



Putnam County
Department of Planning, Development,
and Public Transportation

www.putnamcountyny.com

841 Fair Street
Carmel, NY 10512

Phone: (845) 878-3480

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SECTION 239 CASE REFERRAL

Case Received: 8-4-2016 Report Required: 9-4-2016 Completed: 8/17/16

Application Name: Barrett Hill LLC - Zoning Text Changes Referral #: 16-PC-66

TOWN: Carmel: [] Philipstown: [] VILLAGE: Brewster: []
Kent: [] Putnam Valley: [] Cold Spring: []
Patterson: [] Southeast: [X] Nelsonville: []

Referred by: Planning Board: [] Zoning Board: [] Town Board: [X]

Location of Project: Mount Ebo Lot 6, 41 Mount Ebo Road North, Town of Southeast, NY

Present Zone: OP-2 Tax Map #: 46-5-2

Type of action: Variance: [] Zoning Ordinance: [] Master Plan: []
Subdivision: [] Special Use Permit: [] Subdivision Regulations: []
Site Plan: [] Rezoning: [] Zoning Amendment: [X]

DECISION BY COUNTY:

Approved as Submitted: [X] Approved with Modification: [] Disapproved: []

Basis for Decision Other than Approval:

See attached letter.

Reviewed by: Barbara Barosa (Signature) Barbara Barosa, AICP, County Planner (Title)



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August 17, 2016

Tony Hay, Supervisor, and Members of the Town Board
Town of Southeast
1360 Route 22
Brewster, NY 10509

RE: GML 239 Referral for an amended zoning petition to permit non-age restricted multi-family units in the OP-2 District as part of a Floating Zone, referred to as Multifamily Work Force Housing District

Dear Mr. Hay and Members of the Town Board,


I have reviewed the N.Y. GML §239 referral of an application of Barrett Hill Associates, LLC to the Southeast Town Board for a zoning text change, including the Expanded Environmental Assessment with SEQR Full Environmental Assessment Form (EAF) and Supplemental Studies. The zoning text change is approved but with the following recommended modifications to Exhibit A, Floating Zone Option and Exhibit C, the Community Benefits Agreement for Barrett Hill:

- Section H(7) of the Floating Zone Option text states, “with respect to sale units, such Affordable Priority Units shall be sold to Qualifying Affordable Household at sales prices equal to 90% of the prices set forth in the Sales Offering Plan or Memorandum (*for the first six months of sales or marketing*) or 90% of the sales price of similar housing units in the multi-unit multi-family housing development *in the six months preceding the date of the contract of sale*, adjusted for unit size.” The Community Benefits Agreement similarly states “the dwelling units included as part of the multi-unit multi-family housing development shall be subject to the following special marketing and occupancy restrictions: thirty percent (30%) of the dwelling units shall be marketed [with] a reservation period of six (6) months from the time of substantial completion for each phase of construction, for marketing of residential units [as affordable priority units].

The method for establishing the final number of affordable units should be more defined within the Community Benefits Agreement. It is recommended that this language be modified to state there is a “reservation period of **at least 6 months** from the time of substantial completion of each phase of construction, for marketing.” Additionally, it is recommended that conditions defining the minimum accepted marketing strategies be delineated in the Community Benefits Agreement, i.e., the minimum number of advertisements, locations to be advertised, etc. A minimum threshold should also be established for the total units that must be designated as affordable housing units if the 30% maximum is not reached.

These are recommendations for modification based on my professional opinion, and not required for N.Y. GML §239 approval. The Town Board should decide what is appropriate for this site and any zoning changes to the Town. If you have any questions or comments on the above recommendations, please feel free to call me at 845-878-3480 x 48107.

Sincerely,

A handwritten signature in cursive script that reads "Barbara Barosa".

Barbara Barosa, AICP
Planner