



VILLAGE OF RHINEBECK

VILLAGE OF RHINEBECK PLANNING BOARD MEETING MINUTES

August 21, 2018

Beginning at 7:00 PM

Village Hall 2nd Floor

76 East Market Street

Rhinebeck, NY 12572

Present: David Miller (Chair), Timothy Decker, Mary Quinn, Michael Ghee, John Clarke, John Fenton (Code Enforcement Officer)

Agenda:

Diana Brind

118 Montgomery Street

Rhinebeck, Rhinebeck, NY 12572

Request: 1) Subdivision – Proposed subdivision of lot to create two parcels. Public Hearing

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

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

Mr. Lumeij, at 117 Montgomery Street, questioned the purpose to subdivide the property, and after it is subdivided what is the plan for the two lots. Ms. Brind explained she had no specific plans for the new lot at the present time. Mr. Lumeij, raised further concerns about the traffic issues on that part of Montgomery Street, and if any trees would have to be cut down. Ms. Brind said a small tree by the garage will be removed, but the gingko tree will remain. She could not address the traffic issues. The owners at 115 Montgomery Street raised similar concerns about traffic safety, and line of sight issues. John Fenton, ZEO, explained that when a driveway is proposed the curb cut will be reviewed, and a visibility can be completed once a new application is submitted. Bill McGann at 113 Montgomery Street asked for clarification if this subdivision to create 2 or 3 lots, it was explained only 2 lots would be created. The Board reminded the public any new construction if planned for the 2nd lot Ms. Brind has to go through all Planning and Zoning processes before anything is built.

A motion was made by Timothy Decker, 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.

A motion was made by Mary Quinn to approve the request for subdivision with the condition of approval the Gingko leaf tree will remain when site plan are submitted for the new lot.

All voted in favor.

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

Matthew Stinchcomb / Darren Davidowich – The Art of Building

27 Center Street

Rhinebeck, NY 12572

Request: 1) **Site Plan and Special Permit** – Proposed demolition of existing garage. Build new detached accessory dwelling. Public Hearing

Darren Davidowich returned to the Board with the proposed site plan presentation for 27 Center Street.

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

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

The Board made a correction to be reflected in the meeting minutes that this proposal was for both site plan and special permit. Mr. Davidowich presented the plantings for the hedge row to be used was Hawthorne, and the hedge row would be completed as work progressed. He included on the updated plans the neighboring buildings, and gravel driveway. The owners at 16 and 18 Livingston Street discussed and reviewed the plans with Mr. Davidowich. Clarification was made in regards to the new shed being located 5 ft. from the property line within the 10 ft. setback.

A motion was made by Timothy Decker, 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.

A motion was made by John Clarke, to approve the proposed site plan as presented with conditions. Seconded by Timothy Decker. All voted aye in favor.

Conditions: The street tree West of the driveway must be replaced. The driveway is not wide enough to back out of the driveway. Do not reverse out on to the grass. Therefore, create a gravel area changing it from lawn to gravel, and have it shown on final site plans.

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

Michael Cassano / Kristina Dousharm Architecture, PLLC

13-15 Livingston Street

Rhinebeck, NY 12572

Request: 1) **Site Plan** – Proposed +/- 1, 585 sq. ft. addition to the existing primary dwelling. Proposed addition to the accessory dwelling, but will stay within same footprint. Proposed +/- 798 sq. ft. new garage. Also, reconfiguration of interior spaces.

Mr. Cassano and a representative from Kristina Dousharm Architecture returned to the Board with the presentation of the proposed project at 13-15 Livingston Street. The Cassano's wanted to clarify for their neighbors of an error in the scope of work. That there will be an addition to the accessory dwelling within in the same footprint, and not a 1, 585 sq. ft. addition to the accessory dwelling.

The Cassano's both confirmed the property will be changed from a 2 family to a 1 family with an accessory apartment. Mrs. Cassano added the driveway will be moved, the tree in the front will be re-located, and the pine tree closest to the house is to be removed. Rachel Cavell at 9 Livingston Street is in favor of the project. The Board encouraged that there be plenty of room for planting and screening for the new driveway. Adding the planned fence should be double sided. Sarah Crouch at 18 Livingston Street appreciated the Cassano's moving the trees, but was undecided about the other trees planned. The Board made clear the Tree Commission will re-plant the street tree in the fall, and the trees on the property should be saved as many of them as possible.

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The Cassano's stated there will be no pool house, and the pool overall will be revisited in the future. At this time they would like conditional approval from the Board to move forward with the Dutchess County Department of Health. The Planning Board was agreeable to granting them approval for site plan to acquire the pre-approval status for the Health Department. John Fenton will need the square footage of the second floor porches so it can be included in the lot coverage total amount.

A motion was made by John Clarke to close the public hearing, seconded by Timothy Decker. All voted aye in favor.

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

A motion was made by John Clarke to approve the application for site plan as presented with conditions, seconded by Mary Quinn.

Conditions:

- The property classification must be changed from a registered 2 family house to a 1 family house with an accessory apartment;
- The table must be revised to include coverage of the deck in back;
- The pergola is considered a roof structure above ground level therefore needs to be included in lot coverage;
- The trees on the property line are to be saved, and screening is to be improved;
- The relocated street tree if it does not survive after relocation it must be replaced;
- A copy of Dutchess County Department of Health final approval for the septic once it is issued.

All voted aye in favor.

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

**Rhinebeck Savings Bank
6414 Montgomery Street
Rhinebeck, NY 12572**

Request: 1) **Site Plan** – Removal of 5 existing Honey Locust trees planted within the sidewalk surface area on the East Side of the Western retail structure. To be replaced with either 5 proposed Pear trees or 6 square planters within the existing plantings cut-outs. The planters measure 34" wide x 34" x 40" tall.

The Board addressed some matters pertaining to illegal signage located in the Bank's parking lot. Stating the painting and use of the logo/insignia to verify the bank's parking spaces is a violation of their site plan approval. The Board explained that when the Bank was approved for the conversion of their logo and insignia from "savings" to just "Rhinebeck Bank" the bank began painting the parking spaces. This is considered additional signage that is not approved, and was not a part of previous approvals. The Board stated the bank needs to return the parking spaces to their original state, and that the use of the blue and insignia was not an appropriate means of signage when addressing the specific parking spaces for Bank customers only.

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

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

Kathy Dobson, 7 Chestnut Street, an owner of one of the shops in the plaza stated she had concerns if the planter idea was implemented the planters would be subject to people throwing their garbage in them, and ultimately become a problem rather than a solution. The Board explained to the public present in the audience the Bank was

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proposing replacing the trees and not proposing the use of planters. The Board advised to expand the planting bed when the trees are replaced, and suggested to plant maybe vinca minor or something like it within the larger bed. By expanding the bed it will allow for these replacement trees to have the room needed to grow, and solve the issue of not so much poured concrete.

A motion was made by Timothy Decker to close the public hearing, seconded by John Clarke. All voted aye in favor.

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

A motion was made by John Clarke to approve the proposed tree planting plan as presented. Replacing the Honey Locust with Chanticleer Pear trees, 6 in total, located at the Rhinebeck Bank plaza parking lot. The planting beds where the replacement trees are proposed are to be expanded by 2 ft. on each side to allow for the planting of vinca minor or a similar species. Removing the concrete and expanding the beds will allow the replacement trees to have better root growth. Also, so as to not create future damage to the concrete sidewalk. The Rhinebeck Bank logo/insignia are to be taken off all the Bank's parking spots, and are not to be painted blue in the future. Seconded by Timothy Decker. All voted aye in favor.

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

Jeffrey & Nancy Mayne
108 East Market Street
Rhinebeck, NY 12572

Request: 1) **Demolition Permit – 2) Recommendation to ZBA – For (2) Side Yard Variances**

Mr. and Mrs. Mayne returned before the Board with their architect Warren Temple Smith to present their request for demolition and 2 side yard variances. The Board reviewed the report from the external historical architect who was retained to inspect the home at 108 East Market Street to report on the historical significance to the Village, and the condition of the structure. Many of the Planning Board members expressed that the house is salvageable, and ideal for preservation. Certain features like the façade, windows, and original siding in the front section can be preserved to be used in the new house's design. It was noted that the section of the house closer to the street should be salvaged, and material from the back section could be used in a new replicated house design.

Warren Temple Smith concurred with the feelings of the Board, and shared that after reading the historical architects report the Mayne's were very much in agreement to salvage the front section of the house. Then replicate much of the old house into the design for the new house. They want only to move the house a few feet off the East property line to give relief to their neighbors. The Board had no issue with the demolition of the garage, and could support the demolition of the rear 2 additions on the house.

A motion was made by John Clarke to approve the demolition permit to include demolition of the garage, and the 2 additions in the back of the house. Any disturbance in the front/streetscape of house is to be reconstructed with the salvaged materials where possible to restore the front and streetscape of the historical house prior to the removal of the front door and the installation of cedar shingles. The Board also endorsed to move the

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house a few feet off the eastern property line. Seconded by Michael Ghee. All voted aye in favor.

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

A motion was made by John Clarke to grant a positive recommendation to the ZBA for the request of 2 side yard variances with findings. Seconded by Timothy Decker.

Findings The house will be moved up to 3 ft. from the Eastern property line to provide relief for the neighbors, and retain the historical mass of East Market Street. The garage will be rebuilt in the same footprint, but moved no more than 5 ft. as little as 2 ft. backwards towards the rear of the property.

All voted aye in favor.

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

AmeriGas and CVS / Rhinebeck CVS LLC
48 East Market Street
Rhinebeck, NY 12572

The applicant and/or authorized representative(s) for the applicant were not present and failed to be present for the previous meeting. Therefore, the Chair has removed this application from the agenda.

Discussion-

- Past meeting minutes for June and July 2018 will be addressed at the next Planning Board meeting.
- The proposed parking plan for 6536 Springbrook Avenue was discussed and comments will be sent to the property owner for review.

Motion to adjourn by Timothy Decker, seconded by Michael Ghee. All voted aye in favor. The motion carried 5 to 0, the meeting was adjourned at 9:04 pm.

Respectfully Submitted;

Ryan Dowden

Ryan Dowden, Planning Board Clerk