

**Rye City Planning Commission Minutes**  
September 18, 2012

**MEETING ATTENDANCE:**

**Planning Commission Members:**

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

**Other:**

- Christian K. Miller, AICP, City Planner
- Lori DeCaro, CC/AC Chair
- JoAnn Rispoli, Secretary
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**I. HEARINGS**

**1. 431 Grace Church Street**

- Richard Horsman (applicant's Landscape Architect) reviewed the drainage plan and stated that they were directing water to recharging units and that the overflow will be filtered into a rain garden.
- There was no public comment.

**ACTION:** Peter Larr made a motion, seconded by Carol Cunningham, that the Planning Commission close the public hearing on wetland permit application number WP330, which was carried by the following vote:

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

**II. ITEMS PENDING ACTION**

**1. 431 Grace Church Street**

- Nick Everett questioned Richard Horsman (applicant's landscape architect) if there were any changes and Mr. Horsman stated that there were no changes.

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- 1       • Nick Everett stated that there were no outstanding issues with drainage or  
2       planting mitigation. Christian Miller (City Planner) agreed that no issues were  
3       outstanding.  
4

5  
6 **ACTION:** Barbara Cummings made a motion, seconded by Peter Larr, that the  
7       Planning Commission conditionally approve wetland permit application  
8       number WP330, which was carried by the following vote:  
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10	Nick Everett, Chair:	Aye
11	Martha Monserrate, Vice- Chair:	Recuse
12	Barbara Cummings:	Aye
13	Carolyn Cunningham:	Aye
14	Hugh Greechan:	Aye
15	Peter Jovanovich:	Absent
16	Peter Larr:	Aye

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20 **2. 23 Locust Lane**

- 21  
22       • The Commission reviewed the resolution and confirmed that there were no  
23       changes since prior meeting discussions.  
24

25 **ACTION:** Peter Larr made a motion, seconded by Barbara Cummings, that the  
26       Planning Commission conditionally approve wetland permit application  
27       number WP335, which was carried by the following vote:  
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30	Nick Everett, Chair:	Aye
31	Martha Monserrate, Vice- Chair:	Aye
32	Barbara Cummings:	Aye
33	Carolyn Cunningham:	Aye
34	Hugh Greechan:	Aye
35	Peter Jovanovich:	Absent
36	Peter Larr:	Aye

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39 **3. 6 Laurel Street**

- 40  
41       • Rex Gedney (applicant’s architect) stated that although Commission had  
42       suggested removing the gazebo, the gazebo had been built only recently (under  
43       another wetland permit).  
44

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- 1 • Mr. Gedney presented two alternatives to lower the gazebo involving 5 steps  
2 down and 7 steps down, however the Applicant claimed that it would be more  
3 practical in achieving accessibility for children and elderly to keep the gazebo at  
4 the same elevation as the main floor of the residence.  
5
- 6 • Applicant agreed to remove the garage to achieve a net reduction in impervious  
7 area and removal of an existing structure from the floodway. Commission agreed  
8 to allow the gazebo to remain at the elevation of the first floor.  
9

10 **ACTION:** Barbara Cummings made a motion, seconded by Carolyn Cunningham,  
11 that the Planning Commission conditionally approve wetland permit  
12 application number WP337, which was carried by the following vote:  
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15	Nick Everett, Chair:	Aye
16	Martha Monserrate, Vice- Chair:	Aye
17	Barbara Cummings:	Aye
18	Carolyn Cunningham:	Aye
19	Hugh Greechan:	Aye
20	Peter Jovanovich:	Absent
21	Peter Larr:	Aye
22		
23		

24 **4. 73 Old Post Road**

- 25
- 26 • Richard Horsman (applicant's landscape architect) reviewed for the Commission  
27 some research he had done on controlling and eliminating bamboo. He listed  
28 three options: chemical control using herbicide, physical control involving digging  
29 up root systems and/or installing root barriers, and changing growing conditions  
30 (removing access to light). He claimed that despite the large stand of bamboo on  
31 the property line, mowing would keep the bamboo from spreading. The  
32 Commission stated a preference for a root barrier. Mr. Horsman claimed that  
33 such barriers are expensive, involving excavation to 18 inches and installation of  
34 solid sheeting treated with herbicide. The Commission responded that they would  
35 require a root barrier in the buffer coupled with a one-year effort to control the  
36 plants in the wetland using physical and/or chemical means as needed.  
37
- 38 • Mr. Horsman stated that all driveway drainage is to go to rechargers. The  
39 Commission requested a plan showing the location of the rechargers.  
40
- 41 • The Commission said it would allow spreading of topsoil in the rear yard, but no  
42 other work until after a resolution is approved.  
43

44 **ACTION:** Barbara Cummings made a motion, seconded by Carolyn Cunningham,  
45 that the Planning Commission set the public hearing for its next meeting

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1 on wetland permit application number WP336, which was carried by the  
2 following vote:

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

13 **5. 75 Milton Road**

- 14
- 15 • Linda Whitehead (applicant’s attorney) stated that Blind Brook Lodge, at 66  
16 Milton Road, is a 137 unit multi-family structure, which is currently non-  
17 conforming in terms of providing parking for its residents. Current parking spaces  
18 are spread among four locations: 42 in its garage, 38 at its property at 75 Milton  
19 Road, 34 at the Methodist Church, and 12 at the Rye Arts Center. The sale of  
20 the Methodist Church property has prompted Blind Brook Lodge to explore  
21 additional parking alternatives.  
22
  - 23 • Ms. Whitehead stated that use of the Lodge’s north lawn for parking was  
24 considered. However, this grassy area is an important amenity for the Lodge, its  
25 use for parking would involve creating only 28 spaces, and would require a curb  
26 cut across the existing sidewalk, which would be undesirable in terms of reduced  
27 pedestrian safety and the elimination of 5 on-street parking spaces.  
28
  - 29 • Ms. Whitehead said the applicant prefers an alternative involving use of the 75  
30 Milton Road property. The 2.8-acre property currently includes an 11,800-square  
31 foot parking lot, a 1,000-square foot walkway, a 1,500-square foot storage barn,  
32 a small shed, a play area, and two tennis courts. The applicant proposes  
33 eliminating the structures and one tennis court and expanding and reconfiguring  
34 the parking area and tennis court to create a total of 105 spaces. As the property  
35 is in an R-1 zone, expanding the non-conforming use will require approval from  
36 the Zoning Board of Appeals.  
37
  - 38 • The Commission questioned whether the retaining wall at the eastern end of the  
39 parking lot might require additional tree removal beyond that shown on the plan.  
40 Also, the Commission asked how storage of maintenance and other items  
41 currently stored in the existing structures would be handled. The Commission  
42 suggested that if a new storage structure is anticipated, it should be shown on  
43 the plans. Finally, the Commission noted the infiltration galleries proposed for  
44 under the parking area. Ms. Whitehead said that while the plans show  
45 stormwater being handled primarily through surface inlets and infiltration galleries

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- 1 now, the applicant would like to consider porous pavement. The Commission
- 2 cited concerns over the effectiveness of porous pavement if it is not maintained
- 3 properly, but left the option open to be considered further.