



# VILLAGE OF RHINEBECK

## VILLAGE OF RHINEBECK PLANNING BOARD

### MEETING MINUTES

Date: **March 20, 2018**  
Beginning at 7:00 PM  
Village Hall, 2<sup>nd</sup> Floor  
76 East Market Street  
Rhinebeck, N.Y. 12572

**PRESENT:** David Miller (Chair), Timothy Decker, Mary Quinn, Michael Ghee, John Clarke, John Fenton, Code Enforcement Officer, and Ryan Dowden, Clerk.

**ABSENT:** None

#### **AGENDA:**

##### **Maish Freedman**

16-18 Garden Street  
Rhinebeck, NY 12572

Request: **Site Plan Review** – Demolition of existing building and approval of its replacement – 2 story mix-use building; commercial retail/residential; landscape plan; parking plan;

##### **Public Hearing, Negative Declaration SEQR**

**A motion** was made by Mary Quinn, Michael Ghee seconded to open the public hearing  
All voted aye in favor.

Aye: 5    Nay: 0    Abstain: 0    The motion carried 5 to 0.

The Chair opened the hearing for public comment; no comment(s) from the public.

**A motion** was made by David Miller to close the public hearing seconded by Mary Quinn. All voted aye in favor.

Aye: 5    Nay: 0    Abstain: 0    The motion carried 5 to 0.

Warren Temple Smith presented a revised site plan which included some landscape features, but no formal plan or narrative of what landscaping will be completed was submitted. The Board has strongly encouraged Mr. Freedman that there should be some greenspace for potential tenants. Correspondence will have to take place between Mr. Freedman and the Tree Commission concerning selecting replacement of street trees. The Board recognized the revisions on the site plan such as paving the parking lot, and the handling of storm water drainage. A lengthy discussion followed between the Board and Mr. Freedman about a cooperative easement for parking access and landscaping with the neighbors. Warren Temple Smith confirmed down lighting will be used in the back for the handicap parking space, and lighting in front for the commercial tenant. Mr.

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Freedman confirmed cedar will be the material used for the fences on the west and north sides of the property. Warren Temple Smith confirmed ground cover will be used for the front of building that faces Garden Street. The Board confirmed with Warren Temple Smith the use of muntins on all outside windows, and the use of smooth hardy plank board for siding. Warren Temple Smith confirmed for the Board recessed lighting of low wattage to be used for lighting at the side door. A discussion followed concerning the need for the specified trees to be addressed before any site work demolition work be started. The Negative Declaration for SEQR was held over due to the need for a response from Dutchess County Planning Department, and will be addressed at the meeting scheduled for April 17, 2018 starting at 7:00 PM.

**The Planning Board requests the following to be submitted for review before final approval can be granted:**

- A detailed landscape plan which provides greenspace for the building's tenants, included in the plan are proposed tree species, and ground cover. Trees and plantings must then be shown in detail on the site plan;
- A documented and signed letter that the potential tenants will not be a restaurant to occupy the one commercial space;
- A description of the dumpster enclosure submitted and detailed on the site plan;
- Details concerning the proposed cedar fence be submitted;
- Specific trees and all tree work must be completed before any demolition work be started, and the new tree species must be specified and detailed in the site plans with (pictures of trees will be included);
- All sidewalks including raised sidewalks must be compliant with the American's with Disabilities Act (ADA) and additionally all raised sidewalks must have ramps and be detailed and shown on the site plans;
- Handicapped accessible parking must be shown on the site plan;
- Any doors that provide access to sidewalks must not open out onto sidewalks;
- Response from Dutchess County Planning concerning scope of work and intended planned building.

**Patricia Carroll-Matties**

66 South Street  
Rhinebeck, NY 12572  
Final Approval

The Board will address this application at its next meeting, April 3, 2018 due to some documentation and information that had not been submitted before the cut-off date of the Tuesday before and additionally a response from Dutchess County Planning and SHPO or New York State Office of Historic Preservation.

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**Coldwell Banker Village Green Realty**

6423 Montgomery Street  
Montgomery Row Building 2 Suite 3  
Rhinebeck, NY 12572

Request: Sign Approval: Use of existing bracket from previous tenant for new sign with existing building mounted flood lights. Size of sign: 11.97 square feet

Paul from Timely Signs of Kingston, LLC presented the proposal for a new sign on the previous mounting brackets with lights for the Coldwell Banker office. They are moving from their offices currently in the back of Montgomery Row to the former suite location of Blue Cashew Kitchen. Lengthy discussion amongst the Board followed as to whether or not there was approval of the specific type of lighting in the original site plan for approvals of Montgomery Row. Approval of the sign would be contingent on what was previously approved. The Board referred to Montgomery Row approved site plans and found there to be no indication of lights or lighting on the plans. Discussion followed as to how to address the lighting and move forward with the tenant's ability to use the sign. **A motion** was made by John Clarke that the sign be approved as proposed, but the wall mounted lighting be removed unless evidence can be provided that the lighting received previous approval, seconded by Timothy Decker. All voted aye in favor.

Aye: 5    Nay: 0    Abstain: 0    The motion carried 5 to 0.

**Discussion**

**Howard Jacobs**

6380 Mill Street  
Rhinebeck, NY 12572

**Discussion** – Parking Plan – The Amsterdam

Howard Jacobs returned to the Board with correspondence from his neighbors concerning the parking issues he and his restaurant were facing. All of the neighbor's response were that they could not accommodate Mr. Jacobs' requests for parking. Mr. Jacobs submitted these correspondences to the Board for the record. Lengthy discussion followed to address possible solutions for parking. During this discussion it was confirmed the new owners of what is known as the M&T bank parking lot and the "Frontier" lot had no interest in renegotiating an agreement Mr. Jacobs had with the previous owners. The Board re-affirmed any allocated parking offsite had to be within 400 feet of the restaurant as the code requires. Mr. Jacobs said that he had received no complaints about parking. Lengthy discussion followed. The Board suggested to Mr. Jacobs to return to them with a proposal with some number of parking spots to then be given a positive or negative recommendation to the Zoning Board of Appeals. The Board needs a determination by the Village Attorney on which version of the code needs to be followed since the Amsterdam site plan had already been approved under the old code and the parking-in-lieu of change to the Zoning Code was not in effect at that time. Lengthy discussion continued about different parking matters on village streets, state roads, and other locations that require a large number of parking spots.

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Minutes from the February 6, 2018 will be voted at the next meeting scheduled on April 3, 2018 please send any comments, corrections, etc. to the clerk.

The Re-Organizational meeting for the Village will be held on April 2, 2018 which will relocate the Planning Board meeting that evening.

Board member, Mary Quinn asked about the parking designation of the parking area behind Village Hall, and who can park back there. John Fenton explained the Mayor and Trustee Board was working on this matter. Discussion followed about the parking designation for the firehouse and Village Hall.

The Chair updated the Board on the outcome of the Zoning Board of Appeals meeting held on Thursday, March 15, 2018 addressing Constance Bathrick's area variance application and public hearing. Discussion followed about the ZBA's confusion on specifically what would be granted and approved in the area variance and it is permissible by the ZBA to allow the extension of a non-conforming building. ZBA needed clarification on ZEO's letter.

Board member, John Clarke, had a concern about the lighting at Starr Library which is considered up-lighting and it was installed without approval. They had removed the light bulbs, but someone has replaced bulbs and they've been turned on. Also the lights of Bogush & Grady are too intense and impact drivers as they drive west away from the Village Center on Route 308, and it seems to be a type of spotlight and per the Zoning Code there has to be a canopy on the light so the light is directed downward. John Fenton, Code Enforcement Officer will inspect both issues.

**Adjournment:**

A motion to adjourn made by Timothy Decker seconded by David Miller. All voted aye in favor.

Aye: 5      Nay: 0      Abstain: 0      The motion carried 5 to 0.

Respectfully Submitted;

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Ryan Dowden, Clerk

Village of Rhinebeck Planning, Zoning & Building Office

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