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**TOWN OF SOUTHEAST PLANNING BOARD AGENDA**

**August 22, 2016**

**CIVIC CENTER, 1360 Route 22**

**7:30 p.m.**

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**PUBLIC HEARINGS:**

**REGULAR SESSION:**

- 1. GUARDIAN VETERINARY SPECIALISTS, 4 Hardscrabble Heights** – Review of Application for a Site Plan
- 2. DONUTS BY DE BONIS, 1041 Route 22** – Review of Application for a Site Plan Amendment
- 3. NYSMSA d/b/a VERIZON, 3925 Danbury Road** – Review of Request for Exemption from Site Plan and Conditional Use Permit
- 4. Report and Recommendation on the Proposed Workforce Housing Zoning Text Amendment for Barrett Hill**

**Approve Meeting Minutes from July 25, 2016**

**Approve Meeting Minutes from August 8, 2016**

**August 17, 2016**

**VAD**

**Agenda Subject to Change**

**TOWN OF SOUTHEAST**

**APPLICATION SUMMARY SHEET**

**Proj. Name:** Guardian Veterinary Specialists    **S/B/L:** 78.-2-83    **Zone:** OP-1

**Description:** The Applicant proposes to utilize an existing two-story building located at 4 Hardscrabble Heights, in the OP-1 Zoning District of the Town of Southeast for an emergency animal hospital. Minor improvements to the parking lot, including re-striping, new sidewalks, curbing, and new lighting fixtures, are proposed.

**Engineer:** Insite Engineering

**SEQR ACTIONS COMPLETED:**

- Intent to Declare Lead Agency
- Declare Lead Agency
- EAF Submitted
- Determination of Significance by Board

**TYPE OF ACTION: Type II**

- Date:
- Date:
- Date:
- Date(s):

**MAJOR/MINOR PROJECT: Minor Project**

Date Classified:                      Waiver of Public Hearing (Minor Project Only)?  Y  N

**AMENDMENT OF PREVIOUS PLANNING BOARD APPROVED PROJECT?**  Y  N

If yes, list alternative names:

**LOCAL AND AGENCY REVIEW REQUIRED?**

**REFERRAL DATE    STATUS/DATE OF LETTER**

Yes No

- Town Board (Special Permit)
- Town of Southeast ARB
- Wetland Permit
- Historic Sites Commission
- Town Highway Department (TBD - may be needed for parking lot re-surfacing)
- MS4 Permit (TBD - may be needed for parking lot re-surfacing)
- E-911 Coordinator
- County Planning Department (GML)
- County Highway Department
- County Health Department
- NYSDEC
- NYCDEP
- NYSDOT
- Army Corps of Engineers

**VARIANCES OR BOARD WAIVER (IF APPLICABLE)**  Y  N

Variance or Waiver Request:

Date Granted or Denied, and any conditions:

**PLANNING BOARD ACTIONS:**

Date	Discussion/Decisions/Resolutions
8/22/16	

**RECOMMENDED ACTION FOR MEETING:** Classify the action as a Type II Action under SEQRA and a Town of Southeast "Minor Project;" consider waiving the public hearing; refer to the ARB; and to Town Board for a Special Permit.



**Town of Southeast  
Planning Board**  
One Main Street  
Brewster, NY 10509

August 23, 2016

TO: Architectural Review Board

FROM: Thomas LaPerch, Chairman  
Southeast Planning Board

RE: Guardian Veterinary Specialists  
4 Hardscrabble Heights  
Tax Map ID 78.-2-83

At the regular meeting of the Town of Southeast Planning Board on 8/22/16, a motion was made to refer the above referenced Minor Project to your Board for review and recommendation to the Planning Board. The Planning Board classified this as a Type II Action under the New York State Environmental Quality Review Act (SEQRA) process on 8/22/16. The applicant will be sending your Board a copy of the proposed plans to aid you in your review.

If there is any additional information you require, please contact the Planning Board office.

Very truly yours,

David Rush, Acting Chairman

Southeast Planning Board

cc: Town Counsel  
Town Clerk  
Insite Engineering

**TOWN OF SOUTHEAST  
PLANNING DEPARTMENT  
SPECIAL PERMIT REFERRAL**

INTRODUCED BY: Rush

DATE: August 22, 2016

SECONDED BY: Armstrong

**WHEREAS, Guardian Veterinary Specialists** located at 4 Hardscrabble Heights, in the Town of Southeast, has applied for a Special Permit from the Town Board of the Town of Southeast for permission to utilize an existing two-story building for an emergency animal hospital where minor improvements to the parking lot, including re-striping, new sidewalks, curbing, and new lighting fixtures, are proposed in the OP-1 Zoning District, on property designated as Tax Map Number 78.-2-83; and,

**WHEREAS,** the Town Board has requested a report from the Planning Board on the said proposal; and,

**WHEREAS,** the Planning Board has determined that the above request for a Special Use Permit for this particular project is in conformance with Article X of Chapter 138 of the Zoning Code of the Town of Southeast; and,

**WHEREAS,** the Planning Board, having reviewed such application together with its consultants, finds that there will be no adverse affect to the surrounding area or the environment,

**NOW, THEREFORE, BE IT RESOLVED,** that the Planning Board recommends that the Town Board of the Town of Southeast grant the requested Special Permit.

**UPON ROLL CALL VOTE:**

T. LaPerch, Chairman	recused
P. Wissel, Boardmember	<u>yes</u>
E. Cyprus, Boardmember	<u>absent</u>
P. Jonke, Boardmember	<u>yes</u>

D. Rush, Vice Chairman	<u>yes</u>
D. Armstrong, Boardmember	<u>yes</u>
M. Hecht, Boardmember	<u>yes</u>

The resolution was passed by a vote of 5 to 0, with 1 absent. 1 recused

D. Rush  
D. Rush, Acting Chairman  
Southeast Planning Board



**AKRF, Inc.**  
**Environmental Planning Consultants**  
34 South Broadway  
Suite 401  
White Plains, NY 10601  
tel: 914 949-7336  
fax: 914 949-7559  
[www.akrf.com](http://www.akrf.com)

## Memorandum

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**To:** Town of Southeast Planning Board  
**From:** Ashley Ley, AICP  
**Date:** August 19, 2016  
**Re:** Guardian Veterinary Specialists  
**cc:** Insite Engineering

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AKRF, Inc. has reviewed the following documents and plans for the above referenced application:

- Letter from Jeffrey Contelmo, PE to Chairman LaPerch dated August 1, 2016.
- Site Plan Application and supporting documents, dated August 1, 2016.
- Short EAF dated August 1, 2016
- Amended Site Plan, prepared by Insite Engineering, dated August 1, 2016.

### PROJECT DESCRIPTION

The Applicant proposes to utilize an existing two-story building located at 4 Hardscrabble Heights, in the OP-1 Zoning District of the Town of Southeast for an emergency animal hospital. Minor improvements to the parking lot, including re-striping, new sidewalks, curbing, and new lighting fixtures, are proposed. An animal hospital is a Special Permit use in the OP-1 Zoning District. No outdoor dog run is proposed.

### COMMENTS

- A photometric lighting plan should be provided.
- Since the application involves the renovation of an existing building, and is consistent with the Town of Southeast Zoning Code, it is considered a Type II Action under SEQRA pursuant to §617.5(c)(2) and (7), and a Town of Southeast "Minor Project."

### RECOMMENDED ACTIONS

At the August 22, 2016 Planning Board meeting, AKRF recommends that the Planning Board classify the action as a Type II Action under SEQRA and a Town of Southeast "Minor Project," consider waiving the public hearing, refer the application to the ARB, and refer the application to the Town Board for a Special Permit (NOTE: a public hearing will be required by the Town Board). \*



Jacobson

August 18, 2016

Mr. Thomas LaPerch, Chairman  
Town of Southeast Planning Board  
One Main Street  
Brewster, NY 10509

Re: Guardian Veterinary Specialists  
4 Hardscrabble Heights  
Site Plan Review  
NLJ #0001-0991

Dear Mr. LaPerch:

As requested, we have reviewed the following information received for the subject project at our office through July 29, 2016:

- Item 1: Letter from Jeffrey J. Contelmo, P.E. to Chairman LaPerch and Members of the Board, dated August 1, 2016.
- Item 2: Town of Southeast Application for Site Plan Approval dated 7/27/16, accompanied by Statement of Use, Waiver Request Letter dated July 29, 2016, Short Environmental Assessment Form, Program for Construction, Completion, and Occupancy and List of Properties within 500'.
- Item 3: Drawing entitled: "Guardian Veterinary Specialists, 4 Hardscrabble Heights, Town of Southeast, Putnam Co., New York", scale as noted, dated 08-01-16, prepared by Insite Engineering Surveying & Landscape Architecture, P.C.

The subject application proposes to occupy the upper floor of the existing building at 4 Hardscrabble Heights. The proposed site improvements will include additional site lighting and re-striping of the existing parking lot.

We have the following comment:

- I. A lighting plan should be submitted in accordance with Section 138-98D of the Southeast Code.



Jacobson

Mr. Thomas LaPerch, Chairman  
Re: Guardian Veterinary Specialists  
4 Hardscrabble Heights  
Site Plan Review  
NLJ #0001-0991  
August 18, 2016  
Page 2

Very truly yours,

NATHAN L. JACOBSON & ASSOCIATES, P.C.

Joseph M. Dillon, P.E.

JMD:jmd

cc: T. Hay  
M. Levine  
S. Coleman  
W. Stephens, Jr.

M. Bruen  
M. Stancati  
A. Ley  
Insite Engineering



**TOWN OF SOUTHEAST**

**APPLICATION SUMMARY SHEET**

**Proj. Name:** Donuts by DeBonis, Inc.

**S/B/L:** 68.5-2-21 **Zone:** GC-2

**Description:** The removal of portions of existing asphalt pavement and the installation of proposed asphalt pavement for the re-delineation of parking spaces onsite and proposed landscaping to screen said parking areas.

**Engineer:** Jeffrey J. Contelmo, PE, Insite Engineering, Surveying & Landscape Architecture, P.C.

**SEQR ACTIONS COMPLETED:**

- Intent to Declare Lead Agency
- Declare Lead Agency
- EAF Submitted
- Determination of Significance by Board

**TYPE OF ACTION: Type 2**

- Date:
- Date:
- Date:
- Date(s):

**MAJOR/MINOR PROJECT: Minor Project**

Date Classified: Waiver of Public Hearing (Minor Project Only)?  Y  N

**LOCAL AND AGENCY REVIEW STATUS REQUIRED?**

Yes No

- Town Board
- Town of Southeast ARB *(No changes proposed to previously approved plans, new referral not required)*
- Wetland Permit
- Historic Sites Commission
- Town Highway Department
- MS4 Permit
- E-911
- County Planning Department (GML)
- County Highway Department
- County Health Department
- NYSDEC
- NYCDEP
- NYSDOT (Highway Work Permit for entrance improvements)
- Army Corps of Engineers

**VARIANCES OR BOARD WAIVER (IF APPLICABLE)  Y  N**

Variance or Waiver Request:

Date Granted or Denied, and any conditions:

**PLANNING BOARD ACTIONS:**

Date	Discussion/Decisions/Resolutions
4/13/15	1) Classified as Type 2 Action and Minor Project; 2) waived public hearing; 3) referred to ARB & ZBA
7/13/15	Final Site Plan approval; Recommended establishment of performance bond
8/22/16	

**RECOMMENDED ACTION FOR MEETING:**

1) Classify as Type 2 Action under SEQRA and TOSE Minor Project; 2) consider waiving public hearing.

**TOWN OF SOUTHEAST, NY  
PLANNING BOARD RESOLUTION  
SEQRA CLASSIFICATION**

INTRODUCED BY: LaPerch                      DATE: August 22, 2016  
SECONDED BY: Armstrong

**WHEREAS**, an application is being made by **DONUTS by DE BONIS** for a Site Plan Amendment to remove portions of existing asphalt pavement and install proposed asphalt pavement for the re-delineation of parking spaces onsite and proposed landscaping to screen said parking on a property located at 1041 Route 22, in the Town of Southeast, New York; and

**WHEREAS**, the property is identified as Tax Map Number 68.5-2-21, and is located in the GC-2 Zoning District; and

**WHEREAS**, the Planning Board has reviewed the following documents in support of this classification:

1. Short Environmental Assessment Form (EAF) dated 7/29/16
2. Waiver Request Letter, prepared by Insite Engineering, dated 7/29/16
3. Program for Construction, Completion & Occupancy, prepared by Insite Engineering, dated 7/29/16
4. Statement of Use, prepared by Insite Engineering, dated 7/29/16
5. Figure A, Aerial Photo with Tax Maps, prepared by Insite Engineering, dated 7/29/16
6. SP-1, Amended Site Plan, prepared by Insite Engineering, dated 7/29/16
7. D-1, Details & Notes, prepared by Insite Engineering, dated 7/29/16

**NOW, THEREFORE BE IT RESOLVED**, that the Town of Southeast Planning Board, pursuant to the State Environmental Quality Review Act (SEQRA), reviewed the Short EAF, and pursuant to §617.5(c)(7), finds that the Proposed Action is a Type II Action under SEQRA, and no further environmental review is required.

**UPON ROLL CALL VOTE:**

T. LaPerch, Chairman	<u>yes</u>	D. Rush, Vice Chairman	<u>yes</u>
P. Wissel, Boardmember	<u>yes</u>	D. Armstrong, Boardmember	<u>yes</u>
E. Cyprus, Boardmember	<u>absent</u>	M. Hecht, Boardmember	<u>yes</u>
P. Jonke, Boardmember	<u>yes</u>		

The resolution was passed by a vote of 6 to 0, with 1 absent.

T. LaPerch  
T. LaPerch, Chairman  
Southeast Planning Board



Jacobson

August 18, 2016

Mr. Thomas LaPerch, Chairman  
Town of Southeast Planning Board  
One Main Street  
Brewster, NY 10509

Re: Donuts by DeBonis  
1041 Route 22  
Amended Site Plan Review  
NLJ #0001-0971

Dear Mr. LaPerch:

As requested, we have reviewed the following information received for the subject project at our office through July 29, 2016:

- Item 1: Letter from Jeffrey J. Contelmo, P.E. to Chairman LaPerch and Members of the Board, dated July 29, 2016.
- Item 2: Town of Southeast Application for Site Plan Approval dated 7/28/16, accompanied by Waiver Request Letter dated July 29, 2016, Program for Construction, Completion, and Occupancy, Statement of Use, Short Environmental Assessment Form, and Aerial Photo.
- Item 3: Set of two (2) drawings entitled: "Donuts by DeBonis, 1041 Route 22, Town of Southeast, Putnam County, New York", scale as noted, dated 07-29-16, prepared by Insite Engineering Surveying & Landscape Architecture, P.C.

The subject application proposes renew the previously approved amended site plan application. The application proposes to reconfigure portions of the paved parking area to create an additional four parking spaces. Landscaping is also proposed to help screen the onsite parking. The subject parcel is pre-existing non-conforming with regards to minimum lot area, maximum lot coverage, open space requirement and minimum parking setbacks.

We have no objection to the renewal of the subject application. Should you have any questions, please do not hesitate to contact me.



Jacobson

Mr. Thomas LaPerch, Chairman

Re: Donuts by DeBonis  
1041 Route 22  
Amended Site Plan  
NLJ #0001-0971

August 18, 2016

Page 2

Very truly yours,

NATHAN L. JACOBSON & ASSOCIATES, P.C.

Joseph M. Dillon, P.E.

JMD:jmd

cc: T. Hay  
M. Levine  
S. Coleman  
W. Stephens, Jr.

M. Bruen  
M. Stancati  
A. Ley  
Insite Engineering

**TOWN OF SOUTHEAST PLANNING BOARD  
RESOLUTION TO EXEMPT  
SITE PLAN AND CONDITIONAL USE PERMIT APPROVAL (§138-54.1.B(3))**

INTRODUCED BY: *LaPerch*

DATE: August 22, 2016

SECONDED BY: *Jonke*

**WHEREAS**, the Planning Board of the Town of Southeast is in receipt of a request for an exemption by NYSMSA d/b/a **Verizon** for a like-kind antenna replacement at a wireless telecommunications services facility located at 3925 Danbury Road, Tax Map ID 69.13-1-20.-1, in the Town of Southeast; and

**WHEREAS**, the Applicant proposes to replace six (6) of the six (6) existing panel antennas; remove three (3) of the existing three (3) Tower Mounted Amplifiers within the existing concealment cylinders on the existing flagpole; and

**WHEREAS**, the Planning Board is in receipt of the following drawings and documents related to the Exemption Request, and has caused same to be reviewed by its consultants:

Drawing No. & Title; submitted by	Original Date; Last Revised
Letter to Chairman LaPerch from Michael Sheridan of Snyder & Snyder and support documents	Dated 8/2/16
Drawing Set C-1 and C-2 "New York SMSA Limited Partnership d/b/a Verizon Wireless, Site: 3925 Danbury Road, Brewster, NY 10509"	Last Revised 7/25/16.

**WHEREAS**, the Planning Board has determined on the basis of its own review and the review comments that it has received from its consultants, that all proposed improvements would reduce the overall bulk of the tower, and are consistent with the existing Conditional Use Permit for the facility;

**NOW, THEREFORE be it RESOLVED**, the Planning Board is empowered under §138-54.1E(3) to exempt the requirements for Conditional Use approval and related Site Development Plan approval for the location of antennas upon existing and approved structures, as appropriate) and finds that:

1. The addition involves the installation of antennas or other equipment clearly indicated as part of the original approval for the communication tower and facilities, including approved additional users and collocation of approved equipment and including approved accessory structures (§138-54.1E(3)(a));
2. The addition of the replacement antennas or other equipment shall not result in any increase in the total height of the structure, as originally approved, including the height of any antenna protruding above the tower facility or other structure (§138-54.1E(3)(b));
3. The addition of replacement antennas or other equipment onto an existing tower facility shall not result in any increase in bulk (i.e., volume) greater than 25% over the total bulk of antennas or other equipment approved for installation on said tower as per the original approval of said tower facility (§138-54.1E(3)(c));

4. The removal of the existing antennas or other equipment shall result in a net reduction in the bulk (i.e., volume) of the total bulk of antennas or other equipment approved for installation on said tower as per the original approval of said tower facility. The removal of the existing antennas shall not result in any significant alteration of the remaining antennas or equipment on the tower structure (§138-54.1E(3)(d));
5. The addition of the replacement antennas shall not include the construction of any new accessory structures such as equipment buildings, fencing or other site improvements unless such accessory structures or improvements are clearly indicated as part of the original approval for the communications tower and facilities (§138-54.1E(3)(e));
6. The existing structure previously obtained a conditional use approval for a telecommunications tower or facility (§138-54.1E(3)(f));

**NOW THEREFORE, be it RESOLVED,** the Planning Board finds that the application from Verizon is consistent with the original approval and is exempt from Site Development Plan Approval and Conditional Use Approval.

**UPON ROLL CALL VOTE:**

T. LaPerch, Chairman	<u>yes</u>	D. Rush, Vice Chairman	<u>yes</u>
P. Wissel, Boardmember	<u>yes</u>	D. Armstrong, Boardmember	<u>yes</u>
E. Cyprus, Boardmember	<u>absent</u>	M. Hecht, Boardmember	<u>yes</u>
P. Jonke, Boardmember	<u>yes</u>		

The resolution was passed by a vote of 6 to 0, with 1 absent.

T. LaPerch  
T. LaPerch, Chairman  
Southeast Planning Board



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## Memorandum

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**To:** Town of Southeast Planning Board  
**From:** Ashley Ley, AICP  
**Date:** August 19, 2016  
**Re:** Verizon Wireless – 3925 Danbury Road  
**cc:** Michael Sheridan

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AKRF, Inc. has reviewed the following documents and plans:

1. Letter to Chairman LaPerch, and Members of the Planning Board, from Michael Sheridan, dated August 2, 2016, and supporting documents
2. Drawing set C-1 and C-2 (2 sheets) “New York SMSA Limited Partnership d/b/a Verizon Wireless, Site: 3925 Danbury Road, Brewster, NY 10509”, and last revised 7/25/16.

The Applicant proposes to replace six (6) of the six (6) existing panel antennas; remove three (3) of the existing three (3) Tower Mounted Amplifiers within the existing concealment cylinders on the existing flagpole at 3925 Danbury Road in the Town of Southeast. The replacement panels and proposed amplifiers would be concealed within the existing flagpole, and therefore would not be visible.

Since the proposed project would not increase the number of antennas, or the height or bulk of the existing flagpole, and all new equipment would be within the existing fenced compound, AKRF has no objections to the Planning Board granting an exemption for this application pursuant to §138-54.1.B(3)(b)-(e).



August 18, 2016

Mr. Thomas LaPerch, Chairman  
Town of Southeast Planning Board  
One Main Street  
Brewster, NY 10509

Re: Verizon Wireless  
3925 Danbury Road  
Exemption Request  
NLJ #0001-0903

Dear Mr. LaPerch:

As requested, we have reviewed the following information received for the subject project at our office through August 3, 2016:

- Item 1: Letter to Hon. Chairman Tom LaPerch, and Members of the Planning Board, from Michael Sheridan, dated August 2, 2016, accompanied by supporting materials.
- Item 2: Set of two (2) drawings entitled " New York SMSA Limited Partnership d/b/a Verizon Wireless, Site: Haines Pond Antmod, 3925 Danbury Road, Brewster, NY 10509", scale as noted, latest revision date shown 7/25/16.

The applicant has requested an exemption from conditional use permit and site development plan approval for the purpose of replacing the panel antennas within the existing flagpole monopole.

The proposed work will not require any site work or modifications to the existing infrastructure. As such, we would have no objection, to the granting of the requested exemption.

Should you have any questions, please do not hesitate to contact me.

Very truly yours,

NATHAN L. JACOBSON & ASSOCIATES, P.C.

A handwritten signature in black ink, appearing to read 'J.M. Dillon'.

Joseph M. Dillon, P.E.

JMD:jmd

cc: T. Hay                      W. Stephens, Jr.  
M. Bruen                      M. Stancati  
M. Levine                      A. Ley  
S. Coleman                    Snyder & Snyder, LLP



**Town of Southeast**  
**Planning Board**  
One Main Street  
Brewster, NY 10509

August 22, 2016

Hon. Tony Hay, Supervisor  
Town of Southeast  
1360 Route 22  
Brewster, NY 10509

**Re: Multifamily Work Force Housing Floating Zoning District**

Dear Mr. Hay:

The Town of Southeast Planning Board has reviewed the draft local laws being considered in support of the Barrett Hill project. The proposed local law has been designed to suite the Barrett Hill project, and while its potential applicability to other properties within the Town is limited due to the lot size and location limitations, it is important to note that as part of the Town Code, it could apply to other properties. As such, it is important that the local law fit within the context of the Town Code, and that it is not so tailored to a specific project that it becomes awkward for the Town to enforce elsewhere.

As such, the Planning Board supports a text amendment to the Zoning Code to permit the creation of new workforce housing subject to the following revisions:

1. In Section H.7, the proposed zoning should more clearly define the marketing requirement in terms of when it is initiated as it relates to the potential sale price of a unit. Furthermore, the Planning Board recommends that no time limit be imposed on the marketing of the priority and affordable priority units, as these should remain subject to the 99 year restriction, and should not revert to standard market rate units for failure to reach the targeted audience. This should be made clear in both the proposed zoning text and the Community Benefits Agreement.
2. It is unclear why non-affordable housing units would have a preference list. The percentage of affordable housing units should be of the total number of housing units, as opposed to a percentage of the preference list units. In addition, a minimum number of affordable housing units should be required.
3. The proposed zoning should include dimensional and occupancy provision consistent with health and safety standards. We suggest the following:
  - A. *Minimum floor area. The minimum gross floor area (living space) per Affordable Housing dwelling unit shall not be less than 80 percent of the average floor area of non-restricted housing units in the development, and no less than the following:*
    - (1) *Studio/efficiency: 450 square feet.*
    - (2) *One-bedroom: 675 square feet.*

(3) *Two-bedroom: 750 square feet.*

B. *Occupancy standards. The following schedule of occupancy shall apply to all Affordable Housing dwelling units:*

<i>Number of Bedrooms</i>	<i>Maximum Number of Persons</i>
<i>Studio/efficiency</i>	<i>2</i>
<i>1</i>	<i>3</i>
<i>2</i>	<i>5</i>

4. The proposed zoning should more clearly define “bedroom” so that common areas and dens are not converted to bedrooms at a later point in time. We suggest the following:

A. *Bedrooms. No multi-family housing unit shall contain more than two bedrooms. The intended use of each room in a multi-family housing unit shall be specified on the site plan. For the purpose of determining the number of bedrooms in the dwelling unit, any room designed, intended, furnished or occupied for sleeping quarters and any room other than a living room, kitchen or bathroom or a utility room having more than 50 square feet of floor area shall be considered a bedroom. The identification of use of rooms in each dwelling unit shall be a part of the approval of the site plan. The habitable floor area of a dwelling unit shall not exceed 1,800 square feet.*

5. The proposed zoning should require the payment of recreation fees, and we suggest that the following:

A. *Reservation of parkland. Before the Planning Board may approve any site plan containing multi-family residential units, such site plan shall also show, when required by such Board, a park or parks suitably located for playground or other recreational purposes.*

(1) *The Planning Board shall not require land for park, playground or other recreational purposes until it has made a finding that a proper case exists for requiring that a park or parks be suitably located for playgrounds or other recreational purposes within the Town. Such findings shall include an evaluation of the present and future needs for park and recreational facilities in the Town based on projected population growth to which the particular site plan will contribute. Such findings shall provide an individualized determination that such required dedication or reservation is related both in nature and extent to the impact of the proposed site plan.*

(2) *In the event the Planning Board makes a finding pursuant to the preceding subsection that the proposed site plan presents a proper case for requiring a park or parks suitably located for playgrounds or other recreational purpose, but that a suitable park or parks of adequate size to meet the requirement cannot be properly located on such site plan, the Planning Board may require a sum of money in lieu thereof. In making such determination of suitability, the Board shall assess the size and suitability of lands shown in the site plan which could be possible locations for park or recreational facilities, as well as practical factors including whether there is a need for additional facilities in the immediate community. Any monies required by the Planning Board in lieu of land for park, playground or other recreational purposes, pursuant to the provisions of this section, shall be deposited to the Town of*


*Southeast to be used by the Town exclusively for park, playground or other recreational purposes, including the acquisition of property. Such payment shall be a condition of site plan approval and shall be assessed in accordance with the site plan recreation fee schedule established by the Town Board per §138-87. No site plan shall be signed by the Chairman of the Planning Board until such payment has been received by the Town and receipt therefor provided to the Planning Board.*

6. The following sentence should be added to Section H.2 of the proposed zoning text:

*As part of the Special Permit approval process, the Town Board shall have the authority to approve or disapprove of the organization, group, or company that shall manage and ensure compliance with the eligibility requirements for the Project.*

The Applicant was present at our meeting on August 22, 2016, and we discussed the proposed revisions with them. The Applicant stated that they have no objections to these revisions, with the exception of item 2. The Planning Board appreciates your consideration in these matters.

Sincerely,

A handwritten signature in blue ink that reads "Thomas LaPerch / vad". The signature is written in a cursive, flowing style.

Thomas LaPerch, Chairman  
Town of Southeast Planning Board

CC: Town Board  
Town Clerk  
Town Attorney