

Rye City Planning Commission Minutes (Cont.)

July 21, 2015

Page 2 of 5

1 **ACTION:** Laura Brett made a motion, seconded by Andy Ball, to close the public
2 hearing for Site Plan application number SP#356/Wetland Permit
3 application number WP#394, which was carried by the following vote:
4
5 Nick Everett, Chair: Absent
6 Martha Monserrate, Vice-Chair: Aye
7 Andrew Ball: Aye
8 Laura Brett: Aye
9 Barbara Cummings: Absent
10 Hugh Greechan: Absent
11 Alfred Vitiello: Aye
12
13

14 II. ITEMS PENDING ACTION

16 1. 69 Theodore Fremd Avenue

- 18 • Scott Parker (gas station manager) discussed the sub-soil conditions noting that
19 the property passed a phase II environmental site assessment. He stated that
20 since the tanks on the property were fiberglass there were no soil or groundwater
21 samples above acceptable limits in 2010.
22
- 23 • Mr. Napior noted that despite the property being located immediately adjacent to
24 Blind Brook that the property was not located with a 100-year FEMA flood zone.
25
- 26 • Mr. Napior stated that no new fencing is proposed on the site except for fencing
27 to be installed to provide screening for the on-site dumpster.
28
- 29 • The Commission discussed SEQRA and reviewed the EAF.
30
- 31 • The Commission noted that the project is located in a wetland buffer, but that a
32 portion of the site would remove existing asphalt and install a rain garden to
33 capture runoff and provide some water quality benefit adjacent to Blind Brook.
34
- 35 • The Commission discussed traffic and parking. Mr. Napior stated that the 1,035
36 square-foot store would not generate an increase in traffic demand and that the
37 on-site parking was sufficient to accommodate anticipated demand. He noted
38 that the use is not a destination but involves a lot of pass-by traffic with short
39 duration stays and a high turnover rate. Mr. Napior stated that he is requesting
40 that the Commission exercise its authority under the City Zoning Code to reduce
41 the required parking from one space per 100 square feet to one space per 200
42 feet of retain area.
43

Rye City Planning Commission Minutes (Cont.)

July 21, 2015

Page 3 of 5

- 1 • The Commission noted that the proposed curbing and sidewalks would have a
2 better and more controlled site access at the intersection of Locust and
3 Theodore Fremd Avenues. The Commission agreed that the amount of parking
4 is acceptable and that the reduction in the parking requirement to 1/200 is
5 consistent with its prior practice.
6

7 **ACTION:** Laura Brett made a motion, seconded by Andrew Ball, to approve Site
8 Plan application number SP#356/Wetland Permit application number
9 WP#394, which was carried by the following vote:
10

11 Nick Everett, Chair:	Absent
12 Martha Monserrate, Vice-Chair:	Aye
13 Andrew Ball:	Aye
14 Laura Brett:	Aye
15 Barbara Cummings:	Absent
16 Hugh Greechan:	Absent
17 Alfred Vitiello:	Aye

18
19

20 **2. Shenorock Shore Club**

21

- 22 • Rex Gedney (applicant's architect) provided an overview of the plan noting that it
23 involved a building addition that fills in the gap between the clubhouse and the
24 cabanas.
25
- 26 • He stated that the plan was revised to reduce the extent of buffer encroachment
27 by reducing the number of proposed cabana's and shifting their orientation so
28 that fewer structures were in the wetland buffer.
29
- 30 • Alexandra Moch (applicant's environmental consultant) reviewed a plan showing
31 two planting areas. She noted that the area for mitigation planting was small and
32 offered as mitigation "bird condos" to support the purple martin. She noted that
33 this species of bird is threatened in the area and that development along the
34 coast has reduced available nesting locations. She stated that the bird condos
35 have been successful in other communities and provided suitable nesting sites to
36 shelter the birds from predators and human disturbances. She noted to
37 locations on the plan for the installation of up to 14 condos.
38
- 39 • The Commission noted concern with the application in that the cabana was use
40 seasonal, but that the structures would remain in the buffer year-round. Ms.
41 Moch stated that this impact would be offset by the combination of the planting
42 areas and the habitat enhancement of the bird condos.
43
- 44 • The Commission requested that the applicant provide a maintenance protocol for
45 its review of the bird condos.

Rye City Planning Commission Minutes (Cont.)

July 21, 2015

Page 4 of 5

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43

- Gibb Kane (nearby resident) requested that construction adhere to the construction hours regulated by the City Code.

ACTION: Laura Brett made a motion, seconded by Andrew Ball, to set the public hearing for Site Plan application number SP#358 and Wetland Permit application number WP#396, which was carried by the following vote:

Nick Everett, Chair:	Absent
Martha Monserrate, Vice-Chair:	Aye
Andrew Ball:	Aye
Laura Brett:	Aye
Barbara Cummings:	Absent
Hugh Greechan:	Absent
Alfred Vitiello:	Aye

3. 11 Elm Place

- The Planning Commission reviewed the applicant's request for a one-year extension of time. The City Planner provided an overview of the streetscape improvements under consideration by the City along Elm Place.

ACTION: Laura Brett made a motion, seconded by Alfred Vitiello, to approve a one-year extension to site plan application SP#322, which was carried by the following vote:

Nick Everett, Chair:	Absent
Martha Monserrate, Vice-Chair:	Aye
Andrew Ball:	Aye
Laura Brett:	Aye
Barbara Cummings:	Absent
Hugh Greechan:	Absent
Alfred Vitiello:	Aye

4. 57 Midland Avenue

- Mr. Dudin (property owner) stated that the application involved the removal of a former wire fence and the installation of a picket fence along the front of the property. It was stated that the fence is a structure that requires a wetland permit because it was located within a 100-foot buffer of a wetland located in the rear of the property.

Rye City Planning Commission Minutes (Cont.)

July 21, 2015

Page 5 of 5

- 1 **ACTION:** Laura Brett made a motion, seconded by Alfred Vitiello, to set the public
- 2 hearing for Wetland Permit application number WP#398, which was
- 3 carried by the following vote:
- 4
- 5 Nick Everett, Chair: Absent
- 6 Martha Monserrate, Vice-Chair: Aye
- 7 Andrew Ball: Aye
- 8 Laura Brett: Aye
- 9 Barbara Cummings: Absent
- 10 Hugh Greechan: Absent
- 11 Alfred Vitiello: Aye
- 12
- 13
- 14
- 15
- 16