

**Rye City Planning Commission Minutes**  
April 18, 2017

**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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2 **I. HEARINGS**

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4 **1. 49 Midland Avenue**

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**ACTION:** Martha Monserrate made a motion, seconded by Andrew Ball, to close the public hearing for Wetland Permit Application WP#399 & WP#418, which was carried by the following vote:

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|--------------------------------|--------|
| Nick Everett, Chair:           | Aye    |
| Martha Monserrate, Vice-Chair: | Aye    |
| Andrew Ball:                   | Aye    |
| Laura Brett:                   | Absent |

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1                    Hugh Greechan:                    Aye  
2                    Richard Mecca:                    Aye  
3                    Alfred Vitiello:                    Absent  
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6    **II.        ITEMS PENDING ACTION**

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8    **1.        49 Midland Avenue**  
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- 10                    • The Commission noted that Mr. Horsman’s standard detail is acceptable. Ms.  
11                    Cunningham stated that the CC/AC is pleased with the fence detail and now  
12                    considers the application to be acceptable. The Commission noted that the draft  
13                    resolution should be revised to reflect the CC/AC’s determination. There were no  
14                    further revisions to the draft resolution.  
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16    **ACTION:**        Martha Monserrate made a motion, seconded by Richard Mecca, to set the  
17                    public hearing for Wetland Permit Application WP#399 & WP#418, which  
18                    was carried by the following vote:  
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20                    Nick Everett, Chair:                    Aye  
21                    Martha Monserrate, Vice-Chair:                    Aye  
22                    Andrew Ball:                    Aye  
23                    Laura Brett:                    Absent  
24                    Hugh Greechan:                    Aye  
25                    Richard Mecca:                    Aye  
26                    Alfred Vitiello:                    Absent  
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29    **2.        Ruby’s – Outdoor Dining Permit**  
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- 31                    • The Commission asked the City Planner if there were any complaints about  
32                    outdoor dining at Ruby’s during the last season. The City Planner responded that  
33                    none had been received. The City Planner stated that Ruby’s outdoor seating is  
34                    located on private property, but noted that the step that had divided the seating  
35                    area from the sidewalk has been removed in association with the sidewalk  
36                    improvements on Purchase Street.  
37  
38                    • The applicant, Mr. Jan Fabry, stated that he may want to put another table in the  
39                    “bump-out” area of the new sidewalk and asked what the process would be for  
40                    obtaining approval. The Commission stated that the applicant would need to come  
41                    back before the Commission with a new application and scaled drawing showing  
42                    the location of the table and number of seats.  
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1 **ACTION:** Richard Mecca made a motion, seconded by Hugh Greechan, to approve  
2 Outdoor Dining Permit application OD#01-2017, which was carried by the  
3 following vote:  
4

5	Nick Everett, Chair:	Aye
6	Martha Monserrate, Vice-Chair:	Aye
7	Andrew Ball:	Aye
8	Laura Brett:	Absent
9	Hugh Greechan:	Aye
10	Richard Mecca:	Aye
11	Alfred Vitiello:	Absent

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14 **3. Rye Grill & Bar - Outdoor Dining Permit**

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- 16 • The applicant was not present at the beginning of the discussion of this application.
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- 18 • The Commission stated that no complaints were received during the outdoor dining  
19 season last year and noted that the seating area is on private property.  
20
- 21 • In reviewing the application, the Commission noted that the drawing does not  
22 match the information provided on the application. Specifically, the Commission  
23 noted that the drawing identified 36 seats while the application listed only 20 seats.  
24 The Commission stated that it can approve 36 seats in any configuration as long  
25 as it is safe and access to/from the building is maintained, subject to review by the  
26 Building Department.  
27
- 28 • The applicant, Mr. Jan Fabry, returned for the last part of the discussion. The  
29 Commission informed him of the discrepancy between the application and the  
30 drawing and asked him to revise the application to reflect 36 seats and submit it to  
31 the Building Department for review. He agreed.  
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34 **ACTION:** Andrew Ball made a motion, seconded by Richard Mecca, to approve  
35 Outdoor Dining Permit application OD#02-2017, which was carried by the  
36 following vote:

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37	Nick Everett, Chair:	Aye
38	Martha Monserrate, Vice-Chair:	Aye
39	Andrew Ball:	Aye
40	Laura Brett:	Absent
41	Hugh Greechan:	Aye
42	Richard Mecca:	Aye
43	Alfred Vitiello:	Absent

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1 **4. Minutes**

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- 3 • The Planning Commission reviewed the draft minutes from the April 4, 2017  
4 meeting and made minor revisions.

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6 **ACTION:** Martha Monserrate made a motion, seconded by Richard Mecca, to  
7 approve as amended the minutes from the April 4<sup>th</sup> meeting, which was  
8 carried by the following vote:

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10	Nick Everett, Chair:	Aye
11	Martha Monserrate, Vice-Chair:	Aye
12	Andrew Ball:	Aye
13	Laura Brett:	Absent
14	Hugh Greechan:	Aye
15	Richard Mecca:	Aye
16	Alfred Vitiello:	Absent

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