

Town of Southeast, Putnam County, NY

Local Law No. 13 of 2004

A LOCAL LAW entitled: “**A Local Law to Amend Chapter 83 of the Town Code, ‘Historic Sites’.**”

Be it enacted by the Town Board of the Town of Southeast, Putnam County, New York, as follows:

Section 1. Legislative Intent

The Town Board of the Town of Southeast has embarked upon a process of updating its Comprehensive Plan and local land use regulations to protect the community character and environmental quality of the Town. On June 20, 2002, the Town Board adopted an updated Comprehensive Plan. The Amendments contained within this Local Law are intended to achieve the following recommendations contained with the Town’s Comprehensive Plan:

- Update inventory of local historic resources and establish a program to protect the resources.

Section 2. Chapter 83 retitled

Chapter 83 of the Code of the Town of Southeast is retitled to “Historic Sites and Historic Districts.”

Section 3. Amendments to Chapter 83

Chapter 83 is amended, in part, to read:

Section 83-1, “Purpose” is amended to read:

- A. To effect and accomplish the protection, enhancement and perpetuation of these landmarks, these historic sites, and these districts which represent or reflect elements of the town’s cultural, social, economic, political, and architectural history.

Section 83-2, “Delineation of Sites” is retitled to “Delineation of sites and districts” and amended to read:

- D. Red Rooster. The Red Rooster restaurant (Tax ID: 46.-2-43) is an example of 1950s roadside architecture and its design (including building form, color, lighting, and signs) is iconic of that era and of American roadside architecture in general.
- E. Tilly Foster Mine. The Tilly Foster Mine (Tax ID: 56.-1-9, 56.-1-11, 56.-1-12, 56.-1-13, 56.-1-14, 56.-1-18, 56.-1-19) First mined in 1853 by the Harvey Iron and Steel Company, the Tilly Foster mine boomed under the auspices of the Lackawanna Iron and Coal Company of Scranton, Pennsylvania, who acquired the mine in 1879. At its height of production, the mine employed hundreds of workers extracting 7,000 tons per month. By 1890, the owners converted the mine to an open pit. At one time, the pit was the largest man-made hole in the

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world. However, in 1895, a major collapse occurred and the mine was closed. The mine is known worldwide for its unique variety and expanse of rocks and minerals, which are included in the collections of major museums.

- F. Starr Ridge Historic District. All property within the boundaries of the Starr Ridge Historic Area: all properties that have land that abuts either Starr Ridge Road or Starr Lea Road south of I-84.
- G. Milltown Historic District. All property within the boundaries of the Milltown Historic Area: all properties that have land abutting either Milltown Road or that portion of Federal Hill Road from Milltown Road to Joe’s Hill Road.
- H. Local Historic Sites. The following sites are designated as local landmarks:

S/B/L	Site Name	Site No	Address	Street
36.17-1-25	David DeForest House	1	2	Sherwood Hill Rd
44.-1-2	T. Kelley Residence	1	147	Simpson Rd
46.-1-19	Old Southeast Church Cemetery	1	1601	Rt 22
46.-2-33	Doanesburg School	2	1664	Rt 22
46.-2-33	Old Southeast Church	1	1664	Rt 22
46.-3-7	J. Minor House	1	772	Rt 312
46.-5-17	Rocky Dell Farm	1	161	Doansburg Road
46.-5-18	Rocky Dell Farm	1	175	Doansburg Road
47.-2-26	Sherwood House	1	160	Sherwood Hill Rd
56.-1-60	Enoch Crosby Homestead	1	8	Enoch Crosby Rd
56.18-1-34.1	Reed-Bloomer House	1	150-152	Putnam Av
57.-1-17	Budd's Tavern	1	1430-1432	Rt 22
57.5-3-2	Waring Homestead	1	11	Minor Rd
57.5-3-28	Triangle House	1	512	Tonetta Lake Rd
57.18-1-2	Stonehenge - Howes Residence	1	10	Brewster Hill Rd
57.18-1-3	Yale House	1	2-4	Brewster Hill Rd
67.6-1-41	Howes House	1	1083	Drewville Rd
67.11-1-5	Old Thomasville Corners House	1	4	Turk Hill Rd
67.16-1-3	Egbert Howes House	1	115	Turk Hill Rd
67.16-1-18	Isaac Field House	3	100-114	Turk Hill Rd
67.16-1-18	Morningthorpe	1	100-114	Turk Hill Rd
67.16-1-18	J. Brush Home	2	100-114	Turk Hill Rd
67.18-1-1	H. Dean House	1	74	Deans Corner Rd
67.25-1-10	Yale House	1	2637-2639	Carmel Av
78.-1-58	Drewcliffe Cemetery	1		Rt 684
78.-2-12	Field House	1	50	Fields Ln
79.-1-9	Rundle House	1	283	Starr Ridge Rd
79.-1-39	Ryder Homestead	2	400-406	Starr Ridge Rd
80.5-1-12	DF Bailey House	1	214	Dingle Ridge Rd
80.5-1-12	AP Brush House	2	214	Dingle Ridge Rd

A Local Law to Amend Chapter 83 of the Town Code, "Historic Sites"

Section 83-7, "Powers and Duties of Commission" is amended to read:

- A. It shall be the duty of the commission to maintain the character of the historic sites and districts and to regulate and control the construction of new buildings, if any, and the reconstruction, repair or demolition of, or any other alterations or changes in, such historic sites, including but not limited to walls, fences, signs, steps, topographical features and paving, to ensure that any action taken in or with respect to such landmarks, areas, and historic sites are compatible with the existing character of such historic sites and districts.
- B. The commission shall have the authority to make recommendations to the Town Board of any property, area, or district to be designated as an historic site or district. The Town Board shall hold a public hearing on any proposed designation prior to adopting a Local Law amending this chapter to formally designate a property, area, or district as a local historic site or district.
- C. The commission shall have the authority to review changes in or alterations to historic sites and districts and to issue Certificates of Appropriateness per §83-8.

Section 83-8, "Certificates of appropriateness"

- G. It shall be the duty of the Commission to consider the following guidelines when reviewing an application for a Certificate of Appropriateness:
 - (1) Site Design
 - (a) The pattern and alignment of buildings and structures established by the traditional setbacks from the street should be maintained.
 - (b) The traditional design vocabulary used for defining building entrances should be maintained.
 - (c) The location and scale of fences, walls, and other similar objects should be maintained in their original location.
 - (d) Parking lots should be sub-divided into small components so that the visual impact of large paved areas is reduced. Parking lots should be screened from view from public rights of way. Where historic paving materials exist in the area, similar materials should be used for new paving.
 - (2) Rehabilitation of Structures
 - (a) Any construction or reconstruction to an historic structure should respect the original design character of the building.
 - (b) New uses that require the least change to the existing structure should be encouraged.
 - (c) The removal or altering of any historic material or significant architectural features should be avoided to the greatest extent possible. Examples of historically significant features include porches, window trim, cupolas chimneys and steps.
 - (d) The replacement of missing architectural elements should be based on accurate duplications of original features.

- (e) The use of materials similar to those employed historically should be required.
 - (f) Where reconstruction of an element is impossible because of a lack of historical evidence, then a new design that relates to the building in general size, scale, and material may be considered.
 - (g) Service equipment and trash containers should be screened from public view.
 - (h) On commercial buildings, large display windows at the street level that are characteristic of commercial buildings should be preserved.
 - (i) Original roof forms and pitch should be preserved where they contribute to the historic character of the building.
 - (j) Original roof materials that are visible from the street should be preserved.
 - (k) Historic trim and ornament should be preserved.
- (3) Additions to historic structures
- (a) Additions to existing buildings should be compatible with the size, scale, color, material, and character of the main building and its environments.
 - (b) New additions or alterations should not obscure or confuse the essential form and character of the original building.
 - (c) New additions or alterations that would hinder the ability to interpret the design character of the historic period of the district should be avoided.
 - (d) When locating additions to historic buildings, the pattern created by the repetition of building facades in the area should be maintained.

Section 4. Validity

The invalidity of any word, section, clause, paragraph, sentence, part, provision of this Local Law shall not affect the validity of any other part of this Local Law that shall be given effect without such invalid part or parts.

Section 5. Effective Date

This Local Law shall take effect immediately upon filing with the Secretary of State.