

Rye City Planning Commission Minutes
March 13, 2018

MEETING ATTENDANCE:

Planning Commission Members:

- Nick Everett, Chair
- Martha Monserrate, Vice-Chair
- Andrew Ball
- Laura Brett
- Richard Mecca
- Steven Secon
- TBD

Other:

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

2
3 **None.**

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6 **II. ITEMS PENDING ACTION**

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8 **1. Con Edison Rye Service Center CNG Peaking Station**

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- 10 • Ms. Linda Whitehead, applicant's attorney, was present for the application. Ms.
11 Whitehead stated that the applicant is requesting two things: a two-year extension
12 of the previous approval, and modification of the resolution to require removal of
13 only the trailers rather than the trailers, skids, and piping. She stated that during
14 times when the trailers are removed, there will be no gas onsite and the peaking
15 station will not be operational.
 - 16
 - 17 • The Commission stated that the site should be visited again so that the
18 Commission can get a better look at what is there and what would remain if only
19 the trailers are removed. The Commission agreed to visit the site on Saturday,
20 March 17, 2018.

21
22 **ACTION:** Richard Mecca made a motion, seconded by Steven Secon, to set the
23 public hearing for Modified Site Plan Application Number SP#369A, which
24 was carried by the following vote:

25

26 Nick Everett, Chair:	Aye
27 Martha Monserrate, Vice-Chair:	Aye
28 Andrew Ball:	Aye
29 Laura Brett:	Absent
30 Richard Mecca:	Aye
31 Steven Secon	Aye
32 TBD	

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1 **2. 221 Kirby Lane**

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3 • Mr. Richard Horsman, applicant’s landscape architect, was present for the
4 application. Mr. Horsman stated that the application involves construction of an
5 addition with new exterior stairs to the rear of the existing house. Mr. Horsman
6 noted that the proposed balcony will be cantilevered on piers. Mr. Horsman also
7 stated that the existing chain-link fence will be removed and replaced with a post
8 and rail fence in the planting bed along the shoreline.

9
10 • Mr. Horsman stated that a Letter of Map Amendment has been issued by FEMA.
11 The City Planner explained that this means the flood mapping has been revised
12 and the building is now outside of the flood zone.

13
14 • The Commission noted that the proposed mitigation consists of low vegetation,
15 which Mr. Horsman confirmed. The Commission noted that the site will be visited
16 on Saturday, March 17th. Mr. Horsman was asked to verify the ownership of the
17 area from the fence out into the water.

18
19 • The City Planner asked if the proposed house addition will be cantilevered as well.
20 Mr. Horsman replied that it may be, or it may be on a foundation. He stated that it
21 has not been determined yet.

22
23 • Ms. Cunningham noted that the CC/AC found the application to be conditionally
24 acceptable, pending the site visit.

25
26 **ACTION:** Andrew Ball made a motion, seconded by Richard Mecca, to set the public
27 hearing for Wetland Permit Application Number WP#435, which was carried
28 by the following vote:

29

30 Nick Everett, Chair:	Aye
31 Martha Monserrate, Vice-Chair:	Aye
32 Andrew Ball:	Aye
33 Laura Brett:	Absent
34 Richard Mecca:	Aye
35 Steven Secon	Aye
36 TBD	

37
38 **3. 280 Purchase Street**

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40 • Mr. David Mooney, architect, and Mr. Rocco Lagana, applicant, were present for
41 the application. The Commission asked Mr. Lagana what kind of businesses he
42 expects to have at this site. Mr. Lagana said that his current business (deli and
43 flower shop) would continue to operate as it does today, but he does not know
44 what other tenant might occupy the space.

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- 1 • The Commission asked about his existing use of outdoor space for flowers and
2 plants. Mr. Lagana stated that he intends to cut back that portion of his business
3 because there is a lot of competition from bigger stores. He stated that he intends
4 to utilize small carts for flower and plant displays. The Commission stated that the
5 outdoor display space should not encroach into the parking area. Mr. Lagana
6 stated that there will be much less inventory on hand, so it will be manageable and
7 will not spill into the parking areas.
8
- 9 • Mr. Mooney stated that two variances are necessary – relief from the 10’ planting
10 buffer for the side and rear yards, and relief from the rear yard setback
11 requirement. The City Planner stated that the Commission can waive the rear yard
12 setback requirement so that a variance is not actually required. Mr. Mooney noted
13 that the bedrock cliff makes the need for the setback as separation between the
14 business and residential uses immaterial.
15
- 16 • The Commission discussed the proposed site plan. Mr. Mooney stated that the
17 flower carts will be stored behind Building B. The Commission expressed concern
18 over that location, noting that the space between the building and the wall did not
19 seem sufficient. Mr. Lagana noted that the carts will be provided via a rental
20 service, so there will only be a few on the site at a time.
21
- 22 • The City Planner noted that some of the parking spaces work on paper but will not
23 necessarily work in reality. Spaces 7, 8, 17, and 24 were specifically noted as
24 problematic. The Commission suggested that space #17 should be hatched and
25 reserved for refuse pickup only.
26
- 27 • The Commission asked how many employees were expected. Mr. Lagana stated
28 that two of his employees take mass transit to the site and one parks. Mr. Lagana
29 noted that the parking and vehicular flow has worked well for his business for 40
30 years. The Commission pointed out that it is possible that other uses will come to
31 the site in the future and they cannot only look at how the site works today.
32
- 33 • Mr. Mooney asked if the applicant could avoid going to the ZBA by having the
34 Commission waive the need for variances. The City Planner stated that the code
35 seems to read as such.
36
- 37 • The Commission asked Mr. Mooney to consider revisions to the parking layout by
38 removing spaces #7 and #24 and spreading out the rest of the spaces to 9’ wide.
39 It was also suggested that the entry lane might be able to be reduced in width to
40 allow more space for parking.
41
- 42 • The Commission stated that the rear of Building B will be inaccessible and could
43 become a dumping ground. Mr. Mooney stated that if they reduce the parking they
44 will have to reduce the building square footage, so they may be able to do
45 something with the rear space.

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- Mr. Bruffett, a neighbor, stated that Building A is very close to the property line and he is concerned about the second-floor apartments being essentially level with his backyard. He stated that he would prefer a site layout that is more aligned with Purchase Street. He also noted that the use of the site is going to be about four times the current intensity due to the addition of four apartments.
- The Commission noted that the applicant did present a site plan with the buildings aligning with Purchase Street and the applicant has been responsive to other concerns and suggestions from the Commission.
- The Commission stated that it has concerns about the overall layout of the site, the intensity of use on the site, the view of the site as you enter into the City of Rye, the amount of parking, and the vehicular flow. The Commission asked the applicant to provide less parking and to rethink the relation of the building to the wall at the rear of the site.
- The City Planner clarified that the Commission could waive the requirement for the 10-foot planting buffer along both the rear and side yards.

4. 266 Purchase Street

- Mr. David Mooney, applicant's architect, was present for the application. Mr. Mooney stated that the application involves the conversion of the existing building from three medical offices and one physical therapy office to three medical offices and one 1,000-square-foot apartment. He noted that there will be no change in building footprint. He stated that dormers will be added to allow for emergency egress, a three-stop elevator will be installed, and the electrical systems will be upgraded. Mr. Mooney stated that the parking lot will be restriped, which will result in the loss of one parking space. He stated that there are currently 17 parking spaces, some of which are undersized.
- Mr. Mooney stated that the retaining wall will require some additional drainage work and a new trench drain will be installed in back of the building.
- The Commission scheduled a site walk at the property for Saturday, March 17th.

5. 24 Crescent Avenue

- Mr. David Mooney, applicant's architect, was present for the application. Mr. Mooney stated that the application involves the extension of the existing front porch, replacement of the existing rear deck, and relocation of a generator. He stated that the generator is being moved away from the house and will not be within the wetland buffer.

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- The Commission noted that the wetland buffer line is not shown on the site plan. Mr. Mooney stated that there was an error and the line did not print on the plan. The Commission stated that they need to see the wetland buffer boundary before they can move ahead with the application.

6. 48 Brookdale Place

- Mr. Alan Pilch, applicant’s engineer, and Mr. Mark Mustacato, applicant’s architect, were present for the application. Mr. Pilch stated that the application involves removing the existing house and constructing a new one in its place. He stated that the existing flagstone patio will be removed and replaced with a wood deck. He stated that the driveway will also be removed and replaced. Mr. Pilch noted that 83% of the lot is within the wetland buffer, which makes the buffer practically unavoidable, but the house was moved as far as possible.
- Mr. Pilch noted that the FEMA flood elevation is 13’, the required finished floor elevation is 15’, and the proposed FFE will be 17.5’. Mr. Pilch stated that variances will be needed for FAR and the number of stories.
- The Commission noted that the drainage will cross the existing sewer and asked how deep the drainage will be. Mr. Pilch stated that the drainage will be at 6’ and the top of the existing sewer invert is at 4’, so there is room. The Commission asked if the drainage line could be moved to avoid the County sewer. Mr. Pilch stated he will look into it.
- The Commission scheduled a site walk at the property for Saturday, March 17th.

7. Minutes

- The Planning Commission reviewed the draft minutes from the February 27, 2018 meeting and made minor revisions.

ACTION: Steven Secon made a motion, seconded by Martha Monserrate, to approve as amended the minutes from the February 27th meeting, which was carried by the following vote:

Nick Everett, Chair:	Aye
Martha Monserrate, Vice-Chair:	Aye
Andrew Ball:	Aye
Laura Brett:	Absent
Richard Mecca:	Aye
Steven Secon	Aye
TBD	