

**AMENDED**

Minutes of the Special Meeting  
Of the Board of Trustees of the  
Village of Larchmont held on  
**Monday, March 28, 2016.**

**PRESENT:** Mayor Anne McAndrews  
Deputy Mayor Lorraine Walsh  
Trustees Marlene Kolbert  
John Komar  
Peter Fanelli

**ABSENT:** None

**Also Present:** Administrator Datino, Attorney Feldman

Mayor McAndrews called the meeting to order at 7:15 PM.

Mayor McAndrews stated this special meeting is on a hearing for variance from the Village’s moratorium on construction and building.

On motion of Trustee Walsh, seconded by Trustee Komar and unanimously carried, it was:

**RESOLVED,** that the Public Hearing for an appeal from the application of the Moratorium on certain land use applications (L.L. No. 1-2016) re: Thompson place, was opened.

**RESOLUTION**  
**P.** H. for Appeal of  
**L.**L No. 1-2016  
15 **T**hompson Pl.  
opened

Mayor McAndrews asked the applicant to come forward to make their case.

Paul Noto, 650 Halstead Avenue, attorney for the applicant is representing 15 Thompson Place, Realty LLC and Dominic Marchese.

Mr. Noto submitted a letter on February 28, 2016 which he would like included as part of the record. Mr. Noto stated this application is for a single family lot with an existing house. The applicant purchased the home last year. Mr. Noto stated that the real concern is with the Planning Board as they did not properly or expeditiously review the application. Mr. Noto was asked to contact Mr. Lent, an engineer representing the Village, who had not been given the scope of work from the Village and therefore was unable to provide information to Mr. Noto.

Mr. Noto stated at 5:30 PM today, Woodward and Curran sent a standard review memo regarding the application for 15 Thompson Place. Mr. Noto asked that the Village Board look on page 1 and noted several dates. June 22, 2015 an EAF was filed, September 21, 2015, drainage and control plan was filed, in 2014 the gas tank report was filed and June 24, 2015 the drawings on the new residence was filed. Mr. Noto stated all these items were filed before the moratorium was enacted.

Mr. Noto stated the Planning Board couldn't address the concerns therefore Woodard and Curran was brought in. Attorney Feldman clarified that Woodard and Curran was brought in solely to advise the Board of Trustees on the appeal at issue, not the Planning Board, and Mr. Noto understood. Mr. Noto stated that if the Planning Board application was reviewed when it should have, the applicant would be moving forward. The process is flawed and there is no one to talk to about it. The Planning Board meetings are difficult to get answers at as the Building Inspector, Village Attorneys and Village Engineer (which the Village does not have) are not present to answer questions. The applicant has provided all the information in the timely manner required. A shadow study, analysis of gas tanks and many different views of the property were provided by the applicant as requested by the Planning Board. The process started last summer and the applicant has done everything that was asked by the Planning Board.

Mr. Noto stated the owner thought there would be some decision made by the end of 2015. Mr. Marchese had a tenant but with the expectation that the building of the new house would begin shortly, the tenant left. The applicant has had to carry the expenses until the moratorium ends.

Mr. Noto added that the architect was also present if the Village Board had any design questions.

Trustee Komar asked Mr. Noto if there was anything else the Board needs to consider. Mr. Noto replied no.

Trustee Walsh asked Mr. Noto had there been any correspondence with Mr. Lent.

Mr. Noto said they exchanged e-mails with Mr. Lent. This process began in September and the latest e-mail was in December when Mr. Lent said he hadn't been given a scope of work and had not been told what to do by the Planning board.

Attorney Feldman noted that the building department files will be entered into record. The Village has received the application, plans, letter from Keane & Beane on behalf of Preserve Larchmont in opposition to the project, memo from Richard Price, memo from Woodard & Curran, Engineering Consultants. All these items are on the Village's website.

Mayor McAndrews asked if anyone else would like to comment on the matter.

Michael McCrum of 14 Bronson Avenue addressed the Village Board. Mr. McCrum lives in back of 15 Thompson Place. Mr. McCrum is objecting to this proposal at 15 Thompson Place because of the size. The proposed new home would be 30 ft. above their 2<sup>nd</sup> floor and would cast shadows into the yard. The studies show that he would be looking at a big wall.

Mr. McCrum noted that the Planning Board has not taken any comments by the neighbors as they are waiting for the results of the water study. Mr. McCrum noted a lot of water gets washed down from that property and he has concerns with flooding. Mr. McCrum was told by the Planning Board that the moratorium would address these concerns.

Mr. Noto noted the misinformation from the Planning Board regarding what the moratorium would address is also a concern. There are New York State codes regarding storm water runoff that the applicant would follow.

Administrator Datino stated that it would be a good idea for the Planning Board to submit a statement to the Village Board as to what is going on with 15 Thompson Place.

Mayor McAndrews stated that the Village Board has received information from the Village's Planner but is waiting to hear from the Planning Board. The Village Board will ask the Planning Board to submit something in writing as their input is essential to the Board's decision.

**RESOLUTION**

**P.** H. for Appeal of  
**L.L** No. 1-2016  
15 **T**hompson Pl.  
adjourned

On motion of Lorraine Walsh, seconded by Peter Fanelli and unanimously carried, it was:

**RESOLVED** to adjourn the Public Hearing to April 4, 2016 at 8:00 PM, at which time, the Village Board will have a memo from the Planning Board regarding 15 Thompson Place.