

Draft Procedural Resolution

Heights on the Hudson

Site Plan (Amendment)

TMP 135089-6069-06-417912

The Town of Rhinebeck Planning Board hereby acts as follows on the application by Heights on Hudson for Site Plan and Special Use Permit under Town Code Chapter 125, Section 125-72 for demolition and rehabilitation work, as well as associated site changes at 12 Loftus Road (TMP# 135089-6069-06-417912), within the RL-5 (Residential Low Density) Zoning District and Rc-O (Rhinecliff Overlay).

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, per 617.5.c.11, for which coordinated environmental quality review is not required.
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 125-66 & Section 125-77.
4. Delegates Planning Board Members _____ and _____ to conduct a field visit to the project site and report their observations at the time of 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, Waterfront Advisory Committee, 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 archaeological 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.
9. 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 _____, 2023 or as may be later timely.

Annexed Document: Draft Notice of Public Hearing

Draft Approval Resolution

Heights on the Hudson

Site Plan (Amendment)

TMP 135089-6069-06-417912

The Town of Rhinebeck Planning Board hereby acts as follows on the application by Heights on Hudson for Site Plan and Special Use Permit under Town Code Chapter 125, Section 125-72 for demolition and rehabilitation work, as well as associated site changes at 12 Loftus Road (TMP# 135089-6069-06-417912), within the RL-5 (Residential Low Density) Zoning District and Rc-O (Rhinecliff Overlay).

1. Reaffirms the prior classification as Type II SEQRA for which coordinated environmental quality review is not required.
2. Confirms that the Special Use Permit approved on March 6, 2023, is still active.
3. Based upon submitted information reviewed for this application, reviews and site visits undertaken previously, finds that the proposed work is consistent with the objectives and regulations of Chapter 125.
4. Finds that the proposed changes to the approved site plan create no planning or environmental issues and at the request of the applicant, upon discussion at the Public Meeting held August 21, 2023, hereby waives the requirements for a public hearing per Section 125-77 (Planning Board review of site plan per 125-77.F which states that the Planning Board may waive any specific requirements set forth in Article VII) and accepts the submitted application materials as the requirements of the Town Code requiring a public hearing have been found not to be requisite in the interest of the public health, safety, or general welfare for this project.
5. With respect to the demolition of elements as specified on the site plan sheet A01 by Josh Payne Architect dated May 2, 2023, find that the demolition is an essential element of the project and approves the proposed demolitions per Town Code Section 125-62.
6. 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 site plan by Josh Payne Architect dated May 2, 2023.
 - b. Authorizes the Planning Board Chair to stamp and sign the above cited application 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 to 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

Alexander Chapple

Site Plan, Special Use Permit, Wetlands Permit
TMP#135089-6169-00-405010

The Town of Rhinebeck Planning Board hereby acts as follows on the application by Alexander Chapple for Site Plan, Special Use Permit, and a Wetlands Permit under Town Code Chapter 125, Section 125-72, Section 125-101, and Section 120-9 respectively, for changes to the property at 56-59 Fox Hollow Road (TMP# 135089-6169-00-405010), within the RC-5 Zoning District.

1. Reaffirms the proposed action as Type II under SEQR for which coordinated environmental quality review is precluded.
2. Based upon review of submitted information, including reports from Planning Board members on their site visit to the project property and CAB input, finds that the proposed work is consistent with the objectives and regulations of Chapter 125.
3. With respect to the application for a Wetlands Permit:
 - a. Finds the proposed work and intended use to be consistent with the “General Standards” for wetland permits set forth in the Town Code Chapter 120, Section 120-9.
 - b. Grants the requested Wetland Permit conditional upon receipt of site plan approval by the Planning Board.
4. With respect to the application for a Special Use Permit for changes to the property:
 - 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.
5. 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 site plan by Zarecki & Associates, LLC with a revision date of April 6, 2023.
 - b. Authorizes the Planning Board Chair to stamp and sign the above cited application 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 to 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

Jonathan McKown

Site Plan

TMP#135089-6171-06-300967

The Town of Rhinebeck Planning Board hereby acts as follows on the application by Jonathan McKown for Site Plan under Town Code Chapter 125, Section 125-72, for 664 River Road (TMP# 135089-6171-06-300967), within the HP20 (Historic Preservation) Zoning District.

1. Classifies the proposed action as Type II under SEQR for which coordinated environmental quality review is precluded.
2. Finds that the proposed changes to the approved site plan create no planning or environmental issues and at the request of the applicant, upon discussion at the Public Meeting held August 21, 2023, hereby waives the requirements for a public hearing per Section 125-77 (Planning Board review of site plan per 125-77.F which states that the Planning Board may waive any specific requirements set forth in Article VII) and accepts the submitted application materials as the requirements of the Town Code requiring a public hearing have been found not to be requisite in the interest of the public health, safety, or general welfare for this project.
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 site plan by TsAo & McKown Architects dated July 25, 2023.
 - b. Authorizes the Planning Board Chair to stamp and sign the above cited application 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 to 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

Richard Kopyscianski

Site Plan & Special Use Permit
TMP# 135089-6069-06-391965

The Town of Rhinebeck Planning Board hereby acts as follows on the application by Dick and Jane Enterprises, LLC for Site Plan and Special Use Permit under Town Code Chapter 125, Section 125-65, Section 125-69, and Section 125-72, respectively for installation of exterior A/C condenser units at 2 Charles Street (TMP# 135089-6069-06-391965), 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 site visit reports from Planning Board members 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 construct new parking spaces:
 - 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 Warren Temple Smith Architects, LLC dated August 1, 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 to 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

Quentin Chu

Site Plan

TMP#135089-6171-00-523501

The Town of Rhinebeck Planning Board hereby acts as follows on the application by Quentin Chu for Site Plan approval under Town Code Chapter 125, Section 125-65 to replace a pool and construct a new pool house at 30 Hook Road (TMP#135089-6171-00-523501), within the RA-10, Rural Agriculture 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, 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 dated June 26, 2023, and plans by PSA Studios Architecture and Design dated June 26, 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 to 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

Rachael Petach

Site Plan & Wetlands Permit
TMP# 135089-6370-00-200800

The Town of Rhinebeck Planning Board hereby acts as follows on the application by Rachel Petach for Site Plan review under Town Code Chapter 125, Section 125-72, and a Wetland Permit under Section 120-9 for a distillery tasting room at 108 Salisbury Turnpike (TMP# 135089-6370-00-200800), within the RC5 (Rural Countryside) Zoning District.

1. Reaffirms the proposed action as Type II under SEQR for which coordinated environmental quality review is precluded.
2. Based upon review of submitted information, including reports from Planning Board members on their site visit to the project property and CAB input, finds that the proposed work is consistent with the objectives and regulations of Chapter 125.
3. With respect to the application for a Wetlands Permit:
 - a. Finds the proposed work and intended use to be consistent with the “General Standards” for wetland permits set forth in the Town Code Chapter 120, Section 120-9.
 - b. Grants the requested Wetland 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 site plan by Zarecki & Associates, LLC with a revision date of April 6, 2023.
 - b. Authorizes the Planning Board Chair to stamp and sign the above cited application 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 to 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

Laura Sullivan

Site Plan Review

TMP 135089-6370-00-281165

The Town of Rhinebeck Planning Board hereby acts as follows on the application by Laura Sullivan for Site Plan review under Town Code Chapter 125, Section 125-72, pool house and associated site changes at 127 Hilltop Road (TMP# 135089-6370-00-281165), within the RC5 (Rural Countryside) 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 members 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 materials and plans by Wagner Hodgson Landscape Architecture dated February 13, 2023, and Studio MM Architect dated December 6, 2022.
 - 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 to 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

Rhinecliff Hotel

Site Plan (Amendment) & Special Use Permit
TMP# 135089-6069-06-355952

The Town of Rhinebeck Planning Board hereby acts as follows on the application by the Rhinecliff Hotel for Site Plan and Special Use Permit under Town Code Chapter 125, Section 125-65, Section 125-69 and Section 125-72, respectively for construction/realignment of parking spaces at 4 Grinnell Street (TMP# 135089-6069-06-355952), within the RC-B (Rhinecliff Business) 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 construct new parking spaces:
 - 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 Labella Associates with a title sheet dated October 12, 2022.
 - 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

Wireless Edge

Site Plan & Special Use Permit
TMP#135089-6171-00-695860

The Town of Rhinebeck Planning Board hereby acts as follows on the application by Wireless Edge for Site Plan and Special Use Permit under Town Code Chapter 125, Section 125-65, and Section 125-72, respectively for installation of a new communications facility or tower (TMP# 135089-6171-00-695860), within the RC5 (Rural Conservation) Zoning District.

1. Classifies the proposed action as unlisted for which coordinated environmental quality review is precluded.
2. Based upon review of submitted information, including site visit reports from Planning Board members, 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:
 - 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. *Any other requirements or comments will be added here*
 - c. 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 site plan by Tectonic Engineering, Consultants, Geologists and Land Surveyors D.P.C. revised August 4, 2023.
 - b. *Any other requirements or comments will be added here*
 - c. Authorizes the Planning Board Chair to stamp and sign the above cited application 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 to 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.