

**Village of Rhinebeck  
76 East Market Street  
Rhinebeck, New York 12572**

**Village of Rhinebeck Planning Board Minutes**

**February 6, 2018**

**Beginning at 7:00 PM**

**Present:** Chairman David Miller, John Clarke, Timothy Decker, Michael Ghee, Mary Quinn and Building/Zoning Officer John Fenton. Also present Warren Temple Smith, Architect; Jeffrey & Nancy Mayne, 108 East Market Street; Beekman Arms Delamater, Kayla Burch, 6387 Mill Street; Constance Bathrick, 15 Chestnut Street; Maish Freedman, 16-18 Garden Street.

**Absent:** None

**Agenda:**

**Jeffrey & Nancy Mayne**

**108 East Market Street**

**RE: (1) Demolition Approval – (2) Recommendation to ZBA – For (2) Side Yard Variances**

Jeffrey & Nancy Mayne and their Architect Warren Temple Smith presented to the Board their renovation plans for their house located at 108 East Market Street. The property is in the Historic District, and the owners wanted a clear understanding of what issues existed. Warren Temple Smith explained the sills are rotted and clear structural issues are present. The only remaining historic elements are the 12 over 12 windows any other historic detail is no longer present. Warren Temple Smith explained an option to correct the foundation issues by using jacks. Typically jacking up the first floor, in this case the second floor would need to be raised on jacks with steel beams to then address the foundation. To renovate house beyond 50% it has to be brought up to code and after poorly constructed modifications making it previously into a two family house it would be very difficult to accomplish a full restoration. Therefore it was decided to explore a full replacement with a new house. The new footprint would pull the house away from the property line, 5ft from eastern line. Warren Temple Smith confirmed the garage was in the setback. Warren Temple Smith had discovered the garage was dated around the 1920s, and the house 1802.

**The Planning Board has requested the following from the applicant to be submitted before approval can be granted:**

- An escrow account be created starting at \$500.00 to secure an historical preservation architect and/or engineer to draft a report determining the condition of the property and house;
- Based on engineering report any additional submissions such as architectural renderings need to be detailed, need to show ornamental features, show what materials potentially to be used such as hardy board or clap board siding;
- Overall encouraging historic preservation and restoration over demolition.

**A motion** was made by Timothy Decker, seconded by Michael Ghee, to declare the Planning Board as lead agency, and historical engineer in escrow to draft report for Jeffrey & Nancy Mayne at 108 East Market Street.

Aye: 5

Nay: 0

Abstained: 0

The motion was carried by a 5 to 0 vote.

Recommendation to ZBA for (2) Side-Yard Variances (New Two-Family Residence plus Garage): **POSTPONED/HELD OVER**

**BEEKMAN ARMS/DELAMATER**

**Kayla Burch (Representative)**

**6387 Mill Street**

**Rhinebeck, NY 12572**

**RE: 1) Site Plan Approval for (1) Window replacement at the Beekman Arms Tavern (Facing West Market Street)**

Architect Warren Temple Smith explained the replacement material used would be wood and style of window would be divided light, and the color would remain the same. Warren Temple Smith was unaware when the existing window was installed. The Board did have a picture which referenced the current location of the window. The Board recognized the alteration was not connected to existing features.

**A motion** was made by Timothy Decker, seconded by David Miller, to approve the window replacement in the Historic District Overlay for Beekman Arms/Delamater at 6387 Mill Street, the replaced window will match the window to the left in material and in the double hung style. Aye: 5      Nay: 0      Abstained: 0      The motion was carried by a 5 to 0 vote.

**CONSTANCE BATHRICK**

**15 Chestnut Street**

**Rhinebeck, NY 12572**

**RE: 1) Recommendation to ZBA for a Side-Yard Variance for an addition to existing residence and attached garage.**

Warren Temple Smith, Architect, represented Connie Bathrick owner at 15 Chestnut Street. The proposal included an addition in the rear, restoration of the bay window, and a return to a Victorian character for the house. The house will return to a single family house, with the removal of additions to the front that were part of a prior use as a medical office, restoration of a front porch in keeping with the Victorian history of the house, and an addition to the rear of the structure that will allow for symmetry in the back of the house. Pictures that showed a Victorian appearance and an additional picture of the house are from the 1940s were part of the materials provided with the application. Molding and architectural features were proposed instead of having shutters. The front porch columns are gone which will require replication of period appropriate columns. The garage will be for two cars, but the overall look will be one bay with a peaked roof added to look more attractive. An increase in the depth of the garage was proposed which requires an area variance. The fire department will have access to the back-yard, and there will be no habitable space in the barn. No windows were proposed on the east side of the garage which faces the neighbor.

**The Planning Board has requested the following from the applicant to submit before Site Plan approval:**

- True, detailed architectural renderings of what the applicant has planned, instead of computer program generated renderings;

- If shutters are not to be used it has to be shown on the plans what will break up the space in between windows;
- Include the uses of brackets or other Victorian era ornamentation should be considered to include roof brackets;
- If additional photos can be located of the house from the 1920s, 1930s, 1940s they may assist the Board in understanding the style, features and characteristics of the house the applicant desires to re-install.

**A motion** was made by Timothy Decker, seconded by David Miller, to declare lead agency status, for 15 Chestnut St.

Aye: 5    Nay: 0    Abstained: 0    The motion was carried by a 5 to 0 vote.

**A motion** was made by John Clarke, seconded by Michael Ghee, for a positive recommendation to the ZBA for a 10 foot extension to an existing 22 foot garage increasing the depth to 32 feet, and along with specific findings;

**Findings:** No further setback to the neighbor's property line by the existing building, there is decent distance from the driveway to the neighbor's property line, and that 10 foot is not a significant increase and with no windows and therefore no intrusion onto neighbor's property. However, enough room must exist between garage and neighbor's property line for maintenance purposes. All voted aye in favor.

Aye: 5    Nay: 0    Abstained: 0    The motion was carried by a 5 to 0 vote.

### **Maish Freedman**

**16-18 Garden Street**

**Rhinebeck, NY 12572**

#### **RE: 1) Discussion – Demolition of existing building and approval of its replacement**

Maish Freedman and Architect Warren Temple Smith discussed with the Board plans for 16-18 Garden Street which includes demolition of current structure and then replace it with a possible three story building. This building is in the Business District, Mr. Freedman explained the building is in rough shape with possible structural issues. The possible three story building would be divided with new retail space in front, first floor would have an apartment, the second floor two apartments and an apartment in the back. The Board raised the issue of parking after learning from Mr. Freedman there is not a complete allocated list of parking spaces. The Board also raised the issue of certain trees on the property, and that Mr. Freedman has been notified of their poor condition and to date he has not addressed them. The Board had concerns about height of the proposed three story building but if Mr. Freedman could bring the height under thirty five feet it could be feasible. Mr. Freedman and Warren Temple Smith presented secondary plans of a two-story option to the board which created more retail space, and less apartments. The Board scheduled Mr. Freedman to return to meet with them to discuss plans again on February 20, 2018 if applicable and specific information was received by February 13, 2018. Also the Board suggested to reach out to Tree Commission for assistance on health of maple and other trees as well as replacement trees.

**The Planning Board has requested the following from the applicant to be submitted before approval can be granted:**

- All trees are to be assessed and addressed in regards to their current health status, and if it is confirmed based on previous statements their health is poor Mr. Freedman needs to resolve the issue;
- All parking spaces owned and/or allocated must be shown in plans and documented;
- If parking remains an issue Mr. Freedman should consider to restrict restaurants as new occupants or eliminate the third floor.

**Discussion Items:**

The Board discussed parking matters which have been communicated to the Village by property/business owners in the center of the Village.

John Fenton notified the board Howard Jacobs would be presenting his plans at the February 20, 2018 meeting.

John Clarke, Board member, commented the Starr Library had been using up-lighting fixtures on all three sides of the library, they have poll lights, and these up-lighting fixtures are not approved and not allowed.

**Call for Adjournment:**

**A motion** was made to adjourn by Timothy Decker, seconded by David Miller to adjourn the meeting at 9:00 pm. Aye: 5 Nay: 0 Abstained 0 The motion was carried by a 5 to 0 vote.

Respectfully Submitted;

**X** *Ryan Dowden*

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Ryan Dowden, Clerk

Village of Rhinebeck Planning, Zoning & Building  
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