

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

Village of Rhinebeck Planning Board Minutes (Draft)

January 7, 2020

Beginning: 7:00PM

Present: Michael Ghee, Mary Quinn David Miller, Timothy Decker, John Clarke, ZEO John Fenton

Agenda

David Ashen/Jennifer Lucas

54 South Street

Rhinebeck, NY 12572

Request- Site Plan

Plans were reviewed by Board. Board reviewed plans that reflected the enclosure of a portion of the porch with the existing doors and windows being replaced and relocated. The sidewalk was replaced last spring with concrete. Neighbors driveway does not connect to existing property. Walkway will be extended to the stairs. Railings will not be needed. Siding for the proposed Site Plan will be Hardie board. Presently there are two different siding materials on house. Aluminum is on the original portion of home, and vinyl is on an addition approved in 2000. Owner stated he will be replacing all siding to Hardie board in future renovations. A request by the Board for ZEO John Fenton to follow up on the neighboring home (52 South Street) to replace their sidewalks that are in need of repair. Pictures and placement of proposed light fixtures were shown to the Board.

A **Motion** was made by Timothy Decker and seconded by Michael Ghee to approve the Site Plan as proposed.

Aye: 5 Nay: 0 Abstained: 0 **Motion** carried 5 to 0 vote

Sanya Levi

8 Platt Avenue

Rhinebeck, NY 12572

Request: Propose to exceed the 25 ft. front setback

This piece of property was formed by a subdivision previously approved by the Planning Board. The lot requirements have been met. The property owner is seeking consistency in terms of the setbacks. There will not be a garage built with the home. They are requesting a 37ft set back. Comments from neighboring homeowners interjected. They are requesting clarification on how the construction of a new home with a setback of 37 ft. will impact the view they presently have. Applicants responded neighbors stating they are attempting to be considerate of neighbors view by requesting the 37 ft set back instead of the 25ft. code regulated setback. Board reviewed both rights of property owners and neighboring properties. An explanation of requirements for a single-family home reflects the applicant not having to appear in front of the Board and could receive a building permit. ZEO stated the application is not up for public discussion. The provision of the codes reflects that a single family home

cannot be closer than 10ft or further than 25 ft. of road. Applicants are seeking relief of that provision to allow home to set in line with neighboring properties. Planning Board has the ability to approve this without the approval from the ZBA.

A **Motion** was made by Timothy Decker and seconded by Mary Quinn to approve 37ft. setback
Aye: 5 Nay: 0 Abstained: 0 **Motion** carried 5 to 0 vote

Megabrain Comics/Brian T. and Jean D.

15 East Market Street

Rhinebeck, NY 12572

Request: Special use permit and sign application-proposed comic bookstore with area for arcade machine/games.

The Board discussed the owners lack of keeping the property historic by having vinyl siding and asphalt sidewalks that are unsafe. The ZEO was requested to speak with property owners in regard to the violations on property. Store will include a comic bookstore in the front and connect to a separate room for the vintage arcades. Board requested clarification if this qualifies as an amusement facility. Amusement facility requires a special permit from the Planning Board. A public hearing is scheduled for January 21, 2020. The primary use of the store is retail in the form of a bookstore. Secondary use of amusement facility in the form of video games. Parking spaces are based off the square footage of the property. An allocation of a parking spaces needs to reflect on Site Plan. Included should be representation from property owner that this space has not been allocated to another store. An aerial view of lot and alley way to scale with an allocated parking spot 9x18 was requested of applicant by ZEO. Parking in lieu of fee was reviewed with applicants and should be paid by property owner. Hours are proposed to be 7 days a week from 10AM to 8PM. Signage will need to fit between a 7 to 12-foot height area. Proposed sign is 9ft. Applicants have the flexibility to lower sign to remain within consistency of neighboring signage. There will not be any lighting on sign. An occupant load will be given once a permit is granted. A fire inspection will also be scheduled. There will not be any food or drink sold on premises. Board has requested a narrative of a business model to ensure regulations of the supervision of minors are being adhered to, and public does not incur any additional disturbances. Board will consider attaching conditions to the special permit.

Kenneth A. Nugent

36 Orchard Street

Rhinebeck, NY 12572

Request: Special use permit-proposed accessory apartment located in the basement of a single-family dwelling, located in residential zoning district.

ZEO, John Fenton stated to board that this application is not located in the historic district. It requires a special permit solely for the reason of it being an accessory apartment. Applicant sketched the exterior parking area to reflect the designated parking spot for the Board to review. Applicant described the interior of apartment. Existing space for proposed apartment was previously occupied by former owners. The applicant will bring apartment up to code to be able to obtain a special use permit. Board discussed the requirement of 3 parking spaces needed. Code provision states except for designated driveway, parking may not be located in front plain of building. Applicant can extend the gravel and utilize the space located on the side of garage for 2 vehicles. Spaces are to be 9x18 feet each. A Public Hearing is scheduled for the next meeting. ZEO will be visiting property prior to the Public Hearing to confirm that proposed project is acceptable and will meet code standards. A provision will also be placed on approval that apartment may not be utilized for short term rentals.

A **Motion** was made by Timothy Decker and seconded by John Clarke to approve the minutes for November 19, 2019.

Aye: 5 Nay:0 Abstained:0 **Motion** carried by a 5 to 0 vote.

Discussion:

Board discussed All that Java's fees, legal procedures and proposed parking spots. Board will request a plot plan from property owner to distinguish parking spots for the various businesses.

17 Livingston will be amending their Site Plan to include a covered porch over an existing porch located in rear of house. Board will accept a submitted plan to review for approval without attendance of applicant.

Mayor spoke with ZEO regarding a change in the sign code to allow sandwich boards. Planning Board considers them hazardous on populated sidewalks. Board reviewed sign code for temporary signs located in windows that can replace the need for a sandwich board sign.

A brief discussion of the school building property sale and the allowable uses continued.

Motion to Adjourn the meeting at 8:16 PM by Timothy Decker.

Aye: 5 Nay:0 Abstained:0 **Motion** carried by a 5 to 0 vote.

Respectfully Submitted,
Larissa DeLango