

Minutes of the Regular Meeting
Of the Board of Trustees of the
Village of Larchmont, N.Y.
held on Tuesday, February 25, 2020

PRESENT: Mayor Lorraine Walsh
Trustees Carol Casazza Herman
Peter Fanelli
Malcolm Frouman
Sarah Bauer

Also present: Dep. Clerk Riley, Attorney Staudt, Administrator Datino, Treasurer Gutwein

Mayor Walsh welcomed all in attendance and call the meeting to order at 7:30PM.

Mayor's announcements.

1. Condolences to the family of longtime Village resident Jane Orans who passed away on February 14th. Jane was a social activist who was involved in the schools and the Community Counseling Center.

On motion of Trustee Bauer, seconded by Trustee Herman, and unanimously carried, it was: **RESOLVED,** to appoint Stephanie Chace as a member of the Traffic Commission to replace Jennifer Furioli.

Mayor Walsh read the following:

At a public meeting on April 15, 2019, Elk Homes presented to the Board of Trustees a proposal for a development of their property at 108-114 Chatsworth Avenue and a petition for a zoning amendment. The proposal was for a 26-unit residential building of 5 stories, to stretch from Chatsworth Avenue to Wendt Avenue, which would include construction of a parking deck above the existing municipal parking lot on Wendt Avenue for Village use.

- The Board of Trustees, Village Planning Board, and Village Architectural Review Board have held a combined total of ten public meetings to review, discuss and receive feedback from the community on the proposed zoning amendment.
- The Board of Trustees received guidance from our planning consultant, Pat Cleary, and engaged Frederick P. Clark Associates for a traffic report.
- At the November 18, 2019 Public Hearing, as a result of professional input and community feedback, the Board of Trustees rejected the scope of the proposed zoning amendment and proposed a project and directed the Village Attorney and planning consultant to make revisions.
- The original proposal by Elk Homes is no longer under consideration. It is important to note that, at this time, there is no special permit application before the Board nor has a Planning Board site plan application been submitted.
- The zoning amendment has been revised by the Board of Trustees to create the opportunity for focused rehabilitation of properties within an important and particularly distressed section of the Palmer Avenue downtown.
- Two public work sessions were held in January to review and discuss the revisions.
- The table below highlights the differences between the original and revised versions.

Original Proposed Zoning	Revised Proposed Zoning
Included parcels in the RC and MF zones between Palmer and Vanderburgh	Now includes only parcels in the RC zone – parcels in the MF zone on Wendt Avenue have been removed
Required a parking deck to be built on an adjoining municipal lot	Now requires municipal parking either <i>in kind</i> OR <i>fee in lieu</i> , giving the Village leeway to construct municipal parking in other locations deemed more suitable
Height allowance was 5 stories measured from the Chatsworth street level (measured from Wendt, the building would have been taller)	Now height allowance is 4 stories measured from Chatsworth (zoning no longer includes Wendt parcels). A partial 5 th story, with a substantial setback from the street, may be considered for additional public amenities.

Attorney Staudt made the following statement:

We have gotten a couple of letters over the last 24 hours. I would say the principle legal argument made in the letters is that, under the terms of the NYS Environmental Quality Review Act, we should not act on a zoning amendment unless we have done a full SEQRA analysis of a development proposal for one of the properties that would be affected by the amendment. I respectfully disagree with that opinion.

As the Mayor just pointed out in her introduction, as of the November meeting of the Board, there was a development plan shown to the Board. The Board rejected that plan. There is no development plan before the Board right now for any property in the zone. Not only is there no prohibition in law for a Board to enact zoning unless it has plans before it for a possible development under zoning, in almost all instances, zoning laws are enacted first, with a SEQRA process and then afterwards, property owners come forward with development plans that fit within that zoning law, separately from the enact of that zoning law and those development proposals get their own SEQRA review. I would say actually the reverse, that it would be unwise for the Board, given where it is with just a zoning law, to try to conduct a SEQRA process now on a development proposals that you would have to speculate about without having real proposals before you that are at least in a schematic level of design.

What would happen there is you would be reviewing something that is speculative and you would actually be letting the developers off the hook for a full SEQRA review later, because if you attempt now to conduct a SEQRA review on what you think is coming, that ends the SEQRA review. And when actual proposals come the developers would rightfully say to you, “SEQRA is over. You did it and you can’t review my project.”

So my advice to you is that is if you are in a position and you want to go ahead and enact the zoning tonight, you can do so with the SEQRA review of just the zoning and then if and when proposals come that conform with the zoning, they will have to undergo their own SEQRA review. I know that Pat Cleary our Planning Consultant, addressed that very point in his memorandum before these letters came in.

In my legal opinion, if you decide that you want to go forward with the zoning tonight, you can do so and it would not be impermissible segmentation under SEQRA.

On motion of Trustee Herman, seconded by Trustee Fanelli, and unanimously carried, it was: **RESOLVED**, to reopen the Public Hearing, adjourned on January 13, 2020 on a proposed local law-Amendment to Chapter 381: Zoning of the Larchmont Village Code to create a new public amenity mixed-use special permit in the retail center zone.

Residents who addressed the Board on the proposed local law.

Kate Bialo, 24 Elm Avenue

Syrette Dym, 52 Wendt Avenue

Kelly Brock, Preserve Larchmont

On motion of Trustee Fanelli, seconded by Trustee Bauer, and unanimously carried, it was: **RESOLVED**, to close the public hearing.

To view all comments on this matter, copy & paste the address below
https://lmctv.org/videos_list/village-of-larchmont-board-of-trustees-meeting-2-25-20/

Mayor Walsh asked the Board if they had any comments on the proposed law. There were none.

On motion of Trustee Frouman, seconded by Trustee Bauer, and unanimously carried, it was: **RESOLVED**, to issue Parts 2 & 3 of the Environmental Assessment Form; the Negative Declaration; and the Negative Declaration Notice: all of which the Mayor and Board members have before them.

On motion of Trustee Bauer, seconded by Trustee Herman, and unanimously carried, it was: **RESOLVED**, to issue the Negative Declaration “Reasons Supporting Determination” as this Board’s FINDINGS in support of adopting the Public Amenity Mixed Use Zoning Law.

On motion of Trustee Frouman, seconded by Trustee Herman, and unanimously carried, it was: **RESOLVED**, to adopt Local Law No. 1-2020, -Amendment to Chapter 381: Zoning of the Larchmont Village Code to create a new public amenity mixed-use special permit in the retail center zone.

VILLAGE OF LARCHMONT

LOCAL LAW No. 1- 2020 OF THE VILLAGE OF LARCHMONT

AMENDMENT TO CHAPTER 381: ZONING
OF THE LARCHMONT VILLAGE CODE TO CREATE A NEW PUBLIC AMENITY MIXED-
USE SPECIAL PERMIT USE IN THE RETAIL CENTER ZONE

BE IT ENACTED by the Board of Trustees of the Village of Larchmont, Westchester County, New York, as follows:

Section 1. The Schedule of Use Regulations, Attachment 1 to Chapter 381, is hereby amended to include the following additional use category:

Principal Uses	R30	R20	R15	R12.5	R10	R7.5	R5	MF	RB	RC	W
Public Amenity Supplemented Mixed-Use Development	X	X	X	X	X	X	X	X	X	SP	X

Section 2. Section 381-7, Definitions, is hereby amended by adding the following definition:

PUBLIC AMENITY SUPPLEMENTED MIXED-USE DEVELOPMENT

A building containing 3 or more dwelling units and ground floor non-residential use, 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, which may include, among others, public parking and/or other infrastructure improvements. The requirement to provide public amenities can be satisfied by an in kind contribution or fee in lieu to be set by the Village Board during the Special Permit process, commensurate with the zoning density benefits that are achieved.

Section 3. The Schedule of Dimensional Regulations, Attachment 2 to

Chapter 381, is hereby amended by adding a footnote 8 to the RC - Retail Center zoning district, as follows:

(8) Subject to limitation by the Village Board, a Public Amenity Supplemented Mixed-Use Development shall comply with the following requirements:

10,000 square foot minimum lot area; 40-foot minimum lot width; 0-foot front yard, 0-foot side yards, 0-foot rear yard, 100% principal building coverage, maximum number of stories: 4, principal building maximum height: 50 feet from existing grade along the Chatsworth Avenue frontage of the subject property; provided, however, the Village Board may allow a partial additional story as provided in Section 381-51.N. Within these maximums, coverage, height and story limitations will be set by the Village Board on a case-by-case basis as part of the Special Permit process.

Section 4. Section 381-51 is hereby amended to add a new subsection "N" to read as follows:

§ 381-51.N - Public Amenity Supplemented Mixed-Use Development. A mixed-use building(s) supplemented by public amenity improvements including in kind and fee in lieu contributions, may be permitted by Special Permit to be granted by the Village Board in its sole discretion, provided that, at a minimum, the following requirements are met:

- (1) A Public Amenity Supplemented Mixed-Use Development shall be located within the RC - Retail Center zoning district.
- (2) The proposed Public Amenity Supplemented Mixed-Use Development shall be designed, occupied and utilized in a manner that results in a substantial enhancement to the Village's business district, as determined by the Village Board.
- (3) The site shall be located to the east side of Palmer Avenue and west of Vanderburgh Avenue, with frontage on Chatsworth Avenue.
- (4) The site shall be a minimum of 10,000 square feet in area.
- (5) A minimum of 50% of the first floor's gross floor area (exclusive of off-street parking) shall be occupied by retail, restaurant, theater, food establishment or group fitness class uses. A minimum of 70% of a Chatsworth Avenue building's street level frontage shall be occupied by the above stated non-residential uses. No first floor (street level) residential dwelling units are permitted to front on the Chatsworth Avenue street frontage, and if provided on the first floor of the building, must be located so as to not face the Chatsworth Avenue street frontage. The only residential component permitted to front on the Chatsworth Avenue street level street frontage is a lobby entrance.

- (6) To be eligible for the Special Permit, an applicant shall provide, in addition to other public enhancements, (and in addition to the off-street parking required for the building) a public amenity of municipal parking. The requirement to provide an enhancement to municipal parking and other public amenities can be satisfied by an in kind contribution or fee in lieu to be set by the Village Board during the Special Permit process, commensurate with the zoning density benefits that are achieved.
- (7) If there is municipal parking adjacent to the applicant's property which does not have adequate pedestrian access to Chatsworth Avenue, one public amenity shall be an improved accessway of a width and design to be determined by the Village Board and Planning Board in the Special Permit/Site Plan process which shall include it being designed to meet, at a minimum, ADA requirements, provided through the applicant's property to Chatsworth Avenue, to be dedicated for public use. Appropriate easements or other property rights shall be granted and/or exchanged to facilitate this requirement.
- (8) The applicant may be required to provide to the Village other public amenities, such as infrastructure improvements, as the Village Board deems commensurate with the zoning density benefits that are achieved by the applicant.
- (9) If the Village Board determines that public amenities being provided sufficiently exceed those the Village Board would otherwise deem adequate pursuant to subsections (6), (7), and (8) above, the Village Board may, in its sole discretion, permit an additional partial story to be constructed. Provided, however, such partial story, if permitted, must be set back by at least 25% of the depth of the building from the Chatsworth Avenue façade of the story below it, and can be no more than 60% of the square footage of the story below it and it shall be no more than 13 feet in height. Among the considerations/determinations to be made by the Village Board shall be that such partial story, if permitted, will not result in a significant adverse visual impact.
- (10) Off-street parking shall be provided in accordance with §381-64, except that the requirement for multi-family dwellings shall be 1.25 per unit.
- (11) Awnings and canopies shall be of such height, width and design as may be determined by the Village Board in its sole discretion.
- (12) A Public Amenity Supplemented Mixed-Use Development shall, at a minimum, comply with the following design guidelines. For good cause shown, the Village Board may grant a waiver of these guidelines upon consultation with the Planning Board.
 - (a) To maintain a unified streetscape, a minimum of 85% of the building's street façade shall be located on or within three feet (3') of the front

property line.

- (b) Ground level non-residential spaces that face Chatsworth Avenue shall have clear glass on at least 60% of their facades between 3 and 8 feet above grade.
- (c) A continuous sidewalk shall be maintained along the building's Chatsworth Avenue frontage. No more than 5% of the sidewalk's length shall be crossed by features such as driveways, alleys or service bay openings.
- (d) No overhead utility wires shall be permitted along the building's principal street frontage.
- (e) Street trees, lighting and other streetscape features shall be provided along the street frontage consistent with the existing streetscape.
- (f) The development shall include secure enclosed bicycle storage for residents and commercial tenant employees. Additionally, a public bike rack, accommodating a minimum of 5 bikes, shall be provided for visitors and customers, and located as required by the Village Board.
- (g) A Public Amenity Supported Mixed-Use Building shall make a tangible effort to reduce its carbon footprint through employing green building measures such as those advocated by the US Green Building Council or the Green Building Institute. The building shall be built to LEED Certification standards and shall include measures such as
 - Utilizing energy star, water sense, green seal or other similarly endorsed mechanical equipment and appliances.
 - Utilizing sustainable building materials with a high percentage of recycled content.
 - Utilizing construction materials with low levels of volatile organic compounds.
 - Utilizing energy efficient windows and doors.
 - Utilizing insulation with high R-values.
 - Utilizing a green or low reflectivity roof.
 - Providing electric vehicle charging stations.
- (h) The building shall be composed of high quality, durable building materials that reflect the character of the Village, and relate harmoniously to adjacent properties.

- (i) Such other design features the Village Board may require.
- (13) The granting of the special permit will not result in development which will substantially over-burden Village infrastructure (e.g. storm sewer, sanitary sewer, water supply systems) nor substantially exacerbate already overburdened infrastructure.
- (14) Architectural Review Approval for Building Permits for Public Amenity Supplemented Mixed-Use Development structures 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.

Section 5. Section 381-47 is hereby amended to read as follows:

§ 381-47. Special permits required and approval agency. No building or structure may be erected, altered or used and no lot or land may be used for one of the special permit uses set forth in the Schedule of Use Regulations (included at the end of this chapter) unless such use is in complete conformance with the provisions established herein. The Board of Trustees shall have jurisdiction over special permits for Public Amenity Supplemented Mixed-Use Developments, townhouses in the R-7.5 District, and one-family dwellings on properties known on the Larchmont Tax Assessment Map as "Yacht Club," "Shore Club" and "Manor Park." All other special permits shall be reviewed by the Zoning Board of Appeals.

Section 6. Section 381-48.A is hereby amended as follows:

§ 381.38. Special permit procedures.

- A. The Board of Trustees, in the case of applications for special permits for Public Amenity Supplemented Mixed-Use Developments (as per § 381-51.N), townhouse developments (as per § 381-51B), for one-family dwellings on properties known on the Larchmont Tax Assessment Map as "Yacht Club," "Shore Club" and "Manor Park" (as per § 381-51E), and for tennis courts or noncommercial swimming pools in conjunction with townhouse developments (as per § 381-55G), or the Zoning Board of Appeals, in all other special permit applications, shall hold a public hearing on every special permit application made to it, notice of which hearing and of the substance of the special permit application shall be given by publication in the official newspaper of the Village at least 10 days before the date of such hearing as provided for in § 381-48C, and by such other notice as the Zoning Board of Appeals or Board of Trustees, as applicable, shall require.

Section 7. Severability. If any section, subsection, clause, phrase or other portion of this Local Law is, for any reason, declared invalid, in whole or in part, by any court, agency, commission, legislative body or other authority of competent jurisdiction, such portion shall be deemed a separate distinct and independent portion. Such declaration shall not affect the validity of the remaining portions hereof, which other portions shall continue in full force and effect.

Section 8. Effective Date. This local law shall take effect

immediately upon filing in the Office of the Secretary of State of the State of New York.

On motion of Trustee Herman, seconded by Trustee Fanelli, and unanimously carried, it was: **RESOLVED**, to open the Public Hearing on a proposed local law to amend the Code of the Village of Larchmont by creating a new chapter regarding Planning Board membership.

The Mayor asked if anyone in attendance had any comments on this proposed law. There were none.

On motion of Trustee Herman, seconded by Trustee Fanelli, and unanimously carried, it was: **RESOLVED**, to close the public hearing.

On motion of Trustee Herman, seconded by Trustee Fanelli, and unanimously carried, it was: **RESOLVED**, to adopt Local Law No. 2-2020, a local law to amend the Code of the Village of Larchmont by creating a new chapter regarding Planning Board membership.

**VILLAGE OF LARCHMONT
LOCAL LAW NO. 2 OF 2020**

**A LOCAL LAW TO AMEND THE CODE OF THE VILLAGE OF LARCHMONT BY CREATING A NEW
CHAPTER REGARDING PLANNING BOARD MEMBERSHIP**

Be it enacted by the Board of Trustees of the Village of Larchmont as follows:

Section One. There is hereby added to the Code of the Village of Larchmont a new Chapter 298 to read as follows:

CHAPTER 298

Planning Board Membership

§ 298-1. Planning Board Membership.

The membership of the Planning Board of the Village of Larchmont shall be decreased from seven members to five members pursuant to New York Village Law § 7-718(7), to take effect upon the next two expirations of terms.

Section Two. Severability. If any section, subsection, clause, phrase or other portion of this Local Law is, for any reason, declared invalid, in whole or in part, by any court, agency, commission, legislative body or other authority of competent jurisdiction, such portion shall be deemed a separate distinct and independent portion. Such declaration shall not affect the validity of the remaining portions hereof, which other portions shall continue in full force and effect.

Section Three. Effective Date. This local law shall take effect immediately upon filing with the Secretary of State.

On motion of Trustee Frouman, seconded by Trustee Bauer, and unanimously carried, it was: **RESOLVED**, to open the Public Hearing on a proposed local law to amend the signs, advertisements and public display law of the Code of the Village of Larchmont, Chapter 357, by altering certain design and maintenance requirements.

The Mayor asked if anyone in attendance had any comments on this proposed law. There were none.

On motion of Trustee Bauer, seconded by Trustee Herman, and unanimously carried, it was: **RESOLVED**, to close the public hearing.

On motion of Trustee Bauer, seconded by Trustee Frouman, and unanimously carried, it was:

RESOLVED, to adopt Local Law No. 3-2020, a local law to amend the signs, advertisements and public display law of the Code of the Village of Larchmont, Chapter 357, by altering certain design and maintenance requirements.

VILLAGE OF LARCHMONT
LOCAL LAW No. 3 OF 2020

A LOCAL LAW TO AMEND THE SIGNS, ADVERTISEMENTS AND PUBLIC DISPLAYS LAW OF THE
CODE OF THE VILLAGE OF LARCHMONT, CHAPTER 357, BY ALTERING CERTAIN DESIGN AND
MAINTENANCE REQUIREMENTS

Be it enacted by the Board of Trustees of the Village of Larchmont as follows:

Section One. Section 357-9 of Chapter 357 of the Code of the Village of Larchmont is hereby amended in its entirety to read as follows:

§ 357-9. Unsafe and unlawful signs; proper maintenance required.

A. Repair or removal.

(1) Whenever it shall appear to the Building Inspector that any sign, awning or marquee has been constructed or erected or is being maintained in violation of any of the terms of this article, is no longer in good repair, or is unsafe and insecure or is in such condition as to be a menace to the safety of the public, he/she shall thereupon issue a notice to the owner of the premises on which such sign, awning or marquee is located or attached informing such person of the violation of this article or the dangerous condition of the sign, awning or marquee and directing him/her to make such alteration or repair thereto or to do such things or acts as are necessary or advisable to place such a structure in a safe, substantial and secure condition and to make the same comply with the requirements of this article within 48 hours from receipt of the notice.

(2) Upon the failure to comply with such notice within the time specified, the Building Inspector may cause such sign, awning or marquee or such part thereof as is constructed or maintained in violation of this article to be removed and may charge the expense of such removal to the person so notified; provided, however, that nothing herein contained shall prevent the Building Inspector from adopting such precautionary measures as may be necessary or advisable in case of imminent danger to place such sign, awning or marquee in a safe condition, the expense of which shall be paid by the owner.

B. No sign shall be painted on a building.

C. No roof signs are permitted.

D. Every person maintaining a sign shall, upon vacating the premises where the sign is maintained, forthwith remove such sign. In the event that a sign is not removed from a vacated premises within 48 hours after written notice by the Building Inspector, addressed to the owner of the building, the Building Inspector shall remove the sign at the owner's expense.

E. Signs advertising going out of business sales, liquidation, bankruptcy, fire or other sales of like nature shall be permanently removed after a period of one month.

F. All signs and awnings shall be maintained in good order and condition, and must appear clean and free from dirt, debris and defects.

Section Two. Section 357-11 of Chapter 357 of the Code of the Village of Larchmont is hereby amended in its entirety to read as follows:

§ 357-11. RB, RC, LC, MF and RROC Districts.

In RB, RC, LC, MF and RROC Districts, as established by Chapter 381, Zoning, no interior or exterior sign shall be erected or maintained unless and until it complies with the following provisions (in addition to such other requirements as the Architectural Review Board may reasonably require):

A. An exterior sign may be placed only upon the front or face of a building and must be constructed and maintained flat or parallel with the building wall to which it is attached and shall not extend more than 12 inches from such exterior building wall.

- B. Any exterior sign shall have a maximum twenty-four-inch vertical dimension or height. The maximum horizontal dimension or length of an exterior sign shall not exceed 75% of the face or front of the business establishment upon which such sign is erected or maintained. No letter on such sign shall be more than 12 inches in height or width; provided, however, that an exception may be made for letters up to 18 inches in height or width, on a case-by-case basis where such increase in size would be warranted based on the proportionality of the letters to the face of the building. In any case, however, the maximum horizontal dimension or length of such sign shall not exceed 50 feet on any face or frontage for the same business establishment. The upper edge of such an exterior sign shall not be located above the floor or level of the floor of the second story of the building upon which the sign is placed or maintained, and no such sign shall extend beyond the top or ends of the building surface upon which it is placed. No more than one exterior sign on each face or front of a business establishment is permitted.
- C. Signs, awnings, canopies or marquees may advertise the name of the owner or title of the business. In the event the nature of the business is not evident from the name of the owner or the title of the business, a few key descriptive words may also be included on a sign, awning, canopy or marquee. By way of example, if the title of the business is "Smith's", and the business is engaged in selling stationary and gifts, the words "stationary" and "gifts" may be included on a sign, awning, canopy or marquee in lettering at least 25% smaller than the name of the business.
- D. On the exterior of buildings with business establishments above the first floor, entrance nameplates of uniform design and appearance at each such building and not more than 18 inches in length and nine inches in height may be mounted at the sides of such entrance, provided that they are placed flat against the exterior masonry wall. Such business establishment shall be allowed interior window signs, not covering over 25% of the window, as set forth in Subsection E below, and shall not be permitted to have any other exterior or interior illuminated signs.
- E. Interior window signs for business establishments above the first floor may bear either the name of the proprietor of the business conducted, the nature of the business rendered on the premises, the name of the business or any or all of them. A single interior window sign for business establishments on the first floor may include a brief list of services rendered, which may not be larger than 8.5 inches by 11 inches, and may not include pricing for such services.
- F. No interior or exterior sign shall have intermittent, moving or flashing lighting. All interior and exterior sign lighting shall be of constant color and intensity, except with permission of the Board of Architectural Review.
- G. No business establishment shall have interior illuminated signs which occupy in total more than an area of six square feet on each street upon which the establishment has frontage. No interior sign shall be powered through a transformer exceeding 30 milliamps.
- H. No business establishment shall have more than two interior illuminated signs, unless it has window(s) on more than one street, in which case it may have no more than two interior illuminated signs on each street.
- I. Interior illuminated signs shall be limited to name, logo and/or pictorial matter. Bands or lines of light may not be used to outline or frame windows.
- J. At a gasoline filling station, in addition to the signs herein permitted, one illuminated yard sign may be erected not more than 20 square feet in area with the largest dimension not more than five feet and the bottom of the sign not more than 12 feet above the ground, provided that:
- a. No letter on such sign shall be more than 12 inches in height or width.

- b. Such sign shall be so located that the entire sign shall lie within the property line of the premises on which the sign is sought to be erected.
- K. Illumination of buildings and off-street parking areas shall be subject to approval by the Board of Architectural Review, provided that such lighting shall be so screened as not to cause danger or nuisance to passersby or to shine into the windows of any adjoining or nearby residence(s) or business establishment(s).
- L. Exterior signs shall have no more than four colors.
- M. Exterior signs shall not use luminous, sparkling or DayGlo paint. Bright yellow shall not be used as a background color on exterior signs.
- N. No exterior signs having moving, rotating, revolving, fluttering or reflecting parts shall be employed.
- O. No signs shall be suspended from a marquee, awning or other sign.
- P. Any interior illuminated sign in existence at the effective date of this article must be removed by January 1, 1997, unless it has been approved by the Architectural Board of Review by that date.

Section Three. Section 357-12 of Chapter 357 of the Code of the Village of Larchmont is hereby amended in its entirety to read as follows:

§ 357-12. Projecting signs.

- A. Projecting signs may not be made of fabric but instead must be made of wood or some other rigid material.
- B. No projecting sign or part thereof shall be erected or maintained over any street, sidewalk, alley or highway, except the following;
 - (1) Signs which do not extend or project more than 48 inches over a street, sidewalk, alley or highway in the village and which otherwise comply with this article.
 - (2) Theater marquees erected and maintained in compliance with the Building Code of the village.
 - (3) Hoods or shields for lighting by reflection signs attached to buildings or structures, provided that such hoods or shields do not extend more than 12 inches beyond the face of the building, and reflection lights on projecting arms for lighting such signs, provided that such projecting arms do not extend more than two feet beyond the face of the building.

Section Four. There is hereby added to Section 357.14 of Chapter 357 of the Code of the Village of Larchmont a new subsection C, to read as follows:

§ 357.14. Temporary signs, bills and awnings.

- C. Signboards or sandwich boards may be temporarily placed on the sidewalk in front of a storefront; however, such signboards or sandwich boards may not be made of plastic and must be removed from the sidewalk at the close of business each day.

Section Five. Section 357-15 of Chapter 357 of the Code of the Village of Larchmont is hereby amended in its entirety to read as follows:

§ 357-15. Exceptions.

- A. One real estate sign is allowed for each improved parcel of land showing that the property is for sale or rent, provided that such sign shall be placed on the inside of the window and shall not exceed 24 by 36 inches in size. On unimproved land, one real estate sign not over 12 by 12 inches in size is allowed, with the location subject to the approval of the Building Inspector.
- B. A sign advertising the name of the owner or the title of the business may be placed upon the valances of an awning, canopy or marquee, which valances shall be less than twelve inches in height. The bottom of a valance, awning, canopy or marquee shall be not less than seven feet six inches above the sidewalk.
- C. Business establishments in multifamily districts are allowed signs as permitted in retail business districts.
- D. Necessary entrances or direction signs are permitted for required parking areas. Such signs shall not exceed six square feet in size, located on the exterior of the building or may be ground signs located within the property line.
- E. No sign shall face any adjoining lot in a residential zone.
- F. Notwithstanding any provisions of this article or any other local law heretofore enacted, temporary signs advertising candidates for political office or relating to other matters to be voted upon in public elections may be displayed on private property in the Village of Larchmont without the necessity of obtaining a permit, subject to the following restrictions:
 - (1) Such signs may not be displayed on any real property located in any residential zone as defined in the Village of Larchmont Zoning Law.
 - (2) Such signs shall be removed on or before five days after such election day.

Section Six. Severability. If any section, subsection, clause, phrase or other portion of this Local Law is, for any reason, declared invalid, in whole or in part, by any court, agency, commission, legislative body or other authority of competent jurisdiction, such portion shall be deemed a separate distinct and independent portion. Such declaration shall not affect the validity of the remaining portions hereof, which other portions shall continue in full force and effect.

Section Seven. Effective Date. This local law shall take effect immediately upon filing with the Secretary of State.

On motion of Trustee Herman, seconded by Trustee Fanelli, and unanimously carried, it was: **RESOLVED**, to open the Public Hearing on a proposed local law to amend the property maintenance law of the Code of the Village of Larchmont, Chapter 215, by creating requirements for flower planters.

The Mayor asked if anyone in attendance had any comments on this proposed law. There were none.

On motion of Trustee Herman, seconded by Trustee Frouman, and unanimously carried, it was: **RESOLVED**, to close the public hearing.

On motion of Trustee Bauer, seconded by Trustee Herman, and unanimously carried, it was: **RESOLVED**, to adopt Local Law No. 4-2020, a local law to amend the property maintenance law of the Code of the Village of Larchmont, Chapter 215, by creating requirements for flower planters.

A LOCAL LAW TO AMEND THE PROPERTY MAINTENANCE LAW OF THE CODE OF THE VILLAGE OF LARCHMONT, CHAPTER 215, BY CREATING REQUIREMENTS FOR FLOWER PLANTERS

Be it enacted by the Board of Trustees of the Village of Larchmont as follows:

Section One. There is hereby added to Section 215-5 of Chapter 215 of the Code of the Village of Larchmont the following definition:

FLOWER PLANTER

A container placed at the exterior of any building and used for plants or other natural, seasonal displays.

Section Two. Section 215-10 of Chapter 215 of the Code of the Village of Larchmont is hereby amended in its entirety to read as follows:

§ 215-10. Landscaping Required.

- A. Premises shall be kept landscaped, and lawns, hedges and bushes shall be kept trimmed and from becoming overgrown and unsightly where exposed to public view and where the same constitute a blighting factor depreciating adjoining property and impairing the good residential character of the neighborhood.
- B. Flower Planters
 - (1) Flower Planters must be maintained in good order throughout the year.
 - (2) Flower Planters must be made of substantial enough material and weight so as to not pose a tipping hazard.
 - (3) Flower Planters must be proportional in dimension to the storefront and may not block storefront windows.

Section Two. Severability. If any section, subsection, clause, phrase or other portion of this Local Law is, for any reason, declared invalid, in whole or in part, by any court, agency, commission, legislative body or other authority of competent jurisdiction, such portion shall be deemed a separate distinct and independent portion. Such declaration shall not affect the validity of the remaining portions hereof, which other portions shall continue in full force and effect.

Section Three. Effective Date. This local law shall take effect immediately upon filing with the Secretary of State.

Chief Poleway gave the following report.

1. On Tuesday – February 11th, dozens of school administrators, law enforcement officers, and school security liaisons gathered at the Westchester County Courthouse for a workshop on the prevention, planning, and response to school violence in and around the county.

The event was hosted by District Attorney Anthony Scarpino and attendees heard presentations on issues ranging from hate crimes and New York’s Red Flag Law to recommendations for police-school liaisons. Scarpino noted that while Westchester is home to some of the most reputable school administrators in the country, the topic of school safety continues to evolve and remains a focal point of national conversation. Communication and education are critical to establishing an effective plan to prevent and respond to any threat at one of our schools. In September, the Westchester County School Safety Commission, which is co-chaired by DA Scarpino and County Executive George Latimer, released its’ report “Creating Safer Schools: Recommendations to Strengthen and Enhance Prevention, Planning, and Response to School Violence.” Those recommendations were collated from research, as well as the knowledge and experience of educators, mental health experts, law enforcement, first responders, and parents and students whose sole purpose is the safety and security of the children and young adults of Westchester, as well as the faculty and staff who educate them.

Our children are collectively the most vulnerable among us. We send them to school each day wanting to believe they are safe inside of our schools under the guidance of professional educators and staff. The fear that someone may take advantage of them during this time of learning and relative safety is what inspires those charged with protecting them to consistently continue to evaluate and test the procedures and policies that are put in place to keep everyone safe.

Whether targeted by students, former students, former employees or an individual out to make a statement, it is important for schools to be prepared for any event that might put the safety of students and staff at risk. This workshop was aimed at providing school leadership and law

enforcement personnel with a strong blueprint for planning, prevention, and response to threats and active incidents.

2. There have been several bicycle thefts from the municipal parking lots and private driveways over the last few weeks and I would just like to remind everyone to please lock and secure your bicycle at all times, whether you are going to park it at or near the train stations or in your driveway. The police department has made arrests regarding bicycle thefts with a recent one occurring on January 15th. At that time, a Bronx man, Alejandro Fersobe (24 yoa) was observed removing a bicycle valued at \$600 from lot #3. Mr. Fersobe was charged with Petit Larceny and released on his own recognizance to the custody of Yonkers Police Officers based on a Bench Warrant issued by Yonkers City Court.

PD Activity – Since January 1st, the police department has responded to:

- 52 burglar alarms,
- 32 motor vehicle accidents,
- 33 aided cases, and
- 263 other calls for service.

There were also 12 arrests resulting in multiple felony and misdemeanor charges. One notable arrest occurred on January 22nd when New Rochelle resident, Jesse Wasserman (27 yoa) led Larchmont Police Officers in a vehicle pursuit on Boston Post Road into the Village of Mamaroneck. Mr. Wasserman was charged with Reckless Driving, Unlawful Fleeing of a Police Officer, Criminal Possession of a Controlled Substance, Unlawful Possession of Marijuana, and multiple Vehicle and Traffic Law violations. He was arraigned and remanded to the Westchester County Jail.

3. As you are aware, Village Code section 273-35.1 is an “anti-idling law” which prohibits vehicles from idling for more than three minutes, if parked or standing, when the ambient temperature is in excess of 40 degrees Fahrenheit. The area’s most often affected by idling vehicles and the fumes they produce are the schools and the train station. Please remember to turn your vehicle off if you are going to be stopped for more than three minutes to minimize the negative impact created by idling cars and the carbon monoxide they emit.

4. On Wednesday February 12th, 9 year old Andrew McCarthy became “Police Chief for a Day” after his dad Kevin won the raffle for this event while attending a fundraiser for the Friends of Larchmont. Andrew arrived at headquarters dressed in a police uniform and he was accompanied by his dad. Andrew was eager to listen and learn all about what it takes to be a police officer and he asked some great questions. He was given a proper police hat and cap device before touring Village Hall, the fire department, and then the police department. Andrew learned about and was able to handle many pieces of equipment that police officers use and when he put on a ballistic vest and duty belt he commented that “boy this stuff is really heavy.” Andrew was also fingerprinted and given a ride in a police car and he seemed to enjoy the lights and sirens a lot. At the end of the tour, he was presented with a certificate indicating he had been “Chief for a Day” and he was given an official department patch to remember the experience. Andrew is a smart, inquisitive and respectful young man and it was a pleasure to have him spend some time with the officers. I would like to thank Lieutenant Olsen and Detective Pompilio for helping to make the experience memorable for him.

5. I would like to remind everyone to stay vigilant in reporting any suspicious activity that may be observed over the upcoming holiday season. If you observe something that may be suspicious, please, do not keep it to yourself – call the 24 hour NYS Terrorism Tips Line at 866 SAFE-NYS (866-723-3697) or call the Larchmont Police Department at (914) 834-1000 or simply dial 911.

Chief Caparelli gave the following report.

1. The first full week in February was National Burn Awareness Week. This week was an opportunity to remind ourselves that fire safe practices save lives. Working smoke and C/O detectors in the home and business, have at least one fire extinguisher nearby, practice escape routes and meeting points in case you are separated during an emergency. Maintain an emergency communication plan to contact fire, police, ems or just to contact mom, dad or the kids during an emergency.

2. Lieutenant John Adams reported for his first day to the FDNY First Line Supervisors Training Program or FLSTPS, at the Fort Totten training facility in Queens NY. Lt. Adams will under go

four weeks of supervisory, instructor and situational awareness training while establishing relationships with other officers from around the state.

3. FF. James Montemarano has been assigned to a group of firefighters and has been responding to alarms under the direction of Lt. Adams for a few weeks now. He is progressing well and has begun to settle in to his role here in Larchmont serving the residents with professionalism.

4. Lt. Andersen, FF.'s Montemarano, Bogart, Wetzel and Boettcher attended Wester County DES training titled, "The First Five Minutes". This training emphasized decisions and tactics that should be considered during the first five minutes of an event such as a fire, hazmat incident or similar incident where the correct actions in the beginning effect the entire outcome of the event.

5. The Larchmont Fire Department responded to the City of Rye on Saturday February 22, 2020 at approx.. 1220 am for a structure fire in a residence. Units returned at approx. 220 am after providing coverage of the City of Rye while Rye Firefighters battled the blaze.

6. Monthly volunteer drills are continuing, covering different skills and functions our volunteers perform on the fire ground.

All apparatus are in service and all equipment is operational.

Code Enforcement :

1. Letters were sent to owners of property that contain vacant store fronts requiring compliance with Local Law-1, the covering of vacant store windows with an opaque film to maintain an aesthetically pleasing business district. I have been in contact with all owners of buildings with vacant properties and they have acted to comply with Local law 1. Film has been installed, paper is covering vacant windows, tenants are in the process of opening and /or tenants are anticipated to occupy the space shortly. Overall progress is being made.

2. Another issues I have been working on along with Rick Vetere, Public Works, Benny Salinitro Village Consultant and the Village administrator is the Dry Weather Flow of water. We have identified where the water is coming from, corrections that must be made and how and who is to perform the corrections. Many residential water flows, sump pumps discharging water into the roadway have been corrected. Others will be corrected shortly and sources of ground water have been found and a solution is being formulated. On this front progress is also being made.

3. The last item I have been working on is commercial properties that need property maintenance as per the NYS and Larchmont Codes. I have been in contact with those property owners and have indications that improvements will be made in short order. Tomorrow, the Mavis building will begin taking steps to improve the appearance of that property. I will follow up to ensure progress is being made on all identified properties.

4. Finally, I would like to remind all residents now that the weather is improving and your landscapers will be coming to do a cleanup. Please place all yard debris and leaf bags out for pick up on the correct day. These items should be placed out for collection the night before their second trash pick-up day. That would be Wednesday night for those homeowners East of Boston Post Road, and Thursday night for homeowners West of Boston Post Road.

Trustee Bauer made the following report.

1. The Larchmont Environmental Committee will soon be announcing programs for this year's Earth Day in April.

2. The Larchmont and Mamaroneck Libraries have created a program called "One Book, One Community 2020". The book selected as the centerpiece for One Book One Community 2020 is The Masterpiece, by Fiona Davis.

3. On March 29th the 8th Annual Larchmont Spelling Bee will take place at the Larchmont Temple. Team registration is open till March 20th.

Trustee Fanelli gave the following report.

1. Registration for the 2020 Flint Park Day Camp will take place on March 7th from 9AM to noon in the Playhouse in Flint Park. Applications are on the website.

2. Counselors and life guards are needed to work at the 2020 Flint Park Day Camp. Applications are available on the website and in the Clerk's office.

3. Spring Pickleball Clinics in Flint Park will take place from April 14th to May 24th. Sign-up on the website.

4. Spring Adult Cardio Tennis Clinics in Flint Park will take place from April 14th to May 21st. Sign-up on the website.
5. The volunteer fire department Bonfire on Manor Beach will take place on March 21st from 5:30 to 7:30PM. All are welcomed.
6. Congrats to the volunteers firefighters on their recent completion of training classes.
7. Thanks to Larchmont Nurseries for donating the Christmas tree in Constitution Park. Additional thanks to the paid firefighters for planting the tree.

Trustee Herman made the following report.

1. The Parks & Trees Committee has begun discussing this year's tree planting around the Village. The committee's goal this year is to plant 30 trees. They have been working with the Environmental Committee on programs for Arbor Day.

Trustee Frouman gave the following report.

1. The Historic Resources Survey is underway. Commissioned by the Board and is being managed by the Historic Preservation Task Force. Members of Larson Fischer Assocs., who are conducting the survey will be seen around the Village documenting the various homes and other properties and buildings to put together a full accounting of various potential candidates for preservation. Residents should be aware of those with cameras and clipboards who will be carrying a letter certifying that they are authorized to do this and will offer ID to prove who they are.

Administrator Datino made the following report.

1. The reconstruction and reconfiguration of the Palmer and Hall Avenues intersection, or the Turtle Park intersection, is about to begin. At the Board's request, an engineer from Westchester County was brought in to establish the preliminary scope of work for the intersection. Another engineer retained by the Village designed the preferred model. The curbing and sidewalk scope of work and budget details has been done by the Village's contractor. The Village will supply resources and manpower with the contractor to keep the project within the budget. The original engineer's cost estimate was close to \$150,000. The target cost is between \$70,000 to \$80,000. Residents should be aware of possible closures and delays in the area.
2. Residents will see trucks National Water Main will in the Village performing work on the sanitary sewer systems during the next few weeks.

On motion of Trustee Fanelli, seconded by Trustee Herman, and unanimously carried, it was:

RESOLVED, that a Public Hearing is hereby scheduled by the Board of Trustees of the Village of Larchmont to be held in the Court Room in Village Hall on Wednesday, March 18, 2020, at 7:30 PM to review a local law authorizing the Board of Trustees to adopt a budget for the 2020-2021 Fiscal Year that requires a real property tax levy in excess of the amount otherwise prescribed in the General Municipal Law §3-c, as attached hereto and made a part hereof; and be it further **RESOLVED**, that the Village Clerk is hereby directed to advertise said Public Hearing.

On motion of Trustee Frouman, seconded by Trustee Bauer, and unanimously carried, it was:

RESOLVED, that a Public Hearing is hereby scheduled by the Board of Trustees of the Village of Larchmont to be held in the Court Room in Village Hall on Monday, April 20, 2020, at 7:30 PM to review a proposed local law to amend the property maintenance law of the code on the Village of Larchmont, Chapter 215, by creating a new article to establish registration and maintenance requirements for vacant commercial spaces, as attached hereto and made a part hereof; and be it further **RESOLVED**, that the Village Clerk is hereby directed to advertise said Public Hearing.

On motion of Trustee Herman, seconded by Trustee Bauer, and unanimously carried, it was:

RESOLVED, to authorize the Village Attorney's office to execute the following tax certiorari settlements:

2408 Boston Post Road LLC, 6/15/29- \$10,783.08

Hoffman Investors Corp., 1890 Palmer Avenue, 6/3/6- \$104,676.14

Deitch Realty Management Corp., 2135 & 2141 Palmer Avenue, 6/1/486.2 & 6/1/444- \$72,106

SHI Realty Corp., 2071-2079 Boston Post Road, 7/5/307- \$7,567.46

The Mayor announced resolutions that were adopted at recent work sessions:

Set Public Hearing for Proposed Local Law for 2/25/2020-Planning Board Membership

Set Public Hearing for Proposed Local Law for 2/25/2020-Property Maintenance

Direct Planning Consultant to prepare a Draft Negative Declaration, Parts 2&3, SEQRA-Proposed Zoning Code Amendment-Ch. 381

Set Payment in Lieu of Parking fee at \$25,000/space - Village Code Ch. 381-65 B

Auth. Administrator to notify NYSHIP-Health Coverage to Domestic Partners

On motion of Trustee Frouman, seconded by Trustee Herman, and unanimously carried, it was: **RESOLVED**, to approve the minutes of the meeting held on January 13, 2020.

On motion of Trustee Fanelli, seconded by Trustee Bauer, and unanimously carried, it was: **RESOLVED**, to approve the minutes of the work session meeting held on January 21, 2020.

On motion of Trustee Frouman, seconded by Trustee Bauer, and unanimously carried, it was: **RESOLVED**, to approve the minutes of the work session meeting held on January 27, 2020.

On motion of Trustee Herman, seconded by Trustee Bauer, and unanimously carried, it was: **RESOLVED**, to approve the list of bills paid in advance in the amount of \$234, 13.73.

On motion of Trustee Fanelli, seconded by Trustee Frouman, and unanimously carried, it was: **RESOLVED**, that Abstract Audit voucher #9, dated February 25, 2020, in the amount of \$874,442.79, per copies filed with the Clerk, be paid, subject to review by Trustee Herman.

On motion of Trustee Fanelli, seconded by Trustee Bauer, and unanimously carried, the meeting adjourned at 8:52PM.