

Rye City Planning Commission Minutes
January 28, 2020

MEETING ATTENDANCE:

Planning Commission Members:

- Nick Everett, Chair
- Martha Monserrate, Vice-Chair
- Andrew Ball
- Laura Brett
- Richard Mecca
- Steven Secon
- Birgit Townley

Other:

- Christian K. Miller, AICP, City Planner
 - Tracy Stora, CC/AC Chairperson
 - Melissa Johannessen, AICP, LEED AP
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I. HEARINGS

1. Shenorock Shore Club – Proposed Dock Expansion

- Ms. Jennifer Gray, applicant’s attorney; Ms. Azure Dee Sleicher, applicant’s engineer; and Mr. Richard LaCoursier, General Manager, and Mr. Michael Brooks, Yachting Governor, of the Shenorock Shore Club, were present for the application. Ms. Gray stated that the public hearing was opened on October 15, 2019 and continued by the Planning Commission, after which the hearing was continued until now at the request of the applicant. Ms. Gray stated that since the initial public hearing the applicant has been working to address comments from the Planning Commission, the CC/AC, and members of the public, and has met with some of the neighbors to understand their concerns.
- Ms. Gray stated that the applicant had hoped to attend the upcoming CC/AC meeting to further discuss the CC/AC’s concerns, but the applicant understands that a formal referral from the Planning Commission would be required. She noted that the applicant’s engineer submitted to the Commission a response to the CC/AC’s November 17th comment memo. She also noted that the applicant responded to the CC/AC’s October 10th memo as well.
- Ms. Gray stated that the applicant has provided written responses to recent letters received from neighboring property owners, Mr. Gibb Kane (dated January 7, 2020) and Mr. Duncan Hennes (dated January 6, 2020), as well as from Zarin & Steinmetz (dated January 24, 2020), the attorney representing the neighbors. She stated that Ms. Sleicher, the applicant’s engineer, would present the responses to their comments.
- Ms. Sleicher distributed to the Commission the letter prepared in response to Mr. Kane’s and Mr. Hennes’ comments. She noted that with respect to the claim that the applicant is taking away access to 37,365 sf of public water, the applicant is required to lease the lands under water from the State of New York and will be paying for such lease.

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- 1 • Ms. Sleicher stated that with respect to the concern about noise pollution, she is
2 unaware of restrictions relating to such facilities, but stated that the applicant asks
3 the neighbors to let them know if noise becomes an issue and the applicant will
4 address the issue with its members. With respect to visual pollution, she stated
5 that the applicant is unaware of City restrictions on lighting that would pertain to
6 this application. She stated that the applicant wants to be a good neighbor and has
7 agreed to reduce the wattage of its light fixtures and turn them off at certain times.
8
- 9 • Ms. Sleicher stated that with respect to concerns about flora and fauna, the DEC
10 determined in its environmental review that there would be no adverse impacts.
11
- 12 • Regarding potential impacts to RowAmerica, Ms. Sleicher stated that there is
13 correspondence between Mr. Kane and RowAmerica indicating its support for the
14 project and its preference for docks over moorings. She stated that in the
15 correspondence, RowAmerica asked not to be mentioned in Mr. Kane's
16 presentation to the Commission.
17
- 18 • Ms. Sleicher noted that the docks have been designed for a boat length of 30-35'
19 based on standard design criteria in the marina industry.
20
- 21 • Ms. Sleicher stated that with respect to a 2009 mooring "agreement," the Planning
22 Commission has no jurisdiction over mooring permits. She stated that the applicant
23 does not believe there was any such agreement in the 2009 application.
24
- 25 • Ms. Sleicher stated that in relation to navigation, the proposed docks are located
26 500' from the edge of the channel. She also noted that the removal of three
27 moorings will result in a net gain of 13,518 sf of open water area. The Commission
28 questioned the validity of the comparison when the moorings to be removed are
29 not necessarily in the same space the dock expansion is proposed.
30
- 31 • Regarding the suggestion to put docks on the east side of the Shenorock Shore
32 Club, Ms. Sleicher stated that the water is shallower, there are exposed rock
33 outcrops, and the area is exposed to wind and waves from the entire Long Island
34 Sound.
35
- 36 • Ms. Sleicher also noted that a launch service to the moorings is not financially
37 feasible for the applicant.
38
- 39 • Ms. Sleicher addressed several comments raised by Zarin & Steinmetz, the
40 attorney for several of the neighbors. She noted that the project perimeter had
41 been incorrectly calculated, but stated that the permitting agencies indicated that
42 this has no impact on their approvals. She stated that with respect to LWRP
43 consistency, particularly protection of scenic resources, Milton Harbor has other
44 docking and boating infrastructure and docks are inherent in the visual quality of

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- 1 the harbor. Ms. Sleicher also noted that the applicant conducted its own survey of
2 the harbor floor and did not rely on existing public data.
3
- 4 • Ms. Sleicher stated that in response to Mr. Kane's comments about the possibility
5 of reducing the footprint of the project, the applicant has prepared a revised plan
6 that reduces the extent of the docks on the north side from 111' to 77' and reduces
7 the width between fingers from 34' to 27'. She noted that this reduction will
8 accommodate smaller boats, reduces the number of slips from 18 to 16, and
9 reduces the visual impact from Mr. Kane's viewpoint.
10
 - 11 • The Commission asked what the purpose of the proposed expansion is for the
12 applicant. Mr. Brooks, the Yachting Governor for Shenorock Shore Club, stated
13 that there are 32 club members on a waitlist for docks, many of whom already have
14 boats on moorings. The Commission noted that the club initially stated that there
15 would be no increase in intensity of boats resulting from the proposed project. Mr.
16 Brooks stated that most of the boats are already on moorings, so they are already
17 in the harbor.
18
 - 19 • The Commission asked whether there is a waitlist for moorings as well. Mr. Brooks
20 said there is not. He stated that there are some emergency moorings available for
21 people who have boats at the docks. He stated that there are 37 moorings, four of
22 which are owned privately but the owners are Shenorock members. Mr. Brooks
23 stated that they do not envision having to increase the number of emergency
24 moorings. The Commission asked the applicant to provide more clarity regarding
25 the number of moorings, how many are occupied, and how many are for
26 emergency purposes.
27
 - 28 • Mr. Gibb Kane, 350 Stuyvesant Avenue – Mr. Kane stated that he submitted a
29 presentation to the Commission in October and distributed copies of a new
30 presentation to the Commission. He expressed concern about the location of the
31 docks, stating that there is wave action that will have adverse impacts on the boats.
32 Mr. Kane stated that he is concerned about noise from parties on boats, as noise
33 tends to go toward his house. He also stated that the noise will have a negative
34 impact on property values. He was also concerned about the visual impact of
35 additional boats and additional lighting.
36
 - 37 • Mr. Kane stated that he thought the design of the dock expansion was inefficient,
38 as more boats could be accommodated with less space between the slips. He also
39 suggested that docks could be built on the east side of the club, or the club could
40 utilize a launch service to bring people to the moorings so that fewer docks are
41 needed. Mr. Kane also noted that the parcel seems to be zoned R-1, not MC.
42
 - 43 • Mr. Duncan Hennes, 190 Stuyvesant Avenue – Mr. Hennes stated that there are
44 many empty boat slips at the Rye Boat Basin that could be used in place of
45 expanding the facility at Shenorock. He noted that moorings have typically been

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1 used in Milton Harbor more often than docks because of the influence of waves,
2 and the moorings have been sufficient for club members in the past. Mr. Hennes
3 also stated that there are many different groups who have public access to the
4 harbor, including kayakers, rowers, fishermen, paddlers, and youth sailors, and the
5 increase of docks for private use will preclude access to the harbor for the public.
6

- 7
- Mr. Robert Alexander, 290 Stuyvesant Avenue – Mr. Alexander stated that he is
8 concerned about noise and light pollution. He noted that the applicant’s proposal
9 is similar to the City allowing the takeover of a public street for private use. He also
10 thought that the applicant’s proposal was inefficient and noted that there are 55
11 slips available at the Boat Basin.

- 12
- Mr. Josh Verleun, Zarin & Steinmetz – Mr. Verleun stated that he represents Mr.
13 & Mrs. Kane, Mr. Hennes, Mr. & Mrs. Alexander, and Mr. Michael Price, neighbors
14 of the Shenorock Shore Club. Mr. Verleun requested that the Commission continue
15 the public hearing to allow review of the applicant’s revised plan and written
16 submission from the applicant.
17

- 18
- Mr. Verleun noted that his clients have three areas of concern, including the
19 calculation of the perimeter of the project; the project’s incompatibility with the
20 City’s LWRP; and the evaluation of environmental impacts under SEQRA.
21

- 22
- Mr. Verleun stated that in its LWRP Consistency application, the applicant
23 indicated that Policy #25 of the LWRP regarding protection and upgrading of
24 scenic quality was not applicable. He also stated that the application does not
25 comply with LWRP policies pertaining to protection of surface and groundwater
26 from discharge of pollutants, as boats may churn the harbor floor in the shallow
27 water and cause a violation of NYS water quality standards.
28

- 29
- Mr. Verleun also stated that with permits required from multiple agencies,
30 coordinated review under SEQRA is typically required. He stated that there are
31 inconsistencies between the environmental reviews of the agencies that are
32 concerning. He noted that the threshold for requiring an EIS is low and includes
33 being located within a critical environmental area (of which Long Island Sound is
34 one), having visual impacts, and increasing the intensity of a use.
35

- 36
- The Commission questioned the impact of boats churning up the sediment, as
37 boats are already present in the location of the proposed docks. Mr. Verleun stated
38 that this impact could worsen.
39

- 40
- Ms. Gray stated that the applicant will prepare written responses to the concerns
41 raised at the public hearing. She noted that the applicant’s proposed reduced scale
42 plan addresses some of the visual concerns by allowing for smaller boats on the
43 north side. She also noted that the proposed lighting will be reduced to a lower
44 wattage to reduce lighting impacts. Ms. Gray also stated that per the City’s code,
45

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1 Type II actions under SEQRA are exempt from the City's coastal consistency
2 requirements.
3

- 4 • Mr. Jim Kuster, CC/AC member, clarified that the CC/AC's concern about propeller
5 wash and upchurn of sediment is related to the increased concentration of boats
6 in the shallow water near the shore, which has the potential to increase the
7 churning of sediment in the area.
8

9 **ACTION:** Martha Monserrate made a motion, seconded by Richard Mecca, to
10 continue the public hearing for Wetland Permit Application Number
11 WP#465, which was carried by the following vote:
12

13 Nick Everett, Chair:	Aye
14 Martha Monserrate, Vice-Chair:	Aye
15 Andrew Ball:	Aye
16 Laura Brett:	Aye
17 Richard Mecca:	Aye
18 Steven Secon	Aye
19 Birgit Townley	Absent

20
21

22 2. 97 Oakland Beach Avenue 23

- 24 • Mr. Jonathan Kraut, applicant's attorney, was present for the application. Mr. Kraut
25 stated that if the currently proposed plan is the one favored by the Commission,
26 the applicant could return for the Commission's next meeting and still be able to
27 appear at the Zoning Board of Appeals' next meeting.
28
- 29 • Mr. Kraut stated that the application involves the subdivision of a 28,700-sf lot in
30 the R-4 zone into two lots, one of which would be 10,890-sf and the other 17,845
31 sf. He noted that through the course of the Commission's review of the application,
32 the building envelope for the rear lot was shifted forward, which would reduce site
33 disturbance, allow for the preservation of trees at the rear of the site, and align the
34 building better with the adjacent house at 93 Oakland Beach Avenue. He noted
35 that this shift requires a variance from the front yard setback requirements.
36
- 37 • Mr. Kraut also stated that the stormwater system is designed for the 100-year
38 storm event and a new catch basin is proposed in the street.
39
- 40 • Mr. Martin Kehoe, 101 Oakland Beach Avenue – Mr. Kehoe expressed concern
41 over the loss of trees on the site and questioned how the applicant can say that
42 trees will be preserved when nearly all of the trees on the site have already been
43 removed. The Commission explained that the applicant removed trees on the site
44 in accordance with a permit obtained prior to the submittal of a subdivision plan.
45 The Commission also explained that the applicant's original subdivision plan

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1 proposed the removal of several trees in the rear of the site, but the plan was
2 subsequently revised, per the Commission's comments, to preserve several
3 existing trees at the rear of the site. The Commission noted that this plan is
4 currently the plan under consideration.
5

- 6 • Mr. Kehoe asked whether any water absorption tests were done prior to the tree
7 removal. He stated that this is a concern of several of his neighbors who will be
8 speaking tonight.
9
- 10 • Ms. Nadine Waxenburg, 19 Thorne Place – Ms. Waxenburg asked the
11 Commission to oppose the application. She stated that the land in the area was
12 formerly a swamp and has a high water table, underground streams, and a high
13 clay content in the soil. She stated that there is so much water on her property that
14 she needs four sump pumps, and there is nowhere for the water to go.
15
- 16 • Ms. Waxenburg stated that the problem got worse when the homeowner at 89
17 Oakland Beach Avenue installed a swimming pool in 2014, and she expects it to
18 worsen again if another home is built at the subject site.
19
- 20 • Ms. Waxenburg stated that she feels the area is over-developed and that there is
21 no consideration for community character or environmental impacts. She stated
22 that property values could decrease if the proposed subdivision is approved. She
23 also felt that it was disingenuous of the developer to remove the trees before
24 submitting an application.
25
- 26 • Mr. John Hobbins, 75 Oakland Beach Avenue – Mr. Hobbins asked where the
27 water would go from the property if it is developed as proposed. Mr. Abdallah, the
28 applicant's engineer, responded that runoff from the two proposed houses will be
29 collected in Cultec systems and eventually release into the surrounding soil. He
30 noted that runoff from the driveway will be collected in an attenuation gallery which
31 ultimately discharges to the proposed catch basin.
32
- 33 • Ms. Kathy Grainger-Hobbins, 75 Oakland Beach Avenue – Ms. Hobbins stated that
34 plans are one thing, but many other homes have drains and stormwater systems
35 and they do not work.
36
- 37 • Ms. Patti Yoon, 93 Oakland Beach Avenue – Ms. Yoon stated that she strongly
38 recommends that the Commission not approve the proposed subdivision
39 application. She stated that it will change the character of the area and will set a
40 precedent for the subdivision of other lots. She stated that she purchased her
41 property along a busy road because it had mature trees and privacy, but in the
42 span of several days, all the mature trees were removed by the applicant. She said
43 she felt that the application is an invasion of her privacy.
44

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- 1 • Ms. Yoon stated that she is concerned about flooding and noted that her yard
2 floods so that her children cannot use it for days at a time. The Commission asked
3 where the water was coming from. Ms. Yoon stated that it comes from above her
4 property and floods over the rocks.
5
- 6 • Ms. Yoon stated that the removal of the trees has negatively impacted her property
7 value. She also stated that flag lots are not desirable and the creation of one will
8 change the character of the neighborhood.
9
- 10 • Mr. Alan Gold, 89 Oakland Beach Avenue – Mr. Gold stated that he spent a lot of
11 money on trying to improve the drainage on his property to minimal effect. He
12 stated that the addition of the arborvitae trees at the rear of the site will do nothing
13 to screen the development. He also stated that he is concerned about the amount
14 of rock removal that will be required, especially because of potential impacts to the
15 pool and his 1880s building foundation. He also expressed concern about the
16 potential to affect the character of the neighborhood.
17
- 18 • Mr. Marc Alimena, 15 Thorne Place – Mr. Alimena stated that he grew up in the
19 area and remembers a swamp at the bottom of Thorne Place and homes that
20 frequently flooded. He stated that the current proposed plan is better than the last,
21 but questioned whether the proposed stormwater infrastructure will actually be
22 built. The City Planner stated that it will. Mr. Alimena noted that one driveway would
23 be better than two in terms of impervious surface area and runoff.
24
- 25 • Mr. Alimena stated that he did not see the applicant address groundwater in any
26 of its plans. He noted that Ms. Waxenburg had to rip out and rebuild her foundation
27 because there was so much water damage. He also noted that the catch basin at
28 the bottom of Thorne Place frequently clogs.
29
- 30 • Mr. Alimena stated that he does not think engineering plans typically work in reality
31 the way they are supposed to work on paper, or they are not adequately designed
32 for wet ground.
33
- 34 • The Commission noted that certain things, like a high water table, are not within
35 an applicant's ability to address, but the concern is to make sure that existing
36 problems are not exacerbated. Mr. Alimena noted that more work could be done
37 to ensure that.
38
- 39 • Ms. Peggy Alimena, 15 Thorne Place – Ms. Alimena asked if the project could be
40 designed for a 150-year storm event.
41
- 42 • Mr. Carlos Peraza, 17 Thorne Place – Mr. Peraza stated that water falls directly
43 into his yard and his two sump pumps run 24 hours a day. He stated that he has
44 concerns about additional flooding and impacts to property values and has serious
45 objections to the proposed subdivision.

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- 1
- 2 • Ms. Caroline Gadaleta, 11 Thorne Place – Ms. Gadaleta stated that there was a
- 3 wet area behind her house 15 years ago, which is now practically a constant mud
- 4 pit with a significant amount of standing water. She stated that the storm system
- 5 cannot handle all the water and there is water throughout the entire year. She
- 6 stated that from 23 Thorne Place all the way down, you can hear the water flowing
- 7 in the storm drain. She asked whether there were tests to understand what
- 8 underground streams are present and where they are located. She stated that she
- 9 is concerned that development might disrupt something people are unaware of.
- 10
- 11 • Mr. Kraut stated that the applicant will provide responses but he wanted to state
- 12 that the peak rate of runoff is less under the built condition than the existing
- 13 condition.
- 14
- 15 • The Commission noted that it preferred an alternative layout that requires a
- 16 variance because it is a better plan and addresses several issues. The
- 17 Commission informed the public that the application will go before the Zoning
- 18 Board of Appeals for consideration of the variance and will also go before the
- 19 Board of Architectural Review if the subdivision is approved, so there will be
- 20 additional opportunity for public comment.

21

22 **ACTION:** Steven Secon made a motion, seconded by Laura Brett, to continue the

23 public hearing for Subdivision Application Number SUB#354, which was

24 carried by the following vote:

25		
26	Nick Everett, Chair:	Aye
27	Martha Monserrate, Vice-Chair:	Aye
28	Andrew Ball:	Aye
29	Laura Brett:	Aye
30	Richard Mecca:	Aye
31	Steven Secon	Aye
32	Birgit Townley	Absent
33		
34		

35 **3. 184 Soundview Avenue**

36

- 37 • The applicant’s consultant, Aleksandra Moch, was present for the application. Ms.
- 38 Moch stated that the application includes a two-story addition to the rear of the
- 39 house, a new deck, driveway, walkway, front porch, and garage bump-out. She
- 40 stated that there will be a 120-sf increase in impervious area within the wetland
- 41 buffer and 475 sf of mitigation planting. She noted that one tree will be removed
- 42 and three new trees will be planted (one dogwood and two amelanchiers). She
- 43 also noted that the existing asphalt in the right-of-way will be removed and
- 44 replaced with lawn and the new driveway will be composed of permeable
- 45 pavement.

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- 1
- 2 • Ms. Jodi Domotor, 188 Soundview Avenue – Ms. Domotor stated that she is
- 3 concerned about water on her property from increased runoff. She asked several
- 4 questions, including: whether there will be any grading in the rear yard of the
- 5 subject property; if the new deck will be located above concrete; if any fencing or
- 6 walls are proposed; and if there will be a dry well. Ms. Moch responded that no
- 7 grading is proposed, the existing concrete pad will be removed so there will be
- 8 nothing below the proposed deck; and no fencing or walls are proposed. The City
- 9 Planner stated that a dry well may not be required.
- 10
- 11 • Ms. Domotor asked whether the existing arborvitaes will be removed. Ms. Moch
- 12 stated that they will not be removed. Ms. Moch also noted that no walkway from
- 13 the street is proposed, only from the driveway to the front door.
- 14
- 15 • Dr. Robert Mickatavage, 174 Soundview Avenue – Dr. Mickatavage stated that he
- 16 has always been permitted to use the subject property to get access to the rear of
- 17 his property for lawn maintenance, etc. He stated that he hopes he will be able to
- 18 continue using the property in this way. The Commission noted that this issue is
- 19 not within the Commission’s purview and recommended that he speak to the
- 20 applicant to work out an arrangement. Ms. Moch stated that no plantings or
- 21 obstructions that would limit his access are proposed in the area between the two
- 22 properties.
- 23

24 **ACTION:** Martha Monserrate made a motion, seconded Laura Brett, to close the

25 public hearing for Wetland Permit Application Number WP#468, which was

26 carried by the following vote:

27

28 Nick Everett, Chair:	Aye
29 Martha Monserrate, Vice-Chair:	Aye
30 Andrew Ball:	Aye
31 Laura Brett:	Aye
32 Richard Mecca:	Aye
33 Steven Secon	Aye
34 Birgit Townley	Absent

35

36

37 **II. ITEMS PENDING ACTION**

38

39 **1. Shenorock Shore Club – Proposed Dock Expansion**

40

- 41 • The Commission requested that the applicant create a plan that shows the
- 42 proposed dock expansion in the context of the greater surrounding area. The
- 43 Commission stated that it would be useful to see the channel, neighboring homes,
- 44 and other docks located in the vicinity of the site.
- 45

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- 1 • The Commission asked the City Planner to confirm whether the zoning district of
2 the winter clubhouse is R-1 or MC. The City Planner replied that it appears to be
3 R-1, although he noted that this does not change the status of the application, as
4 the use is still permitted in the R-1 zone.
5
6 • The Commission asked the applicant to clarify how many moorings are in place,
7 the number used by Club members, and the number used by others not in the
8 Club.
9
10 • The Commission also asked the applicant to prepare a lighting plan, identifying
11 existing and proposed lights and the amount of light cast from each one. The
12 Commission also asked the applicant to identify any proposed lighting restrictions
13 they intend to put in place and add them to the lighting plan. The applicant stated
14 that it would provide the requested information with its next submission.
15
16 • The City Planner noted that while the DEC has determined that the proposed
17 action is a Type II action under SEQR, the City has not yet made any determination
18 under SEQR. He stated that the applicant can present the City with the exemption
19 for which they feel the application qualifies.
20
21 • The Commission stated that the comments from Row America do make it seem as
22 though they think the number of moorings will be reduced. The City Planner noted
23 that if someone applies for a mooring permit and meets the requirements, they are
24 given a mooring permit. He stated that the permits are handled through the Boat
25 Basin.
26
27 • The Commission asked for clarification about the 2009 agreement that has been
28 referenced in public comments. The City Planner stated that the number of
29 moorings had been discussed at a meeting and included in the meeting minutes,
30 but was never included in a resolution.
31
32 • The Commission stated that the applicant should prepare alternatives and provide
33 the other information requested by the Commission, and return at the next
34 meeting.

35
36

2. 97 Oakland Beach Avenue

37

- 38
39 • The Commission stated that the main concerns heard from the neighbors are in
40 relation to water and landscaping. The Commission acknowledged that there is
41 little that can be done about groundwater and a high water table. The City Planner
42 stated that properties without connections to the City's stormwater system are
43 prone to more water issues. The Commission requested that the applicant prepare
44 a watershed map including arrows showing the direction of flow.
45

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- 1 • The Commission discussed the possibility of having a single shared driveway to
2 access both lots. Mr. Kraut stated that the applicant does not want to pursue that
3 design and the sight line analysis indicates that two driveways would each have
4 adequate sight distances.
5
- 6 • Mr. Kraut asked if the City Planner could prepare a memo to the Zoning Board for
7 the Commission’s review at the February 11th meeting. The City Planner stated
8 that he would.
9

10
11 **3. 184 Soundview Avenue**
12

- 13 • The Commission noted that the CC/AC considers the application to be
14 unacceptable. The Commission reviewed the draft resolution, noting that the
15 resolution needs to include findings in response to the CC/AC comments.
16
- 17 • Ms. Moch noted that the applicant had addressed the CC/AC’s concerns about the
18 removal of the non-native tree by proposing to replace it with three new native
19 trees. She also noted that they are removing the asphalt in the ROW in front of the
20 house and using porous pavement for the driveway.
21
- 22 • The Commission noted that the mitigation ratio of 4:1 is more than adequate. The
23 Commission also noted that the applicant has agreed to remove the asphalt in the
24 ROW, which is not on the applicant’s property and not in the wetland buffer.
25

26 **ACTION:** Martha Monserrate made a motion, seconded Laura Brett, to approve as
27 amended Wetland Permit Application Number WP#468, which was carried
28 by the following vote:

29		
30	Nick Everett, Chair:	Aye
31	Martha Monserrate, Vice-Chair:	Aye
32	Andrew Ball:	Aye
33	Laura Brett:	Aye
34	Richard Mecca:	Aye
35	Steven Secon	Aye
36	Birgit Townley	Absent

37
38
39 **4. 1037 Boston Post Road**
40

- 41 • The Commission stated that the main question to be answered is where the cars
42 will go that currently park at the site. Mr. Jacquemart discussed his review of the
43 applicant’s parking analysis and requested that the applicant conduct an inventory
44 of nearby lots within a reasonable distance of the site. He stated that the applicant

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- 1 may have to consider options such as time limits on parking or valet parking for
2 employees.
3
4 • Mr. Kraut stated that the library received a variance for an estimated 78 parking
5 spaces and provided zero, while the applicant has a fully compliant parking lot and
6 is being asked to address the parking deficiency within the entire property. He
7 stated that the applicant objects to being asked to do an offsite parking analysis.
8 He also stated that the uses competing for parking during a short period of peak
9 demand will have the incentive to work it out among themselves.
10
11 • Mr. Jacquemart stated that between the two lots (the applicant's and the City's),
12 there is not enough parking to meet the peak demand. Some members of the
13 Commission felt that the observed conditions at the present time are skewed
14 because the site's parking lot is being used by those who are not supposed to be
15 there, and once that is no longer permitted, the actual demand may be able to be
16 accommodated.
17
18 • The Commission discussed the availability of parking in offsite municipal lots,
19 noting that there is likely excess availability during the morning hours of 9:00 AM
20 and 11:00 AM.
21
22 • The Commission commented that time limits for parking at the project site would
23 help to ensure that people do not park at the Y and leave the car for hours while
24 they do other things within the City. The Commission stated that the applicant
25 should explore how it would handle employee parking and coordinate with the
26 library on programming. Mr. Howells of the YMCA stated that it would be quite
27 expensive for the applicant to undertake a parking analysis of offsite parking lots.
28 He stated that the YMCA already spends \$100,000 managing parking at its
29 existing facility. The Commission stated that the existing means of managing
30 parking should be included in its next submission.

31
32
33 **5. 100-130 Kirby Lane**

- 34
35 • Mr. Jonathan Kraut, applicant's attorney, and Ms. Margie Barts, applicant's
36 landscape architect, were present for the application. Mr. Kraut stated that the
37 application includes a fence around the perimeter of the property, a portion of
38 which crosses within the 100-foot wetland buffer. Mr. Kraut stated that the
39 application also includes installation of evergreen screening adjacent to the fence.
40 He noted that the proposed fence is code compliant.
41
42 • The Commission noted that the wetland and 100-foot wetland buffer were not
43 completely shown on the site plan. The Commission asked the applicant to return
44 at the next meeting with the wetland and buffer properly shown on the site plan.
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Rye City Planning Commission Minutes (Cont.)

January 28, 2020

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6. Minutes

- The Commission reviewed the draft minutes from the January 14, 2020 meeting and made minor revisions.

ACTION: Martha Monserrate made a motion, seconded by Laura Brett, to approve as amended the minutes from the January 14th meeting, which was carried by the following vote:

Nick Everett, Chair:	Aye
Martha Monserrate, Vice-Chair:	Aye
Andrew Ball:	Aye
Laura Brett:	Aye
Richard Mecca:	Aye
Steven Secon	Aye
Birgit Townley	Absent

7. Planning Department Update

There were no updates from the City Planner.