

# Dutchess County Department of Planning and Development

Fax Info Only	To	Date	#pgs
	Co./Dept.	From	
	Fax #	Phone #	

## 239 Planning/Zoning Referral - Exemption Communities

Municipality: **Village of Rhinebeck**

Referring Agency: **Municipal Board**

Tax Parcel Number(s):

Project Name: **BSO Zoning Amendment-Updated**

Applicant: **Village of Rhinebeck Board of Trustees**

Address of Property:

Please Fill in this section

### Exempt Actions:\* 239 Review is NOT Required

- Administrative Amendments (fees, procedures, penalties, etc.)
- Special Permits for residential uses (accessory apts, home occupations, etc.)
- Use Variances for residential uses
- Area Variances for residential uses
- Renewals/Extension of Site Plans or Special Permits that have no changes from previous approvals

### No Authority to review these Actions

- Subdivisions / Lot Line Adjustments
- Interpretations

Exempt Action submitted for informal review

### Actions Requiring 239 Review

- Comprehensive/Master Plans
- Zoning Amendments (standards, uses, definitions, district regulations, etc.)
- Other Local Laws associated with zoning (wetlands, historic preservation, affordable housing, architectural review, etc.)
- Rezoning involving all map changes
- Architectural Review
- Site Plans (all)
- Special Permits for all non-residential uses
- Use Variances for all non-residential uses
- Area Variances for all non-residential uses
- Other (Describe):

### Parcels within 500 feet of:

- State Road: **Rt 308**
- County Road:
- State Property (with recreation area or public building)
- County Property (with recreation area or public building)
- Municipal Boundary
- Farm operation in an Agricultural District

Date Response Requested: **4/5/2024**

Entered By: **McClinton, Martina**

\*These actions are only exempt in municipalities that signed an intermunicipal agreement with Dutchess County to that effect.\*

### For County Office Use Only

## Response From Dutchess County Department of Planning and Development

### No Comments:

- Matter of Local Concern
- No Jurisdiction
- No Authority
- Withdrawn
- Incomplete - municipality must resubmit to County
- Exempt from 239 Review
- None

### Comments Attached:

- Local Concern with Comments
- Conditional
- Denial
- Incomplete with Comments- municipality must resubmit to County
- Informal Comments Only (Action Exempt from 239 Review)

Date Submitted: **4/3/2024**

Date Received: **4/3/2024**

Date Requested: **4/5/2024**

Date Required: **4/5/2024**

Date Transmitted: **4/5/2024**

Notes:

Major Project

Referral #: **ZR24-110**

Also mailed hard copy

Reviewer: 



**DUTCHESS COUNTY GOVERNMENT**  
**DEPARTMENT OF PLANNING & DEVELOPMENT**

April 5, 2024

To: Village Board, Village of Rhinebeck  
Re: Referral ZR24-110, Bulkeley Schoolhouse Overlay Zoning Amendment  
Lot: 135001-6170-19-568209, 6 Mulberry Street

The Dutchess County Department of Planning and Development has reviewed the subject referral within the framework of General Municipal Law (Article 12B, §239-l/m).

**ACTION**

The Village seeks to adopt the subject local law which would establish a new overlay district. The Bulkeley Schoolhouse Overlay (BSO) District comprises the lot containing the former Bulkeley Schoolhouse and is proposed to create more flexible zoning requirements to promote the adaptive reuse of the historic schoolhouse structure and expand housing choices within the Village.

**COMMENTS**

***Sidewalks***

- We recommend that sidewalks be constructed with a minimum width of five feet to facilitate accessibility and align with ADA [guidelines](#) governing pedestrian access routes. In instances where sidewalk width is less than five feet, passing spaces measuring at least five feet by five feet (which may include driveway entrances) should be established at intervals of no more than 200 feet.
- § A125-29.A of the Village Code does not appear to permit bluestone sidewalks, as sidewalks are to be constructed of either portland cement concrete or asphalt. We recommend against bluestone as a material as its propensity for displacement and deterioration from shifting soils and root growth may cause hardship for those with mobility limitations. Since adjacent property owners bear the responsibility for sidewalk maintenance, bluestone use may require greater oversight by the Village to uphold accessibility standards and public safety.

**RECOMMENDATION**

The Department recommends that the Board rely upon its own study of the facts in the case with due consideration of the above comments.

Eoin Wrafter, AICP,  
Commissioner

By

Ian Wickstead  
Planner