



VILLAGE OF RHINEBECK

RESOLUTION # 10252022-01

AUTHORIZING REVIEW OF PROPOSED BULKELEY SCHOOL REZONING SEQRA REVIEW

WHEREAS, Dutchess Shepherd, LLC (“Petitioner”), owns an approximately 1.43-acre lot on West Market Street in the Village of Rhinebeck, identified as tax parcel no. 6170-19-568209 (the “Property”); and

WHEREAS, a 15,554 sq. ft. structure (the “Bulkeley School”) is located on the Property; and

WHEREAS, the Bulkeley School was formerly operated as a school and is now vacant and unused; and

WHEREAS, the Bulkeley School has been identified on the State and National Register of Historic Places as a contributing Building to the Rhinebeck Village Historic District; and

WHEREAS, the Petitioner applied to the Building Department for a permit to demolish the Bulkeley School; and

WHEREAS, on May 25, 2022 the Code Enforcement Officer determined that the demolition permit was within the jurisdiction of the Planning Board rather than the Building Department pursuant to section 64-3 of the Village Code because the Bulkeley School is a contributing building to the Rhinebeck Village Historic District; and

WHEREAS, the Property is in the Village’s Residential District, which does not permit multifamily housing; and

WHEREAS, on June 10, 2022 the Petitioner submitted a petition to the Village Board to rezone the Property to allow for multifamily residential reuse of the Bulkeley School as well as construction of four homes on lots subdivided from the remainder the Property, and further requested the Village Board to begin the environmental review process set forth in the State Environmental Quality Review Act (“SEQRA”; ECL Art. 8), including establishment of an escrow account to retain consultants for such review; and

WHEREAS, under state law, any zoning amendment must be consistent with the Village’s plan for growth, particularly where the zoning amendment is for an individual parcel of land; and

WHEREAS, the Village’s Comprehensive Plan was last updated in 1993; and

WHEREAS, in October 2021 the Village Board authorized creation of the Village of Rhinebeck Comprehensive Plan Committee (“Comprehensive Plan Committee”) to review the Village’s existing Comprehensive Plan, zoning and other land use codes, plans and policies and recommend amendments to the Comprehensive Plan; and

WHEREAS, the Comprehensive Plan Committee is authorized to convene subcommittees to consider individual aspects of the Village’s land use policy, planning and regulation, including without limitation the potential expansion of the Village Historic District Overlay, and housing needs for the Village population with particular attention to elderly and low-income residents; and

WHEREAS, the Village Board believes that the redevelopment of the Bulkeley School multifamily housing may provide benefits to the Village including preservation of a building that contributes to the Historic District and expanding the Village’s stock of multifamily housing; and

WHEREAS, pursuant to state law any such rezoning must be consistent with the Village’s Comprehensive Plan for its growth, particularly for a rezoning of an individual parcel, as here, but the Village’s formally adopted Comprehensive Plan document was last updated in 1993; and

WHEREAS, on June 28, 2022 the Village Board of the Village of Rhinebeck authorized a preliminary determination whether, in light of the age of the written comprehensive plan and the changes in applicable growth policies, including but not limited to the need for multifamily housing and a range of affordable housing, the benefits of the revitalization of the village center, adaptive reuse and preservation of the historic district, the Village Board may ascertain the current policies that should guide its planning determinations sufficiently to consider the proposed Bulkeley School zoning amendment, or whether it should subordinate its consideration of the zoning amendment to the review process being undertaken by the Comprehensive Plan Committee and subcommittees; and

WHEREAS, the Village Board retained a consultant to advise on this preliminary determination; and has received that consultant’s report and a report by a planner retained by members of the public, and additionally has heard oral and written comments from the public; and

WHEREAS, the consultants’ reports and public have identified certain important policy goals for the Village, including historic preservation, adaptive reuse of existing buildings, and the availability of multifamily, affordable and senior housing, as well as the opportunities for the Village to ascertain these policies outside of the ongoing Comprehensive Plan Review Committee process.

NOW, THEREFORE, BE IT RESOLVED,

1. The Village Board of the Village of Rhinebeck authorizes the review requested in the Petition.
2. The Village Board will identify all involved agencies in the project pursuant to the State Environmental Quality Review Act and will commence a coordinated review under that law. The mayor is directed to circulate a Notice of Intent to Act as Lead Agency as authorized in 6 NYCRR § 617.6 to all involved agencies.
3. The Village Board determines that, without limitation, the following policies are recommended to the lead agency as important factors determining the Village's Plan as it relates to the property:
 - a. Preservation of historic buildings and districts
 - b. Adaptive reuse of existing buildings,
 - c. Availability of multifamily housing,
 - d. Availability of affordable housing, and
 - e. Availability of housing for those with physical disabilities.
4. The escrow that the Village Board established by resolution on June 28, 2022 to facilitate funding of consultants to assist in review of the Petition shall continue, and shall be replenished from time to time to ensure sufficient funding to review the proposed rezoning, the associated site plan and subdivision approvals, and other permits or reviews that the project may require, including associated SEQRA review, as determined by the Village Board or the SEQRA lead agency, during the pendency of the proposed rezoning.

DATED: October 25, 2022

MOTION: Mayor Gary Bassett

SECOND: Trustee Richard Lewit

Mayor Gary Bassett	Aye
Trustee Brant Neuneker	Aye
Trustee Vanessa Bertozzi	Aye
Trustee Richard Lewit	Aye
Trustee Lydia Slaby	Aye

I hereby certify that the foregoing resolution was duly adopted by the Village of Rhinebeck at a legal meeting on the 25th day of October, 2022.



Martina McClinton
Village Clerk

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