and Construction Activity, as follows:

“It shall be unlawful for any person, firm, corporation or other entity to operate any engine-driven power tool or motorized equipment or to conduct noise-making construction activity, including, but not limited to, hammering, ditch digging, scraping, unloading and vehicle backup signaling, after the hour of 9:00 p.m. and before the hour of 8:00 a.m. on any weekday and before 10:00 a.m. and after 5:00 p.m. on Saturdays, Sundays and Legal holidays.

According to the above the contractor can legally conduct rock removal activities during the prescribed hours. The bedrock encountered was an unforeseen condition which was exposed while excavating for the foundation/footing.

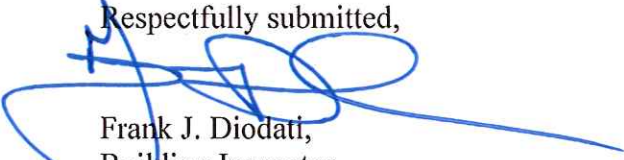
With respect to your comment that the contractor is constructing two homes where only one existed, a two lot subdivision was approved by the Planning Board on October 28, 2015. The following is a chronology of the Village approvals received by the developer for this project:

- Planning Board Approval Subdivision – Oct. 28, 2015
- Committee on Historic Preservation Approval – May 18, 2016
- Board of Architectural Review Design Approval – June 12, 2016
- Building Permits Issued – November 28, 2016

As such, all proper approvals have been received by the contractor. Based on my discussions with the contractor, he has engaged the services of a drill rig operator for the purpose of the rock removal. This operation should reduce the noise associated with the previous operation. The drilling of holes into the existing rock weakens the rock formation and allows for easier rock removal with a pneumatic hammer using less force and therefore resulting in less noise. It is anticipated that the drilling/rock removal operation will be completed within a two week time period, weather permitting.

The Building Department will continue to monitor this permitted construction site. If you have any additional questions or concerns please contact me directly at (914) 722-1105.

Respectfully submitted,



Frank J. Diodati,  
Building Inspector  
Village of Scarsdale Building Department

Cc: Mayor Dan Hochvert  
Stephen M. Pappalardo, Village Manager  
Joseph Saracino, Deputy Building Inspector