

## **SECTION IV PROPOSED USES AND PROJECTS**

### **INTRODUCTION**

The description and map of the proposed land and water uses within the Local Waterfront Revitalization Area boundaries of the Town of Rhinebeck reflects a series of revisions or modifications to the Comprehensive Plan first prepared for the Town in 1969. See [Map 11, "Proposed Land and Water Uses"](#).

The modifications to the 1969 Comprehensive Plan were responses to planning issues or concerns that became apparent during the initial late 1980's preparation of the LWRP and reflect issues raised by a variety of groups and sources during the period including: the Dutchess County Planning Board in the Rhinebeck Transportation Study; the Hudson River Shorelands Task Force in the Mid-Hudson Historic Shorelands Scenic District Management Plan; the Rhinebeck Conservation Advisory Council in its role as Waterfront Advisory Committee and the Town's planning consultant.

These issues or areas of concern, which were concurrently reflected in the Town's then concurrent Comprehensive Plan Update (1989), include:

- Preservation of rural, low density qualities of the Town;
- Protection of environmentally sensitive areas;
- Provision of public access to the Hudson River and its tributaries;
- Preservation of historic sites, buildings, landscaped grounds and features;
- Preservation and enhancement of scenic vistas/areas/roads;
- Preservation of stone walls, culverts and bridges;
- Provision of public access to scenic vistas;
- Preservation of ground and surface waters;
- Preservation of agriculture and important agricultural / farmland soils;
- Preservation and, where appropriate, expansion or addition of recreation and open space areas and their uses;
- Promotion of tourism with appropriate controls;
- Improvement or mitigation of traffic and parking problems;

- Compatibility of future development with existing development, including compatibility of new architecture with historic structures;
- Limitation on sprawl of commercial development and setting of design standards to both improve existing commercial sites and guide new construction;
- Appropriate siting of development with regard to flood hazard areas or steep riverbank areas; and
- Creation and utilization of linkages for recreation and open areas.

Today, as this LWRP is being completed, the Town is nearing completion of a highly-participatory process (2003 – present) for its Comprehensive Plan Update and refining of the community's approach to carrying out these long-standing, and still very appropriate, land use policy choices.

A draft Comprehensive Plan has been issued and proposed amendments to the Town's land use controls that would implement the Plan are being prepared for consideration by the Town Board in 2007.

#### **A. PROPOSED LAND AND WATER USES**

In a manner similar to the discussion of "Zoning" in Section II of this LWRP, the below discussion of "Town Plan for Proposed Uses" is based upon the Town's current Comprehensive Plan, as adopted in 1989. The Comprehensive Plan is presently being updated with it anticipated that land use preferences will be expressed by the Master Plan Committee within the updated Plan that will reflect even more strongly the land use policies discussed in Section III of this LWRP.

Town Plan for Proposed Uses

See [Map 11, "Land Use Plan"](#)

The land and water uses plan for the Local Waterfront Revitalization Area of the Town of Rhinebeck largely reflects a desire to preserve the existing historic, scenic and environmental features of the coastal area and a desire to maintain open, low density rural and estate areas along the shoreline and surrounding the commercial and residential centers of activity in the Village of Rhinebeck and the hamlet of Rhinecliff.

Most of the waterfront revitalization area is shown in limited or low-density residential use which will permit no more than a single-family or two-family dwelling per five acres and encourage clustering and the related retention of natural environmental features, agricultural activity, preservation of historic and scenic estates and estate grounds, location of water-related recreation facilities and avoidance of construction in areas of flood or erosion hazards.

Areas north of the Village and east of the Old Post Road, as well as areas to the south of the Village and east of Route 9, are also indicated for low-density residential use with single-family residences; however, in these locations, single-family and two-family dwellings will be permitted on three acres of land.

Moderate-density residential uses, with densities of one dwelling per acre are permitted within the hamlet of Rhinecliff, within the Route 308 corridor between Rhinecliff and the Village of Rhinebeck, and along Old Post Road.

Commercial use is indicated for some of the northeastern portion of the coastal area in the vicinity of Hook Road and Route 9G. Neither public water nor sewer service is available in these areas and any use must not be a nuisance or detriment to either the environment or neighboring properties. An area of less than four blocks in the center of the hamlet of Rhinecliff is zoned Rhinecliff Business (RB) District and recommended for small-scale commercial uses. While this area currently has public water service its development is constrained by both lack of municipal sewage facilities and limited parking opportunities.

Substantial land area within the LWRA is depicted within the "public / quasi-public" category, which means that it is the policy of this LWRP to perpetuate these types of uses. These lands include the Ferncliff Nursing Home; the Astor Home; the former Holy Cross School; the Linwood Sisters of St. Ursula Retreat; the Daytop facilities (the former Rhinebeck Country School) and both the Wilderstein Preserve and Southlands Foundation properties. Smaller areas in this category include the Town Garage, water treatment plant, a firehouse, the Amtrak train station, the Starr and Morton Libraries, and a number of churches.

In addition, the Ferncliff Forest and Snyder Swamp areas are shown in a Conservation category, as are the major streams in the Town -- the Landsman Kill, the Rhinebeck Kill, Fallsburg Creek and the Mudder Kill. This category indicates environmentally sensitive and flood-prone areas where development needs to be severely limited.

The Town Recreation Center / Park, including the recently-acquired Rhineson property, is shown in the Parks category, as is a substantially smaller area in Rhinecliff, Memorial Park.

The Rhinecliff Dock/Town Landing is shown in a Water-Related Recreation category. At the Town Dock, the Town installed its first set of low floating docks for paddle sports in Spring of 2005 and rebuilt the trailer ramp for use in Spring of 2006. Additional sites are shown with an asterisk to indicate that these areas would be suitable for possible future water-related recreational uses, if it becomes feasible to provide a safe means of crossing the railroad tracks at these locations.

Additional use of the Rhinecliff Dock/Town Landing may be forthcoming as a result of the on-going study of potential passenger ferry service linking Rhinecliff with Kingston, Tivoli and other nearby riverfront communities.

The Town dock is currently used for boating, fishing, and passive recreation. Floating docks were built in 2004 for canoe/kayak launch and retrieval, and four bulkhead tie-up posts were installed to accommodate four boats. A gazebo, two grills, and four picnic tables were also built. The boat trailer launch ramp was renovated in time for use in 2006. It is preferred to the floating docks for car top boat launch and recovery by paddle boaters since the floating docks require carrying the boat further to the car parking areas. The dock area has been used for embarking and debarking ferry passengers and fishermen angling during the annual Hudson River striped bass spawn from March to June. Reinforcing the dock for new ferry service has been considered to accommodate a new larger ferryboat. Currently, the Town is focused on scheduling special events at the dock such as a summer concert series and second annual Rhinebeck Waterfront Day.

## **B. PROPOSED PUBLIC AND PRIVATE PROJECTS**

### **1. Public Projects**

See [Map 12, "Proposed Projects"](#).

a. Improvements to the Town Dock / Town Landing at Rhinecliff

The Town has undertaken a series of improvements at the Town Dock/Town Landing, previously utilized as the location of the Kingston-Rhinecliff Ferry dock, and plans other improvements. (See description in Coastal Access Points Section of the Inventory Part II).

b. Waterfront Walkway.

The Town has suggested development of a waterfront walkway, or "boardwalk", along the riverfront linking the Town Dock first to Slate Dock and ultimately to Long Dock.

c. Evaluate areas suitable for establishment of Scenic Lookout / Pull-off or Parking Area(s)

The Town wishes to establish a series of scenic lookout/pull-off or parking areas throughout the Town for use of the public; generally for viewing the Hudson River with west shore areas in the background and for viewing adjacent cove areas. A study will need to be undertaken to evaluate scenic vistas shown on [Map 4](#) and to identify appropriate areas for pull-offs or parking areas. Officials will seek to utilize or acquire an easement or title to a portion of land, possibly through subdivision review, suitable for parking that will give visual access or, in some cases, physical access to a stream or cove for active and passive recreation purposes. The Town will, where appropriate, negotiate with the New York State Department of Transportation

or the County Highway Department to construct pull-off areas that the Town will maintain.

d. Continuation of a Stream Quality Monitoring Program

Many Town officials and residents wish to continue and expand the flow data and water quality testing program begun several years ago on the Landsman Kill and Rhinebeck Kill. This program under the auspices of the Conservation Advisory Council included monitoring the streams at four to six locations along the Landsman Kill and three locations along the Rhinebeck Kill. Flow gauging equipment is required for the effort as well as funds for simple tests to examine alkalinity, hardness, chlorides, nitrates and phosphates and more sophisticated tests to examine other water quality aspects including bacterial level.

e. Bio-Diversity Assessment and Mapping Project

The Town's Conservation Advisory Council has recently undertaken training and is pursuing a project in bio-diversity study and associated mapping of the entire Town, including the LWRA, which will assist both project sponsors and local boards in evaluating ecological and environmental impact of proposed development.

f. Geographic Information System (GIS)

The Town with the assistance of the Dutchess County Planning Department is developing a GIS-based series of land use and environmental features maps of the Town, including the LWRA, which will be coordinated with the bio-diversity assessment and likewise be a useful tool for both project sponsors and the local boards in planning and evaluating proposed development.

g. Improvements to the Town Recreation Center and Park / Master Planning of the Rhineson Property

The Town of Rhinebeck continues to provide maintenance and undertake improvements to the Town Recreation Center and Park on Rhinecliff Road. Recent initiatives have included the acquisition of additional land, i.e. the Rhineson property, and the initiation of a master planning process (2004 – 2005) to develop a physical plan, time schedule and budget for the development of the property for expanded park and recreation use.

h. Establishment of a Trail System

The Town is interested in establishing expanded trail systems for bicyclists, hikers, horseback riders and cross-country skiers utilizing portions of the abandoned Central New England Railroad right-of-way, as well as portions of major subdivisions set aside for this purpose. A priority link of this trail system is a path connecting the Rhinecliff Dock area and the Town Recreation Center. A 25-mile "bike and hike" trail system has, in fact, been initiated throughout the LWRA.

This initiative is consistent with the regional objective of developing within the LWRA a portion of a continuous, north-south Hudson River Greenway Trail which would include direct linkages to Red Hook, Hyde Park and the Village of Rhinebeck.

i. Study of Alternatives to Extending the Village of Rhinebeck Sewer System to Include the Hamlet of Rhinecliff and Other Locations Proposed for Future Development

The hamlet of Rhinecliff periodically experiences problems associated with faulty individual on-site septic systems supported by poor soil conditions and serving too great a density of development. Examination of the feasibility of extending the Rhinebeck Village sewer system and a fruitful search for funding to complete the project has long been an objective of the Town; alternative arrangements that might involve a combined private / public initiative that would not involve the Village's facilities and would accomplish the same objective are being considered by the Town as part of its on-going Comprehensive Plan Update.

j. Efforts to Secure Agreements and/or Funding for Necessary Construction, Maintenance and/or any Repair of Bridges across the Railroad Tracks

In addition to the efforts recently undertaken by the Town and NYSDOT which secured pedestrian and vehicular access to the Hudson River at the Town Dock / Landing in the hamlet of Rhinecliff, efforts will be encouraged to preserve the existing vehicular bridge at The Meadows and provide for the installation of bridges at Long Dock, Slate Dock, and Morton's Dock where there are existing legal rights to crossings of the railroad tracks.

k. Road scape Improvement / Efforts to Preserve Existing Trees and to Plant New Trees

Efforts will be undertaken to establish a Town program for tree maintenance and planting. Such programs will serve to protect and enhance these natural resources that contribute substantially to the scenic quality of the landscaped grounds and scenic roads of the coastal area.

## 1. Preparation of a Harbor Management Plan

The Town of Rhinebeck has recognized the need to manage its near shore areas of the Hudson River and intends in the future to prepare a Harbor Management Plan (HMP). The HMP would expand upon the discussion in the LWRP and more fully address potential conflict, congestion, and competition for space in the use of a community's surface waters and underwater lands and provides the opportunity to identify various alternatives for the optimum use of the waterfront and adjacent water surfaces.

Section II defined the key harbor management issues of local and regional significance concerning use of the waters and near shore areas in the Town of Rhinebeck. These are the lack of public boat docking and launch area, limited potential marina space opportunities, the limited facilities available for transient boaters and commercial tour boats, potential opportunities for shoreline trails and walkways, and the potential competing demands on the Rhinecliff Dock/Town Landing that may occur if ferry service, as presently being studied, is established between Rhinecliff, Kingston and other nearby riverfront communities.

The Town of Rhinebeck has identified throughout this Section proposed projects to address many of these issues and has established as policy the following order of priority for land uses on the immediate waterfront: water-dependent uses, water-enhanced uses, and non-water-dependent uses.

In its application of the above order of priority, the following uses and facilities are considered as water-dependent:

- uses which depend on the utilization of resources found in coastal waters;
- recreational activities which depend on access to coastal waters;
- structures needed for navigational purposes;
- flood and erosion protection structures;
- facilities needed to store and service boats;
- scientific/educational activities which, by their nature, require access to coastal waters;
- support facilities which are necessary for the successful functioning of permitted water-dependent uses; and
- commercial/recreational water transportation.

In addition to water-dependent uses, which were specifically authorized through the Zoning Law Amendments cited in Section V-A (2) and enacted in 1991, uses which are enhanced by a waterfront location should be encouraged to locate along the shore, though not at the expense of water-dependent uses. Water-enhanced uses are those that may benefit economically from a waterfront location, but do not require it for their operation, and provide for public enjoyment of the waterfront.

Water-enhanced uses, such as hotels, restaurants or parks often attract people to the waterfront, providing economic stimulus within the community and passive recreational public access opportunities for the general public. Allowing water-enhanced uses is often necessary and important in order to generate revenue to support or maintain water-dependent uses. Appropriate water-enhanced uses should be part of a mix of uses on the waterfront in the Town of Rhinebeck. Non-water related uses are not suitable for the Rhinebeck waterfront and the Town and other governmental agencies will make every effort to direct such uses to suitable inland locations.

In addition, upon preparation of a Harbor Management Plan, the Town will examine and consider the desirability of enacting a local law to extent Town authority to regulate structures and other activities in the Hudson River, pursuant to authority given to the Town under Article 42 of the NYS Executive Law.

m. Underwater Lands Inventory.

In consideration of the Public Trust Doctrine and related Chapter 791 of the NYS Laws of 1992, as discussed within Section III in the explanation of Policy 20, the Town will undertake a study within the Rhinebeck LWRA of the public trust lands and those lands that have been leased or granted to private interests. This inventory and assessment will have three principal objectives:

- to identify nearshore areas (underwater land) where ownership, jurisdiction and right to use the property may be unclear or undocumented in current local codes, programs and/or plans;
- to document and clarify the ownership, jurisdiction, and usage rights on these properties; and
- to evaluate how this information may affect local and State management of water and waterfront areas and, more specifically, how this information can be best utilized by the Town to improve public access and recreational opportunities, protect and promote water-dependent uses and maintain scenic quality.

**2. Private or Not-for-Profit Organization Projects**

a. Preservation of Wilderstein Property and Adjacent Lodge

The Wilderstein Estate, located on Morton Road two miles south of Rhinecliff and including a landmark Queen Anne-style main house, large carriage house and 35 acres (much of it landscaped), was donated about 15 years ago by its owner to Wilderstein Preservation, Inc., a not-for-profit organization committed to preserving and enhancing this property for public, educational and light recreation purposes.



An abutting property, once part of the Wilderstein Estate, containing a lodge / residence and one acre of land was also purchased by Wilderstein Preservation, Inc., jointly with Scenic Hudson, also a not-for-profit organization, to assure preservation and adaptive re-use of the lodge.

Negotiations with other property owners adjacent to the two parcels have been successfully undertaken to secure buffer areas and/or easements to assure access to the Hudson River waterfront (Wilderstein / Morton Dock area), to protect the parcels from impacts of future adjacent development, to facilitate adaptive reuse of the carriage house, and to provide opportunity for improvement of the dock area.

b. Repair to or Replacement of the Observation / Look-Out Tower at Ferncliff Forest

Ferncliff Forest Inc., a not-for-profit corporation which manages the forest preserve area, is seeking funds for the repair or replacement of the observation tower at the top of Mount Rutsen, the highest location in the coastal area of the Town. The observation tower, no longer usable because of deteriorated condition, once offered excellent views of the Hudson, the west bank of the River and the Catskill Mountains. Hiking trails lead through the forest, an environmentally important recreation area, to the top of Mount Rutsen.

c. Southlands Foundation

Southlands Foundation, located three miles south of the Village of Rhinebeck on U.S. Route 9, is a seventy year-old horse farm on 200 acres within the LWRA. Its mission is to instill in the public a love of the land, chiefly through the sport of horseback riding. In addition to a regular boarding and riding program, Southlands Foundation offer use of a marked trail system, reduced rate riding lessons for school children through an arrangement with the Rhinebeck PTSO, and a therapeutic riding program for disadvantaged students at the Anderson School in Staatsburg. This year the trails at Southlands will additionally be utilized by the local high school for conditioning athletes in its track program. The Foundation welcomes the responsible use of its facilities for similar activities. The majority of Southlands is under a conservation easement held by Scenic Hudson, Inc.

**3. Joint Public/Private Projects**

a. Road scape Improvement / Efforts to Promote the Repair of Stone Walls

A Town committee was formed in the early 1980's to promote the repair of stone walls, with restoration of walls along River Road as the group's first priority. Education efforts were intended to be undertaken to inform property owners, highway/public works departments and utility companies on techniques for maintenance and repair of walls. Funding was intended to be sought for repair and

maintenance of walls in order to preserve these features which significantly contribute to the character and beauty of roads designated as "Scenic Roads" in the Town. Rejuvenation of this effort would be a worthy objective.

b. Efforts to Establish Historic Preservation Programs

Town officials will work with local and regional groups interested in historic preservation, such as Hudson River Heritage, to provide education programs to make and keep residents aware of technical assistance, funding assistance for and/or tax benefits that could be received for historic preservation efforts on designated significant structures. Education programs can also be used to inform residents, officials, and utilities on techniques for maintenance and repair of historic features such as stone walls and historic landscapes. Local officials and interested citizens will also attempt to establish a program to provide and/or coordinate provision of low-interest loans for historic preservation.

c. Efforts to Establish Water-Related Recreation Facilities at Possible Coastal Access Points

Public and private efforts need to be encouraged that would permit or facilitate the siting of water-related recreation facilities at locations identified as possible future public or public/private access points, such as the Slate Dock, Long Dock or Wilderstein / Morton Dock areas (see list in Section II for other possible access sites). Careful consideration needs to be given to, and funding will have to be sought for, construction of safe above-grade railroad crossings.

d. Efforts to Restore and Expand Ferry Service

Public and private efforts need to be encouraged to restore ferry service from the Town Landing to Kingston, with links to other communities, including Tivoli, desirable.

e. Continue Municipal Support of Winnakee Land Trust Activities and Those of Other Conservation Organizations

The Winnakee Land Trust is an outgrowth of the former Mid-Hudson Scenic Shorelands Task Force. Land Trust activities have been undertaken by public officials and private citizens for projects in the public interest largely supported by private funds. Continued participation by Rhinebeck residents in Winnakee Land Trust activities, and the activities of like-minded conservation organizations, to implement recommendations outlined in the LWRP and Scenic District Management Plan will be desirable.

f. Identify Open Space Areas for Preservation and/or Protection

Identify sites in the coastal area that would be desirable for preservation and/or protection as open space or agricultural lands through such means as acquisition or transfer of development rights, use of scenic or conservation easements or clustering, most particularly focusing on those lands that by virtue of their location or their ownership might be most opportune for development.