

6.0 INTRODUCTION

Southeast is predominantly a bedroom community with a few concentrated areas of commercial activity. Reinforcing this pattern is a vital component of the Town's land use plan. Housing locations should be coordinated with the growth of commercial areas and capacity of transportation networks. Housing also serves an important role in meeting the needs of local employers by providing housing opportunities to residents working in the community.

6.1 BACKGROUND

Approximately 32 percent of the land area in Southeast (as of 2000) is low-density (single-family) residential. In addition to this land is a significant portion of undeveloped or vacant land that is zoned for low-density residential use. The expansion of residential uses in the 1970s included a combination of single-family and multi-family developments. Earlier periods of development directly after World War II saw an expansion of low- to medium-density housing development surrounding existing residential neighborhoods. Development around Tonetta Lake, Peach Lake and the Brewster Heights neighborhood largely followed existing patterns of smaller houses on smaller lots. During the 1980s, however, the trend in housing development shifted toward medium- to high-density townhouse-style developments and larger lot single-family houses in the rural areas such as Milltown Road and Starr Ridge Road. Figure 6-1 shows three different housing styles from typical neighborhoods.

As discussed in Section 3, between 1990 and 1997 development of residential housing followed a different pattern from what was seen in the last five years of the 1980s when several hundred residential building permits were being issued each year. New building permits in the 1990s followed a flatter pattern with years when only 50 or 75 units were constructed punctuated by two years (1993 and 1994) when several hundred units were constructed. This pattern is typical of a community whose neighborhoods have largely been built out and whose remaining open parcels, though difficult to build on because of environmental constraints, are being considered for large subdivisions.

Southeast has historically provided an appropriate mix of housing opportunities for all of its residents, especially first-time homebuyers, empty-nesters, and people of modest or fixed incomes. In fact, Southeast has provided a wider range of housing options and values when compared to other communities in Putnam County or to the south in Westchester County. This diversity has attracted many new residents and businesses to Southeast and has enabled the Town and its economy to grow. As shown in Table 6-1, detached single-family homes accounted for 63 percent of Southeast's housing stock in 1990, whereas attached housing and other types of homes accounted for 37 percent. This represents a relatively balanced mix of housing compared to other Putnam County communities. Overall, Southeast provided over 31 percent of Putnam County's supply of attached housing units in 1990, but only 18 percent of the County's total housing stock.

Table 6-1
Housing Options, 1990

Housing Type	Number of Units						Total (County)
	Carmel	Kent	Patterson	Philipstown	Putnam Valley	Southeast	
Detached	7,978	4,500	2,520	2,862	3,701	3,605	25,166
Attached and Other	2,174	574	652	943	285	2,104	6,732
Total	10,152	5,074	3,172	3,805	3,986	5,709	31,898

Source: U.S. Census Bureau, 1990 Census of Housing.

Housing prices, real property taxes, and housing demand in northern Westchester County have increased dramatically during the 1990s, fueling a similar rise in prices and demand in Putnam County. As this trend is likely to continue, housing affordability in Southeast may diminish, forcing many existing or potential residents to seek residence elsewhere. While Southeast currently provides a balanced housing climate, it is imperative to look to the future and ensure that this essential tradition of housing diversity continues. To do so, zoning code changes to clarify where accessory and in-law apartments are allowed and clarification of caretaker cottage regulations have already been implemented.

6.2 IMPACT OF RESIDENTIAL DEVELOPMENT

Each of the main types of residential development—denser neighborhoods of smaller homes and rural, low-density neighborhoods with larger homes—has a different impact with respect to community character, water quality, and environmental planning.

Density of new residential housing is a key determinant of its impact on community character. Where the rural character of residential areas can be maintained, even when new housing is developed, then community character is not threatened. When new housing is constructed without respect to existing patterns, then impacts on community character can result. Many of the Town’s residential communities have large mature trees lining the roads with periodic broad vistas across a field or lake. The older neighborhoods with smaller homes also have tree-lined streets that are important to the overall character of the neighborhood. It should be noted that it is possible to develop high-density housing with fewer apparent impacts on character by incorporating strong design guidelines. Design guidelines for both residential and commercial areas are addressed in the Town’s *Comprehensive Plan*.

One of the most useful indicators of potential environmental impact from residential development, especially with respect to water quality, is impervious surface area coverage. Impervious surfaces collect pollutants such as nutrients, oils, and particulates that get picked up in stormwater and carried to local water bodies. The traditional residential pattern of smaller lots served by a network of roads with convenient access to commercial shopping districts while covering a higher percentage of the land area with impervious surface may actually have less total square feet of impervious surfaces (counting all roads, driveways, and structures) than a lower-density pattern seen in newer subdivisions and housing in rural areas. However, these denser neighborhoods do not typically have enough land available for stormwater best management practices (or were never built with such controls to begin with).

Perhaps the most obvious component of a residential neighborhood's environmental impact is the manner in which wastewater is collected and treated. Older neighborhoods with smaller lots are more easily served by central collection of wastewater in sewers and treatment of wastewater at a wastewater treatment plant because of the economy of scale involved with laying out sewer lines. Lower-density areas, on the other hand, require a greater capital investment in sewer lines to reach each of the houses within the service area. However, where central wastewater collection and treatment does not exist, older residential neighborhoods are more likely to be served by septic systems on lots that are too small to adequately treat wastewater while newer residential construction either has more up-to-date septic systems installed or have larger land available to find suitable soils for a septic system. Generally speaking, individual septic systems on lots less than one acre in size are more difficult to site than septic systems on larger residential lots. Where individual groundwater wells are used for drinking water supply on the same site, sufficient separation distance must be observed to ensure the safety of the drinking water. A one-acre lot serves as a good threshold of the minimum area to serve both well and septic system.

Section 2 of the *Croton Plan* identifies three Septic System Focus Areas where the density of existing housing, or the number of known septic failures, points to an existing problem with failing or likely-to-fail septic systems. The Septic Focus Areas are located adjacent to Peach Lake, Tonetta Lake, and along North Brewster Road. These are some of the Town's older residential communities with smaller homes set on smaller lots. The *Croton Plan* quantifies the phosphorus loading both from sanitary waste discharged through the septic systems and from surface runoff associated with the developed and undeveloped portions of these Septic Focus Areas. Phosphorus loading from both sources (the sanitary flow and surface runoff) is considerable and poses a threat to water quality in the reservoirs. The *Croton Plan* identifies a number of infrastructure options to address this existing water quality problem.

6.3 FUTURE RESIDENTIAL DEVELOPMENT

While there is a satisfactory stock of existing housing units of varying sizes and types, several areas of under-developed properties have the potential for significant amounts of new residential development (see Figure 6-2). A couple of these areas are in close proximity to reservoirs while others are notable for their rural character. How these areas are developed, then, may have impacts on community character, water quality, or both.

Nearly 33 percent of the Town remains vacant or under-developed. Much of this land is currently zoned for single-family residential development on lots as small as one acre but also ranging up to a minimum of two acres in size. While significant portions of this vacant land are not suitable for development due to constraints on locating septic disposal fields, slopes, wetlands, or soil conditions, there is the theoretical possibility that this land can be developed.

A Geographic Information System (GIS) analysis was used to identify the vacant or under-utilized parcels. Figure 6-3 identifies vacant parcels according to the Town's tax parcel database. Many of the vacant parcels are in areas adjacent to reservoirs. A basic build-out analysis was performed in these nine areas (see Figure 6-4) to determine a range of potential single-family residential units and commercial office space (from the portions zoned for commercial uses) based on existing zoning districts. Land currently designated as public park, transportation (e.g., railroad track), or utility was deducted to achieve a total developable area. Any existing improvements on the properties were not considered. A high range estimate was calculated by dividing the total developable acres by the minimum lot size required in that district. The low

range estimate was calculated by assuming that development constraints (slopes, wetlands) and the need for roads would reduce the overall development efficiency by 25 percent. (This analysis is not meant to be a site-specific analysis that would address specific environmental constraints). Table 6-2 summarizes the results of the build-out analysis for each of the nine areas.

**Table 6-2
Residential Development Potential**

Area Name	Total Acres	Developable Acres†	Current Zoning	Potential Residential Units	
				Low	High
Brewster Hill Road	233	229	R20/R40	187	250
Deans Corner Road	420	420	R60	228	304
Dingle Ridge Road	1,247	1,094	R60/R80	582	776
Diverting Reservoir	885	806	R60	439	586
East Branch Reservoir*	1,812	1,501	R60/R80/ED-2	612	816
Foggingtown Road	807	636	R40/R60/OP-1	475	634
Middle Branch Reservoir	256	256	R60	139	186
Starr Ridge Road	564	564	R60	307	410
Tonetta Lake	11	11	R20	18	24
Totals	6235	5517		2987	3986
Notes: †- Total acres minus public lands, utility rights-of-way, and institutions. *- Approximately 2.9 million square feet of office development on approximately 167 acres could also be built.					
Source: Allee King Rosen & Fleming, Inc. based on Town of Southeast Tax Parcel Data.					

This analysis makes quite clear the extent to which new residential development could occur in the Town of Southeast. Existing Watershed Regulations and the lack of sufficient capacity for wastewater treatment would significantly reduce the number of residential units likely to be developed, but the potential still exists under the current zoning for these areas.

Based on the community character and water quality assessment presented above and information obtained from the *Croton Plan* regarding phosphorus loadings from areas of residential development (from both septic discharge and surface runoff), it is clear that zoning for these areas should be changed to come into concert with current planning efforts to protect community character and water quality.

New low-density (4-acre minimum lot size) residential zoning is proposed for these nine areas and would accomplish the two goals of protecting Southeast’s rural community character and the quality of the water supply. Lower densities of septic systems would increase the likelihood that suitable soils would be found for proper treatment of sanitary flows and lower densities of houses would reduce the impact to the land and leave undisturbed areas intact. The lower density of housing is also more consistent with a rural character. Continued residential development at the one-acre and two-acre lot size threatened to eliminate what is left of the Town’s rural character. It is important to note that the proposed 4-acre minimum lot size is more consistent with recent development experience in Southeast where residential subdivisions have tended to have lower overall densities than what is permitted by zoning due to the challenges presented by environmental constraints and site engineering.

Table 6-3 presents the potential residential build-out of the proposed areas to be rezoned to 4-acre minimum lot size. The same methodology is used to calculate this development potential as was done using the existing zoning.

**Table 6-3
Residential Development Potential Under Proposed Zoning**

Area Name	Total Acres	Developable Acres†	Proposed Zoning	Potential Residential Units	
				Low	High
Brewster Hill Road	233	229	4 acre min. lot	43	57
Deans Corner Road	420	420	4 acre min. lot	79	105
Dingle Ridge Road	1,247	1,094	4 acre min. lot	205	273
Diverting Reservoir	885	806	4 acre min. lot	151	202
East Branch Reservoir	1,812	1,501	4 acre min. lot	281	375
Foggingtown Road	807	636	4 acre min. lot	119	159
Middle Branch Reservoir	256	256	4 acre min. lot	48	64
Starr Ridge Road	564	564	4 acre min. lot	106	141
Tonetta Lake	11	11	4 acre min. lot	12	16
Totals	6235	5517		1044	1392

Notes: †- Total acres minus public lands, utility rights-of-way, and institutions.
Source: Allee King Rosen & Fleming, Inc. based on Town of Southeast Tax Parcel Data.

In the Brewster Hill Road area, which contains approximately 230 acres of developable land, the comparison of potential development between current and proposed zoning is striking. Most of the area is currently zoned R-40 and allows for a maximum of 250 housing units. Under the proposed zoning, a maximum of 57 housing units could be developed. With approximately 1,247 acres of developable land, the Dingle Ridge Road neighborhood could accommodate the largest number of housing units under current zoning. Under the proposed zoning, Dingle Ridge would contain roughly two-thirds less development. In the area east of the East Branch reservoir, the current zoning permits almost twice as many homes as the proposed zoning. Ultimately, the proposed 4-acre zoning would substantially reduce the potential density of housing in each area, ensuring that future development is guided in a manner that is compatible with the Town’s rural character and water quality protection efforts.

In conjunction with the low-density residential zoning, the Town intends to enhance existing zoning and subdivision provisions with respect to buffers between residential uses and commercial uses and to encourage open space set-asides in residential subdivisions. These measures will seek to guide the design and layout of new subdivisions to further reinforce community character.

The existing Resource Protection Plan (§138-21) of the Zoning Code identifies specific features that comprise “site resource protection land” that must be considered in calculating permitted density of new residential developments. While the calculations in this section adequately address the need for protection of the natural features, specific language that would preclude development that affects the features should be enhanced. The Zoning Code addresses this issue in the “General criteria and standards” (§138-46.K(1)) relating to site plan review; but the language should be strengthened.

6.4 COMPREHENSIVE PLAN RECOMMENDATIONS

GOAL AND POLICY

The Town of Southeast seeks a balanced diversity of housing opportunities and types to meet the needs of its current and future residents. The Town seeks to maintain its existing supply of housing, including its variety of price ranges, to accommodate residents of all income groups. New housing should reinforce the Town's rural qualities and predominantly single-family detached housing character.

IMPLEMENTATION ACTIONS

To accomplish these goals, the Town of Southeast intends to:

- Amend Resource Protection Plan provision (§138-21) and site plan review criteria (§138-46) of the zoning code to indicate that resource protection areas, such as steep slopes and wetlands, can not be built upon.
- Reduce allowable density (down-zone) in residentially-zoned areas adjacent to reservoirs and their tributary streams. Low-density residential districts would be created around the reservoirs and major streams with a minimum lot size of 4 acres (see Figure 6-4).
- Change dimensional standards for single-family residential development in the OP-3 zoning district to R-40 and adjust RMF standards within the OP-3 district to be more consistent with the overall recommendation of the *Comprehensive Plan* to decrease residential density throughout the Town.
- Encourage provision of senior housing in appropriate locations in either residential or commercial zoning districts. Specifically define "senior housing" to ensure that the needs of seniors are met while minimizing the potential for senior housing to revert to standard market-rate multi-family units.
- Encourage the establishment of conservation easements for open-space set-asides in existing and future residential developments to ensure long-term preservation of that land.
- Increase buffer zones between residential and commercial uses to protect the rural residential character of the community.
- Strengthen existing subdivision regulations to enhance open-space protection provisions within conservation design subdivisions.
- Include a one-year expiration date on approval of preliminary subdivision plats.
- Enforce architectural design standards and review procedures for new residential development in coordination with the newly established Architectural Review Board.

6.5 ENVIRONMENTAL ANALYSIS

Size, type, and distribution of housing within any community are important components of how land management, protection of natural resources and water quality, and evolution of community character evolve. The proposed implementation actions of the Comprehensive Plan outline steps for reducing residential density in large portions of the Town, refining existing regulations, and introducing new policies to address these elements in a manner favorable to maintaining the rural qualities of the community.

NATURAL RESOURCES

DENSITY REDUCTIONS

The change in zoning from R-60 or R-80 to minimum lot sizes of 4 acres near reservoirs and tributary streams would result in fewer houses being constructed overall and fewer constructed in environmentally sensitive areas. Estimates of the change in numbers of units between existing zoning and the proposed low-density zoning range from 1,899 to 2,536 fewer units of housing Town-wide. This reduction would minimize future impacts from new residential development on a number of issues, most importantly on natural resources. As a result of less developed land surface between residential structures, more surface water would likely infiltrate on-site than run off into nearby water bodies. Water quality would be protected from excessive surface runoff and sanitary loads. Lower-density residential properties form larger continuous corridors of vegetation thereby creating a habitat more conducive to greater biodiversity within residential neighborhoods and beyond. This type of community pattern is more in keeping with the Town's existing rural character.

RESOURCE PROTECTION PLAN

Prohibiting construction of new residential development in areas where sensitive natural resources exist would ensure that wetlands or steep slopes would be protected from new development. The Town's existing Resource Protection Plan (§138-21 of the Zoning Code) already takes deductions for natural features in calculating permitted density. However, the language needs to be strengthened to make clear that these resources cannot be disturbed during construction. This measure would enhance protection of natural features Town-wide.

WATER QUALITY

The combination of reduced density and resource protection enhancements will result in fewer new units of housing and better designed projects. This will protect the Town's water resources from the adverse effects of inappropriate development.

Where new residential will be permitted in low-density districts, the encouragement of open space corridors in new subdivisions and conservation easements on individual properties, would create natural buffers between residences and natural areas lying beyond. Since most new residential development would rely subsurface disposal plants or on-site septic disposal fields, the development would be limited to land with suitable slopes and soil conditions. These areas would permit the best possible conditions for infiltration, and the least damaging runoff patterns, so as not to increase sediment or pollutant loading in reservoirs or aquifers.

COMMUNITY CHARACTER

Changes to existing housing policies through low-density zoning and natural resource protection would jointly serve to protect the character of the community. Development limitations would ensure that new subdivision footprints would not conflict with existing natural areas, thereby minimizing human impacts on large tracts of undeveloped land. The low density recommendation of these undeveloped and environmentally constrained lands results in a Town-wide balance of housing types (multifamily, small-lot single-family, and large-lot single-family) and would not result in adverse effects on the overall socio-economic character of the Town.

To further enhance the built aesthetic of the community, design standards and review procedures would be used to evaluate new residential development in the site plan and subdivision review

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process. The introduction of such standards to the code would require that proposed new designs anywhere in the Town be compliant with design regulations before being constructed. ❖