



**ZARIN &  
STEINMETZ**

RECEIVED  
VILLAGE OF SCARSDALE  
MANAGER'S OFFICE  
2015 OCT 28 AM 10:08

David J. Cooper  
Jody T. Cross ●  
Marsha Rubin Goldstein  
Jeremy E. Kozin  
Helen Collier Mauch ▲  
Matthew R. Pisciotta  
Daniel M. Richmond  
Brad K. Schwartz  
Lisa F. Smith ●  
David S. Steinmetz ■  
Krista E. Yacovone  
Michael D. Zarin

October 27, 2015

**Via Overnight Mail and Electronic Mail**

Hon. Jonathan Mark, Mayor  
Village of Scarsdale  
Village Hall  
1001 Post Road  
Scarsdale, NY 10583

**Re: Monte Nido & Affiliates  
Notice Pursuant to New York State Mental Hygiene Law Section  
41.34 (the "Padavan Law")  
2 Morris Lane, Scarsdale, New York (the "Site")**

■ Also admitted in D.C.  
● Also admitted in CT  
▲ Also admitted in NJ

Dear Mayor Mark and Members of the Board of Trustees:

We represent Monte Nido & Affiliates ("Monte Nido" or the "Sponsoring Agency"), a provider of eating disorder treatment programs (i.e., anorexia, bulimia, binge eating, and exercise disorders). Monte Nido has identified a property in the Village upon which it now seeks to operate a residential treatment facility for up to eight (8) adolescents.

We respectfully submit this Notice pursuant to New York Mental Hygiene Law Section 41.34(c)(1), otherwise known as the Padavan Law, to advise you that Monte Nido intends to operate a Community Residential Facility for the Disabled on the above-referenced Site. In sum, under the Padavan Law, such community residential facilities are exempt from local zoning. Monte Nido is currently in contract to acquire the Site, which contains a suitable home and surrounding property to operate this facility.

The community residence would be licensed by the Office of Mental Health, and would provide housing, supervision and a residential treatment program for up to eight (8) adolescent individuals with eating disorders. Monte Nido's community support requirements would be, as follows:

- Monte Nido's usage of municipal services, such as police, fire and paramedics should be no greater than any other residence in the community.

- Monte Nido intends to have its residents frequent local restaurants, retailers and stores, some of which may be located within the Village.

It is important to note that none of the adolescents who would temporarily reside in this facility will become matriculated students in the Scarsdale School District. Instead, in accordance with applicable law and regulations, they will be tutored at the residence in accordance with the requirements and instructions from the individual's home school district.

Lastly, the Padavan Law requires that Monte Nido notify you of the most recently published data regarding other Community Residential Facilities (as that term is defined in New York Social Services Law Section 463 (1)) in the surrounding area, so that you can reasonably "evaluate all such facilities affecting the nature and character of the area wherein such proposed facility is to be located." See New York Mental Hygiene Law § 41.34(c)(1). Applying the most conservative criteria, and erring on the side of inclusivity, Monte Nido has identified the following Community Residential Facilities within the surrounding area of the Site:

- Young Adult Institute and Workshop, Inc.- 42 Stratton Road (New Rochelle)
- Richmond's Children's Center- 14 Sussex Road (New Rochelle)
- Jewish Board of Family & Children's Service- 1499 North Avenue (New Rochelle)
- Cerebral Palsy of Westchester- 70 Hanson Lane (New Rochelle)
- YAI/National Institute For People With Disabilities- 177 Falmouth Road (Yonkers)
- Hawthorne Foundation- 25 Dalewood Drive (Hartsdale)
- WARC – 1 Foxhall Road (Scarsdale)
- Search for Change – 1241 Post Road (Scarsdale)

A map illustrating the locations of these other facilities in relation to the subject property at 2 Morris Lane is included for your ease of reference.

It is Monte Nido's position that locating this residential facility within the Village of Scarsdale is lawful, appropriate, will not create an overconcentration of similar facilities such that the nature and character of the areas within the municipality would be altered, and actually will be of benefit to the Village and the surrounding area.


Monte Nido looks forward to working together with the Village in a cooperative fashion with respect to the siting of this proposed community residence at the Site under the Padavan Law. Please let us know if your Board wishes to conduct either an informational meeting with our client or a public hearing.

[intentionally left blank]

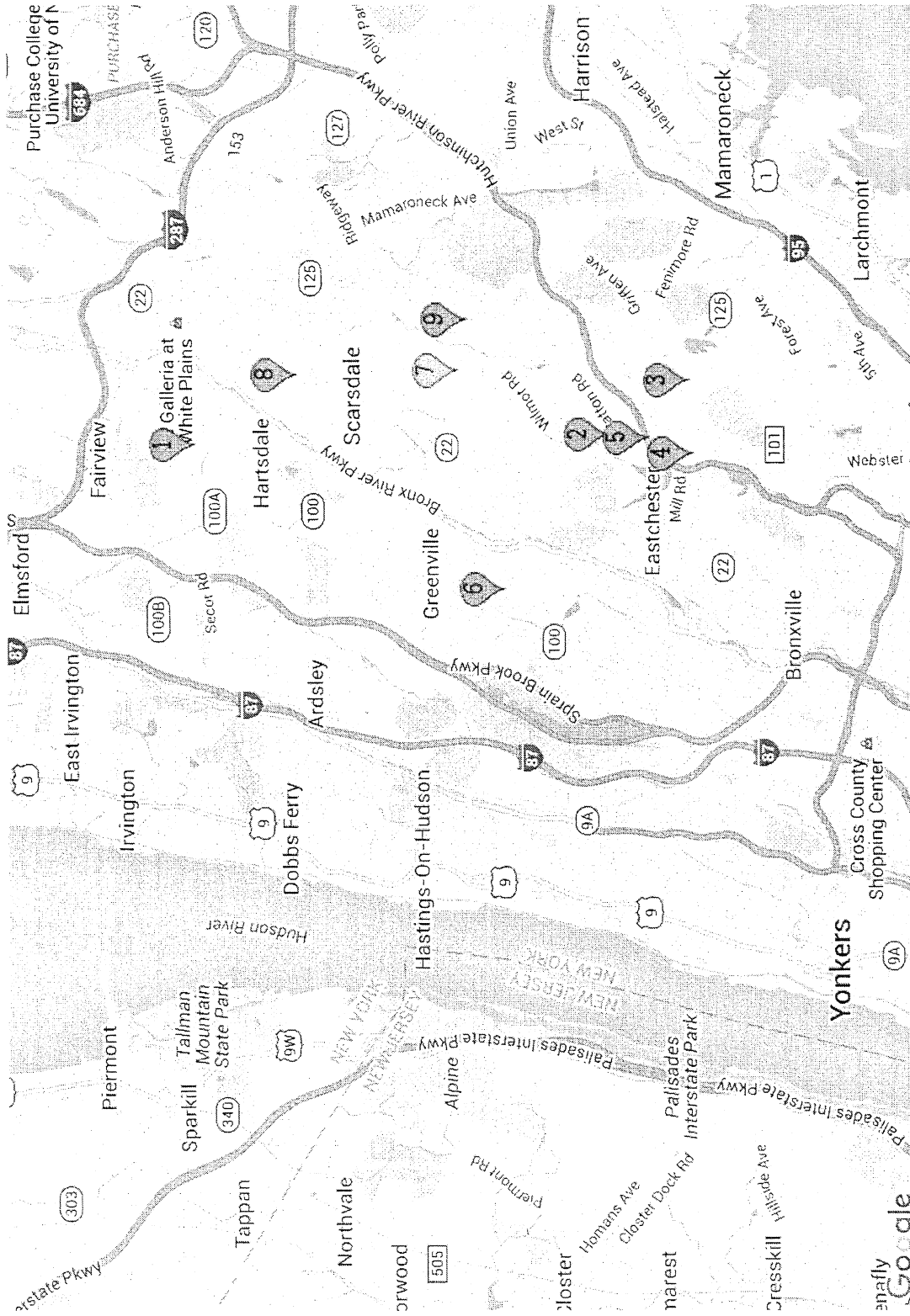
Please do not hesitate to contact us, or have the Village Attorney contact us, to discuss this matter. Thank you for your attention.

Respectfully Submitted,

ZARIN & STEINMETZ

By:   
David S. Steinmetz

cc: *with enclosure*  
Vicki Kroviak, Monte Nido  
Wayne Esannason Esq., Village Attorney  
Elizabeth Marrinan, Village Planner



anfly Google  
Purchase College University of N  
Fairview  
Galleria at White Plains  
Hartsdale  
Scarsdale  
Greenville  
Eastchester  
Bronxville  
Yonkers  
Cross County Shopping Center  
Mamaroneck  
Larchmont  
Purchase College University of N  
Fairview  
Galleria at White Plains  
Hartsdale  
Scarsdale  
Greenville  
Eastchester  
Bronxville  
Yonkers  
Cross County Shopping Center  
Mamaroneck  
Larchmont  
Purchase College University of N  
Fairview  
Galleria at White Plains  
Hartsdale  
Scarsdale  
Greenville  
Eastchester  
Bronxville  
Yonkers  
Cross County Shopping Center  
Mamaroneck  
Larchmont

- 1 25 Dalewood Dr, Hartsdale, NY 10530, USA
- 2 42 Stratton Rd, New Rochelle, NY 10804, USA
- 3 14 Sussex Rd, New Rochelle, NY 10804, USA
- 4 1499 North Ave, New Rochelle, NY 10804, USA
- 5 70 Hanson Ln, New Rochelle, NY 10804, USA
- 6 177 Falmouth Rd, Scarsdale, NY 10583, USA
- 7 2 Morris Ln, Scarsdale, NY 10583, USA
- 8 1241 Post Rd, Scarsdale, NY 10583, USA
- 9 1 Foxhall Rd, Scarsdale, NY 10583, USA