

Tea Court - Phase 2B

Site Plan

TMP 135089-6070-00-680832

This application is back before the Planning Board because the prior site plan approval (from May 2, 2022) for the Miniature Train has lapsed. The applicant has requested that the Site Plan be reapproved (renewed) for the above referenced project.

Draft Procedural Resolution (To be used if a Public Hearing is deemed to be required by the Planning Board)

Tea Court - Phase 2B

Site Plan

TMP 135089-6070-00-680832

The Town of Rhinebeck Planning Board hereby acts as follows on the application by Tea Court, LLC for Site Plan reapproval (renewal) under Town Code Chapter 125, Section 125-72 for implementation of Phase 2B at Tea Court – 195 River Road (TMP 135089-6070-00-680832) within the HP20 (Historic Preservation) Zoning District.

1. Accepts the application and supporting documents as adequate for further review by the Planning Board, its advisors, and the public.
2. Classifies the Proposed Action as Type II SEQRA for which coordinated environmental quality review is precluded.
3. Schedules a Public Hearing on the Application for _____, 2023 at 6:15 PM and directs the Clerk to undertake or otherwise cause the noticing and posting thereof in accordance with the requirements set forth in Town Code Chapter 125, Section 125-72.
4. Delegates Planning Board Members _____ and _____ to conduct a field visit to the project site and report their observations at the time of the Public Hearing.
5. In accordance with Town Code Chapter 9, Conservation Advisory Board, refers the application to the Conservation Advisory Board for review and written comment concerning environmental factors.
6. In accordance with Town Code Chapter 118, refers the application to the Waterfront Advisory Committee for review and written comment concerning consistency with the LWRP.
7. In accordance with Town Code Chapter 125, Section 125-62.1.B.2.g.1, refers the application to the HAPAC for review and written comment concerning historic and/or archeological elements.
8. In accordance with the Dutchess County Department of Planning and Development 239 Planning/Zoning Referral, refers the application to the Dutchess County Department of Planning and Development for review.

Authorizes, without prejudice to any information or comment that may be presented at the Public Hearing or may arise based on both the above-cited field visit and referral, preparation of a working draft of an Approvals Resolution for the Planning Board’s consideration on _____(date) or as may be later timely.

Annexed Document: Draft Notice of Public Hearing

Draft Approval Resolution (To be used if a Public Hearing is deemed not to be required by the Planning Board)

Tea Court - Phase 2B

Site Plan

TMP 135089-6070-00-680832

The Town of Rhinebeck Planning Board hereby acts as follows on the application by Tea Court, LLC for Site Plan reapproval (renewal) under Town Code Chapter 125, Section 125-72 for implementation of Phase 2B at Tea Court – 195 River Road (TMP 135089-6070-00-680832) within the HP20 (Historic Preservation) Zoning District.

1. Reaffirms the Proposed Action as Type II SEQRA for which coordinated environmental quality review is precluded.
2. Based upon review of submitted information, including reports from Planning Board members, HAPAC and CAB/WAC member(s) on their site visit to the project property, finds that the proposed work is consistent with the objectives and regulations of Chapter 125.
3. With respect to the application for Site Plan approval:
 - a. Finds the proposed work and intended use to be consistent with Town Code Chapter 125, Section 125-75, and approves the application inclusive of the application materials and plans by Mark Graminski P.E L.S. P.C. dated December 13, 2021, revised February 2, 2022, Murray Engineering, PC and Hollander Landscape Architects.
 - b. Authorizes the Planning Board Chair to stamp and sign the above cited Site Plan upon the Applicant's satisfaction of the below conditions and/or requirements within six (6) calendar months of the adoption of this resolution:
 - i. Submission of the above cited Site Plan in the form and number specified within Town Code Chapter 125, Section 125-78.B, except as may be modified as to lesser number by the Chair in consideration of filing and distribution requirements, and including thereon all required stamps, seals and certifications.
 - ii. Payment of any outstanding fees and/or reimbursable amounts due the Town of Rhinebeck related to the review and processing of Applications subject to this Resolution.
 - iii. Receipt of all approvals, authorizations, or certifications required herein or from any other Town, County, State, or other agency as required to undertake the proposed action(s).

In taking this action the Planning Board further authorizes the Town Zoning Enforcement Officer/Zoning Administrator and/or Building Inspector, to issue any required permits for the proposed use upon their determination that both the terms of this Resolution and all other applicable codes, laws, rules or regulations, including but not limited to the provisions of the New York State Uniform Fire Prevention and Building Code, within the purview of the ZEO/ZA and/or Building Inspector have been satisfied.

No later than two weeks prior to six months beyond the date of adoption of this resolution, and upon specific written request by the applicant, a time extension may be made per Section 125-78 D-2.

Tea Court LLC – Phase 3

Site Plan

TMP 135089-6070-00-680832

This application is back before the Planning Board because the prior site plan approval (from May 2, 2022) for construction of the car barn/roundhouse, station and garage addition to the existing Guest Cottage has lapsed. The applicant has requested that the Site Plan be reapproved (renewed) for the above referenced project.

Draft Procedural Resolution (To be used if a Public Hearing is deemed to be required by the Planning Board)

Tea Court LLC – Phase 3

Site Plan

TMP 135089-6070-00-680832

The Town of Rhinebeck Planning Board hereby acts as follows on the application by Tea Court, LLC for Site Plan reapproval (renewal) under Town Code Chapter 125 Section 125-72 for construction of the car barn/roundhouse, station, and garage addition to the existing Guest Cottage at 195 River Road (TMP 135089-6070-00-680832) within the HP20 (Historic Preservation) Zoning District.

1. Accepts the application and supporting documents as adequate for further review by the Planning Board, its advisors and the public.
2. Classifies the Proposed Action as Type II SEQRA for which coordinated environmental quality review is precluded.
3. Schedules a Public Hearing on the Application for _____, 2023 at 6:15 PM and directs the Clerk to undertake or otherwise cause the noticing and posting thereof in accordance with the requirements set forth in Town Code Chapter 125, Section 125-72.
4. Delegates Planning Board Members _____ and _____ to conduct a field visit to the project site and report their observations at the time of the Public Hearing.
5. In accordance with Town Code Chapter 9, Conservation Advisory Board, refers the application to the Conservation Advisory Board for review and written comment concerning environmental factors.
6. In accordance with Town Code Chapter 118, refers the application to the Waterfront Advisory Committee for review and written comment concerning consistency with the LWRP.
7. In accordance with Town Code Chapter 125, Section 125-62.1.B.2.g.1, refers the application to the HAPAC for review and written comment concerning historic and/or archeological elements.
8. In accordance with the Dutchess County Department of Planning and Development 239 Planning/Zoning Referral, refers the application to the Dutchess County Department of Planning and Development for review.

Authorizes, without prejudice to any information or comment that may be presented at the Public Hearing or may arise based on both the above-cited field visit and referral, preparation of a working draft of an Approvals Resolution for the Planning Board’s consideration on _____(date) or as may be later timely.

Annexed Document: Draft Notice of Public Hearing

Draft Approval Resolution (To be used if a Public Hearing is deemed not to be required by the Planning Board)

Tea Court LLC – Phase 3

Site Plan

TMP 135089-6070-00-680832

The Town of Rhinebeck Planning Board hereby acts as follows on the application by Tea Court, LLC for Site Plan reapproval (renewal) under Town Code Chapter 125 Section 125-72 for construction of the car barn/roundhouse, station, and garage addition to the existing Guest Cottage at 195 River Road (TMP 135089-6070-00-680832) within the HP20 (Historic Preservation) Zoning District.

1. Reaffirms the Proposed Action as Type II SEQRA for which coordinated environmental quality review is precluded.
2. Based upon review of submitted information, including reports from Planning Board members and CAB/WAC member(s) on their site visit to the project property, finds that the proposed work is consistent with the objectives and regulations of Chapter 125.
3. With respect to the application for Site Plan approval:
 - a. Finds the proposed work and intended use to be consistent with Town Code Chapter 125, Section 125-75, and approves the application inclusive of the application materials and plans by Mark Graminski P.E L.S. P.C. dated December 27, 2021, with associated additional later dated submissions including DiBiase Filkoff Architects renderings and plans and Hollander Landscape Architects Phase 3 plans.
 - b. Authorizes the Planning Board Chair to stamp and sign the above cited Site Plan upon the Applicant's satisfaction of the below conditions and/or requirements within six (6) calendar months of the adoption of this resolution:
 - i. Submission of the above cited Site Plan in the form and number specified within Town Code Chapter 125, Section 125-78.B, except as may be modified as to lesser number by the Chair in consideration of filing and distribution requirements, and including thereon all required stamps, seals and certifications.
 - ii. Payment of any outstanding fees and/or reimbursable amounts due the Town of Rhinebeck related to the review and processing of Applications subject to this Resolution.
 - iii. Receipt of all approvals, authorizations, or certifications required herein or from any other Town, County, State or other agency as required to undertake the proposed action(s).

In taking this action the Planning Board further authorizes the Town Zoning Enforcement Officer/Zoning Administrator and/or Building Inspector, to issue any required permits for the proposed use upon their determination that both the terms of this Resolution and all other applicable codes, laws, rules or regulations, including but not limited to the provisions of the New York State Uniform Fire Prevention and Building Code, within the purview of the ZEO/ZA and/or Building Inspector have been satisfied.

No later than two weeks prior to six months beyond the date of adoption of this resolution, and upon specific written request by the applicant, a time extension may be made per Section 125-78 D-2.

Draft Approval Resolution

Lesley Korzennik

Site Plan & Special Use Permit
TMP# 135089-6069-06-368844

The Town of Rhinebeck Planning Board hereby acts as follows on the application by Lesley Korzennik for Site Plan and Special Use Permit under Town Code Chapter 125, Section 125-65, Section 125-69, and Section 125-72, respectively to reconstruct/rebuild the front porch, remove lattice, install new vinyl siding, a new deck (replacing an existing one in-kind), and bluestone patio at 45 Kelly Street (TMP# 135089-6069-06-368844), within the RC-H (Rhinecliff Hamlet) Zoning District and Rc-O (Rhinecliff Overlay).

1. Reaffirms the Proposed Action as Type II SEQRA for which coordinated environmental quality review is precluded.
2. Based upon submitted information and reviews undertaken, including reports from Planning Board members, HAPAC and CAB/WAC member(s), finds that the proposed work is consistent with the objectives and regulations of Chapter 125.
3. With respect to the application for Special Use Permit to reconstruct/rebuild the front porch, remove lattice, install new vinyl siding, a new deck (replacing an existing one in-kind), and bluestone patio:
 - a. Finds the proposed work and intended use to be consistent with the "General Standards" for special use permits set forth in the Town Code Chapter 125, Section 125-67.
 - b. Grants the requested Special Use Permit conditional upon receipt of site plan approval by the Planning Board.
4. With respect to the application for site plan approval:
 - a. Finds the proposed work and intended use to be consistent with Town Code Chapter 125, Section 125-75, and approves the application inclusive of the application materials and Site Plan by Oicle Land Surveying dated January 30, 2023.
 - b. Authorizes the Planning Board Chair to stamp and sign the above cited site plan upon the Applicant's satisfaction of the below conditions and/or requirements within six (6) calendar months of the adoption of this resolution:
 - i. Submission of the above cited site plan in the form and number specified within Town Code Chapter 125, Section 125-78. B, except as may be modified as to lesser number by the Chair in consideration of filing and distribution requirements, and including thereon all required stamps, seals and certifications.
 - ii. Payment of any outstanding fees and/or reimbursable amounts due the Town of Rhinebeck related to the review and processing of Applications subject to this Resolution.
 - iii. Receipt of all approvals, authorizations, or certifications required herein or from any other Town, County, State, or other agency as required to undertake the proposed action(s).

In taking this action the Planning Board further authorizes the Town Zoning Enforcement Officer/Zoning Administrator and/or Building Inspector, to issue any required permits for the proposed use upon their determination that both the terms of this Resolution and all other applicable codes, laws, rules or regulations, including but not limited to the provisions of the New York State Uniform Fire Prevention and Building Code, within the purview of the ZEO/ZA and/or Building Inspector have been satisfied.

No later than two weeks prior to six months beyond the date of adoption of this resolution, and upon specific written request by the applicant, a time extension may be made per Section 125-78 D-2.

SEQR Resolution

Alderkill/Dunkenberg

Major Subdivision (Conservation Subdivision)

TMP 135089-6270-00-661495

This proposed action is seeking approval for a Major Subdivision (Conservation Subdivision) from the Planning Board. Karl Dunkenberg (Alderkill) is proposing a partial conservation subdivision to create four new residential building lots, one conserved open space lot, and retain a lot for the existing residence. One lot encompassing approximately 45.0 acres will have a conservation easement, to be held by the Oblong Land Conservancy, placed on it. The five remaining lots, 2.68 acres, 2.70 acres, 3.20 acres 4.0 acres and 83.07 acres will be for residences, the largest of which will contain the existing residence on the property.

The Town of Rhinebeck Planning Board, in its role as duly-established Lead Agency under SEQRA and upon review and completion of the Short EAF and associated information, hereby issues a Negative Declaration under SEQRA deeming an environmental impact statement is not required and stating such will not be prepared, in its consideration of a Conservation Subdivision for the Alexanian property TMP 135089-6270-00-661495 at 15 Bollenbecker Road, Rhinebeck, NY within the Town of Rhinebeck RC5 (Rural Countryside) Zoning District.

In taking this action, the Planning Board approves the project to move forward, and proposed actions are hereby approved for implementation/construction.

Annexed Documents: Short EAF, Part 1, Part 2, & Part 3

DRAFT

Short Environmental Assessment Form
Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept “Have my responses been reasonable considering the scale and context of the proposed action?”

	No, or small impact may occur	Moderate to large impact may occur
1. <u>Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?</u>	<input type="checkbox"/>	<input type="checkbox"/>
2. <u>Will the proposed action result in a change in the use or intensity of use of land?</u>	<input type="checkbox"/>	<input type="checkbox"/>
3. <u>Will the proposed action impair the character or quality of the existing community?</u>	<input type="checkbox"/>	<input type="checkbox"/>
4. <u>Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?</u>	<input type="checkbox"/>	<input type="checkbox"/>
5. <u>Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?</u>	<input type="checkbox"/>	<input type="checkbox"/>
6. <u>Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?</u>	<input type="checkbox"/>	<input type="checkbox"/>
7. <u>Will the proposed action impact existing:</u> a. public / private water supplies? b. public / private wastewater treatment utilities?	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
8. <u>Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?</u>	<input type="checkbox"/>	<input type="checkbox"/>
9. <u>Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?</u>	<input type="checkbox"/>	<input type="checkbox"/>
10. <u>Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?</u>	<input type="checkbox"/>	<input type="checkbox"/>
11. <u>Will the proposed action create a hazard to environmental resources or human health?</u>	<input type="checkbox"/>	<input type="checkbox"/>

Short Environmental Assessment Form
Part 3 Determination of Significance

For every question in Part 2 that was answered “moderate to large impact may occur”, or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

Draft Approval Resolution

Alderkill/Dunkenberg

Major Subdivision (Conservation Subdivision)

TMP 135089-6270-00-661495

The Town of Rhinebeck Planning Board hereby acts as follows on the application by Karl Dunkenberg (Alderkill/Dunkenberg) for Major Subdivision (Conservation Subdivision) under Town Code Chapter 101, Section 101-4.1, at 15 Bollenbecker Road (TMP 135089-6270-00-661495) within the RC5 (Rural Countryside) Zoning District.

1. Reaffirms its prior classification as unlisted for which coordinated environmental quality review is precluded.
2. Based upon review of submitted information, including the reports from Planning Board members on their site visit to the project property, finds that the proposed work is consistent with the objectives stated in Chapter 101, Subdivision of Land.
3. Based upon the paperwork received from the NYSDEC, finds that the applicant has secured approval to construct the driveway within the wetlands and any such work must follow the requirements of said approval.
4. With respect to the Major Subdivision, finds that the proposed action is consistent with Town Code Chapter 101, Subdivision of Land, Section 101-4.4.
 - a. Approves the application inclusive of the Major Subdivision plan and associated submission materials prepared by Synergy Design dated April 7, 2022.
 - b. Notes that a cash-in-lieu-of-land recreation fee to the Town of Rhinebeck shall be made for deposit into the Town's Recreation Trust Fund for the subdivision/creation of a new lot in the amount of \$3,000.00 per lot in accordance with the Town's current Fee Schedule as established by the Town Board and Section 101-6.2.D.3 (see Section 277 of Town Law).
 - c. Notes that the driveway as proposed is permitted and is not required to be constructed to Town standards as the deed language and language found on the original subdivision map referring to a "proposed road" is specifying Buttonwood Lane.
 - d. Authorizes the Planning Board Chair to stamp and sign the above cited Site Plan upon the Applicant's satisfaction of the below conditions and/or requirements within one hundred eighty (180) calendar days of the adoption of this resolution:
 - i. Stamping of the Subdivision Final Plat as a 'non-jurisdictional subdivision' or for 'filing purposes only' by the Dutchess County Department of Health.
 - ii. Submission of the above cited survey map in the form and number specified within Town Code Chapter 101, Section 101-4.6.E, except as may be modified as to lesser number by the Chair in consideration of filing and distribution requirements, and including thereon all required stamps, seals and certifications.
 - iii. Submission of the deed(s) to be filed with the Dutchess County Clerk's Office.
 - iv. Payment of any outstanding fees and/or reimbursable amounts due the Town of Rhinebeck related to the review and processing of applications subject to this Resolution.

The applicant is advised of the requirement that within sixty (60) calendar days of stamping by the Chair, the approved Final Plat must be filed with the Dutchess County Clerk's Office.