

# Local Law Filing

**(Use this form to file a local law with the Secretary of State.)**

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County  City  Town  Village  
(Select one.)

of SOUTHEAST

Local Law No. 4 of the year 2025

A local law to amend Chapter 138 ("Zoning") of the Town Code regarding Philanthropic Institutions,  
(Insert Title)  
Schools and interpretations by the Zoning Board of Appeals

Be it enacted by the TOWN BOARD of the  
(Name of Legislative Body)

County  City  Town  Village  
(Select one.)

of SOUTHEAST as follows:

## SECTION 1. CHAPTER 138, ARTICLE 1 GENERAL PROVISIONS; DEFINITIONS

Section 138-4, "Definitions" is hereby amended, in part, to add or amend the following definitions:

### ARTIST IN RESIDENCE

A person who is regularly engaged in fine, performing, musical, written, or creative arts residing at a Philanthropic Institution on a temporary basis for the purpose of collaboration, in-depth study, and advancement of their craft.

### PHILANTHROPIC INSTITUTION

A non-profit business or association for the advancement of social welfare, education, science, the arts, environmental conservation, and other similar endeavors. A philanthropic institution does not include a place of worship; any school or daycare center as defined in this chapter; hospital; group care, convalescent, or nursing home; or the breeding or training of animals by a non-profit entity for medical or service use.

### SCHOOL, PRIVATE

A pre-kindergarten, kindergarten, primary or secondary school, junior college, college or university not operated by a public school district but furnishing a comprehensive curriculum of academic instruction similar to that of a public school, licensed by the State of New York Education Department.

**(If additional space is needed, attach pages the same size as this sheet, and number each.)**

SECTION 2. CHAPTER 138, ARTICLE X SPECIAL PERMITS AND CONDITIONAL USES.

Article X, "Special Permits and Conditional Uses", is hereby amended by adding the following:  
Section 138-55.3 Philanthropic Institutions.

Philanthropic institutions requiring a special permit are subject to the following supplementary regulations:

- A. A philanthropic institution shall not produce or emit noise, vibrations, smoke, dust, odors, heat, or glare detectable beyond the parcel boundary that is offensive or detrimental to the immediate neighborhood.
- B. One dwelling unit may be located on the property for the use of a caretaker and his/her family.
- C. Artist in residence accommodations are permitted subject to the following conditions.
  - (1) Accommodations shall be for the artist only.
  - (2) Individual artists may reside on the property for no more than six-months within a one-year time period.
  - (3) Accommodations may be located in the principal dwelling or within an accessory residential structure such as a detached garage or barn provided that the structure and apartment meet all applicable health, building, and fire codes.
  - (4) The approval of the Putnam County Department of Health must be obtained for water supply and sewage disposal systems prior to the approval of the special use permit. If the dwelling is served by community water supply or community sewage disposal system, proof of approval from the appropriate water district and/or sewer district is also required.
  - (5) An artist in residence accommodation shall be subject to inspection by the Building Inspector, Fire Code Inspector and/or Code Enforcement Officer at any time. A finding of noncompliance with any condition or term of the permit shall result in the issuance of an order to remedy. The permit shall be revoked if the noncompliance is not corrected within the time period set forth in the order to remedy.
- D. Large event management plan. All Philanthropic Institutions that anticipate gatherings in excess of 100 people shall prepare a large event management plan that shall be provided to the Planning Board during site plan approval. The Planning Board shall refer the large event management plan to the fire department, ambulance company and the New York State Police for a report and

recommendation. The adopted large event management plan shall be considered part of the approved site plan and shall be enforceable as such. A large event is defined as a planned event, such as a concert, conference, or art show with more than 100 attendees. This management plan shall include provisions for traffic and parking management, hours of operation, noise abatement, toilet facilities, and maximum number of guests. This management plan shall govern all large public events.

- E. Site lighting shall be of a residential character and scale and shall not project onto adjacent properties.
- F. The Town Board may impose reasonable conditions consistent with preserving the character of the neighborhood, public health, safety, and general welfare of the community. Among the limitations which may be imposed are:
  - (a) A limit on the number of visitors and employees;
  - (b) A limit on the number of large events annually;
  - (c) A limit on the number of artists in residence at any one time;
  - (d) A limit on the hours and days of operation;
  - (e) The establishment of a buffer for new buildings or outdoor uses that may be adjacent to residences; and
  - (f) Other conditions as appropriate to the application.

### SECTION 3. CHAPTER 138, ARTICLE XIV ZONING BOARD OF APPEALS

Section 138-90.C, "Membership; meetings; powers and duties", is hereby amended, in part, to add a new section 138-90.C (3) "Interpretations" as follows:

- (3) Interpretations.
  - (a) Where a question arises concerning a definition or applicability of a provision contained in this chapter, the Zoning Board of Appeals shall have the authority to issue a formal written interpretation.
  - (b) The Zoning Board of Appeals shall render such interpretations upon written request by the Building Inspector and/or Zoning and Town Code Enforcement Officer, Town Board, Planning Board, an applicant, or any person aggrieved. The Zoning Board of Appeals shall issue an official interpretation within sixty (60) days of the request.

[ BALANCE OF PAGE INTENTIONALLY BLANK ]

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

**1. (Final adoption by local legislative body only.)**

I hereby certify that the local law annexed hereto, designated as local law No. 4 of 2025 of the (County)(City)(Town)(Village) of SOUTHEAST was duly passed by the TOWN BOARD on June 5, 2025, in accordance with the applicable provisions of law.  
*(Name of Legislative Body)*

~~**2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer\*.)**~~

~~I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.~~  
*(Name of Legislative Body)*  
*(Elective Chief Executive Officer\*)*

**3. (Final adoption by referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_.  
*(Name of Legislative Body)*  
*(Elective Chief Executive Officer\*)*

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.

**4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.

\* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

**5. (City local law concerning Charter revision proposed by petition.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_ 20\_\_\_\_, became operative.

**6. (County local law concerning adoption of Charter.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 20\_\_\_\_, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

**(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)**

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1 above.

\_\_\_\_\_  
Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: \_\_\_\_\_

(Seal)