

Town of Washington  
Dutchess County : New York



Request for Proposals  
from  
The Town of Washington Comprehensive Plan Review  
Committee

Issue date: August 13, 2021  
Response date and time: September 10, 2021 no later than 5.00 pm.



Town of Washington Comprehensive Plan Review Committee

Town of Washington Town Hall  
10 Reservoir Drive  
Millbrook, NY 12545

Town of Washington  
Dutchess County New York

**Request for Proposals [RFP]**

Date: August 12, 2021

To: Prospective Planners; and  
Prospective Land Use Attorneys

From: The Town of Washington Comprehensive Plan Review Committee

**Part 1. Summary**

The Town of Washington in Dutchess County, New York, seeks the services of a professional planner and a land use attorney [collectively referred to as “planning consultants”] to work with the Town of Washington Comprehensive Plan Review Committee [CPRC] as set forth herein to evaluate:

- whether the 2015 Town of Washington Comprehensive Plan should be amended to include and permit expansion of hospitality that aligns with the historic rural character of the Town of Washington; and
- if it is determined that the 2015 Comprehensive Plan should be amended: (1) to assist the CPRC in formulating recommendations to the Town Board for specific changes to the Comprehensive Plan; and (2) draft proposed amendment(s) to the 2015 Comprehensive Plan to hand up to the Town Board.

**Part 2. Resource Documents**

2.1. 2015 Town of Washington Comprehensive Plan.

A copy of the Town’s 2015 Comprehensive Plan can be found and downloaded from the Town’s web site at: <https://www.washingtonny.org/document-center/comprehensive-plan.html>.

2.2. Town of Washington Zoning Law.

A copy of the Town’s Zoning Law, adopted in 2008, can be found and downloaded from the Town’s web site at:

<https://www.washingtonny.org/document-center/building-zoning/town-code/59-zoning-code-complete/file.html>.

2.3. Town of Washington Town Board Charge to Comprehensive Plan Review Committee.

The Town Board's official charge to the CPRC can be accessed and downloaded from the Town web site at:

<https://washingtonny.org/boards-commissions-committees/comprehensive-plan-review/362-comprehensive-plan-review.html>.

### **Part 3. History and Background**

The Town of Washington is a beautiful rural town located in central Dutchess County, New York. The predominant land uses in the Town are agricultural and rural residential. There are working farms, horse farms, shooting preserves, and wineries. There is one village located within the Town border, the Village of Millbrook. The Village of Millbrook has its own distinct body of laws and zoning regulations, and is not governed by the Town's Comprehensive Plan. However, in the past, there has been cooperative planning between the two municipalities. There are two hamlets located within the Town border, Washington Hollow and Mabbetsville, each with some commercial zoning.

Washington adopted its first Town Comprehensive Plan in 1987. After some minor amendments of the plan over the years, the Washington Town Board initiated a review of the Comprehensive Plan in 2007. This review took years and was thorough. As described in the revised adopted Comprehensive Plan:

the focus of that review was to be an examination of primary land use concerns; specifically the protection of agriculture, preservation surface and ground water quality and quantity, along with the need for additional environmental protections. ... The final product would reflect the priorities, hopes, and aspirations of the public; the commonly shared community values and goals for the future. Simply put, it would plan for what people want the Town of Washington to be like now and in the future.

On December 10, 2015, the Town of Washington concluded that review and adopted the current 2015 Town of Washington Comprehensive Plan. A section entitled "Acknowledgments" at the bottom of the cover of the Plan says:

For eight years, dozens of individuals worked cooperatively to prepare the 2015 Town of Washington Comprehensive Plan. The Comprehensive Plan Committee members, together with Town residents, farmers and business owners, made this plan possible.

The 2015 Comprehensive Plan culminated in a set of four overall goals as follows:

- Goal I: Keep the Town scenic and rural and the Village the one developed center.
- Goal II: Protect land, water, and the natural environment.
- Goal III. Strengthen the Village center.
- Goal IV. Maintain a high quality of life.

To keep the Town rural and scenic, the Plan set the following policies: (a) preserve traditional land use patterns; (b) enhance and preserve the duality between the Town and Village; (c) avoid new or denser zoning that would create village-like areas in the Town; (d) maintain the scenic beauty and natural diversity of the Town by avoiding the disruption of scenic vistas, viewsheds, corridors, ridgelines, natural areas, and historic resources; and (e) cooperate with organizations that conserve rural character to preserve open space, and protect scenery and natural resources

The present initiative to review the 2015 Comprehensive Plan was prompted by a hospitality development project proposed during 2021 by a developer, Janet's Farm LLC.

The proposed project was called "Second Mountain." Second Mountain proposed to convert the Migdale mansion and its surrounding 350 acres into a resort. A copy of the Second Mountain Plan can be found and downloaded at: <https://www.washingtonny.org/document-center/janet-s-farm-llc-second-mountain/correspondence-from-janet-s-farm-llc-second-mountain-or-representatives/747-mackey-butts-wise-feb-18-request-for-amendment-to-town-code/file.html>.

The proposed Second Mountain project was not permitted under current Zoning Law. Consequently, the developer petitioned the Town Board seeking to amend the Town's Zoning Law.

In considering the proposed amendment, the Town Board became aware that the Town's 2015 Comprehensive Plan was limiting on hospitality uses. Although the Second Mountain project was subsequently withdrawn, the Town Board was interested in reviewing whether a hospitality use would be appropriate and beneficial to the Town of Washington.

In establishing a charge for the CPRC, the Town Board cited considerations and a sensitivity to:

- the financial condition of the Town;
- rising taxes on land that constitute the foundation of the rural nature of the Town of Washington;
- the viability of businesses in Village of Millbrook and in the Town hamlets of Mabbettsville and Washington Hollow;
- broad socioeconomic changes such as online shopping and working from home, that could impact life and land use in the Town;
- potential uses for large historic homes and whether the Comprehensive Plan should be amended to support the adaptive reuse of such structures.

The Town Board has asked the CPRC to explore whether the Comprehensive Plan should be amended to allow commercial hospitality uses, and if so, whether such an amendment would be in the best interests of the Town and be supported by the community.

The Town Board has expressed concern about maintaining the current quality of life and the viability of businesses in the Town, is aware of a forthcoming Town property tax assessment re-valuation, and has asked the CPRC to assess the potential for positive and negative financial ramifications for businesses and individuals of allowing larger scale hospitality in the

Town.

This exploration recognizes that large-scale hospitality businesses present possible positive impacts in drawing visitors, creating employment opportunities, and increasing the tax base. At the same time, it also recognizes that such uses also present possible negative impacts from being too self-contained and generating off-site impacts such as traffic, noise and light pollution, water and sewage pollution, and other possible impacts to the natural environment.

#### **Part 4. The Comprehensive Plan Committee and its Charge**

In order to conduct this exploration, the Town Board formed the Town of Washington Comprehensive Plan Committee [CPRC] to examine these issues and to make a report and recommendations to the Town Board. The Town Board appointed seven Town citizens to serve as Committee members, and two members of the Town Board to be liaisons to the CPRC.

The Town Board's charge to the Committee acknowledges that community input will be essential to the Committee's work. The Charge also recognizes that, in order to perform its mission well, the Committee will need the assistance and guidance of planning consultant.

This RFP seeks proposals from a professional planner and a land use attorney to fill those roles.

## **Part 5. Planning Professional Planner**

### **5.1. Scope of Services for Planning Professional [Planner].**

The scope of services for the planner presumes that the Planner has reviewed and become familiar with the Town of Washington 2015 Comprehensive Plan and the current Town of Washington Zoning Law. The scope of services also presumes that the Planner has investigated the existing characteristics of the Town of Washington as an agricultural and rural residential community and is familiar with those characteristics.

The selected Planner will be asked to meet with, and report to, the CPRC. The meetings will be open to the public and may be recorded.

The Planner will meet with CPRC to educate them on the following topics: the planning process generally, and specifically for this project; and specific planning techniques, methodologies and strategies that can be used to help the CPRC accomplish its work.

The Planner will assist the CPRC in the following tasks:

1. formulating a practical overall plan for accomplishing their mission;
2. drafting a public survey and formulating a survey methodology which utilizes modern technological survey techniques;
3. developing a public outreach and engagement plan beyond a survey, and assisting in the conduct of community outreach, workshops, public hearings, and other outreach efforts to ensure that the CPRC has community engagement to inform its work;
4. evaluating current economic trends, including trends related to the pandemic, and particularly those trends affecting upper Hudson Valley communities, particularly rural agricultural and residential communities like Washington;
5. understanding the various types of commercial hospitality land uses from large-scale resorts to short-term rentals arranged through services (like Airbnb or Vrbo);
6. evaluating current trends in the hospitality industry, and particularly those trends affecting upper Hudson Valley communities, particularly rural agricultural and residential communities like Washington.
7. evaluating and understanding both the potential positive and negative impacts of commercial hospitality uses, including the hosting of events, on the current land use patterns in the Town, upon the Town's rural, residential and agricultural character, and upon the Village of Millbrook and the Town's hamlets;
8. if it is determined that allowed commercial hospitality land uses in the Town should be expanded, formulation of specific recommendations and proposals as to how both the 2015 Comprehensive Plan and the current Zoning Law should be amended to allow that expansion; and
9. if it is determined that the 2015 Comprehensive Plan should be amended, draft proposed amendment(s) to the 2015 Comprehensive Plan.

At the conclusion of the planning process, the Planner will draft a proposed CPRC report to the Town Board. This draft report will be delivered to the CPRC and the CPRC's land use attorney for review and comment.

With regard to the CPRC's Report to the Town Board, the Planner will conduct the following:

- prepare any graphics, data, tables, charts or maps that need to be included in the report. That report may also include specific proposals for amendments to the 2015 Comprehensive Plan and/or the Town Zoning Law, which proposed amendments would be drafted by the Planner as part of the draft report.
- After comments are received from the CPRC and the CPRC's Attorney, the Planner will revise the CPRC draft report to the Town Board and produce a final report which shall be submitted to the CPRC for adoption by the Committee members.

## 5.2. Proposal Format, Contents and Requirements for Professional Planner.

Proposals from professional planners should contain the following information:

- 5.2.1. Title Page: Provide the name of your firm, address, telephone, and name of contact person on a title page.
- 5.2.2. Letter of Transmittal: Provide a complete statement regarding your interest in working with the Town of Washington CPRC on this project. The transmittal letter shall be signed by a duly authorized officer or agent empowered with the right to bind the consultant submitting a proposal for consideration. (max 1 page)
- 5.2.3. Description of Firm. Provide an overall description of your firm, including the number of employees and contract affiliates who will be working on this project.
- 5.2.4. Resources. Anticipated resources you will assign to this project (total number, role, title, experience).

- 5.2.5. Principally Responsible Planner's Qualifications and Capability. The planner who will perform most of the work on this project should be identified, along with the following:
- provide information on the size, location, available resources and brief discussion on past experiences related to updating comprehensive plans in smaller rural communities, and/or the specific task addressed in the proposal (max 2 pages);
  - a description of your experience in municipal land use, zoning and planning, technical writing, report generation and visual display of information and data;
  - a description of your expertise and experience in formulating and leading public outreach and engagement efforts associated with comprehensive plan formulation or amendment; and
- 5.2.6. Project Team: If you anticipate that others in your firm will perform significant work along with you on this project, identify each such individual and their qualifications and expertise.
- 5.2.7. Work Samples: List and provide in electronic format only (either a webpage link to the document or other electronic format) three (3) examples of comprehensive plans for communities similar to the Town of Washington, or other applicable writing samples and work products recently completed by your firm. Identify the client and contact information. (electronic only)
- 5.2.8. Methodology and Approach: Provide a description of the method and approach your firm intends to utilize to complete assist the CPRC in completing this project (including proven specific community engagement techniques) (max 2 pages),
- 5.2.9. Understanding of the Town of Washington: Provide information that

demonstrates your understanding of the Town of Washington generally and the unique issues facing the Town specifically regarding potential commercial hospitality land uses. Identify how the Town's size, character and background and will impact the methodology and approach to this project (max 1 page).

- 5.2.10. Tentative Schedule: Include a detailed phasing and task list and estimated completion time of each task. The schedule shall include estimated duration for each proposed task. (max 1 page)
- 5.2.11. References: Attach a listing of at least three (3) relevant references for which you or your team have provided similar services, preferably for small, rural communities. Provide, for each reference project, the name of the reference entity, a project name or title with a brief statement describing the project, the date of the work, and the name, title, telephone number and email of a contact person at the reference entity.(max 1 page)
- 5.2.12. Verify Firm Capacity: Provide a statement verifying your ability to begin work on this project and complete the tasks identified in this RFP based on your firm's current workload and capacity.
- 5.2.13. Rates and Cost Proposal: Describe the rate structure for the firm. As part of that description, please identify the rate which will apply to the planner who will principally work on this project, as well as the rates to be charged for any other employees and contract affiliates at the firm who will work on this project. Using the Scope of Work as a basis, please provide an estimate, as itemized as possible, for of the cost of your services to complete the project.
- 5.2.14. Supporting Information (Optional):Provide other supporting information you feel may help us further evaluate your qualifications and fitness for participating in and competing this project. (max 1 page, plus optional electronic appendices)

## **Part 6. Land Use Attorney**

### 6.1. Scope of Services for Land Use Attorney [Attorney].

The Town Board also recognized that the CPRC may, in the course of doing its work, encounter legal questions or issues. The Town Board stated a desire in its meetings that the Committee have available to it the services of a qualified and experienced land use attorney to provide objective and independent advice to the Committee.

The scope of services for the Attorney presumes that the Attorney has reviewed and become familiar with the Town of Washington 2015 Comprehensive Plan and the current Town of Washington Zoning Law. The scope of services also presumes that the Attorney has investigated the existing characteristics of the Town of Washington as an agricultural and rural

residential community and is familiar with those characteristics.

The selected Attorney will be asked to meet with the CPRC and the project planner throughout the course of the CPRC's work.

The Attorney will meet with the CPRC and the Planner at the beginning of the process to educate them on the following topics: (1) legal matters on drafting changes to comprehensive plans and amendments to zoning laws; and (2) maintaining compliance between comprehensive plans and zoning laws; and (3) other legal matters that the CPRC members will need to be aware of as they perform their work.

The Planner will work and assist the CPRC in the following tasks:

- assist the CPRC with any procedural requirements of conducting its meeting and public hearings;
- review a draft of the CPRC's report written by the Planner. The Attorney will ensure that the substance of the report accords with applicable laws and will submit comments on the draft report to both the Planner and the CPRC.
- if it is determined that the 2015 Comprehensive Plan should be amended, review proposed amendment(s) to the 2015 Comprehensive Plan.

The attorney will also be available to the CPRC on an as-needed basis to answer legal questions that arise during the course of the CPRC's work.

## 6.2. Proposal Format, Contents and Requirements for Land Use Attorneys.

Proposals from land use attorneys should contain the following information:

- 6.2.1. Title Page: Provide the name of your firm, address, telephone, and name of contact person on a title page.
- 6.2.2. Letter of Transmittal: Provide a complete statement regarding the understanding of the project and your interest in working with the Town of Washington CPRC on this project. The transmittal letter shall be signed by a duly authorized partner or agent empowered with the right to bind the firm submitting a proposal for consideration. (max 1 page)
- 6.2.3. Description of Firm. Provide an overall description of your firm, including the number of attorneys, including partners, associates and of counsel who will be working on this project.

- 6.2.4. Resources. Anticipated resources you will assign to this project (total number, role, title, experience),
- 6.2.5. Principally Responsible Attorney's Qualifications and Capability. The attorney who will perform most of the work on this project should be identified, along with the following:
- describe your successful relevant experience in similar projects related to working on the development of comprehensive plans and/or zoning laws for small, rural, residential and agricultural communities;
  - describe your professional practice qualifications for this particular type of work, as well as examples of relevant projects of a similar scope upon which you have worked;
  - attach a resume or CV that provides a comprehensive expression of qualifications and experience. (max \_\_pages)
- 6.2.6. Project Team: If you anticipate that other attorneys in your firm will perform significant work along with you on this project, identify each such attorney and their qualifications and expertise. For each attorney who will work on this project, attach a resume or CV that provides a comprehensive expression of qualifications and experience (max \_\_\_\_ pages per resume or CV).
- 6.2.7. Understanding of the Town of Washington: Provide information that demonstrates your understanding of the Town of Washington generally and the unique issues facing the Town specifically regarding potential commercial hospitality land uses. Identify how the Town's size, character and background and will impact the methodology and approach to this project (max 1 page).
- 6.2.8. References: Attach a listing of at least three (3) relevant references for which you or your team have provided similar services, preferably for small, rural communities. Provide, for each reference project, the name of the reference entity, a project name or title with a brief statement describing the project, the date of the work, and the name, title, telephone number and email of a contact person at the reference entity (max 1 page).
- 6.2.9. Verify Firm Capacity: Provide a statement verifying your ability to begin work on this project and complete the tasks identified in this RFP based on your firm's current workload and capacity.

- 6.2.10. Rates and Cost Proposal: Describe the rate structure for the firm. As part of that description, please identify the rate which will apply to the attorney who will principally work on this project, as well as the rates to be charged for any other attorneys and individuals at the firm who will work on this project. Using the Scope of Work as a basis, please provide an estimate, as itemized as possible, for of the cost of your services to complete the project.
- 6.2.11. Supporting Information (Optional): Provide other supporting information you feel may help us further evaluate your qualifications and fitness for participating in and competing this project. (max 1 page, plus optional electronic appendices)

### **Part 7. Interviews**

The CPRC reserves the right to conduct oral interviews with respondents as a means of further evaluation. These interviews may be accomplished via telephone or video conference, or in-person as needed.

### **Part 8. Anticipated Schedule**

The tentative schedule for this Request for Proposals is as follows:

Release of RFP: Friday August 13, 2021

Deadline for Questions: Wednesday September 1, 2021

Indicate intention to respond to RFP: Friday September 3, 2021

Proposal Submission Deadline: Friday September 10, 2021

Schedule Consultant Interviews: Week of September 13, 2021

### **Part 9. Selection Criteria**

Submitted proposals will be evaluated based on the following criteria:

Qualifications and experiences of the Consultant firm/team, key personnel, and the personnel who will be working directly on the project,

Demonstrated understanding of overall goals and objects of the plan and ability to perform plan tasks,

Record of past performance on similar projects/reference checks,  
Demonstrated ability to work with professional staff and boards,  
Demonstrated ability to complete task on time and within the budget,  
Cost-effectiveness of the proposal.

#### **Part 10. Questions**

Questions should be directed to Paul Schwartz, Chairman, Town of Washington Comprehensive Plan Review Committee and [Tim Mayhew, Committee Member], no later than Wednesday September 1, 2021 by email only to the following address: [hvsevc@gmail.com](mailto:hvsevc@gmail.com) and [tmayhew@loholdings.com](mailto:tmayhew@loholdings.com).

#### **Part 11. Submittal Requirements**

The consultant shall submit one (1) unbound original, seven (7) copies and one (1) digital copy of the proposal submittal by email to the following address: [hvsevc@gmail.com](mailto:hvsevc@gmail.com) and [tmayhew@loholdings.com](mailto:tmayhew@loholdings.com). The CPRC encourages the use of recycled paper products and double-sided print.

The deadline to submit proposals is no later than Friday September 10, 2021 at 5:00 PM. The proposal submittal should be submitted in a sealed envelope labeled "RFP: 2021 Comprehensive Plan Review Committee Proposal" and delivered to:

Town of Washington  
Attention: Mary Alex, Town Clerk  
Town of Washington Town Hall  
10 Reservoir Drive  
Millbrook, NY 12545