

Village of Rhinebeck
76 East Market Street
Rhinebeck, NY 12572

Planning Board Meeting Minutes(draft)

August 18, 2020

Virtual Zoom Meeting

Planning Board:

David Miller, Chairperson – Present

Michael Ghee – Present

Mary Quinn – Present

Timothy Decker – Present

John Clark – Present

Ryan Dowden, Planning Board/Dept. Clerk – Present

John Fenton, ZEO/Building Inspector – Present

Announcements:

New Business:

Upstate Modernist/Timely Signs of Kingston (representing)

6378 Mill Street

Rhinebeck, NY 12572

Application was presented to those present. Project sponsor, Timely Signs, presented images which display the design of the new sign. The pole will be installed, painted white on black, painted graphics with aluminum bracket. Ms. Quinn questioned the height, and it was also stated there is no illumination and no window signs. This is a sign application is for the 2nd floor tenant, allowing for signage availability for the remainder of the building equaling 6.5 ft. Mr. Decker questioned if it was within the allocated dimensions, 4 sq. ft., and it was confirmed by Timely Signs.

A motion by Timothy Decker was made to approve the sign as proposed, without any additional illumination. Seconded by Ms. Mary Quinn.

Roll Call Voice Vote:

Michael Ghee - Aye

Mary Quinn - Aye

Timothy Decker - Aye

David Miller - Aye

John Clarke - Aye

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

The Beck/Ana Claudia Schultz & Aaron Smyle
6378 Mill Street
Rhinebeck, NY 12572

(The clerk asked if the applicant was present, it was concluded that he was not. Therefore, the application was tabled).

Mr. Decker also stated that there needs to be clarity to their plan as they have 2 signs in their proposed images with one hanging and one in the window.

The applicant, Aaron, arrived late. Chairman Miller questioned what “The Beck” was. Aaron stated that it is a business for him and his wife to work together and focus and highlight Hudson Valley Makers like Interior Designer. They have clients in the industry and the business allows them to have offices together rather than separated. Window area will serve as a gallery. Office is by appointment only. Images were provided for visual purposes for their proposed window and hanging signage. There was discussion regarding the signage sq. ft. and what was allowed for the building versus what is being requested by the applicant. There was a discrepancy on the application regarding the length of the front of the building. One indicated 20 feet and one indicated 21 feet. Mr. Decker suggested reducing the space between “The” and “Beck” and this would reduce the sq. footage. Mr. Decker suggested measuring the front of the building to determine the accurate sq. footage available. Aaron stated that he will get the information to the board by the next deadline for the next meeting. Aaron will also measure the building. Mr. Decker stated that a measurement around the rectangle and the actual sign is necessary. Mr. Decker reminded Aaron that anything on the inside the window has to be a least 12” off the glass.

Anne Raft Photography
18 Garden Street
Rhinebeck, NY 12572

Anne presented her proposed sign stating the sign will hang inside the window. Photographs do not count as signage however, Mr. Decker questioned Mr. Clark whether there was anything in the code that would pertain to the photographs that are displayed in the window below the sign. After review of the code, Mr. Clark stated that the photographs should not be against the glass and must be 12” or more back from the glass. Ms. Quinn suggested a spacer to separate them. Mr. Clark also stated that the photos could be approved as part of the signage as there is more square footage available, but stated that there is an additional pane with more photos. Anne stated that she could remove everything other than the sign. Anne stated that she does not have the availability to display them 12” from the glass. Anne also questioned the real estate businesses who display on the glass however, Mr. Decker stated they too should not be displaying anything on the window and stated they typically hang them on a string in the window that’s 12” away from the glass.

Mr. Ghee then requested an update about certain items the landlord did not complete during the construction of the new building. Mr. Ghee announced that the drainage pits are done but nothing else

is completed. Mr. Decker suggested that the Zoning Enforcement Officer send him a reminder. ZEO, John Fenton then recommended that they suspend this application and remove it from the agenda until they get action from the landlord. Mr. Ghee announced that the sign has been hanging illegally for many weeks. The ZEO stated that he can issue a violation notice to the applicant and see which one gets corrected first. Anne then stated that the landlord has not communicated anything with her, so she was unaware of these items that were not completed. Mr. Clarke suggested that the violation letter be sent to the landlord and not the tenant so Anne could go on with her business. It was stated that the sign can remain up until the other issues with the owner are resolved. Application will be tabled until 9/1/2020.

**Hundred Mile
6417 Montgomery Street
Rhinebeck, NY 12572**

Paul Beichert, project sponsor from Timely Signs of Kingston, presented on behalf of the applicant Hundred Mile. The clerk shared his screen providing the application materials to the board. Paul stated that he had preliminary meeting with John and Ryan to encourage the property owner to come up with a plan for the whole building. Looking to have 2 hanging signs on each end of the building. Currently, there is also non-complying lighting. New plan would have two signs with integrated lighting that would meet the current lighting requirements. The requested signage for Hundred Mile is 6 sq. ft. Chairman Miller questioned any additional signage for the applicant such as in the former menu boxes. There was discussion regarding the use of "directional signage" to be sure that the applicant was aware. Paul stated that the ZEO has communicated that.

A motion by Mr. Timothy Decker was made to approve the application as proposed. Seconded by Mr. Clarke.

Roll Call Voice Vote:

Michael Ghee - Aye

Mary Quinn - Aye

Timothy Decker - Aye

David Miller - Aye

John Clarke - Aye

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

**Jeffrey & Nancy Mayne/Warren Temple Smith, Architect (representing)
108 East Market Street
Rhinebeck, NY 12572**

Jeffrey and project sponsor Architect Warren T. Smith were both present. Chairman Miller stated that there was concern over several items; one being the original proposed chimney was to be an internal chimney and now is an external chimney. Architect Warren T. Smith stated that the intent initially was to have an internal chimney however, after discussion it made the most sense to put it on the west wall and on the outside of the new house. He recognized that the change should have had an amended

review. Ms. Quinn asked if it was the original chimney, which it is not. Architect Warren T. Smith stated that the original was on the east side and was internal. Mr. Decker stated that the other issue is the porch entry is different than what was presented and approved from the site plan on the west side of the house. Jeffrey Mayne stated that the structure was a part of the drawings, but the louvers can be removed, and recognized that the change should have been reviewed to receive approval. Mr. Decker suggested that it is modified back to what was proposed. Jeffrey Mayne asked about a possible variance at this time. Mr. Ghee stated that he specifically stated that the crown molding should have been saved and reused. Mr. Ghee is concerned that the molding is gone. Mr. Ghee also stated that the front door does not have an entry to ground floor which does not meet code. Architect Warren Smith stated that this phase of construction is not complete and will meet code once done. Architect Warren Smith stated that after discussion with ZEO John Fenton, they both agreed that the wood and trim was not reusable. The ZEO stated that the board had agreed to approve the change in the siding however, this change did not pertain to the freeze board. There was discussion regarding the front entrance and what was permitted by the code. Mr. Decker mentioned that if they would like to apply for any changes to the approved site plan that would have to be done formally through an amended site plan. Jeffrey Mayne stated that he would most likely apply for a variance in the future for the front door and the chimney regarding the side porch, that is more easily dealt with. Mr. Decker stated that Jeffrey Mayne should make the determination on what he would like to apply for the changes and the board would then reply to the application. Chairman Miller announced that the deadline to submit for the September 1st meeting is this upcoming Friday if he wants to be on the agenda. Paperwork should be submitted to the clerk 10 days prior to the meeting. Architect Warren Smith stated that he can work with Jeffrey Mayne on the amended application. Mr. Decker stated that the front doorway should be consistent with the front doorway that was approved.

Henry Stout
139 Montgomery Street
Rhinebeck, NY 12572

Chairman Miller asked ZEO John Fenton to update the board concerning the site plan for this location because Mr. Stout did not appear, and it has been some time since this application was in front of the board. ZEO, John Fenton stated that it is not in the historical district, so it does not need site plan approval but does need a variance relief because it does not meet the setback requirements. He does not have a final stamped plan from the applicant. He stated there may be an issue with the proposed garage too. Mr. Decker stated that he thought that item had been rectified and they could not have the garage apart of the front. Chairman Miller stated that he would like to see a copy of the final signed plan from Town of Rhinebeck Planning Board Chair Michael Trimble. ZEO, John Fenton stated that this is just an informal discussion and the applicant was supposed to be present. The turnaround driveway is another concern that needs to be reviewed. Mr. Decker stated that he believes previous discussion led to the board stating this is a unique parcel and he thought they supported the latitude of sighting it further from the road than although he does not think they excused the applicant from applying for a variance. ZEO, John Fenton stated that the owner has not formally come to the board with any application yet. Mr. Ghee stated that he would like to table this until there are plans to look at. ZEO John Fenton asked the clerk about why this was on the agenda. The clerk stated that Mr. Stout requested to be on the agenda since he completed the approval process with the Town Planning Board and wanted to

finish the approval process for the portion of the home that's in the village. ZEO, John Fenton stated that he spoke with the secretary and zoning administrator from the Town Planning Board and Mr. Stout still needs to go through some additional approval processes. ZEO John Fenton suggested putting this discussion on hold. Mr. Ghee voiced concerned about not being included with the Town's process. There was further discussion regarding waivers, setbacks and variances that may be needed. Mr. Clarke suggested that Mr. Stout be told that a site analyses is needed.

Discussion:

Bender's Project or 6376 Mill Street - ZEO, John Fenton stated that he spoke to the applicant's attorney and they stated they will be ready for the September 1st meeting. Chairman Miller asked about the outcome of Chief Eighmy's site visit and input. The ZEO stated that he went out with the Chief and Christian Paggi and it was decided that Christian was going to submit something formally. The ZEO stated that they are aware of the cutoff date. Mr. Decker asked why the board was not going to receive something in writing from either the Chief and/or the ZEO. ZEO John Fenton stated that Chief Eighmy was able to make the swing/turn and the only issue was a tree that would either need to be trimmed back or removed.

Minutes are not available. Martina, Village Clerk, has volunteered to draft them and she has been out sick. She stated she should have a draft for them at the next meeting.

There was discussion regarding the old Bulkeley School and the discussions with the buyer that is in contract. There was discussion regarding if changes would be needed to the code. Chairman Miller stated that he believes they will be applying for a demolition permit. He is also aware of some contingencies that are linked to the purchase but is not aware of any details. He also believes that unless a demolition is granted, it will likely stay there for sale. There was also discussion about whether part of or all the building should try to be preserved. Additionally, the board discussed codes/variances and possible law changes that may or may not have to be done for any future use. Mr. Clarke asked if anyone had contacted Mr. Larson. Mr. Miller stated all he has received is summery. Mr. Miller stated that no one has the detailed sheets.

A motion by for adjournment was made by Mr. Decker, seconded by Mr. Miller, all in favor of the adjournment.

Respectfully Submitted,

Chrissy Eighmy
Planning and Zoning Board Minutes Clerk
Village of Rhinebeck

