

Donna Conkling

From: Greg Cutler
Sent: Monday, November 22, 2021 10:37 AM
To: Madelaine Eppenstein; Mayor; Trustee Ahuja; Trustee Arest; Trustee Brew; Trustee Crandall; Trustee Lewis; Trustee Whitestone; Robert Cole; Clerk's Department; Christine Sciandra
Cc: Daniel Pozin
Subject: RE: Heathcote Five Corners and Village Center Maps of Potential Marijuana Dispensary and/or Consumption Facility Locations in Scarsdale Village

Hi Madelaine,

I will be updating the map to include a 500 foot buffer from public or private pre-school, nursery school, elementary or secondary school's property boundaries. As it relates to the list of schools, below I will need to consult with the Village Attorney with respect to the status of Hoff-Barthelson Music School, but otherwise they will be included if they are within 500 feet of a commercial district.

Best regards,

Gregory Cutler, AICP

Village Planner

914-722-1132

Gcutler@scarsdale.com

planning@scarsdale.com

From: Madelaine Eppenstein <meppenstein@eppenstein.com>
Sent: Monday, November 22, 2021 8:47 AM
To: Greg Cutler <gcutler@scarsdale.com>; Mayor <mayor@scarsdale.com>; Trustee Ahuja <sahuja@scarsdale.com>; Trustee Arest <jarest@scarsdale.com>; Trustee Brew <kbrew@scarsdale.com>; Trustee Crandall <lcrandall@scarsdale.com>; Trustee Lewis <jlewis@scarsdale.com>; Trustee Whitestone <rwhitestone@scarsdale.com>; Robert Cole <rcole@scarsdale.com>; Clerk's Department <clerk@scarsdale.com>; Christine Sciandra <csciandra@scarsdale.com>
Subject: Heathcote Five Corners and Village Center Maps of Potential Marijuana Dispensary and/or Consumption Facility Locations in Scarsdale Village

CAUTION: External sender.

Dear Greg,

Kindly consider updating and publicly distributing a corrected Heathcote Five Corners map to show "a 500 ft buffer from the JCC pre-school" and to indicate "that a 500 ft buffer from the JCC property would intersect with all of the buildings in the Golden Horseshoe Shopping Center," as you've stated is the case in your email of November 19, 2021.

Please note there are other pre-schools that will impact the location of possible cannabis dispensaries or consumption lounges and the configuration of the Village Center map, including:

- 1) Cornerstone Children's Center at 90 Garth Road;
- 2) Scarsdale Community Baptist Church Nursery School at 51 Popham Road;
- 3) The Alcott School at 27 Crane Road; and
- 4) The Hoff-Barthelson Music School at 25 School Lane #1

When you update these two maps, kindly include the 500-foot buffer zone from the outer perimeter of these educational facilities as specified by statute: New York State Cannabis Legislation, section 72(6), which provides that “No cannabis retail licensee shall locate a storefront within five hundred feet of a school grounds as such term is defined in the education law”; and New York State Education Law, section 409(2), which states that “‘School grounds’ means any building, structure and surrounding outdoor grounds, including entrances or exits, contained within a public or private pre-school, nursery school, elementary or secondary school's legally defined property boundaries as registered in a county clerk's office.”

It would be helpful if you could distribute, before the November 23 hearing, the corrected maps and explanatory information to the community, the Board and the Staff, as part of a publicly communicated Village notice and updated agenda.

Thank you for your assistance in correcting the maps and providing accurate information to the community.

Sincerely,

Madelaine Eppenstein
18 Autenrieth Road

Susan Douglass
59 Crane Road

Darlene LeFrancois Haber, M.D.
255 Nelson Road

From: Greg Cutler <gcutler@scarsdale.com>
Sent: Friday, November 19, 2021 1:19 PM
To: Madelaine Eppenstein <meppenstein@eppenstein.com>
Cc: Robert Cole <rcole@scarsdale.com>; Mayor <mayor@scarsdale.com>
Subject: RE: Map of Potential Marijuana Dispensary Locations in Heathcote Five Corners

Hi Madelaine,

Below are my responses:

1. Is the 500 foot buffer zone based on distance from the Heathcote elementary school, and

The map that I presented was based on the distance from Heathcote Elementary School.

2. Does the buffer account for the JCC pre-school located across the street from the Golden Horseshoe

It did not but based on your analysis and subsequent confirmation from the Village Attorney, the map needs to be updated to show a 500 ft buffer from the JCC pre-school.

3. A related question is whether the Golden Horseshoe shopping center is within 500 feet of the JCC grounds

Based on preliminary mapping it appears that a 500 ft buffer from the JCC property would intersect with all of the buildings in the Golden Horseshoe Shopping Center.

I hope this helps.

Best regards,

Gregory Cutler, AICP

Village Planner

914-722-1132

Gcutler@scarsdale.com

planning@scarsdale.com

From: Madelaine Eppenstein <meppenstein@eppenstein.com>

Sent: Friday, November 19, 2021 11:45 AM

To: Greg Cutler <gcutler@scarsdale.com>

Cc: Robert Cole <rcole@scarsdale.com>; Mayor <mayor@scarsdale.com>

Subject: RE: Map of Potential Marijuana Dispensary Locations in Heathcote Five Corners

CAUTION: External sender.

Hi Greg,

Thank you very much, and again happy holidays!

Madelaine, 914.643.9444

From: Greg Cutler <gcutler@scarsdale.com>

Sent: Friday, November 19, 2021 11:39 AM

To: Madelaine Eppenstein <meppenstein@eppenstein.com>

Cc: Robert Cole <rcole@scarsdale.com>; Mayor <mayor@scarsdale.com>

Subject: RE: Map of Potential Marijuana Dispensary Locations in Heathcote Five Corners

Hi Madelaine,

Thank you for your inquiry and apologies if for missing the first communication. I will be looking into your question today and hope to have a full response by the end of the day.

Best,

Gregory Cutler, AICP
Village Planner
914-722-1132
Gcutler@scarsdale.com
planning@scarsdale.com

From: Madelaine Eppenstein <meppenstein@eppenstein.com>
Sent: Friday, November 19, 2021 11:01 AM
To: Greg Cutler <gcutler@scarsdale.com>
Cc: Robert Cole <rcole@scarsdale.com>; Mayor <mayor@scarsdale.com>
Subject: RE: Map of Potential Marijuana Dispensary Locations in Heathcote Five Corners

CAUTION: External sender.

Dear Mr. Cutler and Mr. Cole,
I cannot seem to find a response in my inbox to my request made earlier this month (below). I look forward to your reply, or a duplicate of any response you have already sent me, prior to the Board's hearing this Tuesday. I am also interested in measurements that have been taken that are relevant to your response.
Sincerely, and with best wishes for Thanksgiving,
Madelaine Eppenstein
18 Autenrieth Road, 914.643.9444

From: Madelaine Eppenstein
Sent: Monday, November 08, 2021 11:15 PM
To: 'gcutler@scarsdale.com' <gcutler@scarsdale.com>
Cc: 'Robert Cole' <rcole@scarsdale.com>; 'mayor@scarsdale.com' <mayor@scarsdale.com>
Subject: Map of Potential Dispensary Locations in Heathcote Five Corners

Dear Mr. Cutler,

I wish to request clarification of the following aspects of the Heathcote Five Corners map you have presented at the Village Board's cannabis Work Sessions:

1. Is the 500 foot buffer zone based on distance from the Heathcote elementary school, and
2. Does the buffer account for the JCC pre-school located across the street from the Golden Horseshoe
3. A related question is whether the Golden Horseshoe shopping center is within 500 feet of the JCC grounds

Please consider these questions in the context of what appears to be relevant New York law. NY State Cannabis Legislation, section 72(6) provides that "No cannabis retail licensee shall locate a storefront within five hundred feet of a school grounds as such term is defined in the education law." NY State Education Law, section 409(2) states that "'School grounds' means any building, structure and surrounding outdoor grounds, including entrances or exits, contained within a public or private pre-school, nursery school, elementary or secondary school's legally defined property boundaries as registered in a county clerk's office."

Thank you for your consideration, and I look forward to your response.

Sincerely,

Madelaine Eppenstein
18 Autenrieth Road