

**Rye City Planning Commission Minutes**  
May 4, 2010

**MEETING ATTENDANCE:**

**Planning Commission Members:**

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

**Other:**

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

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  
34

**I. HEARINGS**

**1. NONE**

**II. ITEMS PENDING ACTION**

**1. 7 Frederick Court**

- The Commission questioned how construction will protect existing trees located immediately adjacent to the proposed wall. The contractor stated that the trees in question would not be removed. The Commission requested that the plan be revised to clarify the footing detail so that it shows no impact to existing trees.
- The Commission agreed that the plan adequately showed the top elevation of the proposed wall.

**ACTION:** Peter Larr made a motion, seconded by Carolyn Cunningham that the Planning Commission set the public hearing for its next meeting on wetland application number WP284, which was carried by the following vote:

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

**2. 40 Kirby Lane**

## Rye City Planning Commission Minutes (Cont.)

May 4, 2010

Page 2 of 2

- 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
- The Commission reviewed the proposed plan and discussed the existing drainage system located on the property and its potential impacts on adjacent property owners. Brian Smith (applicant's engineer) stated that the proposed biofilter would provide water quality enhancements to an existing drain pipe that is a discharge from a subsurface stormwater drainage system located outside the 100-foot buffer. He noted that the biofilter would maintain existing flow of stormwater into the off-site wetland on the adjacent Nelson property to the South. He stated that the biofilter system is expected to have a 10-25 year life span.
  - The Commission noted strong reservations with the proposed fence. The Commission and City Planner stated that fencing off the applicant's approximately 2-acre property would deprive wildlife of sizeable amount of habitat. It was noted that the area has maintained a natural character and that there is a wide range of wildlife. Fencing off the applicant's property would reduce habitat and increase activity on other area properties that may seek similar fence requests. The Commission noted that it would set an undesirable precedent for potential future applications.
  - Tom Ahneman (applicant's engineer) stated that the applicant has young children and is concerned for their safety based on recent coyote sightings in the area. He stated that the plan could be amended to create openings in the fence to allow smaller wildlife to have access to the property.
  - The Commission stated that an alternative plan should be presented that does not fence off the entire property. The Commission noted that most of the applicant's property consists of managed lawn. The Commission stated that the rear portion of the property within the wetland buffer area should remain unfenced. The applicant will be able to use this area and still have sizeable area remaining for the applicant's children to play within a fenced area.
  - The Commission noted that it had not yet received comments from the CC/AC.

### 3. Minutes

- 34  
35  
36  
37  
38  
39
- The Commission adopted, with minor revisions, the minutes of its April 20, 2010 meeting.