

Rye City Planning Commission Minutes
May 9, 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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I. HEARINGS

1. None.

II. ITEMS PENDING ACTION

1. 62 Allendale Drive

- Mr. John Scarlato, architect, and Mr. Richard Horsman, landscape architect, were present for the application. Mr. Horsman briefly described the application, stating that it involves the removal of an existing home and the construction of a new home. He stated that the property abuts the golf course near a stream that flows into an underground pipe in an easement located on the west side of the subject property. He stated that the project will reduce the impervious surface area on the site by 390 sf compared to the existing condition.

- The Commission noted that according to the site plan, some of the proposed mitigation plantings are on the subject property and some are on the golf course's property, separated by the existing fence. Mr. Horsman stated that the fence will be removed. The Commission questioned why any of the mitigation should be located beyond the property line. Mr. Scarlato asked whether any mitigation is even required, since there will not be any increase in impervious surfaces within the wetland buffer. It was agreed that mitigation was not required in this case.

- The Commission asked about the calculation of impervious surface area. It was confirmed that both the existing and proposed impervious areas were counted at 100%. The City Planner noted that this was a conservative approach to estimating impervious area.

- The City Planner noted that if the applicant desires a fence in the future, additional review by the Commission would be required. He suggested that the applicant may want to show a fence on the site plan now, even if there is no current plan to put

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1 up a new fence. It was noted that a fence detail would have to be provided with
2 clearance at the bottom to allow for small animals to pass underneath.
3

4 **ACTION:** Andrew Ball made a motion, seconded by Martha Monserrate, to set the
5 public hearing for Wetland Permit Application WP#422, which was carried
6 by the following vote:
7

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

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16
17 **2. Aurora – Outdoor Dining Permit (Item taken out of order)**
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- 19 • The Commission asked the City Planner if there were any complaints about
20 outdoor dining at Aurora’s during the last outdoor dining season. The City Planner
21 responded that none had been received.
22

23 **ACTION:** Martha Monserrate made a motion, seconded by Richard Mecca, to
24 approve Outdoor Dining Permit application OD#05-2017, which was carried
25 by the following vote:
26

27	Nick Everett, Chair:	Aye
28	Martha Monserrate, Vice-Chair:	Aye
29	Andrew Ball:	Aye
30	Laura Brett:	Absent
31	Hugh Greechan:	Absent
32	Richard Mecca:	Aye
33	Alfred Vitiello:	Absent

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36 **3. Fogama – Outdoor Dining Permit (Item taken out of order)**
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- 38 • The City Planner stated that no complaints about this restaurant’s outdoor dining
39 tables were received last year. He also noted that the layout of the tables is the
40 same as last year’s. The Commission noted that there would be more clearance
41 along the sidewalk if the tables were placed closer to the building and the chairs
42 were aligned parallel to the building. The applicant agreed to orient the tables and
43 chairs in this fashion.
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1 **ACTION:** Martha Monserrate made a motion, seconded by Richard Mecca, to
2 approve Outdoor Dining Permit application OD#10-2017, which was carried
3 by the following vote:

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5	Nick Everett, Chair:	Aye
6	Martha Monserrate, Vice-Chair:	Aye
7	Andrew Ball:	Aye
8	Laura Brett:	Absent
9	Hugh Greechan:	Absent
10	Richard Mecca:	Aye
11	Alfred Vitiello:	Absent
12		
13		

14 **4. Village Social – Outdoor Dining Permit (Item taken out of order)**

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- 16 • The applicant was not in attendance for the discussion of this application. The
17 Commission noted to the City Planner that the drawing submitted with the
18 application was not acceptable because it was very difficult to read. The City
19 Planner stated that he would contact the applicant regarding the application and
20 let him know to attend the next meeting on May 23rd.

21

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23 **5. 475 Stuyvesant Avenue/Shenorock Shore Club**

- 24
- 25 • Mr. Rex Gedney, architect; Mr. Alan Pilch, engineer; Mr. Gary Spilatro, pool
26 architect; and Mr. Richard LaCoursiere, the club's general manager, were present
27 for the application. Mr. Gedney stated that the site walk was held on May 6th, during
28 which the Commission saw the condition of the existing 44-year-old pool and the
29 repairs that were underway. He stated that such repairs occur annually to maintain
30 the pool's functionality. He stated that the application consists of replacing the pool,
31 making improvements to the existing wading pool, and upgrading the filtration
32 system to the standards required by regulations. He noted that the property is
33 located in an X flood zone and the site is constrained by the existing building. Mr.
34 Gedney stated that there would be some encroachment into the wetland buffer
35 consisting of a loss of 692 sf of lawn area.
 - 36
 - 37 • Ms. Cunningham of the CC/AC asked if it would be possible to move the filter
38 building outside of the wetland buffer. She stated that the CC/AC is concerned
39 about the proposed filter building being larger than the existing and located within
40 the buffer. Mr. Gedney stated that the filter building is the size proposed largely
41 due to the pool equipment that is required. He also noted that the site of the filter
42 building is where a lot of utilities are located and to move it would require much
43 more disturbance.
 - 44

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- 1 • The Commission asked if there were any required setbacks to adjacent property
2 lines. The City Planner stated that he would need to review the City code.
3
- 4 • The Commission stated that according to the site plan, about two-thirds of the filter
5 building is located in the buffer. Mr. Spilatro stated that a portion of the building is
6 actually the lifeguard building, which shares space with the filter equipment. He
7 stated that the lifeguard portion of the building will remain but will have a separate
8 entrance. He also noted that its location serves a purpose because there is a view
9 of the pool area from within. The Commission stated that the applicant should still
10 think more creatively about the design to see if it could be moved any further out
11 of the wetland buffer. There was a discussion about whether moving the building
12 would encroach on the property line bordering the Coveleigh Club. The City
13 Planner stated that he will have to check the regulations. He stated that in a quick
14 review of the code, the requirements were not clear and the setback could range
15 from 0' to 100' depending on the specific circumstances.
16
- 17 • The Commission asked about discharge from the pool filtration system. Mr.
18 Spilatro stated that there is a backwash every evening. He stated that when the
19 pool is drained after the season, it is done very slowly into a 4x4x4 holding tank
20 and then discharged to the sanitary sewer line. The City Planner noted that the
21 application includes a new force main to the existing sanitary line in Stuyvesant
22 Avenue.
23
- 24 • The Commission asked about the flow rate from the pool and expressed concern
25 over the possibility of overwhelming the sanitary lines. Mr. Pilch stated that there
26 will be a computerized system where the rate of flow can be set and it will discharge
27 during very low flow periods. The Commission stated that the City Engineer should
28 review the plan, including the schedule and flow rates.
29
- 30 • The City Planner asked about the proposed dry well system. Mr. Pilch stated that
31 currently the grassy area north of the pool where the playground is located gets
32 very soggy during rain events. He stated that the proposed plan is to install a pump
33 and perforated pipes in the catch basin that will be pumped to a dry well in the
34 maintenance area, which will help better maintain the grassy area as usable space.
35
- 36 • The Commission inquired whether it would be possible to create a two-story
37 portion of the filter building to house the lifeguard area on the second story, in order
38 to remove a portion of the structure from the wetland buffer. Mr. LaCoursiere stated
39 that when the building was constructed it was kept as low as possible so as not to
40 impede the view from the Coveleigh Club, so increasing the building height was
41 not going to be possible.
42
- 43 • The Commission also asked about the fencing. Mr. Spilatro stated that the existing
44 wooden fence will be replaced and a new aluminum fence will be installed around
45 the wading pool. The Commission asked how construction vehicles will enter the

1 site. Mr. Pilch stated that there are two possible entrances from Stuyvesant,
2 including the main driveway and near the maintenance area. It was noted that
3 construction is planned to begin after Labor Day and be completed by April 30 of
4 next year.

- 5
6 • The Commission instructed the applicant to consult with the City Engineer
7 regarding the pool discharge schedule and rates, consider moving the filter
8 building further away from the wetland buffer, and consult with the City Planner
9 regarding zoning requirements.

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12 **6. 53 Purchase Street**

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14 • The applicant was not present for the discussion of this item. The Commission
15 briefly discussed the application, noting that trash storage was the main concern.
16 It was noted that there was no information provided about trash storage and it was
17 not known whether an office use or residential uses generated more trash. The
18 Commission also questioned how many employees were anticipated at the
19 proposed office use.

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22 **7. 20 & 26 Gramercy Avenue – Extension of Time**

- 23
24 • Mr. Jonathan Kraut, applicant’s attorney, was present for the application. Mr. Kraut
25 stated that the reason for the request for a time extension is that the design of the
26 homes has not yet been finalized and more time is needed.

27
28 **ACTION:** Martha Monserrate made a motion, seconded by Andrew Ball, to approve
29 the request for Extension of Time for Wetland Permit applications WP#408
30 and WP#409, which was carried by the following vote:

31
32 Nick Everett, Chair: Aye
33 Martha Monserrate, Vice-Chair: Aye
34 Andrew Ball: Aye
35 Laura Brett: Absent
36 Hugh Greechan: Absent
37 Richard Mecca: Aye
38 Alfred Vitiello: Absent

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41 **8. Minutes**

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43 • The Planning Commission reviewed the draft minutes from the April 18, 2017
44 meeting and made no revisions.
- 45

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- 1 **ACTION:** Martha Monserrate made a motion, seconded by Richard Mecca, to
- 2 approve the minutes from the April 18th meeting, 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: Absent
- 10 Richard Mecca: Aye
- 11 Alfred Vitiello: Absent
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