

Rye City Planning Commission Minutes
March 8, 2016

MEETING ATTENDANCE:

Planning Commission Members:

- Nick Everett, Chair
- Martha Monserrate, Vice-Chair
- Andrew Ball
- Laura Brett
- Hugh Greechan
- Richard Mecca
- Alfred Vitiello

Other:

- Christian K. Miller, AICP, City Planner
 - Carolyn Cunningham, CC/AC Chair
 - Melissa Johannessen, AICP, LEED AP
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I. HEARINGS

None.

II. ITEMS PENDING ACTION

1. 6 Dalphin Drive

- Mr. John Hilts was present for the application. The Commission discussed the applicant's written request to eliminate Condition F.1 in Resolution 32-2015 requiring removal of the float and ramp from the water between November 15th and April 15th each year. Mr. Hilts explained that because the dock will be on float stops rather than anchored, it will be more stable and secure and will be less prone to damage or detachment during the winter months. The Commission was in agreement.

ACTION: Martha Monserrate made a motion, seconded by Richard Mecca, to amend the resolution for Wetland Permit application number WP#405, which was carried by the following vote:

Nick Everett, Chair:	Aye
Martha Monserrate, Vice-Chair:	Aye
Andrew Ball:	Aye
Laura Brett:	Aye
Hugh Greechan:	Absent
Richard Mecca:	Aye
Alfred Vitiello:	Absent

Rye City Planning Commission Minutes (Cont.)

March 8, 2016

Page 2 of 5

2. 14 Mendota Avenue

- Mr. Richard Horsman was present for the application. Mr. Horsman stated that the application consists of the construction of a covered porch and steps and the installation of wetland mitigation plantings. He noted that the proposed addition will extend no closer to the wetland than the existing walkway. He also noted that existing wire fences will be removed, as will existing play equipment and raised planters. Mr. Horsman stated that the planters will be replaced with new trees. He noted that the area where the planters are located is City property, according to the survey. The City Planner stated that it may be County property.
- The Commission noted that the majority of the addition will be in the buffer and asked if other options were considered. Ms. Cunningham indicated that the CC/AC finds the application unacceptable as proposed because it appears that the addition could be located on the side of the house out of the buffer.
- The Commission asked if the addition would have a stone foundation. Mr. Horsman replied that it would be vented with lattice under the stairs, given that the property is subject to flooding.
- The Commission directed Mr. Horsman to explore ways to reduce the amount of impervious area in the buffer and also noted that a table of impervious area needs to be on the plan.
- The Commission discussed the 2001 approval for work at the site. The City Planner asked Mr. Horsman to reconcile what was approved in 2001 to what is currently on the site. It was noted that decks were previously counted 100% toward impervious area and 280 square feet of impervious was added to the buffer in 2001.

3. 23 Locust Lane

- The Commission noted that the application involves a de minimus action. The Commission asked the applicant if he built the fence that is currently there. He replied that it was there when he purchased the property but he did replace it in the same location. It was noted that the wall is necessary to stabilize the property.
- The Commission discussed whether backfilling the space between the fence and the wall will be required. It was noted that it will be backfilled and that the

Rye City Planning Commission Minutes (Cont.)

March 8, 2016

Page 3 of 5

1 City Engineer will review the plans for safety. The City Planner stated that
2 walls on property lines have been problematic in the past.
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- 4 • The Commission noted that the landscape architect should be present at the
5 next meeting to answer any questions the Commission may have.
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7 **ACTION:** Andrew Ball made a motion, seconded by Laura Brett, to set the public
8 hearing for MODIFIED Wetland Permit application number WP#335,
9 which was carried by the following vote:
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11 Nick Everett, Chair:	Aye
12 Martha Monserrate, Vice-Chair:	Aye
13 Andrew Ball:	Aye
14 Laura Brett:	Aye
15 Hugh Greechan:	Absent
16 Richard Mecca:	Aye
17 Alfred Vitiello:	Absent

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20 **4. 343 Purchase Street**
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- 22 • Carolyn Cunningham, Chair of the CC/AC, commented that insufficient
23 information was included on the plan regarding the delineation of the wetland
24 buffer and the amount of new impervious area to allow the CC/AC to render
25 an opinion on the application. The Commission noted that the entire property
26 lies within the 100-foot wetland buffer as indicated on the plans submitted
27 with the application.
28
- 29 • The applicant's representative stated that the deck will be 5' by 8', having a
30 total area of 40 square feet, half of which will count toward the total increase
31 in impervious surface area. He also stated that the mudroom will be 7' by 7'
32 under an existing roof. The Commission noted that the increase in impervious
33 area is minimal.
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35 **ACTION:** Andrew Ball made a motion, seconded by Laura Brett, to set the public
36 hearing for Wetland Permit application number WP#411, which was
37 carried by the following vote:
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39 Nick Everett, Chair:	Aye
40 Martha Monserrate, Vice-Chair:	Aye
41 Andrew Ball:	Aye
42 Laura Brett:	Aye
43 Hugh Greechan:	Absent

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Rye City Planning Commission Minutes (Cont.)

March 8, 2016

Page 4 of 5

1 Richard Mecca: Aye
2 Alfred Vitiello: Absent
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5 **5. 140-142 Maple Avenue**
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- 7 • Mr. Rex Gedney, architect, was present for the application. Mr. Gedney
8 stated that the application involves two parcels: 140 Maple Avenue is a three-
9 family home and 142 Maple Avenue is a vacant lot that was previously
10 developed with a two-family home. He stated that the application involves
11 merging the two lots into one and replacing the existing home with three
12 attached residential units.
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- 14 • Mr. Gedney noted that an alternative site plan was considered that
15 incorporated garages below the units, but it was determined to be too
16 dissimilar to other nearby properties on Maple Avenue. He stated that the
17 current plan is to offset the building to one side to allow access to parking in
18 the rear of the building.
19
- 20 • The Commission inquired about the size of the units in terms of area and
21 number of bedrooms. Mr. Gedney responded that each unit will be 1,338
22 square feet and each will have three bedrooms. He noted that the house that
23 previously existed at 142 Maple Avenue was 1,500 square feet. Mr. Gedney
24 stated that area variances will be required but an FAR variance will not.
25
- 26 • Mr. Gedney noted that multi-family residential is not permitted in the B-1 zone
27 and a use variance may be required. He noted that there are many
28 conforming uses in this B-1 area and that the uses are consistent with one
29 another. Mr. Gedney also noted that there is a provision in the code where
30 existing nonconformities can be modified and expanded.
31
- 32 • The City Planner noted that in the B-1 zone there has been discussion in the
33 past about consistency with zoning versus consistency with neighborhood
34 character. He stated that a streetscape view would be helpful in determining
35 the proposed building's relationship to adjacent uses.
36
- 37 • The Commission asked if two units had been considered rather than three.
38 Mr. Gedney replied that economics becomes a factor. He also noted that the
39 two lots were previously developed with a total of five units. It was noted that
40 with fewer units, they could be larger and/or more amenities could be
41 provided.
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Rye City Planning Commission Minutes (Cont.)

March 8, 2016

Page 5 of 5

- 1 • The Commission discussed whether there were other similar examples in the
2 B-1 zone in the project neighborhood (not the B-1 zone City-wide). It was
3 suggested that the applicant take a look at both sides of Maple Avenue
4 between North Street and High Street, particularly relating to setbacks and
5 variances.
6
- 7 • The Commission discussed the B-1 planning study and the City Planner
8 stated that the present application should be considered within the context of
9 that study.
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- 11 • Mr. Longo, the property owner, noted that he took down an eyesore in the
12 City, which was to the City's benefit.
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