

## RHINEBECK TOWN BOARD

### PROCEDURE FOR REVIEW AND APPROVAL OF THE HAMLET AT RHINEBECK WORKFORCE HOUSING DEVELOPMENT WITHIN THE WORKFORCE HOUSING (WH) DISTRICT (TOWN CODE, ARTICLE V, §125-64.4; ARTICLE XII, §125-29, et. seq.)

**STEP 1** – Submission by developer to the Town of Board of a proposed Preliminary Concept Plan which includes the following components:

- (a) General Statement, which includes a narrative describing how the proposal serves the goals and objectives of the Town’s Comprehensive Plan. The narrative must include information about potential phasing; an explanation of how the proposal complies with the design standards set forth in §125-64.4; and a description of the housing mix (affordable units and market rate units, if any).
- (b) Environmental Analysis. In addition to Part 1 of the Full Environmental Assessment Form, the submission shall include a map showing New York State protected freshwater wetlands, federal jurisdictional wetlands, Town-regulated wetlands, streams, one-hundred year flood plains, ecologically significant habitats as identified by Hudsonia Ltd. (in its 2007 Habitat Map and Report), areas of 25% or greater slope, and such other environmental features and development limitations that would affect development, as more fully described in §125-43G of the Town Code (Conservation Subdivision Design Process).
- (c) Sketch Plan. A sketch plan demonstrating at an appropriate level of detail, buildings and other structures,; the pedestrian, bicycle and vehicle circulation system; vehicle parking areas; open spaces; and other required items. The sketch plan shall be designed to be an illustrative plan that can serve as a template for the application of specified design principles in order to achieve a desired form and appearance of development. The sketch plan shall also include the following:
  - i. All improvements planned in conjunction with the proposed uses, including general locations, layout, dimensions of structures, parking areas, streets, utilities, recreation areas, conservation areas, and other information necessary to demonstrate compliance with the requirements of this subsection, including square footage of building floor areas, numbers of residential units, and impervious surface coverage.
  - ii. Project phasing. Project phasing as a means to provide transportation, water supply, wastewater, emergency and other accommodations sufficient to meet the needs of proposed residential uses. The phasing plan shall include the proposed sequence of phasing of the construction of infrastructure and

buildings with estimated dates for the start and completion of each phase.

- iii. Fiscal impact analysis of the proposed project. A standard fiscal impact model, such as the one described in Rutgers University's Center for Urban Policy Research publication entitled "The Fiscal Impact Handbook" may be used to project the fiscal impacts of the proposed development.
- iv. Projected transportation impacts of the proposed project. The analysis should include the expected number of trips (peak and daily), an analysis of the impact of those trips on the adjacent road system, and proposed mitigation measures to limit any projected negative impacts.

**STEP 2 - Compliance with the requirements of the State Environmental Quality Review Act (SEQRA) and the Town of Rhinebeck Local Waterfront Protection Plan (LWRP)** – In addition to a completed Part 1 of the Full EAF, the applicant must submit a description of both the existing and proposed site conditions, together with the relationship of the proposed development to the environs; a coastal assessment form (CAF); and if the project is located in an agricultural district, an agricultural data statement. The level of detail to be provided shall at a minimum be adequate to permit the Town Board to initiate the environmental review process as set forth in SEQRA regulations.

**STEP 3 – Referral to Planning Board and Workforce Housing Committee.** If the Town Board determines that the documentation and information submitted in conjunction with the prior steps, supports continuation of the Town Board consideration of the application, the initial concept plan submission shall be referred to the Planning Board; the Town's Workforce Housing Committee for their review and recommendation. The Town Board shall also refer the submission to the Town's Waterfront Advisory Committee for consideration of the consistency of the project with pertinent coastal policies. The Planning Board and the Workforce Housing Committee shall review the concept plan and discuss the same with the applicant at a regular meeting. The Planning Board and the Workforce Housing Committee may, in their discretion, invite informal comment at such meetings and shall report their recommendations to the Town Board within 60 days after their next regularly scheduled meeting following the date of the referral. Recommendations may be to adopt, adopt with modification or reject the concept plan. If no report is made within 60 days, the Board and Committee shall be deemed to have no comments on, or objections to, the proposal.

**STEP 4 – Initial review of application and designation of Lead Agency.** The Town Board shall follow the procedures set forth in 6 NYCRR Part 617.6 (SEQRA Regulations) in conducting the initial review of the application and establishing lead agency. The Town Board shall conduct a coordinated SEQRA review of the application and follow the procedures set forth in Part 617.6(b). If the Town Board determines that it intends to assume lead agency status, it shall notify the applicant and all involved agencies in writing of its intent to serve as lead agency and follow the procedures set forth in Part 617.6(b) until the lead agency is established. The Town

Board may request the Planning Board to assist in carrying out its responsibilities under SEQRA, and such assistance may include a request that the Planning Board serve as lead agency for a coordinated review of the project. The coordinated environmental review shall include all elements of the proposed project ranging from the rezoning through site plan approval by the Planning Board.

**STEP 5 – Public Informational Meeting.** Following receipt of the reports from the Planning Board and the Workforce Housing Committee, the Town Board shall hold a public informational meeting on the concept plan. A presentation concerning the proposed project shall be made by the applicant at the public informational meeting. In addition, presentations may be made by the Workforce Housing Committee, the Planning Board, the LWRP, the Town Board consultants and other involved agencies and committees of the Town. Limited comments from the public shall be allowed at this informational meeting.

**STEP 6 – Public Hearing.** Following the conduct of the public informational meeting, the Town Board shall schedule a public hearing at which comments will be taken from members of the public concerning the documentation and information presented at the informational meeting. Additional comments may be presented at that hearing by the Workforce Housing Committee; the Waterfront Advisory Committee, the Planning Board, the Town Board, the Town Board consultants and the applicant. All comments shall be made a part of the record of the public hearing.

**STEP 7 – Completion of SEQRA Review.** If the Town Board is designated as lead agency for this action, the Town Board shall then complete the SEQRA review process by reviewing Part 2 of the Full Environmental Assessment Form and determining the significance of the project in accordance with the procedures set forth in Part 617.7. The Town Board will then complete Part 3 of the Environmental Assessment Form, as appropriate, and determine whether there are one, or more, potentially significant impacts which require the preparation of a Draft Environmental Impact Statement (DEIS). If the Town Board determines that there are one or more significant environmental impacts, the Town Board shall follow the procedures in the SEQRA regulations for scoping and the submission of the DEIS. If the Town Board determines there are no such significant environmental impacts requiring preparation of a DEIS, the Town Board shall issue a negative declaration in accordance with the requirements of the SEQRA regulations. If an agency, other than the Town Board, has been designated as lead agency, the lead agency shall following the same procedures as set forth in the SEQRA regulations as set forth above.

**STEP 8 – Town Board action on concept plan and preparation of local law.** Following the close of the public hearing, the Town Board shall take appropriate action by resolution; (i) approving the concept plan; (ii) approving the concept plan as modified; or (iii) rejecting the concept plan. The Town Board, with the assistance of its consultants, shall then prepare a local law in accordance with the requirements of Article XII of the Code incorporating the provisions of the concept plan into a local law.

**STEP 9 – Adoption of the Local Law.** The Town Board shall then follow the procedures set forth in Article XII of the Town Code for adoption of the local law, which shall include, but not necessarily be limited to, a second referral to the Planning Board, Dutchess Count Department of

Planning and Development pursuant to 239-m of the General Municipal Law, the Workforce Housing Committee, and the Town Waterfront Advisory Committee for their comments on the local law.

**STEP 10 – Referral to the Planning Board for Site Plan Approval.** After adoption of the concept plan and the local law, the project shall be referred to the Planning Board for review of the application in accordance with the site plan requirements as set forth in the Town Code and in accordance with the provisions of the concept plan and the local law. The determination of the Planning Board as to whether or not to approve the site plan shall be based upon a finding that the application is, or is not, in substantial compliance with the concept plan and code amendment.