

**Rye City Planning Commission Minutes**  
April 21, 2009

**MEETING ATTENDANCE:**

**Planning Commission Members:**

- Barbara Cummings, Chair
- Martha Monserrate
- Carolyn Cunningham
- Mack Cunningham
- Nick Everett
- Hugh Greechan
- Peter Larr

**Other:**

- Christian K. Miller, AICP, City Planner
- George Mottarella, P.E.,
- JoAnn Rispoli, Secretary
- Lori DeCaro, Chair CC/AC
- 
- 
- 

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33

**I. HEARINGS**

**1. 40 Island Drive**

- Dan Natchez (applicant’s representative) stated that the project involves the reconstruction of an existing seawall for a property located at 40 Island Drive. The project would remove the existing stone and concrete seawall with a new rip-rap armored seawall. The project would extend for approximately 316 linear feet along the applicant’s rear property line adjacent to Long Island Sound. Mr. Natchez noted that the project plans were modified to add an additional 120 square feet of plantings to satisfy the Commission’s agreed upon wetland buffer mitigation requirements. He noted that the plantings would be provided along the top of the seawall and the northern property line.
- There was no public comment.

**ACTION:** Carolyn Cunningham made a motion, seconded by Mack Cunningham, that the Planning Commission close the public hearing on wetland permit application number WP257, which was carried by the following vote:

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

**2. 36 Island Drive**

- Dan Natchez (applicant’s representative) stated that the project involves the reconstruction of an existing seawall for a property located at 36 Island Drive. He

## Rye City Planning Commission Minutes (Cont.)

April 21, 2009

Page 2 of 5

1 noted that the project would replace the existing stone and concrete seawall with  
2 a new 285 linear foot rip-rap armored seawall. He stated that an existing  
3 impervious concrete seawall with eight-foot wide walkway would also be  
4 removed. He stated that landscape mitigation would be provided along the top of  
5 the seawall.

- 6
- 7 • There was no public comment.
- 8
- 9

10 **ACTION:** Mack Cunningham made a motion, seconded by Carolyn Cunningham,  
11 that the Planning Commission close the public hearing on wetland permit  
12 application number WP258, which was carried by the following vote:

13	Barbara Cummings, Chair:	Aye
14	Martha Monserrate, Vice- Chair:	Aye
15	Carolyn Cunningham:	Aye
16	Mack Cunningham:	Aye
17	Nick Everett:	Aye
18	Hugh Greechan:	Aye
19	Peter Larr:	Absent
20		

### 21

### 22 3. 78 Purchase Street

### 23

- 24 • Joe Latwin (applicant's attorney) stated that the project involved the conversion  
25 of second floor residential apartments to office space. He noted that the project  
26 required a 0.37-space parking variance, which was granted by the Board of  
27 Appeals. Mr. Latwin stated that the project proposed no exterior modifications to  
28 the building.

- 29
- 30 • There was no public comment.
- 31

32 **ACTION:** Nick Everett made a motion, seconded by Mack Cunningham, that the  
33 Planning Commission close the public hearing on wetland permit  
34 application number SP310, which was carried by the following vote:

35	Barbara Cummings, Chair:	Aye
36	Martha Monserrate, Vice- Chair:	Aye
37	Carolyn Cunningham:	Aye
38	Mack Cunningham:	Aye
39	Nick Everett:	Aye
40	Hugh Greechan:	Aye
41	Peter Larr:	Absent
42		

**Rye City Planning Commission Minutes (Cont.)**

April 21, 2009

Page 3 of 5

1 **II. ITEMS PENDING ACTION**

2

3 **1. 40 Island Drive**

4

- 5 • Lori DeCaro (CC/AC Chair) noted that the CC/AC continues to discourage the  
6 armoring of Rye's coastline with seawalls, but finds the application acceptable  
7 based on the additional information provided by the applicant demonstrating the  
8 extent of severe slope erosion on the property and the plan modifications  
9 increasing the amount of landscape mitigation.

10

11

12 **ACTION:** Martha Monserrate made a motion, seconded by Carolyn Cunningham,  
13 that the Planning Commission approve wetland permit application number  
14 WP257, which was carried by the following vote:

15

16 Barbara Cummings, Chair: Aye

17 Martha Monserrate, Vice- Chair: Aye

18 Carolyn Cunningham: Aye

19 Mack Cunningham: Aye

20 Nick Everett: Aye

21 Hugh Greechan: Aye

22 Peter Larr: Absent

23

24

25 **2. 36 Island Drive**

26

27

28 **ACTION:** Mack Cunningham made a motion, seconded by Nick Everett, that the  
29 Planning Commission approve wetland permit application number WP258,  
30 which was carried by the following vote:

31

32 Barbara Cummings, Chair: Aye

33 Martha Monserrate, Vice- Chair: Aye

34 Carolyn Cunningham: Aye

35 Mack Cunningham: Aye

36 Nick Everett: Aye

37 Hugh Greechan: Aye

38 Peter Larr: Absent

39

40 **3. 78 Purchase Street**

41

42 **ACTION:** Carolyn Cunningham made a motion, seconded by Mack Cunningham,  
43 that the Planning Commission approve wetland permit application number  
44 SP310, which was carried by the following vote:

45

# Rye City Planning Commission Minutes (Cont.)

April 21, 2009

Page 4 of 5

1	Barbara Cummings, Chair:	Aye
2	Martha Monserrate, Vice- Chair:	Aye
3	Carolyn Cunningham:	Aye
4	Mack Cunningham:	Aye
5	Nick Everett:	Aye
6	Hugh Greechan:	Aye
7	Peter Larr:	Absent

8  
9

## 10 4. 27½ Beck Avenue

11

12 • Rex Gedney (applicant's architect) stated that he appeared at the last Board of  
13 Appeals meeting and made a brief presentation. He noted that the application  
14 pending before the Board of Appeals includes variances based on a subdivision  
15 involving two lots/residences on Wainwright Street. He stated that he presented  
16 the alternative subdivision discussed by the Planning Commission at its last  
17 meeting with two lots/residences on Beck Avenue. He noted that the alternative  
18 plan would require a new application to the Board of Appeals because different  
19 variances would be required. Mr. Gedney stated that notices were sent for the  
20 meeting, however, there was no public comment at the Board of Appeals  
21 meeting.

22

23 • Mr. Gedney stated that based on discussions with the City Planner he was  
24 advancing the subdivision application with two proposed lots on Beck Avenue.  
25 Mr. Gedney stated that the applicant is obtaining a current survey reflecting the  
26 existing topography since the recent removal of three existing residences fronting  
27 on Wainwright Street.

28

29 • The Planning Commission agreed that the two lots on Beck would result in a  
30 subdivision that worked better with the existing topography. The Commission  
31 discussed whether adjacent properties would seek similar subdivisions. Mr.  
32 Gedney noted that his cousin owns the property immediately adjacent to the  
33 applicant's property and that a subdivision was possible. The City Planner noted  
34 that the adjacent property would result in smaller lots and greater lot area  
35 variances than the lot configuration proposed by the applicant.

36

37

## 38 5. 2 Sackett Landing

39

40 • Jane DeDidona (applicant's landscape architect) apologized for the oversight for  
41 the installation of additional fencing not shown on the applicant's original wetland  
42 permit plan. She reviewed a plan showing the location where fencing was added  
43 within the 100-foot wetland buffer. She noted that the fencing matched other  
44 fencing on the property and shown on the approved plans. Ms. DeDidona noted  
45 that the fencing was required to keep the applicant's puppies on the property.

**Rye City Planning Commission Minutes (Cont.)**

April 21, 2009

Page 5 of 5

- 1  
2       • The Commission noted that the property has a lot of fencing of at least five  
3       different types. The Commission agreed that the amount of additional fencing  
4       within the 100-foot wetland buffer was relatively minimal.  
5

6 **ACTION:** Carolyn Cunningham made a motion, seconded by Martha Monserrate,  
7       that the Planning Commission set the public hearing for its next meeting  
8       on modified wetland permit application number WP262, which was carried  
9       by the following vote:

10  
11               Barbara Cummings, Chair:                       Aye  
12               Martha Monserrate, Vice- Chair:               Aye  
13               Carolyn Cunningham:                            Aye  
14               Mack Cunningham:                                Aye  
15               Nick Everett:                                        Aye  
16               Hugh Greechan:                                     Aye  
17               Peter Larr:    Absent