

OFFICE OF  
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April 18, 2013

James E. Johnson, Esq.  
Debevoise & Plimpton LLP  
919 Third Avenue  
New York, NY 10022

Re: United States *ex rel* Anti-Discrimination Center of Metro New York, Inc. v. Westchester County,  
New York – Village of Larchmont

Dear Mr. Johnson:

This is in reply to your letter of March 21<sup>st</sup>, 2013, which “forwards proposed factual findings concerning zoning in the Village of Larchmont”.

The draft findings’ opening sentence states, “[t]he Village of Larchmont has not adopted the County model zoning ordinance for affordable housing, nor does it in any way promote fair and affordable housing (FAH)” It is incomprehensible to us that Larchmont can be characterized this way, as a finding of fact, when Larchmont has approved and recently extended the approval of fifty-one (51) units of housing which are to be marketed as FAH in accordance with the terms of the Stipulation and Order of Settlement referenced in your letter. I must say that the report’s proposed opening statement regarding Larchmont is not only inaccurate, but very unfair to the Board members and the citizens of Larchmont who have overwhelmingly supported the development of these units.

You should also be aware that the Village has initiated the process for consideration of the model ordinance. A public meeting has been scheduled with county representatives to present the ordinance on June 3, 2013.

Beyond that, the draft findings prepared by your consultants contain a number of inaccuracies and statements of opinion which seem designed to substantiate its incorrect opening conclusion. I don’t know that it serves to go point by point, but would only ask how the findings made about multi-family zoning in Larchmont can be squared with the Village’s approval of fifty-one (51) FAH multi-family units in two (2), four-story buildings.

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Unsubstantiated statements like “the potential for soil contamination in this area is high...making affordable housing development unrealistic” would seem to be out of place in a set of “factual findings”. Likewise for the statement in the draft report that “the Master Plan dates to 1966 with an update in 1987 - UNAVAILABLE”. Our Master Plan is available in the Village Clerk’s Office. In addition, it is my understanding that the County of Westchester Department of Planning maintains a copy of our Master Plan.

We respectfully request that you instruct your consultant to reconsider the findings of fact it has proposed for you to issue in connection with the Village of Larchmont.

Thank you.

Very truly yours,

s/

Anne H. McAndrews  
Mayor

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