

Rye City Planning Commission Minutes
October 20, 2015

MEETING ATTENDANCE:

Planning Commission Members:

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

Other:

- Christian K. Miller, AICP, City Planner
- Carolyn Cunningham, CC/AC Chair
- Melissa Johannessen, AICP, LEED AP
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I. HEARINGS

1. 13 Sunset Lane

- Mr. John Keegan, the hydraulic dredge contractor for the project, was present for the applicant. Mr. Keegan briefly described the project and stated that, as requested by the Commission, a letter noting the neighbor's approval for work on her property had been submitted. He also noted that soil testing had been completed and the results had been provided to the Commission.
- The Commission stated that the soil testing results of some compounds were found to exceed NYSDEC standards for the protection of ecological resources and suggested that deeper burial of dredged sediment may be prudent.
- There were no public comments.

ACTION: Andrew Ball made a motion, seconded by Al Vitiello, to close the public hearing for Wetland Permit application number WP#391, which was carried by the following vote:

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

2. American Yacht Club

- Mr. Michael Ludwig of Ocean & Coastal Consulting, the applicant's consultant, was present for the applicant. Mr. Ludwig briefly summarized the application. He

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- 1 stated that all required permits from New York State and Connecticut have been
2 obtained.
3
4 • The Commission inquired about the frequency of dredging that is typically
5 required for an area such as the harbor. Mr. Ludwig stated that it was last
6 dredged in 1984, and once every 25 years is typical for this area.
7
8 • The Commission asked whether the dredging was intended as maintenance of
9 the AYC harbor or if it was being performed in order to accommodate a larger
10 number or larger sizes of boats. Mr. Ludwig responded that there has been some
11 increase in the size of boats coming to the AYC, particularly of visiting boats, and
12 there would be some benefit to having deeper water. He noted that the main
13 point of the dredge activity is to restore the AYC harbor to historic depths, so it is
14 mainly a maintenance dredge.
15
16 • Mr. Ludwig stated that the 10-foot permitted depth in the current dredge
17 application is within the typical overdredge amount of the 1984 dredge. He stated
18 that overdredging is required to ensure a flat contour at the end of the job. Mr.
19 Ludwig stated that in Area 5, which is of most interest to the AYC members, the
20 depth is currently approximately three feet and will be dredged to six feet.
21
22 • There were no comments from the public.

23
24 **ACTION:** Martha Monserrate made a motion, seconded by Barbara Cummings, to
25 close the public hearing for Site Plan application number WP#403, which
26 was carried by the following vote:
27

28 Nick Everett, Chair:	Aye
29 Martha Monserrate, Vice-Chair:	Aye
30 Andrew Ball:	Aye
31 Laura Brett:	Absent
32 Barbara Cummings:	Aye
33 Hugh Greechan:	Aye
34 Alfred Vitiello:	Aye

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37 **II. ITEMS PENDING ACTION**

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39 **1. 13 Sunset Lane**

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41 • The Commission noted that an updated letter removing an erroneous statement
42 had been provided by the applicant.
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- 1 • The Commission discussed the soil testing results. It was noted that two
2 pesticides, DDD and DDE, exceeded the NYSDEC limits for the protection of
3 ecological resources. It was recommended that the dredged material be covered
4 with at least two feet of soil to prevent exposure of wildlife to the dredged
5 material. The City Planner stated that a condition requiring such would be added
6 to the resolution.
7
- 8 • The Commission reviewed the draft resolution and made minor revisions.
9

10 **ACTION:** Barbara Cummings made a motion, seconded by Andrew Ball, to approve
11 as amended Wetland Permit application number WP#391, which was
12 carried by the following vote:
13

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

22 **2. American Yacht Club**

- 23
- 24 • The Commission had no additional questions for the applicant. Mr. Ludwig stated
25 that the dredging should be completed by December and will occur over a 45-day
26 cycle factoring in the tides. He stated that it may extend into January but it is not
27 likely. Mr. Ludwig noted that they have the capability to remove 1,000 cubic yards
28 a day.
29
- 30 • The Commission reviewed the draft resolution and had no revisions.
31

32 **ACTION:** Barbara Cummings made a motion, seconded by Al Vitiello, to approve
33 Wetland Permit application number WP#403, which was carried by the
34 following vote:
35

36 Nick Everett, Chair:	Aye
37 Martha Monserrate, Vice-Chair:	Aye
38 Andrew Ball:	Aye
39 Laura Brett:	Absent
40 Barbara Cummings:	Aye
41 Hugh Greechan:	Aye
42 Alfred Vitiello:	Aye

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1 **3. 4 North Kirby Lane – Extension of Time**

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- 3 • The Commission briefly discussed the requested extension of time.

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5 **ACTION:** Barbara Cummings made a motion, seconded by Al Vitiello, to approve
6 Wetland Permit application number WP#385 – Extension of Time, which
7 was carried by the following vote:

8

9 Nick Everett, Chair: Aye

10 Martha Monserrate, Vice-Chair: Aye

11 Andrew Ball: Aye

12 Laura Brett: Absent

13 Barbara Cummings: Aye

14 Hugh Greechan: Aye

15 Alfred Vitiello: Aye

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18 **4. Minutes**

19

- 20 • The Commission reviewed the minutes from the meeting on October 6, 2015 and
21 made minor revisions.

22

23 **ACTION:** Barbara Cummings made a motion, seconded by Martha Monserrate, to
24 approve the minutes from the October 6th meeting, which was carried by
25 the following vote:

26

27 Nick Everett, Chair: Aye

28 Martha Monserrate, Vice-Chair: Aye

29 Andrew Ball: Aye

30 Laura Brett: Absent

31 Barbara Cummings: Aye

32 Hugh Greechan: Aye

33 Alfred Vitiello: Aye