

Minutes of Special Meeting of the
Board of Trustees of the
Village of Larchmont, NY
held on Monday, August 1, 2016.

PRESENT: Mayor Lorraine Walsh
Deputy Mayor Carol Miller
Trustees John Komar
Peter Fanelli
Malcolm Frouman

ABSENT: None

Also Present: Administrator Datino
Joanna C. Feldman, Esq., representing the Village
Attorney's office

Mayor Walsh welcomed all in attendance and called the meeting to order at 7:18 PM.

The Mayor stated this special meeting is to hear an appeal application of the moratorium for certain land use boards, Local Law #1-2016 from the owners of 3 Douglas Lane.

On motion of Trustee Frouman, seconded by Trustee Miller and unanimously carried, the Public Hearing was opened.

Mr. Spielvogel, owner of 3 Douglas Lane addressed the Village Board. Mr. Spielvogel stated it was his intention to replace the home when it was purchased. Mr. Spielvogel stated that they went along with the moratorium as it was something that residents of the Village were in favor of, but with the extension of an additional 3 months they decided to put in an application for appealing the moratorium.

Mr. Spielvogel noted that they have lived in this home for 2 years. Mr. Spielvogel noted that there was no intention to live in the house as long as they have in the condition it is in, and they are concerned with living there through another winter.

Mayor Walsh stated they have received correspondence from the Spielvogel's, Donald McDonald, (Architect for the applicant), Village of Larchmont's Planning Consultant Richard Preiss and the Committee to Preserve Larchmont. Those letters along with the site plan and current survey have been posted on the Village's website. The correspondences were either in favor of the appeal or did not have an objection to the appeal.

Mayor Walsh noted that whether or not the Board grants this appeal, it does not have any bearing on what they can build on their property. If the Board does grant the appeal, it clears the way to begin the application process. There will be changes made to the zoning code and it will likely apply to this application.

RESOLUTION

Open

Public Hearing

Spielvogel,

Owner 3 Douglas Lane

Mayor and Board
Comments

Mayor Walsh stated the applicant has shown hardship and difficulty in living comfortably in the house in the current condition. The Planning Consultant has recommended that this application does not thwart the intent of the moratorium and provided several reasons for his decision. Those reasons included: the current condition of the home, including rotten wood, leaking roof and windows, rusting sewer pipes and an antiquated electric system. Mr. Preiss noted it does not meet FEMA flood zone regulations and there is no subdivision of property.

The proposed development is a modest increase in the building area.

Mayor Walsh asked if any of the Board members would like to comment on the matter.

Trustee Frouman had no comment.

Trustee Miller stated for the reasons given that she believes the applicants have made their case for hardship.

Trustee Komar agreed that the applicants have made their case for hardship.

Trustee Fanelli agreed that the application should be able to move forward and they have proven their case for hardship.

Mayor Walsh stated that she will instruct Village council to draft a decision in the affirmative in granting the appeal. The Board will present the final decision with that documentation at the August 8, 2016 meeting in the Court Room at Village Hall at 7:00 PM.

RESOLUTION
Close
Public Hearing

On motion of Trustee Komar, seconded by Trustee Fanelli and unanimously carried, the Public Hearing was closed.