

VILLAGE OF RHINEBECK PLANNING BOARD

March 22, 2024

Mayor Gary Bassett and Members of the Village Board of Trustees
Village of Rhinebeck
76 East Market Street
Rhinebeck, NY 12572

Re: Proposed Local Law to Amend the Zoning Code of the Village of Rhinebeck to
Create the Bulkeley Schoolhouse Overlay District

Dear Mayor Bassett and Members of the Village Board of Trustees,

After review of the proposed zoning amendment for the former Bulkeley School parcel and associated SEQR documents, we offer the following comments on the draft Local Law intended to permit redevelopment of the site.

1. It is questionable zoning practice, and sets an unfortunate precedent, to have an overlay district named for and exclusively designed around one parcel. To avoid potential criticism on this basic point, the Village should instead name the district for the primary purpose, such as the Adaptive Reuse Overlay District, and add a sentence in Subsection A that this district may be applied as a floating district for the adaptive reuse of other historically designated properties in the Residential District through a subsequent zoning amendment and site-specific SEQR process.
2. In C(1), the proposed amendment should not support a precedent-setting exception for an 8-foot fence, since a 74-inch fence with additional evergreen landscaping can provide any necessary screening. Additionally, a provision against the use of planted berms could be included. The removal of the chain link fence would already be required under 120-14A(10) during the site plan review.
3. Also in C(1), the screening of HVAC units at the former school building is addressed. This provision should be expanded to require the screening of exterior HVAC units associated with all dwellings, a prohibition against HVAC line sets run on the exterior of new dwellings, and screening for backup generators, above-ground propane tanks, and other exterior utility features.
4. For C(7), it should be clarified that trash and recycling for the multiple-family building will be collectively contained and not rely on individual receptacles for each unit.
5. In C(8), "single-family dwelling, two-family building, or multiple-family building" should be used in the first sentence, which are defined terms in the Code. The current draft uses "home," which is not defined and could be interpreted as requiring each multiple-family unit to have an entrance facing the street. We also suggest taking out the unnecessary "clear and convincing evidence" phrase here and elsewhere in the amendment, which to our knowledge is not a standard used in any other section of the Zoning Code.


6. C(12) can be deleted as unnecessary, since retention of historic building elements is already authorized in the HDO standards. It may also conflict with the proposal to demolish all or some of the more modern cinder block portion of the facade.
7. A provision should be added giving the Planning Board the authority to provide the maximum number of ADA-compliant dwelling units that are feasible in an adaptive reuse building.
8. The standards do not address sidewalks. Under the current Code, Chapter A125-29 states that "...sidewalks can be constructed of Portland cement concrete or asphalt." The Village Board should consider allowing concrete and level-set bluestone sidewalks and not permitting asphalt sidewalks in this proposed district and throughout the Village. Residential sidewalks should also be required to be at least four feet wide.
9. We suggest a provision that allows the Planning Board to modify minimum lot sizes to encourage more visible greenspace on the site, as long as it is determined that the subdivided lots have sufficient space for the required wastewater facilities. As an example, if the two lots on South Street were permitted at closer to 7,000 square feet per lot, rather than the current 8,000 square feet or larger, a usable landscaped area could be created on the south side corner of the former school building. There are a dozen existing parcels along South Street under 8,000 square feet, including several corner parcels and over 40% of the total number of house lots on the north side of the street.
10. In D(10)(a)(3), 60 square feet may be enough for an elevator bulkhead, but not for an elevator and stairway.
11. For subsection E, we suggest the law require a minimum of 10 percent affordable housing, using more generally applicable language here and elsewhere that would set a standard for other potential adaptive reuse parcels. The amendment or adoption conditions should require the owner to work with an experienced housing organization to screen affordable tenant applications and provide periodic reports to the Village.

Thank you for your continued efforts in this process and for your consideration of our suggestions.

Respectfully submitted by a 4 – 1 agreement of the Planning Board members
Village of Rhinebeck Planning Board



DAVID MILLER, CHAIR



MIRANDA WYANT, SECRETARY

3/22/2024
DATE