

Politics & Government

Developer Sues Mamaroneck Village Over Application Denial

The developers of The Residences at Hampshire wanted to build property already zoned for single-family homes.

By Michael Woyton, Patch Staff
Jun 10, 2020 2:15 pm ET

Like 9 Share

Reply (5)



The developer of The Residences at Hampshire is suing the village for turning down an application. (Michael Woyton/Patch)

MAMARONECK, NY — The developer of a proposed residential project in Mamaroneck has sued the village and planning board to reverse a decision that denied its application to build homes on its 106-acre property. Hampshire Recreation LLC filed the suit Tuesday in New York State Supreme Court in White Plains.

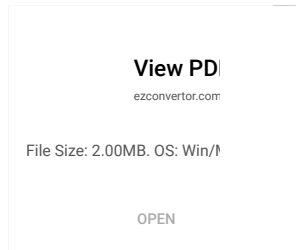
View PDF
 ezconvertor.com
 File Size: 2.00MB. OS: Win/1
 OPEN

Hampshire said the property is zoned "as of right," meaning it complies with applicable zoning regulations and doesn't require any special permits or variances.

Subscribe

The developer also served the village with a notice of claim in advance of seeking damages of no less than \$58 million as compensation for denying any residential development at the club.

On May 6, the village's planning board denied Hampshire's requested approvals for The Residences at Hampshire in the Orienta section of the village.



The decision came after the board reviewed Hampshire's application for more than four years. The review process typically takes 18 months, according to land-use experts.

David Cooper, a partner at Zarin & Steinmetz, the law firm representing Hampshire, said, from the very beginning, the planning board decided to use its site plan and permitting power to deny any residential development on the property.

"The board was going to deny this project, no matter what," he said. "It has never objectively evaluated the evidence and scientific data."

Cooper said it was because the village has committed itself, for 10 years, to preventing residential development on the Hampshire property.

Village Mayor Tom Murphy said, in response to request from Patch for a comment, that the village will vigorously defend the planning board's decision.

"The planning board did an exhaustive and thorough hard look at the proposed project and came to the right conclusion that it would be environmentally harmful and not in the best interest of Mamaroneck," he said.

Originally, Hampshire's owners asked the village in 2014 to consider rezoning the Hampshire Country Club property to allow a condominium development on less than 2 acres.

That would have allowed the developers to preserve 98 percent of the property as open space, including the entire 18-hole golf course. The developer was willing to have the golf course remain open space in perpetuity through a voluntary deed restriction.

After that proposal was not considered, Hampshire was asked by the village board of trustees to submit to the planning board an alternate development proposal in compliance with the existing single-family zoning.

The developers then proposed building 61 carriage homes and 44 luxury colonial-style homes, leaving the country club open and operational and redesigning the 18-hole course into nine holes.

That was the plan the planning board rejected May 6.

Hampshire's lawsuit called the board's actions "arbitrary and capricious" and said the village determined "long ago that it would not permit Hampshire to pursue residential development on the club property."

The lawsuit also claimed that the planning board's decision is the product of illegal bias and a willingness to help some adjacent property owners who want to prevent any development.

The court documents point out a November decision and recommendation filed by the village's ethics board that said planning board member Cynthia Goldstein had conflicts of interest and should be removed from the planning board.

[Like Hudson Valley Patches' Facebook Pages.](#)

[See 5 replies >](#)

More from Larchmont, NY

News | 12h



Special Prosecutor Urged; Sewer Project; Grant For Homeless

News | 17h



10 Cookbooks For Quick, Easy And Delicious Recipes

[See more on Patch >](#)

Around the Web