

# **MEETING NOTICE**

## Village of Scarsdale

The Village Board of Trustees will meet on Tuesday, February 6, 2024 at 8:00 PM in Rutherford Hall located on the 2<sup>nd</sup> Floor in Village Hall to sit as an Appeals Board pursuant to Chapter 182 of the Village Code regarding the Committee on Historic Preservation's decision not to issue a certificate of appropriateness to permit the demolition of residential structures located at 27 Woods Lane, Scarsdale, NY 10583. Members of the public wishing to participate in the meeting remotely can do so via online link at <https://zoom.us/j/93183703358>, or call into the meeting using 1-929-436-2866 and entering the Meeting ID 931 8370 3358.\*

**PLEASE TAKE NOTICE** that the property owner's attorneys cover letter and the CHP's Decision being appealed are attached to this Notice. A complete copy of the property owner's submission, including the record of the proceedings before the CHP, is available for review at the Village Clerk's Office.

CS: 01-29-24

E-MAIL: Journal News (Lohud)  
Scarsdale 10583  
Scarsdale Hamlet Hub  
Scarsdale Inquirer  
The Daily Scarsdale

cc: Lobby Bulletin Board

*\*For a brief Zoom tutorial or to troubleshoot a problem, see here: <https://support.zoom.us/hc/en-us/articles/205566129-Raise-Hand-In-Webinar>. For other user questions, please visit the Zoom Help Center: <https://support.zoom.us/hc/en-us>.*



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December 1, 2023

**VIA E-MAIL AND FEDERAL EXPRESS**

Mayor Justin Arest  
and Members of the Board of Trustees  
Village of Scarsdale – Village Hall  
1001 Post Road  
Scarsdale, New York 10583

Re: Notice of Appeal of CHP Denial of Certificate of Appropriateness  
Premises: 27 Woods Lane, Scarsdale, New York  
Section 12; Block 08; Lot 12

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Dear Mayor Arest and Honorable Members of the Board of Trustees:

We represent 27 Woods Ln LLC (the “Petitioner”), the current owner of the captioned Premises in this Appeal. The prior owners of the above-referenced Premises submitted an Application for a Certificate of Appropriateness (“COA”) to the Village of Scarsdale (the “Village”) Committee for Historic Preservation (“CHP” or the “Committee”) for the complete demolition of all structures located at the Premises.<sup>1</sup> The COA application was heard at the September 19<sup>th</sup> and October 17<sup>th</sup>, 2023 CHP hearings. At the October 17<sup>th</sup> meeting the CHP voted to deny the COA. Pursuant to Village Code Section 182-11, the owners hereby appeal the denial by the CHP of the COA application for complete demolition.

**The Premises**

The property at 27 Woods Lane is approximately 0.69 acre in size and is classified in the A3 Residential Zoning District (10,000 square feet minimum lot size). The existing 2<sup>1/2</sup>-story house is approximately 2,921 square-feet in size. The house is located on the west side of Woods Lane. It is located in The Woods section of the Edgewood neighborhood.

The house at 27 Woods Lane was built between 1924-1926 in the Colonial Revival style. The original architect is not known. The house was home to Clarence Smith, Jr., the son of a local developer and contractor, Clarence L. Smith. Clarence Jr. worked in the family business and took over when his father passed away.

A wing to the south was added in 1927 by Clarence Smith, Jr. and in 1938, a two-car garage, breezeway and two-story rear addition were added by Philip Klein<sup>2</sup>, the owner at the time. This addition was designed by Cherry & Matz, known for design of religious institutions.

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<sup>1</sup> 27 Woods Ln LLC was contract-vendee when the COA application was submitted to the CHP.

<sup>2</sup> According to Professor Dolkart’s October 2023 report, Philip Klein was a social work instructor.



December 1, 2023  
Page 2

The house at 27 Woods Lane is not listed on the National Register of Historic Places, New York State Register of Historic Places or Westchester County Inventory of Historic Places. While the Woods neighborhood was identified as a potential study area in the Scarsdale Reconnaissance Level Cultural Resource Survey Report, dated July 12, 2012 (“Reconnaissance Survey”), the house at 27 Woods Lane was not mentioned in the Reconnaissance Survey for anything notable. Further, the study areas in the Reconnaissance Survey were not evaluated or deemed landmarks by this Board.

### **I. The October 17<sup>th</sup> CHP Meeting**

The complete demolition of the home on the Premises was the subject of the CHP’s review at its September 19<sup>th</sup> and October 17<sup>th</sup> meetings. Seven members of the Board were in attendance at the October 17<sup>th</sup> hearing. All members in attendance voted that the Premises satisfied the criteria for preservation in Scarsdale Village Code Section 182-5.

During the October 17<sup>th</sup> hearing, eight members of the public spoke in opposition to the COA application. Most speakers expressed concern about the resulting development of the property if the house is demolished, citing other new home developments that replaced demolished houses.<sup>3</sup> Several speakers mentioned a petition that was circulating urging the Village to adopt a land use moratorium based on concerns about development in the Village. (See the October 17, 2023 CHP meeting transcript provided in **Exhibit D.**)

The CHP did not deliberate at the October 17<sup>th</sup> meeting and supported the motion to deny the COA for “the reasons expressed in Professor Dolkart’s report”. The CHP issued its findings in an October 31, 2023 Memorandum of Decision (“CHP Findings”), a copy is included in **Exhibit E.** Their decision was based on the preliminary standard for preservation provided in Section 182-5, as well as criteria 1 and 4 discussed in further detail below.

### **II. Standard of Review**

The Board of Trustees and reviewing courts have repeatedly noted that invocation of the Historical Importance criteria to deny a COA application adversely affects and impairs an owner’s constitutionally protected property rights. In that regard, this Board observed in its Decision and Order reversing the denial of a COA for 53 Carman Road, dated June 22, 1999, as follows:

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<sup>3</sup>See the October 17<sup>th</sup> CHP hearing transcript: “there are two cookie cutter houses that look like they they’re built of prefab black and white material”; “but I go down Crane, and I see those two houses. And if anyone thinks that that’s where this is going, that would really be a terrible disservice to Woods Lane.”; “putting up God knows what else there would spoil the whole area for us.”; “and building far too big for the lots being allowed to be put in its place”; “rescue our Village from rampant development”; “we initiated a petition late last week”; “and if that requires a moratorium for further development”.



December 1, 2023  
Page 3

While the preservation of the Village’s history is a legitimate and laudable goal, there must be a delicate balance between individual property rights and the stated goal . . . the evidence must be substantial to outweigh individual property rights.

[W]hen assessing whether a structure is entitled to protection because of its local historical importance, we believe the BAR will have to impose an exacting standard of proof. In particular, we believe: 1) such a finding must rest upon more than uncorroborated, non-expert, or episodic testimony; and 2) factual inconsistencies must be supported by a preponderance of probative evidence.

P. 3 of 4 and concurring comments, respectively (emphasis added).

It should be noted that in 1999, appeals from the CHP were first heard by the Board of Architectural Review (“BAR”). A copy of the June 22, 1999 Decision of the Board of Trustees reversing the denial of the BAR and granting a COA to permit demolition of 53 Carman Road is enclosed in **Exhibit F**.

This Board has recognized that the Historical Importance criteria must be applied only where the determination is supported by substantial evidence. The restrictions imposed on property rights by a determination of historical importance are so significant that the standard cannot be anything less than substantial evidence. A finding that a structure meets the criteria for Historical Importance severely limits a property owner’s exercise of their fundamental property rights.

In this case, there is no evidence in the record that rises to the level of clear and convincing evidence to support a finding of Historical Importance. The CHP’s denial was arbitrary and capricious, and further evidences an abuse of the power delegated to the CHP by this Board.

The CHP Findings support the decision by noting that the house at 27 Woods Lane contributed to the suburbanization of the Village. “Suburbanization” is not a criterion within §182-5. Without substantial evidence supporting the unique significant contribution of the house to the development of the suburbs, every home constructed in that timeframe would be considered “historic”, thereby rendering the Historic Preservation Law (“HPL”) ineffectual. Moreover, the simple facts that the house style is Colonial Revival, and several mature trees remain in the property does not rise to the level of a finding that the “building embodies the distinctive characteristics of a type, period or method of construction that possess high artistic value.” Indeed, the record concludes that the lack of symmetry in the house design detracts from the Colonial Revival style, which is known for symmetry. Indeed, as set forth in Dr. Emily Cooperman’s expert report included in **Exhibit B**, while the house is pleasant, “there is nothing in this house that raises the aesthetic values of this house to “high” within the context of the period.”



December 1, 2023  
Page 4

Simply put, the available evidence does not rise to the level required for a finding of Historical Importance. And, as such, the COA for demolition of all structures should have been issued.

### **III. Criteria for Determining Historical Importance**

In considering whether a home should be preserved or demolished, Section 182-5 provides the following:

In making a determination whether to grant an application for a certificate or to deny such application and require that the building in question be preserved, the Committee shall consider the level of significance in American history, architecture, archeology, engineering and culture present in the building, as well as the integrity of location, design, setting, materials and workmanship, **and**

- (1) That the building is associated with **events** that have made a **significant** contribution to broad patterns of Village, regional, state or national history; or
- (2) That the building is associated with the life of a person or persons of historical significance; or
- (3) That the building is the work of a master; or
- (4) That the building embodies the distinctive characteristics of a type, period or method of construction that possess **high artistic values**; or
- (5) That the building has yielded or may be likely to yield information important to prehistory or history.

(Emphasis added.)

#### **a. The house at 27 Woods Lane does not have a level of significance or historical importance to support preservation.**

The CHP Findings arbitrarily conclude that the home has a high level of historical significance. (See the October 31, 2023 Memorandum of Decision included in **Exhibit E.**) We note that this preliminary standard, by itself, is not sufficient for preservation, as indicated by the word “and” in Section 182-5. In order for there to be a lawful finding of Historical Importance, Village Code Section 182-5 requires as an initial matter a deliberate consideration and affirmative decision on whether a building:



December 1, 2023

Page 5

- (i) has a level of significance in American history, architecture, archeology, engineering and culture present in the building;
- (ii) has a location, design, or setting of Historical Importance; **and**
- (iii) is constructed of materials or by workmanship of Historical Importance.

Once there is an affirmative finding of each of the aforementioned initial factors, the five factors for preservation must be considered. As the record demonstrates, the house is not uncommon or remarkable and does not have any level of historical significance.

As a preliminary matter, the language of this provision is vague, overbroad and entirely subjective. The provision merely necessitates “a level” of significance, meaning any amount of significance whatsoever is sufficient, and a high level is not required. Arguably, any structure has been significant in some manner to history, architecture, archeology, engineering or the equivocal word “culture.”

Additionally, while “Historical Importance” is capitalized in the text, it is not defined in the Village’s Historic Preservation Law. This standard is also so vague that arguably any materials, workmanship, location or design could support a finding of historical importance. This general language could be interpreted in a variety of ways and in this case, was molded in the Denial Findings to mean what the CHP wanted it to mean.

Private property rights cannot be constrained by undefined ambiguous terms and vague terms must be strictly construed against the municipality. *See Chrysler Realty v. Orneck*, 196 A.D.2d 631, 601 N.Y.S.2d 194 (2d Dep’t 1994) (in interpreting terms of a zoning ordinance, **the ordinance should be strictly construed against the municipality**); *Tartan Oil Corp. v. Bohrer*, 249 A.D.2d 481, 671 N.Y.S.2d 515, 516 (2d Dep’t 1998) (“[i]t is well established that zoning codes being in derogation of the common law, **must be strictly construed against the enacting municipality**”) (emphasis added); *Thomson Indus., Inc. v. Vill. of Port Washington*, 27 N.Y.2d 537, 313 N.Y.S.2d 117 (1970) (“it is clear, however, **that the ordinance, being in derogation of common-law property rights must be strictly construed**”) (emphasis added); *Incorporated Vill. of Saltaire v. Feustel*, 40 A.D.3d 586, 587, 835 N.Y.S.2d 372 (2d Dep’t 2007) (“zoning ordinances, which are in derogation of the common law, **must be strictly construed against the governmental body seeking to enforce them**”) (citations omitted) (emphasis added); *Lucas v. Board of Appeals of Village of Mamaroneck*, 109 A.D.3d 925 (2d Dep’t 2013); *Meier v. Village of Champlain Zoning Board of Appeals*, 129 A.D.3d 1364 (3d Dep’t 2015).

Given its vagueness, this provision must be strictly construed against a finding that the house has a level of significance and historical importance. Similar to the level of evidence required as discussed above, given the impact of a determination of Historical Importance to an owner’s property rights, any ambiguity must be interpreted in favor of the property owner.



December 1, 2023  
Page 6

In fact, the Supreme Court in its 2022 11 Dolma Road decision<sup>4</sup> addressed the Petitioner’s argument that this preamble of Chapter 182 was unconstitutionally vague. Highlighting the CHP’s own comment about the Village Code’s lack of guidance in how to apply this preamble, the Court noted that such comment:

Should serve as a sufficient prompt to the BOT to consider the amendment of Chapter 182 of the Village Code to address this legitimate area of concern.<sup>5</sup>

Indeed, as argued in the 11 Dolma Road appeal, this vague “Historical Importance” standard is so generally malleable and devoid of any concrete particulars that it does not put an ordinary property owner on notice of what their rights are and, thus, is unconstitutional under both New York and federal law. As Section 182-5 is unconstitutionally vague, it cannot lawfully be applied here to outweigh the Petitioner’s individual property rights.

Moreover, notwithstanding this unconstitutional infirmity, the record demonstrates that the evidence provided does not support a determination of historical importance for the house at 27 Woods Lane. There is nothing particularly noteworthy or significant about the design or setting of the house on the Premises or their materials or workmanship. See Dr. Cooperman’s expert report and analysis in **Exhibit B**.

While The Woods neighborhood and some houses were mentioned in the Reconnaissance Survey, the home at 27 Woods Lane was not singled out or discussed. None of the individual homes or areas in the Reconnaissance Survey were evaluated or deemed landmarks by the Board of Trustees. The Reconnaissance Survey describes the area as a “fine subdivision” with a “cohesive mix of Tudor Revival and Colonial Revival houses”. None of these descriptions are criteria for determining historical importance.

The CHP Findings assert the importance of suburbanization and refer to their 11 Dolma Road Appeal, which was overturned by the court, without describing how the home at 27 Woods Lane specifically contributed to this event. Instead, they discuss the location and setting and preservation of trees. These “findings” are not related to the criteria and do not meet all three factors of the preamble restated above, as required by the use of the word “and” in the preamble.

The National Register Bulletin’s “How to Apply the National Criteria for Evaluation” (the “National Register Bulletin”) is instructive on this point.<sup>6</sup> In order to merit preservation, a house cannot merely be associated with a pattern of events - the house itself must have an important

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<sup>4</sup> *Onedel Rock Holdings LP v. Village of Scarsdale*, Index No. 54241/21 (Sup. Ct. Westchester Cty.).

<sup>5</sup> *Onedel Rock Holdings LP v. Village of Scarsdale* decision, pages 32-33.

<sup>6</sup> See “How to Apply the National Register Criteria for Evaluation,” National Register Bulletin, at page 12, [https://www.nps.gov/subjects/nationalregister/upload/NRB-15\\_web508.pdf](https://www.nps.gov/subjects/nationalregister/upload/NRB-15_web508.pdf).



December 1, 2023  
Page 7

association.<sup>7</sup> Aside from being part of a subdivision with Colonial Revival style and located within The Woods section of the Edgewood neighborhood, there is no evidence that the home specifically contributed to the development of Scarsdale as a suburban community.<sup>8</sup> Merely claiming a home is significant because it “sits in the heart The Woods section of the Edgewood neighborhood” and “like all homes in the Woods, is set back behind substantial lawn to create a sense of unity” does not rise to the level eligible for protection.<sup>9</sup> In fact, this reasoning for preservation of the house at 27 Woods Lane contradicts the criteria, which requires a finding that the house possesses some specific quality associated with the event different from the other homes in the area. Stating that the house at 27 Woods Lane is similar to the other remaining homes in the area is simply not enough to meet this criterion.

As concluded by Dr. Cooperman in her expert analysis, “Not all buildings constructed within a given period, even if that period is deemed important, are historically important by virtue of their having been completed in that period.”

Therefore, for the reasons previously stated herein, the house at 27 Woods Lane is not historically important because it was constructed as part of a subdivision in the 1920’s and does not possess any of the truly exceptional and special design criteria and masterful, irreplaceable workmanship required to meet the extraordinarily high public interest level required for a determination of Historical Importance standards and infringement upon private property rights.

**b. The evidence in the record does not support preservation of the house at 27 Woods Lane under any of the 5 criteria for preservation in Section 182-5.**

Assuming, *arguendo*, that there is something historically important about the location, design, or setting of our client’s home or the materials or workmanship of which it is constructed (which there is not, and for that reason the analysis can really stop there), Village Code Section 182-5 (A) requires an *additional* showing by substantial evidence in order to satisfy at least one of the five listed criteria under Village Code Section 182-5(A)(1) through (5).

The CHP found that the house at 27 Woods Lane met criteria 1 and 4. The evidence does not support a finding for preservation under these criteria, or under criteria 2, 3, and 5, which are discussed below and in Dr. Cooperman’s expert report included in **Exhibit B**.

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<sup>7</sup> See “How to Apply the National Register Criteria for Evaluation,” National Register Bulletin, at page 12, [https://www.nps.gov/subjects/nationalregister/upload/NRB-15\\_web508.pdf](https://www.nps.gov/subjects/nationalregister/upload/NRB-15_web508.pdf).

<sup>8</sup> See “How to Apply the National Register Criteria for Evaluation,” National Register Bulletin, at page 12, [https://www.nps.gov/subjects/nationalregister/upload/NRB-15\\_web508.pdf](https://www.nps.gov/subjects/nationalregister/upload/NRB-15_web508.pdf).

<sup>9</sup> See “How to Apply the National Register Criteria for Evaluation,” National Register Bulletin, at page 12, [https://www.nps.gov/subjects/nationalregister/upload/NRB-15\\_web508.pdf](https://www.nps.gov/subjects/nationalregister/upload/NRB-15_web508.pdf).



December 1, 2023  
Page 8

**i. Criterion 1: That the building is associated with events that have made a significant contribution to broad patterns of Village, regional, state or national history;**

The record lacks any evidence that the house at 27 Woods Lane is associated with events that made a significant contribution to broad patterns of Village, regional, state or national history.

Since the criteria for preservation in Section 182-5(A)(1) are modeled after similarly phrased criteria in the National Historic Preservation Law, it is instructive to review the National Register Bulletin for guidance on how to apply these criteria. This guidance provides that to meet this criterion, the association of the structure with a pattern of events or a significant single event must be documented to not only have existed at the time of the events, but also must be documented as having been associated with these events.<sup>10</sup> In addition, as noted above, a structure cannot merely be associated with a single event or pattern of events, it must have “an important association” with each event.<sup>11</sup>

Here, the CHP asserted that the construction of 27 Woods Lane and The Woods subdivision were “developed exactly the time when Scarsdale was being transformed into one of the finest suburban communities in the New York City metropolitan region” and that “The combination of the proximity to the commuter rail and period of construction being contemporaneous with the suburbanization period leads the CHP to concludes that the erection of 27 Woods was a direct result of the important historical event of the expansion, migration and suburbanization pattern.”

The CHP Findings state that the modest house at 27 Woods Lane provides insight into the “lives of ordinary people, working class families, and marginalized communities” and as such, it made a significant contribution to broad patterns in the Village.

Under this interpretation by the CHP, every house constructed during this time period would be considered historically important, which creates a result that contradicts the criterion as well as the intent of the HPL. As set forth above, a finding of Historical Importance must be based on substantial evidence and must be based on a standard that distinguishes the house/structure in some significantly historical way from other houses/structures. There are several modest houses that were constructed in the 1920s in the Village. Not all of these houses are significant to history. Yet, based on the CHP Findings, they would all meet the criteria. The construction of 27 Woods Lane is similar to many other homes that were constructed in a similar time period and

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<sup>10</sup> See “How to Apply the National Register Criteria for Evaluation,” National Register Bulletin, at page 12, [https://www.nps.gov/subjects/nationalregister/upload/NRB-15\\_web508.pdf](https://www.nps.gov/subjects/nationalregister/upload/NRB-15_web508.pdf).

<sup>11</sup> See “How to Apply the National Register Criteria for Evaluation,” National Register Bulletin, at page 12, [https://www.nps.gov/subjects/nationalregister/upload/NRB-15\\_web508.pdf](https://www.nps.gov/subjects/nationalregister/upload/NRB-15_web508.pdf).



December 1, 2023

Page 9

was part of the general pattern of suburban development in Scarsdale. The record is void of any evidence demonstrating that the house at 27 Woods Lane is distinctive or exceptional in the context of the overall development of Scarsdale.

Dr. Cooperman expands on this analysis in her expert report and concludes that “Simple reflection of, and association with a historic trend is insufficient for a finding of historical importance.” See Dr. Cooperman’s expert report included in **Exhibit B**.

For all of the foregoing reasons, it is respectfully submitted that the house at 27 Woods Lane does not meet this criterion for Historical Importance.

**ii. Criterion 2: That the building is associated with the life of a person or persons of historical significance;**

There is no evidence in the record that the house at 27 Woods Lane is associated with the life of a person or persons of historical significance. Being successful and/or wealthy is not tantamount to historical significance. Moreover, the CHP did not base their decision on this criterion.

**iii. Criterion 3: That the building is the work of a master;**

The record establishes that the architect of the original home is not known.<sup>12</sup> The 1938 additions were designed by the architectural firm Cherry & Matz, which Dolkart described as “a well-recognized firm that designed many houses and a wide variety of religious structures.” The CHP Findings nor Dolkart’s report indicate that any master is associated with the house at 27 Woods Lane. Thus, there is no evidence that the original house or subsequent additions are the work of a master.

**iv. Criterion 4: That the building embodies the distinctive characteristics of a type, period or method of construction that possess high artistic values;**

The home at 27 Woods Lane does not embody the distinctive characteristics of a type, period or method of construction that possesses high artistic values. As discussed above, no known designers connected with the home are masters.

In order to be considered historically significant under this criterion, the building must “express aesthetic ideals or design concepts more fully than other properties of its type.”<sup>13</sup> Thus, possessing the elements of a particular style does not on its own elevate a building to the level required for a finding of preservation. Here, the CHP relies on Dolkart’s description of the house at 27 Woods

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<sup>12</sup> See the COA Application in Exhibit A and Professor Dolkart’s report in Exhibit C.

<sup>13</sup> See “How to Apply the National Register Criteria for Evaluation,” National Register Bulletin, at page 20, [https://www.nps.gov/subjects/nationalregister/upload/NRB-15\\_web508.pdf](https://www.nps.gov/subjects/nationalregister/upload/NRB-15_web508.pdf).



December 1, 2023  
Page 10

Lane where he notes the asymmetrical design and “two small, six-pane windows in the center of the second floor, and the large, pedimented central dormer with casement windows.” The CHP also notes that “distinct characteristics of a wood frame, clapboard clad Colonial Revival style.” Labeling a common style element “distinct” does not attribute this characteristic to it. None of these design elements distinguish 27 Woods Lane from other Colonial Revival style homes. In fact, the record reveals that one of the main design elements of Colonial Revival style is symmetry, which this house does not possess. As Dr. Cooperman explains, “... while a number of Colonial Revival typical details are present, and the overall aesthetic is pleasant, there is nothing in this house that raises the aesthetic values of this house to “high” within the context of the period.” See Dr. Cooperman’s expert report in **Exhibit B**.

As set forth above and in Dr. Cooperman’s expert report, the 27 Woods Lane house does not possess any distinctive characteristics and there is no high artistic value associated with it.

**v. Criterion 5: That the building has yielded or may be likely to yield information important to prehistory or history.**

There is no evidence in the record that the house at 24 Woods Lane yielded or is likely to yield information important to prehistory or history.

**IV. Future Development Plans Are Not A Criterion For Determining Historical Importance**

At the October 17, 2023 CHP hearing, members of the public spoke in opposition, and most were concerned about the resulting development of the property if the COA were granted. They commented on the beauty of the area and the home and urged the CHP to deny the COA to prevent future development of the Premises.<sup>14</sup> The comments by Lisa Piper Gilbert in her October 17, 2023 memo also note concern about new construction should the COA be approved.<sup>15</sup>

As this Board is aware, future development plans are not included in the criteria of the Village’s Historic Preservation Law. Thus, when evaluating this Appeal, the Board cannot and should not consider future development.<sup>16</sup> Under the Village’s law, this Appeal and the COA Application

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<sup>14</sup> Public Comments from the October 17<sup>th</sup> CHP hearing: “there are two cookie cutter houses that look like they they’re built of prefab black and white material”; “but I go down Crane, and I see those two houses. And if anyone thinks that that’s where this is going, that would really be a terrible disservice to Woods Lane.”; “putting up God knows what else there would spoil the whole area for us.”; “and building far too big for the lots being allowed to be put in its place”; “rescue our Village from rampant development”.

<sup>15</sup> Lisa Piper Gilbert’s memo discusses the condition of the house and her concerns regarding zoning regulations and does not analyze the criteria for preservation.

<sup>16</sup> This premise was confirmed at the October 17<sup>th</sup> CHP hearing, when in response to a question by a member of the public whether a petition to save the neighborhood could be considered, the CHP Chair responded that it was not part of their review authority.



December 1, 2023  
Page 11

cannot be measured against possible future plans, especially in this matter where no specific plans for development have been proffered. What those plans may be are pure conjecture on the part of the neighbors who, when development is proposed, will have ample opportunity to voice their concerns before the appropriate Village boards and agencies.

Moreover, it is well settled that a reviewing board cannot base its decision on generalized community opposition. ‘Generalized community opposition’ are subjective and conclusory opinions and complaints unsupported by relevant factual evidence.”<sup>17</sup>

In addition, as noted above, this Board determined that the standard of evidence required for a determination of Historical Importance “must rest upon more than uncorroborated, non-expert, or episodic testimony.” Here, public comments that support denial of the COA are nothing more than the neighbors attempt at stopping future development. Indeed, after the October 17<sup>th</sup> meeting, it was reported that a member of the public in attendance praised the CHP for denying the COA based on comments from the public. The fact that the CHP did not deliberate at the October 17<sup>th</sup> hearing and simply stated that the motion to deny the COA was based on Dolkart’s Report supports the position that the decision was based on community comments. (See the October 17, 2023 CHP hearing transcript in **Exhibit D**).

Given that future development plans and generalized concerns about development in the Village are not a criterion for determining Historical Importance and when used by opponents become complaints unsupported by evidence, it is inappropriate for this Board to consider these comments when evaluating the merits of the Petitioner’s Appeal.

## **V. Materials Submitted in Support of This Appeal**

The following documents and materials are submitted in support of this Appeal:

- Exhibit A: Copies of the CHP Application Submissions;
- Exhibit B: Dr. Emily Cooperman, M.S., Ph.D., Senior Architectural Historian, PS&S expert report dated December 1, 2023 with Dr. Cooperman’s resume and list of nominations and resume of Kyle Toth, MS, Principal Investigator Architectural History Cultural Resources, PS&S;

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<sup>17</sup> See, e.g., Marina’s Edge Owner’s Corp. v. City of New Rochelle Zoning Bd. of Appeals, 129 A.D.3d 841 (2d Dept. 2015) (subjective opinions are an insufficient basis for a determination); D.P.R. Scrap Metal, Inc. v. Board of Zoning Appeals of Town of North Hempstead, 187 A.D.3d 748 (2d Dept. 2020) (unsubstantiated complaints regarding an application are insufficient); Schumacher v. Town of East Hampton, New York Zoning Bd. of Appeals, 46 A.D.3d 691 (2d Dept. 2007); Hugel v. Campbell, 276 A.D.2d 488 (2d Dept. 2000) (“unsupported conclusory allegations voiced by neighboring property owners do not justify the denial of an application for a variance.”)



December 1, 2023  
Page 12

- Exhibit C: Andrew Scott Dolkart October 2023 Report;
- Exhibit D: October 17, 2023 CHP Hearing Transcript;
- Exhibit E: October 31, 2023 CHP Memorandum of Decision; and
- Exhibit F: June 22, 1999 Decision of the Board of Trustees reversing the denial of the BAR and granting a COA to permit demolition of 53 Carman Road.

## VI. Conclusion

The record on this matter simply does not support the conclusion of the CHP that the house at 27 Woods Lane meets any of the criteria for preservation. In order to outweigh individual property rights, the evidence supporting preservation must be substantial. In this case, the CHP Finding of Historical Importance is a reaction to concerns about development in the Village and its findings that the house at 27 Woods Lane is associated with events that made a significant contribution to broad patterns of Village history is not supported by substantial evidence distinguishing the house from others that were developed in the same time period. Similarly, the CHP Finding that the house at 27 Woods Lane possesses high artistic value is also unsupported by substantial evidence showing that the house articulates aesthetic ideals or design concepts more fully than other properties of its type.

Based on the foregoing, we respectfully submit that the CHP's denial of the COA for complete demolition of 27 Woods Lane must be reversed and a COA for the requested demolition is warranted.

We look forward to discussing this appeal and respectfully request that it be included on the next available BOT agenda.

Thank you for your consideration.

Respectfully submitted,

A handwritten signature in cursive script that reads 'Lucia Chiochio'.

Lucia Chiochio, Esq.

## Attachments

cc via email: Nicholas Ward-Willis, Esq., Keane & Beane, P.C. (NWard-Willis@kblaw.com)  
27 Woods Ln, LLC  
Dr. Emily Cooperman, M.S., Ph.D., PS&S, LLC

# Exhibit A



# COMMITTEE FOR HISTORIC PRESERVATION DEMO APPLICATION Pursuant to §182

(We now require eight (x8) complete application sets )

Application Number: \_\_\_\_\_

DATE: July 24, 2023

FEE: \$300 For CHP Meeting & Mailing List

Project  
Address: 27 Woods Lane, Scarsdale, New York 10583

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S.B.L.: 12.08.12 Zoning District 210 1 Fam. Res. Scarsdale Central

Flooding Zone Yes No X WETLANDS CONTROLLED AREA Yes No X

X Complete Demolition or \_\_\_\_\_ Partial Demolition of \_\_\_\_\_ %

DESCRIPTION OF WORK:  
Seeking demo approval for sale and possible new residential construction

---

I certify the compliance with all applicable provisions of the Village Code related to this application. Note: Lack of knowledge of any provision of the State Building Code and/or Village of Scarsdale Code shall not constitute a reason for violating any provisions of the Codes.

NAME: John J. Clerkin and Mary Jane Clerkin  
PHONE: (914)725-3332  
ADDRESS: 27 Woods Lane, Scarsdale, New York 10583  
EMAIL: jjclerkinesq@gmail.com and zcl35@aol.com

APPLICANT SIGNATURE: *John J. Clerkin Mary Jane Clerkin*

PROPERTY OWNER NAME John J. Clerkin and Mary Jane Clerkin  
ADDRESS 27 Woods Lane, Scarsdale, New York 10583  
PHONE (914)725-3332  
ARCHITECT \_\_\_\_\_  
PHONE/EMAIL \_\_\_\_\_ CONTRACTOR \_\_\_\_\_  
PHONE/EMAIL \_\_\_\_\_



YEAR BUILT
1924 with 1927 and 1938 additions
ORIGINAL ARCHITECT AND/OR ENGINEER 1924, none known; 1927 addition, possibly R.N. Cleverdon; 1938 addition, Cherry & Matz
BUILDING ACTUAL FLOOR AREA SF <u>2921</u> , BUILDING FLOOR AREA SF TO BE DEMOLISHED <u>2921</u>
RATIO <u>100</u> % (See Chapter 182 (3) (E))

**INSURANCE REQUIREMENTS**

AFTER obtaining all required approval(s) and BEFORE a Demolition Permit is issued, New York State Law requires that anyone working for you MUST furnish the Village with a current CERTIFICATE OF INSURANCE FOR GENERAL LIABILITY AND WORKERS COMPENSATION.

**CERTIFICATION of BUILDING/DEMO PERMIT APPLICATION**

STATE OF NEW YORK  
COUNTY OF WESTCHESTER

I, John J. Clerkin and Mary Jane Clerkin

Print Name

have read the application & instructions and hereby certify to the best of my knowledge and belief that this application is truthful, correct and complete. Upon issuance of the Building/Demo Permit, all provisions of federal, state and local laws will be complied with.

Signature  Date July 24, 2023  
Circle Status:  Owner  Contractor / Agent

If a person or entity other than the person executing this Certification intends to appear before the CHP on behalf of the owner or contract vendee, then that person or entity must obtain a separate sworn affidavit from the owner or contract vendee authorizing them to appear before the CHP on behalf of the owner or contract vendee.

EACH APPLICANT FOR A DETERMINATION OF HISTORICAL SIGNIFICANCE SHALL SERVE, PERSONALLY OR BY MAIL A WRITTEN NOTICE, SETTING FORTH THE NATURE AND SUBSTANCE OF THE APPLICATION AND THE TIME AND PLACE OF THE COMMITTEE FOR



HISTORICA PRESERVATION MEETING AT WHICH THE APPLICATION SHALL BE HEARD. THE APPLICANT MUST SERVE ALL OWNERS OF PROPERTY OR ANY PART OF A PROPERTY WHICH IS LOCATED WITHIN 200 FEET OF THE STRUCTURE TO WHICH THIS APPLICATION RELATES. NOTICE SHALL BE SERVED NOT LESS THAN TEN (10) DAYS, IF BY MAIL, OR NOT LESS THAN SEVEN (7) DAYS IF PERSONALLY SERVED.

A PERMIT IS REQUIRED BEFORE STARTING ANY WORK.

\*NOTE: FOR NEW CONSTRUCTION FOLLOWING COMPLETION OF DEMOLITION, A SEPARATE BUILDING PERMIT IS REQUIRED

## REQUIREMENTS TO APPLY TO THE COMMITTEE FOR HISTORIC PRESERVATION FOR DEMOLITION

**1 COMPLETED CHP DEMO APPLICATION**

**1 SET OF 8x10 PHOTOS**

FRONT VIEW

REAR VIEW

RIGHT SIDE VIEW

LEFT SIDE VIEW

WHOLE HOUSE (taken from street to show how it sits on lot)

**1 COPY OF TAX MAP WITH PARCEL HIGHLIGHTED**

**IF HOMEOWNER IS NOT THE APPLICANT, WE NEED A COPY OF THE DEED OR LETTER FROM HOMEOWNER GIVING PERMISSION**

**FEE \$300.00 APPLICATION FEE, DUE UPON SUBMITTAL OF APPLICATION**

\*\*\*\*\*CHECK THE CALENDAR TO VERIFY APPLICATION DATE DEADLINES \*\*\*\*\*

MEETINGS ARE HELD APPROXIMATELY THE THIRD TUESDAY OF EVERY MONTH AT 7 P.M. IN VILLAGE HALL BUT ARE SUBJECT TO CHANGE. FOR ANY CHANGES OR CANCELLATIONS PLEASE LOG ONTO OUR WEBSITE AT [www.scarsdale.com](http://www.scarsdale.com) AND CLICK ON "HISTORIC PRESERVATION".



PROOF OF MAILINGS AND A COPY OF THE LETTER SENT TO THE NEIGHBORS MUST BE UPLOADED TO THE DROPBOX 10 DAYS PRIOR TO THE MEETING.

**REPRESENTATION IS REQUIRED AT THE MEETING.**

As provided in section 182-3E of the Scarsdale Village Code, the purpose of the hearing is for the Committee for Historic Preservation to make a determination as to whether a building appears to be one of substantial historical importance, using the criteria set forth in section 182-5.

**§ 182-5 Criteria to determine historical importance.**

A. In making a determination whether to grant an application for a certificate or to deny such application and require that the building in question be preserved, the Committee shall consider the level of significance in American history, architecture, archeology, engineering and culture present in the building, as well as the integrity of location, design, setting, materials and workmanship, and

- 1.) That the building is associated with events that have made a significant contribution to broad patterns of Village, regional, state or national history; or
- 2.) That the building is associated with the life of a person or persons of historical significance; or
- 3.) That the building is the work of a master; or [Amended 4-24-2018 by L.L. No. 2-2018]
- 4.) That the building embodies the distinctive characteristics of a type, period or method of construction that possess high artistic value; or [Added 4-24-2018 by L.L. No. 2-2018]
- 5.) That the building has yielded or may be likely to yield information important in prehistory or history.

B. The Committee may consider if the building is listed on the National Register of Historic Places, New York State Register of Historic Places or Westchester County



Building Department  
1001 Post Rd, Scarsdale NY 10583  
914-722-1140 [building@scarsdale.com](mailto:building@scarsdale.com)

Inventory of Historic Places. A national, state or county listing alone is not sufficient to warrant preservation.

John J. Clerkin  
27 Woods Lane  
Scarsdale, New York 10583  
Phone: (914) 725-3332  
Email: [jjclerkin@aol.com](mailto:jjclerkin@aol.com)

July 24, 2023

Committee for Historic Preservation  
Town of Scarsdale  
1001 Post Road  
Scarsdale, NY 10583

Re: Demo Application for 27 Woods Lane

Dear Committee Members:

My wife and I have enjoyed living in Scarsdale for fifty-five (55) years, fifty (50) of which have been spent at 27 Woods Lane. At this time, we are downsizing and are interested in selling our property. We are advised by professionals that the highest and best use of the property is new construction and that the value of the property is almost entirely in the land - as is demonstrated on the Town's assessment roll. We would like you to consider this letter as part of our demo application. As explained below, the house has no historical importance.

The building is NOT associated with events that have made a significant contribution to broad patterns of Village, regional, state or national history (see Section 182-A[1] of the Scarsdale Village Code). The building is a one-family residence with no record of any events whatsoever associated with the building.

The building is NOT associated with the life of a person or persons of historical significance (see Section 182-A[2] of the Scarsdale Village Code). The ownership of the property changed hands numerous times after it was built during the 1920s and 1930s. None of the owners were of any historical significance.

The building is NOT the work of a master (see Section 182-A[3] of the Scarsdale Village Code). The house was built in 1924. It was a modest house consisting of three (3) bedrooms, two (2) bathrooms, living room, dining room and galley kitchen. There are no known architectural plans in existence for the house, and there are no records indicating that there was an architect.

In 1927, a one-story addition was built. The name on the permit is R. N. Cleverdon, but his association with the addition is not clear. The primitive sketch of the addition on file does not contain his name or the name of the original architect. Another addition to the house was

built in 1938. The 1938 addition consisted of a garage, kitchen, bedroom and bath. Although the architectural firm that designed the 1938 addition - Cherry & Matz - were notable architects in the 1930's, their work on the 1938 addition was not remarkable.

The building DOES NOT embody the distinctive characteristics of a type, period or method of construction that possesses high artistic value (see Section 182-A[4] of the Scarsdale Village Code). It is a colonial style house of fair quality construction and in fair condition. In fact, the Town's records reflect a B+ grade for condition and quality of construction on inspection. The exterior is plain with clapboard siding. No stone or brick or other attractive materials were used on the exterior of the building. The façade of the main house is visibly disproportionate. For example, the front door is not centered between the windows on either side or centered with the third-floor dormer or, centered under the small bathroom windows on the second floor. The larger windows on the second floor are of different sizes. This asymmetry alone demonstrates that the building does not have any distinctive characteristics or artistic value. It also supports the conclusion that the house was built without any formal planning. The interior features of the structure are likewise of fair quality construction. There are no moldings or woodwork or other interior details that have distinctive character or historical or artistic value. Moreover, over the years, cosmetic changes have replaced any original elements.

The building HAS NOT and IS NOT likely to yield any information important in prehistory or history (see Section 182-5[A][5] of the Scarsdale Village Code). The building will yield no important information, historical or otherwise.

In summary, the building is simply a dated house which has become functionally obsolete according to today's standards. New construction will improve the appeal of the property and will not in any way detract from the residential character of the neighborhood. Since the building is of no historical significance or artistic value, we hope that the Committee will grant our application. We will attend the Committee's September meeting to answer any questions the Committee may have or provide further information.

Thank you for your consideration.

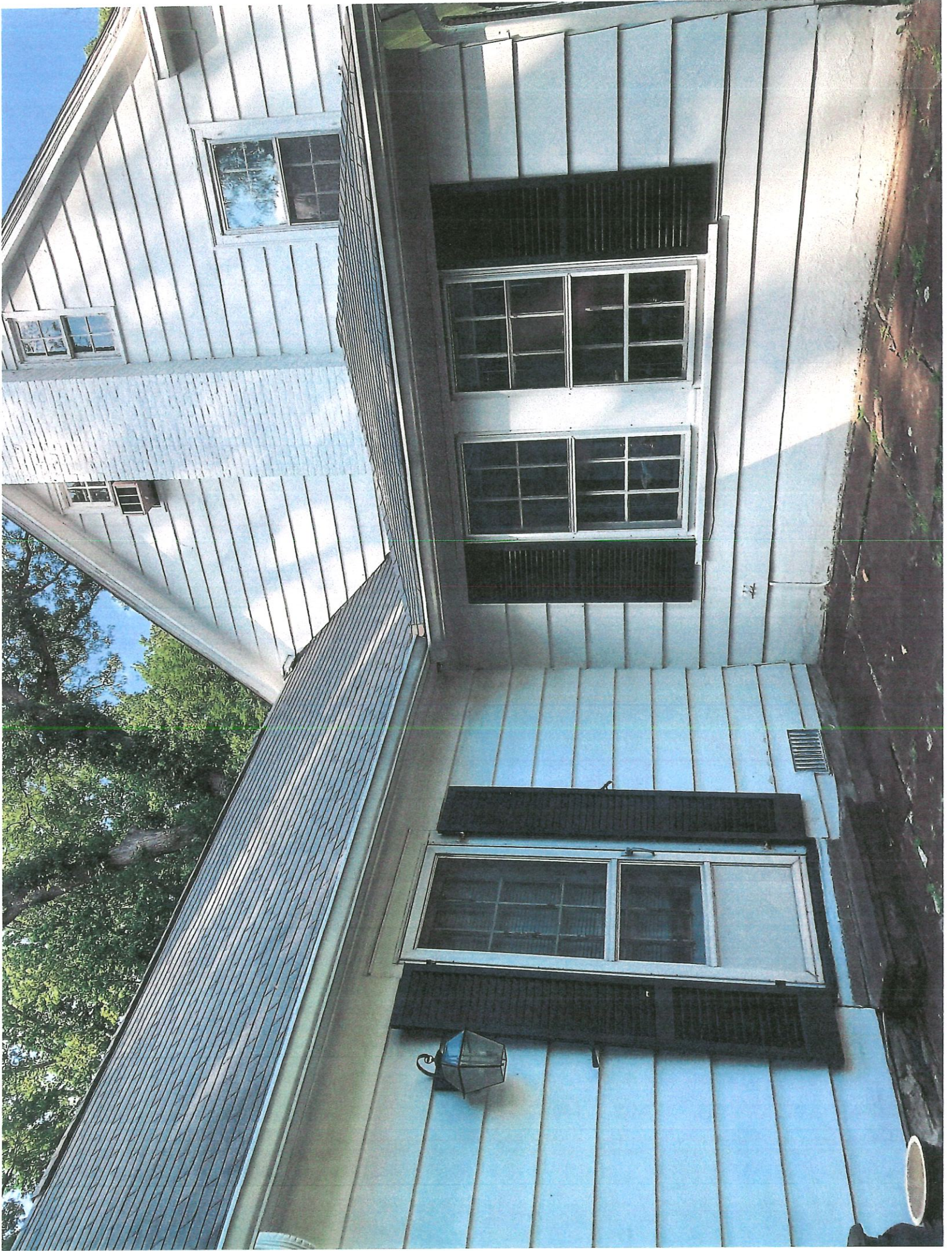
Respectfully, *Mary Jane Clerk*

*John J. Clerkin*  
John J. Clerkin









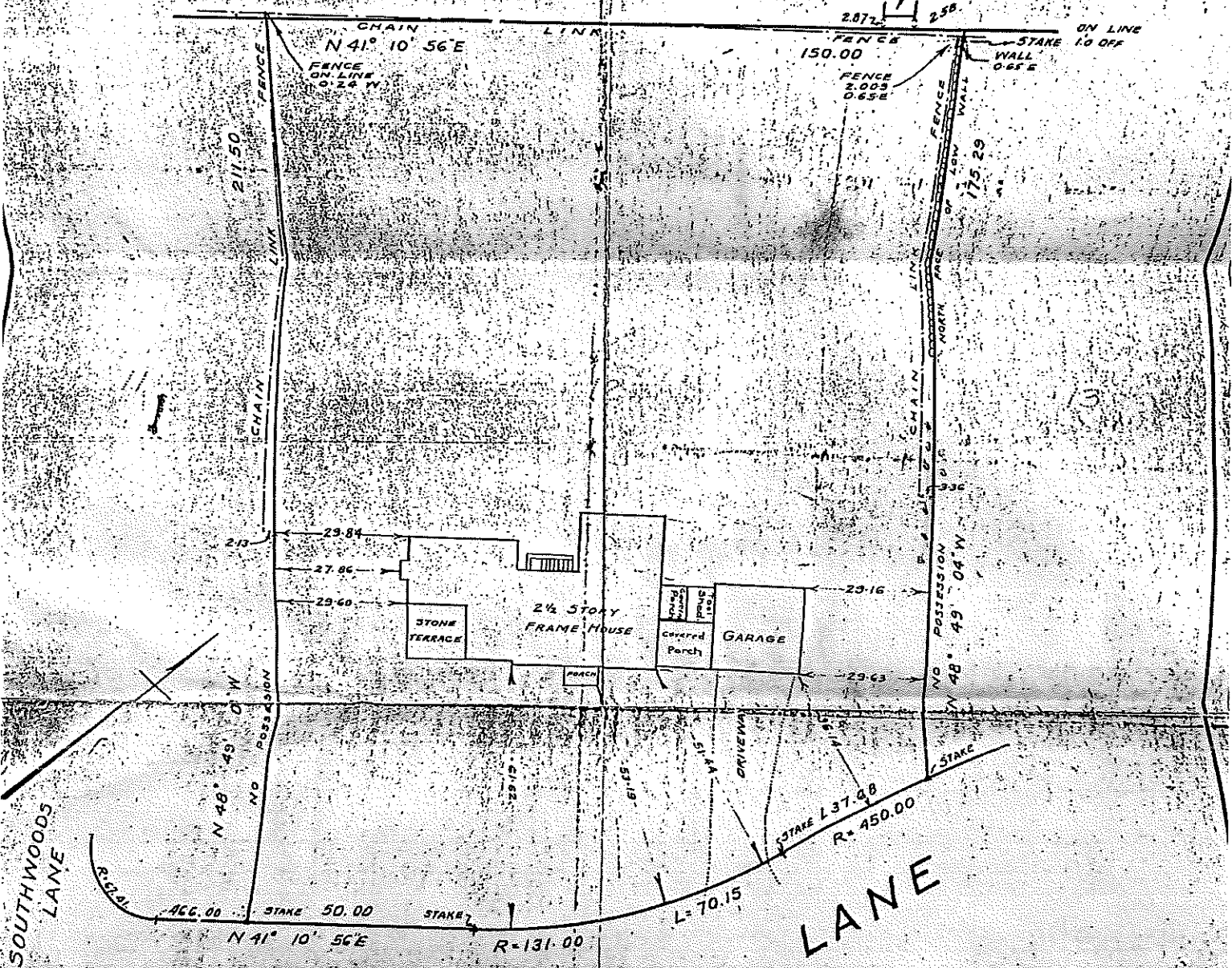






# SCARSDALE PARK

6032163 T-169  
6080028  
PORTABLE CHICKEN COOP 6125457  
6137421/63



POSSESSION EXCEPT INDICATED

FILED TO THE SON HARBON VALLEY TRUST MORTGAGE COMPANY

*Geo David Bradley*  
CIVIL ENGINEER & SURVEYOR  
NO. 1234

## SURVEY OF LOT 12

AS SHOWN ON  
REVISED MAP OF THE WOODS  
VILLAGE OF SCARSDALE  
WESTCHESTER CO., NY  
SCALE 1"=20' MAY 27 1938  
BROUGHT TO DATE NOV. 18, 1938

# Exhibit B



December 1, 2023  
08622-0001

Yeren Sun, 27 Woods Lane LLC  
15 Cooper Road  
Scarsdale, NY 10583

Education

RE: 27 Woods Lane (Village Board of Trustees' Appeal)

Energy Utility

Dear Ms. Sun:

Healthcare

## 1.0 INTRODUCTION

Public Works

The purpose of this letter is to provide our opinion regarding the findings of the Village of Scarsdale's (Village) Committee for Historic Preservation (CHP) with respect to whether the dwelling on the property at 27 Woods Lane meets the requirements for historical importance as set forth in the Village's code as part of the CHP's Memorandum Decision of October 31, 2023 (Memorandum).

Real Estate

Science & Technology

As part of the preparation of this letter, Kyle Toth, M.S., a fully federally qualified architectural historian with PS&S, visited the property on November 29, 2023. We conducted background and site-specific research through keyword searches in digitized historic newspapers, vital records (including the U.S. and New York State Censuses and historic city directories), historic maps and aerial photographs, including those available through Westchester County, scholarly indices of period architectural publications, and digitized historic publications available through archive.org, hathitrust.org, and Google books. In addition to reviewing the Memorandum, we also reviewed the undated "Preservation Assessment" authored by Andrew S. Dolkart for the 27 Woods Lane property.

## 2.0 OVERVIEW DESCRIPTION AND HISTORY

### *Description*

The residence at 27 Woods Lane (Photo 1), built ca. 1925, and altered and added to in 1927 and 1938, is a painted clapboard-clad, wood frame, irregular plan building. The 2 ½-story, gable-roofed main volume is fronted on the southeast by a 1-story, gabled entrance porch with Tuscan columns, and is flanked on the southwest (left) by a 1-story, hip-roofed, altered, enclosed former porch which is backed by a 1 ½-story, gabled addition. On the northeast (right) the main volume is flanked by an added breezeway and garage. On the rear (northwest), the main volume is backed by a 2-story, 1938 addition. The main volume includes a gabled dormer with a flared base and eave returns on the front and a shed-roofed dormer on the rear. The roofs throughout are clad in asphalt shingle, and the roof of the main volume and the southwest addition include slightly kicked eaves. The main elevation of the main block is asymmetrically composed, with paired 8-over-8, double-hung replacement sash windows on the first floor below a 6-over-6, double-hung sash window on the northeast (right), and an 8-over-8 window on the southwest (left), with asymmetrically placed, small, multi-light casement windows between the 2 second floor windows. Painted brick chimneys are located on the southwest gable ends of the main volume and the 1927 addition.



Yeren Sun  
27 Woods Lane  
December 1, 2023  
Page 2

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Photo 1: 27 Woods Lane, looking southwest, from Woods Lane. Photographer: Kyle Toth, M.S., 2023

### History

The date of the original construction of the dwelling at 27 Woods Lane is not documented by the building records of the Village. It stands on a former larger property purchased by Clarence L. Smith, Sr. before 1910 (figure 1), which was subsequently developed by Smith and his wife Grace, and later by Grace alone as the Woods and the adjacent Scarsdale Woods.



Figure 1: Detail, Plate 9, George W. and Walter S. Bromley, *Atlas of Westchester County, New York*, Vol. 1 (Philadelphia, 1910).

U.S. Census data indicate that Smith and his family were residing on Drake Road the same year, likely in the house shown in the Bromley atlas. This census identified Smith as an excavating contractor, and his son Russell, then 21, as having the same profession, likely working with his father. The youngest member of the family, Clarence, Jr., was enumerated as being 13 years of age. In 1920, Smith Sr. was enumerated in the federal census of that year as a resident of Manhattan, with a household that included son Horace. That year, Clarence, Jr. and his wife Grace (she and his mother had the same first name) were residents of the Bronx, living at 2900 Briggs Avenue.

Clarence, Jr.'s ownership of the house is documented in 1927 by an application for alterations, which identifies that this primarily consisted of the southwest addition. A drawing whose quality indicates it was unlikely to have been made by a professional architect accompanied the application, and provides evidence of the house's configuration before it was subsequently further altered in 1938 and later. Specifically, this drawing shows a nearly symmetrically composed main elevation, with 6-over-6 windows flanking the entrance porch, and a paired smaller window between these on the second floor. The drawing also indicates that the side porch was both pre-existing and screened at that time, with a "new door" shown

into the addition. The junction of the roof forms between the porch and the addition (Photo 2) corroborates the smaller volume as pre-dating the larger addition behind it. Finally, the drawing shows the entrance to have included a 12-light door, which is no longer extant. As Professor Dolkart notes, although the application lists architect R. H. Cleverdon on the project, this seems unlikely to have been the New York City designer of this name.



Photo 2: Southwest elevation, former side porch, with 1927 addition at left and main volume at rear, showing junction of roofs and demonstrating later construction of the addition. Photographer: Kyle Toth, M.S., 2023

Historic maps indicate that in 1930, the property included the house with its side porch and addition as indicated in the 1927 application, as well as a free-standing garage to the north (left) of the house.<sup>1</sup> The 1930 federal census indicates that Clarence Smith, Jr. lived in the residence with his wife and their 8-month-old son, Cleverdon. Smith is identified as a building contractor by profession.

In 1938, the property was owned by Philip Klein when the house was substantially added to and altered by the firm of Cherry & Matz. The project included the breezeway, garage, and rear volume on the main volume. Although not indicated in the drawings, visual evidence in the form of interior trim strongly suggests that the 2 small second floor windows were separated in the project, and larger window openings created in the front of the main volume on the first floor and on the southwest (left) window of the second floor. Differences in trim



also suggest that the current entrance porch may date to this project as well. The project included extensive interior alterations.

### **3.0 VILLAGE OF SCARSDALE CRITERIA ANALYSIS**

The Village of Scarsdale's code (chapter § 182-5) stipulates that the Committee for Historic Preservation shall consider a building's "level of significance in American history, architecture, archeology, engineering and culture present in the building," and whether the building has "integrity of location, design, setting, materials and workmanship," as well as the five Criteria used to determine historical importance established under of the Village of Scarsdale's code. The Criteria address the significance of buildings for their association with important historic events or patterns of events (Criterion 1), association with important persons of historical significance (Criterion 2), as the work of a master (Criterion 3), as the embodiment of the "distinctive characteristics of a type, period or method of construction that possess high artistic value" (Criterion 4), and/or for the potential to yield "information important in prehistory or history" (Criterion 5).

The CHP Memorandum opines that 27 Woods Road possesses historical importance related to Criterion 1 and Criterion 4.

#### **Level of Significance and Integrity**

The means of determining a "level of significance" in a building is not defined in the code. As noted in the next section, all historical significance (importance) at any level must be evaluated through the identification and analysis of a relevant historic context. It is our opinion that the building at 27 Woods Lane cannot be meaningfully understood to have a level of significance relative to the subject areas noted in the code, based on the place of this building within those contexts.

Within the historic preservation field, historic integrity is understood as a **function** of historical significance, or importance. It is not a measure of structural soundness, physical condition, or the presence or absence of historic material alone. Historic materials in a building are only relevant to an analysis of integrity if that building possesses historical importance: a building must **first and necessarily** have historical significance (importance) in order for an analysis of historic integrity (or lack thereof) to take place. Because it is our opinion that the building at 27 Woods Lane does not possess historical importance within the relevant historic contexts, an assessment of integrity for this building is irrelevant.

#### **Criterion 1**

The CHP Memorandum appropriately invokes the essential nature of "historical" (*sic* – i.e. historic) context in understanding historical importance. The Memorandum, however, fails to differentiate between association with historic trends and importance within those trends.

Like all of the properties in Scarsdale, the construction of the house at 27 Woods Lane is part of a larger pattern of development in the Village. Therefore, all properties in Scarsdale can be understood to be associated with historic trends or patterns of events of one kind or another. It would be meaningless to argue, however, that all of the properties in Scarsdale meet Criterion 1 because they are associated with a development trend.



In order to avoid this *reductio ad absurdum* of historical importance, any analysis of historical significance is one that is undertaken within a historic context. This analysis is, therefore, comparative, and necessary in any analysis of significance that comports with appropriate professional practice and essential logic. Without the identification and *analysis* of a given property's relative importance within a given context, then it would indeed be logical to argue that all properties in Scarsdale have historical importance under Criterion 1 for their simple association with or typification of patterns of events, since development is a pattern of historic events. In this vein, the Memorandum's assertion that the house at 27 Woods Lane reflects the period of transformation of Scarsdale into "one of the finest suburban communities in the New York City metropolitan region" fails to demonstrate how this house was important within that context. Simple reflection of, and association with a historic trend is insufficient for a finding of historical importance; not all buildings constructed within a given period are historically important by virtue of their having been completed in that period for the reason stated that all properties in Scarsdale are associated with development trends. The distinction that is missing here is between what is historic, and what is historically important.

Our research on the history of the property failed to find any basis for historical importance under Criterion 1. Therefore, we find that the dwelling at 27 Woods Lane does not meet Criterion 1.

#### **Criterion 4**

In order for a building to be considered to possess historical importance under Criterion 4, it must evince period characteristics, and for those characteristics to possess high artistic values.

Virtually all buildings constructed at a given time will have period characteristics that can be ascribed to contemporary style fashions, materials available when the building was constructed, or methods used by builders working in the era in which the building was completed. There are a number of characteristics of the house at 27 Woods Lane that can be ascribed to current fashions in architectural style at the time the house was built and altered in the 1920s and 1930s. As with many contemporary dwellings, this house has details that are associated with buildings of the late eighteenth and early nineteenth century that were frequently used in what is usually termed Colonial Revival, which often encompasses building details that post-date the American colonial period. In the case of this house, the multi-light, double-hung windows with louvered shutters are a common detail in houses of this style, as is the main doorway with its gabled entrance porch. Other aspects of the building are less conventional, if not verging on the awkward. While there were no "rules" that all Colonial Revival buildings should be symmetrically composed on their main elevation, it is conventional for houses of this period to aspire to this earmark of what was understood to be a key component of high style Georgian houses. It is notable, in this vein, that the fenestration arrangement of the main volume is asymmetrical, and in such a way as to not make it clear whether this was intentional or not given the slightly off-center dormer with respect to the front entrance, the variation in window sizes, and placement of the small windows on the second floor. Rather than subtle, the effect of this asymmetry is one that is slightly jarring. In addition, the prominent dormer on the front elevation is much broader in scale, with a much smaller window than would conventionally be expected in either Georgian or Federal period American houses or those Colonial Revival dwellings that



Yeren Sun  
27 Woods Lane  
December 1, 2023  
Page 7

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include dormers. Stylistically, it is proportionally much larger, if not overscaled in comparison with conventional Colonial Revival houses. In addition, the flaring base, while interesting, is also not a conventional component of Colonial Revival style, but instead inclines more toward the conventions of the Arts & Crafts.

Thus, while a number of Colonial Revival typical details are present, and the overall aesthetic of the house is pleasant, there is nothing in this house that raises the aesthetic values of this house to “high” within the context of the period. It is notable in this vein that the 2012 Cultural Resource Reconnaissance report for Scarsdale prepared by Professor Dolkart with Li-Saltzman, which identifies houses in the Woods as typically Tudor Revival and Colonial Revival, omits the house at 27 Woods Lane from the illustrations of Colonial Revival houses that represent the neighborhood.

Therefore, we find that the house at 27 Woods Lane does not meet Criterion 4.

Very Truly Yours,

PAULUS, SOKOLOWSKI AND SARTOR, LLC

A handwritten signature in black ink, appearing to read 'Emily T. Cooperman', written in a cursive style.

Emily T. Cooperman, M.S., Ph.D.  
Senior Architectural Historian

#### Notes

<sup>i</sup> Sanborn Company Map of White Plains, Vol. 2, 1930, Sheet 12; George W. and Walter S. Bromley, *Atlas of Westchester County, New York*, Vol. 2 (Philadelphia, 1930), Plate 18.



## **Emily T. Cooperman, MS, PhD**

Senior Architectural Historian

Cultural Resources

### **Education**

University of Pennsylvania;  
M.S., Historic Preservation;  
Ph.D., History of Art

Amherst College; B.A.,  
French and English

### **Credentials**

36 CFR 61 Federally  
Qualified Principal  
Investigator for Architectural  
History

### **Affiliations**

Philadelphia Historical  
Commission, Commissioner  
and Historian Chair, Chair of  
Committee on Historic  
Designation

Dr. Cooperman has over three decades of professional experience in historic preservation and cultural resource management regulation compliance. She is a broadly recognized expert in evaluating the historical significance of buildings, structures, and landscapes, in the assessment of project effects upon such cultural resources, in planning for historic preservation, in historical designations, and cultural resource regulation compliance in federal, state, and local jurisdictions. Her experience includes expert testimony. Her clients have included utilities, municipalities, individual property owners, attorneys, colleges, universities and secondary schools, architects and landscape architects, engineers, planners, developers, regulatory agencies, preservation advocacy organizations, and museums.

### **Relevant Experience**

Quaker Ridge Golf Club Accessory Building – Scarsdale, NY: Principal investigator for historical assessment report and evaluation of the significance for successful application for certificate of appropriateness for demolition approval.

54 Bradford Road – Scarsdale, NY: Principal investigator for historical assessment report and evaluation of the significance for successful application for certificate of appropriateness for demolition approval.

6 Fenimore Road – Scarsdale, NY: Principal Investigator for historical assessment report and evaluation of the significance of the house of architect Andrew J. Thomas in the context of his career as a New York City apartment building designer.

Kehilath Jeshurun Synagogue, Building Conditions Assessment, Analysis, and Treatment Recommendations – New York, NY\*: Senior Architectural Historian and Co-Principal Investigator for study for 1910 Upper East Side historic synagogue.

New York State Pavilion, 1964-5 World's Fair Historical Designation – New York, NY\*: Preparation of successful National Register of Historic Places Nomination and National Historic Landmark Nomination of Philip Johnson landmark for World Monuments Fund.

Beth Sholom Synagogue – Elkins Park, PA\*: Multiple projects for Frank Lloyd Wright's only synagogue and masterpiece of his late period -

- Prepared grants for Getty Foundation Keeping it Modern initiative. (2018)
- Served as owner's representative for historic preservation best practices, for accessibility rehabilitation and alterations;
- Prepared successful grant and served as project manager, Constructability Logistics and Magnitude Budget, Synagogue Glazed roof, funded by the Heritage Philadelphia Program of the Pew Charitable Trusts;
- Project historian and owner's representative, Visitor Center design and construction; ensured compliance with Historic Preservation best practices;
- Authored grant application; project historian and project manager, Getty Foundation Architectural Conservation Assessment;
- Prepared successful National Historic Landmark Nomination



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## **Emily T. Cooperman, MS, PhD**

*continued*

Lower Merion Township, Historic Resource Survey – Lower Merion, PA\*: Principal Investigator for survey for municipality, including site investigation, research, correction of existing data for 45 properties and intensive-level survey and evaluation of National Register of Historic Places eligibility of 36 properties in the Township ranging in age from 17th century log houses to 20th century modern works by important architects including Louis I. Kahn.

Duke Farms – Hillsborough, NJ:

Multiple projects:

- Historic Cemeteries: Assessment and workplan for preservation and interpretation of two 18th-century historic cemeteries on the Duke Farms property.
- Davis Farm Historical Survey\*: Documentation of existing conditions and site history, evaluation of significance, and development of pilot survey form for Historic Preservation Commission review.
- Assessment of Main Residence and Expert Testimony\*: Assessed significance of Main Residence owned by J. B. and Doris Duke. Provided expert Testimony resulting in local project approvals.

Confidential Eastern New York Transmission Project: Principal Investigator – Historic Architecture. As subcontractor to a large multidisciplinary firm, PS&S has been, since 2019, the cultural resource consultant for a major electrical transmission project spanning several counties and facilities in southeastern New York. PS&S has completed several deliverables for the project's compliance with Article VII of the New York Public Service Law and federal Section 106 (National Historic Preservation Act) permitting requirements. By planning for the avoidance and preservation of potentially affected archaeological and historic architectural resources, PS&S has helped the project team avoid unnecessary project delays that may result from successive phases of cultural resource investigations often required by projects of this size. Reports prepared by PS&S for this project have achieved timely concurrence by the New York Office of Parks and Recreation, allowing the project team to work efficiently toward project construction.

Cape May, National Historic Landmark District Historic Resource Surveys – Cape May, NJ\*:

Multiple historic resource surveys:

- Project Historian for 2015 Intensive-Level Survey of approximately 200 properties in National Historic Landmark district; following previous surveys in 2013 (200 properties) and 2011 properties (400 properties). Projects included recommendations for changes to preservation ordinance and practices, compliance with Secretary of Interior's Standards for the Treatment of Historic Properties, and extensive Historic Context Statement. \*
- Principal Investigator for Intensive-Level Survey of approximately 130 properties in National Historic Landmark District.



## **Emily T. Cooperman, M. S., Ph.D.**

### **Selected Designation Projects**

#### National Historic Landmark Nominations

##### General Motors Technical Center, Warren, MI

Education

Energy Utility

Healthcare

Public Works

Real Estate

Science & Technology

- Project historian and principal author for successful nomination of ground-breaking Eero Saarinen/Thomas Church post-World War II corporate campus, with Preservation Design Partners, for Michigan State Historic Preservation Office. This nomination addressed the site as establishing Saarinen's international reputation, and his working method with key collaborators, including this corporate client. Project included presentation of the nomination to the National Park Service review board.

##### New York State Pavilion, 1964-5 World's Fair, Queens, NY:

- Preparation of successful National Register of Historic Places Nomination and National Historic Landmark Nomination of Philip Johnson landmark for World Monuments Fund.

##### Beth Sholom Synagogue, Elkins Park, PA

- Author of successful nomination of Frank Lloyd Wright's only synagogue and masterpiece of his late period of work. Project included presentation of the nomination to the National Park Service review board.

##### Alfred Newton Richards Medical Research and Goddard Laboratories Buildings, University of Pennsylvania, Philadelphia, PA:

- Prepared successful National Historic Landmark Nomination for the first such designation of a design by internationally significant modern architect Louis I. Kahn.

#### National Register of Historic Places Nominations

##### African-American Churches of Philadelphia, Inventory, Preservation Planning, Congregation Training, and Historic Designations – Philadelphia, PA: for Preservation Alliance for Greater Philadelphia:

- Created a comprehensive inventory of church buildings and sites associated with historic African-American congregations in the City of Philadelphia, with recommendations for historical designation priorities;
- Conducted Historical Research and Designation Training for congregations with Partners for Sacred Spaces and the Preservation Alliance;
- Prepared successful National Register Nomination for Tindley Temple United Methodist Church Historic Designation and federal Multiple Property Documentation Form for all African American Churches of Philadelphia to facilitate future designations.

##### Awbury Arboretum Association, National Register Nomination – Philadelphia, PA:

- Prepared successful Nomination to the National Historic Places Nomination for



Awbury Arboretum Historic District, including historic, architect-designed residences dating from mid-19th to mid-20th centuries.

Henry F. Ortlieb's Bottling House, National Register of Historic Places Designation and Historic Preservation Consulting – Philadelphia, PA:

- Prepared Historic Resource Survey Form and successful National Register Nomination documentation for federal Investment Tax Credit project for adaptive reuse of mid-20th century Modern industrial brewery building as the offices of Kieran & Timberlake, architects. The project included consultation with Pennsylvania State Historic Preservation Office staff on technical aspects of the significance of the building, and on the compliance of the project with the federal Secretary of Interior's Standards for Rehabilitation.

Christoffel Vought Farmstead, National Register of Historic Places Designation – Annandale, NJ:

- Prepared and presented successful National Register of Historic Places Nomination for farmstead settled ca. 1759. The farmhouse retains an important early decorative plaster ceiling and other 18th-century materials.

Garden Apartments of Philadelphia, Multiple Property Documentation Form and National Register Nomination for 246 W. Upsal Street.

- Prepared extensive historic context study and inventory for National Register Nomination for Philadelphia garden apartments before the Great Depression.

McDowell Memorial Presbyterian Church, National Register Designation – Philadelphia, PA:

- Prepared successful National Register Nomination for monumental Richardsonian Romanesque church in North Philadelphia for owner Macedonia Free Will Baptist Church, funded by Pennsylvania and Historical Commission Keystone Grant. Project included authoring of a successful grant application for the work.

Standard Oil Building, Historic Designation – Baltimore, MD:

- Prepared National Register of Historic Places Nomination, federal and Baltimore City Investment Tax Credit Certified Rehabilitation documentation.

Tacony Neighborhood Historic District – Philadelphia, PA:

- Author for successful National Register Nomination following role as project historian for survey of approximately 1400 properties in northeast Philadelphia "Company Town" associated with Disston Saw works, and evaluation of significance for National Register designation.

Third Presbyterian Church – Chester, PA:

- Authored successful National Register Nomination for high style 1890s church as part of initiative for local historic preservation group to save the building following its abandonment by the Presbyterian church. Unanimously recommended by Pennsylvania state board of review. Funding provided by Partners for Sacred Places.



Yorktown Neighborhood – Philadelphia, PA:

- Author of successful National Register Nomination, Yorktown Historic District following role as historian for survey of over 600 buildings of the post-World-War II, African-American redevelopment neighborhood.

National Register District Updates and Inventories

Cape May, National Historic Landmark District Historic Resource Surveys – Cape May, NJ:

Multiple historic resource surveys:

- Project Historian for multiple Intensive-Level Surveys of approximately 1200 properties in National Historic Landmark district; Projects included recommendations for changes to preservation ordinance and practices, compliance with Secretary of Interior's Standards for the Treatment of Historic Properties, and extensive Historic Context Statement.

Chestnut Hill, National Historic District Update – Philadelphia, PA:

- Project manager and principal author for resurvey, re-evaluation, and completion of new narratives for existing 3,000-building district created in 1985 in order to include mid-century modern masterpieces, such as Mother's House by Robert Venturi and Margaret Esherick House by Louis I. Kahn, as contributing to the significance of the district. Project included re-survey of entire "garden suburb" district (largest in PA).

Cranbury National Historic District – Cranbury Township, NJ.

- Principal investigator for Intensive Level Survey of 110 historic properties for township; research and documentation of properties, coordination with State Historic Preservation Office; author of survey report approved by township and state reviewers.

East Center City, National Historic District Update – Philadelphia, PA:

- Successfully resurveyed and re-evaluated large urban historic district existing documentation created in 1984. Created substantial additions to existing documentation to meet current federal standards.

Fairmount Park, National Register Nomination Documentation – Philadelphia, PA:

- Author for extensive update to existing 1970s documentation for large urban park historic district with buildings and landscapes dating from the 17<sup>th</sup> to 20<sup>th</sup> centuries, to develop addition of information as the basis for review of capital projects in the park.

Lower Merion Township, Historic Resource Survey – Lower Merion, PA:

- Principal Investigator for survey for municipality, including site investigation, research, correction of existing data for 45 properties and intensive-level survey and evaluation of National Register of Historic Places eligibility of 36 properties in the Township ranging in age from 17<sup>th</sup> century log houses to 20<sup>th</sup> century modern works by important architects including Louis I. Kahn.



## **Kyle Toth, MS**

### **Principal Investigator - Architectural History Cultural Resources**

#### **Education**

University of Pennsylvania:  
M.S., Historic Preservation;  
Certificate, Landscape  
Studies/May 2018

Vassar College: B.A., Art  
History, Italian Correlate/  
May 2013

#### **Credentials**

36 CFR 61 Federally  
Qualified Principal  
Investigator for Architectural  
History

Mr. Toth is a Principal Investigator for Architectural History in PS&S's Cultural Resources Department. Mr. Toth has seven years of experience documenting and evaluating historic resources throughout New Jersey, New York, and the Philadelphia area. With an extensive knowledge of architectural and landscape architectural history, a strong foundation of environmental concepts and issues, and a thorough understanding of historic preservation principles and procedures, Mr. Toth's broad range of expertise includes regulatory surveys, cultural landscape reports, resource recordation, and historic resource impact studies. Mr. Toth has authored and designed webpages, signs, and documents for multiple public interpretation projects. Mr. Toth has also conducted numerous intensive-level surveys of large historic districts and is experienced in the creation, interpretation and application of historic district design guidelines.

#### **Relevant Experience**

West Orange Hutton Park Intensive-Level Historic Architecture Survey 2023 – West Orange Township, Essex County, NJ: Principal Investigator for grant-funded historic architecture survey of 65 properties in the Hutton Park neighborhood of West Orange. Responsibilities included field survey and photography, development of historic contexts, property research, NJHPO database entry, survey form narratives, National Register eligibility evaluations, and recommendations.

Cape May, National Historic Landmark District Historic Resource Surveys – Cape May, Cape May County, NJ: Grant-funded Intensive-Level Historic Architecture Surveys of selected properties within the Cape May National Historic Landmark Historic District; responsibilities included field survey and photography, property research, NJHPO database entry, eligibility recommendations, and survey form narratives.

- 2021- Principal Investigator, 180 properties
- 2018- Architectural Historian, 130 properties
- 2015- Architectural Historian, 200 properties

Calvert Vaux Preservation Alliance Cultural Landscape Report – Staatsburg, Dutchess County, NY: Principal Investigator for the second phase of a three-phase cultural landscape report for the Point at the Mills-Norrie State Park and Historic Site, which includes the Calvert Vaux-designed Hoyt residence. Illustrated report includes site overview and analysis, historical narrative, contextualization and analysis of “the picturesque,” and recommendations for restoration and interpretation.

Paterson Restoration Corporation,. Great Falls Historic District Design Guidelines – Paterson, NJ: Principal Investigator for revised and updated design guidelines for industrial historic district, responsible for guideline recommendations, graphic design, photography, and illustrations.

Essex County Park System, New Jersey Register of Historic Places Act Application for the Essex County Parks Commission Administration Building – Newark, Essex County, NJ: Principal Investigator in architectural history for report accompanying NJ Register Application, including existing condition documentation prior to renovation. Collaborated



## **Kyle Toth, MS**

*continued*

with design team and historic materials conservators throughout design process regarding historic, character-defining features.

Springside Landscape Restoration, Vassar Cottage Foundation Excavation and Interpretation Plan – Poughkeepsie, Dutchess County, NY: Principal Investigator in Architectural History for a phased excavation and interpretation plan for the remnant foundation of Matthew Vassar's AJ Downing and Calvert Vaux-designed cottage at Springside National Historic Landmark.

Woodbridge Township, Interpretation and Heritage Tourism Plan – Woodbridge, NJ\*: Historian for interpretation and heritage tourism plan, for Central New Jersey township founded in the late 17th century, encompassing major themes of colonial through twentieth-century history in the U.S.

Cranbury, National Historic District Historic Resource Survey – Cranbury, NJ: Architectural Historian on resurvey, re-evaluation, and completion of new narratives for 110 properties, many with multiple buildings, within an existing district created in 1980. Approved by the municipality and the New Jersey Historic Preservation Office.

Cumberland County Improvement Authority, New Jersey Register of Historic Places Act Application for the Bridgeton Old City Hall – Bridgeton, Cumberland County, NJ: Principal Investigator in architectural history for report accompanying NJ Register Application, including existing condition documentation prior to renovation. Collaborated with design team throughout design process regarding historic, character-defining features.

Lower Merion Township, Historic Resource Inventory – Lower Merion, Montgomery County, PA: Principal investigator for a photographic inventory of 1,120 historically designated properties, including secondary buildings and landscape features, resulting in over 1,500 final photos. Provided recommendations as to the contributory status of each property feature.

Hudson County Improvement Authority, Lincoln Park Casino Photographic Recordation – Jersey City, Hudson County, NJ: Architectural Historian for photographic documentation of the historic Lincoln Park Casino in the Park building in compliance with local demolition permit conditions prior to construction of new facilities.

Miller Stadium Interpretation – West New York, New Jersey: Designed a web site and signage concerning this historically significant municipal stadium for the Town of West New York. These publications were designed to mitigate the effect of the stadium's conversion from natural grass to artificial turf. The designs were approved by NJHPO within one month of submittal.

Sylvan Avenue Cultural Resource Consulting – Englewood Cliffs, NJ. Architectural historian for Phase I and II studies that secured NJ approval for redevelopment of 1960s former corporate headquarters of Lipton Company.

Confidential Development Client HABS Recordation – Ventnor City, Atlantic County, NJ: Principal Investigator and photographer for HABS Level III Digital Photography Recordation of a 1930s beachfront residence designed by Philadelphia architecture firm Karcher and Smith.

# Exhibit C



Andrew Scott Dolkart

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New York, New York 10033  
Tel/Fax: (212) 568-2480  
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## 27 Woods Lane, Scarsdale: Preservation Assessment

As part of my contract with the Village of Scarsdale to review buildings for which a demolition permit has been requested and which may meet the criteria for historic status under the laws of the Village, I visited the house at 27 Woods Lane on October 6, 2023, and have also undertaken research on the house, including an examination of the drawings and permits in the Village records.

27 Woods Lane is located within the boundaries of The Woods study area identified in the 2012 Scarsdale Reconnaissance Level Cultural Resources Survey Report, undertaken by me in association with Li-Saltzman Architects. As noted in the survey report, The Woods is a small subdivision located adjacent to the New Rochelle border that includes Woods Lane, Southwoods Lane, Eastwoods Lane, and Forest Lane. The Woods subdivision was a project of Clarence L. Smith. Smith was the founder of Clarence L. Smith, Inc., contractors.<sup>1</sup> He laid out private streets in the area in the 1920s and divided it into lots. He and his wife Grace lived at what is now 26 Woods Lane, a house that has a driveway on Woods Lane, but, due to the subdivision of lots in the 1930s, is actually only visible from Eastwoods Lane. They moved to Woods Lane c. 1925. Smith died while living there in 1929.<sup>2</sup> The Smith family had lived in Scarsdale since at least 1900 when they appear in the United States Census (the street name is indecipherable). By 1910 they were living on Drake Road. After Clarence Smith's death in January 1930, Grace Smith inherited the property and continued with the development of The Woods (she appears to have formed a company called Grace Smith Realty Associates). Grace Smith's obituary notes that she and Clarence "lived and developed property on Woods Lane."<sup>3</sup> In 1933, Grace Smith offered the private roads in The Woods development to the town of Scarsdale. After inspection by the town's engineer, the roads were accepted and became public thoroughfares.<sup>4</sup>

Besides Clarence and Grace's house, four other houses were built along Woods Lane prior to Clarence Smith's death -- Nos. 1 and 5, built by people unrelated to the Smiths, and houses built by two of the Smiths three sons -- Horace G. Smith at No. 8 and Clarence L. Smith Jr. at No. 27.<sup>5</sup> Both brothers were executives in a contracting business. They had worked for the family

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<sup>1</sup> "C. L. Smith, 69, Scarsdale Contractor, Dies in Paris," *New York Herald Tribune*, January 8, 1930.

<sup>2</sup> White Plains City Directory (1926); "Death of Clarence Smith," *Scarsdale Inquirer*, January 10, 1930.

<sup>3</sup> Mrs. Clarence Smith, *Scarsdale Inquirer*, October 14, 1965.

<sup>4</sup> "Legal Notice," *Scarsdale Inquirer*, May 26, 1933, June 9, 1933.

<sup>5</sup> There is some discrepancy concerning Horace G. Smith's address. His name appears on the 1930 *Bromley Atlas of Westchester*, vol. 2, plate 18 at a house at what is now 8 Woods Lane, but the 1930 United States Census has him living in Eastchester.

business while Clarence Sr. was alive and, apparently, they took over their father's business when he died. Clarence Smith Jr. lived at 27 Woods Lane in 1930 with his wife, named Grace like his mother, a newborn named Cleverdon, and two servants – a maid from Finland and a nurse from West Virginia.

Clarence Smith Jr.'s house is a wood frame, clapboard clad, Colonial Revival dwelling built c. 1925-26. It was first taxed by the Village in 1926. The architect's name has not been identified. Colonial Revival became the dominant architectural style in The Woods (there are also a few Tudor Revival houses) as further development took place in the subdivision in the 1930s. Within The Woods are examples illustrating the many different aspects of Colonial Revival design in the 1920s and 1930s, with symmetrical fronts, temple fronts, wood facades, stone facades, brick facades, and facades that mix materials. The scale, use of revival styles, materials, and the fact that all of the houses are set back behind substantial lawns creates a sense of unity throughout the subdivision. It is also clear that in laying out The Woods, the Smiths took particular care to preserve the area's trees (probably accounting for the name of the subdivision).

At first glance, the central mass of 27 Woods Lane, which is the original house, appears to be symmetrical, with a central entrance, but it is actually a subtly asymmetrical dwelling, with the windows to the left of the entrance, articulating the living room on the first floor and a main bedroom on the second floor, slightly larger than those to the right. Of note on the façade are the two small, six-pane windows in the center of the second floor, and the large, pedimented central dormer with casement windows. In 1927, approximately a year after the completion of the original house, Smith commissioned a wing to the south (to the left of the main mass). The alteration application lists the architect as R. N. Cleverdon. This may be the New York City row house specialist Robert Cleverdon, although he last appears in city directories in 1921. Alternatively, I posit that Cleverdon (which was the name of the Smiths infant son) may have been a made-up name, and that the house and its addition were designed by the Smiths construction company (this may explain the rather crude drawings for the addition). The drawings note that "trimmings will be like present house." Thus, the addition blends perfectly with the original dwelling. The addition contained a sunroom in the front and a bedroom in the rear (this room was later used as a library).

At some point the house was sold to Dr. Glen W. White. In 1938, the house was purchased by Hungarian-born social work instructor Philip Klein who moved into the dwelling with his wife Alice, the director of a college endowment campaign, their two young sons, and a Black servant from South Carolina. The Kleins commissioned an addition from the architectural firm of Cherry & Matz, a well-recognized firm that designed many houses and a wide variety of religious structures. Cherry & Matz added the breezeway and two-car garage to the north (right) of the original house, as well as a simple two-story rear addition with a new kitchen and a bedroom above. The breezeway and garage are proportioned in accord with the original house design and use the same Colonial Revival stylistic features. A particularly fanciful detail on the addition (although it does not appear on the original drawings) is the square faux dovecote located at the juncture of the roof slopes of the two sections of the addition. The rear addition, not visible from the street, is extremely simple.

The house has a large backyard where the preservation of notable mature trees is evident. In the center of the yard stands a very tall white oak and an equally tall tulip tree. To the rear are three more enormous tulip trees. The size of these trees indicates that they were standing at the time that The Woods subdivision was planned. Other mature trees can also be seen in the area.

The house, which is almost entirely intact to its original design and historic additions retains integrity of location, design, setting, materials, and workmanship. The house is not associated with any famous people and, since the architect's name is not known, it cannot be linked to a specific master designer. However, 27 Woods Lane is an important early building in The Woods, a notable and architecturally cohesive subdivision developed in the second half of the 1920s and the 1930s. The period when 27 Woods Lane and The Woods subdivision as a whole were developed is exactly the time when Scarsdale was being transformed into one of the finest suburban communities in the New York City metropolitan region. Thus, the house exemplifies the architecture that reflects the key development in the broad pattern of Scarsdale's history. A brief survey of all of the houses in The Woods shows that this subdivision retains its initial design integrity to a very high degree with all of the early houses appearing to largely retain their historic character. Thus, I conclude that this handsome house, which could continue to be a comfortable home for a new family, should not be demolished.

Andrew S. Dolkart  
October 2023



Figure 1. 27 Woods Lane, October 2023.



Figure 2. The Woods subdivision. 27 Woods Lane is marked as the home of "C Smith Jr.," *Bromley Atlas of Westchester County*, vol. 2, plate 18.

# Exhibit D

COMMITTEE FOR HISTORIC PRESERVATION  
FOR THE VILLAGE OF SCARSDALE PROCEEDINGS  
AUDIO TRANSCRIPTION  
ON OCTOBER 17TH, 2023

A P P E A R A N C E S

- 1
- 2 ADAM LINDENBAUM
- 3 AMY LAURENCE
- 4 MEREDITH KENT
- 5 JONATHAN LERNER
- 6 LAUREN BENDER
- 7 SHERI GEER
- 8 SID SCHOLMAN
- 9 KEVIN REED
- 10 LISA JUDSON
- 11 AMY LAWRENCE
- 12 PUBLIC MEMBER
- 13 LINDA KILLIAN
- 14 JIM DETHMER
- 15 JARED DIPALMA
- 16 RITA PIAZZA
- 17 LINDA SWANN
- 18 JONATHAN LEWIS
- 19 AUDREY SCHWARZ
- 20 FRANK DIODATI
- 21 RICK BIRCH
- 22 SID SCHLOMAN
- 23 MERIDITH KENT
- 24
- 25

1 P-R-O-C-E-E-D-I-N-G-S

2 ADAM LINDENBAUM: Okay. Take two.

3 Good evening, everyone. Welcome to the Committee  
4 for Historic Preservation for the Village of Scarsdale, October  
5 17th, 2023. My name is Adam Lindenbaum, I'm the chair for  
6 tonight's meeting. We have seven members of the committee  
7 tonight, starting from my left.

8 AMY LAURENCE: Amy Laurence.

9 MEREDITH KENT: Meredith Kent.

10 JONATHAN LERNER: Jonathan Lerner.

11 LAUREN BENDER: Lauren Bender.

12 SHERI GEER: Sheri Geer.

13 ADAM LINDENBAUM: And we have Mr. Diodati, from  
14 the Building Department.

15 We have four homes on tonight's docket. 27 Woods  
16 Lane, 20 Heathcote Road, 6 Cooper Road, and 1 Ardmore Road. We  
17 have a sizable representative from the public tonight.

18 By show of hands, who's here for 27 Woods Lane?  
19 Okay. Very, very many of you. Okay. Good thing that it's on  
20 the docket first. So let's hear that, the applicant can please  
21 come up.

22 And since this is held over from the last meeting,  
23 we know that the application was properly noticed to neighbors,  
24 obviously, and we're ready.

25 I'm not sure if everybody on the committee was

1 present last time for your presentation. But -- so why don't  
2 you assume that you'll start fresh as if this were the first  
3 presentation. Although, since we did see you last time, there  
4 was a report from our expert, Professor Dolkart, which I'm sure  
5 you'll address.

6 SID SCHOLMAN: Yes, and I wasn't here last time  
7 either. I've recently been retained by the applicant.

8 ADAM LINDENBAUM: Okay. Can we have your name,  
9 please?

10 SID SCHOLMAN: Sid Scholman and Claire Harris of  
11 SI Design Architects.

12 Since I've been recently retained by the applicant  
13 to present this evening, I've been approached by many people who  
14 have interest in the outcome. People's points of view for and  
15 against the application, so I appreciate the enthusiasm and  
16 conviction, regardless of which side people are here to  
17 represent.

18 I just wanted to say, like I've seen arguments --  
19 opposition arguments, rooted in emotion, in fear, in reluctance  
20 of what may come next on a project like this. And I've always  
21 appreciated the board that they look at the criteria for  
22 Historic Preservation based on the five criteria, not what may  
23 come next. So that's always been something --

24 ADAM LINDENBAUM: That's exactly our job.

25 SID SCHOLMAN: Yeah.

1 ADAM LINDENBAUM: We're not going to ask you what  
2 you plan to build on the site.

3 SID SCHOLMAN: Nor do I know.

4 ADAM LINDENBAUM: Right.

5 SID SCHOLMAN: So thank you.

6 So yeah. So I just want to talk. I'm sure it was  
7 presented last time, but I'll kind of start over. Yes, I've  
8 been asked to present the facts related to this application of  
9 the one family residence to show that it meets the criteria for  
10 100 percent demolition, as outlined in the Scarsdale Village  
11 Code, Section 182.

12 27 Woods Lane was built in between 1924, 1926. I've  
13 seen some various dates. The original architect is unknown.  
14 There was a family, the Smith family, who were local developers  
15 and contractors, built and lived that home and some of the  
16 surrounding homes.

17 Their livelihood, from what I've read, were  
18 subdividing and building homes. They built several homes in the  
19 Woods neighborhood, and one of the sons, I believe, lived in  
20 Number 27 originally. The house was built in the Colonial  
21 Revival style and is a modest home in a wonderful setting.

22 Colonial Revival was a style popular in the late  
23 19th century and early 20th century as a response to a rebellion  
24 of more elaborate styles, such as Victorian homes. The lines  
25 are simple, the Colonial Revival is still one of the most

1 popular styles today. It is most known for its functional floor  
2 plans, perfect symmetry and ease of construction.

3           There are -- there were no drawings for the original  
4 house. I did find old drawings for the additions. The photos  
5 and the drawings demonstrate some basic floors in the front  
6 facade for a Colonial Revival style. This could have happened  
7 during construction. It could have been an oversight during the  
8 design, or perhaps not cared. But --

9           ADAM LINDENBAUM:     Can I just interrupt you for a  
10 second?

11          SID SCHOLMAN:     Yeah.

12          ADAM LINDENBAUM:    Can you elaborate on the floors?

13          SID SCHOLMAN:     Yeah. Something about --

14          ADAM LINDENBAUM:    We're looking at photos.

15          SID SCHOLMAN:     I'm sorry.

16          ADAM LINDENBAUM:    You mentioned floors.

17          SID SCHOLMAN:     Yeah, yeah. So I'm --

18          ADAM LINDENBAUM:    You care to specify?

19          SID SCHOLMAN:     Sure.

20          ADAM LINDENBAUM:    Okay.

21          SID SCHOLMAN:     The lack of symmetry for the front  
22 facade, the front door and its closed pediment portico, is off  
23 center from the windows on the second floor. Both of those  
24 elements are off center from the dormer above. Additionally,  
25 the front door is not equally spaced from the shuttered double

1 flanked windows to the left and to the right.

2           While it may not be important to some, and perhaps  
3 many people don't notice or does not detract from the overall,  
4 you know, charm of the house, it's a huge design flaw for a  
5 Colonial Revival home, which basically strives on -- if you look  
6 at any new home, strives on symmetry of the front facade.

7           This design feature or floor alone would render this  
8 house not worthy of preservation, you know, declaring it not a  
9 masterpiece or not -- just a great example of this particular  
10 architectural style.

11           A small one-story sunroom addition was done in 1927.

12       It blends in with the house, it's modest with color and  
13 materials. A larger addition was done in 1938, designed by the  
14 architectural firm of Cherry and Metz, on the North side of  
15 Breezeway and garage, and on the rear of the house kitchen and  
16 bedroom.

17           The firm is best known for designing religious  
18 structures in stone with Gothic Revival details. They do have  
19 two projects listed on the National Register of Historic Places,  
20 the Art Deco Fourth Church of Christ, now known as the Hebrew  
21 Tabernacle in Washington Heights, New York, and the First  
22 Protestant Dutch Church in Rockland County.

23           Mr. William Cherry of the firm was a resident of  
24 White Plains. The rear story is a large, simple and probably  
25 much needed space for the family at the time. It is not

1 reflected of the noted style of the firm. The addition does not  
2 contribute in any way towards any desirable characteristics  
3 worthy of Historic Preservation.

4 The house is not associated with the life of a  
5 person or persons of historical significance, as defined in 182  
6 A2. There were several owners of the house over the years, and  
7 none appear to be of any historical significance.

8 The structure was used as a one family residence for  
9 its entirety up until today. It was never a school or a meeting  
10 house or a place of worship, thus eliminating any historical  
11 importance for the function or events that may have taken place  
12 there.

13 The Woods neighborhood is a -- is quaint and quiet.  
14 And while 27 Woods Lane was one of the first houses built in the  
15 subdivision, its designers, builders and owners and construction  
16 details do not contribute to a criteria worthy of preservation.

17 Every house has a history, every house has  
18 generations of people with jobs, careers and accomplishments.  
19 Every house in some way contributes to the development of its  
20 surroundings, its neighborhood, its village or town. And 27  
21 Woods Lane is just like any other house.

22 I've recently read -- I read the assessment, the  
23 report by Andrew Dolkart, who was commissioned, I guess, by the  
24 village. The report has much of the same information I've just  
25 mentioned, a lot more detail provided with individual family

1 member's names, dates, birthdays and occupations. None of those  
2 facts seem relevant in evaluating the structure.

3           Additionally, it references a study performed by Li  
4 Saltzman, architects of the Woods neighborhood. However, no  
5 mention or conclusion is made about creating a conservation  
6 subdivision or rezoning or any aesthetic elements in an effort  
7 to secure preservation for the future of any of the structures,  
8 including 27 Woods Lane in this Woods neighborhood.

9           Therefore, the house and this neighborhood, while  
10 quaint and charming, do not have any special considerations or  
11 ordinances or bylaws and should not receive special treatment.  
12 It should be treated just like any other house and any other  
13 neighborhood. The report recommends preservation of this  
14 handsome home. It is called handsome even after pointing out  
15 design flaws.

16           As I mentioned, it's maybe quaint and cute and  
17 handsome, but it is certainly not a masterpiece or a  
18 representation of good architectural style or well executed.

19           And then we come to perhaps the last of the five  
20 criteria, events associated -- let me just read it exactly.  
21 That the building is associated with events that have made a  
22 significant contribution to broad patterns of village, regional,  
23 state or national history.

24           Events -- I don't think any events occurred that can  
25 be in that category. An event is a birth, a death, an

1 earthquake, however, suburbanization or -- is more of a  
2 movement, a theme or a motif, but it is not an event. So  
3 therefore, I feel the five criteria have been addressed in that  
4 it doesn't reach a point of preservation.

5 We can look at this in two ways. If 27 Woods Lane  
6 is preserved, will people look at this house and learn about  
7 some significant historical event? I think not. If 27 Woods is  
8 demolished, will any facts that we know about the family, their  
9 jobs, their birthdays, their interests, about the neighborhood,  
10 the builders, the developers, about the subdivision, will it  
11 disappear? I also think not.

12 Given the above facts, I feel that we've met the  
13 criteria for certificate of compliance as outlined in Scarsdale  
14 Village Code 182.

15 ADAM LINDENBAUM: Okay. I have one question. I  
16 want to get your words right. You had mentioned towards the  
17 beginning that this home sits on a wonderful setting. Could you  
18 elaborate on what you meant?

19 SID SCHOLMAN: The day I was there, it was a sunny  
20 day. The grass was green, and the sky was blue. And yeah, it  
21 was just a nice street, nice setting.

22 KEVIN REED: You referenced --

23 JONATHAN LERNER: Kevin.

24 ADAM LINDENBAUM: Kevin, just do your microphone.

25 KEVIN REED: Sorry. You referenced the Dolkart

1 report, and you've obviously read it. I'd be interested in your  
2 response to his conclusion that this house was developed as part  
3 of a subdivision which is something that is part of the broad  
4 pattern of development of the village, and is significant in  
5 that respect.

6           You seem to address the point that it's not  
7 indicative of any particular historical event, but we're not  
8 limited to events. I think we're entitled to preserve things  
9 that reflect the history of the village. And Mr. Dolkart --  
10 Professor Dolkart seems to think this one does. Do you have a  
11 view on that?

12           SID SCHOLMAN: Well, I just went by the wording of  
13 the criteria as the word event is used in there, and I don't  
14 categorize a subdivision or a suburbanization over years as a  
15 single event. So that was just kind of a semantics of the  
16 criteria, an evaluation of the criteria.

17           But if the house -- well, we're looking at the house  
18 as a structure, as architecture, as people, as architects, I  
19 don't feel it met any of the criteria. So the report, I think,  
20 quite honestly stretched a lot. There's a lot of information in  
21 there, the pages written, a lot of it, really, I mean, it's good  
22 background, but they're not pertinent to the decision-making  
23 process I think.

24           People's jobs where they live, they move across that  
25 sort of thing, because none of those people meet the criteria, I

1 think, for -- of importance. So that was my interpretation.

2 KEVIN REED: Well, I don't want to read Professor  
3 Dolkart's mind, but as I understand his report, he's giving that  
4 background in part to support his conclusion that the  
5 development of this subdivision was significant within the  
6 history of this village.

7 Do you have -- let me just finish. Putting aside  
8 the question of whether or not that satisfies the criteria,  
9 we'll have to take that up. But do you disagree as a factual  
10 matter with his view that the development of this house and this  
11 subdivision was significant within the history of this village?

12 SID SCHOLMAN: Like I said in my paragraph, I  
13 think every house has some sort of significant importance in the  
14 development, whether it was built five years ago, whether it was  
15 100 years old. Every house has a history. Every house is there  
16 for a reason, whether a piece of land was subdivided or  
17 combined.

18 So I think that could be said for any house. I  
19 don't think it's -- I don't, you know, I wasn't there 90 years  
20 ago or whatever it was. So I don't know the true significance,  
21 but I think that could be said the way he wrote it for any  
22 house.

23 KEVIN REED: Thank you.

24 SID SCHOLMAN: Okay.

25 ADAM LINDENBAUM: Anyone else on the board, want

1 to ask questions of the applicant?

2 Okay. Certainly, we'll have to have the chance to  
3 do so. Anything that you want to add. I mean, the public is  
4 here. They'd like to weigh in.

5 SID SCHOLMAN: Yeah. No. I'm sure they will.  
6 No, I think I've covered all the five points and some of the  
7 background information.

8 ADAM LINDENBAUM: Yeah. You mentioned at the  
9 beginning also that people have approached you on both sides of  
10 this. I'm just curious where those members of the public who  
11 knew you were involved with the project? Is that people who are  
12 part of the contract?

13 SID SCHOLMAN: Yeah, not -- I didn't mean that in  
14 a bad way. Just people voicing their opinion. People that are  
15 here tonight, people that are clients, people that just have  
16 interest in this project. So I've just been hearing a lot of it  
17 ever since I've, you know, started the process literally a few  
18 days ago. So that's all. So I understand the emotions that  
19 come with it.

20 ADAM LINDENBAUM: Oh, so fair to say you were  
21 retained by the applicant specifically to present to us --

22 SID SCHOLMAN: Yes.

23 ADAM LINDENBAUM: -- tonight? Okay. I didn't  
24 realize how recent you were coming.

25 SID SCHOLMAN: Yeah. I wasn't at the last

1 meeting, so yeah.

2 ADAM LINDENBAUM: Okay. All right. Do people in  
3 the public want to speak on this? I imagine so. Generally,  
4 show of hands. How many people want to speak? Okay. That's  
5 not too many.

6 Will you just yield the microphone to the -- just to  
7 speak, you know, slide over okay. Yeah. You can all organize  
8 yourselves, and please come, you know.

9 AMY LAURENCE: But one by one.

10 ADAM LINDENBAUM: Yeah. One by one, please.

11 SHERI GEER: Thank you for putting this.

12 JONATHAN LERNER: Before you start --

13 ADAM LINDENBAUM: No, no.

14 JONATHAN LERNER: Before you start, please give us  
15 your name and your address. Just come up to the microphone and  
16 please, and speak into the microphone with the red.

17 LISA JUDSON: My name is Lisa Judson. I'm the  
18 owner of 6 East Woods Lane, which is the street right before  
19 around the corner.

20 ADAM LINDENBAUM: 60?

21 LISA JUDSON: 6.

22 ADAM LINDENBAUM: 6.

23 LISA JUDSON: I did not come with any prepared  
24 words, but I did want to say two things. One, my understanding  
25 -- I've lived in that house for 22 years. My understanding when

1 I moved into this area is that this, the Woods, as it was, I  
2 think, called or known as much decades before, was a special  
3 area.

4 There is one house and I believe its 20 Woods and  
5 the back of that house faces Eastwoods. That is the original  
6 house on these blocks. That house has a dock in the back  
7 because it was actually leading to the Hutchinson River, which I  
8 believe it's the Hutchinson, which runs in the middle of my  
9 property.

10 And I can't speak to the five points because, again,  
11 I didn't know that there were five points that we were going to  
12 be speaking to. But I can tell you that that is an historical  
13 house, because ss you can see -- you can tell when you look at  
14 it, and it was built -- my understanding is again before the  
15 Kensico Dam or -- and looked up the Kensico Dam and the building  
16 today. The fact that it has a dock is not -- there's no other  
17 house that I know of in Westchester that has a dock.

18 AMY LAWRENCE: Which -- what street is that?

19 LISA JUDSON: I think it's -- anybody want to  
20 speak up? Is it 20?

21 PUBLIC MEMBER: I don't know it

22 LISA JUDSON: You don't know?

23 PUBLIC MEMBER: (Indiscernible).

24 LISA JUDSON: Yeah. It's in the back.

25 PUBLIC MEMBER: (Indiscernible).

1                   LISA JUDSON:        It's behind the other house.  It's  
2 quite --

3                   PUBLIC MEMBER:        (Indiscernible).

4                   LISA JUDSON:        No, it's on -- the address is on  
5 Woods.

6                   PUBLIC MEMBER:        (Indiscernible).

7                   LISA JUDSON:        But the back of the house faces  
8 Eastwoods.  I can show -- if you have a map.

9                   AMY LAWRENCE:        And it occurred to 20, okay.

10                  PUBLIC MEMBER:        (Indiscernible).

11                  JONATHAN LERNER:        You said there were two things.

12                  LISA JUDSON:        The second thing is the water  
13 problem, which I'm sure you're aware of.  We have a terrible  
14 water problem on Eastwards.  And I don't --

15                  ADAM LINDENBAUM:        You know, that's really a little  
16 bit beyond --

17                  LISA JUDSON:        It may be.  And I'm saying I did not  
18 know that the, you know, that this group's responsibility is  
19 about the historic preservation.  But I can speak to being a  
20 homeowner in this area.  Do not please put more houses into this  
21 area.  We are -- this is the fourth time in five years I've had  
22 to rebuild my basement.

23                  ADAM LINDENBAUM:        Okay.  Thank you.

24                  LISA JUDSON:        its nuts.  Thank you.

25                  AMY LAWRENCE:        Okay.

1 ADAM LINDENBAUM: Next.

2 LINDA KILLIAN: Good evening.

3 ADAM LINDENBAUM: Good evening.

4 LINDA KILLIAN: I'm Linda Killian, 1 Forest Lane.

5 We face Woods, we're at the corner of Woods and Forest. And

6 when we moved there over 35 years ago, we were told by the

7 realtor that this was really a special subdivision within

8 Scarsdale. And, you know, after moving in over the years, I've

9 looked at zoning in Scarsdale and zoning in suburban America.

10 And Scarsdale has a wonderful heritage, and its part

11 of the heritage of American suburbanization and also the

12 importance of housing as a way to build morals, and family, and

13 education, and instill that in a community. And Scarsdale

14 really embodies that because we have, you know, different

15 neighborhoods.

16 They're all a little bit different. I can -- I'll

17 speak specifically to the Woods. A lot of it is forest as it

18 makes the U, is a grid and the houses are smaller. But as you

19 walk down Woods 27 and there are three houses on the bend there,

20 and 27 is at the beginning of the bend, and it is a double lot.

21 Then there's a house that is smaller, and it is in

22 the middle of the bend. And then there is another very large

23 house that's painted yellow that is almost at Southwoods. And

24 it too is large. And it's a -- it was a very beautifully

25 designed area, as was outlined in that report.

1           And I think when you look at a particular house in  
2 Scarsdale, our development in Scarsdale largely occurred in the  
3 1920s and 1930s. So if you look specifically at any one house,  
4 you can't say, well, it's historic. You know, it went up in the  
5 boom after the railroad was electrified for middle and upper  
6 middle class families.

7           But there were specific areas in Scarsdale again  
8 outlined in that report that were planned. And our neighborhood  
9 was planned by a group of architects and developers over time.  
10 And it's a great walking neighborhood. And all it takes is one  
11 horrible development to come in and absolutely ruin that.

12           And just as in parting, I would like to say that  
13 there, I see as I go around Scarsdale, far too many teardowns of  
14 beautiful houses. You all know the house that was torn down on  
15 church at the corner of Crane. What a shame.

16           ADAM LINDENBAUM:       We'd really love to --

17           LINDA KILLIAN:        What a shame. Okay, I'll get to  
18 it.

19           ADAM LINDENBAUM:       No, no. I get you.

20           LINDA KILLIAN:        And then you look at the ones on  
21 Cross way that are being delivered -- being built and within a  
22 block of each other, there are two cookie cutter houses that  
23 look like they're built of prefab black and white material. I  
24 do not want to have that happen in my neighborhood. And I don't  
25 want to have that happen in any other neighborhood.

1           In closing, I would like to say that it is about  
2 time that the interests of the residents of Scarsdale, the  
3 homeowners of Scarsdale, become more aligned with the planning  
4 and historic preservation boards. And if that requires a  
5 moratorium on further development, until we can look at our  
6 village code and modernize it, I think that needs to be done.

7           ADAM LINDENBAUM:     Ms. Killian, I have to stop you.  
8 That's beyond our power. But thank you.

9           LINDA KILLIAN:        I'm making a recommendation.

10          ADAM LINDENBAUM:     Thank you. We don't have the  
11 power to institute what you're asking, but we're just -- we have  
12 a lot of people who want to speak. We heard you about your  
13 experience --

14          LINDA KILLIAN:        Thank you very much.

15          ADAM LINDENBAUM:     -- in the Woods. Thank you.

16          JIM DETHMER:         Good evening. Good to see you  
17 again. I'm Jim Dethmer, reside at 29 Woods Lane, which is  
18 adjacent to the subject property. I do want to thank the  
19 committee for the work that you do. I'm just a civic neophyte  
20 and getting an idea as to how much work you guys do on a  
21 volunteer basis and on behalf of the community.

22                 We certainly appreciate the effort. It's got to be  
23 thankless sometimes, but again, much appreciated by all of us.  
24 Thank you also to the citizens of Scarsdale here this evening,  
25 to the residents of Woods Lane and the Woods. We are concerned,

1 as Linda stated, well, about the evolution of our neighborhood.

2 And what I'd like to do tonight, with your  
3 permission, is revisit my concern that I stated last week.  
4 Concern over 27 Woods and the implication of a tear down. From  
5 a historical perspective. And our concern for space aesthetics  
6 in land use.

7 As stated, 27 Woods is centered on the oval that  
8 constitutes most of the Woods. Its removal would be a  
9 neighborhood loss and a community disaster. A lot of people  
10 have not had the opportunity here. I don't think, to see  
11 Professor Dolkart's review and opinion, and I sure as heck don't  
12 want to read it here, but I do want to call it --

13 ADAM LINDENBAUM: I don't think you -- I would let  
14 you do it here.

15 JIM DETHMER: You wouldn't let me read it here.

16 ADAM LINDENBAUM: No, but it's available in the  
17 building's (indiscernible) Dropbox. Yeah.

18 JIM DETHMER: Right. So being a neophyte, I  
19 struggle my way through that to find that. And folks here  
20 should understand that if you go to the CHP agenda site, you can  
21 likewise see the professor's opinion. Professor Dolkart is an  
22 architectural historian, as I understand it, from Columbia  
23 University.

24 He's been retained by the by this committee to help  
25 and assist in doing their job. What it says, though, and what I

1 would like to read is that 27 Woods Lane, this is in his  
2 concluding paragraph now, 27 Woods Lane is an important early  
3 building in the Woods.

4 A notable and architecturally cohesive subdivision  
5 developed in the second half of the 1920s and the 1930s. The  
6 period when 27 Woods and the Woods subdivision as a whole were  
7 developed as exactly the time when Scarsdale was being  
8 transformed into one of the finest suburban communities in the  
9 New York City metropolitan region.

10 As I look at Criteria 4 of the CHP mandate that the  
11 -- it states that the building embodies the distinctive  
12 characteristics of a type and period. The period that we're  
13 discussing here is the period of suburban expansion. So I would  
14 say that it tows directly to your mandate.

15 It continues to go on. Thus, the House exemplifies  
16 architecture that reflects the key development in the broad  
17 patterns of Scarsdale's history. That tows to Criteria 1, of  
18 the CHP mandate, which states that the building is associated  
19 with events that have made a significant contribution to broad  
20 patterns of village history.

21 For those reasons, I'd ask you to move away from  
22 demolition and focus on preservation. There's one other piece  
23 that I'd like to address here which has not been addressed, and  
24 I understand the focus is history, but part of architecture is  
25 land use as well.

1                   And part of the history of the Woods is land.  
2     Dolkart states in his opinion, the house has a large backyard  
3     with a preservation of notable mature trees is evident. In the  
4     center of the arch stands a very tall white oak and an equally  
5     tall tulip tree.

6                   To the rear there are three more enormous tulip  
7     trees. The size of these trees indicate that they were standing  
8     at the time that the Woods subdivision was planned. Other  
9     mature trees can be seen in the area. We can't close our eyes  
10    to the topographical or geographical history of this  
11    neighborhood.

12                  They call it the Woods for a reason. I mentioned a  
13    moment ago, and I'll close with this. That I'm a civic  
14    neophyte, and that's my bad guess. But we initiated a petition  
15    in late last week. Which our goal is to share it with various  
16    committees and boards in the village, to make sure that people  
17    are aware of the fact that we're disenchanted perhaps with the  
18    existing laws -- real estate and zoning laws.

19                  And then perhaps we need to take a good, hard look  
20    at it and make sure that those laws tow to the needs and desires  
21    of the constituency. But we started this petition and said, I  
22    don't know if we get ten, 15, 20 guys, we're doing -- you know,  
23    folks to sign up. We're doing pretty well.

24                  As of late this afternoon, there's 205 signatures.  
25    And they will continue to be, I'm sure, people that step up and

1 say, hey, enough, let's take a good, hard look at this. So  
2 again, move towards preservation, not demolition. I thank you  
3 very much for your time.

4 ADAM LINDENBAUM: Thank you very much.

5 JARED DIPALMA: Jared DiPalma, 10 Southwoods Lane.

6 Thank you for the opportunity to say a few words and for your  
7 service to the village of Scarsdale. We moved to the Woods in  
8 2019 because of its unique character, unlike any other  
9 neighborhood in Edgewood.

10 Over the past four years, we have come to appreciate  
11 the history of the Woods, a neighborhood untouched from the 1930  
12 when Grace Smith and the village created this unique  
13 development. The Woods is truly a time capsule and a living  
14 museum of the village's vision for development and  
15 suburbanization between the 20s and 30s.

16 Since its development, no home has ever been  
17 demolished from the original 1930 plan. And no new development  
18 has occurred in the Woods since the early 60s. Preserving  
19 historic neighborhoods is crucial for maintaining a town's  
20 unique character and cultural heritage.

21 Fostering a sense of community and ensuring that  
22 future generations can connect with the past while enjoying the  
23 benefits of a diverse and vibrant modern-day village. On behalf  
24 of the Scarsdale residents here tonight, we ask that you protect  
25 this historic significance and aesthetic of the Woods

1 neighborhood and overturn the application to demolish 27 Woods  
2 Lane. Thank you.

3 ADAM LINDENBAUM: I just have a question, Jared.  
4 Thank you. Do you have any objective evidence about the lack of  
5 demolition in the neighborhood? I mean, is it just your  
6 observation from living there? I mean, did you research that in  
7 any way and anything that you can point to?

8 JARED DIPALMA: If you go to the Scarsdale  
9 Library, there's an original map of the Woods from 1930. You  
10 can see the different plot lines on that map. And if you do a  
11 simple Google Maps search and look at the current property  
12 outlines, you could see they very much match up, except for  
13 three residences that were put in -- as flag lots in front of  
14 the original Grace Smith home.

15 And one at the corner of Madison in Southwoods. I  
16 think those type of properties wanted to be allowed today  
17 because it's a flag lot. So that's why you really --I think the  
18 last home was on Woods was 1964, and everything else is, is from  
19 30s era, 20 -- late 20s, 30s era.

20 ADAM LINDENBAUM: Thank you for doing that  
21 research.

22 JARED DIPALMA: Yeah.

23 ADAM LINDENBAUM: Okay. We'll follow up. Thank  
24 you.

25 RITA PIAZZA: All right. I'm short enough that I

1 don't even have to sit. Welcome. My name is Rita Piazza. I'm  
2 at 50 Woods Lane. I've lived there 29 years. I've been in  
3 Scarsdale, 42. Edgewood has a certain personality. People that  
4 live in Edgewood. They start in small houses because most of  
5 them are small, but they do want to move to larger homes.

6           Years ago, the town took Sherbrooke Park away from  
7 us, Taunton. Because the schools in Heathcote didn't have  
8 enough kids. So people that want to stay in Edgewood always  
9 look to Woods Lane and Southwoods. I left notes for six years  
10 to get on Woods Lane.

11           I'm there 29 years now, okay? The block is one of  
12 the most beautiful blocks in Scarsdale. What I stand here now  
13 is I -- so I know you didn't want us to mention it, but I go  
14 down, Crane, and I see those two houses. And if anyone thinks  
15 that that's where this heading is going, that would really be a  
16 terrible disservice to Woods Lane.

17           Woods Lane goes like this, and that's sort of in the  
18 middle. So I could just see two houses close together that  
19 would never go there. Everybody could work and figure out what  
20 to do with the house. They did that on Heathcote. The brick  
21 home of the famous man who owned the -- his own magazine.

22           And people took it, and they complained that it was  
23 -- he was historical. And what they did was they sort of  
24 renovated it, but it still had that beautiful brick structure.  
25 And I think that that's what should be done.

1                   But Woods Lane really is to the Edgewood families  
2 that want to move to a larger home, and they don't want one of  
3 those identical twin big homes that my driveway is bigger than  
4 the space between the two of them. So that's all I have.

5                   ADAM LINDENBAUM:       Thank you.

6                   PUBLIC MEMBER:        Thank you.

7                   LINDA SWANN:        My name is Linda Swann. I live on  
8 26 Tunstall Road. I decided to speak --

9                   ADAM LINDENBAUM:       Can I have your address again?  
10 Sorry.

11                  LINDA SWANN:        26 Tunstall.

12                  ADAM LINDENBAUM:       Okay.

13                  LINDA SWANN:        I decided to speak today because I  
14 don't live in the Woods. And I wanted you to know the  
15 importance of this area to people who live elsewhere. My  
16 husband and I walk around Edgewood all the time. Where do we  
17 walk, we walk on Southwoods, Eastwoods and Woods because it is  
18 such a beautiful, unspoiled beautiful, unspoiled area. And I'd  
19 like to repeat that, it's unspoiled. Pulling down this house  
20 and putting God knows what else there would spoil the whole area  
21 for us. And you don't have to go as far as Crane Road and  
22 Church Lane to see appalling instances of replacement houses.  
23 You just need to come to Tunstall Road where I live, and see  
24 what they've put at 25 Tunstall Road.

25                           And it's as if the village doesn't care about

1 Edgewood. You know, this is a beautiful community. Well, it  
2 used to be. Some blocks are now, you know, really not what they  
3 were and not what they should be. But, one of the problems is  
4 that once one house is torn down on a block, that is used as an  
5 argument to pull down the next one.

6 And they say, well, you'll allow that to be pulled  
7 down, therefore you have to allow this other house to be pulled  
8 down. And then it just -- it escalates. So you have, you know,  
9 multiple houses being pulled down and buildings far too big for  
10 the lots being allowed to be put in its place, or two houses  
11 like on Church Lane.

12 And, I mean, what is happening to this village I  
13 think is appalling. And you say, well, you know, you can't,  
14 that's outside, you know, the rules. So then the rules need to  
15 be changed. And it's -- we came to this community not just for  
16 the schools, because it has beautiful old buildings and  
17 beautiful old trees. And the other thing they do is they cut  
18 down all the trees and then they say, well, we're going to  
19 replace them with the same number of trees, but you can't  
20 replace trees that are 100 years old. I mean, you can, but  
21 there'll be a hundred years old when -- after I'm dead and gone.

22 So, you know, we came -- we want this neighborhood  
23 to stay as it is now. And there's no reason to pull down this  
24 house except to make somebody money. And the people who are  
25 getting money from this don't live in this community. They do

1 not care at all about the community (indiscernible).

2 ADAM LINDENBAUM: Thank you. You've all spoken  
3 well and uniquely. I'm just going to say that as we're going  
4 on, and we have all these others on the docket, you know, just  
5 please try not to repeat what others have said and be mindful of  
6 time. Thank you.

7 JONATHAN LEWIS: Hi. Jonathan Lewis, 56 Woods  
8 Lane. I want to thank all of you for your service and your  
9 time, and echo the comments of Jim Dethmer on this. And it's  
10 been wonderful for me to listen to my neighbors because they use  
11 such wonderful language.

12 I love the language about describing Woods Lane as a  
13 time capsule and a living museum. I truly feel that. So I  
14 really appreciate Jim Dethmer 's phrase that losing this house  
15 would be a neighborhood loss. We would mourn it.

16 I thought Linda Killian really spoke eloquently  
17 about the historic vistas and explaining its time and place  
18 around the curve and the bend, right? The part of what makes a  
19 home significant historically, culturally, aesthetically is how  
20 it fits in with the environment. The -- its relationship to the  
21 other structures, its relationship to the natural world.

22 And really, you know, when you look at that picture,  
23 what I find fascinating is it's a work of art. There may be  
24 imperfections in the building as we are imperfect, but all of  
25 the imperfections of the trees, their limbs, the angles they're

1 going at, the home itself engage with each other and interact in  
2 a way that's just beautiful.

3           And so, you know, when I look at the intent of the  
4 CHP, you know, in our own village code, which is preservation  
5 and preserving historic buildings with distinctive elements that  
6 foster pride, a civic pride in the accomplishments of the past  
7 and just pride itself. I hear a lot of pride in this meeting.

8           And, you know, when I look at some of the other  
9 criteria that relate to the historical significance of this  
10 Woods development, and look at Professor Dolkart's letter, I'm  
11 persuaded that his recommendation is exactly right, that this  
12 handsome house, which could continue to be a comfortable home  
13 for a new family, should not be demolished.

14           His letter talks about the trees, the landscape, the  
15 art of it. We've talked about in prior meetings about the  
16 challenges to our own community. The tree arbor in modern codes  
17 would be considered part of our historical legacy.

18           Look at that picture. Look at that arbor. Look at  
19 how it interacts with the house. This beauty here is what we're  
20 trying to preserve and the home and the layout of the Woods Lane  
21 development exemplifies. It's the very embodiment of the wave  
22 of suburbanization and the quality of workmanship that made  
23 Scarsdale great and continues to make it great if we preserve  
24 it.

25           And I would just note that its geographical space,

1 its relationship to space, it's the very fulcrum of the whole  
2 neighborhood. And you lose the fulcrum, and you will lose the  
3 whole neighborhood. When you look at where it is, it truly is  
4 the center of balance of these vistas.

5           So I would encourage you to use all of your  
6 authority and your judgment and flexibility to do what I think  
7 this time and moment calls for, which is to preserve our  
8 neighborhood, our village, its beauty, its grace. The quality  
9 of our natural environment is endangered by developers and this  
10 house, and this fight between neighbors and developers who don't  
11 live here is exactly what the struggle about this time resonates  
12 with.

13           You've got the power to save this. You've got the  
14 power to take a stand and rescue our village from rampant  
15 development. So on behalf of myself, my family, my neighbors,  
16 your neighbors, and the hundreds of our neighbors who've signed  
17 this petition now asking for a moratorium, whose views are in  
18 alignment with our views, we ask you to use your authorities and  
19 save this home from demolition. Thank you.

20           AUDREY SCHWARZ:     Hi.

21           ADAM LINDENBAUM:    Hello.

22           AUDREY SCHWARZ:     Audrey Schwarz, 242 Madison Road.

23           I don't live on Woods Lane, and I don't want to repeat what  
24 others have said, so I'll just say that I think the Woods is a  
25 special community. It's a beautiful community with all of its

1 original homes in place. The owners that live there are very  
2 proud of that area. Its architectural sameness brings it higher  
3 value for home values in Woods Lane.

4 So I'd like to know if the historic preservation,  
5 could it be -- could the committee consider that the House and  
6 the entire Woods Lane neighborhood be considered for historic  
7 preservation as an entire community? Is that a possibility?  
8 Because by removing that home, you would change the nature of  
9 that community.

10 ADAM LINDENBAUM: Our mandate is to look at one  
11 application at a time. So no. But we do consider the setting.  
12 You know, there are broader things that we consider in our, you  
13 know, like the trees and like the landscape, which are part of  
14 the preamble of the code, not just the one through five  
15 criteria. There are what I call subjective factors that we can  
16 consider.

17 AUDREY SCHWARZ: So you're saying that if they  
18 petitioned to protect entire street and houses as an entire  
19 historic preservation neighborhood, could that be considered or  
20 not?

21 ADAM LINDENBAUM: Not under the current code.

22 AUDREY SCHWARZ: Okay. Thank you.

23 ADAM LINDENBAUM: Thank you.

24 FRANK DIODATI: (Indiscernible) make comment on  
25 that.

1           ADAM LINDENBAUM:     Well, can you just turn your  
2     (indiscernible)?

3           FRANK DIODATI:     Just to comment on that. That is  
4     above our pay grade, but historic districts and other villages  
5     and towns are created. And if that's something that the  
6     community is interested in, I would urge you to go to the right  
7     board and make your case for that. So that's my comment on  
8     that.

9           RICK BIRCH:     Hi.

10          ADAM LINDENBAUM:     Hi.

11          RICK BIRCH:     Rick Birch, live at 52 Woods Lane.  
12     Was not planning to talk tonight, but hearing my neighbors  
13     express their feelings, there's two things I wanted to say. We  
14     moved in maybe 2018. I live there with my wife and two  
15     daughters. And when we were looking for a house, we probably  
16     looked at about a dozen houses within a two-to-three-month range  
17     and we just kept saying no and finding different reasons to not  
18     like it.

19                 When we went to go look at 52 Woods, we were sold on  
20     the house driving up the road. Done. We didn't -- we weren't  
21     really familiar with that area. But driving up Woods Lane,  
22     looking at the houses, that was it. We were sold before we got  
23     into the house. After that it was just a formality, and when we  
24     closed, we were thrilled that it was ours. And we've enjoyed  
25     our time there. And it's a phenomenal street.

1           Second, I'm not really just here to speak on mine  
2 and my family's behalf. My wife's roots actually go back in  
3 this town to 1962 when her grandparents bought a house, 171  
4 Nelson Road. So 62 years is how long her roots go. And so when  
5 you talk about history, that's history, right? That probably  
6 predates most of the people here.

7           Her grandparents raised seven kids in that house.  
8 Don't know how they did it. Their oldest daughter, Lorraine,  
9 purchased a house across the street, two houses down, because  
10 she loved the town so much that she wanted to stay in the town  
11 and stay close to her family.

12           I became really close with the family, really close  
13 with Lorraine. She's one of the nicest, kindest human beings  
14 that I ever met. I should say that it's her late aunt. And  
15 when we told her that we were purchasing 52 Woods Lane, she  
16 almost started crying. She was so happy that we bought that  
17 house. Not just that we were staying in Scarsdale, but because  
18 after 60 years in this town, she thought that street was so  
19 beautiful that she started crying and was so happy that we were  
20 on that street.

21           And so I don't know if these other houses that are  
22 going to go, I don't know if I would have had the same reaction  
23 for her, and I don't think she would be happy with what the  
24 plans to that street would be either. So I'm here for her and  
25 us to say it's a beautiful street. Let's keep it the way it is.

1 Thank you.

2 ADAM LINDENBAUM: Thank you.

3 Okay. Thank you to the public for enlightening us  
4 on all these stories. Anyone else on the committee want to --  
5 well, you know, let me give Mr. Schloman an opportunity. If  
6 there's anything that was said from the public realm that you  
7 want to address, certainly going to give you the opportunity to  
8 do that.

9 SID SCHLOMAN: Thank you.

10 ADAM LINDENBAUM: Thanks for your patience.

11 SID SCHLOMAN: Just on --

12 ADAM LINDENBAUM: Yeah, go ahead.

13 SID SCHLOMAN: Yeah. Just a few, you know, I  
14 appreciate all the comments and convictions towards the  
15 preservation. However, I just wanted to point out a few things.  
16 Let's say, for example, for the three flag lots where houses  
17 were built in the '60s, how do you think the neighbors felt  
18 about the addition of an additional house there? Like change in  
19 every neighborhood is inevitable.

20 This neighborhood does not -- is not a conservation  
21 subdivision. You know, development can go on. A lot of the  
22 comments that I heard were also about the aesthetics, how pretty  
23 the trees, the drainage. I think a lot of those comments and  
24 questions would be answered in another board, perhaps the Board  
25 of Architectural Review or the Planning Board or the Zoning

1 Board.

2 So a lot of those comments may be valid for what's  
3 coming next, but this is not the purview or the venue for those  
4 comments. So I think in my original presentation, I think we  
5 touched upon the five criteria as outlined in the Village Code,  
6 and I think we made a case for all five points. So I appreciate  
7 the Board looking at that solely as they always do. Thank you.

8 ADAM LINDENBAUM: Can you --

9 FRANK DIODATI: This isn't directed to you, Mr.  
10 Schloman, but I guess, since so many of the folks speaking  
11 tonight based their presentations on the beauty of this House  
12 and its importance to the beauty of the street and the  
13 neighborhood, I just want to make clear everybody understands we  
14 do not have on this board a clear ability to preserve a house  
15 simply because it is beautiful, because it is contributing to a  
16 beautiful street or important to the integrity of a beautiful  
17 neighborhood.

18 As Mr. Lindenbaum said a few minutes ago, there are  
19 subjective factors and there's certain play in the joints of the  
20 code. But for those folks who believe and have expressed their  
21 view tonight, that we ought to be able to preserve a house for  
22 those sorts of reasons, because it is integral to a beautiful  
23 neighborhood, and destruction would somehow undermine the  
24 integrity of a neighborhood. You need to do more than come here  
25 and express that view.

1           You've got to change your code. We're not the folks  
2 who do that. The Board of Trustees are. And so it's great that  
3 you all come. And I'm sure there's some sympathy for those  
4 views among these -- the members of this board, but there's more  
5 work to do if that's what you want to see.

6           SHERI GEER:       (Indiscernible).

7           FRANK DIODATI:     You can't. I don't think it's a  
8 question answer session. I'm just really addressing the  
9 comments that were made.

10          ADAM LINDENBAUM:   We did hear everything that you  
11 said of course. And, you know, we're tasked with ruling on the  
12 code as it's written. You know, as it's here tonight, you know,  
13 we appreciate the call for a moratorium. Perhaps a pause is a  
14 good idea in the global sense, but, you know, the trustees will  
15 hopefully listen to that petition and take it up in short order.

16          But tonight we have to -- we have to vote. This  
17 applicant was kind enough to allow us to adjourn it once for  
18 Professor Dolkart's report, which we all give weight to. He's  
19 our expert. And we've heard a lot. We've heard research --  
20 we've done our own research.

21          And so I think the time for a vote is coming to us,  
22 unless there are further questions, clarifications that the  
23 Board, you know, wants to ask of the applicant.

24          FRANK DIODATI:     I would move that we vote and that  
25 the subject property -- that the permit be denied because the

1 subject property -- for the reasons expressed in Professor  
2 Dolkart's report, is important to the broad patterns of history  
3 of the village. And that for that reason, the permit be denied.

4 Okay. So --

5 ADAM LINDENBAUM: So motion is made.

6 FRANK DIODATI: Yeah. Kevin made the motion that  
7 the subject property --

8 JONATHAN LEWIS: Is of historical.

9 FRANK DIODATI: -- is of historical importance,  
10 that it meets the criteria of 182-5 of the Village Code and that  
11 the application be denied, correct?

12 JONATHAN LERNER: Correct.

13 FRANK DIODATI: Okay.

14 ADAM LINDENBAUM: Hold on one second.

15 FRANK DIODATI: I'll second the motion.

16 ADAM LINDENBAUM: Okay.

17 AMY LAWRENCE: I agree.

18 FRANK DIODATI: Thank you.

19 ADAM LINDENBAUM: Hold on -- hold on one second.

20 FRANK DIODATI: Hold on.

21 ADAM LINDENBAUM: You would second.

22 FRANK DIODATI: Slow down for (indiscernible).

23 Kevin motion, I second.

24 ADAM LINDENBAUM: Kevin --

25 FRANK DIODATI: Yes.

1 ADAM LINDENBAUM: Kevin motion you second. Okay.  
2 Sherry.

3 SHERI GEER: Agree.

4 LAUREN BENDER: Agree.

5 FRANK DIODATI: Jonathan?

6 JONATHAN LERNER: I agree with that.

7 MERIDITH KENT: I agree.

8 AMY LAWRENCE: I agree.

9 ADAM LINDENBAUM: Okay. So seven nothing, the  
10 motion passes and the applications denied. We will be issuing a  
11 memorandum decision. I believe it's within 14 or 15 days of  
12 tonight, outlining the reasons that we discussed  
13 (indiscernible).

14 JONATHAN LERNER: Will it be (indiscernible)  
15 criteria?

16 ADAM LINDENBAUM: Yes, it will be -- it will be a  
17 detailed decision, going through the criteria and the things  
18 that the committee is relying upon in its decision and will also  
19 advise you -- I'm advising you now, there are rights of appeal  
20 and there are rights of hardship application also within Section  
21 182 of the Village Code that the owner should be advised about.

22 JONATHAN LERNER: Okay. Thank you

23 ADAM LINDENBAUM: We'll put that in our memorandum  
24 decision as well.

25 JONATHAN LERNER: Thank you.

1 ADAM LINDENBAUM: Thank you.

2 (Recording stopped.)

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I further certify that I am not a relative, employee, attorney, or counsel of any of the parties, nor am I a relative or employee of any of the parties' attorneys or counsel connected with the action, nor am I financially interested in the action.

Dated this 25th day of October 2023.

*David Frisco*

/s/ David Frisco  
David Frisco  
Transcriber



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A			
<b>ability</b>	<b>adjourn</b>	36:8	17:25 22:9 26:15,18
35:14	36:17	<b>answered</b>	26:20 31:2 32:21
<b>able</b>	<b>advise</b>	34:24	<b>areas</b>
35:21	38:19	<b>anybody</b>	18:7
<b>absolutely</b>	<b>advised</b>	15:19	<b>argument</b>
18:11	38:21	<b>appalling</b>	27:5
<b>accomplishments</b>	<b>advising</b>	26:22 27:13	<b>arguments</b>
8:18 29:6	38:19	<b>appeal</b>	4:18,19
<b>action</b>	<b>aesthetic</b>	38:19	<b>art</b>
40:9,10	9:6 23:25	<b>appear</b>	7:20 28:23 29:15
<b>Adam</b>	<b>aesthetically</b>	8:7	<b>aside</b>
2:2 3:2,5,13 4:8,24	28:19	<b>applicant</b>	12:7
5:1,4 6:9,12,14,16	<b>aesthetics</b>	3:20 4:7,12 13:1,21	<b>asked</b>
6:18,20 10:15,24	20:5 34:22	36:17,23	5:8
12:25 13:8,20,23	<b>afternoon</b>	<b>application</b>	<b>asking</b>
14:2,10,13,20,22	22:24	3:23 4:15 5:8 24:1	19:11 30:17
16:15,23 17:1,3	<b>agenda</b>	31:11 37:11 38:20	<b>assessment</b>
18:16,19 19:7,10,15	20:20	<b>applications</b>	8:22
20:13,16 23:4 24:3	<b>ago</b>	38:10	<b>assist</b>
24:20,23 26:5,9,12	12:14,20 13:18 17:6	<b>appreciate</b>	20:25
28:2 30:21 31:10,21	22:13 25:6 35:18	4:15 19:22 23:10	<b>associated</b>
31:23 32:1,10 34:2	<b>agree</b>	28:14 34:14 35:6	8:4 9:20,21 21:18
34:10,12 35:8 36:10	37:17 38:3,4,6,7,8	36:13	<b>assume</b>
37:5,14,16,19,21,24	<b>ahead</b>	<b>appreciated</b>	4:2
38:1,9,16,23 39:1	34:12	4:21 19:23	<b>attorney</b>
<b>add</b>	<b>aligned</b>	<b>approached</b>	40:7
13:3	19:3	4:13 13:9	<b>attorneys</b>
<b>addition</b>	<b>alignment</b>	<b>arbor</b>	40:8
7:11,13 8:1 34:18	30:18	29:16,18	<b>audio</b>
<b>additional</b>	<b>allow</b>	<b>arch</b>	1:9 40:5
34:18	27:6,7 36:17	22:4	<b>Audrey</b>
<b>Additionally</b>	<b>allowed</b>	<b>architect</b>	2:19 30:20,22,22
6:24 9:3	24:16 27:10	5:13	31:17,22
<b>additions</b>	<b>America</b>	<b>architects</b>	<b>aunt</b>
6:4	17:9	4:11 9:4 11:18 18:9	33:14
<b>address</b>	<b>American</b>	<b>architectural</b>	<b>authorities</b>
4:5 11:6 14:15 16:4	17:11	7:10,14 9:18 20:22	30:18
21:23 26:9 34:7	<b>Amy</b>	31:2 34:25	<b>authority</b>
<b>addressed</b>	2:3,11 3:8,8 14:9	<b>architecturally</b>	30:6
10:3 21:23	15:18 16:9,25 37:17	21:4	<b>authorized</b>
<b>addressing</b>	38:8	<b>architecture</b>	40:3
36:8	<b>Andrew</b>	11:18 21:16,24	<b>available</b>
<b>adjacent</b>	8:23	<b>Ardmore</b>	20:16
19:18	<b>angles</b>	3:16	<b>aware</b>
	28:25	<b>area</b>	16:13 22:17
	<b>answer</b>	15:1,3 16:20,21	<b>A2</b>

8:6	<b>Bender</b> 2:6 3:11,11 38:4	<b>broad</b> 9:22 11:3 21:16,19 37:2	9:25
<b>B</b>	<b>benefits</b> 23:23	<b>broader</b> 31:12	<b>center</b> 6:23,24 22:4 30:4
<b>back</b> 15:5,6,24 16:7 33:2	<b>best</b> 7:17	<b>build</b> 5:2 17:12	<b>centered</b> 20:7
<b>background</b> 11:22 12:4 13:7	<b>beyond</b> 16:16 19:8	<b>builders</b> 8:15 10:10	<b>century</b> 5:23,23
<b>backyard</b> 22:2	<b>big</b> 26:3 27:9	<b>building</b> 3:14 5:18 9:21 15:15 21:3,11,18 28:24	<b>certain</b> 25:3 35:19
<b>bad</b> 13:14 22:14	<b>bigger</b> 26:3	<b>buildings</b> 27:9,16 29:5	<b>certainly</b> 9:17 13:2 19:22 34:7
<b>balance</b> 30:4	<b>Birch</b> 2:21 32:9,11,11	<b>building's</b> 20:17	<b>certificate</b> 10:13 40:1
<b>based</b> 4:22 35:11	<b>birth</b> 9:25	<b>built</b> 5:12,15,18,20 8:14 12:14 15:14 18:21 18:23 34:17	<b>certify</b> 40:3,6
<b>basement</b> 16:22	<b>birthdays</b> 9:1 10:9	<b>bylaws</b> 9:11	<b>chair</b> 3:5
<b>basic</b> 6:5	<b>bit</b> 16:16 17:16	<b>C</b>	<b>challenges</b> 29:16
<b>basically</b> 7:5	<b>black</b> 18:23	<b>C</b>	<b>chance</b> 13:2
<b>basis</b> 19:21	<b>blends</b> 7:12	<b>call</b> 20:12 22:12 31:15 36:13	<b>change</b> 31:8 34:18 36:1
<b>beautiful</b> 18:14 25:12,24 26:18 26:18 27:1,16,17 29:2 30:25 33:19,25 35:15,16,16,22	<b>block</b> 18:22 25:11 27:4	<b>called</b> 9:14 15:2	<b>changed</b> 27:15
<b>beautifully</b> 17:24	<b>blocks</b> 15:6 25:12 27:2	<b>calls</b> 30:7	<b>character</b> 23:8,20
<b>beauty</b> 29:19 30:8 35:11,12	<b>blue</b> 10:20	<b>capsule</b> 23:13 28:13	<b>characteristics</b> 8:2 21:12
<b>bedroom</b> 7:16	<b>board</b> 4:21 12:25 32:7 34:24,24,25 35:1,7 35:14 36:2,4,23	<b>care</b> 6:18 26:25 28:1	<b>charm</b> 7:4
<b>beginning</b> 10:17 13:9 17:20	<b>boards</b> 19:4 22:16	<b>cared</b> 6:8	<b>charming</b> 9:10
<b>behalf</b> 19:21 23:23 30:15 33:2	<b>boom</b> 18:5	<b>careers</b> 8:18	<b>Cherry</b> 7:14,23
<b>beings</b> 33:13	<b>bought</b> 33:3,16	<b>case</b> 32:7 35:6	<b>CHP</b> 20:20 21:10,18 29:4
<b>believe</b> 5:19 15:4,8 35:20 38:11	<b>Breezeway</b> 7:15	<b>categorize</b> 11:14	<b>Christ</b> 7:20
<b>bend</b> 17:19,20,22 28:18	<b>brick</b> 25:20,24	<b>category</b>	<b>church</b> 7:20,22 18:15 26:22 27:11
	<b>brings</b> 31:2		<b>citizens</b> 19:24
			<b>City</b> 21:9

<b>civic</b> 19:19 22:13 29:6	<b>comments</b> 28:9 34:14,22,23 35:2,4 36:9	<b>construction</b> 6:2,7 8:15	4:21,22 5:9 8:16 9:20 10:3,13 11:13,16,16 11:19,25 12:8 21:10 21:17 29:9 31:15 35:5 37:10 38:15,17
<b>Claire</b> 4:10	<b>commissioned</b> 8:23	<b>continue</b> 22:25 29:12	<b>Cross</b> 18:21
<b>clarifications</b> 36:22	<b>committee</b> 1:7 3:3,6,25 19:19 20:24 31:5 34:4 38:18	<b>continues</b> 21:15 29:23	<b>crucial</b> 23:19
<b>class</b> 18:6	<b>committees</b> 22:16	<b>contract</b> 13:12	<b>crying</b> 33:16,19
<b>clear</b> 35:13,14	<b>communities</b> 21:8	<b>contractors</b> 5:15	<b>cultural</b> 23:20
<b>clients</b> 13:15	<b>community</b> 17:13 19:21 20:9 23:21 27:1,15,25 28:1 29:16 30:25,25 31:7,9 32:6	<b>contribute</b> 8:2,16	<b>culturally</b> 28:19
<b>close</b> 22:9,13 25:18 33:11 33:12,12	<b>complained</b> 25:22	<b>contributes</b> 8:19	<b>curious</b> 13:10
<b>closed</b> 6:22 32:24	<b>compliance</b> 10:13	<b>contributing</b> 35:15	<b>current</b> 24:11 31:21
<b>closing</b> 19:1	<b>concern</b> 20:3,4,5	<b>contribution</b> 9:22 21:19	<b>curve</b> 28:18
<b>code</b> 5:11 10:14 19:6 29:4 31:14,21 35:5,20 36:1,12 37:10 38:21	<b>concerned</b> 19:25	<b>conviction</b> 4:16	<b>cut</b> 27:17
<b>codes</b> 29:16	<b>concluding</b> 21:2	<b>convictions</b> 34:14	<b>cute</b> 9:16
<b>cohesive</b> 21:4	<b>conclusion</b> 9:5 11:2 12:4	<b>cookie</b> 18:22	<b>cutter</b> 18:22
<b>Colonial</b> 5:20,22,25 6:6 7:5	<b>connect</b> 23:22	<b>Cooper</b> 3:16	<hr/> <b>D</b> <hr/>
<b>color</b> 7:12	<b>connected</b> 40:9	<b>corner</b> 14:19 17:5 18:15 24:15	<b>Dam</b> 15:15,15
<b>Columbia</b> 20:22	<b>conservation</b> 9:5 34:20	<b>correct</b> 37:11,12 40:5	<b>Dated</b> 40:12
<b>combined</b> 12:17	<b>consider</b> 31:5,11,12,16	<b>counsel</b> 40:7,8	<b>dates</b> 5:13 9:1
<b>come</b> 3:21 4:20,23 9:19 13:19 14:8,15,23 18:11 23:10 26:23 35:24 36:3	<b>considerations</b> 9:10	<b>County</b> 7:22	<b>daughter</b> 33:8
<b>comfortable</b> 29:12	<b>considered</b> 29:17 31:6,19	<b>course</b> 36:11	<b>daughters</b> 32:15
<b>coming</b> 13:24 35:3 36:21	<b>constituency</b> 22:21	<b>covered</b> 13:6	<b>David</b> 40:3,14,15
<b>comment</b> 31:24 32:3,7	<b>constitutes</b> 20:8	<b>Crane</b> 18:15 25:14 26:21	<b>day</b> 10:19,20 40:12
		<b>creating</b> 9:5	<b>days</b> 13:18 38:11
		<b>criteria</b>	<b>dead</b>

27:21	<b>destruction</b>	21:13	2:1,1
<b>death</b>	35:23	<b>disenchanted</b>	<b>early</b>
9:25	<b>detail</b>	22:17	5:23 21:2 23:18
<b>decades</b>	8:25	<b>disservice</b>	<b>earthquake</b>
15:2	<b>detailed</b>	25:16	10:1
<b>decided</b>	38:17	<b>distinctive</b>	<b>ease</b>
26:8,13	<b>details</b>	21:11 29:5	6:2
<b>decision</b>	7:18 8:16	<b>districts</b>	<b>East</b>
38:11,17,18,24	<b>Dethmer</b>	32:4	14:18
<b>decision-making</b>	2:14 19:16,17 20:15	<b>diverse</b>	<b>Eastwards</b>
11:22	20:18 28:9,14	23:23	16:14
<b>declaring</b>	<b>detract</b>	<b>dock</b>	<b>Eastwoods</b>
7:8	7:3	15:6,16,17	15:5 16:8 26:17
<b>Deco</b>	<b>developed</b>	<b>docket</b>	<b>echo</b>
7:20	11:2 21:5,7	3:15,20 28:4	28:9
<b>defined</b>	<b>developers</b>	<b>doing</b>	<b>Edgewood</b>
8:5	5:14 10:10 18:9 30:9	20:25 22:22,23 24:20	23:9 25:3,4,8 26:1,16
<b>delivered</b>	30:10	<b>Dolkart</b>	27:1
18:21	<b>development</b>	4:4 8:23 10:25 11:9	<b>education</b>
<b>demolish</b>	8:19 11:4 12:5,10,14	11:10 20:21 22:2	17:13
24:1	18:2,11 19:5 21:16	<b>Dolkart's</b>	<b>effort</b>
<b>demolished</b>	23:13,14,16,17	12:3 20:11 29:10	9:6 19:22
10:8 23:17 29:13	29:10,21 30:15	36:18 37:2	<b>either</b>
<b>demolition</b>	34:21	<b>door</b>	4:7 33:24
5:10 21:22 23:2 24:5	<b>different</b>	6:22,25	<b>elaborate</b>
30:19	17:14,16 24:10 32:17	<b>dormer</b>	5:24 6:12 10:18
<b>demonstrate</b>	<b>Diodati</b>	6:24	<b>electrified</b>
6:5	2:20 3:13 31:24 32:3	<b>double</b>	18:5
<b>denied</b>	35:9 36:7,24 37:6,9	6:25 17:20	<b>elements</b>
36:25 37:3,11 38:10	37:13,15,18,20,22	<b>dozen</b>	6:24 9:6 29:5
<b>Department</b>	37:25 38:5	32:16	<b>eliminating</b>
3:14	<b>DiPalma</b>	<b>drainage</b>	8:10
<b>describing</b>	2:15 23:5,5 24:8,22	34:23	<b>eloquently</b>
28:12	<b>directed</b>	<b>drawings</b>	28:16
<b>design</b>	35:9	6:3,4,5	<b>embodies</b>
4:11 6:8 7:4,7 9:15	<b>directly</b>	<b>driveway</b>	17:14 21:11
<b>designed</b>	21:14	26:3	<b>embodiment</b>
7:13 17:25	<b>disagree</b>	<b>driving</b>	29:21
<b>designers</b>	12:9	32:20,21	<b>emotion</b>
8:15	<b>disappear</b>	<b>Dropbox</b>	4:19
<b>designing</b>	10:11	20:17	<b>emotions</b>
7:17	<b>disaster</b>	<b>Dutch</b>	13:18
<b>desirable</b>	20:9	7:22	<b>employee</b>
8:2	<b>discussed</b>	_____	40:7,8
<b>desires</b>	38:12	<b>E</b>	<b>encourage</b>
22:20	<b>discussing</b>	_____	30:5
		<b>E</b>	

<b>endangered</b> 30:9	3:25 25:19 35:13	<b>factual</b> 12:9	<b>first</b> 3:20 4:2 7:21 8:14
<b>engage</b> 29:1	<b>evidence</b> 24:4	<b>fair</b> 13:20	<b>fits</b> 28:20
<b>enjoyed</b> 32:24	<b>evident</b> 22:3	<b>familiar</b> 32:21	<b>five</b> 4:22 9:19 10:3 12:14 13:6 15:10,11 16:21 31:14 35:5,6
<b>enjoying</b> 23:22	<b>evolution</b> 20:1	<b>families</b> 18:6 26:1	<b>flag</b> 24:13,17 34:16
<b>enlightening</b> 34:3	<b>exactly</b> 4:24 9:20 21:7 29:11 30:11	<b>family</b> 5:9,14,14 7:25 8:8,25 10:8 17:12 29:13 30:15 33:11,12	<b>flanked</b> 7:1
<b>enormous</b> 22:6	<b>example</b> 7:9 34:16	<b>family's</b> 33:2	<b>flaw</b> 7:4
<b>ensuring</b> 23:21	<b>executed</b> 9:18	<b>famous</b> 25:21	<b>flaws</b> 9:15
<b>enthusiasm</b> 4:15	<b>exemplifies</b> 21:15 29:21	<b>far</b> 18:13 26:21 27:9	<b>flexibility</b> 30:6
<b>entire</b> 31:6,7,18,18	<b>existing</b> 22:18	<b>fascinating</b> 28:23	<b>floor</b> 6:1,23 7:7
<b>entirety</b> 8:9	<b>expansion</b> 21:13	<b>fear</b> 4:19	<b>floors</b> 6:5,12,16
<b>entitled</b> 11:8	<b>experience</b> 19:13	<b>feature</b> 7:7	<b>focus</b> 21:22,24
<b>environment</b> 28:20 30:9	<b>expert</b> 4:4 36:19	<b>feel</b> 10:3,12 11:19 28:13	<b>folks</b> 20:19 22:23 35:10,20 36:1
<b>equally</b> 6:25 22:4	<b>explaining</b> 28:17	<b>feelings</b> 32:13	<b>follow</b> 24:23
<b>era</b> 24:19,19	<b>express</b> 32:13 35:25	<b>felt</b> 34:17	<b>forest</b> 17:4,5,17
<b>escalates</b> 27:8	<b>expressed</b> 35:20 37:1	<b>fight</b> 30:10	<b>formality</b> 32:23
<b>estate</b> 22:18	<b>eyes</b> 22:9	<b>figure</b> 25:19	<b>foster</b> 29:6
<b>evaluating</b> 9:2	<hr/> <b>F</b> <hr/>	<b>financially</b> 40:9	<b>Fostering</b> 23:21
<b>evaluation</b> 11:16	<b>facade</b> 6:6,22 7:6	<b>find</b> 6:4 20:19 28:23	<b>four</b> 3:15 23:10
<b>evening</b> 3:3 4:13 17:2,3 19:16 19:24	<b>face</b> 17:5	<b>finding</b> 32:17	<b>fourth</b> 7:20 16:21
<b>event</b> 9:25 10:2,7 11:7,13 11:15	<b>faces</b> 15:5 16:7	<b>finest</b> 21:8	<b>FRANK</b> 2:20 31:24 32:3 35:9 36:7,24 37:6,9,13 37:15,18,20,22,25 38:5
<b>events</b> 8:11 9:20,21,24,24 11:8 21:19	<b>fact</b> 15:16 22:17	<b>finish</b> 12:7	
<b>everybody</b>	<b>factors</b> 31:15 35:19	<b>firm</b> 7:14,17,23 8:1	
	<b>facts</b> 5:8 9:2 10:8,12		

<b>fresh</b> 4:2	22:15	<b>handsome</b> 9:14,14,17 29:12	<b>historian</b> 20:22
<b>Frisco</b> 40:3,14,15	<b>God</b> 26:20	<b>happen</b> 18:24,25	<b>historic</b> 1:7 3:4 4:22 7:19 8:3 16:19 18:4 19:4 23:19,25 28:17 29:5 31:4,6,19 32:4
<b>front</b> 6:5,21,22,25 7:6 24:13	<b>goes</b> 25:17	<b>happened</b> 6:6	<b>historical</b> 8:5,7,10 10:7 11:7 15:12 20:5 25:23 29:9,17 37:8,9
<b>fulcrum</b> 30:1,2	<b>going</b> 5:1 15:11 25:15 27:18 28:3,3 29:1 33:22 34:7 38:17	<b>happening</b> 27:12	<b>historically</b> 28:19
<b>function</b> 8:11	<b>good</b> 3:3,19 9:18 11:21 17:2,3 19:16,16 22:19 23:1 36:14	<b>happy</b> 33:16,19,23	<b>history</b> 8:17 9:23 11:9 12:6 12:11,15 21:17,20 21:24 22:1,10 23:11 33:5,5 37:2
<b>functional</b> 6:1	<b>Google</b> 24:11	<b>hard</b> 22:19 23:1	<b>hold</b> 37:14,19,19,20
<b>further</b> 19:5 36:22 40:6	<b>Gothic</b> 7:18	<b>hardship</b> 38:20	<b>home</b> 5:15,21 7:5,6 9:14 10:17 23:16 24:14 24:18 25:21 26:2 28:19 29:1,12,20 30:19 31:3,8
<b>future</b> 9:7 23:22	<b>grace</b> 23:12 24:14 30:8	<b>Harris</b> 4:10	<b>homeowner</b> 16:20
<hr/> <b>G</b> <hr/>	<b>grade</b> 32:4	<b>heading</b> 25:15	<b>homeowners</b> 19:3
<b>garage</b> 7:15	<b>grandparents</b> 33:3,7	<b>hear</b> 3:20 29:7 36:10	<b>homes</b> 3:15 5:16,18,18,24 25:5 26:3 31:1
<b>Geer</b> 2:7 3:12,12 14:11 36:6 38:3	<b>grass</b> 10:20	<b>heard</b> 19:12 34:22 36:19,19	<b>honestly</b> 11:20
<b>Generally</b> 14:3	<b>great</b> 7:9 18:10 29:23,23 36:2	<b>hearing</b> 13:16 32:12 40:4	<b>hopefully</b> 36:15
<b>generations</b> 8:18 23:22	<b>green</b> 10:20	<b>Heathcote</b> 3:16 25:7,20	<b>horrible</b> 18:11
<b>geographical</b> 22:10 29:25	<b>grid</b> 17:18	<b>Hebrew</b> 7:20	<b>house</b> 5:20 6:4 7:4,8,12,15 8:4,6,10,17,17,19 8:21 9:9,12 10:6 11:2,17,17 12:10,13 12:15,15,18,22 14:25 15:4,5,6,6,13
<b>getting</b> 19:20 27:25	<b>group</b> 18:9	<b>heck</b> 20:11	
<b>give</b> 14:14 34:5,7 36:18	<b>group's</b> 16:18	<b>Heights</b> 7:21	
<b>Given</b> 10:12	<b>guess</b> 8:23 22:14 35:10	<b>held</b> 3:22	
<b>giving</b> 12:3	<b>guys</b> 19:20 22:22	<b>Hello</b> 30:21	
<b>global</b> 36:14	<hr/> <b>H</b> <hr/>	<b>help</b> 20:24	
<b>go</b> 18:13 20:20 21:15 24:8 25:13,19 26:21 32:6,19 33:2,4,22 34:12,21	<b>half</b> 21:5	<b>heritage</b> 17:10,11 23:20	
<b>goal</b>	<b>hands</b> 3:18 14:4	<b>hey</b> 23:1	
		<b>Hi</b> 28:7 30:20 32:9,10	
		<b>higher</b> 31:2	

15:17 16:1,7 17:21 17:23 18:1,3,14 21:15 22:2 25:20 26:19 27:4,7,24 28:14 29:12,19 30:10 31:5 32:15,20 32:23 33:3,7,9,17 34:18 35:11,14,21	7:2 21:2 35:16 37:2 <b>including</b> 9:8 <b>indicate</b> 22:7 <b>indicative</b> 11:7 <b>indiscernible</b> 15:23,25 16:3,6,10 20:17 28:1 31:24 32:2 36:6 37:22 38:13,14 <b>individual</b> 8:25 <b>inevitable</b> 34:19 <b>information</b> 8:24 11:20 13:7 <b>initiated</b> 22:14 <b>instances</b> 26:22 <b>instill</b> 17:13 <b>institute</b> 19:11 <b>integral</b> 35:22 <b>integrity</b> 35:16,24 <b>intent</b> 29:3 <b>interact</b> 29:1 <b>interacts</b> 29:19 <b>interest</b> 4:14 13:16 <b>interested</b> 11:1 32:6 40:9 <b>interests</b> 10:9 19:2 <b>interpretation</b> 12:1 <b>interrupt</b> 6:9	<b>involved</b> 13:11 <b>issuing</b> 38:10 <hr/> <b>J</b> <hr/> <b>Jared</b> 2:15 23:5,5 24:3,8,22 <b>Jim</b> 2:14 19:16,17 20:15 20:18 28:9,14 <b>job</b> 4:24 20:25 <b>jobs</b> 8:18 10:9 11:24 <b>joints</b> 35:19 <b>Jonathan</b> 2:5,18 3:10,10 10:23 14:12,14 16:11 28:7 28:7 37:8,12 38:5,6 38:14,22,25 <b>judgment</b> 30:6 <b>Judson</b> 2:10 14:17,17,21,23 15:19,22,24 16:1,4 16:7,12,17,24 <hr/> <b>K</b> <hr/> <b>keep</b> 33:25 <b>Kensico</b> 15:15,15 <b>Kent</b> 2:4,23 3:9,9 38:7 <b>kept</b> 32:17 <b>Kevin</b> 2:9 10:22,23,24,25 12:2,23 37:6,23,24 38:1 <b>key</b> 21:16 <b>kids</b> 25:8 33:7	<b>Killian</b> 2:13 17:2,4,4 18:17 18:20 19:7,9,14 28:16 <b>kind</b> 5:7 11:15 36:17 <b>kindest</b> 33:13 <b>kitchen</b> 7:15 <b>knew</b> 13:11 <b>know</b> 3:23 5:3 7:4,8 10:8 12:19,20 13:17 14:7 14:8 15:11,17,21,22 16:15,18,18 17:8,14 18:4,14 22:22,22 25:13 26:14 27:1,2 27:8,13,14,22 28:4 28:22 29:3,4,8 31:4 31:12,13 33:8,21,22 34:5,13,21 36:11,12 36:12,14,23 <b>known</b> 6:1 7:17,20 15:2 <b>knows</b> 26:20 <hr/> <b>L</b> <hr/> <b>lack</b> 6:21 24:4 <b>land</b> 12:16 20:6 21:25 22:1 <b>landscape</b> 29:14 31:13 <b>Lane</b> 3:16,18 5:12 8:14,21 9:8 10:5 14:18 17:4 19:17,25 21:1,2 23:5 24:2 25:2,9,10 25:16,17 26:1,22 27:11 28:8,12 29:20 30:23 31:3,6 32:11 32:21 33:15
<b>houses</b> 8:14 16:20 17:18,19 18:14,22 25:4,14,18 26:22 27:9,10 31:18 32:16,22 33:9,21 34:16 <b>housing</b> 17:12 <b>huge</b> 7:4 <b>human</b> 33:13 <b>hundred</b> 27:21 <b>hundreds</b> 30:16 <b>husband</b> 26:16 <b>Hutchinson</b> 15:7,8 <hr/> <b>I</b> <hr/> <b>idea</b> 19:20 36:14 <b>identical</b> 26:3 <b>imagine</b> 14:3 <b>imperfect</b> 28:24 <b>imperfections</b> 28:24,25 <b>implication</b> 20:4 <b>importance</b> 8:11 12:1,13 17:12 26:15 35:12 37:9 <b>important</b>			

<b>language</b> 28:11,12	8:4	32:14	24:15 30:22
<b>large</b> 7:24 17:22,24 22:2	<b>likewise</b> 20:21	<b>lived</b> 5:15,19 14:25 25:2	<b>magazine</b> 25:21
<b>largely</b> 18:2	<b>limbs</b> 28:25	<b>livelihood</b> 5:17	<b>maintaining</b> 23:19
<b>larger</b> 7:13 25:5 26:2	<b>limited</b> 11:8	<b>living</b> 23:13 24:6 28:13	<b>making</b> 19:9
<b>late</b> 5:22 22:15,24 24:19 33:14	<b>Linda</b> 2:13,17 17:2,4,4 18:17,20 19:9,14 20:1 26:7,7,11,13 28:16	<b>local</b> 5:14	<b>man</b> 25:21
<b>Lauren</b> 2:6 3:11,11 38:4	<b>Lindenbaum</b> 2:2 3:2,5,13 4:8,24 5:1,4 6:9,12,14,16 6:18,20 10:15,24 12:25 13:8,20,23 14:2,10,13,20,22 16:15,23 17:1,3 18:16,19 19:7,10,15 20:13,16 23:4 24:3 24:20,23 26:5,9,12 28:2 30:21 31:10,21 31:23 32:1,10 34:2 34:10,12 35:8,18 36:10 37:5,14,16,19 37:21,24 38:1,9,16 38:23 39:1	<b>long</b> 33:4	<b>mandate</b> 21:10,14,18 31:10
<b>Laurence</b> 2:3 3:8,8 14:9		<b>look</b> 4:21 7:5 10:5,6 15:13 18:1,3,20,23 19:5 21:10 22:19 23:1 24:11 25:9 28:22 29:3,8,10,18,18,18 30:3 31:10 32:19	<b>map</b> 16:8 24:9,10
<b>LAWRENCE</b> 2:11 15:18 16:9,25 37:17 38:8		<b>looked</b> 15:15 17:9 32:16	<b>Maps</b> 24:11
<b>laws</b> 22:18,18,20		<b>looking</b> 6:14 11:17 32:15,22 35:7	<b>masterpiece</b> 7:9 9:17
<b>layout</b> 29:20		<b>Lorraine</b> 33:8,13	<b>match</b> 24:12
<b>leading</b> 15:7		<b>lose</b> 30:2,2	<b>material</b> 18:23
<b>learn</b> 10:6		<b>losing</b> 28:14	<b>materials</b> 7:13
<b>left</b> 3:7 7:1 25:9		<b>loss</b> 20:9 28:15	<b>matter</b> 12:10
<b>legacy</b> 29:17	<b>lines</b> 5:24 24:10	<b>lot</b> 8:25 11:20,20,21 13:16 17:17,20 19:12 20:9 24:17 29:7 34:21,23 35:2 36:19	<b>mature</b> 22:3,9
<b>Lerner</b> 2:5 3:10,10 10:23 14:12,14 16:11 37:12 38:6,14,22,25	<b>Lisa</b> 2:10 14:17,17,21,23 15:19,22,24 16:1,4 16:7,12,17,24	<b>lots</b> 24:13 27:10 34:16	<b>mean</b> 11:21 13:3,13 24:5,6 27:12,20
<b>letter</b> 29:10,14	<b>listed</b> 7:19	<b>love</b> 18:16 28:12	<b>meant</b> 10:18
<b>let's</b> 3:20 23:1 33:25 34:16	<b>listen</b> 28:10 36:15	<b>loved</b> 33:10	<b>meet</b> 11:25
<b>Lewis</b> 2:18 28:7,7 37:8	<b>literally</b> 13:17		<b>meeting</b> 3:6,22 8:9 14:1 29:7
<b>Li</b> 9:3	<b>little</b> 16:15 17:16		<b>meetings</b> 29:15
<b>Library</b> 24:9	<b>live</b> 11:24 25:4 26:7,14 26:15,23 27:25 30:11,23 31:1 32:11		<b>meets</b> 5:9 37:10
<b>life</b>			<b>MEMBER</b> 2:12 15:21,23,25 16:3,6,10 26:6
		<hr/> <b>M</b> <hr/>	<b>members</b> 3:6 13:10 36:4
		<b>Madison</b>	<b>member's</b>



5:13 6:3 15:5 23:17 24:9,14 31:1 35:4	28:18 29:17 31:13	<b>persons</b> 8:5	<b>point</b> 10:4 11:6 24:7 34:15
<b>originally</b> 5:20	<b>particular</b> 7:9 11:7 18:1	<b>perspective</b> 20:5	<b>pointing</b> 9:14
<b>ought</b> 35:21	<b>parties</b> 40:7,8	<b>persuaded</b> 29:11	<b>points</b> 4:14 13:6 15:10,11 35:6
<b>outcome</b> 4:14	<b>parting</b> 18:12	<b>pertinent</b> 11:22	<b>popular</b> 5:22 6:1
<b>outlined</b> 5:10 10:13 17:25 18:8 35:5	<b>passes</b> 38:10	<b>petition</b> 22:14,21 30:17 36:15	<b>portico</b> 6:22
<b>outlines</b> 24:12	<b>patience</b> 34:10	<b>petitioned</b> 31:18	<b>possibility</b> 31:7
<b>outlining</b> 38:12	<b>pattern</b> 11:4	<b>phenomenal</b> 32:25	<b>power</b> 19:8,11 30:13,14
<b>outside</b> 27:14	<b>patterns</b> 9:22 21:17,20 37:2	<b>photos</b> 6:4,14	<b>preamble</b> 31:14
<b>oval</b> 20:7	<b>pause</b> 36:13	<b>phrase</b> 28:14	<b>predates</b> 33:6
<b>overall</b> 7:3	<b>pay</b> 32:4	<b>Piazza</b> 2:16 24:25 25:1	<b>prefab</b> 18:23
<b>oversight</b> 6:7	<b>pediment</b> 6:22	<b>picture</b> 28:22 29:18	<b>prepared</b> 14:23
<b>overturn</b> 24:1	<b>people</b> 4:13,16 7:3 8:18 10:6 11:18,25 13:9,11,14 13:14,15,15 14:2,4 19:12 20:9 22:16,25 25:3,8,22 26:15 27:24 33:6	<b>piece</b> 12:16 21:22	<b>present</b> 4:1,13 5:8 13:21
<b>owned</b> 25:21	<b>People's</b> 4:14 11:24	<b>place</b> 8:10,11 27:10 28:17 31:1	<b>presentation</b> 4:1,3 35:4
<b>owner</b> 14:18 38:21	<b>percent</b> 5:10	<b>Places</b> 7:19	<b>presentations</b> 35:11
<b>owners</b> 8:6,15 31:1	<b>perfect</b> 6:2	<b>Plains</b> 7:24	<b>presented</b> 5:7
<b>P</b>	<b>performed</b> 9:3	<b>plan</b> 5:2 23:17	<b>preservation</b> 1:7 3:4 4:22 7:8 8:3 8:16 9:7,13 10:4 16:19 19:4 21:22 22:3 23:2 29:4 31:4 31:7,19 34:15
<b>P</b> 2:1,1	<b>period</b> 21:6,12,12,13	<b>planned</b> 18:8,9 22:8	<b>preserve</b> 11:8 29:20,23 30:7 35:14,21
<b>pages</b> 11:21	<b>permission</b> 20:3	<b>planning</b> 19:3 32:12 34:25	<b>preserved</b> 10:6
<b>painted</b> 17:23	<b>permit</b> 36:25 37:3	<b>plans</b> 6:2 33:24	<b>preserving</b> 23:18 29:5
<b>paragraph</b> 12:12 21:2	<b>person</b> 8:5	<b>play</b> 35:19	<b>pretty</b> 22:23 34:22
<b>Park</b> 25:6	<b>personality</b> 25:3	<b>please</b> 3:20 4:9 14:8,10,14 14:16 16:20 28:5	
<b>part</b> 11:2,3 12:4 13:12 17:10 21:24 22:1		<b>plot</b> 24:10	

<b>pride</b> 29:6,6,7,7	<b>pulled</b> 27:6,7,9	33:22	2:9 10:22,25 12:2,23
<b>prior</b> 29:15	<b>Pulling</b> 26:19	<b>read</b> 5:17 8:22,22 9:20 11:1 12:2 20:12,15 21:1	<b>referenced</b> 10:22,25
<b>probably</b> 7:24 32:15 33:5	<b>purchased</b> 33:9	<b>ready</b> 3:24	<b>references</b> 9:3
<b>problem</b> 16:13,14	<b>purchasing</b> 33:15	<b>real</b> 22:18	<b>reflect</b> 11:9
<b>problems</b> 27:3	<b>purview</b> 35:3	<b>realize</b> 13:24	<b>reflected</b> 8:1
<b>PROCEEDINGS</b> 1:8	<b>put</b> 16:20 24:13 26:24 27:10 38:23	<b>really</b> 11:21 16:15 17:7,14 18:16 24:17 25:15 26:1 27:2 28:14,16 28:22 32:21 33:1,12 33:12 36:8	<b>reflects</b> 21:16
<b>process</b> 11:23 13:17	<b>putting</b> 12:7 14:11 26:20	<b>realm</b> 34:6	<b>regardless</b> 4:16
<b>Professor</b> 4:4 11:10 12:2 20:11 20:21 29:10 36:18 37:1	<b>P-R-O-C-E-E-D-I-...</b> 3:1	<b>realtor</b> 17:7	<b>region</b> 21:9
<b>professor's</b> 20:21	<hr/> <b>Q</b> <hr/>	<b>rear</b> 7:15,24 22:6	<b>regional</b> 9:22
<b>project</b> 4:20 13:11,16	<b>quaint</b> 8:13 9:10,16	<b>reason</b> 12:16 22:12 27:23 37:3	<b>Register</b> 7:19
<b>projects</b> 7:19	<b>quality</b> 29:22 30:8	<b>reasons</b> 21:21 32:17 35:22 37:1 38:12	<b>relate</b> 29:9
<b>properly</b> 3:23	<b>question</b> 10:15 12:8 24:3 36:8	<b>rebellion</b> 5:23	<b>related</b> 5:8
<b>properties</b> 24:16	<b>questions</b> 13:1 34:24 36:22	<b>rebuild</b> 16:22	<b>relationship</b> 28:20,21 30:1
<b>property</b> 15:9 19:18 24:11 36:25 37:1,7	<b>quiet</b> 8:13	<b>receive</b> 9:11	<b>relative</b> 40:6,8
<b>protect</b> 23:24 31:18	<b>quite</b> 11:20 16:2	<b>recommendation</b> 19:9 29:11	<b>relevant</b> 9:2
<b>Protestant</b> 7:22	<hr/> <b>R</b> <hr/>	<b>recommends</b> 9:13	<b>religious</b> 7:17
<b>proud</b> 31:2	<b>R</b> 2:1	<b>record</b> 40:5	<b>reluctance</b> 4:19
<b>provided</b> 8:25 40:5	<b>railroad</b> 18:5	<b>Recording</b> 39:2	<b>relying</b> 38:18
<b>public</b> 2:12 3:17 13:3,10 14:3 15:21,23,25 16:3,6,10 26:6 34:3 34:6	<b>raised</b> 33:7	<b>red</b> 14:16	<b>removal</b> 20:8
<b>pull</b> 27:5,23	<b>rampant</b> 30:14	<b>REED</b>	<b>removing</b> 31:8
	<b>range</b> 32:16		<b>render</b> 7:7
	<b>reach</b> 10:4		<b>renovated</b> 25:24
	<b>reaction</b>		<b>repeat</b> 26:19 28:5 30:23
			<b>replace</b>

27:19,20	9:6	20:25	23:7 28:8
<b>replacement</b>	<b>Rick</b>	<b>Scarsdale</b>	<b>session</b>
26:22	2:21 32:9,11,11	1:8 3:4 5:10 10:13	36:8
<b>report</b>	<b>right</b>	17:8,9,10,13 18:2,2	<b>setting</b>
4:4 8:23,24 9:13 11:1	5:4 7:1 10:16 14:2,18	18:7,13 19:2,3,24	5:21 10:17,21 31:11
11:19 12:3 17:25	20:18 24:25 28:18	21:7 23:7,24 24:8	<b>seven</b>
18:8 36:18 37:2	29:11 32:6 33:5	25:3,12 29:23 33:17	3:6 33:7 38:9
<b>represent</b>	<b>rights</b>	<b>Scarsdale's</b>	<b>shame</b>
4:17	38:19,20	21:17	18:15,17
<b>representation</b>	<b>Rita</b>	<b>Schloman</b>	<b>share</b>
9:18	2:16 24:25 25:1	2:22 4:10 34:5,9,11	22:15
<b>representative</b>	<b>River</b>	34:13 35:10	<b>Sherbrooke</b>
3:17	15:7	<b>SCHOLMAN</b>	25:6
<b>requires</b>	<b>road</b>	2:8 4:6,10,25 5:3,5	<b>Sheri</b>
19:4	3:16,16,16 26:8,21	6:11,13,15,17,19,21	2:7 3:12,12 14:11
<b>rescue</b>	26:23,24 30:22	10:19 11:12 12:12	36:6 38:3
30:14	32:20 33:4	12:24 13:5,13,22,25	<b>Sherry</b>
<b>research</b>	<b>Rockland</b>	<b>school</b>	38:2
24:6,21 36:19,20	7:22	8:9	<b>short</b>
<b>reside</b>	<b>rooted</b>	<b>schools</b>	24:25 36:15
19:17	4:19	25:7 27:16	<b>show</b>
<b>residence</b>	<b>roots</b>	<b>Schwarz</b>	3:18 5:9 14:4 16:8
5:9 8:8	33:2,4	2:19 30:20,22,22	<b>shuttered</b>
<b>residences</b>	<b>ruin</b>	31:17,22	6:25
24:13	18:11	<b>search</b>	<b>SI</b>
<b>resident</b>	<b>rules</b>	24:11	4:11
7:23	27:14,14	<b>second</b>	<b>Sid</b>
<b>residents</b>	<b>ruling</b>	6:10,23 16:12 21:5	2:8,22 4:6,10,10,25
19:2,25 23:24	36:11	33:1 37:14,15,19,21	5:3,5 6:11,13,15,17
<b>resonates</b>	<b>runs</b>	37:23 38:1	6:19,21 10:19 11:12
30:11	15:8	<b>Section</b>	12:12,24 13:5,13,22
<b>respect</b>		5:11 38:20	13:25 34:9,11,13
11:5		<b>secure</b>	<b>side</b>
<b>response</b>	<b>S</b>	9:7	4:16 7:14
5:23 11:2	<b>s</b>	<b>see</b>	<b>sides</b>
<b>responsibility</b>	2:1 28:14 40:14	4:3 15:13 18:13	13:9
16:18	<b>Saltzman</b>	19:16 20:10,21	<b>sign</b>
<b>retained</b>	9:4	24:10,12 25:14,18	22:23
4:7,12 13:21 20:24	<b>sameness</b>	26:22,23 36:5	<b>signatures</b>
<b>review</b>	31:2	<b>seen</b>	22:24
20:11 34:25	<b>satisfies</b>	4:18 5:13 22:9	<b>signed</b>
<b>revisit</b>	12:8	<b>semantics</b>	30:16
20:3	<b>save</b>	11:15	<b>significance</b>
<b>Revival</b>	30:13,19	<b>sense</b>	8:5,7 12:20 23:25
5:21,22,25 6:6 7:5,18	<b>saying</b>	23:21 36:14	29:9
<b>rezoning</b>	16:17 31:17 32:17	<b>service</b>	<b>significant</b>
	<b>says</b>		

9:22 10:7 11:4 12:5 12:11,13 21:19 28:19	35:22 <b>Southwoods</b> 17:23 23:5 24:15 25:9 26:17	<b>stated</b> 20:1,3,7 <b>states</b> 21:11,18 22:2	<b>subdivision</b> 8:15 9:6 10:10 11:3 11:14 12:5,11 17:7 21:4,6 22:8 34:21
<b>simple</b> 5:25 7:24 24:11	<b>space</b> 7:25 20:5 26:4 29:25 30:1	<b>stay</b> 25:8 27:23 33:10,11	<b>subject</b> 19:18 36:25 37:1,7
<b>simply</b> 35:15	<b>spaced</b> 6:25	<b>staying</b> 33:17	<b>subjective</b> 31:15 35:19
<b>single</b> 11:15	<b>speak</b> 14:3,4,7,16 15:10,20 16:19 17:17 19:12 26:8,13 33:1	<b>step</b> 22:25	<b>suburban</b> 17:9 21:8,13
<b>sit</b> 25:1	<b>speaking</b> 15:12 35:10	<b>stone</b> 7:18	<b>suburbanization</b> 10:1 11:14 17:11 23:15 29:22
<b>site</b> 5:2 20:20	<b>special</b> 9:10,11 15:2 17:7 30:25	<b>stop</b> 19:7	<b>sunny</b> 10:19
<b>sits</b> 10:17	<b>specific</b> 18:7	<b>stopped</b> 39:2	<b>sunroom</b> 7:11
<b>six</b> 25:9	<b>specifically</b> 13:21 17:17 18:3	<b>stories</b> 34:4	<b>support</b> 12:4
<b>sizable</b> 3:17	<b>specify</b> 6:18	<b>story</b> 7:24	<b>sure</b> 3:25 4:4 5:6 6:19 13:5 16:13 20:11 22:16,20,25 36:3
<b>size</b> 22:7	<b>spoil</b> 26:20	<b>street</b> 10:21 14:18 15:18 31:18 32:25 33:9,18 33:20,24,25 35:12 35:16	<b>surrounding</b> 5:16
<b>sky</b> 10:20	<b>spoken</b> 28:2	<b>stretched</b> 11:20	<b>surroundings</b> 8:20
<b>slide</b> 14:7	<b>ss</b> 15:13	<b>strives</b> 7:5,6	<b>Swann</b> 2:17 26:7,7,11,13
<b>Slow</b> 37:22	<b>stand</b> 25:12 30:14	<b>structure</b> 8:8 9:2 11:18 25:24	<b>symmetry</b> 6:2,21 7:6
<b>small</b> 7:11 25:4,5	<b>standing</b> 22:7	<b>structures</b> 7:18 9:7 28:21	<b>sympathy</b> 36:3
<b>smaller</b> 17:18,21	<b>stands</b> 22:4	<b>struggle</b> 20:19 30:11	<hr/> <b>T</b> <hr/>
<b>Smith</b> 5:14 23:12 24:14	<b>start</b> 4:2 5:7 14:12,14 25:4	<b>study</b> 9:3	<b>Tabernacle</b> 7:21
<b>sold</b> 32:19,22	<b>started</b> 13:17 22:21 33:16,19	<b>style</b> 5:21,22 6:6 7:10 8:1 9:18	<b>take</b> 3:2 12:9 22:19 23:1 30:14 36:15
<b>solely</b> 35:7	<b>starting</b> 3:7	<b>styles</b> 5:24 6:1	<b>taken</b> 8:11
<b>somebody</b> 27:24	<b>state</b> 9:23	<b>subdivided</b> 12:16	<b>takes</b> 18:10
<b>sons</b> 5:19		<b>subdividing</b> 5:18	<b>talk</b> 5:6 32:12 33:5
<b>sorry</b> 6:15 10:25 26:10			
<b>sort</b> 11:25 12:13 25:17,23			
<b>sorts</b>			

<b>talked</b> 29:15	11:19,23 12:1,13,18 12:19,21 13:6 15:2 15:19 18:1 19:6 20:10,13 24:16,17 25:25 27:13 30:6,24 33:23 34:17,23 35:4 35:4,6 36:7,21	<b>towns</b> 32:5	16:11 18:22 25:14 25:18 26:4 27:10 32:13,14 33:9
<b>talks</b> 29:14		<b>town's</b> 23:19	<b>two-to-three-month</b> 32:16
<b>tall</b> 22:4,5		<b>tows</b> 21:14,17	<b>type</b> 21:12 24:16
<b>tasked</b> 36:11		<b>transcribe</b> 40:4	<hr/>
<b>Taunton</b> 25:7	<b>thinks</b> 25:14	<b>Transcriber</b> 40:16	<b>U</b> <hr/>
<b>tear</b> 20:4	<b>thought</b> 28:16 33:18	<b>transcript</b> 40:4	<b>U</b> 17:18
<b>teardowns</b> 18:13	<b>three</b> 17:19 22:6 24:13 34:16	<b>TRANSCRIPTION</b> 1:9	<b>undermine</b> 35:23
<b>tell</b> 15:12,13	<b>thrilled</b> 32:24	<b>transformed</b> 21:8	<b>understand</b> 12:3 13:18 20:20,22 21:24
<b>ten</b> 22:22	<b>time</b> 4:1,3,6 5:7 7:25 16:21 18:9 19:2 21:7 22:8 23:3,13 26:16 28:6,9,13,17 30:7,11 31:11 32:25 36:21	<b>treated</b> 9:12	<b>understanding</b> 14:24,25 15:14
<b>terrible</b> 16:13 25:16	<b>today</b> 6:1 8:9 15:16 24:16 26:13	<b>treatment</b> 9:11	<b>understands</b> 35:13
<b>thank</b> 5:5 12:23 14:11 16:23,24 19:8,10,14 19:15,18,24 23:2,4 23:6 24:2,4,20,23 26:5,6 28:2,6,8 30:19 31:22,23 34:1 34:2,3,9 35:7 37:18 38:22,25 39:1	<b>told</b> 17:6 33:15	<b>tree</b> 22:5 29:16	<b>unique</b> 23:8,12,20
<b>thankless</b> 19:23	<b>tonight</b> 3:7,17 13:15,23 20:2 23:24 32:12 35:11 35:21 36:12,16 38:12	<b>trees</b> 22:3,7,7,9 27:17,18 27:19,20 28:25 29:14 31:13 34:23	<b>uniquely</b> 28:3
<b>Thanks</b> 34:10	<b>tonight's</b> 3:6,15	<b>true</b> 12:20 40:5	<b>University</b> 20:23
<b>theme</b> 10:2	<b>topographical</b> 22:10	<b>truly</b> 23:13 28:13 30:3	<b>unknown</b> 5:13
<b>They'd</b> 13:4	<b>torn</b> 18:14 27:4	<b>trustees</b> 36:2,14	<b>unspoiled</b> 26:18,18,19
<b>thing</b> 3:19 11:25 16:12 27:17	<b>touched</b> 35:5	<b>try</b> 28:5	<b>untouched</b> 23:11
<b>things</b> 11:8 14:24 16:11 31:12 32:13 34:15 38:17	<b>tow</b> 22:20	<b>trying</b> 29:20	<b>upper</b> 18:5
<b>think</b> 9:24 10:7,11 11:8,10	<b>town</b> 8:20 25:6 33:3,10,10 33:18	<b>tulip</b> 22:5,6	<b>urge</b> 32:6
		<b>Tunstall</b> 26:8,11,23,24	<b>use</b> 20:6 21:25 28:10 30:5,18
		<b>turn</b> 32:1	<hr/>
		<b>twin</b> 26:3	<b>V</b> <hr/>
		<b>two</b> 3:2 7:19 10:5 14:24	<b>valid</b> 35:2
			<b>value</b> 31:3
			<b>values</b>

31:3	19:12,18 20:12,12	<b>we've</b>	8:10
<b>various</b>	25:5,8,13 26:2,2	10:12 29:15 32:24	<b>worthy</b>
5:13 22:15	27:22 28:8 30:23	36:19,19,20	7:8 8:3,16
<b>venue</b>	34:4,7 35:13 36:5	<b>white</b>	<b>wouldn't</b>
35:3	<b>wanted</b>	7:24 18:23 22:4	20:15
<b>vibrant</b>	4:18 24:16 26:14	<b>who've</b>	<b>written</b>
23:23	32:13 33:10 34:15	30:16	11:21 36:12
<b>Victorian</b>	<b>wants</b>	<b>wife</b>	<b>wrote</b>
5:24	36:23	32:14	12:21
<b>view</b>	<b>Washington</b>	<b>wife's</b>	
4:14 11:11 12:10	7:21	33:2	<b>Y</b>
35:21,25	<b>wasn't</b>	<b>William</b>	<b>yeah</b>
<b>views</b>	4:6 12:19 13:25	7:23	4:25 5:6 6:11,13,17
30:17,18 36:4	<b>water</b>	<b>windows</b>	6:17 10:20 13:5,8
<b>village</b>	16:12,14	6:23 7:1	13:13,25 14:1,7,10
1:8 3:4 5:10 8:20,24	<b>wave</b>	<b>wonderful</b>	15:24 20:17 24:22
9:22 10:14 11:4,9	29:21	5:21 10:17 17:10	34:12,13 37:6
12:6,11 19:6 21:20	<b>way</b>	28:10,11	<b>years</b>
22:16 23:7,12,23	8:2,19 12:21 13:14	<b>Woods</b>	8:6 11:14 12:14,15
26:25 27:12 29:4	17:12 18:21 20:19	3:15,18 5:12,19 8:13	12:19 14:25 16:21
30:8,14 35:5 37:3	24:7 29:2 33:25	8:14,21 9:4,8,8 10:5	17:6,8 23:10 25:2,6
37:10 38:21	<b>ways</b>	10:7 14:18 15:1,4	25:9,11 27:20,21
<b>villages</b>	10:5	16:5 17:5,5,17,19	33:4,18
32:4	<b>week</b>	19:15,17,25,25 20:4	<b>yellow</b>
<b>village's</b>	20:3 22:15	20:7,8 21:1,2,3,6,6	17:23
23:14	<b>weigh</b>	22:1,8,12 23:7,11	<b>yield</b>
<b>vision</b>	13:4	23:13,18,25 24:1,9	14:6
23:14	<b>weight</b>	24:18 25:2,9,10,16	<b>York</b>
<b>vistas</b>	36:18	25:17 26:1,14,17	7:21 21:9
28:17 30:4	<b>Welcome</b>	28:7,12 29:10,20	
<b>voicing</b>	3:3 25:1	30:23,24 31:3,6	<b>Z</b>
13:14	<b>went</b>	32:11,19,21 33:15	<b>zoning</b>
<b>volunteer</b>	11:12 18:4 32:19	<b>word</b>	17:9,9 22:18 34:25
19:21	<b>weren't</b>	11:13	
<b>vote</b>	32:20	<b>wording</b>	<b>1</b>
36:16,21,24	<b>Westchester</b>	11:12	<b>1</b>
	15:17	<b>words</b>	3:16 17:4 21:17
<b>W</b>	<b>we'll</b>	10:16 14:24 23:6	<b>10</b>
<b>walk</b>	12:9 13:2 24:23	<b>work</b>	23:5
17:19 26:16,17,17	38:23	19:19,20 25:19 28:23	<b>100</b>
<b>walking</b>	<b>we're</b>	36:5	5:10 12:15 27:20
18:10	3:24 5:1 6:14 11:7,8	<b>workmanship</b>	<b>14</b>
<b>want</b>	11:17 17:5 19:11	29:22	38:11
5:6 10:16 12:2,25	21:12 22:17,22,23	<b>world</b>	<b>15</b>
13:3 14:3,4,24	27:18 28:3 29:19	28:21	22:22 38:11
15:19 18:24,25	36:1,11	<b>worship</b>	<b>17th</b>

1:10 3:5	<b>242</b>	<b>9</b>
<b>171</b>	30:22	<b>90</b>
33:3	<b>25</b>	12:19
<b>182</b>	26:24	
5:11 8:5 10:14 38:21	<b>25th</b>	
<b>182-5</b>	40:12	
37:10	<b>26</b>	
<b>19th</b>	26:8,11	
5:23	<b>27</b>	
<b>1920s</b>	3:15,18 5:12,20 8:14	
18:3 21:5	8:20 9:8 10:5,7	
<b>1924</b>	17:19,20 20:4,7	
5:12	21:1,2,6 24:1	
<b>1926</b>	<b>29</b>	
5:12	19:17 25:2,11	
<b>1927</b>		
7:11	<b>3</b>	
<b>1930</b>	<b>30s</b>	
23:11,17 24:9	23:15 24:19,19	
<b>1930s</b>	<b>35</b>	
18:3 21:5	17:6	
<b>1938</b>		
7:13	<b>4</b>	
<b>1962</b>	<b>4</b>	
33:3	21:10	
<b>1964</b>	<b>42</b>	
24:18	25:3	
<b>2</b>	<b>5</b>	
<b>20</b>	<b>50</b>	
3:16 15:4,20 16:9	25:2	
22:22 24:19	<b>52</b>	
<b>20s</b>	32:11,19 33:15	
23:15 24:19	<b>56</b>	
<b>20th</b>	28:7	
5:23		
<b>2018</b>	<b>6</b>	
32:14	3:16 14:18,21,22	
<b>2019</b>	<b>60</b>	
23:8	14:20 33:18	
<b>2023</b>	<b>60s</b>	
1:10 3:5 40:12	23:18 34:17	
<b>205</b>	<b>62</b>	
22:24	33:4	
<b>22</b>		
14:25		

# Exhibit E



November 01, 2023

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27 Woods Lane  
Scarsdale, N.Y. 10583

Attn: Mr. John J. Clerkin

Re: 27 Woods Lane

Section: 12 Block: 08 Lot: 12

Dear Mr. Clerkin:

Please be advised that the Committee on Historic Preservation (CHP) at its regular meeting of October 17, 2023, determined the above-cited Residence to be of Historical Importance to the community. Accordingly, the request for a demolition permit was denied. Attached please find the official version of the CHP's determination.

Please refer to Chapter 182: Historic Preservation of the Village Code for any further procedures.

Sincerely,



Frank J. Diodati  
Building Inspector

cc: Nicholas M. Ward-Willis Esq., Village Attorney  
Taylor Emanuel, Village Clerk

**VILLAGE OF SCARSDALE**  
**COMMITTEE FOR HISTORIC PRESERVATION**  
**DETERMINATION OF HISTORIC IMPORTANCE FOR DEMOLITION**

**MEETING DATE: October 17, 2023**

**PROPERTY IDENTIFICATION:**

Section: 12 Block: 08 Lot: 12

Location: 27 Woods Lane

Year Built: **Demo house built in 1924**

Complete Demolition: YES  NO

**COMMITTEE ACTION:**

- |   |
|---|
| 1. SUBJECT PROPERTY IS OF HISTORICAL IMPORTANCE   |
| 2. SUBJECT PROPERTY IS NOT HISTORICALLY IMPORTANT |
| 3. NO SHOW  |
| 4. IMPROPER NOTIFICATION                          |

F-0

**REMARKS:**

LISA JOOSOW - 60 SOUTHWOODS LANE, LINDA KILIAN - 1 FOREST LANE, JIM DETMER - 29 WOODS LANE,

JULY DEPOLLA - 10 SOUTHWOODS LANE, BITA PIRAZA - 50 WOODS LANE, LINDA SWAN - 26 TONSON LANE, JONATHAN LEWIS -  
 AUDREY SWARTZ - 242 MADISON, RICK BIRCH - 52 WOODS LANE,

**COMMITTEE VOTE:**

	AYE	NAY	ABS	MOTION	SECOND
Adam Lindenbaum, Chair	<input checked="" type="checkbox"/>				<input checked="" type="checkbox"/>
Lauren Bender	<input checked="" type="checkbox"/>				
Sheri Geer	<input checked="" type="checkbox"/>				
Meredith Kent	<input checked="" type="checkbox"/>				
Jonathan Lerner	<input checked="" type="checkbox"/>				
Kevin Reed				<input checked="" type="checkbox"/>	
Talaiya Safdar					
Amy Laurence, Alt	<input checked="" type="checkbox"/>				
Jordan Copeland, Ex-Officio Member					

ALJP

Chairperson-Committee for Historic Preservation

Date: OCT. 17, 2023

**MEMORANDUM DECISION**  
**VILLAGE OF SCARSDALE**  
**COMMITTEE FOR HISTORIC PRESERVATION (CHP)**

To: Scarsdale Building Department  
Attn: Mr. Frank Diodati, Building Inspector

From: Adam Lindenbaum, Chair

Date: October 31, 2023

Subject: CHP Meeting October 17, 2023 / 27 Woods Lane

On the evening of October 17, 2023, the CHP held an in-person meeting to hear and vote on the demolition application for 27 Woods Lane (“27 Woods”) located in the Edgewood neighborhood of Scarsdale. 27 Woods was built somewhere between 1924 and 1926, and the original architect is unknown. The application was initially heard at the September 2023 CHP meeting, and was adjourned for further submissions, factual research and the opportunity for Professor Dolkart to evaluate the home.

The CHP was represented at the October 17, 2023 meeting by myself, as chairperson, as well as voting members Kevin Reed, Jonathan Lerner, Lauren Bender, Sherri Geer, Meredith Kent and Amy Laurence. Mr. Frank Diodati was in attendance to preside over the meeting to ensure that the meeting was properly recorded, that the application was complete and properly noticed, and that the motions and votes of the CHP members were tallied.

The following written submissions were received by the CHP in connection with the 27 Woods application, which were made available to the applicant, the public and the CHP, and are incorporated herein by reference:

1. October 2023 Report of Andrew S. Dolkart (4 Pages)
2. October 17, 2023 Memorandum by Lisa Piper Gilbert, RA AIA (11 Pages)

The documents presented and the oral record will reflect the full discussion before the CHP.

Those of the approximately 40 people in attendance at the meeting who spoke on the 27 Woods application were all against the demolition, and included: Lisa Judson (6 Woods Lane), Linda Killian (1 Forest Lane), Jim Detmer (29 Woods Lane), Jared DiPalma (10 Southwoods Lane), Rita Piazza (50 Woods Lane), Linda Swann (26 Tunstall Road), Jonathan Lewis (56 Woods Lane), Audrey Schwartz (242 Madison Road) and Rick Birch (52 Woods Lane).

The Applicant has been advised of the right to commence a hardship application process in accordance with § 182-8 of the Village Code and/or appeal the determination to the Board of Trustees as provided in § 182-11 of the Village Code.

A. 27 Woods Satisfies the Preamble of 182-5(A)

Section 182-5(A) of the Village Code states that “[i]n making a determination whether to grant an application for a certificate or to deny such application and require that the building in question be preserved, the Committee shall consider the level of significance in American history, architecture, archeology, engineering and culture present in the building, as well as the integrity of location, design, setting, materials and workmanship.”

The Committee must first identify the historical context, or lens within which 27 Woods will be viewed within. The Village Board previously opined on the importance of neighborhoods to the development and suburbanization of the Village. Specifically, in the 11 Dolma Road Appeal, the Village Board opined:

The Village Board agrees with Professor Dolkart that 11 Dolma Road “contributes to the most important issue in the history and development of Scarsdale, the major suburbanization of the village which largely occurred in the second and third decades of the twentieth century.” 11 Dolma Road: Final Comments, Andrew S. Dolkart, January 2021. Professor Dolkart goes on to explain that “there would be no village of Scarsdale, as we know it, without this important development brought about by changing cultural and economic conditions in urban America” which he enumerates as follows: (i) the expansion and modernization of commuter rail lines as brought about by the electrification of the Harlem Line in 1913, (ii) the development of parkways and the increasing popularity of the automobile for both leisure and commuting as evidenced in the opening of the Bronx River parkway in 1922, (iii) the decline in the availability of single family homes in New York City resulting in a migration to the suburbs by those who would not wish to live in apartment houses; and (iv) the general appeals of “country” life for affluent households. *Id.* at p. 6. The Village Board agrees that the house at 11 Dolma Road is an excellent example of a house from the peak years of this era of suburbanization, and its builder Walter Collet was an important figure in this history of development as well. The house at 11 Dolma Road clearly satisfies this criterion.

(*See* Resolution and Findings of the Village Board – 11 Dolma Road Appeal).

As is particularly relevant here, the suburbanization of New York can be traced back to the late 19th and early 20th centuries. During this time, the city experienced significant population growth and increased industrialization, leading to overcrowded urban areas and deteriorating living conditions. As a result, wealthier residents sought refuge from the city’s congestion and pollution by moving to the outskirts, where the air was cleaner, and land was more abundant. The suburbanization of New York and the development of villages like Scarsdale have had a lasting impact on the region’s urban planning, demographics, and cultural landscape.

Scarsdale is one of the many suburbs that emerged during this period. It was incorporated as a village in 1915. The architecture of Scarsdale during this historical time reflected a desire for a more tranquil and family-oriented lifestyle. The village offered an escape from urban congestion while providing accessibility to the city for work and cultural activities. Indeed, the availability of reliable transportation, such as commuter rail lines and later highways, facilitated the movement of people between the city and the suburbs, making these suburban communities attractive options for commuters.

27 Woods also maintains integrity of its location, design and setting, which are integral elements to the findings within each criteria below. The home sits in the heart of The Woods section of the Edgewood neighborhood of Scarsdale. Mr. Lewis in his public comment called 27 Woods the “fulcrum of the neighborhood” and a perfect “time capsule.” The Woods is a quiet tree-lined neighborhood with mature trees and lush foliage. Professor Dolkart’s 2012 Reconnaissance Survey denoted The Woods as a potential study area. He notes that the original land plat of The Woods was used to define a cohesive neighborhood of architectural significance with distinct boundaries. The Woods subdivision was a project of Clarence L. Smith, the founder of Clarence L. Smith, Inc., contractors. Smith laid out private streets in the area in the 1920’s and divided it into lots. The streets comprising The Woods became public thoroughfares as part of the Village of Scarsdale in 1933.

Prof. Dolkart’s 2023 report notes that 27 Woods, like all homes in the Woods, is set back behind a substantial lawn to create a sense of unity throughout the subdivision. It is also clear that in laying out The Woods, the developers took particular care to preserve the area’s trees (probably accounting for the name of the subdivision). The 27 Woods property includes a very tall white oak and an equally tall tulip tree. To the rear are three more enormous tulip trees, which Professor Dolkart believes to be original to the creation of The Woods subdivision.

As Mr. DiPalma noted in his public comment, all of the original homes built in the 1920’s and 1930’s from the original plan for The Woods remain intact today, and none have been demolished. Professor Dolkart, too, notes that The Woods subdivision retains its initial design integrity to a very high degree with all of the early houses largely retaining their historic character.

The applicant’s presenter, Mr. Schloman, himself described 27 Woods as a “wonderful setting.”

B. 27 Woods Possesses High Artistic Value

27 Woods satisfies the requirements of § 182-5(A)(4) of the Village Code insofar as “the building embodies the distinctive characteristic of a type, period or method of construction that possess high artistic value.”

Professor Dolkart states that “at first glance, the central mass of 27 Woods Lane, which is the original house, appears to be symmetrical, with a central entrance, but it is actually a subtly asymmetrical dwelling, with the windows to the left of the entrance, articulating the living room on the first floor and a main bedroom on the second floor, slightly larger than those to the right. Of note on the façade are the two small, six-pane windows in the center of the second floor, and the large, pedimented central dormer with casement windows.”

Mr. Schloman raised the asymmetry of the portico, dormer and windows of 27 Woods as detractors from the high artistic value of the Colonia Revival style, but the Committee found Professor Dolkart's assessment of the home to be more persuasive. The Committee also found Mr. Schloman's blanket observation that every house has a history and every house is developed within its surroundings not to detract from the artistic value of 27 Woods.

Accordingly, 27 Woods fully embodies the distinct characteristics of a wood frame, clapboard clad Colonial Revival style home. Based on the record, the CHP concludes that 27 Woods possesses high artistic value in accordance with § 182-5(A)(4) of the Village Code.

Moreover, as discussed above 27 Woods has integrity with respect to the distinct characteristics of the wood frame, clapboard clad Colonial Revival style. This is true notwithstanding that the home underwent two harmonious additions after the original construction: i.e., (i) a sunroom and bedroom addition to the left of the main house in 1927 (the plans for which note "trimmings will be like present house") and, following a change of ownership of the home, (ii) a breezeway and two-car garage to the right of the original house, as well as a simple two-story rear addition with a new kitchen and a bedroom above, in 1938 (using the same Colonial Revival features and designed by the well regarded architectural firm of Cherry & Matz).

C. 27 Woods is associated with events that have made a significant contribution to broad patterns of Village history 182-5(A)(1).

Although only one of the five criteria must be met to satisfy 182-5, 27 Woods also satisfies the requirements of § 182-5(A)(1) of the Village Code insofar as "the building is associated with events that have made a significant contribution to broad patterns of Village, regional, state or national history."

As detailed above, the period when 27 Woods and The Woods subdivision as a whole were developed is exactly the time when Scarsdale was being transformed into one of the finest suburban communities in the New York City metropolitan region. Thus, the house exemplifies the architecture that reflects the key development in the broad pattern of Scarsdale's history.

27 Woods was erected during this period, somewhere between 1924 and 1926, as was 11 Dolma Road, and is within walking distance to the commuter train station. The combination of the proximity to the commuter rail and period of construction being contemporaneous with the suburbanization period leads the CHP to conclude that the erection of 27 Woods was a direct result of the important historical event of the expansion, migration and suburbanization pattern.

Moreover, 27 Woods is located within Edgewood. Edgewood has emerged as a more modest section, with a different demographic makeup compared to other, more affluent areas of the Village. While some parts of Scarsdale were known for grand estates and luxurious properties, Edgewood features more affordable and smaller homes, catering to middle-class families. As Ms. Piazza stated in her public comment, Edgewood residents often start small and if they find success and desire to move to a larger home within the Edgewood neighborhood, they often aspire to The Woods that features some of the nicest homes in Edgewood.

Historically significant properties come in various shapes and sizes, and their importance lies beyond their grandeur or market value. Different types of properties can offer diverse historical narratives. Modest homes, for instance, can provide valuable insights into the lives of ordinary people, working-class families, and marginalized communities, contributing to a more comprehensive understanding of history. As such, Edgewood, and 27 Woods, are particularly relevant to the “events that have made a significant contribution to broad patterns of Village.”

Mr. Schloman dismissed this point by stating that suburbanization was not an “event,” but rather was more of a movement. He also dismissed the point by casting doubt about whether people would see 27 Woods and learn something by looking at it. The CHP members do not adopt these arguments. The suburbanization of Scarsdale in the early 20th Century is the historic context in which 27 Woods is being evaluated. The “event” at hand is the creation of The Woods section of Edgewood, which was significant to the cultural development of the Scarsdale working class. There is no question that 27 Woods is associated with that event.

Accordingly, the CHP finds that 27 Woods meets the criteria of § 182-5(A)(1) of the Village Code.

# Exhibit F

**DECISION AND ORDER OF THE BOARD OF TRUSTEES  
IN CONNECTION WITH 53 CARMAN ROAD**

**DATED: June 22, 1999**

Following is the decision and order of the Board of Trustees with regard to the appeal in connection with 53 Carman Road:

**Procedural History**

On November 9, 1998, Mr. Robert Frederick, 54 Old Orchard Lane, Scarsdale, New York, submitted a Building Department application requesting a demolition permit to demolish a single family house at 53 Carman Road, Scarsdale, New York. Pursuant to Section 182-3(E)(1) of the Scarsdale Village Code, on November 10, 1998, the application was referred to the Historic Preservation Committee. By its written decision dated December 11, 1998, the Historic Preservation Committee denied Mr. Frederick's application for a demolition permit.

On or about January 27, 1999, Mr. Frederick submitted an application to the Board of Architectural Review ("BAR") for a Certificate of Appropriateness. On March 1, 1999, the BAR held a public hearing on the application. On March 17, 1999, the BAR denied Mr. Frederick's application for a demolition permit.

Pursuant to Section 182-12 and by letter dated April 14, 1999, Mr. Frederick filed a notice of appeal before the Village Board of Trustees. On May 11, 1999, the appeal was set for argument before the Village Board. On May 11, 1999, Mr. Frederick requested a two (2) week adjournment. The Village Board granted the adjournment and rescheduled the hearing of appeal for May 25, 1999.

The Village Board heard argument from both sides on May 25, 1999 and herein renders its decision with respect to the appeal.

**Standard of Review**

The Village Board's central role in this appeal is similar to that of a reviewing court in judging an administrative determination under Article 78 of the Civil Practice Law and Rules. In order to uphold the BAR's determination, the Village Board must find that the BAR's determination was supported by substantial evidence, and was rational and in keeping with the law.

Substantial evidence is such relevant evidence that a reasonable person might accept as adequate to support a conclusion. Stork Restaurant v. Boland, 282 N.Y. 256, 26 N.E.2d 247 (1940). A more recent definition defines substantial evidence as proof within the whole record “of such quality and quantity as to generate conviction in and persuade a fair and detached fact-finder that from that proof as a premise, a conclusion or ultimate fact may be extracted reasonably, probatively and logically.” 300 Gramatan Avenue Association v. State Division of Human Rights, 45 N.Y.2d 176, 408 N.Y.S.2d 54 (1978).

### **The Law**

As a reviewing body, the Village Board must apply law to the evidence using the appropriate standard of review. In this instance Section 182-6 of the Scarsdale Village Code states the following in regard to the BAR’s determination under review:

The BAR, in making its determination whether or not to issue a Certificate of Appropriateness, shall consider the following:

- A) Whether the building is of such architectural or historic interest that its removal would be detrimental to the public’s interest;
- B) Whether the building is of such interest that it could be made into a historic shrine;
- C) Whether the building is of such old and unusually uncommon design, texture or material that it could not be reproduced only with great difficulty;
- D) Whether the building retention would promote the general welfare by encouraging interest in American History and architecture.

### **Analysis**

In applying the evidence to Section 182-6(A), the first question that must be decided is whether there is substantial evidence in the record to support the finding that 53 Carman Road is of architectural or historic significance. In reviewing the entire record, the Village Board finds that the submitted evidence does not rise to the level necessary to support such a conclusion.

In reaching this conclusion, the Village Board considered and has concluded that the age and architectural design of 53 Carman Road and the identity of the family who resided therein may be of some historical interest to the Village, particularly the Arthur Manor section of Scarsdale. However,

the record does not provide substantial evidence to support a positive finding under Section 182-6(A).

No probative evidence was submitted that the cottage contains significant architectural detail. Additionally, the assertion that the family who resided in 53 Carman Road represents the “working class” of Scarsdale, does not provide the historic detail necessary to support protecting this building under Section 182-6(A). We conclude that this assertion individually and/or collectively is not backed by substantial evidence.

While the preservation of the Village’s history is a legitimate and laudable goal, there must be a delicate balance between individual property rights and the stated goal. In conducting this balance, the evidence must be substantial to outweigh individual property rights. Thus, we hold that the record does not provide substantial evidence to find that this home is historically or architecturally significant. Since we find that the claim that 53 Carman Road has historic or architectural significance is not supported by substantial evidence, we do not reach the next question under Section 182-6(A), whether the removal of such property would be detrimental to the public’s interest.

The next applicable question is whether under Section 182-6(D) the retention of the building would promote the general welfare by encouraging interest in American History and architecture. More specifically, the question is whether there is substantial evidence to support the finding that the retention of 53 Carman Road would promote the general welfare by encouraging interest in American History, local history and architecture. In reviewing the evidence and applying the substantial evidence test, we respond in the negative.

The evidence relied upon by the BAR does suggest that 53 Carman Road does have some historic value to the community. This can be found in the public comments, newspaper articles, letters and photos contained in the record. However, the question remains whether the finding of some historical value to the community is supported by substantial evidence. We conclude that the proof provided to the BAR is not of such quality or quantity as to persuade a detached fact finder that 53 Carman Road is architecturally significant or the persons who resided therein are historically significant.

Evidence presented that supports the proposition that the site could or would be a local tourist attraction or used for class trips as a historic or architectural study site amounts to speculation and does not constitute substantial evidence. Because the record does not provide substantial evidence, we cannot find that the retention of 53 Carman Road would

promote the general welfare by encouraging interest in American History and architecture.

The BAR also considered the age of the site as a basis for determining that the site is historically significant. We find that the age of this site viewed alone or with other submitted evidence does not support a finding that the site is historically or architecturally significant.

Finally, it is evident that neither side contends that 53 Carman Road could be made into a historic shrine, or that its unique design, texture or materials are so uncommon that it could not be reproduced without great difficulty. Therefore, we find no basis to review the site in relation to Section 182-6(B) & (C).

### **Conclusion**

For all of the forgoing reasons, the Village Board finds that the BAR's determination is not supported by substantial evidence on the record. Accordingly, we reverse the determination of the BAR, and issue a certificate of appropriateness. This constitutes the decision and order of the Village Board.

Concurring Comments on the Appeal from Denial of Certificate of Appropriateness in connection  
with 53 Carman Road

We concur in the conclusion of the Board of Trustees. Further, we agree with its reasoning upholding the determination of the BAR that matters of *local* historical importance may be legitimately within the purview of our Historic Preservation Law. However, to the extent that this Board's reasoning might be misconstrued as a substitution of our judgment for that of the BAR, we prefer to make the following argument in the hope that it provides some guidance for future proceedings under this law.

We are mindful that this law deals with the deprivation of an owner's property right, a right that is protected by the United States Constitution. Therefore, when assessing whether a structure is entitled to protection because of its *local* historical importance, we believe the BAR will have to impose an exacting standard of proof. In particular, we believe: 1) such a finding must rest upon more than uncorroborated, non-expert, or episodic testimony; and 2) factual inconsistencies must be supported by a preponderance of probative evidence. We are aware that such a standard might be more onerous than the demonstration necessary for a property of national significance, where for example inclusion on the National Register of Historic Places creates *prima facie* evidence of historical significance, but we feel that it is appropriate for the obvious reason that every house in Scarsdale has importance to its local neighborhood.

We further believe that less reliance must be placed on a petitioner's failure to dispute information unless: 1) a procedure has been put in place that curtails all *ex parte* communications between the BAR and persons appearing before it and 2) a schedule has been established that affords all parties the benefit of all materials sufficiently in advance of the BAR hearing to allow a meaningful opportunity to respond. We are not suggesting that there were any improprieties in this proceeding. Rather, we believe the community must understand that a proceeding under this law is serious and judicial in nature. The BAR and the Board of Trustees, when performing under this law, are not acting in a political capacity which welcomes informal community interaction. They are, instead, performing in a quasi-judicial capacity and must adhere to strict rules of propriety and procedural due process.

Finally, we appreciate the fact that the resources available to the Historic Preservation Committee and BAR or the time constraints provided in the law might not be adequate. There may be other issues. Should either body feel likewise in the future, we encourage them to petition the Village Manager for the necessary resources or the Board of Trustees for appropriate revisions to the law. We acknowledge that further refinements to the law are necessary and appropriate for future consideration by this Board.

In conclusion, we feel that the BAR handled this case of first impression in a serious and circumspect manner and we applaud them for their professionalism.

Trustee Ann M. Galvani  
Trustee David Kroenlein  
Trustee Tom Cusick  
Trustee Dorothy Finger  
Trustee Joseph A. Zock  
Mayor E. Markham Bench

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MANAGER'S OFFICE

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architect.

RESIDENTIAL DESIGN

LISA PIPER GILBERT, RA LICENSED IN NY, CT

**MEMORANDUM**

October 17, 2023

To: Committee for Historic Preservation

Attn: Chairperson, Adam Lindenbaum

Members of the Committee

Village of Scarsdale, Village Hall

1001 Post Road

Scarsdale, NY 10583

**PROJECT LOCATION/ DESCRIPTION**

27 Woods Lane Scarsdale, NY 10583

Residential Demolition Application

Regarding 27 Woods Lane, and the application requesting approval for a demolition permit. This letter is 'for the record' of the CHP meeting scheduled for October 17, 2023. The Architect was unable to appear in person to make the following comments and hopes that this letter can be read and recorded as part of the public record.

I am a professional licensed architect who has done work in the Village of Scarsdale, including in 'The Woods' neighborhood, but I am also a concerned citizen. I am dismayed by the recent residential development all around Westchester, including in Scarsdale, and am working to protect and preserve the character of our historic neighborhoods, and their associated existing building fabric. I have been made aware of this application, and as a result, I am issuing this letter (see attached) to support the preservation of 27 Woods Lane. Thank you.



Lisa Piper Gilbert, RA AIA

LPG Architect

C. 914-310-4580

[lisa@lpgarchitect.com](mailto:lisa@lpgarchitect.com)

architect.

RESIDENTIAL DESIGN  
LISA PIPER GILBERT, RA LICENSED IN NY, CT

**PROJECT DESCRIPTION:**

27 Woods Lane  
Demolition Application

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This letter of appeal is to request that the Committee of Historic Preservation (CHP) work to protect the Village of Scarsdale, and specifically 'The Woods' neighborhood from needless demolition, and subsequent overdevelopment and NOT grant approval for the demolition of 27 Woods Lane.

Historic preservation is guided by identifying, protecting, and enhancing buildings, and places of significance. The CHP and its members are stewards of the character of the Village of Scarsdale. Their goal is not just to protect and preserve individual homes and buildings of great architectural significance, but also to protect and preserve the character of neighborhoods, and the building fabric that makes up those neighborhoods. From the Village Code section '182-5': "In making a determination whether to grant an application for a certificate (approving demolition) or to deny such application and require that the building in question be preserved, the Committee shall consider the level of significance in American history, architecture, archeology, engineering and culture present in the building, as well as the integrity of location, design, setting, materials and workmanship..."

It is also noted that 'The Woods' neighborhood is very different from adjacent areas although the zoning regulations are the same. This section of Woods Lane has generous lots with similarly sized single family homes, and a sizable old growth tree canopy. 27 Woods Lane falls within zone 'A-3' which has consistently larger lots, even though the zoning setbacks match the A-4 and A-5 zones, with much smaller lots directly to the east and south. The property under question falls directly on the line where Woods Lane curves east, creating longer and wider lots, which have allowed for neighborhood consistency and the preservation of the old growth trees.

*(Note: The fact that the zoning regulations have not considered this neighborhood, the consistency of the lot sizes and how the homes sit on their lots is unfortunate. It would be my recommendation that the Village of Scarsdale review current zoning districts to update requirements that would protect and preserve areas like 'The Woods' neighborhood. If that had been done, then it is my opinion that this application would not be presented. It appears that the application requesting demolition is lining up an opportunity for a sale to someone (possibly a developer) to subdivide the property and create two lots where there is currently one lot. This existing lot is consistent with the adjacent lots in 'The Woods' now, but any subdivision would create an opportunity to*

## architect.

### RESIDENTIAL DESIGN

LISA PIPER GILBERT, R.A. LICENSED IN NY, CT

*legally create two homes that would be oversized for the reduced lots and that would comply with setbacks that do not match the existing setbacks within 'The Woods' neighborhood. Although this would be 'legal' it would NOT be in line with the integrity of the existing location. It appears that most of the existing homes in this section of the neighborhood have front yard setbacks that are about two times the minimum required 30' and rear yard setbacks that are more than three times the minimum 30'. See attached.)*

Neighbors in this area value their shared commitment to the neighborhood that only comes through owner-occupied properties, and through those owners making responsible decisions that are in the best interest of the neighborhood. The shared priority is to protect the character of the neighborhood, including a group of similar homes built in the early part of the 1900's, and all on larger lots. (Note: I have reviewed and support the 'Preservation Assessment' by Andrew S. Dolkart.)

This house was built in 1925-26, is very livable and usable in its current condition. It is not in disrepair, nor is it 'functionally obsolete' as described in the application material. (See attached listing pictures.) The house is in good condition, and from the pictures, shows appealing and generously sized rooms. Some bathrooms have been upgraded, some rooms have built-in cabinetry, and the eat-in kitchen is clean, functional, and spacious. The home is not perfect but is totally livable. It may be a good candidate for a minor renovation, but for relatively low costs, the home could be improved.

As an architect, a primary focus of my practice is working in Westchester to improve and preserve older homes built in the early 1900's that may need some attention, but that can stand for many more years housing families in our area. This house appears to be in excellent condition and although it is in 'move-in' condition, it could also be a candidate for minor renovations that would further improve the home and its aesthetic appeal.

Further, it is my understanding that any approval of a demo permit will make an irreversible decision, without any guarantee of the appropriateness of any new construction. Demolition of this property is not warranted and, in my opinion, would be problematic for multiple reasons, aside from the zoning concerns noted above. As many are aware, we are experiencing a climate crisis, and teardowns are detrimental for many environmental reasons. Construction and demolition waste accounts for 25-45% of the solid waste stream sent to our landfills. When the building comes down, all the embedded energy in them is also lost. The embodied energy includes the original production and transportation of the materials, as well as the manpower used to assemble the building. Examining embodied energy can reveal the hidden issues behind unnecessary demolition, which are linked to issues of air pollution and resource depletion and climate change in general. Typical

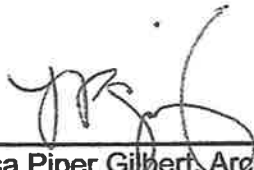
architect.

RESIDENTIAL DESIGN

LISA PIPER GILBERT, RA LICENSED IN NY, CT

demolition most often leads to a denser use of the space, where larger homes are built which encroach on the open space, and the expansion often uproots mature plantings including the old growth tree canopy like the one in this neighborhood. Once removed, the tree canopy cannot be replaced. It provides benefits to our air quality as well as providing shade and minimizing the energy required to cool buildings.

Laws of all oversight bodies, especially the 'Committee for Historic Preservation', are designed to protect our buildings but also our rights and shared values as a community. Goals should be finding amenable solutions that work to enhance the Village of Scarsdale and its neighborhoods for years to come. The goal should not be to grant approval for things to happen, just because they are legally allowable. 27 Woods Lane, as described in the recent Preservation Assessment by Andrew S. Dolkart, is 'almost entirely intact to its original design and historic additions retain "integrity of location, design, setting, materials and workmanship"'. (Mr. Dolkart quoting 182-5). I fully agree with Mr. Dolkart's findings and conclude that 27 Woods Lane should not be demolished and can continue to be a comfortable and wonderful home for a new family. I would be happy to discuss these issues further upon request.  
Thank you.



Lisa Piper Gilbert, Architect

10/17/2023

Date:

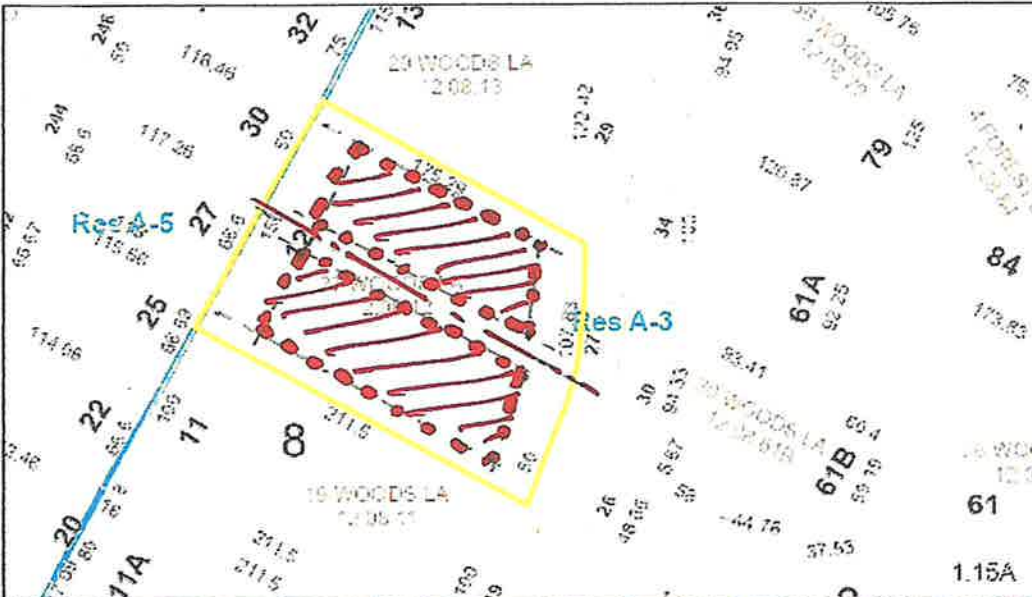


# Tax Parcel Maps

Address: 27 WOODS LA


Print Key: 12.08.12

SBL: 01200800120000000000



**NOTE:**  
 VILLAGE OF  
 CLAYBORNE  
 ZONE:  
 A3, A4, A5  
 SAME  
 SETBACKS  
 ALLOWED

FRONT - 30'  
 REAR - 30'  
 SIDES - 10'

#27 WOODS (A-3)  
 LANE. IF  
 SUBDIVIDED,  
 ALLOWABLE  
 SETBACKS

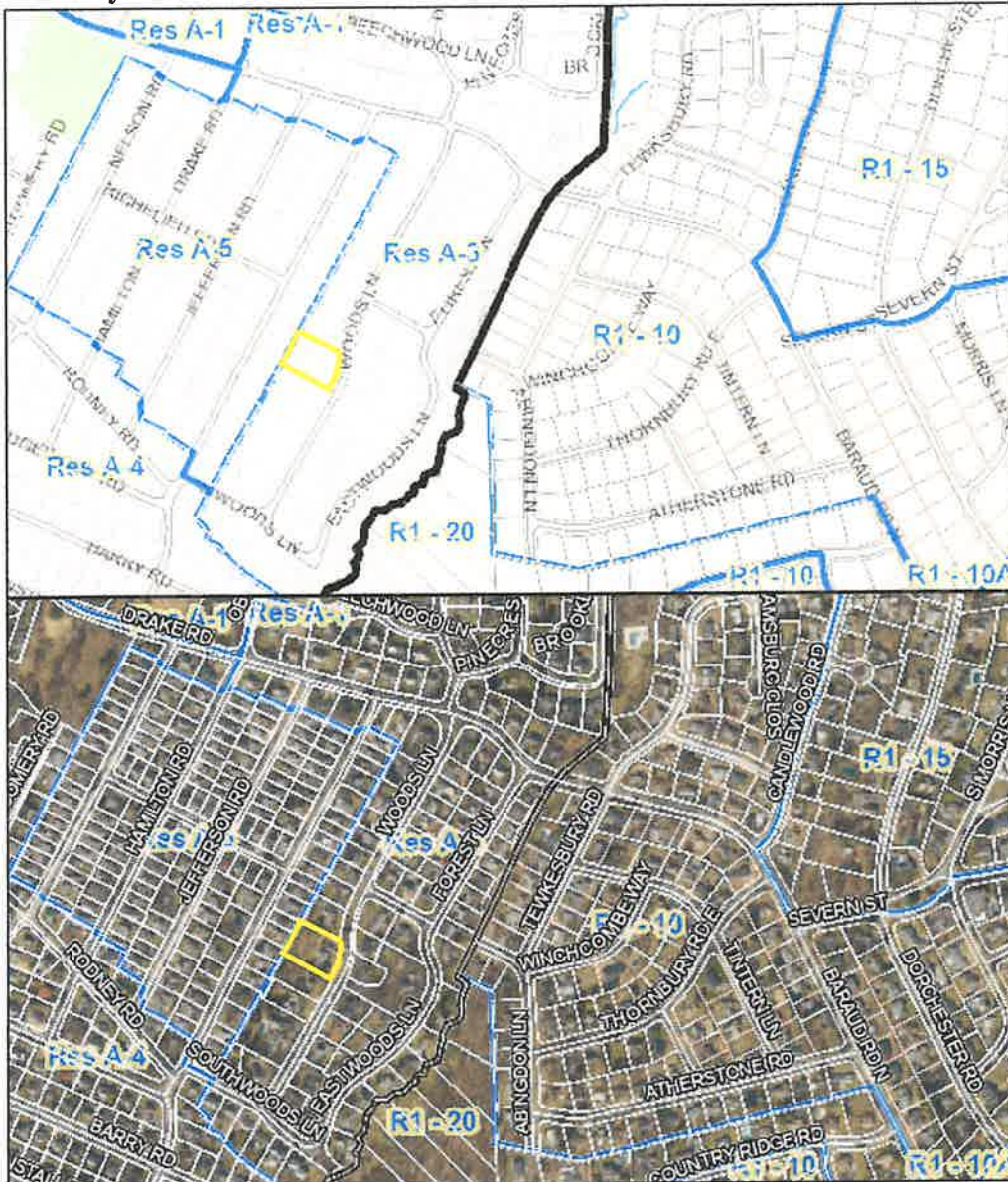
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# Tax Parcel Maps

Address: 27 WOODS LA

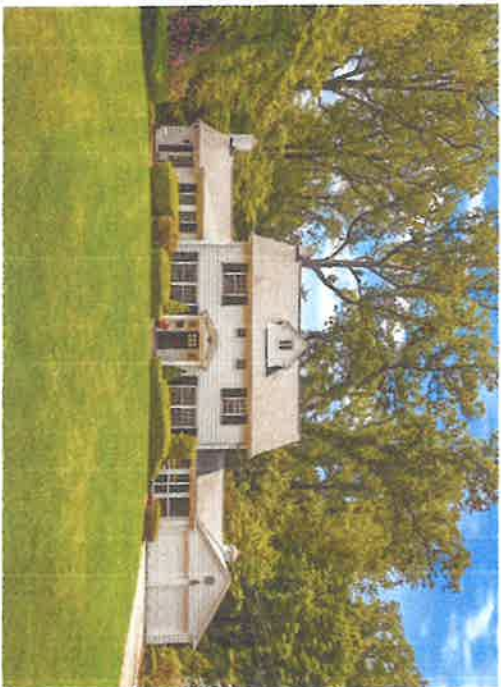
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Photos

Map

Street View

X

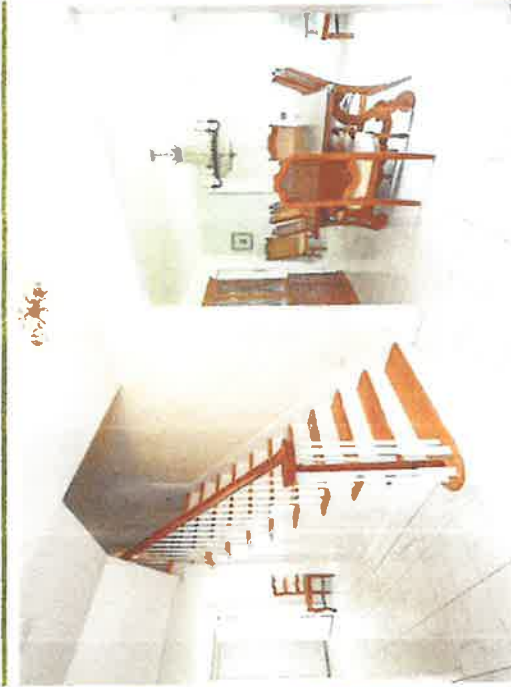


compass.com



Photos

Map Street View





compass.com



Photos

Map

Street View



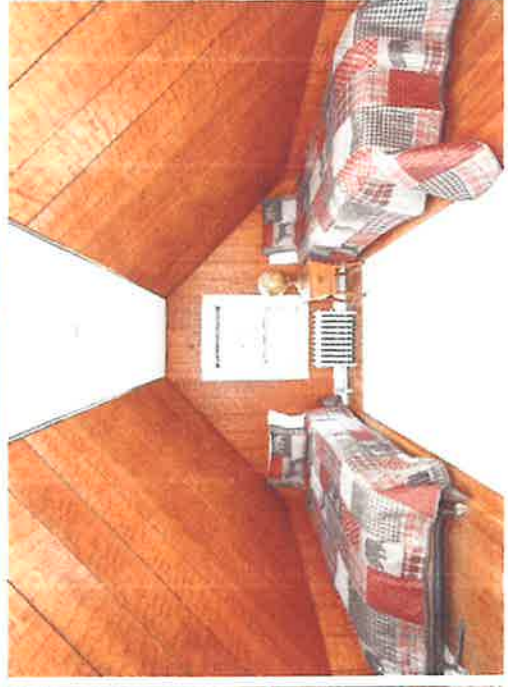


compass.com



Photos

Map Street View





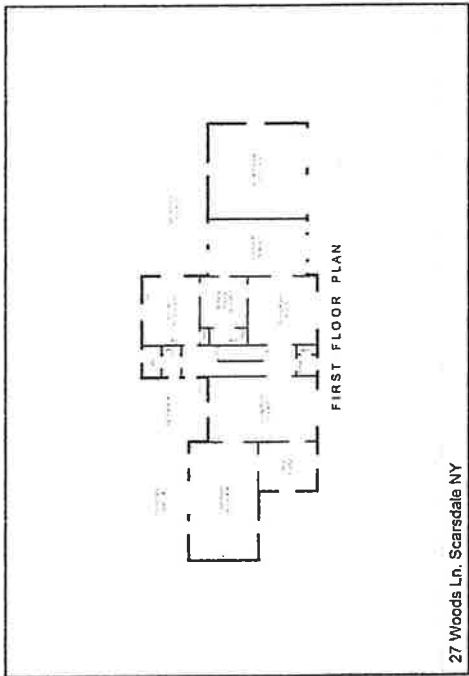
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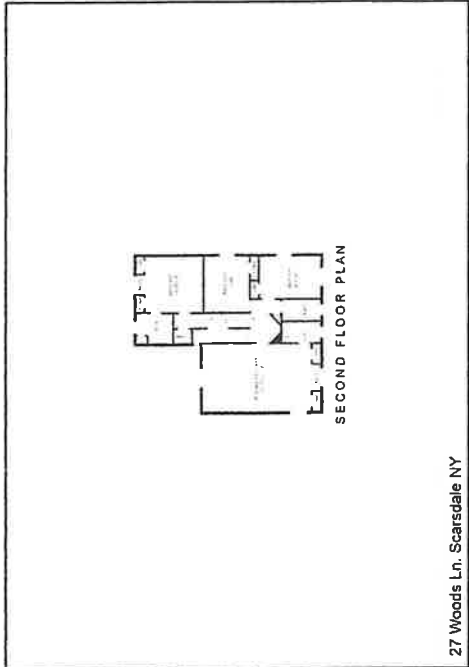
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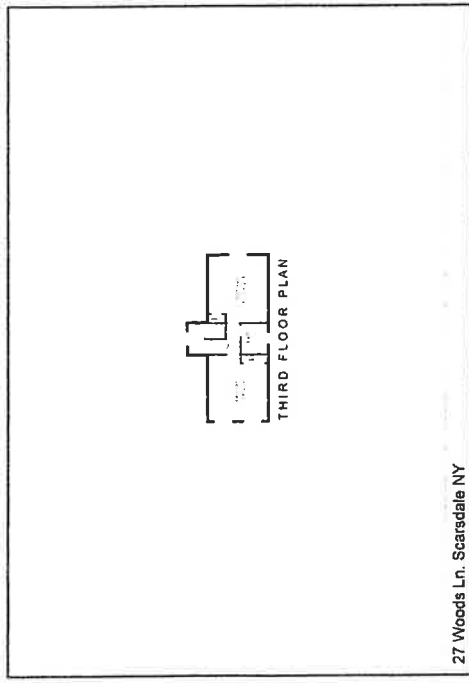
Street View



27 Woods Ln, Scarsdale NY



27 Woods Ln, Scarsdale NY



27 Woods Ln, Scarsdale NY

# Contents

## ACKNOWLEDGMENTS

<b>1. INTRODUCTION</b> .....	<b>1-1 TO 1-4</b>
<b>2. HISTORICAL AND ARCHITECTURAL OVERVIEW OF SCARSDALE</b> .....	<b>2-1 TO 2-11</b>
<b>3. THE ARCHITECTURE OF SCARSDALE</b> .....	<b>3-1 TO 3-23</b>
3.1 The Colonial Revival .....	3-3
3.2 The Tudor Revival .....	3-7
3.3 English Cottage .....	3-15
3.4 Other Styles .....	3-17
3.5 Architects in Scarsdale .....	3-21
<b>4. GUIDELINES AND SELECTION CRITERIA</b> .....	<b>4-1 TO 4-3</b>
4.1 Village of Scarsdale Landmark Criteria .....	4-1
4.2 New York State and National Registers of Historic Places .....	4-2
4.3 Local Designation versus State and National Listing .....	4-3
<b>5. SURVEY METHODOLOGY</b> .....	<b>5-1 TO 5-2</b>
5.1 Objective .....	5-1
5.2 Materials Provided by the Village .....	5-1
5.3 Field Methods .....	5-1
5.4 Research Methods .....	5-2
<b>6. MAPS OF STUDY AREAS AND POTENTIAL INDIVIDUAL LANDMARK PROPERTIES</b>	
<b>7. POTENTIAL STUDY AREAS</b> .....	<b>7-1 TO 7-52</b>
7.1 Greenacres .....	7-2
7.2 Scarsdale Heights .....	7-8
7.3 Garden Road .....	7-11
7.4 Fox Meadow .....	7-15
7.5 Elmdorf Drive .....	7-23
7.6 Downtown .....	7-27
7.7 Berkley .....	7-32
7.8 Sherbrooke .....	7-35
7.9 The Woods .....	7-39
7.10 Dolma Road .....	7-43
7.11 Heathcote Road .....	7-47
7.12 Heathcote Crest .....	7-50
<b>8. POTENTIAL INDIVIDUAL LANDMARKS</b> .....	<b>8-1 TO 8-86</b>
8.1 Potential Individual Landmarks .....	8-2
8.2 Proposed Additional Individual Landmarks .....	8-15

## APPENDICES

- A. Village of Scarsdale Resolution: Establishment of Landmark Criteria (January 11, 2011)
- B. Selected Bibliography

## 4. Guidelines and Selection Criteria

### 4.1 VILLAGE OF SCARSDALE LANDMARK CRITERIA

In January 11, 2011, the Village of Scarsdale Board of Trustees issued a Resolution regarding the Establishment of Landmark Criteria, as put forward by a citizen Advisory Committee. A copy of the Resolution is included in Appendix A of this Report.

The Advisory Committee recommended the following criteria be applied to buildings, structures, sites and/or objects:

1. Existence of special character, historic aesthetic interest or value as part of the cultural, political, economic, or social history of the Village, region, state or nation;
2. Identification with personages or events of historic significant to the Village, region, state or nation;
3. An example of a significant architectural style, period, or method of construction;
4. The work product of a designer whose work has significantly influenced an age;
5. Listed on the National Register of Historic Places or New York State Register of Historic Places or Westchester County Inventory of Historic Places.

The Advisory Committee further recommended that interiors be limited to buildings that are customarily open or accessible to the public, and that such interiors shall have special historical, aesthetic, interest or value as part of the development, heritage or cultural characteristic of the Village, state or nation.

The Advisory Committee also recommended that the criteria for historic districts include the following:

1. Properties, which meet one or more of the criteria for designation as a landmark cited above;
2. Properties that are geographically combined in a district and identifiable portion of the Village so as to constitute a discernable collective entity;
3. Properties that are comprised of at least 5 tax lots.

The criteria established by the Village were followed for the evaluation of potential individual landmarks and study areas, commencing with properties listed on the county, state, and national inventories and registries. Although thirteen (13) individual buildings were so listed, there were no such listings for historic districts. These thirteen individual buildings are proposed as potential individual landmarks. Additionally, sixty-eight (68) potential individual landmarks which meet the Village's criteria for evaluation have also been proposed. Study Areas for potential historic districts were established, typically including groups of buildings that physically and spatially represent discernable collective entities, although these do not necessarily have precisely defined boundaries. In areas where the original land plat was used to define a cohesive neighborhood of architectural significance, the boundaries are distinct, e.g., Berkley, Scarsdale Heights, Sherbrooke Park, and The Woods. In other areas, the boundaries are indistinct, subject to further research, e.g., Fox Meadow, Greenacres, and Heathcote Crest. To achieve geographic continuity, the study areas may contain non-contributing buildings, as is typical of historic district designations.

### 7.9 THE WOODS STUDY AREA

The Woods is a small subdivision along the New Rochelle border in the Drake Edgewood neighborhood of Scarsdale. The development runs along Woods Lane, Southwoods Lane, and Eastwoods Lane (Figures 7-9-1 and 7-9-2). The project appears to have been planned in the late 1920s, since several houses were erected in the area late in that decade, but the plan was revised in 1930. Most houses in The Woods were erected during the Depression years of the 1930s. The study area consists of a cohesive mix of Tudor Revival and Colonial Revival houses, designed by a variety of architects. Both Franklin Hammond and Lorillard Wise, who were active elsewhere in Scarsdale, designed Tudor Revival houses early in the history of development in The Woods – Hammond at 8 Woods Lane in 1928 (Figure 7-9-3) and Wise at 2 Woods Lane in 1930.

Colonial Revival is the dominant theme in the area, with refined facades of stone and wood. Architect Donald S. Kennedy's 1937 house at 15 Woods Lane for Charles G. Pyle exemplifies the restraint of Colonial-inspired design in the 1930s (Figure 7-9-4). The house has a facade of irregularly-shaped and sized stones that appear to have been picked up on the site. The stone is beautifully laid, with subtle emphasis on the window lintels and at the corners. The entrance is beneath a portico leading to a segmental-arch entry with webbed leadwork in the fanlight and an intricate geometric pattern in the sidelights. The sloping roof is clad in slate. Of particular interest is a group of Colonial Revival houses with stone first stories and wood clapboards or shingles above. At 6 Southwoods Lane, architect William H. Fuhrer designed such a house in 1933 for Edna G. Connell (Figure 7-9-5). The golden stone of the lower story appears to grow out of the site while the clapboard upper story projects slightly and is pierced by three dormers with pediments rising above the eaves. The stone ground floor extends to either side in single-story wings, that to the right with a porch shading the main entrance. Next door, at 10 Southwoods Lane, W. D. Chapman commissioned architect Herbert J. Johnson to design a home in 1934 (Figure 7-9-6). Johnson's symmetrical house with central entrance also has stone on the first floor, but the second floor is clad in shingles.

Little information has come to light about the mechanics of development in The Woods. More research might discover additional information about the developers who created this fine subdivision at the edge of Scarsdale.

VILLAGE OF SCARSDALE CULTURAL RESOURCE SURVEY RECONNAISSANCE LEVEL REPORT  
POTENTIAL STUDY AREAS

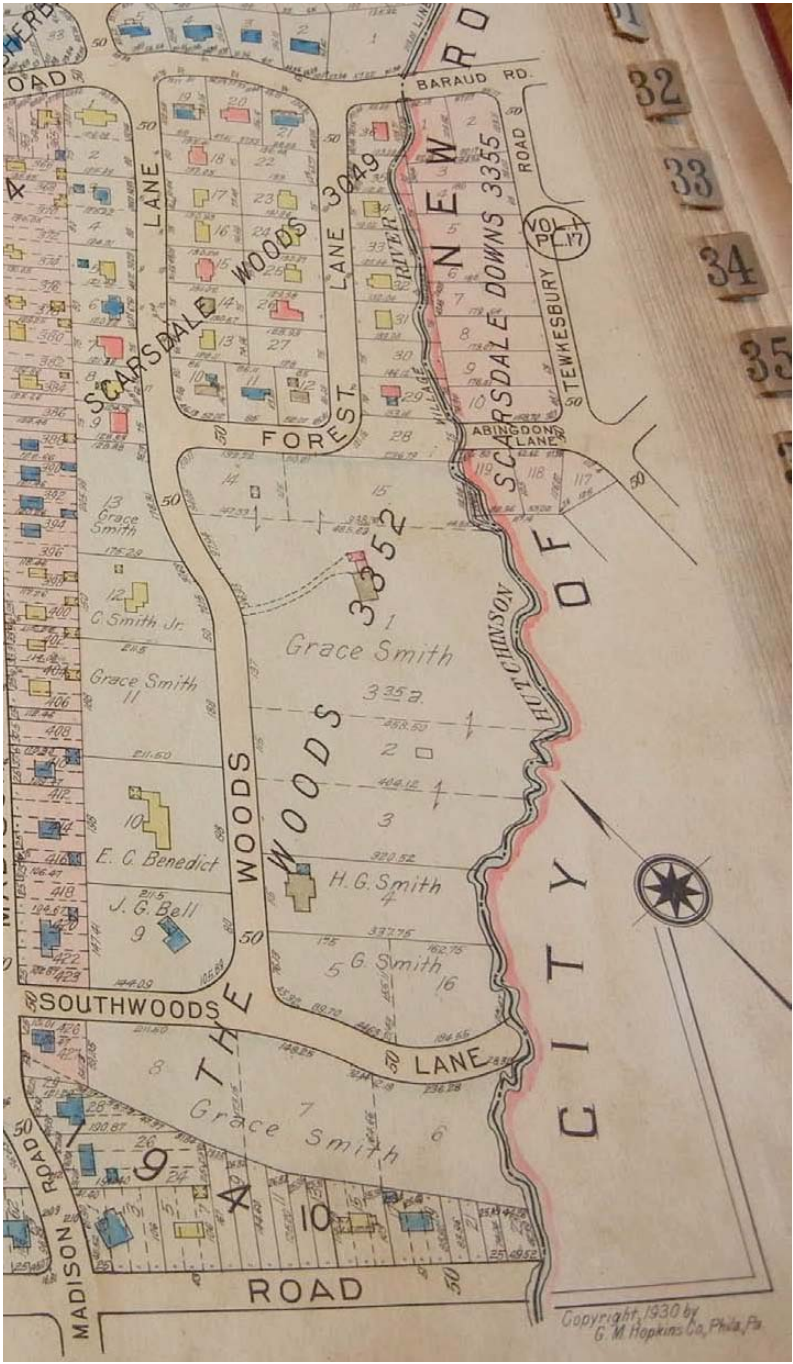


FIGURE 7-9-1. The Woods, after the streets had been laid out, but prior to major development. Atlas of Westchester County, New York, G. M. Hopkins Co., Volume 2, Plate 14, 1930.

VILLAGE OF SCARSDALE CULTURAL RESOURCE SURVEY RECONNAISSANCE LEVEL REPORT  
POTENTIAL STUDY AREAS

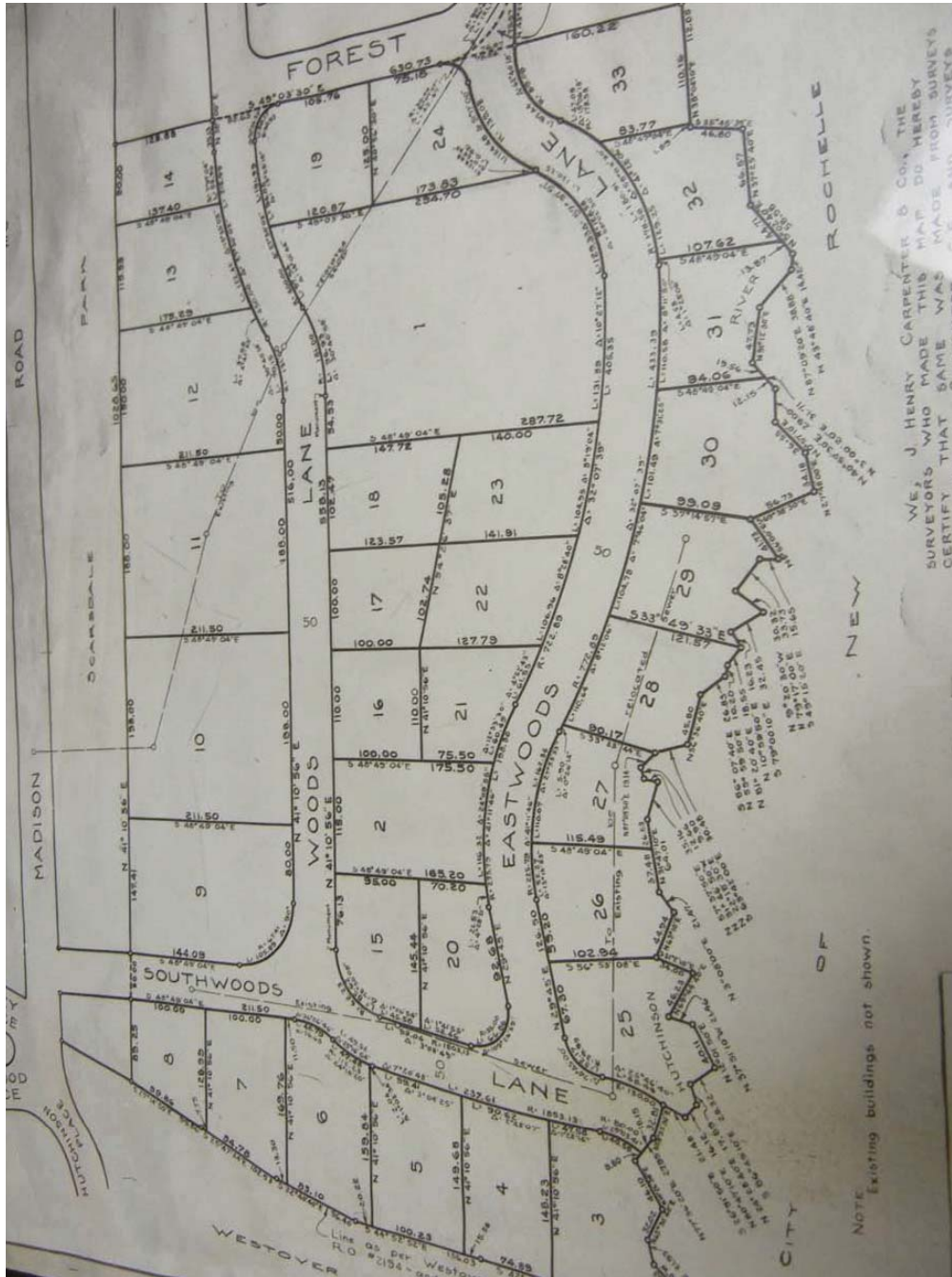


FIGURE 7-9-2. Revised Map of The Woods, Village of Scarsdale, Westchester County, J. Henry Carpenter & Co., 1930.

VILLAGE OF SCARSDALE CULTURAL RESOURCE SURVEY **RECONNAISSANCE LEVEL REPORT**  
POTENTIAL STUDY AREAS



FIGURE 7-9-3. 8 Woods Lane.



FIGURE 7-9-4. 15 Woods Lane.



FIGURE 7-9-5. 6 Southwoods Lane.



FIGURE 7-9-6. 10 Southwoods Lane.