

**Rye City Planning Commission Minutes**  
August 14 ,2007

**MEETING ATTENDANCE:**

**Planning Commission Members:**

- Barbara Cummings, Chair
- Martha Monserrate, Vice-Chair
- Carolyn Cunningham
- Nick Everett
- Hugh Greechan
- Peter Larr
- George Pratt

**Other:**

- Christian K. Miller, AICP, City Planner
- George Mottarella, P.E., City Engineer
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1 **I. HEARINGS**

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3 **1. 96 Mendota Avenue**

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- 5 • Richard Horsman (applicant's landscape architect) stated that the applicant is
  - 6 seeking a modification to its prior approval to reconfigure the location of the rear
  - 7 steps, provide a modest kitchen addition, modify the rear deck configuration and
  - 8 reduce the size of the previously proposed utility room addition.
  - 9
  - 10 • Mr. Horsman stated that the kitchen addition would be on piers to minimize
  - 11 impacts on flows during Blind Brook flooding events.
  - 12
  - 13 • Mr. Horsman stated that the project would result in an approximately 188 square-
  - 14 foot increase in impervious area in the wetland buffer, which would be mitigated
  - 15 by 604 square feet of wetland plantings.
  - 16
  - 17 • There was no public comment.
  - 18

19 **ACTION:** Peter Larr made a motion, seconded by Martha Monserrate that the  
20 Planning Commission close the public hearing on wetland permit  
21 application number WP224, which was carried by the following vote:

22  
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Barbara Cummings, Chair:	Aye
Martha Monserrate, Vice- Chair:	Aye
Carolyn Cunningham:	Aye
Nick Everett:	Aye
Hugh Greechan:	Absent
Peter Larr:	Aye

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1 George Pratt: Absent

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3 **II. ITEMS PENDING ACTION**

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5 **1. 96 Mendota Avenue**

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- 7 • The City Planner noted that the paved area in the rear of the property had been  
8 mostly removed as a result of the recent construction. Given its removal the City  
9 Planner recommended that an alternative semi-pervious paving material be used  
10 and that the existing asphalt not be re-installed. The City Planner, recommended  
11 grasscrete, noting that gravel would not be appropriate given its potential to wash  
12 out into the adjacent Blind Brook during flooding events.
- 13
- 14 • The Commission debated whether a parking area should be permitted at all in  
15 the rear yard. The Commission agreed that grasscrete would be acceptable from  
16 the front of the residence towards the rear yard. Maintaining the existing asphalt  
17 driveway from the front of the residence towards Mendota Avenue was  
18 acceptable to the Commission. The applicant agreed to amend the site plan  
19 accordingly.

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22 **ACTION:** Carolyn Cunningham made a motion, seconded by Peter Larr that the  
23 Planning Commission approve wetland permit application number WP224,  
24 which was carried by the following vote:

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27	Barbara Cummings, Chair:	Aye
28	Martha Monserrate, Vice- Chair:	Aye
29	Carolyn Cunningham:	Aye
30	Nick Everett:	Aye
31	Hugh Greechan:	Absent
32	Peter Larr:	Aye
33	George Pratt:	Absent

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37 **2. 330 Stuyvesant Avenue**

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- 39 • The Commission reviewed and discussed the wording in the proposed view-  
40 way/conservation easement and resolution of approval.

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43 **ACTION:** Peter Larr made a motion, seconded by Carolyn Cunningham that the  
44 Planning Commission approve subdivision application number SUB300

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1 and wetland permit application number WP210, which was carried by the  
2 following vote:

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4  
5 Barbara Cummings, Chair: Aye  
6 Martha Monserrate, Vice- Chair: Aye  
7 Carolyn Cunningham: Aye  
8 Nick Everett: Aye  
9 Hugh Greechan: Absent  
10 Peter Larr: Aye  
11 George Pratt: Absent  
12

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**3. 33 Pondview Road**

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16 • Alan Pilch (applicant’s engineer) noted changes in the proposed plan to reduce  
17 impervious area and recalculate the extent of wetland buffer encroachment  
18 consistent with the Commission’s practice.

19

20 • The Commission discussed the proposed project and the public concerns  
21 regarding increases in stormwater runoff and proposed drainage measures. The  
22 Commission noted that the project will not exacerbate area flooding conditions.  
23 They noted that the project will result in only a 19-cubic-foot increase in  
24 stormwater volume in the 25-year storm event. That volume will be mitigated by  
25 rain garden having a storage volume of 104 cubic feet and a sub-surface cultec  
26 unit having an additional 22 cubic feet of storage capacity. The Commission  
27 noted that only the City Council had the authority to implement a moratorium on  
28 development in the watershed as requested by some neighbors.

29

30 • The Commission and City Planner stated that there does not appear to any  
31 activity or development within the watershed that have caused changes in area  
32 conditions that have resulted in the dramatic increases in flooding alleged by the  
33 Cates’ of 1 Marlene Court. The City Planner noted a long history of poorly  
34 drained conditions in the area, a 1964 report citing the inadequacy of drainage  
35 pipes under Playland Parkway that directly cause flooding on the Cates’ property  
36 and increases in the number and intensity of rain events in the last few years.

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39 **ACTION:** Peter Larr made a motion, seconded by Martha Monserrate that the  
40 Planning Commission approve wetland permit application number WP225,  
41 which was carried by the following vote:

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44 Barbara Cummings, Chair: Aye  
45 Martha Monserrate, Vice- Chair: Aye

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1	Carolyn Cunningham:	Aye
2	Nick Everett:	Aye
3	Hugh Greechan:	Absent
4	Peter Larr:	Aye
5	George Pratt:	Absent

**4. 85 Wappanocca Avenue**

- The Commission debated whether the first floor should be restricted to no more than eight feet above grade rather than the nine feet proposed by the applicant.
- The Commission discussed alternative grading options presented by the applicant's landscape architect, Richard Horsman, to reduce the perceived height of the structure. Mr. Horsman noted that a nine foot floor is required in order to provide overhead garage doors under the residence and to provide a driveway that pitches towards the street rather than the residence. He noted that to lower the lowest floor would require an overly disruptive regrading of the entire site.
- The Commission noted that the issue of height was addressed by the Board of Appeals in their granting of the variance for the application. The Commission also noted that the Board of Architectural Review has jurisdiction to consider this issue in their consideration of the application.

**ACTION:** Peter Larr made a motion, seconded by George Pratt that the Planning Commission approve wetland permit application number WP229, which was carried by the following vote:

Barbara Cummings, Chair:	Aye
Martha Monserrate, Vice- Chair:	Aye
Carolyn Cunningham:	Aye
Nick Everett:	Nay
Hugh Greechan:	Absent
Peter Larr:	Aye
George Pratt:	Absent