

## **Donna Conkling**

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**From:** Lika L. Levi <lika@save-scarsdale.org>  
**Sent:** Friday, February 03, 2017 6:48 AM  
**To:** Steve Pappalardo  
**Cc:** Wayne Esannason; Donna Conkling; Carl Finger; Deborah Pekarek; Jane Veron; Jonathan Mark; Marc Samwick; Matthew Callaghan; Bill Stern  
**Subject:** 53 Old Orchard Lane, 12 Dolma Road and FOIL request

Mr. Pappalardo,

Many thanks to you and our Mayor Mark for your reply.

1. Mayor Jon Mark has himself publicly acknowledged the limitations of the “Cultural Resource Survey Report” done in 2012 by Li-Saltzman Architects and Andrew S. Dolkart. He has said “A study that protects 68 houses out of about 5,400 is not very protective at all” and yet he has not shown any initiative to correct this...This is less than 1.3%.

You say below:

[“I expect that a Village Board will consider undertaking further review of this subject in the near future within the context of its other priorities.”](#)

This is no longer acceptable. This Village Board owes this public to get this done as soon as possible. There are always excuses, and then unexpected circumstances: Superstorm Sandy, various Article 78's etc., etc. This is a case where time was of the essence and all the trusted members of the VB did was delay and procrastinate. You volunteered for this position, nobody forced you. Right ? You either deliver or resign. But to delay and harm this Village is no longer an option.

Mayor Mark knows this conversation started back in 2010 when he was first appointed Trustee. He is almost finishing his term as Mayor. He cannot leave this as unfinished business. We have heard it all. Now, there is nothing more important than this. We criticize ISIS in Syria, but what you are facilitating here in our own backyard is much worse and not acceptable any more. Look at the number of demolished houses since 2012, below- when the LI-Saltzman study was published. The Village website currently lists houses up until September 20, 2016 even though today is already February, 2017...The decisions from the October, November, December, January meetings have not been updated yet.

### **September 20, 2016**

- 1 Ogden Rd. Demo approved
- 28 Lawrence Rd. Demo approved
- 12 Dolma Rd. Held Over

### **June 28, 2016**

- Meeting Cancelled

**May 17, 2016**

- 6 Crest Lane - Demolition approved
- 11 Continental Road - Demolition approved
- 6 Cambridge Road - Demolition approved

**April 19, 2016**

- 117 Brown Road - Demolition approved
- 1 Rural Drive - Demolition approved

**March 15, 2016**

- 19 Tunstall Road - Demolition approved

**February 16, 2016**

- 96 Morris Lane - Demolition approved
- 30 Wynmor Road - Demolition approved
- 19 Tunstall Road - Must resubmit (improper notification)

**January 19, 2016 - Meeting Canceled**

**December 22, 2015**

- 61 Franklin Road - Demolition approved
- 20 Claremont Road - Demolition approved
- 14 Reimer Road - Demolition approved
- 1 Burgess Road - Demolition approved

**November 17, 2015**

- 14 Reimer Road - Must resubmit
- 7 Meadow Road - Demolition approved
- 3 Edgewood Road - Demolition approved
- 61 Franklin Road - Withdrawn
- 35 Brookby Road - Demolition approved
- 85 Penn Boulevard - No vote
- 2 Garden Road - Demolition approved
- 1 Burgess Road - Improper notification

**October 20, 2015**

- 24 Tunstall Road - Demolition approved

**September 29, 2015**

- 146 Fox Meadow Road - Demolition approved
- 27 Murray Hill Road - Demolition approved
- 23 Shawnee Road - Demolition approved
- 32 Fenimore Road - Demolition approved
- 153 Nelson Road - Demolition approved
- 41 Olmsted Road - Demolition denied
- 60 Carthage Road - Demolition approved

**July 21, 2015**

- 21 Rectory Lane - Demolition approved
- 110 Brewster Road - Demolition approved
- 30 Tunstall Road - Demolition approved
- 56 Hampton Road - Demolition approved
- 11 Carstensen Road - Demolition denied
- 1023 Post Road - Demolition denied
- 1025 Post Road - Demolition approved

**June 16, 2015**

- 66 Brookby Road - Demolition approved
- 117 Fox Meadow Road - Demolition approved

**May 19, 2015**

- 52 Edgewood Road - Demolition approved
- 21 Rodney Road - Demolition approved
- 50 Graham Road - Demolition approved
- 138 Fox Meadow Road - Demolition approved

**April 21, 2015**

- 16 Fenimore Road - Demolition approved
- 43 Harvest Dr. - Demolition approved
- 31 Murray Hill Road - Demolition approved
- 257 Fox Meadow Road - Demolition approved
- 69 Mamaroneck Road - Demolition approved
- 21 Rural Dr. - Demolition approved

**March 17, 2015**

- 49 Carthage Road - Demolition approved
- 37 Murray Hill Road - Demolition approved
- 241 Rock Creek Road - Demolition approved

**February 17, 2015**

- 49 Graham Road - Demolition approved
- 15 Donellan Road - Demolition approved
- 33 Oxford Road - Demolition approved
- 9 Birch Lane - Demolition approved

**January 20, 2015**

- 1 Paddington Road - Demolition approved

**December 30, 2014 - Meeting cancelled**

**November 18, 2014**

- 42 Huntington Avenue - Demolition approved
- 3 Bradford Road - Demolition approved
- 9 Wakefield Road - Demolition approved
- 1 Paddington Road - No show at meeting

**October 21, 2014**

- 22 Ridgedale Road - Demolition approved
- 18 Heathcote Road - Demolition approved

**September 16, 2014**

- 109 Carthage Road - Demolition approved
- 45 Penn Boulevard - Demolition approved
- 361 Heathcote Road - Demolition approved
- 4 Brookline Road - Demolition approved
- 33 Stratton Road - Demolition approved
- 157 Brewster Road - Demolition approved

**August 19, 2014**

- 2 Lincoln Road - Demolition approved

- 109 Carthage Road - Must resubmit
- 29 Fairview Road - Demolition approved
- 11 Black Hawk Road - Demolition approved
- 12 Willow Lane - Demolition approved
- 40 Sage Terrace - Demolition approved

**July 15, 2014**

- 7 Stonehouse Road - Demolition approved
- 21 Greenacres Avenue - Demolition approved
- 18 Kelwynne Road - Demolition approved
- 12 Wynmor Road - Demolition approved
- 4 Bethal Road - Demolition approved
- 19 Crossway - Demolition Approved
- 56 Brite Avenue - Demolition approved

**June 17, 2014**

- 3 Edgewood Road - Demolition approved
- 15 Ardmore Road - Demolition approved
- 1025 Post Road - Demolition denied
- 23 Rural Drive - Demolition approved
- 17 Oxford Road - Demolition approved

**May 20, 2014**

- 3 Seneca Road - Demolition approved
- 22 Montrose Road - Demolition denied
- >5 Seneca Road - Demolition approved
- >8 Ardmore Road - Demolition approved
- >31 Paddington Road - Demolition approved

**April 23, 2014**

- 18 Coralyn Road - Demolition approved
- 17 Harvest Drive - Demolition approved
- 8 Ardmore Road - Demolition must resubmit

**March 18, 2014**

- 9 Olmsted Road - Demolition approved
- 40 Hampton Road - Demolition approved
- 20 Meadow Road - Demolition approved

## **February 18, 2014**

- 4 Weaver Street - Demolition approved
- 23 Farragut Road - Demolition approved
- 22 Birchall Drive - Demolition approved

## **January 21, 2014**

- 2 Weaver Street
- 23 Farragut Road - Meeting postponed due to weather

## **December 17, 2013**

- 20 Lenox Place - Demolition approved
- 47 Lincoln Road - Demolition approved
- 2 Herkimer Road - Demolition approved

## **November 19, 2013**

- 8 Heathcote Road - Demolition denied
- 147 Bradley Road - Demolition approved

## **October 15, 2013**

- 11 Rural Drive - Demolition approved
- 16 Montrose Road - Demolition approved
- 18 Heathcote Road - Demolition approved
- 53 Lincoln Road - Demolition approved

## **September 17, 2013**

- 8 Birch Lane - Demolition approved
- 10 Richbell Road - Demolition approved
- 134 Brite Avenue - Demolition approved

## **August 20, 2013**

- 66 Stratton Road - Demolition approved
- 81 Spier Road - Demolition approved

## **July 16, 2013**

- 11 Springdale Road - Demolition approved

- 1159 Post Road - Demolition approved
- 239 Fox Meadow Road - Demolition denied

**June 18, 2013**

- 15 Circle Road - Demolition approved
- 22 Murray Hill Road - Demolition denied

**May 21, 2013**

- 50 Harvest Drive - Demolition approved
- 24 Herkimer Road - Demolition approved
- 5 Burgess Road - Demolition approved
- 7 Lebanon Road - Demolition approved
- 15 Circle Road - Held over

**April 16, 2013**

- 190 Brewster Road - Demolition approved
- 25 Innes Road - Demolition approved
- 23 Broadmoor Road - Demolition approved
- 18 Drake Road - Demolition approved
- 45 Cushman Road - Demolition denied
- 31 Wynmor Road - Demolition approved

**March 19, 2013**

- 190 Brewster Road - Held over

**February 26, 2013**

- 4 Windmill Circle - Demolition approved
- 55 Greendale Road - Demolition approved
- 235 Rock Creek Lane - Demolition approved
- 119 Cushman Road - Demolition approved
- 1 Woodland Road - Demolition approved
- 15 Herkimer Road - Demolition approved

**December 18, 2012**

- 25 Cooper Road - Demolition approved

**November 20, 2012**

- 31 Stratton Road - Demolition approved
- 53 Penn Boulevard - No notification; must resubmit

**October 16, 2012**

- 73 Chase Road - Demolition approved
- 96 Morris Lane - Demolition approved
- 25 Vanderbilt Road - Demolition approved
- 15 Kelwynne Road - Demolition approved

**September 18, 2012**

- 13 Dickel Road - Demolition approved
- 21 Vanderbilt Road - Demolition approved
- 36 Garden Road - Demolition approved
- 217 Rock Creek Lane - Demolition approved

**August 21, 2012**

- 7 Harvest Drive - Demolition approved
- 1 Rectory Lane - Demolition approved

**July 17, 2012**

- 20 Parkfield Road - Demolition approved

**June 19, 2012**

- 18 Stonewall Lane - Demolition approved
- 11 Dickel Road - Demolition approved
- 346 Heathcote Road - Demolition approved
- 6 Carstensen Road - Demolition approved
- 8 Kent Road - Demolition approved
- 64 Fayette Road - Demolition approved

**May 15, 2012**

- 9 Hamilton Road - Demolition denied
- 12 Fairview Road - Demolition approved
- 7 Wakefield Road - Demolition approved
- 8 Wakefield Road - Demolition approved
- 118 Spier Road - Demolition approved

- 34 Wayside Lane - Demolition approved
- 346 Heathcote Road - Failed to appear

**April 17, 2012**

- 10 Ogden Road - Demolition approved
- 9 Stonehouse Road - Demolition approved
- 9 Hamilton Road - Held over
- 16 Cambridge Road - Demolition approved
- 10 Richbell Road - Withdrawn
- 50 Brookby Road - Demolition approved

**March 20, 2012**

- 14 Stratton Road - Demolition approved
- 7 Old Lyme Road - Demolition approved
- 4 Jefferson Road - Demolition approved
- 3 Meadow Road - Demolition approved
- 3 Sherbrooke Road - Demolition approved

**February 28, 2012**

- 101 Sheldrake Road - Demolition approved

**December 18, 2012**

- 25 Cooper Road - Demolition approved

Totals: In 2016: 10 houses, ( January till September)

In 2015: 39 houses,

In 2014: 35 houses,

In 2013: 40 houses,

In 2012: 35 houses.

**TOTAL: 149 houses...**

Total unnecessary destruction....

2. Which e-mails would be withheld and why ? Please refer to citation and web link. I would like these e-mails to be all up on the web, with full search capabilities and accessible to all.

Full transparency. Full accountability. Why within 45 days ? Why delay ? Why wait till mid March ? No, we want these e-mails within a week of this request by February 7, a week from this original request.

3. What is protected under the law ? Are national security matters discussed in our Assessor's emails ? I would hope not. Please release these today before 12 noon on the Village website as well. These should be under the Assessor's tab, the above relating to the CHP, under Planning or maybe you could create a new folder with demolished homes, BAR and ZBA e-mails for all Land Use matters.

Thank you so much,

Lika L. Levi

On Feb 2, 2017, at 11:23 AM, Steve Pappalardo <[spappalardo@scarsdale.com](mailto:spappalardo@scarsdale.com)> wrote:

Lika,

The Mayor asked that I respond to your requests of the Village Board in your email below. Based on my reading there are three such requests for which I offer the following response:

1. Request for legislation to further protect Scarsdale's existing residential housing stock from demolition. As you know, this is a longstanding community concern and oft studied issue by Village Board's over the years. I expect that a Village Board will consider undertaking further review of this subject in the near future within the context of its other priorities. Any meetings on the subject will be open to the public and sufficiently publicized and noticed in advance.
2. Request for emails, amongst the Mayor, Board of Trustees and Village Hall department staff for the month between January 1, 2017 and February 1, 2017. We will consider this email a formal FOIL request, and will endeavor to provide the information requested, in whole or in part, within 45 days of this response. Please understand that the Village Attorney may review the emails and withhold any that are protected pursuant to the NYS Freedom of Information Law.
3. Request to obtain the protected emails withheld from Mayra Kirkendall-Rodriquez. The Village has already provided over 30,000 emails to Ms. Kirkendall-Rodriquez pursuant to the NYS Freedom of Information Law. Those withheld are done so as they are protected under the law. Ms. Kirkendall-Rodriquez has requested that Village Attorney Esannason provide her with an explanation of those documents excluded which he currently is working on. If any of these emails are subsequently released we will provide to you as well pursuant this request.

Regards,

Steve Pappalardo

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**From:** Lika L. Levi [<mailto:lika@save-scarsdale.org>]

**Sent:** Tuesday, January 31, 2017 8:02 AM

**To:** Mayor <[mayor@scarsdale.com](mailto:mayor@scarsdale.com)>; Bill Stern <[stern.bill@yahoo.com](mailto:stern.bill@yahoo.com)>; [dpekarek@verizon.net](mailto:dpekarek@verizon.net);  
Matthew Callaghan <[MJC49C@gmail.com](mailto:MJC49C@gmail.com)>; [marc.samwick@verizon.net](mailto:marc.samwick@verizon.net); Jane Veron <[jevatf@aol.com](mailto:jevatf@aol.com)>;  
Carl Finger <[carlfingerscarsdaletrustee@gmail.com](mailto:carlfingerscarsdaletrustee@gmail.com)>  
**Cc:** Steve Pappalardo <[spappalardo@scarsdale.com](mailto:spappalardo@scarsdale.com)>; Attorney's Office <[attorney@scarsdale.com](mailto:attorney@scarsdale.com)>  
**Subject:** 53 Old Orchard Lane, 12 Dolma Road and FOIL request

Mayor and Village Board,

The homes above which came recently in front of the CHP and the Village Board are one of a kind treasures.

Just like a Picasso cannot be duplicated now, you cannot buy or build another 53 Old Orchard or 12 Dolma. The architect Jules Gregory ( [architect jules gregory](#) ) is long gone and so is Walter J. Collet. You can look them up and read about them on the Internet.

We are very lucky to have such treasures right on our roads for all to admire. Yes, they are part of our national heritage, culture. You have no right to issue a *Certificate of Appropriateness* ( very inappropriate, in my opinion), or other such euphemism obscuring the true reality betraying your true fiduciary responsibilities.

On the contrary you have to take every measure available to you and ensure these treasures and others like them are with us *forever.*

Please put in legislation deterring accidental demolition and such...

What is the value of a Picasso ? How much are they insured for ? Can you ever duplicate a house from 1924 or a Collet or a Jules Gregory ? Or a Zaha Hadid. She too is dead and has stopped contributing to our national heritage. Too bad we have no Zaha Hadids that I know of here in Scarsdale or Frank Gehrys. But we can preserve what we have. The CHP's or the VB's actions leave a lot to be desired. Time to legislate, to govern in the way you should in this town, this country at this time.

Towards that goal, I am hereby requesting a FOIL on all e-mail correspondence among the Mayor, VB, all Village Hall departments going back a month, starting January 1st, for now.

Except Tax Assessor's office. I am requesting access only to the ones you are not making available to Mayra Kirkendall-Rodriguez ( as I am told you are withholding some FOIL'ed e-mails from her ) . All this should be available as of 9:30 a.m. this morning with a confirmation sent to me.

All such e-mail further has to be available on the Village website under the written correspondence tab, with a special tab correspondence among the Mayor, the VB and Village departments just like you have my e-mails to you listed. All these e-mails have to be available to the public as of 9:30 a.m. this morning January 31, 2017.

Looking forward to reading all these e-mails.

Let me know time and date of meetings for new legislation to finally change code 182-5 A and B - Criteria to determine historical importance as soon as possible.

With many thanks,

Lika

Lika L. Levi

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