

### Impact on Land

The proposed action may involve construction that continues for more than one year or in multiple phases. The project action includes the adoption of a local law to create an overlay district, Bulkeley Shepherd Overlay (BS-O), for the adaptive reuse and redevelopment of the existing schoolhouse into a 9-unit multi-family building, as well as a subdivision to create five parcels, including one parcel for the school and four additional parcels to be developed as single-family homes.

The proposed project as described is not expected to have a significant adverse impact on land. The land in this area has no unusual sensitivity and neither the construction of the new homes nor the adaptation of the existing school building will cause any significant impact to the site of the project or to the land surface of the surrounding neighborhood.

A Phase I Environmental Site Assessment<sup>1</sup> has been conducted for the project site. The site assessment concluded that the project site contains no evidence of recognized environmental conditions that pose a hazard to human health or the environment. During construction, there is potential for urban fill to be encountered that will be subject to disposal requirements.

The block the property is within is characterized by single- and two-family homes, and a civic building, the Town of Rhinebeck's Town Hall. Across the street from the school building, on Mulberry and South Streets, are more single- and two-family homes and Good Shepard Church. The proposed project will infill undeveloped land with housing of a similar character and will retain a historic building for adaptive reuse. Sediment and erosion controls will be put in place to mitigate the physical disturbance that will be made to the land for the structures, driveways, etc.

### Impact on Groundwater

The proposed action will include wastewater discharged to groundwater. The project includes proposed primary and reserve septic systems/areas for the school building and the single-family houses. The school building and single-family houses are proposed to have sanitary facilities, including primary and

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<sup>1</sup> PVE, LLC. *Phase I Environmental Site Assessment*. Poughkeepsie: PVC, LLC, 2019.

reserve septic areas, which meet the regulatory requirements established by the State of New York and Dutchess County. Information provided by the Applicant's technical consultant demonstrates that the wastewater components proposed, including the primary and reserve septic areas and the septic tanks, will 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 On-site Wastewater Treatment Systems and Sewer Mains for Less Than 1,000 Gallons per Day (GPD). Additionally, according to the field soil test conducted for the site, the soil is granular with no shallow groundwater or bedrock and is suitable to support the design for the wastewater systems.

Use of on-site septic systems is consistent with the wastewater disposal practice throughout the residential areas in this portion of the Village. Potential impacts to the groundwater are mitigated by the design and installation of a modern on-site septic system which provides treatment of wastewater.

The project is not expected to have any substantial impacts to groundwater.

#### Impact on Aesthetic Resources:

The proposed action will change the streetscape view of the project area, as the existing schoolhouse will be re-developed into a 9-unit multi-family housing building and new single-family homes will be constructed. The redevelopment will be noticeable to residents who routinely pass through Mulberry Street as a means of traveling to and from work. However, this infill development will blend into the character of the surrounding neighborhood, as most adjacent parcels contain single- and two- family homes.

The proposed aesthetic impacts of the infill development described will not have significant adverse impacts to the proposed residences and surrounding neighborhood.

#### Impact on Historic and Archeological Resources

The proposed action will modify the existing school building, which has been listed on the National and State Register of Historic Building since 1979 and 1980, respectively. The building was historically the Father Edward P. Brogan Parish Center and is now recognized as the Bulkeley Schoolhouse. The schoolhouse building has not been in use for many years and is in a

deteriorating condition. The adaptive reuse and retrofitting of the schoolhouse would convert the building into a 9-unit multi-family building. The property on which the schoolhouse resides will be subdivided to create five parcels. While the original brick structure of the building will be adaptively reused, the cinderblock addition will be demolished. The façade will be refurbished to retain historic elements unique to the structure. The adaptive reuse of the building will allow a structure listed as contributing to the Village's historic district, to be preserved. The retention of the existing school building is consistent with the preservation of the historic district.

The development of four single family homes under the proposed zoning amendment is also consistent with the preservation of the historic district. Single family homes are the dominant land use along South Street, a majority use throughout the historic district and a common feature along the stretch of East Market Street where the project would result in the placement of one house and the removal of an unsightly chain link fence.

The proposed zoning amendment will require the development of new homes to comply with the village code for construction in the historic overlay district (HDO) in section 120-39, and specifically requires the Planning Board to review such development plans as part of its site plan approval.

A Phase 1A Literature Search and Sensitivity Assessment and Phase 1B Archaeological Field Reconnaissance Survey<sup>2</sup> 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.

For the foregoing reasons, the proposed project is not expected to have a significant adverse impact on the historic character of the Village or the neighborhood.

### Impact on Transportation

A Traffic Impact Study<sup>3</sup> for the project was completed and revised in September 2023. The level of service analysis indicates that the Build

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<sup>2</sup> Hudson Cultural Services. "Phase 1A Literature Search and Sensitivity Assessment & Phase 1B Archeological Field Reconnaissance Survey - Dutchess Shepherd Bulkeley School Project." 2023.

<sup>3</sup> Creighton Manning . "Traffic Impact Study for Residential Development, 6 Mulberry Street, Village of Rhinebeck, Dutchess ." 2023.

condition of the study intersections will operate at the same levels of service as the No-Build conditions. Parking will be provided off street in driveways for the single-family residential units and in a parking area located at the rear of the Schoolhouse for the multi-family building. The current Village Zoning requires two parking spaces per dwelling unit and the Applicant provides the required number of spaces. The proposed project has no change to the existing sidewalk network.

The housing proposed at the Project location will allow more residents to live within the Village Center. Bicycle infrastructure, including bike racks and storage areas, are provided by the Applicant to facilitate non-vehicular transportation. The accommodation for walking and cycling is a positive influence on the Village's transportation system, that is supported in the Village's Climate Smart Communities Plan.

The study used standard and accepted analyses and concluded that the project will not have a significant adverse impact. As no countervailing data or analyses have been presented, no significant adverse impact on traffic is expected.

### Impact on Energy

The proposed action will have an increase in energy usage to support the new apartment use of the Bulkeley Schoolhouse building and the energy uses for each proposed single-family home. As part of the construction, energy efficiency upgrades will be performed to meet New York State Building Code and new construction will be required to meet the current New York State Building Code which will mitigate the impact of energy use associated with the project.

A Line-of-Sight Assessment<sup>4</sup> has been prepared to analyze the lines of sight of the solar arrays installed on the project site's rooftops from passing pedestrians on South Street, East Market Street and Mulberry Street. As shown in the assessment, the solar panels will not be visible from these streets.

The proposed energy increase is not expected to have a significant adverse impact.

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<sup>4</sup> NAVA. "Solar Array Sight Lines." 6 December 2023.

### Impact on Noise, Odor, and Light

The proposed action will have an increase in noise and outdoor lighting. The noise generated will be typical construction noise and operational noise for a residential development. Hours of residential construction are anticipated to occur between 7am to 6pm Monday-Friday, and the proposed zoning amendment will further require the Planning Board to impose practicable mitigation where necessary.

Due to the nature of the development, more light will be created at night, considering the building has not been in use for many years and emitting no light. However, there are existing lights in the parking lot. Light generated from the proposed single-family homes will resemble the existing light created by the existing surrounding homes. The apartment complex will include permanent parking lot lighting for nighttime activities. A lighting plan for 10 Mulberry Street has been prepared, with exterior lighting on the northern and southern walls of the building and in the proposed parking area<sup>5</sup>. There are no proposed lights on the eastern side of the building, fronting on Mulberry Street.

The zoning amendment would require exterior lighting to be Dark Sky compliant, directed away from adjacent structures, streets, and property lines and except for security lighting, to be placed on timers and motion activated. It also requires the Planning Board to ensure that the impact of illumination on neighboring lots is minimized to approve such development and that screening is used to minimize visual intrusion. Dark Sky compliance requires the lighting to be 1) necessary, 2) targeted, 3) minimized, 4) controlled and limited, and 5) warm colored.<sup>6</sup>

The proposed noise and outdoor lighting are not expected to have a significant adverse impact on the surrounding neighborhood.

### Consistency with Community Plans

The proposed zoning amendment would create a new Bulkeley Schoolhouse Overlay District. The proposed action would utilize the existing, unused schoolhouse building to develop 9 units of multifamily housing, but would otherwise generally comply with the requirements of the residential district

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<sup>5</sup> Creighton Manning . "10 Mulberry Street Lighting Plan - 10 Mulberry Street, Rhinebeck, NY - Village of Rhinebeck, Dutchess County." October 2023.

<sup>6</sup> DarkSky International, Five Principles for Responsible Outdoor Lighting, available at <https://darksky.org/resources/guides-and-how-tos/lighting-principles/>, last accessed January 12, 2024)

and the historic district overlay which govern the site. Current zoning regulations in the R district do not permit multifamily housing.

The proposed project is consistent with the text and goals of the Local Comprehensive Plan (LCP), adopted in 1993. The LCP highlights the preservation and enhancement of the historic buildings and character of the village, including “mak[ing] new development consistent with the existing Village”.<sup>7</sup> Historic preservation includes adapting existing buildings in the historic district to new uses to preserve their viability: “

The Village should encourage historically sensitive rehabilitation of historic properties that are being restored or adapted to new uses.

The Village should require new development to be compatible with the setting, scale, and design of surrounding architecture and landscape elements.<sup>8</sup>

The Village’s 1993 LCP contributes an entire section to Historic Preservation, including specific details on the history of the Bulkeley Schoolhouse. At the time of the plan’s publication, the schoolhouse was still being used to house a few classes for the Village’s central school district. Today, the schoolhouse has not been in use for many years and is vacant and deteriorating. The proposed zoning amendment and project would provide for adaptive reuse of the historic Bulkeley School, thus preserving both the building itself and its role in and relationship to the surrounding historic district. Absent such adaptive reuse, it is likely that the historic building would be removed to allow for single family residential redevelopment. The project also contemplates a subdivision to provide for 4 single family homes, which is consistent with the surrounding uses, particularly on South Street. The adaptation of the school building to multifamily use implements the LCP policy of adaptive reuse to preserve historic structures and the contributing buildings to the historic district. The proposed zoning amendment contains a number of provisions to ensure that both the redevelopment of the schoolhouse and the development of the single-family homes are consistent with the existing historic character of the neighborhood and district,<sup>9</sup> and the project as proposed complies with these criteria. Site plan review by the

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<sup>7</sup> LCP at 10.

<sup>8</sup> LCP at 80, goals 2.4 and 2.5. See also LCP at 10 (“Eighty-five percent [of surveyed residents] thought that new construction should be required to be compatible with surrounding historic buildings”).

<sup>9</sup> See *e.g.* proposed § 120-39.1F(b) (requiring the project to comply with, among other things, the standards of the Historic District Overlay [HDO] and the Residential district, where applicable).

Planning Board would further ensure compliance with historic and village residential standards.<sup>10</sup>

Second, the proposed zoning amendment and project would support a number of interrelated LCP goals to preserve and enhance Rhinebeck as a “concentrated village center”<sup>11</sup> in a more rural area. Despite the limitations of the site, it would enhance the village center’s economic and residential base, provide more dwelling units within a few blocks of the stores and restaurants in the village’s central commercial area and encourage walking and bicycling as an everyday means of transportation.<sup>12</sup>

Third, the LCP recognizes the central need for more housing, and a diversity of housing types, that extends well beyond Rhinebeck’s borders, affecting the whole region and much of the nation. The LCP noted that opportunities to develop new housing “are limited by the mostly developed nature of the Village” and the need for new housing to “match the increasing trends toward one person households, single heads of household, and smaller overall families.”<sup>13</sup> The R Residential district, in which the project is located covers the vast majority of the Village’s area. Accordingly, the LCP promoted flexibility in siting new housing, including in the “well-established residential neighborhoods with a high percentage of older, historic homes.”<sup>14</sup> “In established neighborhoods strategies to accommodate additional small units include accessory apartments and conversions of large houses into two-family or multi-family use.”<sup>15</sup>

For the foregoing reasons, the proposed adaptive reuse of the historic Bulkeley school with 9 multifamily units and 4 single family homes on the adjacent grounds is consistent with the 1993 LCP’s vision of preservation and development of the Village. However, the Village Board is aware that the LCP plan is three decades old and in the process of being updated. The Comprehensive Plan revisions are under development by a special Comprehensive Plan Committee (CPC) appointed for that purpose pursuant to Village Law 7-722.

Accordingly, the Village Board also reviewed whether the project and proposed BSO district would contravene any of the policies and plans being proposed by the CPC. That review indicates that the project and proposed

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<sup>10</sup> See *e.g.* proposed § 120-39.1C(a) (requiring the Planning Board to ensure the Site Plan’s consistency with HDO and Residential standards, among other things).

<sup>11</sup> LCP at 35; see *also* LCP at 94 (recognizing piecemeal growth of the historic village and encouraging infill redevelopment).

<sup>12</sup> See LCP at 86 (promoting Rhinebeck as a “pedestrian oriented place”).

<sup>13</sup> LCP at 52.

<sup>14</sup> *Id.*

<sup>15</sup> *Id.* at 53.

zoning amendment are as consistent with the policies currently under consideration by the CPC as with the 1993 LCP.

The comprehensive plan updates are being drafted after extensive community outreach in the Village. This vision includes the actions being proposed herein for the Bulkeley Schoolhouse adaptive reuse and retrofit.

The LCP policies noted above that are applicable to the proposed project and BSO district, historic preservation, and enhancement of the housing stock and Village center are also consistent with the proposals under consideration for the revisions to the comprehensive plan. As noted above, one of the most important development policies facing the Village in 2024, as well as the entire region, is the availability of housing, and in particular a diversity of housing to accommodate rapidly increasing public demand. As a result, the CPC created a Housing and Historic Preservation Subcommittees, to assist in the preparation of the Village of Rhinebeck Plan, historic resources, character preservation, and housing in the Village. The Subcommittee is expected to propose the re-use and retrofitting of historic, vacant buildings, specifically for the Village to permit multi-family dwellings through adaptive reuse and new construction in residential districts (assuming septic requirements can be met). It will seek to permit an increase in building potential in areas within walking distance to the Village Center. The creation of the Bulkeley Schoolhouse Overlay District is directly in alignment with the current deliberations of the Subcommittee, and is expected to be consistent with the upcoming Plan to the extent knowable at the present. The Plan update is likely to emphasize the need for more varied housing types in the Village, such as is being proposed for this project (e.g., cottage sized single-family homes and a multi-family apartment building).

The current deliberations of the CPC and its subcommittee are an appropriate and expected consequence of the housing shortage confronting Rhinebeck and other municipalities in the region, as detailed in the March 2022 Dutchess County Housing Needs Assessment (HNA). This document identifies the housing needs/interventions the County's communities should be striving to include in the next two decades. Among other things, Dutchess County, and the Village of Rhinebeck in particular, have an aging resident base. This calls for more varied housing types to be provided, including senior restricted houses, multi-family apartments, townhomes/two-family homes, and cottage-style single-family homes. These housing types allow for the aging population to consider downsizing, instead of staying in place in their larger single-family homes. This project will succeed at providing a multi-family development as well as cottage-style single-family homes. Providing more modest housing than is typical in the Village today will improve Village and County wide competition for housing.



Notably, the overall project is generally consistent with the density allowed in this area of the Village. The R (Residential) zone allows development of a single or two-family home on a lot with a minimum area of 8,000 sf. This would allow 6 or 7 duplexes, or 12-14 residential units on the site's 1.43 acres. In comparison the project would comprise a maximum of 13 units (9 apartments in the schoolhouse plus 4 single family homes). The project will also be in conformance with the subdivision policy of the Village of Rhinebeck Planning Board in accordance with Section A126-3.

The proposed project is not expected to have a significant adverse impact on the surrounding neighborhood and will be consistent with current plan recommendation for historic preservation and the future direction of the Village's Comprehensive Plan update for historic preservation and providing diversity of housing.

#### Consistency with Community Character

The proposed action is generally consistent with the character of the surrounding neighborhood and community. To the south, the South Street neighborhood is single family residential. To the north, east and west, East Market Street and Mulberry Street include a number of residences and institutional uses including religious and municipal facilities.

The new single-family homes developed in the proposed action are consistent with the surrounding residential uses, which are single- and two-family houses. They will be located on lots that are all more than 8,000 sf and thus comply with the existing R zoning. The proposed lots are consistent with the residential lots on East Market Street, and somewhat smaller than those on South Street.

The redevelopment of the Bulkeley School will not have any impact on community character through its physical presence because the school building already exists and is part of the community. The development will maintain the character of the historic building as the schoolhouse building was constructed in 1931. Additionally, the proposed zoning amendment requires all Village historic design standards to be followed to enhance the school's conversion to a multi-family apartment building. Moreover, the existence of other institutional uses nearby, including the church across Mulberry Street and the municipal facilities on East Market Street further indicate the consistency of the school building in its context.

The multifamily use is new to the neighborhood, but as it is a residential use is only marginally different from the single family and two-family (duplex) uses already existing in the neighborhood. The density of the multifamily use is somewhat greater than the surrounding mix of single-family

residences and duplexes. However, since the project will consist of a single existing schoolhouse building and four new single-family homes, and because it is very limited in scope (the schoolhouse on an about 2/3 acre lot and the single family homes on lots > 8,000 sf as required in existing zoning), there is no expected significant impact on community character.

The Village is aiming to provide for varied housing types, including offering smaller and more modest single-family homes and multifamily units that can be utilized by smaller family units.<sup>16</sup> Considering this is one of the few vacant properties in the Village, especially within a short walk to the central commercial area, the project is consistent with the Village's residential needs, and the Comprehensive Plan update is expected to take more steps to implement these policies.

The project will create a demand for additional community services including schools and emergency services; however, such demand will be minor, as there will only be four proposed single-family homes and 17 bedrooms in the retrofitted schoolhouse.

The proposed project is not expected to have a significant adverse impact on the surrounding neighborhood's character and will be consistent with Village housing types.

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<sup>16</sup> See e.g. CP at 52-53 ("New housing must match the increasing trends toward one person households, single heads of household, and smaller overall families . . .")