

Rye City Planning Commission Minutes

April 14, 2020

Meeting held virtually via Zoom Video Conferencing due to COVID-19

MEETING ATTENDANCE:

Planning Commission Members:

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

Other:

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

1. 12 Purdy Avenue

- Mr. Jonathan Kraut, attorney, and Mr. Rex Gedney, architect, were present for the application. Mr. Gedney described the application, stating that it involves the renovation of a former bank located in the B-2 zoning district and the X Flood Zone. He stated that the site is 3,750 sf and has an allowable FAR of 2.0.
- Mr. Gedney stated that the project includes the conversion of the first floor and lower level to retail space and the addition of two upper floors of three residential units each. He stated that the building will have the same footprint as the existing building with the exception of the elevator and stair tower. He noted that the building will be accessible and energy efficient. A green roof will be utilized for stormwater management.
- Mr. Gedney reviewed the layout of each proposed floor. He stated that there will be an open stair to the lower level along with a limited-use, limited application (LULA) elevator. The first floor will include the trash room and trash chute access, with the dumpster container area accessible from the outside of the building. He stated that the two upper floors will be identical with three residential units each. The roof will include the green roof area, the mechanicals, and a seating area for residents.
- Mr. Gedney noted that there are some minor typographical errors on the site plans that will be fixed, but no changes have been made to the plans since the March 10th Commission meeting.
- The Commission asked whether the applicant plans to use the City-owned parking spaces to the west of the building during construction. Mr. Gedney stated that the applicant anticipates requesting temporary permission from the City to use those spaces during construction.

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- 1 • The Commission asked whether consideration was given to extending the elevator
2 to the lower level for use by the residents of the building. Mr. Gedney stated that
3 there is no plan at this time to have residents access the lower level.
4
5 • The City Planner noted that he received comments via email from Mr. Leonard on
6 Apawamis Avenue, who had questions about the parking calculations. The City
7 Planner stated that he explained the parking requirements per the zoning code
8 and Mr. Leonard seemed to be satisfied with the explanation. The City Planner
9 noted that the email chain between himself and Mr. Leonard has been included in
10 the record of the project.
11

12 **ACTION:** Richard Mecca made a motion, seconded by Martha Monserrate, to close
13 the public hearing for Site Plan Application Number SP#381, which was
14 carried by the following vote:

15		
16	Nick Everett, Chair:	Aye
17	Martha Monserrate, Vice-Chair:	Aye
18	Andrew Ball:	Aye
19	Laura Brett:	Aye
20	Richard Mecca:	Aye
21	Rick Schaupp	Aye
22	Steven Secon	Aye
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2. 62 Purchase Street

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- 27 • Mr. Neil Alexander, attorney, and Mr. Geoff Ringler, the applicant's representative,
28 were present for the application. Mr. Alexander stated that the project location is a
29 two-story building on Purchase Street with two retail tenants on the ground floor.
30 He stated that the applicant is seeking to convert the second floor of the building,
31 which is currently unused, to office space unrelated to the uses on the ground floor.
32 The project includes the addition of an access/egress door on Purchase Street and
33 a stairway to access the second floor. Mr. Alexander noted that the change in use
34 results in a decrease in required parking. He also noted that the application
35 received Board of Architectural Review approval on April 13, 2020.
36
- 37 • The Commission noted that there is a manhole on the sidewalk at the location of
38 the proposed door. The Commission stated that there could be an egress issue
39 from the second floor when work is being done within the manhole. Mr. Ringer
40 stated that there is a rear egress door that is accessible from the second floor. The
41 Commission noted that if the front access door could swing the opposite of how it
42 is shown on the plan, it would reduce the potential for interference with the
43 manhole. Mr. Ringer stated that he would review the plan and could possibly also
44 move the side light to the opposite side of the door, providing even more clearance
45 for the manhole.

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- 1
- 2 • The City Planner noted that no public comments were submitted on this
- 3 application.
- 4

5 **ACTION:** Richard Mecca made a motion, seconded by Martha Monserrate, to close

6 the public hearing for Site Plan Application Number SP#382, which was

7 carried by the following vote:

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9	Nick Everett, Chair:	Aye
10	Martha Monserrate, Vice-Chair:	Aye
11	Andrew Ball:	Aye
12	Laura Brett:	Aye
13	Richard Mecca:	Aye
14	Rick Schaupp	Aye
15	Steven Secon	Aye
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18 **II. ITEMS PENDING ACTION**

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20 **1. 12 Purdy Avenue**

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- 22 • The Commission reviewed the draft resolution. The Commission recommended
- 23 eliminating the condition pertaining to blasting. The City Planner noted that while
- 24 no blasting is proposed or expected to be necessary for this application, the City's
- 25 rock removal law would govern any rock removal activity and is more stringent
- 26 than the language in the draft resolution.
- 27
- 28 • The Commission requested that a condition be added to the resolution stating that
- 29 the applicant must return to the Commission for the purpose of ensuring adequate
- 30 trash facilities if any food-based retail use is proposed.
- 31

32 **ACTION:** Andrew Ball made a motion, seconded by Steven Secon, to approve as

33 amended Site Plan Application Number SP#381, 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:	Aye
40	Richard Mecca:	Aye
41	Rick Schaupp	Aye
42	Steven Secon	Aye
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2. 62 Purchase Street

- The Commission reviewed the draft resolution. The Commission recommended eliminating the condition pertaining to blasting, as they did for 12 Purdy Avenue, since the City’s rock removal law would govern any rock removal activity and is more stringent than the language in the draft resolution.

ACTION: Martha Monserrate made a motion, seconded by Richard Mecca, to approve as amended Site Plan Application Number SP#382, 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
Rick Schaupp	Aye
Steven Secon	Aye

3. 220-224 Purchase Street

- Mr. Jonathan Kraut, attorney; Mr. Leo Napior, attorney; and Mr. Rex Gedney, architect, were present for the application. Mr. Napior stated that a site plan had been approved in 2007 that included three residential units to be constructed in a second-story addition, which was never constructed. He also stated that two lots were supposed to have been merged as part of the previous application, which also does not appear to have happened, but will be part of the current application. Mr. Napior stated that several outbuildings were located on the site that were removed as part of the 2007 approval. He also noted that several variances were granted, including setbacks, height, number of stories, FAR, to address nonconformities that existed at that time.
- Mr. Gedney described the current plans, noting that they are essentially the same as the approved plans from 2007. He stated that three residential units are proposed above the existing ground floor and access will be from the back of the building.
- The Commission asked if the existing foundation will be used. Mr. Gedney confirmed that that is the plan and it will be supplemented to accommodate the added weight of the additional story. He noted that the existing retail tenants will remain for the majority of the construction, except during the heaviest construction work. Mr. Gedney confirmed that there will be interstitial space between the upper and lower floors.

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- The Commission asked Mr. Gedney to describe the proposed trash collection and storage. Mr. Gedney stated that the dumpster area is currently located in the rear corner of the site and will remain. He noted that the site owner recently made improvements to the trash enclosure. Mr. Gedney stated that there will be a superintendent for the residential tenants and he will bring trash out to the enclosure daily. He noted that the existing retail tenants are responsible for bringing their own trash outside and that will continue.

ACTION: Martha Monserrate made a motion, seconded by Richard Mecca, to set the public hearing for Site Plan Application Number SP#383, 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
Rick Schaupp	Aye
Steven Secon	Aye

4. 289 Grace Church Street – Extension of Time

- Mr. Steven Wrable, attorney, was present for the application. Mr. Wrable stated that there have been no changes to the site plan but the applicant is working through the County Department of Health review and more time is needed. He stated that the applicant is requesting a 90-day extension to July 29, 2020.
- The City Planner stated that per the original subdivision approval, two 90-day time extensions are permitted and this would be the first.

ACTION: Andrew Ball made a motion, seconded by Martha Monserrate, to approve one 90-day extension of time for Subdivision Application Number SUB#352, 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
Rick Schaupp	Aye
Steven Secon	Aye

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2 **5. Wainwright House – Modification**
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- 4 • Mr. Bob Manheimer, president of the Wainwright House, was present for the
5 application. Mr. Manheimer stated that the Wainwright House is seeking an
6 exception to the approved resolution to allow tented events on the site through the
7 second week of November. He stated that this is because scheduled events
8 through July have had to be cancelled due to the coronavirus and there is not
9 enough time in their regular season to reschedule them all.
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11 • The Commission noted that the applicant needs to identify a specific date. Mr.
12 Manheimer stated that the last potential date for events would be November 15,
13 2020.
14
15 • The Commission stated that it received a letter from some neighbors requesting
16 that no events be held on Columbus Day. Mr. Manheimer stated that he would do
17 everything possible to avoid scheduling events on Columbus Day, but would like
18 to keep it as a last-minute option since it is unknown when events can resume and
19 it is possible that events in August may end up needing to reschedule. The
20 Commission noted that there would be additional discussion of this matter during
21 the public hearing.
22
23 • The Commission noted that the neighbors also requested that the setup of the tent
24 be delayed until just before the first event. Mr. Manheimer stated that some lead
25 time is needed because it takes time for everything within the tent to be set up. He
26 noted that one-and-a-half to two weeks is typically needed. The Commission
27 stated that two weeks prior to the first scheduled event is acceptable.
28
29 • Mr. Manheimer stated that he wants to expedite the approval process as much as
30 possible because the Wainwright House needs to know whether it can
31 accommodate all of the cancelled events and book them on the calendar. The
32 Commission noted that it is sympathetic to his predicament, but a public hearing is
33 nonetheless required. The Commission stated that it has confidence that the
34 extension will be approved.
35
36 • The Commission suggested that if it is necessary to hold events on Columbus Day,
37 the applicant could consider events that do not require any noise amplification.
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39 **ACTION:** Andrew Ball made a motion, seconded by Richard Mecca, to set the public
40 hearing for Modification of Site Plan Application Number SP#317, which
41 was carried by the following vote:
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43 Nick Everett, Chair: Aye
44 Martha Monserrate, Vice-Chair: Aye
45 Andrew Ball: Aye

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1 Laura Brett: Aye
2 Richard Mecca: Aye
3 Rick Schaupp Aye
4 Steven Secon Aye

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6. Minutes

- The Commission reviewed the draft minutes from the March 10, 2020 meeting and made minor revisions.

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ACTION: Richard Mecca made a motion, seconded by Laura Brett, to approve as amended the minutes from the March 10th meeting, which was carried by the following vote:

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Nick Everett, Chair: Aye
Martha Monserrate, Vice-Chair: Aye
Andrew Ball: Aye
Laura Brett: Aye
Richard Mecca: Aye
Rick Schaupp Aye
Steven Secon Aye

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7. Planning Department Updates

- The City Planner thanked the Commission and Rye TV for working together to get the virtual meeting set up. He noted that it has been a lot of work to get to this point and he appreciates everyone’s assistance and patience. The Commission also thanked the City Planner and staff for all of their efforts.

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