

Minutes of the Regular Hearing  
of the Board of Trustees of the  
Village of Larchmont, N.Y.  
**held on Monday, July 19, 2021**

**PRESENT:** Mayor Lorraine Walsh  
Trustees Carol Casazza Herman  
Peter Fanelli  
Sarah Bauer  
Brigid Brennan

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

Mayor Walsh welcomed everyone and called the meeting to order at 7:35PM. She added this was the first public Board meeting in Village Hall since March, 2020.

The Mayor stated this past March, Governor Cuomo signed the Marijuana Regulation and Taxation Act, or “MRTA” for short, making the sale and consumption of marijuana legal in New York State. Tonight a public hearing is scheduled on a proposed local law to add a new Chapter 133, Opting Out of the Licensing and Establishing of Cannabis Retail Dispensaries and On-Site Consumption Establishments within the Village of Larchmont. The reason for this proposed local law is if the Village does not opt out before the end of this year, we will never be able to do so again. There are too many items yet to be decided on “MRTA” from the state level on down, not to adopt this proposed local law as protection for the Village.

Mayor Walsh said that “MRTA” as currently written, says that any village that is within a town would have to give 50% of the tax revenues generated by the sales of cannabis to the town.

On motion of Trustee Bauer, seconded by Trustee Herman, and unanimously carried, it was: **RESOLVED,** to open the Public Hearing on a proposed local law to add a new Chapter 133, Opting Out of the Licensing and Establishing of Cannabis Retail Dispensaries and On-Site Consumption Establishments within the Village of Larchmont.

George said he is uncomfortable with retail consumption. He does not object what people do in their own homes but not in public.

Joseph Shein, 4 Cambridge Ct, said he is in favor of opting out so there will be no retail sales in the Village. He asked what the Town and Village Mamaroneck are doing on this matter.

Mayor Walsh said as of today that both the Town and the Village have yet to act on opting out.

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

On motion of Trustee Herman, seconded by Trustee Bauer, Local Law No. 8-2021 was adopted by the following roll call vote:

AYES: Trustee Bauer, Trustee Fanelli, Trustee Herman, Trustee Brennan, Mayor Walsh

NAYS: None

ABSTAIN: None

**VILLAGE OF LARCHMONT  
BOARD OF TRUSTEES  
LOCAL LAW NO. 8- 2021**

**A LOCAL LAW TO AMEND THE CODE OF THE VILLAGE OF LARCHMONT BY ADDING A NEW  
CHAPTER 133 OPTING OUT OF THE LICENSING AND ESTABLISHING OF RETAIL CANNABIS**

**DISPENSARIES AND ON-SITE CANNABIS CONSUMPTION ESTABLISHMENTS WITHIN THE  
VILLAGE OF LARCHMONT**

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

**Section 1:** The Code of the Village of Larchmont is hereby amended to enact a new Chapter 133 to read as follows:

Chapter 133.

CANNABIS DISPENSARY AND ON-SITE CONSUMPTION OPT-OUT

§ 133-1 Legislative Intent

It is the intent of this local law that the Village of Larchmont opt out of having retail cannabis dispensaries and on-site cannabis consumption establishments licensed to operate or established within the Village of Larchmont.

§ 133-2 Authority

This local law is adopted pursuant to New York Cannabis Law § 131, which expressly authorizes villages to opt-out of allowing retail cannabis dispensaries and on-site cannabis consumption establishments to be licensed or established within their boundaries.

§ 133-3 Local Cannabis Retail Dispensary and On-Site Consumption Opt-Out

- A. The Board of Trustees of the Village of Larchmont, County of Westchester, hereby opts-out of having retail cannabis dispensaries and on-site cannabis consumption establishments licensed or established within the boundaries of the Village of Larchmont, Westchester County, New York.
- B. Pursuant to the New York Cannabis Law § 131, the Village of Larchmont hereby requests the Cannabis Control Board to prohibit the establishment of retail dispensary licenses and on-site consumption licenses contained in Article Four of the New York State Cannabis Law (Chapter 7-A of the Consolidated Laws) within the jurisdiction of the Village of Larchmont, Westchester County, New York.

**Section 2:** 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 3:** Effective Date

This local law shall take effect immediately upon filing with the Secretary of State. Pursuant to New York State Cannabis Law § 131, this local law is subject to a permissive referendum and thus may not be filed with the Secretary of State until the applicable time period has elapsed to file a petition or a referendum has been conducted approving this local law.

Lt. Juan Sanchez gave the Police report for the absent Chief Poleway.

1. Stolen Vehicles
2. U Turns
3. FEMA Hurricane Preparations
4. Emergency Notifications
5. Dark House Form
6. See Something, Say Something

Chief Caparelli gave the following report.

1. The Newest Firefighter to join the ranks of the career staff, James Shanahan, is in his second week of field training here in Larchmont. He is progressing well and will be serving the residents of Larchmont on regular shift duty shortly.

2. Lieutenant Charles Boettcher and FF. Chris DiGilio conducted the annual fire extinguisher safety course for the Storm Trysail Foundation during their Junior Safety at Sea Seminar held at the LYC. Lt. Boettcher is a certified fire and life safety educator and instructed the junior sailor's fundamentals of the proper use of fire extinguishers in the event of a fire onboard a vessel at sea. If you would like to have Lt. Boettcher conduct a class for your group, please call 914-834-0016 to speak to Charlie and schedule your group.

3. Fire Safety inspections continue to be conducted. Please prepare your business for the annual inspection by ensuring all fire suppression systems, fire alarms, including smoke and c/o detectors, fire extinguishers and emergency contact information are up to date and in good working order. To schedule your inspection please call 914-834-0016 and speak to one of the on-duty staff.

Con Ed News Letter. (Attached)

4. A new member of the volunteer staff has completed the process to join the ranks of the volunteer firefighters. I conducted his interview today and will be submitting his application for Board approval at the next work session.

CODE ENFORCEMENT:

1. I have been concentrating my efforts of enforcing property maintenance issues around the Village. Organic waste, overgrown trees and shrubs, leaf blower violations and sidewalk defects have been my focus. You may have received a reminder in your mail box or a green sticker on your organic waste, please read and abide by the codes in the reminders. Notify your landscapers of the schedule for pick-up of organic waste and the prohibited use of leaf blowers. All Apparatus and equipment are in service and fully operational.

Trustee Fanelli made the following report.

1. The 4<sup>th</sup> of July Barbeque in Constitution Park was a big success. 450 hot dogs were served along with a lot of watermelon. Thanks to the Volunteer Fire Department Event Team, Chief Caparelli and the Professional Firefighters, the Police Department, Steve Colletti and Joyce Callahan.

2. Music in the Parks is ongoing with 16 local sponsors helping out this year. It all started with the Dixie Dandies in Manor Park on July 4<sup>th</sup>. Rest of the shows in Constitution Park are:

7/18- Larchmont Music Academy & All about the Blues

7/22- Jaana Narsipur & Neil Herman & Bill Steely and Where's Dave

7/29- School of Rock

8/5- Eddie, Sacha & Co. & Mudsole

3. Larchmont Day will September 18<sup>th</sup>, celebrating the 130 Years Anniversary of the Larchmont. The night before on September 17<sup>th</sup>, The Chamber Orchestra of New York will perform in Constitution Park. This concert was rescheduled from the original date on July 8<sup>th</sup> due to rain.

4. Also on September 18<sup>th</sup>, Big Truck Day in front of the Library.

5. Larchmont Arts Festival will take place in Constitution Park on Saturday October 2<sup>nd</sup>, from Noon to 5PM. Rain date is October 3<sup>rd</sup>.

6. Tennis permits are still available. Go to the Village website to purchase.

7. Tennis and Pickle Ball Clinics are ongoing. Go to the Village website to sign-up.

On motion of Trustee Bauer, seconded by Trustee Herman, and unanimously carried, the following resolution was adopted:

**BE IT RESOLVED**, that a Public Hearing is hereby scheduled by the Board of Trustees of the Village of Larchmont to be held on Monday, August 16, 2021, at 7:30 PM to review and take comment on a proposed local law to amend Chapter 381, Zoning, Regarding Permitted Uses in the RB and RC Zoning districts; and be it further

**RESOLVED**, that the Board of Trustees hereby directs staff to effectuate the circulation of this proposed local law to the Village of Larchmont Planning Board, Westchester County Planning Board and any other agencies as required by law.

On motion of Trustee Herman, seconded by Trustee Brennan, and unanimously carried, it was: **RESOLVED**, to approve the minutes of the meeting of June 21, 2021

On motion of Trustee Fanelli, seconded by Trustee Herman, and unanimously carried, it was: **RESOLVED**, to approve the minutes of the work session held on July 7, 2021

On motion of Trustee Brennan, seconded by Trustee Herman, and unanimously carried, the meeting adjourned at 8:10PM.