

Rye City Planning Commission Minutes

January 11, 2005

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PRESENT:

- Barbara Cummings, Chair
- Martha Monserrate, Vice-Chair
- Nick Everett
- Hugh Greechan
- Peter Larr
- G. Patrick McGunagle
- H. Gerry Seitz

ABSENT:

None

ALSO PRESENT:

- Christian K. Miller, AICP, City Planner
- George Mottarella, P.E., City Engineer
- Chantal Detlefs, City Naturalist

I. ANNUAL ORGANIZATIONAL MEETING

- Chair Cummings stated she was re-appointed as Chair of the Planning Commission by the City Council. Ms. Cummings nominated Martha Monserrate to continue to serve as Vice-Chair. The Commission unanimously confirmed her nomination.

II. ITEMS PENDING ACTION

1. Rye Community Synagogue

- Planning Commission noted receipt of letters from neighbors regarding aesthetic and operational concerns at the synagogue. The Commission noted that the issues raised are not within their purview and that these concerns should be presented to the Board of Architectural Review and Building Department.
- Commission discussed the proposed screening and discussed existing site lighting. Jonathan Kraut (applicant's attorney) responded that the applicant will comply with the lighting restrictions provided in the original site plan approval. Mr. Kraut acknowledged that during construction there were periods when lighting was left on within the building due to inoperable timing switches or the failure of maintenance staff to properly reduce lighting. Floyd Kaplan (synagogue member and construction manager) stated that some lighting is left on for security reasons, but that it will be turned off at midnight, except for stairwell and emergency lighting.

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- 1 • The Commission encouraged the applicant to work with the neighbors regarding
2 operational issues and the location of the refuse containers. Mr. Kaplan stated
3 that he has and would continue to do so. Mr. Kaplan stated that the trash
4 enclosure location agreed to by the City Engineer based on a site inspection is
5 being shifted to address the concern of a resident on Ann Lane. Mr. Kaplan
6 stated that a Rubbermaid structure is proposed. Mr. Mottarella requested that
7 the location not be immediately on the property line.
8
- 9 • The Commission discussed the proposed relocation of the shed from within the
10 100-foot wetland buffer to an area along the northern property line. Mr. Kraut
11 stated that the location selected was adjacent to the previously approved shed.
12 Mr. Kraut added that this location was acceptable given that the caretaker's
13 residence is proposed to be eliminated. The Commission requested that the
14 location be modified to be no closer than the setback of the existing shed, which
15 was approximately 22 feet from the northern property line.
16
- 17 • The Commission requested that the proposed plant material along the property
18 line closest to the proposed parking lot expansion be evergreen material. The
19 Commission also reviewed the modifications in the evergreen landscaping on the
20 northern property line.
21
- 22 • The Commission reviewed the draft resolution of approval and requested minor
23 revisions.
24

25

26 **ACTION:** Peter Larr made a motion, seconded by Pat McGunagle and unanimously
27 approved by all members present, that the Planning Commission
28 conditionally approve Modified Final Site Plan, Use Permitted Subject to
29 Additional Standards and Requirements and Wetland Permit application
30 SP146B.
31

32 **2. 259 Purchase Street**

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34 **ACTION:** Gerry Seitz made a motion, seconded by Pat McGunagle and
35 unanimously approved by all members present, that the Planning
36 Commission set a public hearing for its February 8, 2005 meeting for Final
37 Site Plan application SP285.
38

39 **3. 64 Purchase Street**

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- 41 • David Mooney (applicant's architect) noted plan revisions including reducing the
42 number of first floor retail spaces from two to one, eliminating a door that would
43 open on to the pedestrian easement and increasing the size of the refuse
44 enclosure area on the rear (carpark) side of the building.
45

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- 1 • The Commission questioned whether the size of the refuse area was adequate to
2 accommodate the one retail and two second floor retail tenants. Mr. Mooney
3 responded that the refuse area could hold six containers (two per tenant) and
4 that the size and location had been confirmed with the City's DPW staff. The City
5 Engineer noted that the location and size of the refuse area appeared adequate.
6 The City Planner noted that there would be a condition of approval that would
7 prohibit the placement of trash or dumpster outside the building.
8
- 9 • Mr. Mooney stated that he conducted a dye test to confirm the location of the City
10 storm drain, which appears to be located within the easement and not under the
11 existing building. The City Engineer noted that this drain would need to be
12 protected during construction.
13

14 **ACTION:** Peter Larr made a motion, seconded by Nick Everett and unanimously
15 approved by all members present, that the Planning Commission set a
16 public hearing for its February 8, 2005 meeting for Final Site Plan
17 application SP288.
18

19 **4. Colahan Subdivision**

- 20
- 21 • The Commission reviewed concerns with the proposed subdivision including the
22 proposed amount of site disturbance and disruption of natural features, loss of a
23 significant beech tree and the aesthetic and safety impact of the proposed
24 driveway. The Commission requested that the applicant provide more
25 information regarding available vehicle and pedestrian sight distance for the
26 existing and proposed driveway based on accepted criteria and the prevailing
27 speed on Forest Avenue. The Commission reiterated that using the existing
28 driveway as access for both lots is the preferred plan.
29
- 30 • The Commission requested that the location of the existing drywell serving the
31 existing residence be shown on the plan. Measures should also be implemented
32 to intercept stormwater runoff from the proposed driveway and directed toward
33 drywells. The City Engineer stated that heavy-duty trench drains or catch basins
34 would be acceptable.
35
- 36 • Jonathan Kraut (applicant's attorney) stated that the drainage analysis prepared
37 by the applicant exceeds City standards. He stated that the applicant will provide
38 the additional information requested by the Commission, but that the applicant's
39 proposal is for two driveways, not a shared driveway as requested by the
40 Commission. Mr. Kraut requested that the Commission schedule a public
41 hearing for its next meeting at which time the applicant would provide additional
42 information and testimony supporting the proposed two-driveway configuration.
43 The Commission stated that it was not prepared to set a public hearing until it
44 had a complete application including the additional information it requested.
45

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- 1 • The Commission requested that the applicant have a civil engineer prepare a
2 driveway plan with grading all the way to Forest Avenue showing the exact height
3 and location of required retaining walls calculations and appropriate sight
4 distances. Additional information should also be provided better illustrating (such
5 as photos, renderings, etc.) the aesthetic impact of the proposed driveway.
6

7 **5. Dogan Residence**

- 8
- 9 • The applicant provided an overview of the plan revisions including the elimination
10 of the previously proposed basement (except for a small mechanical area), the
11 reduction of the amount of impervious area on the site and the modification in the
12 drainage design to direct stormwater towards the pond and not towards a new
13 drain line in Sharon Lane.
14
- 15 • The Commission acknowledged the applicant's efforts to reduce the impact of
16 the proposed residence, but stated that the proposed increase in impervious area
17 would be among the highest it has considered. The Commission noted the
18 extent of environmental constraints on the property including a large pond
19 relatively close to the proposed residence and rock. The Commission stated that
20 total impervious area would need to be reduced by at least half the current
21 proposal. The Commission suggested that some of this reduction could be
22 achieved by using a pervious material for the driveway, but that additional
23 reductions in the house footprint would be necessary.
24
- 25 • The applicant's architect stated that they would consider the Commission's
26 request and suggested that some lost floor area on the first floor could be added
27 to the second floor.
28
- 29 • The Commission requested that the quantity of plants be indicated on the
30 wetland mitigation plan.
31

32 **6. Levine Residence**

- 33
- 34 • Jonathan Kraut (applicant's attorney) stated that the project involves an addition
35 to an existing residence located within 100 feet of Blind Brook. Mr. Kraut
36 acknowledged that a mitigation plan, erosion control and drainage plan would be
37 provided and requested a public hearing. The Commission stated that a hearing
38 would not be set until a complete application has been submitted and it has had
39 the opportunity to walk the site. The Commission also requested that the amount
40 of impervious area within the buffer be stated on the plan.
41
- 42 • Paul Jaehnig (applicant's landscape architect) provided an overview of the
43 project, existing site and environmental features and the proposed mitigation plan
44 he would be submitting to the Commission for its consideration.

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- The Commission requested that the location of the 100-year flood zone be shown on the plan.

7. Kirby Lane North Sanitary Sewer Special Assessment District

- The City Planner provided an overview of the project and the required approvals by the Planning Commission and City Council. The Commission concurred as to the environmental and public health benefits of the project, which would eliminate septic systems from an area currently served by on site drinking wells.
- Tony Spaeth (Kirby Lane North resident) stated that the Full Environmental Assessment Form (EAF) should be revised to indicate that the proposed pump station would have a small to moderate aesthetic impact, which can be addressed with appropriate design and landscape screening considerations. The Commission agreed to the requested change.

ACTION: Pat McGunagle made a motion, seconded by Peter Larr and unanimously approved by all members present, that the Planning Commission set a public hearing for its February 8, 2005 meeting for Wetland Permit and Advisory LWRP Coastal Consistency application WP166.

8. Discussion of Draft Neighborhood Business District Study

- The Commission reviewed and accepted with minor revisions the draft NBD Report. The Commission agreed that it should be referred to the City Council for their consideration and that Peter Larr as chair of the NBD Committee prepare a cover memorandum on behalf of the Commission.
- The Commission also requested that the NBD Committee, based on its experience with business districts, continue its work to review planning issues within the Central Business District.

9. Minutes

- The Planning Commission unanimously approved with minor revisions the minutes of its December 14, 2004 meeting.