

27.5009.031
June 28, 2023

Mayor Gary Bassett
Village of Rhinebeck
76 East Market Street
Rhinebeck, NY 12572

Re: **Peer Review – Dutchess Shepard, 6 Mulberry Street Development**

Dear Mayor Bassett:

At the Village Board's request, Tighe & Bond has reviewed the preliminary submission materials as part of the Board's Zoning Amendment Review for a Bulkeley School Overlay district, on property of the Father Brogan center, as put forward for consideration by Dutchess Shepard Development at 6 Mulberry Street. The Village Board, as the entity responsible for making the decision to adopt the zoning amendment, is lead agency undertaking the environmental review consistent with the State Environmental Quality Review Act (SEQRA). The property is currently zoned residential, R, where single and two family uses are identified in the zoning as allowable, but multifamily uses are not identified as allowable. The R-district requires a minimum lot size of 8,000 square feet and includes minimum and maximum front yard setback of 10 feet and 25 feet respectively, and minimum rear and side yard setback of 10 feet. Other minimum dimensional requirements are as specified in section 120-8 of the Village Code.

Although the Planning Board will conduct a detailed site plan review should the development proposal for 6 Mulberry proceed, the Village Board must have sufficient information to determine if the action (the adoption of a zoning amendment for potential adaptive reuse and redevelopment of a property), has potential for significant adverse impacts to the environment.

The objective of our review of site design materials is to inform the Village Board of the nature and extent of site development activities so that the Board can make a determination of the potential for significant adverse environmental impacts. The project proposed by the Developer includes adaptive reuse of the existing school building with nine residential units and four proposed single family residential house lots.

This letter provides Tighe & Bond's findings, comments, and recommendations based on a review of the materials received to-date. Where insufficient information exists to make a determination of significance on potential impacts, we may request the Applicant provide supplemental studies and our additional comments would be forthcoming. It should be noted that additional details of design for the proposed subdivision and site plan review would be undertaken by the Planning Board at a future date pending the Village Board's decision regarding environmental impact under SEQRA and the proposed zoning amendment.

Basis of Review

Tighe & Bond received the following materials via email which served as the basis of our review:

- Plans prepared by Hildenbrand Engineering, dated as noted below, including the following:

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Preliminary Overall Subdivision Plan, dated April 1, 2023

Preliminary Water & Septic Details, dated April 1, 2023

Preliminary Site Details, dated April 1, 2023

Preliminary Erosion Control Details, dated April 1, 2023

- Preliminary Stormwater Pollution Prevention Plan, prepared by Hildenbrand Engineering, dated April 4, 2023
- Phase 1A Literature Search and Sensitivity Assessment & Phase 1B Archaeological Field Reconnaissance Survey, prepared by Hudson Cultural Services, dated March 2023
- Traffic Impact Study for Residential Development, 6 Mulberry Street, Village of Rhinebeck, Dutchess County, New York, prepared by Creighton Manning, dated April 21, 2023

During our review the following items were referenced, as necessary:

- New York State Stormwater Management Design Manual
- New York State Department of Environmental Conservation SPDES General Permit for Stormwater Discharges from Construction Activity
- New York State Design Standards for Intermediate Sized Wastewater Treatment Systems
- Dutchess County Design and Construction Standards Plan Submission Guide for Residential and Commercial Onsite Wastewater Treatment Systems and Sewer Mains for Less Than 1,000 Gallons per Day
- 2021 International Fire Code
- Village of Rhinebeck Zoning Code, applicable portions of Chapter 120
- Village of Rhinebeck Subdivision Regulations, applicable portions of Chapter A126

Review Comments

We offer the following comments on the Applicant's submission:

1. An existing conditions survey should be included with the drawing set.
2. A proposed demolition and removals plan should be included with the drawing set.
3. It is our understanding the Applicant's subdivision plan has been prepared to demonstrate feasibility of the proposed development. The project appears to be in conformance with the subdivision policy of the Village of Rhinebeck Planning Board in accordance with Section A126-3. The project is located in the Residential Zoning District. A zoning compliance table should be included with the Preliminary Overall/ Subdivision Plan that states how the project either complies or doesn't comply with the current Residential Zoning District requirements and how the project will comply with the proposed Bulkeley Schoolhouse Overlay District requirements.
4. According to the Preliminary Overall Subdivision Plan it appears that the school building and single family houses would have adequate sewer and water facilities, including primary and reserve septic areas and water connections to the existing water mains in South Street and Mulberry Street. The Applicant should contact the Village Water Department to obtain a letter indicating whether the Village has the available water capacity for the project.
5. It appears that the wastewater components for the school building and single family houses, including the primary and reserve septic areas and the septic tanks would



meet the separation distance requirements in accordance with the New York State Design Standards for Intermediate Sized Wastewater Treatment Systems and the Dutchess County Design and Construction Standards Plan Submission Guide for Residential and Commercial Onsite Wastewater Treatment Systems and Sewer Mains for Less Than 1,000 Gallons per Day. However, a basis of design table should be provided for each single-family lot and the school to determine how each septic system was sized and to determine if adequate reserve area is provided.

6. According to the Preliminary Stormwater Pollution Prevention Plan it appears the development would require coverage under the New York State General Permit for Discharges from Construction Activity. The SWPPP should be revised to:
 - a) Identify how many square feet of the site will be developed as part of the larger common plan of development for the area and provide existing and proposed impervious areas.
 - b) Indicate the types of practices to be provided for water quality treatment and water quantity treatment.
 - c) Clarify that the stormwater management design will be consistent with Chapter 9 Redevelopment Projects, of the New York State Stormwater Management Design Manual, including provisions for treating water quality volumes from existing impervious areas and new impervious areas.
7. According to the field soil testing information, it appears the soils are granular with no shallow groundwater or bedrock and are suitable to support the design for the wastewater systems and stormwater management systems.
8. A parking table and a parking layout for the school building parking area need to be provided to determine if there is adequate parking, including handicap accessible parking, and vehicle circulation area. The parking table should be in accordance with Section 120-47(C)(15). An area for garbage and recycling should also be shown in the parking area if it will be provided exterior to the building. It should be noted there is on street parking on Mulberry Street, South Street and E Market Street but overnight on street parking is prohibited in the Village between November 15th and April 1st for emergency snow removal. See comment above regarding providing a zoning compliance table.
9. There is adequate parking provided for the proposed single-family houses including two car garages and parking within the driveway.
10. The proposed driveway to the parking area behind the school building is approximately 12 feet wide. The driveway width should be increased to accommodate two-way traffic. The Applicant may consider the use of permeable pavement systems to augment the width of the driveway to reduce impact from stormwater runoff.
11. The Applicant needs to demonstrate the site has adequate emergency service access requirements as indicated in the New York State Building Code and Fire Code. The project should be reviewed by the Chief of the Village Fire Department.
12. The Applicant should provide information regarding the construction noise and operational noise for the project including hours of construction operation and operational noise for mechanical that may be exterior to the building.
13. The Applicant should provide information regarding the lighting in accordance with Sections 120-18 and 120-47(C)(6).
14. A Traffic Impact Study for the project has been completed and the following are some key items taken from the study.
 - a) The study intersections included East Market Street/Mulberry Street, East Market Street/North Parsonage Street, South Street/Mulberry Street and South Street/North Parsonage Street/South Parsonage Street.

- b) Turning movement counts were collected during a typical weekday and a typical Saturday at the study intersections.
 - c) The Land Use Code (LUC) 210 "Single Family Detached Home" and LUC 220 "Multifamily Housing (Low-Rise)" from the Trip Generation Manual were used for the proposed project.
 - d) The project is expected to generate a total of eight trips during the AM peak hour, a total of nine trips during the school dismissal peak hour, a total of nine trips during the PM peak hour, and a total of eight trips during the Saturday midday peak hour. These trips would be added to the background traffic.
 - e) Two other developments were identified by the Village of Rhinebeck and the traffic proposed to be generated by these projects was included in the analysis.
 - f) The level of service analysis indicates that the Build condition of the study intersections will operate at the same levels of service as the No-Build conditions.
 - g) Furthermore, the project is not expected to have a significant adverse impact on the surrounding roadway network.
15. The Traffic Impact Study (TIS) should provide information regarding the existing and historic traffic uses at the site. A collision history analysis should be conducted for the study intersections utilizing available accident data for a the most recent three-year time period. Any existing collision patterns and/ or potential safety impacts due to the proposed development should be noted. A discussion of pedestrian and/ or bicycle facilities at the project site and proposed circulation should be provided. A sight distance assessment at the proposed driveway of the site should be conducted. Overall, the study time periods, existing traffic volume adjustments, future traffic volume growth assumptions, capacity analysis methodology, and trip generation/ distribution methodology described in the TIS are consistent with typical industry practice. Finally, as recommended by the Institute of Transportation Engineers (ITE), a traffic study is not recommended when a development is estimated to generate fewer than 100 trips in any one-hour period.
16. A Phase 1A Literature Search and Sensitivity Assessment and Phase 1B Archaeological Field Reconnaissance Survey has been conducted. Hudson Cultural Services recommended that no further archaeological investigation is warranted. They also stated that the recommendation is subject to concurrence by the New York State Office of Parks, Recreation and Historic Preservation (OPRHP). The Applicant must provide a letter of no effect from OPRHP.
17. We recommend the Applicant's EAF (Part 1) be revised to reflect the engineering details provided in the development studies and plans prepared by the Applicant's engineering consultants, including trip generation, water consumption, increase in impervious area. It should also be revised to reflect the required Planning Board subdivision approval and physical development of the single family parcels, particularly sections D.1, D2 and E.1.

We will proceed with preparing a suggested Part 2 and Part 3 EAF for the Board's consideration, and will submit this under a separate cover. We note that sections 17 and 18 of the Part 2 require identification of potential impacts relating to the project's consistency with community plans and community character, respectively, and Part 3 requires evaluation of those potential impacts, including the availability of multifamily and affordable housing. These issues have been discussed in several Village board meetings and written submittals on the project. Accordingly, we will review the comments to date, particularly the comments in planner Nan Stolzenberg's October 3, 2022 letter to the Board (at 3-6), and will consult with you and members of the board, in identifying and evaluating these impacts. In addition, to the extent available, we will review information gathered by the Village Comprehensive

Plan Committee public outreach and deliberations to date in preparing a draft Updated Comprehensive Plan. We will also review the applicant's comments on October 19 2022, as well as anything else the applicant may submit.

As has been discussed in the Board's previous meetings, consistency with community plans is important not only as an issue for SEQRA review, but also as a guide for the adoption of a new zoning law, including the proposed zoning amendment.

We appreciate the opportunity to provide these comments for the Board's consideration. Should you have any questions, please do not hesitate to contact me at 845-516-5803.

Very truly yours,

T&B Engineering and Landscape Architecture, P.C.



Brandee Nelson, PE, LEED AP
Vice President

Cc: David Gordon, Esq.

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