

Donna Conkling

From: Mayor
Sent: Tuesday, April 09, 2019 4:22 PM
To: Donna Conkling
Cc: Steve Pappalardo
Subject: Fwd: Resident Concern for the New Mayor

Begin forwarded message:

From: Janet Korins <janet.korins@me.com>
Subject: Resident Concern for the New Mayor
Date: April 8, 2019 at 7:48:53 AM EDT
To: mayor@scarsdale.com

Congratulations on your position as our new Mayor! I appreciate your service to our wonderful community. I graduated from Scarsdale High School and have been back in town with my family for about 20 years.

I appreciated your invitation in the Inquirer for residents to reach out with their concerns. Thus I am forwarding an email (below) which I sent a few weeks ago to the Board of Education, the Mayor, the Village Attorney and the Village Manager, regarding the proposal to install lights on Butler Field. We are sympathetic to the needs of student athletes for practice time, but we are also very concerned that, with lights, the loud noise we already hear from the School (music and loudspeakers) will continue during dinnertime and at night, including on weeknights. That's completely inappropriate in our quiet neighborhood.

I have not heard any response from the Village to my email from March 21. The School's response has been extremely vague. The District is moving forward with the project, and Maroon & White is already fundraising for it. This issue is thus urgent to address, and it potentially affects neighbors of all seven public Schools. If there is any ambiguity in the noise laws, then I suggest this issue be studied and addressed.

Basically, the neighbors need reassurance that Village Noise Ordinances will protect our peace and quiet in the evenings, especially on weeknights. Would it be appropriate for neighbors to set up a meeting with the Village Manager or Village Attorney? Any guidance on status or process would be very much appreciated.

Thank you very much for considering my concern.

Janet Korins
49 Ogden Road

Begin forwarded message:

From: Janet Korins <janet.korins@me.com>

Subject: Butler Field Lights and Village Noise Ordinances

Date: March 21, 2019 at 9:36:53 AM EDT

To: Board of Education <boardofed@scarsdaleschools.org>

Cc: mayor@scarsdale.com, attorney@scarsdale.com,
manager@scarsdale.com

Dear Members of the Board of Education,

Thank you again for your work listening to community concerns about the proposal to add lights at Butler Field. As you may recall, we have submitted written comments twice before (those emails are copied below). The primary issue we have discussed is noise, which (as you know) is already an issue for neighbors and which would likely increase, particularly during dinnertime and evening hours, due to the installation of lights. Because our questions and concerns involve the application and scope of Village noise ordinances, we are copying the Mayor, the Village Manager and the Village Attorney on this email.

We watched Mr. Pappalardi's presentation at the March 11 School Board meeting on video. We are very concerned that this proposal is moving forward without first addressing limitations on usage and explaining how neighbor concerns will be addressed. While we understand Maroon & White's desire to fundraise, and that the Board is unable to restrict their efforts to do so, it is important to note that the donors cannot evaluate the potential benefits of the lights until usage restrictions are clarified. There is a serious risk that the donors will assume that the lights will get maximum usage, and that fundraising will be done on that basis. Once the money is raised, there will be enormous pressure on the Administration and the Board to agree to the gift, and force neighbors to accept the burdens. There will be a further risk of "usage creep" over time. Once the lights are installed, the School will obviously want to get as much usage as possible - a sentiment that Mr. Morin shared at the Board meeting. With all due respect, this sentiment is precisely why it is fair and appropriate that questions about usage and remediation should be worked out in advance, with enforceable restrictions.

We also have questions about Mr. Pappalardi's extremely brief discussion of the existing Village noise ordinances. As you recall, we sent an email (copied below) to the Board and Mr. Pappalardi a few weeks ago, expressing our opinion that the existing Village noise ordinances already prohibit (among other things) loudspeakers and electronic devices that disturb the "peace, quiet and comfort" of neighbors **at any time of day**. See Section 205-1B, C. Noise concerns are heightened in the evenings, which is precisely when the activities utilizing the lights will take place. We do not agree with Mr. Pappalardi that noise is prohibited only after 11 pm, nor do we see any such limitation stated in the Village noise ordinance.

We were also surprised by Mr. Pappalardi's statement that Village ordinances "may" apply to the District, which seemed to implicitly suggest an alternative position that the ordinances "might not" apply. Noise on school property is an issue that potentially affects not only neighbors of the high school, but neighbors of all 7 schools. This community values tranquility and quiet during dinnertime and in the evenings, especially during the week. Residents in all neighborhoods

would be shocked to be told that they have no recourse to prevent loud noise coming from school property. The public schools should not be exempt from Village regulations and community expectations. If the District is taking such a position, it should say so publicly, so that residents can consider additional action. We also believe that if the Board decides to enter into a Memorandum of Understanding with Maroon and White, the MOU must be subject to resolution of these issues and contain an explicit acknowledgment that Village ordinances will apply.

Most importantly, we believe it is critical for the District to provide firm assurance that residents' interests will be protected and that the School will be a good neighbor, notwithstanding the pressures of donors and others. Up to this point, while there has been discussion, we have not seen or heard anything concrete to assure us that these issues will be addressed in a satisfactory manner, with enforceable restrictions. We truly hope that the District can work together with residents to come up with a solution that provides appropriate facilities for our student-athletes without unfairly and unreasonably imposing on neighbors. We respectfully suggest that the Board should not commit to this project until these issues are resolved.

Thank you for your continued consideration of our concerns.

Very truly yours,
Janet Korins and Joseph Kaufman
49 Ogden Road

EMAIL TO THE SCHOOL BOARD DATED FEBRUARY 15
Dear Members of the Board of Education and Mr. Pappalardi,

Thank you Ms. Fuehrer for your response, on behalf of the Board, to our previous letter expressing concerns about the proposal for lights on Butler Field. We appreciate the time you are all taking to consider community feedback from nearby residents.

We were unable to attend the meeting last week, but we listened to Mr. Pappalardi's presentation and the Board's questions. We appreciate his efforts to explain the proposal to the community. We have two follow up points to the Board discussion.

First, we were gratified to hear that Mr. Pappalardi intends to continue outreach to neighbors and will convene a committee to address the concerns of residents. We have not had an opportunity to meet with him to directly express our concerns, and we would welcome the chance to do so. However, we doubt this process can be completed within a month as he predicted. We appreciate the benefits of nighttime lighting for our athletes and community, and the School might find that it can address the concerns of neighbors by spending additional money on screening and noise mitigation features. We think it is unwise for the District, and also unfair to the neighbors, to rush into making this investment before understanding the full picture of costs and benefits.

We'd like to emphasize that many of the details on usage still seem vague and unclear. For example, at the Board meeting, Mr. Pappalardi said that he did not expect students to be available to play games on Monday, Tuesday or Wednesday evenings. However, he did not rule out games on those days, and his comments also imply that games might very well be held on Thursday evenings. We do not think loud evening noise is ever appropriate on weeknights. The statement that games "should" end by 9 pm (and football by 10:30 pm) means the neighbors would likely be subjected to noise during evening hours during the week. It also does not seem clear whether usage would be limited to high school teams, or whether the fields might also be accessible to middle/elementary school students, ISOs, or even to other outside organizations for rent. Of course, the sole and intended purpose of the Butler Field lights is to increase nighttime activity. But there is also a clear expectation in our community that noise must be minimized during evening and nighttime hours. We respectfully suggest that all of these issues need to be worked out in advance, in cooperation with neighbors.

Our second point relates to the the application of the existing noise ordinances in the Village Code. We assume that, as part of your process, you will take into consideration that the Village Code already prohibits loudspeakers, electric sound devices and music that "disturb the peace, quiet and comfort" of neighbors at any time of day. There is also an ordinance prohibiting loud gatherings in public places. Obviously, sensitivity to noise is heightened after dark-- exactly when the lights will be in use. We'd like to have a clear statement that the School District understands it is subject to the existing noise ordinances and also a plan as to how it intends to comply. We appreciate Mr. Pappalardi's statement that he intends to investigate a better sound system, but he does not know if that is available and what the cost might be. Since a compliance plan involves research into noise mitigation features, discussion with neighbors and an understanding of community standards, this will take time and further study.

Thank you again for taking our feedback into consideration as part of your process.

Very truly yours,
Janet Korins and Joseph Kaufman
49 Ogden Road

EMAIL TO THE SCHOOL BOARD DATED FEBRUARY 8

Dear Members of the Board of Education and Dr. Hagerman,

We are unable to attend the BOE meeting on Monday but write this letter to express some concerns about the proposal to add lighting at Butler Field. We live at 49 Ogden Road, just two houses up the street from Brewster Road and the back of the high school and fields. It's convenient to be so close to the track and wonderful athletic facilities, but there are also disadvantages to living close to the high school.

Primarily we are very much affected by noise. We can hear from inside our house

when special events occur at the high school. For example, during home football games, we can clearly hear from our bedrooms the announcer, the cheering and the band. Since these events are few and far between and mostly during the day, including a handful of home games, the April carnival, prom and graduation, we have accepted these special community events as reality without complaint. However, the addition of lights at the field raises the likelihood that there will be more frequent games or other events that would increase the noise to us and other neighbors. It also obviously means the increased noise would be at night, when people are home having dinner, relaxing and sleeping. We therefore strongly urge you to consider the possible impact on neighbors and establish clear and enforceable usage guidelines before investing money on additional lighting at the fields.

We believe it is extremely important that these issues are addressed before and in connection with approval of this type of capital investment. We'd like to note that, beginning Fall 2017, we became aware that the high school had a new school bell system. We learned this fact not because we have children at the high school (they had already graduated), but because we were (and still are) able to hear those bells from within our house, throughout the school day, through speakers directed towards Brewster Road. Obviously it is difficult if not impossible to undo the negative impact on neighbors once the money has already been invested.

Finally, we should mention that homeowners close to the high school face issues of traffic and litter. After major events at the high school, it's not uncommon to find trash and empty cans on nearby lawns. As these events become more common, these problems will place an increased burden on the neighbors.

Thank you very much for your consideration of these issues as you consider the proposal from the Athletic Department.

Very truly yours,
Janet Korins and Joseph Kaufman
49 Ogden Road