

Draft Procedural Resolution

Alejandro Cardenas

Site Plan Review

TMP 135089-6271-00-143125

The Town of Rhinebeck Planning Board hereby acts as follows on the application by Alejandro Cardenas for Site Plan review under Town Code Chapter 125, Section 125-62.1 and Section 125-75, for installation of a fence, new roof, and rooftop solar panels at 108 Wey Road (TMP# 135089-6271-00-143125, within the RC-5 (Rural Countryside) 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 _____, 2022 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 125-75.
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 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.
7. 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.
8. 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 Procedural Resolution

Rhinebeck 2020 LLC (Mehl)

Minor Subdivision

TMP 135089-6270-00-008430

The Town of Rhinebeck Planning Board hereby acts as follows on the application by Rhinebeck 2020 LLC (Mehl) for Minor subdivision (and Wetlands?) under Town Code Chapter 101, Section 101-4.4, and Chapter 120, Section 120-9, respectively for subdivision of an existing lot into two lots on Route 308 (TMP# 135089-6270-00-008430 within the RC5 (Rural Countryside) 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 unlisted under SEQRA for which coordinated environmental quality review is precluded.
3. Schedules a Public Hearing on the Application for _____, 2022 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 101, Section 101-4.4.
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 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.
7. 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.
8. 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 Procedural Resolution

Deborah Barrow

Minor Subdivision/Lot Line Alteration
TMP 135089-6371-00-560784,-575776

The Town of Rhinebeck Planning Board hereby acts as follows on the application by Deborah Barrow for Minor subdivision under Town Code Chapter 101, Section 101-4.4 for subdivision of an existing lot into two lots at 21 Old Rock City Road and 1119 Route 308 (TMP# 135089-6371-00-560784,-575776) within the RC5 (Rural Countryside) 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 unlisted under SEQRA for which coordinated environmental quality review is precluded.
3. Schedules a Public Hearing on the Application for _____, 2022 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 101, Section 101-4.4
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 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.
7. 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 Procedural Resolution

Jacob Briggs

Site Plan & Special Use Permit
TMP 135089-6069-06-378992

The Town of Rhinebeck Planning Board hereby acts as follows on the application by Jacob Briggs 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 of a new house at 19 Dutchess Terrace (TMP# 135089-6069-06-378992), within the RC-H (Rhinecliff Hamlet) 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 for which coordinated environmental quality review is precluded.
3. Schedules a Public Hearing on the Application for _____, 2022 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, 125-69, and 125-75.
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, 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 _____ (date) or as may be later timely.

Annexed Document: Draft Notice of Public Hearing

Draft Approval Resolution (Not anticipated to be approved at this meeting)

Kathryn Whitman

Site Plan

TMP 135089-6170-01-378726

The Town of Rhinebeck Planning Board hereby acts as follows on the application by Kathryn Whitman for Site Plan under Town Code Chapter 125, Section 125-65 for construction of a single family house, fence, and associated site improvements at 16 Old Post Road (TMP 135089-6170-01-378726) within the RA10 (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, 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 taking place on a lot that has been in existence for years meets the intent of Section 101.10.2 which permits modification of specific requirements of a subdivision that are required to create a conforming lot. The Planning Board has determined that they would not require the applicant to attempt to change the lot through a subdivision application due to the hardship of trying to do so and thereby the Planning Board utilizes the authority in 101.10.2 to specifically allow this project to move forward on the existing lot which does not meet current lot size requirements.
 - b. 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 Kathryn Whitman Architecture dated June 28, 2021.
 - c. 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

Grace Bible Fellowship Church

TMP 135089-6271-00-074528

Site Plan, Special Use Permit & Wetlands Permit

The Town of Rhinebeck Planning Board hereby acts as follows on the application by the Grace Bible Fellowship Church for Site Plan and Special Use Permit under Town Code Chapter 125, Section 125-65 and Section 125-72, and a Wetlands Permit under Town Code Chapter 120, Section 120-4, respectively, for construction of an addition to the church, modification of the parking area and other site improvements at 6959 Route 9 (TMP 135089-6271-00-074528) 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, 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 authorize construction of an addition and associated other improvements:
 - 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 by Warren Temple Smith dated March 17, 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

Grinnell Street Properties

TMP 135089-6069-06-329846

Site Plan & Special Use Permit

The Town of Rhinebeck Planning Board hereby acts as follows on the application by Grinnell Street Properties for Site Plan and Special Use Permit under Town Code Chapter 125, Section 125-65 and Section 125-72, respectively, for installation of a residential swimming pool, fence and associated retaining wall at 55 Grinnell Street (TMP 135089-6069-06-329846) within the Rc-H (Rhinecliff Hamlet) Zoning District and the Rc-O Rhinecliff Overlay.

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), 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 authorize construction of a principal dwelling, a guest house and associated other improvements:
 - a. Finds the proposed work and intended use to install a pool, and associated work to replace a failing retaining wall, 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 125-69 and Section 125-75, and approves the application inclusive of the application materials and Site Plan by Warren Temple Smith dated March 31, 2022, and retaining wall design dated August 3, 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

Tannery Place

Site Plan (Amendment)

TMP# 135089-6270-00-280745

The Town of Rhinebeck Planning Board hereby acts as follows on the application by Roger Smith (Tannery Place) for Site Plan (Amendment) under Town Code Chapter 125, Section 125-72, for conversion of a tennis court to a platform court, reconstruction of the pool and patio, and window changes to the existing barn at 437 Route 308 (TMP# 135089-6270-00-280745) 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, HAPAC and CAB 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 R. Graminski, PE, LS, PC dated May 30, 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.

ZBA Referral

Nedim Aruz – Lower Ackert Hook Road. SFD and Accessory Dwelling Unit

This applicant is currently before the Planning Board for Site Plan and Special Use Permit to construct a detached accessory dwelling unit and associated single family dwelling. The applicant has applied to the ZBA for an area variance for the accessory dwelling unit height of 25’ where 20’ is permitted (Section 125-27.A.1), gross floor area of the accessory dwelling unit totaling 4,488 square feet where 1,500 square feet is permitted (Section 125-27.A.4) and an area variance for habitable space of 4,488 square feet where 900 square feet is permitted (Section 125-68.E.4).

We have reviewed the site plan and location using Dutchess County Parcel Access and determined that the nearest residential structure that might be able to see the accessory structure is nearly 500’ to the north of the proposed location through existing woods that will be retained, except for those removed for installation of the driveway and structures.

Based on our review of the proposal and other research of the property/area, we do not believe that the variances requested for installation of the accessory dwelling in the proposed location will create significant planning or environmental issues and the design, based on the renderings, appears to have a traditional large barn look that is consistent with the Zoning Code requirements and more rural nature of the area. Therefore, we provide the following draft referral response for the Planning Board’s consideration:

Draft Referral Response for Finding of No or Minor Issues

“The Town of Rhinebeck Planning Board, upon referral by the Zoning Board of Appeals of an application by Nedim Aruz for a height variance and square footage variance to construct a detached residential accessory structure and garage:

- 1) Finds that the requested variance raises no significant planning or environmental concerns.

- 2) Recommends that the ZBA rely upon its own study of the facts in deciding the Application in accordance with the criteria and set forth in Town Code Chapter 125, including consideration of the input of neighboring property owners.