



VILLAGE OF RHINEBECK

Village of Rhinebeck Planning Board Meeting Minutes

April 17, 2018

Beginning at 7:00 PM
Village Hall 2nd Floor,
76 East Market Street
Rhinebeck, NY 12572

Present: David Miller, Timothy Decker, Mary Quinn, Michael Ghee, John Clarke, John Fenton, Code Enforcement Officer, Ryan Dowden, Clerk.

Maish Freedman

16-18 Garden Street
Rhinebeck, NY 12572

Postponed and Re-scheduled to the May 1, 2018 meeting.

Nicole McGrath

6423 Montgomery Street
(Former Coldwell Banker Office, Montgomery Row)
Rhinebeck, NY 12572

Request: 1) **Special Permit and Site Plan Review/Approval** – Use of space for a boutique fitness studio and Pilates classes.

Ms. McGrath provided her authorization letter from Piper Woods. The Board informed Ms. McGrath there will need to be a public hearing which can be scheduled on May 1. The space is located above Gaby's restaurant. No interior structural changes, with the proposed changes cosmetic. The proposed sign measures at 5.49 sq. ft. of the allowed 5.5 sq. ft. and utilizes gooseneck lighting. The proposed gooseneck lighting was previously approved by both Piper Woods, owner of Montgomery Row, and the Village Planning Board. John Fenton, Code Enforcement Officer, confirmed to the Board he had no issues.

A motion was made by Timothy Decker to schedule the public hearing for the next Planning Board meeting on Tuesday, May 1, 2018, seconded by Michael Ghee. All voted aye in favor.

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

Doug Meyer

6358 Mill Street
Rhinebeck, NY 12572

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Request: 1) **Special Permit** – A Bed & Breakfast establishment in the residential zone (expired use as “The Gables” bed & breakfast).

Owner Lea Meyer presented the application for her husband Doug Meyer who could not be present. The proposal is for a family owned and operated bed & breakfast with Ms. Meyer’s father as the owner occupant. The Board informed Ms. Meyer that New York State passed new Fire Code regulations for both bed & breakfast and short-term rental businesses. There were questions surrounding the owner occupied status because, even though Ms. Meyer’s father will be living there, he is not listed on the deed. He is a silent partner. The application will have to be treated as a resident host under the current code. Ms. Meyer confirmed five rooms will be available to rent. John Fenton, reported he had conducted a site visit confirming the property has the following: two means of ingress and egress, fixed functioning exit signs, smoke and carbon monoxide detection, and had the majority of what is required for a code compliant bed & breakfast.

The following is requested by the Planning Board to be submitted before approval can be granted:

- A determination by John Fenton, Code Enforcement Officer, that this application is a new application. It must comply with the updated New York State Fire Code regulations;
- A detailed parking plan to include the number of parking spaces required by code and the necessary turn-around space;
- Inspection of sidewalks to make sure they meet current code specifications;
- Signage must meet code dimensions and specifications;
- Exterior lighting must meet code standards, and be shown on plans. This includes lighting for the house and parking area;
- Screening needed for neighbors along with the suggested replacement of the fallen street tree, must be shown in a landscape plan. The applicant can secure street tree species recommended from the Village Tree Commission;
- The septic system must comply with Dutchess County Department of Health specifications;
- Copies of the completed application and materials will be submitted to Dutchess County Planning for their review and recommendation.

A motion was made by Mary Quinn, to schedule the public hearing for the next Planning Board meeting on May 1, seconded by Michael Ghee. All voted aye in favor.

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

Discussion Items:

Coldwell Banker Office Lights at Montgomery Row -

- John Fenton, ZEO, did not have a chance to inspect the type of gooseneck lighting being used at the new location of the Coldwell Banker office at Montgomery Row. The Board referenced two types of antique gooseneck lighting, and the ZEO may need to inform Coldwell Banker that they cannot use unapproved light fixtures. Approval was conditional on the use of the approved style of gooseneck lighting. Coldwell Banker may be in violation if they continue to use the current type of floodlight.

Judi Esmond owner of Hudson Valley Pottery –

- Ms. Esmond returned to the Board to continue to discuss her desire to operate her Pottery Studio business which is prohibited within the Medical office/residential district. The Board suggested Ms. Esmond might apply for a use variance as an option to get approved with her business classified as an educational use in the code. Ms. Esmond stated that the location is perfect because it provides the necessary air flow and light needed for pottery. The Board suggested the Tack Shop site as another possible location because it has more space, better access and parking space. To pursue the option of a use variance whereby the landlord, David Bornstein, would have to compile economic and financial evidence showing all attempts to attract allowed retail businesses to this location have failed and the pottery studio is his final option.

The Board suggested that Mr. Bornstein and Ms. Esmond might ask for an amendment to the zoning code to allow this business in this district. They could appeal to the Mayor and Village Trustee Board that the location was retail for 35 years, but has been vacant for 6 years. Mr. Bornstein has had no success in renting it to permitted businesses. Requesting a change of craft workshop from not permitted (X) to special permit (SP) may be a more viable option. The Board also suggested that Ms. Esmond reach out to Andy Imperatti, CEO of the Dutchess County Fairgrounds, and Village Trustee John Rossi, Planning Board liaison.

A motion was made by Timothy Decker for the Planning Board to support an amendment to the use group to make Craft Workshop as defined in the code, special permit (SP) in the Medical/Professional District. The motion was seconded by Michael Ghee. All voted aye in favor. It will be re-addressed at the May 15 meeting and may require referral to Dutchess County Planning.
Aye: 5 Nay: 0 Abstain: 0 The motion carried 5 to 0.

- **Approval of March 20, 2018 and April 3, 2018 meeting minutes.**

A motion was made by Michael Ghee to approve the meeting minutes from the April 3, 2018 meeting as amended, seconded by Mary Quinn. 4 voted aye and 1 Abstained.
Aye: 4 Nay: 0 Abstain: 1 The motion carried 4 to 1.

A motion was made by Timothy Decker to approve the March 20, 2018 meeting minutes as amended, seconded by Michael Ghee. All voted aye in favor.
Aye: 5 Nay: 0 Abstain: 0 The motion carried 5 to 0.

Discussion occurred concerning specific locations which may violate their site plan approval:

- Concerns were raised regarding: the B&B on Mulberry Street, and 46 Livingston St. to include paving over sidewalk instead of a separately delineated sidewalk and installing a fence by the barn. There was discussion regarding Mr. Curthoy's property on East Market Street, and if 24 Chestnut

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St. and 24 Oak St. have open permits. John Fenton, ZEO will check the site plans for these locations and report back to the Planning Board at the next scheduled meeting, May 1, 2018. The Board instructed John Fenton to review the approved site plan for Smoky Rock BBQ to address the recently constructed wooden gazebo with lights.

David Miller, Chair, updated the Board that Village hired Neil Larson and Jennifer Bucksworth from SHPPO who will be reviewing the current Historic District Overlay, and will be collecting data to draft new maps to expand the Historic District Overlay to include Oak, Platt, West Chestnut, part of South Parsonage, and possibly Mill Streets.

A motion was made by Timothy Decker to adjourn, seconded by Mary Quinn. All voted aye in favor. 8:45 pm.

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