

**MCCULLOUGH, GOLDBERGER & STAUDT, LLP**

**ATTORNEYS AT LAW**

**1311 MAMARONECK AVENUE, SUITE 340**

**WHITE PLAINS, NEW YORK**

FRANK S. MCCULLOUGH, JR.  
JAMES STAUDT  
LINDA B. WHITEHEAD  
SETH M. MANDELBAUM  
PATRICIA W. GURAHIAN  
KEVIN E. STAUDT  
STEVEN M. WRABEL

**10605**

**(914) 949-6400**

**FAX (914) 949-2510**

**WWW.MCCULLOUGHGOLDBERGER.COM**

FRANK S. MCCULLOUGH (1905-1998)  
EVANS V. BREWSTER (1920-2005)

AMANDA L. BROSY  
MEREDITH A. LEFF

CHARLES A. GOLDBERGER  
EDMUND C. GRAINGER, III  
COUNSEL

**September 9, 2021**

**Response to Request for Proposals**

**From**

**The Town of Washington Comprehensive Plan Review Committee**

**Issued August 13, 2021**

Respectfully submitted by:

James Staudt, Senior Partner  
McCullough, Goldberger & Staudt, LLP  
1311 Mamaroneck Avenue, Suite. 340  
White Plains, New York 10605  
(914) 949-6400 / [jstaudt@mgslawyers.com](mailto:jstaudt@mgslawyers.com)

# MCCULLOUGH, GOLDBERGER & STAUDT, LLP

Dr. Paul Schwartz, Chairman,  
And Members of the Town of Washington Comprehensive Plan Review  
Committee (the "CPRC")  
Town of Washington Town Hall  
10 Reservoir Drive  
Millbrook, NY 12545

Re: August 13, 2021 RFP for Comprehensive Plan Review Legal Services

Dear Chairman Schwartz and Members of the CPRC:

The firm of McCullough, Goldberger & Staudt, LLP ("MGS") appreciates the opportunity to submit this proposal for the provision of legal services to the CPRC. As will be further detailed in our RFP responses below, our firm has extensive experience in representing municipalities in connection with Comprehensive Plan review and revisions, and we would be pleased to provide these services to the Town of Washington.

With regard to our understanding of the project, we are aware that the Committee will be evaluating the question: "whether the 2015 Town of Washington Comprehensive Plan should be amended to include and permit expansion of hospitality that aligns with the historic rural character of the Town of Washington." (RFP Part 1. Summary, Page 2)

Given the one page limit for this letter, we will condense our response regarding our understanding of the legal services assignment by saying we have read and understand RFP Part 1. Summary, and Section 6.1 Scope of Services for Land Use Attorney. This is also to confirm that we have read the Town's 2015 Comprehensive Plan and the Town's current Zoning Law.

As will be detailed in our accompanying RFP responses, our firm has the required knowledge of relevant statutory and case law regarding Comprehensive Plan review. In addition, a knowledge of the New York State Environmental Quality Review Act and regulations (SEQRA) is essential to providing legal counsel in connection with Comprehensive Plan Review. MGS has the requisite knowledge and extensive experience in providing SEQRA law advice relating to Comprehensive Plan Review. Knowledge and experience in connection with the New York State Open Meetings Law and the New York State Freedom of Information Law are also important elements of legal advice regarding Comprehensive Plan Review. Our firm is knowledgeable and experienced in the substance and application of these laws as well.

MGS is enthusiastic about the opportunity to provide these services to the historic and bucolic Town of Washington. We would be pleased to provide any further information you might require. We look forward to meeting with you and we hope we are awarded this assignment.

Respectively submitted,



James Staudt, Partner

## **MCCULLOUGH, GOLDBERGER & STAUDT, LLP RESPONSES TO SPECIFIC RFP INQUIRIES**

***Note: Set forth below will be the text of each section of the RFP (italics) immediately followed by our Response.***

*6.2.3. Description of Firm. Provide an overall description of your firm, including the number of attorneys, including partners, associates and of counsel who will be working on this project.*

McCullough, Goldberger & Staudt, LLP's ("MGS's") roots as a law firm practicing land use and municipal law in New York go back over sixty years. MGS provides land use representation, both as Regular and Special Counsel, to a number of New York municipalities.

MGS is a twelve-attorney law firm with an experienced paralegal and administrative support staff. Our firm serves as Municipal Counsel to the municipalities of Larchmont, Bronxville, Hastings, and Croton-on-Hudson. We provide legal services to these municipalities in all areas of municipal law, including all of their land use representation, which encompasses, among other things, legal services regarding their comprehensive plans, the regular drafting of zoning laws, and advice regarding legal consistency between their comprehensive plans and zoning laws. These services also include representation regarding the requirements of the New York State SEQRA law and regulations, New York State Open Meetings Law, and the New York State Freedom of Information Law.

MGS also serves as Land Use Counsel to the Village of Ossining. In addition, our firm is regularly engaged as Special Counsel to New York municipalities regarding land use matters. We are currently serving as Special Counsel to the Town/Village of Scarsdale in connection with the potential redevelopment of its Village Center. We have provided all legal services for the recently completed Comprehensive Plan updates of the Village of Bronxville and the Village of Croton-on-Hudson.

Firm members regularly lecture on land use topics. Firm Partner Linda Whitehead serves as a Director at the Westchester Municipal Planning Federation where she participates in the planning and organization of the Federation's land use training institute.

Firm Partner James Staudt would lead MGS's representation of the Town of Washington CPRC in this matter. James Staudt has over twenty-five years' experience practicing municipal land use law as Regular and Special Counsel to New York State municipalities. James Staudt would be assisted in this representation by Senior Associate, Amanda Brody, who has ten years of environmental and land use law experience, including representation of municipal governing boards and land use boards. Other members of the firm's municipal/land use practice group would also be available to assist in this representation if needed.

6.2.4. *Resources. Anticipated resources you will assign to this project (total number, role, title, experience).*

As noted above, Senior Partner James Staudt, with over twenty-five years' experience in the areas of law related to this project, and Senior Associate Amanda Brosy with ten years' experience, would provide the required legal services to the Town of Washington. Partner Linda Whitehead and the other three members of the firm's municipal/land use practice group would also be available to assist in the representation as needed. These attorneys are supported by paralegals My-Hanh Retherford and Denise Scirbona, each with over twenty years of experience.

6.2.5. *Principally Responsible Attorney's Qualifications and Capability. The attorney who will perform most of the work on this project should be identified, along with the following:*

- *describe your successful relevant experience in similar projects related to working on the development of comprehensive plans and/or zoning laws for small, rural, residential and agricultural communities;*
- *describe your professional practice qualifications for this particular type of work, as well as examples of relevant projects of a similar scope upon which you have worked;*
- *attach a resume or CV that provides a comprehensive expression of qualifications and experience.*

As noted, the attorneys who would provide most of the services on this project are Senior Partner James Staudt and Senior Associate Amanda Brosy.

As indicated above, MGS has represented New York State municipalities in connection with their Comprehensive Plans and related land use law modifications for over twenty-five years. Included in this representation has been advice and counsel regarding the New York State SEQRA law and regulations. SEQRA law compliance is an integral part of Comprehensive Plan review and update. Our firm also advises municipalities on a day-to-day basis regarding the New York State Open Meetings Law and Freedom of Information Law which are important elements of representation in connection with Comprehensive Plan/Land Use Law revisions.

In recent years MGS has provided legal representation and advice to the Villages of Bronxville and Croton-on-Hudson in connection with the updating of their Comprehensive Plans which, in each case, has now been completed. The firm is providing legal services to those municipalities on an ongoing basis in connection with the enactment of amendments to their zoning laws to implement the Comprehensive Plan updates. The firm is also providing advice at this time to several other municipalities who are actively considering updating their Comprehensive Plans. Both Senior Partner James Staudt and Senior Associate Amanda Brosy have worked on these assignments. Curricula Vitae for James Staudt and Amanda Brosy are attached to this submission as Exhibits A and B, respectively.

*6.2.6. Project Team: If you anticipate that other attorneys in your firm will perform significant work along with you on this project, identify each such attorney and their qualifications and expertise. For each attorney who will work on this project, attach a resume or CV that provides a comprehensive expression of qualifications and experience.*

Firm Partner Linda Whitehead will be available to assist in this representation as needed. Ms. Whitehead's Curriculum Vitae is attached as Exhibit C.

*6.2.7. Understanding of the Town of Washington: Provide information that demonstrates your understanding of the Town of Washington generally and the unique issues facing the Town specifically regarding potential commercial hospitality land uses. Identify how the Town's size, character and background will impact the methodology and approach to this project (max 1 page).*

We have read the Town of Washington's 2015 Comprehensive Plan and Zoning Law in their entirety. The 2015 Comprehensive Plan includes an excellent description of the Town's history and its scenic rural, residential, and agricultural character. The Plan also provides insight into the importance of preservation of natural resources, in particular water resources, and certain challenges the natural environment presents with regard to sewage management issues. We have also spent time viewing the Millbrook Historical Society website which addresses both the Town and the Village. In particular, we viewed a number of the website videos of Historical Society presentations which provide valuable insight into the character and history of the Town. Undoubtedly, should it be determined that Comprehensive Plan revisions will be made, the Plan will remain sensitive to these overriding themes. Part of the Land Use Counsel's role would be to assist, as needed, in the clear articulation of these themes as they relate to Plan amendments and, most importantly, to provide advice to assure that, if any zoning amendments do result from this study, they be consistent with the Comprehensive Plan's exposition of these important principles. If the Committee concludes that changes to the Comprehensive Plan are warranted, we would also provide advice on articulating the changed circumstances or other reasons for proposed amendments to the Plan.

*6.2.8. References: Attach a listing of at least three (3) relevant references for which you or your team have provided similar services, preferably for small, rural communities. Provide, for each reference project, the name of the reference entity, a project name or title with a brief statement describing the project, the date of the work, and the name, title, telephone number and email of a contact person at the reference entity (max 1 page).*

Please see list of references with required information attached hereto as Exhibit D .

6.2.9. *Verify Firm Capacity: Provide a statement verifying your ability to begin work on this project and complete the tasks identified in this RFP based on your firm’s current workload and capacity.*

We hereby verify the ability of our firm to immediately begin work. As noted, we have a full complement of municipal land use attorneys and support staff available to work on the project, and we pride ourselves on being responsive and completing tasks on time.

6.2.10. *Rates and Cost Proposal: Describe the rate structure for the firm. As part of that description, please identify the rate which will apply to the attorney who will principally work on this project, as well as the rates to be charged for any other attorneys and individuals at the firm who will work on this project. Using the Scope of Work as a basis, please provide an estimate, as itemized as possible, for of the cost of your services to complete the project.*

We would provide these services under our municipal hourly rate structure which is substantially lower than our commercial rate structure.

We propose to provide the required services at a single hourly rate for attorneys working on the project of \$285.00 per hour.

It is difficult to estimate total fees at this stage until the process develops a bit, especially not knowing whether, in the end, there will be any modifications to the Plan. However, in accordance with the direction above, the following are broad estimates based upon the language of the RFP’s Scope of Services:

<b>Description of Service(s):</b>	<b>Estimated Hours (@ \$285/hour):</b>	<b>Estimated Amount:</b>
Prepare for and attend meetings with CPRC and Planner throughout the course of CPRC’s work, including comprehensive initial meeting described in RFP Sec. 6.1.	12	\$ 3,420.00
Assist with procedural requirements of conducting CPRC meetings and public hearings	4	\$ 1,140.00
Review and comment on draft(s) of report	6	\$ 1,710.00
Review proposed amendment(s), if any, to 2015 Plan	6	\$ 1,710.00
Provide advice as needed	6	\$ 1,710.00
<b>TOTAL ESTIMATE:</b>	<b>34</b>	<b>\$ 9,690.00</b>

*6.2.11. Supporting Information (Optional): Provide other supporting information you feel may help us further evaluate your qualifications and fitness for participating in and competing this project. (max 1 page, plus optional electronic appendices)*

Our firm would be honored to be involved in this land use study for the Town of Washington, and we look forward to meeting with the Committee. We would be pleased to provide any additional information that might be helpful to the Committee in making its selection.

Respectively submitted.

McCullough, Goldberger & Staudt, LLP

A handwritten signature in blue ink, appearing to read "James Staudt", is written over the printed name below.

James Staudt, Partner

**Exhibit A**  
**Curriculum Vitae for James Staudt, Esq.**



**James Staudt**

*Senior Partner*

[jstaudt@mgslawyers.com](mailto:jstaudt@mgslawyers.com)

Municipal Law, Land Use Law, and Real Estate Law

He is admitted to the New York State Bar; U.S. District Court, Southern and Eastern Districts of New York. Mr. Staudt received his J.D. from Villanova University School of Law and a B.A., magna cum laude, from Boston College.

He heads the firm's municipal practice group which includes representation of the Villages of Larchmont, Croton-on-Hudson, Bronxville and Hastings-on-Hudson as their Counsel. He has also represented a number of other municipalities, including the Villages of Scarsdale and Ossining, as Special Counsel. He was General Counsel to the former Sound Federal Savings and a member of their Board of Directors.

Mr. Staudt is the Chairman of the Board of United Hebrew Geriatric Center, a not-for-profit elder care facility in New Rochelle, New York. He has practiced land use and real estate law throughout eastern New York including representation of lenders in complex building loan transactions and representation of private and public entities in land use matters. He has represented religious institutions and municipalities in RLUIPA actions and has regularly lectured on RLUIPA and other land use topics.

Mr. Staudt is the Past President of the Westchester County Bar Association Foundation. He is a past member of the Westchester County Bar Association Attorney Client Economic Dispute Committee, and former Co-Chair of the Westchester County Bar, Real Property Section. He is a member of the New York State Bar Association.

Mr. Staudt is a resident of Larchmont, NY.

**Exhibit B**  
**Curriculum Vitae for Amanda L. Brosy, Esq.**



**Amanda L. Brosy**

*Senior Associate*

[abrosy@mgslawyers.com](mailto:abrosy@mgslawyers.com)

Land Use and Municipal Law

Amanda L. Brosy is admitted to the New York and Connecticut Bars. Ms. Brosy received her J.D. from Quinnipiac University School of Law, where she was a Publications Editor for the Law Review, and a B.A. from Lafayette College. She is a member of the New York State Bar Association, Connecticut Bar Association, and the Westchester County Bar Association.

Ms. Brosy focuses her practice on municipal, land use and environmental law. For her municipal clients, Ms. Brosy assists with a variety of issues including drafting comprehensive code edits, contract drafting and negotiation, and advising land use boards. Ms. Brosy has the primary responsibility for the firm's representation of the land use boards of the Village of Larchmont and the Village of Ossining.

Ms. Brosy also represents developers, institutions, and property owners in obtaining local and state-level land use and environmental permits and approvals.

Before joining McCullough, Goldberger & Staudt, Ms. Brosy practiced environmental, land use, and municipal law at a large Connecticut law firm.

Ms. Brosy is a resident of Stamford, CT.

**Exhibit C**  
**Curriculum Vitae for Linda B. Whitehead, Esq.**



**Linda B. Whitehead**

*Partner*

[lwhitehead@mgslawyers.com](mailto:lwhitehead@mgslawyers.com)

Municipal Law, Land Use & Environmental Law , and Commercial & Residential Real Estate

Linda B. Whitehead is a partner in the firm.

She is admitted to the New York State Bar and the New Jersey State Bar and U.S. District Court, District of New Jersey Bar. She received her J.D. from New York University School of Law and a B.A. from Mount Holyoke College.

Ms. Whitehead is a member of the Westchester County Bar Association and served as co-chairperson of the New Lawyers Section. She is also a member of the New York State Bar Association. She serves on the Board of Directors of the Westchester Municipal Planning Federation where she has planned the annual Land Use Training Institute for several years, and is a graduate of the Community Leadership Alliance Program at the Pace University School of Law, Land Use Law Center. She is a member and past-president of the American Cancer Society Westchester-Rockland Volunteer Leadership Council and is president of the Mount Holyoke Club of Westchester. She serves as Village Attorney for the Villages of Hastings-on-Hudson and Croton-on-Hudson.

Ms. Whitehead practices land use and municipal law, guiding both property owners and the firm's municipal clients through complex land use approval processes, including compliance with the State Environmental Quality Review Act. She has recently been involved in the approval and financing of several affordable housing projects. Ms. Whitehead has also represented property owners in relation to cleanup of contaminated sites pursuant to NYS Department of Environmental Conservation guidelines.

Ms. Whitehead also heads the firm's transactional real estate practice, which

represents clients in relation to the acquisition and sale, leasing and financing of all types of commercial and residential properties. She also represents a number of lenders in making complex commercial loans. Ms. Whitehead regularly lectures on land use law and real estate matters.

Ms. Whitehead is a resident of Irvington, NY.

**Exhibit D**  
**List of References**

**1. Village of Bronxville**

**Mary C. Marvin, Mayor, Village of Bronxville**

**Project: MGS serves as Village Attorney. Representation has included 2020 Comprehensive Plan Update**

**Phone: (914) 337-6500**

**Email: [mayor@vobny.com](mailto:mayor@vobny.com)**

**2. Village of Larchmont**

**Lorraine Walsh, Mayor, Village of Larchmont**

**Project: MGS serves as Village Attorney. Representation includes current advice regarding Comprehensive Plan update.**

**Phone: (914) 834-6230**

**Email: [mayor@villageoflarchmont.org](mailto:mayor@villageoflarchmont.org)**

**3. Village of Ossining**

**Stuart E. Kahan, Esq., Village Attorney, Village of Ossining**

**Project: MGS serves as Land Use Board Counsel and Special Project Counsel on an ongoing basis**

**Phone: (914) 941-3554, x101**

**Email: [Kahan@villageofossining.org](mailto:Kahan@villageofossining.org)**