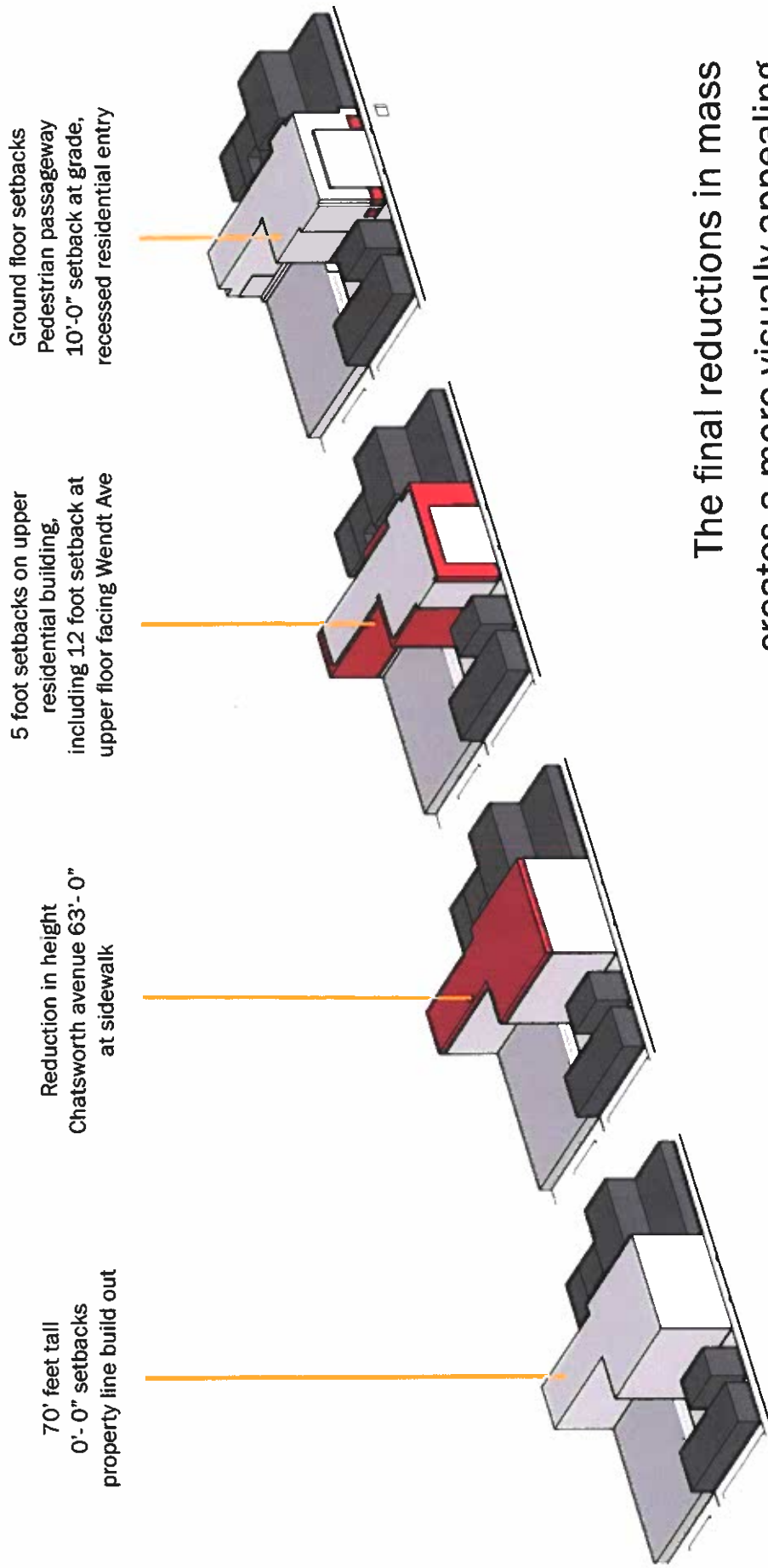


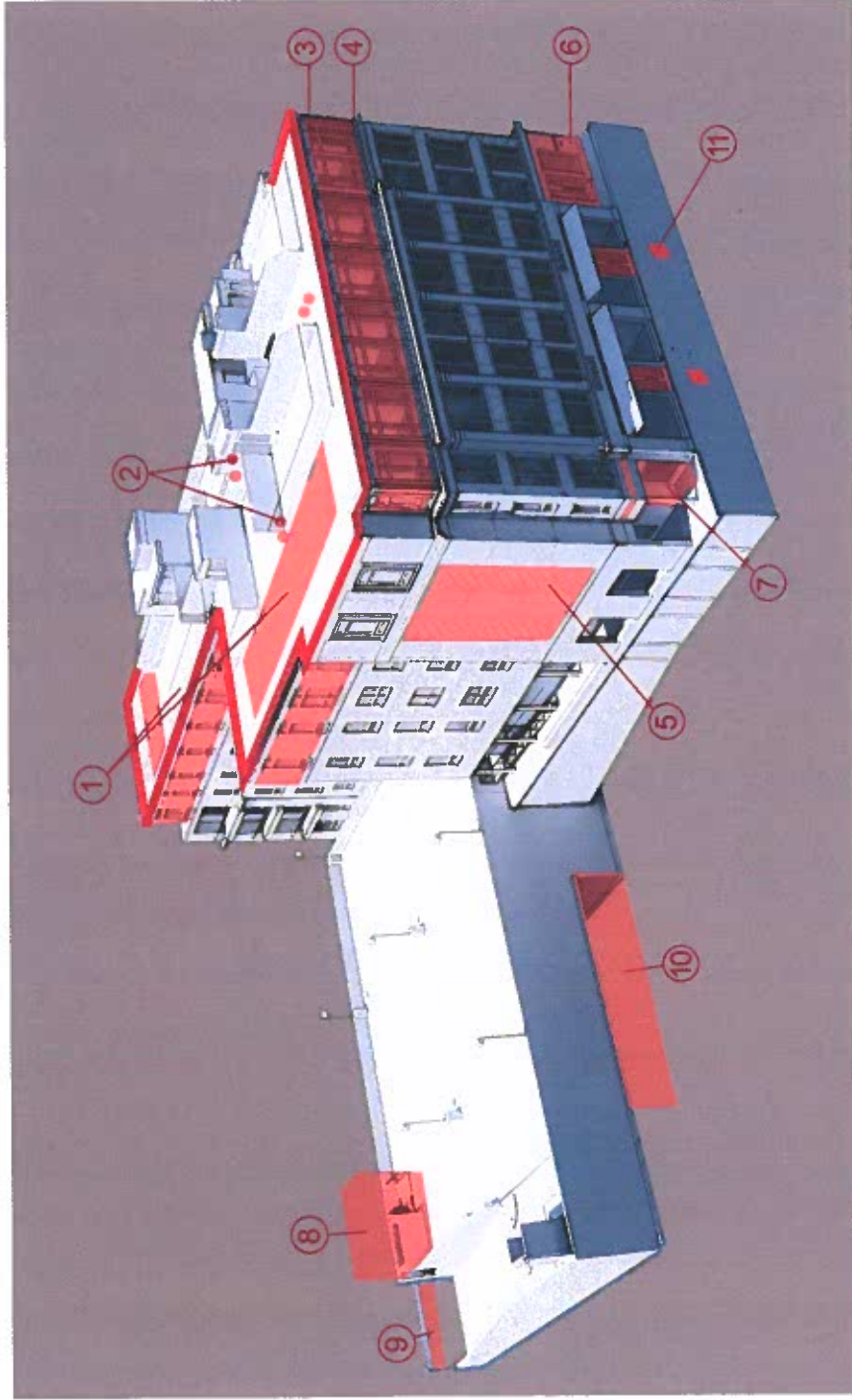
- EXISTING ZONE
- QUALIFYING PROPERTIES
- POTENTIALLY QUALIFYING PROPERTIES (if amalgamated)
- SITE
- VILLAGE PROPERTY



Source: Westchester County GIS



The final reductions in mass
creates a more visually appealing
and pedestrian-friendly building



- 1 Additional green roofing
- 2 Appliance and equipment venting to be thru roof rather than facade where possible
- 3 Reduced mass of upper cornice
- 4 Reduced window height at upper floors
- 5 Add texture and depth to brick patterning
- 6 Make residential lobby more unique
- 7 Increase width of pedestrian path, make more out of that corner.
- 8 Reduced height of garage, by eliminating roof above the pedestrian stairway
- 9 Eliminated large signage on the garage facade
- 10 Reduced foot print of basement to reduce site disturbance
- 11 Bicycle parking for retail provided on chatsworth, public within parking Garage, and residents within basement
- 12 Increased storm water retention and treatment system
- 13 Garage facade and landscape designed to increase vehicular / pedestrian visibility

RECENT ARCHITECTURAL UPDATES

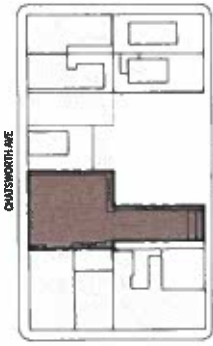
PERKINS
EASTMAN



CENTRO
LARCHMONT

CHATSWORTH AVENUE (NW CORNER) PERSPECTIVE

PERKINS
EASTMAN

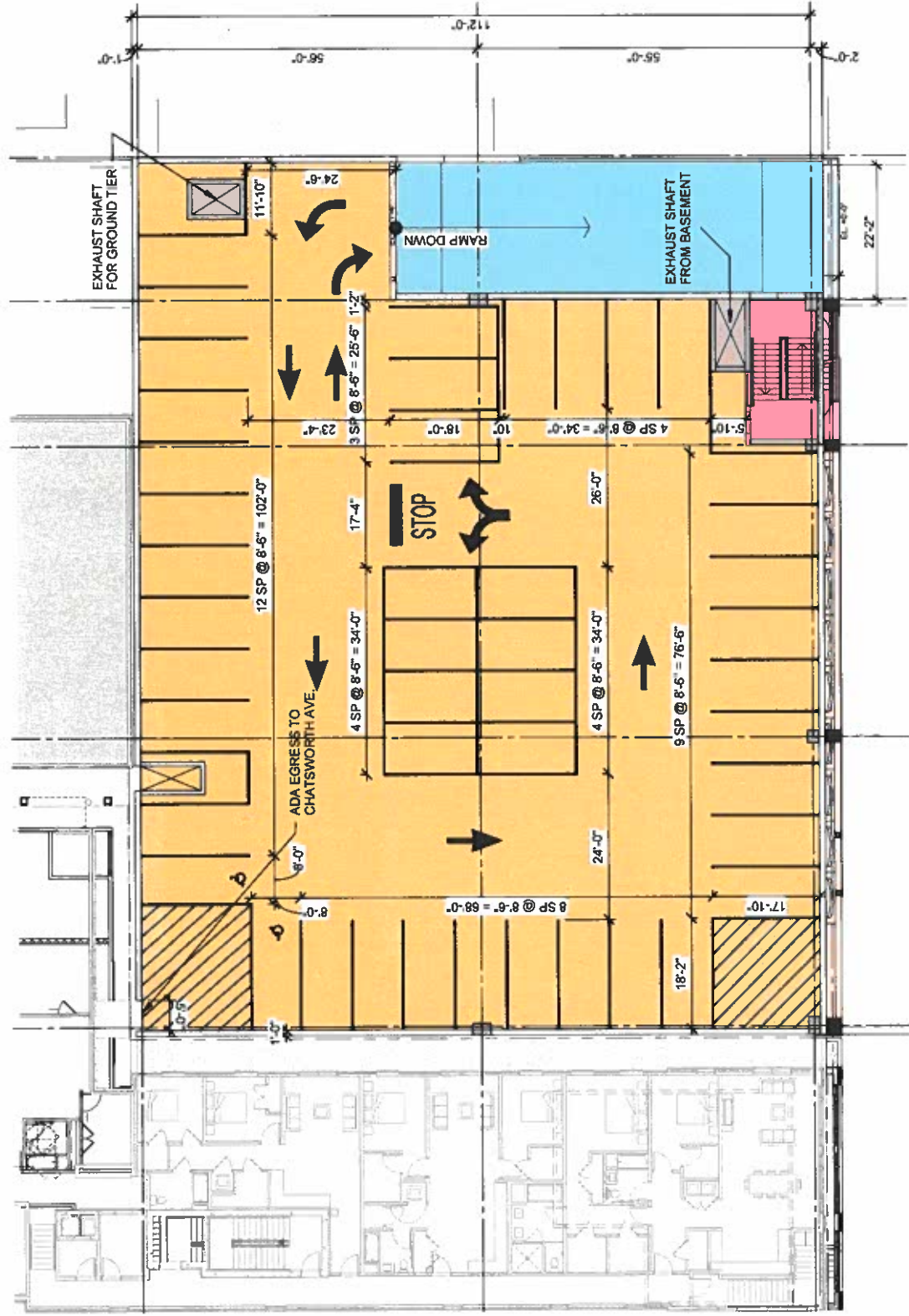


WENDT AVENUE PERSPECTIVE

**PERKINS
EASTMAN**

CENTRO
LARCHMONT

- PARKING AREA
- RAMP
- CIRCULATION
- MEP/STORAGE ROOMS



UPPER LEVEL GARAGE

PERKINS
EASTMAN

September 10, 2019

TO: LARCHMONT MAYOR WALSH AND VILLAGE BOARD OF TRUSTEES

We understand that the Village Board has given Notice of a Public Hearing to consider amending the Village Zoning law with respect to the Centro Project on Monday, September 16, 2019 at 7:30 p.m.

**We say the Board SHOULD NOT TAKE ANY ACTION
with respect to the Centro Project at the September 16th Meeting!**

The September 16th meeting will be the first meeting of the Village Board where Village residents will have an opportunity to talk directly to their Board and express their concerns. A project of this magnitude with the potential to inalterably affect the future of the Village requires more than just a single pro forma opportunity for open public discussion.

Instead, the September 16th Village Board meeting should be the FIRST IN A SERIES of meetings, and additional meetings should be scheduled to allow further input.

The voices of Village residents should be heard before any action can be taken, and there is simply no realistic possibility that they can be heard and adequately and thoughtfully considered at only a single meeting.

We have many concerns about the size and scale of the Centro Project in its current form, including its potential impact on traffic, school overcrowding, taxes, increased burden on infrastructure and Village public services. The developer's assertions in their self-serving documentation of minimal impact in all of these areas are on their face completely inadequate, contradictory, self-serving and specious.

We also have concerns that the Village Board worked behind the scenes for over a year with the developer, who then presented it full-blown back to the Village, where it was received in glowing terms and presented to the residents complete with its own button on the Village website making it seem like an official Village endorsement.

It is the **BOARD'S DUTY** to provide its residents ample opportunity to express their concerns about a project of this magnitude and consequence. It is the **BOARD'S DUTY** to listen carefully and act thoughtfully after full consideration of all views. It is the **BOARD'S DUTY** to employ genuinely independent consultants to study the serious issues raised by the project as proposed, instead of taking a developer's self-serving assertions at face value. It is the **BOARD'S DUTY** to take extra care under these circumstances.

The Centro Project is massive in scope and as proposed would indelibly alter the character of our Village. It needs to be well-considered and properly vetted. Piecemeal development tailored to one developer can turn our Village into Queens on the Sound. The Village of Mamaroneck has just enacted a new law restricting inappropriate development there, recognizing that it only takes one serious misstep to forever alter the quality and character of a Village. Centro in its current proposed form is that misstep.

The Board of Trustees must show the residents that it understands that its duty is to them, and to proper democratic processes, and defer final action on the Proposed Zoning Law Amendment until the Centro Project has been subjected to appropriate public scrutiny and independent analysis.

Respectfully, *Kate Bielo 9-16-19*

Signed: SEE ATTACHED LIST OF AUTHORIZED SIGNATORIES

	A	B	C	D	E	F
1		09/16/19 6.00 pm				
2	THE FOLLOWING PERSONS HAVE AUTHORIZED THE AFFIXATION					
3	OF THEIR NAMES TO THE ATTACHED PETITION DATED SEPTEMBER 16, 2019					
4	ADDRESSED TO THE MAYOR AND BOARD OF TRUSTEES OF					
5	THE VILLAGE OF LARCHMONT					
6	<i>(all addresses are Larchmont, NY 10538 unless otherwise noted)</i>					
7						
8	Lisa	Ahmad	1 Locust Avenue			
9	Zubaid	Ahmad	1 Locust Avenue			
10	Susan	Amlicke	19 Pineridge Road			
11	Tom	Amlicke	19 Pineridge Road			
12	Michael	Aronson	51 Wendt Avenue			
13	Alexandra White	Aronson	51 Wendt Avenue			
14	Ellen	Berman	12 Beverly Place			
15	David	Berman	12 Beverly Place			
16	Kate	Bialo	24 Elm Avenue			
17	Ken	Bialo	24 Elm Avenue			
18	Christina	Bischoff	21 Willow Avenue			
19	Senet	Bischoff	21 Willow Avenue			
20	William	Bordelon	28 Rockwood Drive			
21	Lauren	Bouffard	15 Linden Avenue			
22	Ruth	Bradley	40 Vanderburgh Avenue			
23	Jill	Breen	35 Chestnut Avenue			
24	Adam	Breen	35 Chestnut Avenue			
25	Kelly	Brock	16 Bayard Street			
26	Cheryl	Brock	10 Walnut Avenue			
27	Bill	Brock	10 Walnut Avenue			
28	Marcia	Burkett	17 Mayhew Avenue			
29	Brad	Burkett	17 Mayhew Avenue			
30	Anthony	Cafero	225 Larchmont Avenue			
31	Hilda	Cashman	199 Larchmont Avenue			
32	Orla	Cashman	199 Larchmont Avenue			
33	Peggy	Cashman	199 Larchmont Avenue			
34	Rebecca	Charles	34 Forest Park Avenue			
35	Betty	Comerford	46 Elm Avenue			
36	Phil	Comerford	46 Elm Avenue			
37	Mary Beth	Connor	27 Maple Avenue			
38	Jerry	Connor	27 Maple Avenue			
39	Eileen	Corwin	8 Lyons Place			
40	Jacqueline	Cottrell	34 Stuyvesant Avenue			
41	Camille	Coyle	30 Wendt Avenue			
42	Diane	Crowley	32 Wendt Avenue			
43	Lynn	Crowley	22 Rockwood Drive			
44	Nina	Daum	46 Magnolia Avenue			
45	Michael	Daum	46 Magnolia Avenue			
46	Jose	DeLasa	223 Larchmont Avenue			
47	Caroline	DeLasa	223 Larchmont Avenue			
48	Jodi	DeLazzero	51 Wendt Avenue			
49	Leslie	Dolan	125 Larchmont Avenue, #2C			

	A	B	C	D	E	F
50	Syrette	Dym	52 Wendt Avenue			
51	Vicki	Ehrlich	31 Locust Avenue			
52	Kenneth	Ehrlich	31 Locust Avenue			
53	Isabelle	Eid	35 Helena Avenue			
54	Jean Francois	Eid	35 Helena Avenue			
55	Jane	Elkoff	6 Locust Avenue			
56	Michele	Faber	66 Larchmont Avenue			
57	Nora	Feghali	30 Chestnut Avenue			
58	Joe	Feghali	30 Chestnut Avenue			
59	Theresa	Finck	30 Concord Avenue			
60	William	Finck	30 Concord Avenue			
61	Patty	Finneran	7 Pryer Lane			
62	Katie	Fitzgerald	29 Oak Avenue			
63	John	Fitzgerald	29 Oak Avenue			
64	Margaret	FitzPatrick	85 Willow Avenue			
65	Erin	Fleming	37 Vanderburgh Avenue			
66	Kevin	Fleming	37 Vanderburgh Avenue			
67	Margaret	Foster-Marks	12 Locust Avenue			
68	Erin	Fuller	1 Wendt Avenue			
69	Thomas S.	Gallagher	66 Larchmont Avenue			
70	Drew P.	Gallagher	66 Larchmont Avenue			
71	Louisa T.	Gallagher	66 Larchmont Avenue			
72	Nedra	Gillette	5 Pineridge Rd			
73	Peter	Gillette	5 Pineridge Rd			
74	Richard	Golden	31 Wendt Avenue			
75	Robin	Golden	31 Wendt Avenue			
76	Alison	Gottsegen	37 Vanderburgh Avenue			
77	Jonathan	Gottsegen	37 Vanderburgh Avenue			
78	Michele	Gowda	2 Sheppard Place			
79	Kirsten	Graham	21 Winslow Place			
80	Andrew	Graham	21 Winslow Place			
81	Frank	Grant	52 Wendt Ave			
82	Severine Chavel	Greenspan	51 Chestnut Avenue			
83	Michael	Greenspan	51 Chestnut Avenue			
84	Carina	Grossmark	58 Elm Avenue			
85	Robert	Grossmark	58 Elm Avenue			
86	Cindy	Habig	10 Linden Avenue			
87	Bruce	Habig	10 Linden Avenue			
88	Todd	Harrington	40 Vanderburgh Avenue			
89	Kevin	Heaney	45 Flint Avenue			
90	Linda	Heaney	45 Flint Avenue			
91	Michael	Henry	5 Locust Avenue			
92	Courtney	Hewson	51 Flint Avenue			
93	John	Hewson	51 Flint Avenue			
94	Anthony	Hoylen	16 Walnut Avenue			
95	Julie	Hoylen	16 Walnut Avenue			
96	Graham	Hoylen	16 Walnut Avenue			
97	Naomi	Jaffe	21 Lincoln Avenue			
98	Marshall	Jaffe	21 Lincoln Avenue			
99	Martin	Jenis	50 Chatsworth Avenue			

	A	B	C	D	E	F
100	Pat	Jenis	50 Chatsworth Avenue			
101	Lucy	Johanson	20 Locust Avenue			
102	Philip	Johanson	20 Locust Avenue			
103	Timothy	Johanson	20 Locust Avenue			
104	Zachary	Johanson	20 Locust Avenue			
105	Kelly	Johanson	20 Locust Avenue			
106	Bridget	Johanson	20 Locust Avenue			
107	Nancy	Karagis	37 Locust Avenue			
108	Sylvester	Karagis	37 Locust Avenue			
109	Margaret	Kaufer	4 Monroe Avenue			
110	Adam	Kaufmann	17 Wendt Avenue			
111	Lisa	Kaufmann	17 Wendt Avenue			
112	Wendy	Kaufman	2 Iselin Terrace			
113	Steve	Keitz	205 Larchmont Avenue			
114	Celina	Kersh	34 Pineridge Road			
115	Helen	Kippax	18 Mayhew Avenue			
116	John	Kippax	18 Mayhew Avenue			
117	Abby	Kohnstamm	15 Ocean Avenue			
118	Alison	Kranzley	44 Elm Avenue			
119	Dan	Kranzley	44 Elm Avenue			
120	Anthony	Kroell	34 Forest Park Avenue			
121	Carl	Landegger	30 Helena Avenue			
122	Penny	Langone	36 Pineridge Road			
123	Nick	Langone	36 Pineridge Road			
124	Theresa	Laughlin	8 Larchmont Avenue			
125	Patty	Leslie	15 Manor Place			
126	Wendy	Lewison	10 Beverly Place			
127	John	Lewison	10 Beverly Place			
128	Maria M.	Liuzzo	26 Coolidge Street			
129	Deborah	Marquardt	54 Ocean Avenue			
130	Chris	Marquardt	54 Ocean Avenue			
131	Maria	Massimi	7 Margaret Lane			
132	Nicole	Massimi	41 Wendt Avenue			
133	Stephen	Massimi	41 Wendt Avenue			
134	Beth	McErlean-Pierce	7 Willow Avenue			
135	Ellen	McEvily	21 Lincoln Street			
136	Mike	McEvily	21 Lincoln Street			
137	Mary	McMillan	137 Beach Avenue			
138	Keith	McMillan	137 Beach Avenue			
139	Stewart	McMillan	25 Hazel Lane			
140	Mary Jo	Mitchell	9 Willow Avenue			
141	Vincent	Monte-Sano	34 Pineridge Road			
142	Valerie	Mouracade	34 Pryer Lane			
143	Rita	Murray	26 Pineridge Road			
144	Caron	Nelson	8 Locust Avenue			
145	Ryan	Nelson	8 Locust Avenue			
146	Deborah	Novick	11 Concord Avenue			
147	Annie	O'Connor	18 Lyons Place			
148	Jennifer	Ogden	21 Birch Lane			
149	James	Pacholka	8 Larchmont Avenue			

	A	B	C	D	E	F
150	Megan	Pagliuca	28 Rockwood Drive			
151	Cynthia	Parthemos	36 Monroe Avenue			
152	George	Parthemos	36 Monroe Avenue			
153	Kristin	Patrick	39 Wendt Avenue			
154	Matthew	Patrick	39 Wendt Avenue			
155	Amy	Peluso	16 Vanderburgh Avenue			
156	Kimo	Peluso	16 Vanderburgh Avenue			
157	Alix	Perrachon	45 Mayhew Avenue			
158	Jean	Perrachon	45 Mayhew Avenue			
159	Carla	Porter	8 Woodbine Avenue			
160	Tim	Porter	8 Woodbine Avenue			
161	Laura	Pratt	10 Gerlach Place			
162	Joshua	Pratt	10 Gerlach Place			
163	Dayna	Reist	227 Larchmont Avenue			
164	Adam	Reist	227 Larchmont Avenue			
165	Patti	Roberts	55 Grove Avenue			
166	Michael	Roberts	55 Grove Avenue			
167	Meg	Roberts	3 Bay Avenue			
168	Charles	Roberts	3 Bay Avenue			
169	Sally	Robling	Bayard Street			
170	Steve	Robling	Bayard Street			
171	Brigid	Quinn	35 Wendt Avenue			
172	Sean	Quinn	35 Wendt Avenue			
173	Karen	Regan	15 Lundy Lane			
174	Brian	Regan	15 Lundy Lane			
175	Lynn	Reichgott	20 Wendt Avenue			
176	Mick	Russell	42 Wendt Avenue			
177	Robert	Sadowsky	80 Chatsworth Avenue			
178	Mary	Savage	4 Walnut Avenue			
179	Katie	Sawyer	4 Chatsworth Avenue			
180	Amanda	Schlumberger	20 Oak Avenue			
181	Matlock	Schlumberger	20 Oak Avenue			
182	Melissa	Schoen	4 Cedar Island			
183	Chris	Schoen	4 Cedar Island			
184	Pam	Schwab	11 Winslow Place			
185	Michael	Schwartzman	41 Beach Avenue			
186	Heather	Segal	21 Sherwood Avenue			
187	Mark	Segal	21 Sherwood Avenue			
188	Karin	Sherman	2 Park Avenue			
189	Jeff	Sherman	2 Park Avenue			
190	Grace	Shpiz	59 Stuyvesant Avenue			
191	Andy	Shpiz	59 Stuyvesant Avenue			
192	Vicky	Stein	19 Old Colony Drive			
193	Zachary	Stein	19 Old Colony Drive			
194	Jill	Steinberg	44 Wendt Avenue			
195	Greg	Steinberg	44 Wendt Avenue			
196	Julia	Steinmetz	18 Willow Avenue			
197	Jane	Symington	30 Elm Avenue			
198	Rob	Symington	30 Elm Avenue			
199	Frances	Tchou	42 Wendt Avenue			

	A	B	C	D	E	F
200	Christine Langone	Terranova	14 Harrison Avenue			
201	Andrew	Terranova	14 Harrison Avenue			
202	Doug	Torre	45 Pine Brook Drive			
203	Karen	Torre	45 Pine Brook Drive			
204	Ann Meade	Trahan	18 Elm Avenue			
205	Darya	Van Heertum	43 Mayhew Avenue			
206	Carine	Verschueren	38 Wendt Avenue			
207	Lisa	Weiss	41 Beach Avenue			
208	Weinbach	Bonnie	64 Beach Avenue			
209	Marian	White	6 Dawes Place			
210	William	White	6 Dawes Place			
211	William	Wise	43 Mayhew Avenue			
212	Caitlin	Yadav	111 Beach Avenue			
213	Vikrant	Yadav	111 Beach Avenue			
214	Ward	Young	15 Linden Avenue			
215	Art	Zanko	14 Cedar Avenue			
216	Susan	Zanko	14 Cedar Avenue			
217	Carol	Akin	1226 Palmer Avenue			
218	Reba	Appelson	35 No.Chatsworth Avenue			
219	Wally	Appelson	35 No.Chatsworth Avenue			
220	Lisa	Boillot	810 Pirates Cove, Mamaroneck, NY			
221	Sharyn	Boswell	25 Myrtle Blvd			
222	Tim	Boswell	25 Myrtle Blvd			
223	Sally	Cantwell	3 Oak Lane			
224	Paul	Cantwell	3 Oak Lane			
225	Ludovic	Collin	17 Barnum Rd			
226	Erin	Constabile	2261 Palmer Avenue, #4H, New Rochelle, NY			
227	Louis	De Chiara	1 Glen Eagles Drive			
228	Dianne	D'Augelli	17 Barnum Road			
229	Gretchen	Eisele	341 Orienta Avene			
230	Susan	Emery	34 Mountain Avenue			
231	Dana	Emery	34 Mountain Avenue			
232	Katherine	Emery	34 Mountain Avenue			
233	Ralph	Engel	1 Washington Square			
234	Beth	Feldman	5 Sheldrake Avenue			
235	Jill	Frey	221 Barnard Road			
236	Jonathan	Frey	221 Barnard Road			
237	Sandra	Geroux	647 Forest Avenue			
238	Michael	Geroux	647 Forest Avenue			
239	Brad	Gewehr	2 Mulberry, New Rochelle, NY			
240	Atina	Gordon	16 Maple Hill Drive			
241	Blythe	Hamer	2 Mulberry, New Rochelle, NY			
242	Ellen	Kaldor	20 Dimitri Place			
243	Elsie	Kearns	54 Edgewood Avenue			
244	Kathryn	Kirchoff	26 Elkan Road			
245	Amy	Levine-Kennedy	21 Poplar Road			
246	Susan	Mahler	16 No. Chatsworth Ave #207			
247	Ed	Mahler	16 No. Chatsworth Ave #207			
248	Terry	Martin	8 Normandy Road			
249	Kathy	Rasor	6 Senate Place			

	A	B	C	D	E	F
250	Tim	Sawyer	31 Emerson Road			
251	Roger	Stavis	21 No. Chatsworth #4D			
252	Randy	Stavis	21 No. Chatsworth #4D			
253	Kara	Vicinelli	15 Dante Street			
254	Paolo	Vicinelli	15 Dante Street			
255	Jessica	Vieth	13 Kenmare Road			
256	Ellen	Washburn Martin	8 Normandy Road			
257	Laurie	Wolk Rosenblatt	27 Pryer Manor Road			
258						
259						

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Phone 646.794.5747

JENNIFER L. GRAY
Member
jgray@kblaw.com
Also Admitted in CT

September 16, 2019

VIA EMAIL

Mayor Lorraine Walsh and
Village Board of Trustees
Village Hall
120 Larchmont Avenue
Larchmont, New York 10538

Attn: Justin Datino, Village Administrator

Re: Preserve Larchmont – Public Comment on Proposed
Local Law for Centro Development

Dear Mayor Walsh and Village Board of Trustees:

This office serves as counsel to Preserve Larchmont. Preserve Larchmont is an organization is comprised of several hundred residents of the Village who desire to preserve the unique history, character and charm of the Village of the Larchmont community and protect the present quality of life for Village residents.

At the request of Preserve Larchmont, I reviewed the documents available on the Village of Larchmont's website concerning the Centro project located at 108-114 Chatsworth Avenue and 65 Wendt Avenue (collectively, the "Centro Site"). The developer of the Centro Site is seeking to amend the Zoning Code of the Village of Larchmont to create a new Public Amenity Supplemented Mixed Use Special Permit use which appears to be applicable solely to the Centro Site based on the eligibility criteria set forth in the proposed local law. Centro is also seeking Special Permit approval from the Village Board and Site Plan approval from the Planning Board.

I understand the Village Board of Trustees is scheduled to open a public hearing on the proposed local law at its meeting tonight, Monday, September 16, 2019. Given the number and scope of outstanding questions, comments and concerns from the Village Planning Board, Village Architectural Review Board, and the Westchester County Planning Board¹ (all comprised of individual members selected for their expertise in the area of planning, zoning and building/site design), we would expect

¹ A copy of the August 23, 2019 Village Planning Board memorandum, July 30, 2019 Village Board of Architectural Review comments and August 16, 2019 Westchester County Planning Board comments are annexed hereto for ease of reference.

Mayor Lorraine Walsh and
Village Board of Trustees
September 16, 2019
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the Village Board will hold the public hearing open and refrain from taking any action on the local law or underlying application until these open questions, comments and concerns, as well as those expressed at public meetings by residents, have been addressed and resolved by the developer.

On behalf of Preserve Larchmont, we offer the following comments:

1. State Environmental Quality Review Act (SEQRA).

The developer submitted several professional studies with its initial application in April 2019 to supplement the Environmental Assessment Form (EAF). The professional studies and reports include a Traffic and Parking Study prepared by Kimley Horn, School Impact Analysis prepared by Kimley Horn, and SWPPP prepared by Bibbo Associates LLP. However, we were not able to locate any information on the Village's website as to whether these studies presented by the developer's consultants have been reviewed and vetted with a "hard look" by the Village's professional staff and consultants.

The vetting of these studies by the Village's professional staff and consultants would address whether, for example, the School Impact Analysis utilized appropriate projects in appropriate geographic locations to compare the estimated school-aged children generated by Centro against the school-aged children generated by other similar developments, and whether the proper valuation method was used for the proposed condominiums (i.e. market rate valuation was used whereas a rental value would be applicable in communities where, as here, the homestead option has not been adopted for assessment purposes). Vetting may also allow for application of recent data available from the Mamaroneck Union Free School District which suggests some of the district's schools are nearing capacity. Vetting would also address whether it would be appropriate for the Traffic and Parking Study to add a review of additional intersections such as Palmer Avenue/Larchmont Avenue and Palmer Avenue/Chatsworth Avenue, consider traffic volumes on the residential streets near the project (i.e., Wendt and Vanderburgh Avenues), and also whether the appropriate ITE trip rates and/or credits were applied to result in a conservative traffic projection.

Failure by the Village to vet these studies would indicate the Village Board, as lead agency, has not performed the requisite "hard look" at the relevant environmental impacts of the proposed local law and related redevelopment project which collectively are part of the Proposed Action under SEQRA.

Mayor Lorraine Walsh and
Village Board of Trustees
September 16, 2019
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Further, any assertion that the impacts of the Centro development can be reviewed at the Special Permit or Site Plan stage of the application review process would result in improper segmentation of the environmental review. Segmentation is defined as the division of the environmental review of an action such that various activities or stages are addressed as though they were independent, unrelated activities needing individual determinations of significance. 6 NYCRR §617.2(ag). Except in special circumstances, considering only part, or a segment of an overall action, is contrary to the intent of SEQRA:

(g) Actions commonly consist of a set of activities or steps. The entire set of activities or steps must be considered the action whether the agency decision-making relates to the action as a whole or to only a part of it.

(1) Considering only a part or segment of an action is contrary to the intent of SEQRA. If a lead agency believes that circumstances warrant a segmented review, it must clearly state in its determination of significance, and any subsequent EIS, the supporting reasons and must demonstrate that such review is clearly no less protective of the environment. Related actions should be identified and discussed to the fullest extent possible. 6 NYCRR 617.3(g)(1).

In addition, the Village Planning Board issued a memorandum dated August 23, 2019 which attaches as Exhibit "A" a list of "issues to be considered in the context of SEQRA." Those issues include a review of the proposed dimensional and bulk requirements, specifically related to the Centro Site's location adjacent to a residential neighborhood, setbacks from the street, and step backs of the building to "reduce building bulk and severity of visual impact on the abutting properties and adjacent neighborhood and land uses."

Among the recommendations provided by the Village Planning Board are:

(a) "...the inclusion of a rear yard setback requirement in order to allow for an orderly transition to adjacent or abutting residentially zoned properties, and to account for sight line/visibility for vehicle access to and egress from the parking structure..."

Mayor Lorraine Walsh and
Village Board of Trustees
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- (b) “As proposed, the zoning amendment would allow for full lot line to lot line bulk build-out. To ensure an appropriate contextual relationship between the development and the surrounding community, the Village Board should consider requiring a ‘step back’ in the design of the building, in order to allow for an orderly transition to the adjacent land uses and to reduce the appearance of bulk.”

The Village Architectural Review Board’s report to the Village Board dated July 30, 2019 echoes these recommendations concerning bulk and massing. We urge the Village Board, as lead agency, to fully vet the professional studies provided by the developer as well as the comments and questions raised by the Village’s Planning Board and Architectural Review Board, particularly those pertaining to bulk, massing and community character, prior to completing Part 2 of the Environmental Assessment Form and issuing any SEQRA determination. Failure to give a “hard look” at the relevant environmental impacts of the Proposed Action would be a failure to comply with the substantive requirements of SEQRA.

2. Spot Zoning/Inconsistency with Comprehensive Plan.

The New York State Court of Appeals has defined “spot zoning” as, “...the process of singling out a small parcel of land for a use classification totally different from that of the surrounding areas, for the benefit of the owner of such property and to the detriment of other owners...; spot zoning is the very antithesis of planned zoning.” *Rodgers v. Village of Tarrytown*, 302 N.Y. 115, 123 (1951). Zoning amendments which are consistent with the municipality’s comprehensive plan are not considered spot zoning. *Rye Citizens Committee v. Board of Trustees for Village of Port Chester*, 249 A.D.2d 478, 671 N.Y.S.2d 528 (2d Dep’t 1998), *lv. to app. denied*, 92 N.Y.2d 808, 678 N.Y.S.2d 593 (1998).

Here, the proposed zoning amendment which would allow a massive scale structure abutting a residential district is inconsistent with recent Village efforts to curtail overdevelopment, particularly in or near residential areas. Part of the Centro Site is in the retail area of the Village, but part abuts and is adjacent to a residential neighborhood. The proposed local law allows development that does not respect the transitional nature of the Centro Site as to the residential neighborhoods and is inconsistent with recent legislation by the Village Board which limits the size, scope and scale of development in the Village. As acknowledged by the Planning Board, the Village’s collection of zoning laws are considered to be part of the Village’s overall “comprehensive plan,” particularly where it has been decades since the Village

Mayor Lorraine Walsh and
Village Board of Trustees
September 16, 2019
Page 5

Comprehensive Plan has been updated. Adopting a local law that is inconsistent with the Village's Comprehensive Plan, including its collection of zoning laws, may be overturned as spot zoning. We urge the Board of Trustees to adjust the proposed dimensional regulations, including height and setbacks, to a more appropriate scale.

Notably, while the Planning Board found that the proposed zoning amendment will be consistent with the Village's comprehensive planning efforts regarding the area to be affected by the proposed zoning, that finding was far from unqualified. The Planning Board's express finding was made "subject to the Planning Board's comments in this memorandum." (See, Planning Board Memorandum, p. 4, emphasis added). Thus, the Planning Board's finding of consistency does not take effect without revising the proposed local law and the Centro project to be consistent with the Planning Board's comments.

3. Supermajority Required to Act Contrary to County Recommendations.

As required by NYS General Municipal Law §239-m and the Westchester County Administrative Code, the Village Board referred the proposed local law to the County Planning Department for comment. If the County Planning Board recommends modifications or disapproval of the Proposed Action, GML §239-m requires a supermajority vote in order to act contrary to those recommendations. Here, the County Planning Board's August 16, 2019 letter recommended modifying the local law to make it more widely applicable to the downtown as a whole, rather than a single development site: "We strongly urge the Village to take the current proposed law, and establish ways to apply it to the downtown as a whole, rather than restrict the changes to apply to just one site." The County further recommended a new overlay zone, rather than adding a proposed use to one zoning district as set forth in the proposed local law: "We would instead recommend the creation of an entirely new overlay zone, which could then be applied to various sites around the train station, and help multiple properties take advantage of development bonuses while providing public amenity supplements."

In the event the Village Board does not require changes to the local law to conform to the County's comments the Village Board would be required to adopt the local law by a vote of a majority plus one. See, NYS General Municipal Law §239-m(5). The Board must also file a "report" of its final action with the County Planning Department which describes the reasons why the Board acted contrary to the County Planning Department's recommendation. See, NYS General Municipal Law §239-m(6).

Mayor Lorraine Walsh and
Village Board of Trustees
September 16, 2019
Page 6

4. Westchester County Department of Planning Referral Documents.

GML §239-m requires the Village to refer to the County a “full statement” of the proposal. The statute defines “full statement” to include the SEQRA Environmental Assessment Form along with all other materials necessary for the Board to make a SEQRA determination of significance, i.e. a Negative Declaration or Positive Declaration. Failure to include these materials, such as the Zoning Petition, Traffic and Parking Study, School Impact Analysis, SWPPP, and any other documents the Village Board relies upon in its SEQRA determination of significance, is a jurisdictional defect that could invalidate any adoption of the local law. We urge the Village Board to review whether the requisite “full statement” was referred to the County Planning Department as required and defined by GML §239-m.

Conclusion

Thank you in advance for your attention to these important issues. We urge the Village Board to hold the public hearing open until these issues and those raised by the Village Planning Board, Architectural Review Board and County Planning Board are meaningfully addressed.

Very truly yours,



Jennifer L. Gray

JLG/

cc: James Staudt, Esq., Village Attorney
Jonathan Kraut, Esq. and Leo Napior, Esq., Applicant's Attorney
Joel H. Sachs, Esq.
Preserve Larchmont

Memorandum

From: Village Planning Board

Date: August 23, 2019

To: Mayor and Board of Trustees
Village of Larchmont
120 Larchmont Avenue
Larchmont, NY 10538

cc: Village Attorney, Planning Consultant

Subj: Planning Board review of proposed zoning amendment

Upon referral from the Village Board of Trustees, the Planning Board has reviewed the proposed amendment to the Zoning Code, specifically the creation of a new Special Permit use category defined as a Public Amenity Supplemented Mixed-Use Development.

As set forth in the provisions of 6NYCRR Part 617.6, the Village Board of the Village of Larchmont has declared its intent to serve as Lead Agency for the SEQRA Review of the proposed application which is classified as an Unlisted Action, and in this capacity, will determine if the proposed action will have a significant effect on the environment. The Planning Board concurs in this declaration and has no objection to the Board of Trustees serving as the Lead Agency.

This memorandum provides the response of the Village Planning Board to the referral from the Village Board of Trustees. It includes:

- issues to be considered, related to the proposed zoning amendment;
- comments and recommendations related to the SEQR – State Environmental Quality Review process, with the Village Board of Trustees serving as the Lead Agency, when considering whether and perhaps to what extent there may be impacts and the potential for significance of those impacts in certain specific areas related to responsible land use and site plans, a summary of which are listed in appendix A; and
- items identified which, while not necessarily related to the proposed zoning amendment, are likely site plan issues which the Lead Agency, the Board of Trustees, can anticipate hearing more about in the context of upcoming public hearings.

The proposed zoning amendment would amend the Code of the Village of Larchmont, Chapter 381: Zoning, indicating that it be amended to include a new Special Permit use to be known as a "Public Amenity Supplemented Mixed-Use Development".

The Special Permit use anticipates a site plan proposal which would allow for the development of a mixed-use building containing 3 or more dwelling units and ground floor non-residential use at a density greater than currently allowed under the current RC zoning provisions, that is designed, occupied and utilized in a manner that results in a substantial enhancement to the Village's business district and provides public amenities within the RC Zoning District, subject to a series of specific requirements.

Issues to be considered, related to the proposed zoning amendment:

- a) The geographic constraints of the proposed Special Permit use category would restrict the use to a very specific and limited area in the heart of one of the central business districts, including boundaries of eligibility between Chatsworth, Wendt, Palmer and Vanderburgh Avenues. In order to avoid a specific and proscriptive statutory limitation on the eligibility of the Special Permit use, it may be prudent to anticipate other potential applications for the Special Permit use category.
- b) The Planning Board notes, and has considered, that the proposed zoning would affect an area (between Palmer and Vanderburgh) covering more sites than just that of the Elk Homes petitioner.
- c) The proposed site plan, submitted in concert with the petitioner's proposal for a 26-unit luxury mixed-use development contemplates amenities within the structure. Those specifically listed include "a fitness center, pet spa, wine storage and a residential rooftop terrace." As the proposed Special Permit use category is contained within a zoning district designated as RC – a commercial district, it would seem appropriate that the Special Permit use category land uses align with the existing zoning. As pet sales and grooming establishments are specifically not permitted within an RC zone in the Village of Larchmont, this Special Permit use category should NOT include amenities which would otherwise circumvent such a use restriction. It must be made clear that these types of amenities be limited to residents of the project only, and not made available to the general public.
- d) As currently zoned, the Retail Center ("RC") Commercial District would require a 15 feet (15') rear yard setback. The Board recommends the inclusion of a rear yard setback requirement in order to allow for an orderly transition to adjacent or abutting residential zoned properties, and to account for sight line/visibility for vehicle access to and egress from the parking structure to ensure that pedestrian safety and vehicular traffic along Wendt Avenue are not adversely affected.

- e) As proposed, the zoning amendment would allow for full lot line to lot line bulk build-out. To ensure an appropriate contextual relationship between the development and the surrounding community, the Village Board should consider requiring a “step back” in the design of the building, in order to allow for an orderly transition to the adjacent land uses and to reduce the appearance of bulk.
- f) The dimensional regulations applicable to the proposed zoning amendment state that principal buildings will have a maximum height of 70 feet. The Village Board should consider clarifying what benchmark the height will be measured from, keeping in mind that base elevations may well vary on different sides of properties that are subject to the zoning.
- g) As stated in the proposed zoning amendment, a Public Amenity Supplemented Mixed-Use Development shall comply with certain design guidelines. The Board may consider amending the proposed stipulation for streetscape improvements (§381-51 (12) (f) Street trees, lighting and other streetscape features shall be provided along the street frontage consistent with the existing streetscape) to reference consistency with existing streetscape plans of the Village. The Village Board should consider guidelines that relate to rear-facing streetscape or contextual property interactions which will engage the retail experience. This could include guidelines related to canopy or awning standards or appearance (design for consistency or integration with the business district).
- h) As stated in the proposed zoning amendment (§381-51 (13)), “Architectural Review Approval for Building permits for Public Amenity Supplemented Mixed-Use Development structure shall be granted by the Village Board as part of the Public Amenity Supplemented Mixed-Use Development Special Permit review process. The Village Board may seek advice regarding the architectural design from the Village Architectural Review Board and/or a professional architectural consultant.”

The Board may consider amending the proposed amendment to align with current protocols and allow for supplemental review on an as-needed basis. The Planning Board recommends the following language (proposed replacement for section: (§381-51 (13))): “Review and approval of the proposed architectural design and plans for Building permits for Public Amenity Supplemented Mixed-Use Development structure shall be granted in accordance with the existing protocols involving the Architectural Review Board, as directed by the Village Board, as part of the Public Amenity Supplemented Mixed-Use Development Special Permit review process. The Village Board may seek advice regarding the architectural design from the Village Architectural Review Board and, if the Village Board so chooses, additional review by a professional architectural consultant.”

- i) Watershed protections and management of stormwater for a proposed development project are critical components of responsible planning. The unique elements of the public amenities of the Special Permit would create an opportunity to specifically reinforce the need to protect the watershed and the stormwater management infrastructure currently in place, in the context of the proposed zoning amendment. This would include making appropriate project-specific connections and/or upgrades to the municipal infrastructural systems that might otherwise be affected by the proposed zoning amendment and project. Furthermore, buildings should be constructed with a waterproofing system(s) such that groundwater is not introduced into the sanitary sewer system. Other green techniques should be considered to minimize the introduction of wastewater into the storm sewer systems. The suggested framework to address such issues is provided below:

Applicants should conduct an appropriate engineering study and outline a design framework related to stormwater and wastewater management as part of the environmental review process for their proposals that demonstrate that the sewer systems, roadways, and nearby property owners will not be adversely affected by the proposed project. The engineering studies and proposed designs undertaken as part of the site plan approval process should consider the existing and proposed conditions, capacity of the sewer systems, potential changes in flow patterns, water quality, retention/detention, waterproofing, green design measures, and implementation of necessary drainage, connections and/or other improvements to ensure that the sewer systems and nearby property owners are not significantly impacted.

- j) Finally, nuisance considerations during construction should be adequately addressed to minimize impacts to nearby property owners and the general public, including those related to dust, noise, and mechanical excavation and rock removal.

With regard to harmony with the Village's Comprehensive Plan, as the Village Board knows, the Village's Comprehensive Plan is not embodied in any single document. Rather, it is an amalgam of the Village's zoning related documentation and the totality of the Village's Planning and Zoning efforts. The Planning Board believes that the proposed zoning, subject to the Planning Board's comments in this memorandum, will be consistent with the Village's comprehensive planning efforts regarding the area to be affected by the proposed zoning. In recent years the Village has engaged in multiple efforts to address vacant and deteriorated properties in the affected area. In addition, the Village has considered and discussed the provision of housing alternatives for Village residents, particularly transit-oriented housing, and the Village has undertaken a comprehensive review of parking needs in the Business District. The proposed zoning, subject to our comments, would be consistent with these Village Planning efforts and initiatives.

Respectfully,

A handwritten signature in cursive script, appearing to read "J. B. Parkinson, Jr.", written in black ink.

John B. Parkinson, Jr.
Chair

Appendix A

Issues to be considered in the context of SEQRA:

- 1) Public services
 - a. Schools
 - b. Emergency response services
 - c. Access to potable water
 - d. Access to necessary energy resources (ConEd, gas, electricity)
 - e. Relative responsibility between Village and developer for parking lot service, maintenance, snow removal, and security should be considered
 - f. Responsibility for sanitation collection and temporary on-site storage should be considered
- 2) Bulk
 - a. Adjacency to residential neighborhood
 - b. Setback from the street (vehicle and passenger safety)
 - c. Step back (to reduce building bulk and severity of visual impact on the abutting properties and adjacent neighborhood and land uses)
- 3) Traffic
 - a. Vehicular (safety, capacity)
 - b. Driveways on Wendt Avenue and adequacy of sight distances
 - c. Intersections (Palmer/Wendt, Wendt/Vanderburgh, Chatsworth/Vanderburgh, Vanderburgh/Larchmont, Wendt/Summit)
 - d. Pedestrian (safety, walkability)
- 4) Public amenities
 - a. Parking structure
 - b. Public walkway to commercial district
 - c. Safety through intersections and sidewalk crossings
 - d. Infrastructure improvements
- 5) Environmental
 - a. Streetscape greenspace
 - b. Landscape buffering
 - c. Walkability
 - d. Cycling accessibility
- 6) Sewer
 - a. Stormwater - no run-off offsite, mitigate current sheeting, detention and water quality treatment (filtration) prior to discharge to stormwater system
 - b. No introduction of groundwater into the sanitary systems
 - c. Sanitary sewer - capacity, system impacts
- 7) Retail frontage along Chatsworth is maximized in addition to the currently included minimum percent of ground floor retail space (50% of the first floor must be occupied by one of five uses (i.e., retail, restaurant, theater, food

establishment or group fitness class use) Is this an appropriate target for streetscape?). Consider concentrating retail on the Chatsworth Avenue frontage of properties as opposed to the frontage of properties where existing context is more residential.

- 8) The public amenity to be provided in conjunction with the zoning change could be more clearly defined. Should there be a more definitive requirement for the public amenity(-ies) provided in conjunction with the use of such a Special Purpose?
- 9) Potential applicability to RB zoning, in addition to RC.



George Latimer
County Executive

County Planning Board

August 16, 2019

Justin Datino, Administrator/Clerk
Village of Larchmont
120 Larchmont Avenue
Larchmont, New York 10538

**Subject: Referral File No. LAR 19-002 – Zoning Text Amendment:
Public Amenity Supplemented Mixed-Use Zoning**

Dear Mr. Datino:

The Westchester County Planning Board has received a proposed Local Law that would amend the text of the Village of Larchmont Zoning Code to create a new Principal Use, titled "Public Amenity Supplemented Mixed-Use Development." This use, which would only be allowed through Special Permit approval in the Retail Center (RC) zone, would allow developments to contain three or more dwelling units with ground floor non-residential use, and must provide both a substantial enhancement to the Village's business district and to public amenities. Height, bulk, and density increases are proposed for this use type. Thirteen specific requirements, such as mandating that the site should be located east of Palmer Avenue and west of Vanderburgh Avenue, front on Chatsworth Avenue, and that developments of this use shall provide a net increase of 25 new public parking spaces, are listed within the proposed law.

Along with this Local Law referral, a site plan (dated March 19, 2019) and related materials were provided for a new five-story, mixed use building requesting special permit approval through the proposed Public Amenity Supplemented Mixed-Use Development use. This development, located on a 0.36 acre site combining 108-114 Chatsworth Avenue (SBL 6-6-409) which is zoned RC, and 65 Wendt Avenue (SBL 6-6-463) which is zoned Multi Family (MF), would also include the construction of a two-floor parking garage on the neighboring municipal parking lot (SBL 6-6-467), adding 27 parking spaces to the lot to total 85 municipal spaces. The proposed building will contain 26 residential units, 5,000 square feet of commercial retail space on Chatsworth Avenue, amenity rooms, and a roof deck. 59 parking spaces will be provided for residents and commercial employees in a separate parking structure, which will lie under the proposed building and new municipal parking garage, and include a bike storage room.

We have no objection to the Larchmont Village Board assuming Lead Agency status for this review.

We reviewed this matter under the provisions of Section 239 L, M and N of the General Municipal Law and Section 277.61 of the County Administrative Code. While the referral form received by us

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118 Martine Avenue
White Plains, New York 10601

Telephone (914) 995 1100 Fax (914) 995 9098 Website westchestergov.com

only referenced the zoning text amendment, we have also reviewed the site plan included in the application and offer the following comments:

1. **Zoning Amendment.** While we generally approve of the proposed building, we are concerned about the zoning amendments that have been proposed to facilitate the building. The Public Amenity Supplemented Mixed-Use addition to the RC zone, as it is currently written, would only apply to this one particular site. The use is only allowed within this particular block, requires the applicant to provide an increase of 25 municipal parking spaces, which then must have direct access to Chatsworth Avenue, and requires minimum lot sizes of 15,000 square feet.

We would instead recommend the creation of an entirely new overlay zone, which could then be applied to various sites around the train station, and help multiple properties take advantage of development bonuses while providing public amenity supplements. Instead of individual properties being required to provide 25 municipal parking spaces, for instance, fees could be placed into a fund that could help pay for public garages. Additionally, the aesthetic requirements listed in the current proposed law could be used to initiate a form-based code that regulates the overlay zone, allowing for greater cohesion in new development throughout downtown. We strongly urge the Village to take the current proposed law, and establish ways to apply it to the downtown as a whole, rather than restrict the changes to apply to just one site.

2. **Consistency with County Planning Board policies.** The proposed building is consistent with the County Planning Board's long-range planning policies set forth in *Westchester 2025—Context for County and Municipal Planning and Policies to Guide County Planning*, adopted by the Board on May 6, 2008, amended January 5, 2010, and its recommended strategies set forth in *Patterns for Westchester: The Land and the People*, adopted December 5, 1995 because it would direct new development to an existing center where infrastructure can support growth, where public transportation can be provided efficiently, and where redevelopment can enhance economic vitality. We greatly appreciate the care taken by the applicant to match the aesthetics of the surrounding neighborhood, and their willingness to provide public amenities such as the new municipal parking deck and public walkway through the property to connect the deck to Chatsworth Avenue.

3. **Excess of Residential Parking.** While we note that parking is a concern for the Village, we believe reserving 59 parking spaces for the sole use of the building's residents and employees is excessive. The parking study states that 29 spaces are sufficient for the residential portion of the site, and while some residents may need spaces for more than one vehicle, we are concerned that a large portion of the building's garage could be left empty. If the full garage plan is to be constructed, we suggest that initiatives are developed to fully utilize this space once the true parking needs are assessed after occupancy. As example, unused parking could be used for any possible overflow of the municipal lot, or these spaces could be used for a future car share storage area.

4. **Affirmatively furthering fair housing.** We appreciate the developer's reference that the development includes three required affirmatively furthering fair housing (AFFH) units in the project description. It would be important for the Village's approval to reference the requirement that the units comply with the County's affordable housing program.

5. **Stormwater management.** We appreciate the applicant including both subsurface and above-grade stormwater management measures, with the inclusion of a green roof on the building. We recommend the Village establish an enforceable maintenance program for the subsurface devices to ensure they do not fill up with sediment, which would render them inoperable.

6. **County sewer impacts.** The proposed development will increase sewage flows from this site into the existing infrastructure. The increased flow will add to the volume of sewage flow requiring treatment at a Water Resource Recovery Facility operated by Westchester County. Since 2010, it has been the policy of the County Department of Environmental Facilities (WCDEF) that municipal governments require the applicant to identify mitigation measures that will offset the projected increase in flow. The best means to do so is through the reduction of inflow and infiltration (I&I) at a ratio of three for one for market rate units and at a ratio of one for one for any affordable units.


The County Planning Board further recommends that the Village implement a program that requires inspection of sewer laterals from private homes for leaks and illegal connections to the sewer system, such as from sump pumps. These private connections to the system have been found to be a significant source of avoidable flows. At a minimum, we encourage the Village to enact a requirement that a sewer lateral inspection be conducted at the time property ownership is transferred and any necessary corrective action be enforceable by the municipal building inspector.

7. **Green Construction and Bicycle parking.** We commend the applicant for proposing the building to be Leadership in Energy and Environmental Design (LEED) certified by utilizing green construction techniques. We also applaud the inclusion of a resident bike storage room and the stated plan to include bike racks for the commercial portion of the building, though we recommend that these racks be added to the landscape and site plans.

8. **Provisions for recycling.** While we note that the plans show a refuse room to handle waste generation, the Village should require the applicant to verify that there is sufficient space to accommodate the storage needs for recyclables under the expanded County recycling program. County regulations for plastic recycling may be found at: <http://environment.westchestergov.com>.

Thank you for calling this matter to our attention.

Respectfully,
WESTCHESTER COUNTY PLANNING BOARD

By: 
Norma V. Drummond
Commissioner

----- Forwarded message -----

From: <sokol@arigroupinc.com>
Date: Tue, Jul 30, 2019 at 12:11 PM
Subject: Centro Larchmont

To Mayor, Board of Trustees and Planning Board

On behalf of the Architectural Review Board (ARB), I want to thank you for granting our request to have Elk Homes present their proposal to all members of the ARB.

The presentation by Elk Homes on June 20th was an informative experience for most of the ARB members as this was the first time we were seeing this proposal. The proposed project is a major development and given its location and scale, it will have a long-lasting and irreversible impact on the character of our Village. The ARB members unanimously expressed support for the project and the need to revitalize the existing site.

For the record, the following are initial thoughts and comments expressed by ARB members during the 90 min. meeting in response to the presentation:

MASSING

The building on both Chatsworth and Wendt looms over the streetscape.

On Chatsworth, consider sliding the top floor back even further on the street side as well as on the flanking elevations. On Wendt, the top (fifth) floor slides back from the street front. This is appropriate. Consider sliding back the third and fourth floors as well, so as to create a stair step configuration, leaving a two story street wall along Wendt.

PARKING GARAGE

The presence of a fourteen-foot-high parapet wall along the street creates serious concerns about compatibility with the single family homes across the street. Members strongly suggest a more sensitive treatment of the parapet, introducing detail and articulation to create an expression more compatible with the residential feel of that portion of Wendt

Attentive and creative solutions are encouraged to resolve the proposed garage entries and the ramp to the upper parking level

ARTICULATION OF THE FAÇADE

Front and side elevation differ so much that they appear as different buildings

A large portion of the façade facing Wendt lacks articulation

GREEN SPACE

Given the scale, the proposal lacks landscaping solutions.

FENESTRATION

The proposed scale and alignment of openings in the façade is inconsistent

ENTRY ON CHATSWORTH

The apartment buildings in the Village use a variety of elements to announce the entry to create a sense of arrival and a neutral zone between the busy sidewalk and the calm privacy of the entrance. The proposed design uses pilasters to announce the entry, but the entry doors open immediately onto the sidewalk. Members recommend that the entry doors be pulled back away from the sidewalk, creating a neutral zone so that residents can transition from the flow of the sidewalk to the quiet of their home. This space does not have to be large. In fact right across the street, on Wendt, the apartment building has a tiny portico entrance where residents can come in out of the rain, fumble for their keys and close their umbrellas without blocking the sidewalk. These kinds of thoughtful details create a livelier streetscape, more in keeping with the special feeling of Larchmont.

BUILDING EXPRESSION

The look of the building is generic. It could be anywhere. The architects have singled out beautiful details from local buildings and attempted to incorporate them into the design expression. Not all these details are successful. For example some corners have pilasters and some corners have quoins and some are hard edge brick returns. The results give the building expression an uncertain air. We urge the architects to push their creativity further, to capture the essence of these details (synagogue fenestration, for example) and let the building speak of a unique place and a special moment in time.

In response to the proposed Zoning Amendment, (§381-51 (13)):

“Architectural Review Approval for Building permits for Public Amenity Supplemented Mixed-Use Development structure shall be granted by the Village Board as part of the Public Amenity

Supplemented Mixed-Use Development Special Permit review process. The Village Board may seek advice regarding the architectural design from the Village Architectural Review Board and/or a professional architectural consultant",

we appeal to the Planning Board and Board of Trustees to omit/revise said amendment to align with the protocol of the current review process in order to maintain the transparency of the approval process. Given that the Board of Trustees is directly involved in this potential public-private partnership with Elk Homes, working for months behind closed doors and publishing the project as a veritable fait accompli on the village website, without the independent review and input of the Architectural Review Board, the integrity of this building review process in our Village becomes suspect.

In the spirit of our mission, we look forward to working together in a collaborative and transparent process to preserve and promote the character and appearance of our Village.

Sincerely,

Sokol Malushaga

Chair, Board of Architectural Review

**Syrette Dym & Frank Grant
52 Wendt Avenue
Larchmont, NY 10538**

September 16, 2019

Mayor and Members of Village Board
Village Hall
Larchmont Avenue
Larchmont, NY 10538

RE: Proposed Amendment to Chapter 381: Zoning Code of the Larchmont Village Code to Create a “Public Amenity Supplemented Mixed-Use Development” as a Permitted Principal Use in the RC-Retail Center Zoning District

At its meeting of September 16, 2019, the Larchmont Village Board is opening a public hearing to take testimony from the public regarding a petition submitted on behalf of Elk Chatsworth, LP, that requests amending Chapter 381: Zoning of the Larchmont Village Code to create a “Public Amenity Supplemented Mixed-Use Development” as a Special Permit Use in the RC-Retail Center Zoning District. If enacted and granted for Centro, it would facilitate a project that is too big, too out of character and too environmentally impactful to our village. This conclusion is shared by the Westchester County Planning Board, the Larchmont Village Planning Board and the Larchmont Architectural Review Board.

While the Petition for the zoning text amendment would appear to be solely the request of Elk Chatsworth, LP, the Petitioner, it is made clear by posting on the Village web site and by the Village Mayor, that this petition results from a 15-month collaborative effort between the Village Board and the Petitioner. Notably, these discussions were never identified as part of any Village Board agenda and no attempt to engage the larger village or locally affected neighbors was made until the proposed legislation and the project it would implement was completed and posted.

Any reading of the proposed zoning legislation makes clear that the Village Board has made promises to provide precious village land resources available on a one-time, first-come, first-served basis to a first-in developer who will provide a minimum of 25 or more additional parking spaces on what is now Village Lot #10. In other words, without a detailed vision or plan for the revitalization of all obsolete Palmer/Chatsworth Avenue properties backing onto Lot #10, or a look at the consequences of engaging in such a “deal” by its own qualified professionals, the Village Board is agreeing to sell the soul of the village for the price of 25 parking spaces. This is not why we elected you.

At numerous Village Board work sessions, presentations by the developer, meetings with the developer and meetings with the Planning Board and Architectural Review Board, all only after unveiling of the zoning and the resulting Centro plan, concerned citizens from throughout the village have provided their well-considered input regarding why the proposed zoning and Centro project as proposed that would result from enactment of this zoning text change does not best serve the character and scale of the village. The proposed zoning even seeks to strip the Architectural Review Board of its role in the land use review process. In a village inhabited by intelligent, well

respected professionals in their own areas of expertise, why would the Village Board, themselves just elected volunteers, seek to deny the opinions of those they have had a hand in vetting and appointing? Still, we all agree that downtown revitalization at an appropriate scale and within the context of an overall plan is an urgent need.

As of Thursday, September 12, 2019, I obtained documents from Village Hall that I was told constituted the contents of the Centro file. This is after concerned citizens presented a FOIL request for full disclosure of all correspondence and documents related to this project since its inception, which has only been partially acted upon to date. Promises to provide remaining documents have been postponed, most recently until *after* this public hearing. What I received was nothing more than the reports posted on the Village web site, including comments from the Westchester County Planning Board. The County comments strongly disagree with the approach proposed by the zoning text amendment while still supporting overall downtown revitalization.

What this all means, is that the Village Board is in no position to take action on the requested text change and should leave this public hearing open, because there is no evidence that it has complied with the requirements of the State Environmental Quality Review Act (SEQR) that it follow appropriate procedures and take a "hard look" at all relevant environmental impacts. First, there is no evidence provided of procedures taken by the Village Board declaring itself Lead Agency under SEQR. Concerned citizens have provided several documents to the Village Board and Planning Board outlining what studies need to be undertaken to fulfill the requirements of a "hard look". The Architectural Review Board has also made a submission of their concerns to the Board. Since there is no evidence that these submissions have been made part of the project file, I have attached copies of these submissions again so they will become an official part of the public hearing record. I have also attached emails between the developer, Gary Hirsch and concerned citizens, outlining limited accommodations he has indicated that he would provide in response to certain aesthetic concerns.

The developer has submitted reports addressing the traffic impacts and impacts to schools due to generation of school age children. After additional input from concerned citizens to the developer and the Board, the Petitioner's traffic engineer provided additional analysis. Although soil borings appear to have been taken of Lot #10, it is not known if these results have been submitted to the Village for analysis. They need to be.

Items of critical concern that have not been adequately analyzed or not analyzed at all and, therefore, do not meet the threshold of a hard look, continue to be:

- Size and scale of building; height on both Chatsworth and especially Wendt Avenues
- Maximum above ground height and stories of parking garage and stairwell enclosures; façade treatment and landscaping
- Setback of building on Wendt Avenue at street level and of building above three stories.
- Traffic impacts and pedestrian safety impacts at existing and proposed driveways along Wendt Avenue and relationship of those driveways and traffic movements to driveways of parking Lot #3
- Traffic safety impacts at Wendt Avenue and Vanderburgh Avenue and at Palmer and Wendt Avenues

- Stormwater impacts on catchbasin on south side of Wendt Avenue and downstream pipe infrastructure system relative to capacity to handle newly concentrated flow and increased stormwater flow
- Groundwater Displacement Impacts – Even should the limited soil borings taken in the parking Lot #10 not indicate locational groundwater, the Wendt/Vanderburgh/Larchmont Avenue block has a very high water table. Creation of a below ground parking level ranging from 19 feet or less where no basements now exist (Wendt Avenue Allstate Insurance building has only a crawl space) with no space reserved to hold back groundwater is a potential significant environmental impact that has not been addressed at all.

The results of study of these impacts could require significant proposed zoning text and project modifications on environmental grounds alone. For example, any reduction in underground parking spaces due to a need for water retention devices relates to a reduction in building square footage.

All these items not only need to be analyzed by reports submitted by the petitioner to the Village Board as lead agency, but also need to be analyzed by qualified professionals in each content area hired by the Village to protect the interests of the village and its citizens.

The results of these findings need to be incorporated as specific bulk and design regulations as part of any zoning amendment considered by the Village Board. Comments by the County merit serious additional planning and reshaping of the zoning so the benefits do not disproportionately accrue to one property owner leaving little incentive for future continued revitalization. Although the role of site plan review rests with the Planning Board, the inextricable relationship of the proposed project to the proposed zoning puts more responsibility on the Village Board in its legislative role. Without incorporation in zoning of the specifics of development limits, there are no teeth to require the desired outcome. It also needs to be emphasized that the petitioner has purchased land at its existing zoning, not at an approved higher density.

Therefore, the Village Board should not close the public hearing on the zoning text amendment but leave it open as it pursues to undertake its required “hard look” obligations under SEQR and its obligations as the elected officials for all of the citizens of the Village of Larchmont.

Very truly yours,



Syrette Dym and Frank Grant

Cc: Justin Datino
Jim Staudt

Attach. (See Below)

List of Attachments to Letter of September 16, 2017 to Village Board as Part of Public Hearing Submission by Syrette Dym and Frank Grant

1. Centro Larchmont Comments From Concerned Larchmont Citizens – Presented to Village Board May 20, 2019
2. Centro Larchmont – Community and Villagewide Issues Planning Board Meeting – May 21, 2019 – Presented by Larchmont Village concerned Citizens
3. June 8, 2019 – E-mail from Gary Hirsch to Syrette Dym
4. June 9, 2019 – E-Mail from Syrette Dym to Gary Hirsch regarding site meeting on June 11, 2019 (incorrectly stated as May 11 in e-mail) and list of items of concern
5. June 11 – E-mail from Gary Hirsch to Syrette Dym regarding site meeting
6. June 13, 2019 – E-mail from Gary Hirsch to Syrette Dym regarding meeting of June 11, 2019
7. June 17 and 18, 2019- E-mails from between Gary Hirsch and Syrette Dym regarding landscaping in front of garage
8. June 18, 2019 e-mail from Didona Associates to Syrette Dym regarding landscaping in front of garage
9. June 21 – E-mail from Gary Hirsch to Syrette Dym and from Syrette Dym to Didona regarding landscaping in front of garage.
10. June 28, 2019 – FOIL Request by Adam Kaufmann to Village Clerk
11. July 5, 2018 – Centro Larchmont Additional Community and Villagewide Issues From Larchmont Village Concerned Citizen
12. July 9, 2019 – E-Mail letter from Brian Rilley to Adam Kaufmann regarding FOIL request
13. July 12, 2019 – Centro Larchmont Additional Community and Villagewide Issues From Larchmont Concerned Citizens
14. July 15, 2019 - E-mail from Gary Hirsch to Syrette Dym
15. July 16, 2019 – Letter from Kimley Horn, to Gary Hirsch regarding Traffic Safety
16. July 11– E-mail from Syrette Dym to Gary Hirsch Regarding Parking Garage Lighting with standards from Illuminating Engineering Society guidelines
17. July 19, 2019 – E-mail from Gary Hirsch to Syrette Dym regarding garage lighting
18. July 23, 2019 -E-mail from Gary Hirsch to Syrette Dym – Stormwater flow issue
19. August 27, 2019 – e-mail from Gary Hirsch to Ruth Bradley and Todd Harrington relative to their e-mail of same regarding The Mason
20. August 28, 2019 – E-Mail from Adam Kaufmann to Brian Rilley regarding releasing FOIL information prior to public hearing of September 16, 2019
21. September 4, 2019 – Letter via E-mail from Brian Rilley, village clerk to Adam Kaufmann regrading FOIL request of June 28, 2019