

**Task Force Members:**

- Michael Forlenza (Resident-at-large)
- David Miller (VOR Planning Board)
- Lila Pague (WSSM)
- Victoria Polidoro (Fosters)
- Lydia Slaby (VOR)
- Fletcher Tingle (The Amsterdam)
- John Traver (Samuels)
- Luciano Valdivia (Market St)

**Process:**

- Previously:
  - Outdoor dining during the current state of emergency for COVID-19.
    - Draft plans reviewed by the VOR BOT and discussed on February 23, 2021.
    - Held three public comments (one on March 11, two on March 18)
    - Trustee Slaby and other members of the task force spoke with VOR Police and Fire, NYS DOT, numerous restaurateurs, retailers, and property owners.
    - VOR Engineers (Tighe & Bond) have drafted a map and vehicle safety study for Jersey barrier placement on W. and E. Market Streets and Livingston Streets in front of various restaurants for expanded outdoor dining possibilities.
- Today's meeting: responding to the comments made by the public and other interested parties for inclusion in the final regulations, permits, and maps.
- Future meetings: long-term plans to make the Rhinebeck CBD friendlier to outdoor dining and more walking traffic
  - This planning process will involve public comment opportunities and is expected to take at least a year.

**Current State of Emergency Plan:**

- Due to COVID-19, the state of New York and Dutchess County are under declared states of emergency, which in turn grant municipalities like the Village of Rhinebeck opportunities to be flexible with certain zoning laws. The VOR BOT has used this flexibility to grant our businesses the opportunity to maximize sales during this unprecedented time.
- Using the 2020 regulations and Jersey barrier map as a template, the TF discussed changes to make the overall plan work better for restaurants, retail, residents, and visitors alike. The public has been granted time to comment, and outreach to businesses in the downtown area has been ongoing.

**Comments:**

Membership of the TF

- Jean Michel (MegaBrain Comics) has resigned stating schedule concerns

- Trustee Slaby has put out a general call for retailers with interest from Mari Bird (Willow Wood) and Sammy Schreiber (Pause Dog Boutique). She will appoint them during the VOR BOT meeting on March 23, 2021. Would like one more retailer specifically not on the south side of E. Market Street.
- Trustee Slaby has indicated that she would like at least one more VOR resident (with no business interest in the downtown district) on the TF as the TF moves into long-term planning.

Public Comment and TF recommendations:

- General
  - Is this a “done deal”? Why are we doing this if restaurants are going to 75%?
    - Response: although the regulations allow for increased capacity, businesses are witnessing a strong hesitancy from patrons for increased density of diners and shoppers.
  - General excitement that VOR will “duplicate” what was done in 2020
- Barriers
  - South side of East Market
    - Many property and business owners do not want one continuous barrier that is empty of tables and use, a spot for street trash to accumulate, and an unnecessary loss of parking
      - Response: agree. Map edited.
    - Concern from retailers between Samuels and Pete’s that without one continuous barrier, they will be only retailers “blocked in” by a barrier.
      - Response: agree. Discussion of sandwich boards and verification that all neighboring businesses have complete control over the space in front of their business (both sidewalk and blocked-off street parking, if relevant).
  - Safety concerns on vehicles turning from Rt 9 onto 308, Garden St onto 308, and Rt 9 onto Livingston St.
    - Response: engineers to run vehicle turning safety studies on all intersections.
  - Aesthetics of Jersey barriers
    - Response: any signage beyond sandwich boards will require permitting on the outdoor use application
  - Windbreaks/tents/canopies etc
    - Response: any “vertical” element other than umbrellas must be delineated on the outdoor use application and accompanied with a building application and permit
  - Questions of equity from business to business
    - Response: general agreement that increased traffic to any part of the village is good for all businesses in the village
- Duration
  - General feeling that the state of emergency will lift sometime this summer. Therefore a predictable end to the emergency rules needs to be set.
    - Response:

- Concern from businesses that investment is considerable, and deconstruction is a heavy ask during busy season.
- General agreement that if emergency is not lifted by September 15, the VOR BOT will revisit, otherwise these rules will all lift and permits expire by October 31, with all outdoor furniture and barricades removed on November 1, 2021.
- “Compliance”
  - Desire to have clear penalties for lack of compliance with rules and guidelines.  
Desire to have VOR have a plan around enforcement.
    - Response: All recognized that we are all in this pandemic together, every situation is unique. Therefore we only ask that people please remember that these regulations are designed to balance our physical safety with our economic vitality. But “flagrant” and “repeated” violations will eventually result in loss of outdoor use permit.
- “Mask Zones”
  - Request to expand the Mask Zones as indicated by the **bolded/underlined** language below:
    - The north side of West Market Street between Route 9 and Oak Street.
    - The north and south sides of East Market Street between Route 9 and the Municipal parking lot.
    - The east **and west** side of Montgomery Street between Market Street and Livingston Street.
    - The north side of Livingston Street between Montgomery Street and the end of the Terrapin parking lot.
    - **The south side of Livingston Street between Montgomery Street and Rhinebeck Savings Bank ingress/driveway on Livingston St**
    - **The west side of Garden Street between West Market Street and Delamater Inn Entrance**
    - Response: agree except for Garden Street. There are no telephone poles or other means for posting signs on the west side of the street, and no real sidewalk on the east side.
  - Request for Village to provide Mask Zone signs for private use.
    - Response: neutral. Trustee Slaby indicated that the VOR supports all businesses in complying with the safety requirements of the NYS Dept of Health and CDC, but she will not recommend providing public signs at public cost for private use.
  - Concern from VOR Police and business owners that they are facing increased resistance to mask use from people who have been vaccinated.
    - Response: general dismay. Trustee Slaby indicated that the VOR will consider additional signage around the CDC’s recommendations around vaccinated people.
- Furniture
  - Concern that the current language in the draft regulations is untenable: “All furniture needs to be brought indoors in case of temperatures and weather conditions that would make outdoor use unreasonably optimistic.”

- Response: agree. Redraft now that snow and frigid temperatures are no longer a concern.
- CVS Park/Other Outdoor Spaces
  - 100% support from all who mention it that the space in front of CVS could be used more successfully
  - Question around creating signs pointing visitors to the American Legion Park or Thompson Mazzarella field by the library?
    - Response: neutral. Trustee Slaby indicated she would suggest it to the VOR BOT.
- Sidewalks
  - Concern that there is not enough space for pedestrians to get through the table areas safely.
    - Response: ADA and general outdoor dining requirements ask for 5 feet of width for a sidewalk through a retail/café area. All restaurants have indicated that this is a feasible requirement. Therefore the new regulations will require 5 feet of pedestrian thru-way.
  - Concern about bicycles being ridden down the sidewalks between tables.
    - Response: agree. Trustee Slaby indicated that she will look into ways to make sure that bicycles are walked along the sidewalks in the business district.
- Permitting and related regulations
  - 2020 permits need to “expire” and new permits need to be more detailed.
    - Response: agree. Current permits will expire as of April 30. New permits will go into effect May 1, 2021. One permit for outdoor dining and one for outdoor retail. Must include a detailed map of table locations and a waiting area that is not in the pedestrian thru-way.
  - Occupancy limits: building inspector has reported that as long as a patron does not have to use a “door” or “gate” or other impediment to leave the area in the case of an emergency, then occupancy is dependent on SLA and Board of Health regulations.
  - Building inspector concerned about better regulation of patio heaters and has suggested language to that effect for the regulations.
- Signage
  - Concern that massive signs hanging on tents gives the Village a “carnival” feel.
    - Agree. Any signage outside of village building requirements beyond sandwich boards must be included in the outdoor use permit application to be approved by the building inspector.
- Parking and parking associated with farmer’s market
  - Generalized concern that there is not enough parking before the barriers take up some street parking
  - Generalized opinion that there is plenty of parking as long as people are willing to walk for a block or two

- Generalized concern that if a patron cannot park in front of the store that they plan on visiting, then the store will lose that business
- Generalized opinion that visitors will visit stores that seem interesting regardless of where they have parked
- Generalized awareness that employees take up parking spaces in front of and near the businesses
- Generalized concern that enforcement of the 2-hour limits is bad for business
- Generalized opinion that enforcement of the 2-hour limits is good for business
- Generalized opinion that the 2-hour limits should be extended to Sunday and Holidays
- Generalized opinion that the 2-hour limits should not be extended to Sunday and Holidays
- Generalized concern that the Livingston Street “parking permits” is inequitable and bad for business, especially considering that all Livingston Street residents have to have off-street parking for winter regulations
- Generalized opinion that we have “plenty” of parking as long as private owners of parking lots allow for their public use in “off” hours, better use is made of the Library and Pool parking lots, etc.
- Generalized concern that the farmer’s market takes up too much space in the municipal lot
- Generalized opinion that the farmer’s market brings so much business to the Village that it offsets the amount of space that they take up in the municipal lot
- Generalized hope that the farmer’s market will be able to go back to a smaller footprint sometime during the 2021 season
  - Response to all: neutral. It seems there are a lot of opinions on parking and few facts. Therefore, as part of the long-term mission of the outdoor dining task force, we will apply for a parking study grant to determine the extent of the problem and how it can be resolved.

**Next Steps:**

- The VOR BOT will discuss the proposed revised state of emergency outdoor dining regulations, map, and permits at its meeting on March 23, 2021. At that time, it will hold a public hearing. If all is met with success, it will apply for a DOT permit for the barricades.
- Task force will meet again in April.