

## **CITY OF RYE**

### **NOTICE**

There will be a regular meeting of the City Council of the City of Rye on Wednesday, March 9, 2016, at 7:30 p.m. in Council Chambers at City Hall. *The Council will convene at 6:30 p.m. and it is expected they will adjourn into Executive Session at 6:31 p.m. to discuss personnel and litigation.*

### **AGENDA**

1. Pledge of Allegiance.
2. Roll Call.
3. General Announcements.
4. Approval of the election of one new member to the Rye Fire Department.
5. Draft unapproved minutes of the regular meeting of the City Council held February 24, 2016.
6. Issues Update/Old Business.
7. Public Hearing to amend local law Chapter 177 "Taxation" of the Code of the City of Rye by adding Section 177-82(A)(2) "Hidden Spring Lane Historic District" as a separate Historic District.
8. Resolution regarding Confidential Information to Council Members-elect.
9. Residents may be heard on matters for Council consideration that do not appear on the agenda.
10. Appointments to Boards and Commissions, by the Mayor with Council approval.
  - A) Two appointments to the Board of Appeals for a three-year term.
  - B) One appointment to the Conservation Commission/Advisory Council for a three-year term.
  - C) Four appointments to the Flood Advisory Committee for a three-year term.
  - D) Eight appointments to the Rye Cable and Communications Committee for a three-year term.
  - E) Two appointments to the Rye Playland Advisory Committee for a three-year term.
  - F) One appointment to the Rye Senior Advocacy Committee for a three-year term.
  - G) Two appointments to the Rye Town Park Advisory Committee for a three-year term.
  - H) Four appointments to the Traffic & Pedestrian Safety Committee for a three-year term.
11. Miscellaneous communications and reports.
12. New Business.
13. Adjournment.

\* \* \* \* \*

The next regular meeting of the City Council will be held on Wednesday, March 30, 2016 at 7:30 p.m.

\*\* City Council meetings are available live on Cablevision Channel 75, Verizon Channel 39, and on the City Website, indexed by Agenda item, at [www.ryeny.gov](http://www.ryeny.gov) under "RyeTV Live".

\* Office Hours of the Mayor by appointment by emailing [jsack@ryeny.gov](mailto:jsack@ryeny.gov) or contacting the City Manager's Office at (914) 967-7404.



# CITY COUNCIL AGENDA

NO. 4

DEPT.: Fire Department

DATE: January 13, 2016

CONTACT: Fire Department

**AGENDA ITEM:** Approval of the election of one new member to the Rye Fire Department.

**FOR THE MEETING OF:**

January 13, 2016

**RYE CITY CODE,**

CHAPTER

SECTION

**RECOMMENDATION:** That the Council approve the election of Kenneth Meszkat to the Poningoe Engine and Hose Company.

**IMPACT:** ☐ Environmental ☐ Fiscal ☐ Neighborhood ☒ Other:

**BACKGROUND:** The Board of Fire Wardens has advised that Kenneth Meszkat was elected into membership to the Poningoe Engine and Hose Company and approved by the Board of Fire Wardens at their December meeting.



# CITY COUNCIL AGENDA

NO. 5

DEPT.: City Clerk

DATE: March 9, 2016

CONTACT: Carolyn D'Andrea, City Clerk

**AGENDA ITEM** Draft unapproved minutes of the Regular Meeting of the City Council held February 24, 2016.

**FOR THE MEETING OF:**

March 9, 2016

**RYE CITY CODE,**  
CHAPTER  
SECTION

**RECOMMENDATION:** That the Council approve the draft minutes.

**IMPACT:** ☐ Environmental ☐ Fiscal ☐ Neighborhood ☒ Other:

**BACKGROUND:** Approve the minutes of the Regular Meeting of the City Council held February 24, 2016, as attached.

***DRAFT UNAPPROVED MINUTES*** of  
the Regular Meeting of the City Council of the  
City of Rye held in City Hall on February 24,  
2016 at 7:30 P.M.

**PRESENT:**

JOSEPH A. SACK Mayor  
KIRSTIN BUCCI  
EMILY HURD  
JULIE KILLIAN  
TERRENCE MCCARTNEY  
RICHARD MECCA  
Councilmembers

**ABSENT: DANIELLE TAGGER-EPSTEIN**  
Councilmembers

The Council convened at 6:30 P.M. Councilman McCartney made a motion, seconded by Councilman Mecca and unanimously carried to immediately adjourn into Executive Session to discuss litigation and personnel matters. Councilman Mecca made a motion, seconded by Councilman McCartney and unanimously carried, to adjourn the Executive Session at 7:00 P.M. A presentation by City Planner Christian Miller and City Engineer Ryan Coyne on the Central Business District Improvements at Purchase/Elm/Smith Streets scheduled to begin this spring preceded the City Council meeting at 7:00 P.M.; the regular meeting convened at 7:35 P.M.

1. Pledge of Allegiance.

Mayor Sack called the meeting to order and invited the Council to join in the Pledge of Allegiance.

2. Roll Call.

Mayor Sack asked the City Clerk to call the roll; a quorum was present to conduct official City business.

3. General Announcements.

Mayor Sack made the sad announcement that Peter Marshall, a member of the Rye Golf Club Commission, passed away suddenly last week. He offered the Council's sincerest thoughts and prayers to his wife and son and took a moment of silence in his honor. Councilwoman Julie Killian recalled working with Peter Marshall on the Rye Golf Club Strategic Committee and noted that he had put in a tremendous amount of time on behalf of the Golf Club. He was one of the finest men she has worked with during her time on the City Council; the City will miss him. Councilman McCartney credited Peter as being instrumental in the City's decision to engage Lessing's at the Rye Golf Club with a contract that was beneficial to the Club and the City. He noted his pleasure at Peter's decision to run for the Golf Commission, ultimately garnering the most votes. He spoke of what a wonderful person

Peter was, and a rare volunteer who always had a nice word to say to people: a gentleman, a good person and a huge loss for the City.

Councilwoman Hurd made an announcement on behalf of Councilwoman Tagger-Epstein regarding an Ice Skating Fundraiser on February 27, 2016 at the Playland Ice Casino. She noted that the Public Hearing on the Hidden Springs Lane Residential Historic District will be held at the City Council meeting on March 9<sup>th</sup>. She reminded people that Boat Basin slip applications were due but the Boat Basin was reconfiguring their docks so there may still be time to get your application in.

Councilwoman Bucci highlighted how busy the Professional and Volunteer Firefighters have been and congratulated them on their hard work and service.

Councilman McCartney noted that the early deadline for the Rye Golf Club applications is due by March 15<sup>th</sup>. There will be a notary available at the Rye Golf Club on March 4<sup>th</sup> and 11<sup>th</sup> from 12 to 2 p.m. so people can get their release forms signed. These release forms are for the 35% discount being offered to returning members; the requirement is that a release form must be signed with a notary signature. Recreation still has some spots open in the Summer Kiddy Camp; the K through 6<sup>th</sup> grade registration starts on March 3<sup>rd</sup>; all registrations will be done online this year. He noted that he would be participating in the “Crazy Legs” Rotary fundraiser which will be held on March 2<sup>nd</sup> beginning at 6:45 p.m. for need-based scholarships. He urged drivers to slow down and be careful of pedestrians.

Councilman Mecca reported that as the liaison to the Planning Commission, things have been slow, but he anticipates an uptake with the approach of spring.

Councilwoman Killian gave her thanks to City Engineer Ryan Coyne and the Department of Public Works for their quick work on addressing a parking issue on Purchase Street where the lines had been painted incorrectly.

Mayor Sack noted that the Smoke Shop will be closing at the end of March and encouraged residents to visit the store and give your regards to the proprietors Peggy and Tony. Councilwoman Killian offered her thanks to the Smoke Shop for making the decision to not sell vaping products.

Senior Advocacy Chair Joe Murphy announced that a Rye Senior Summit would be held on Sunday, April 17<sup>th</sup> from 1:00 to 4:00 p.m. and invitations would be going out shortly.

4. Draft unapproved minutes of the regular meeting of the City Council held February 10, 2016.

Mayor Sack made a motion, seconded by Councilwoman Hurd and unanimously carried to approve the minutes as modified of the regular meeting of the City Council held on February 10, 2016.

5A. Motion for the City Council to approve a settlement in principal with Travelers Insurance Company regarding the Scott Yandrasevich theft of services and City funds.

Mayor Sack said that the City had filed a claim in the amount of approximately \$2 million dollars. Corporation Counsel Kristen Wilson and outside Counsel were in Federal Court this afternoon at a settlement conference. Through the very helpful involvement of the Judge, the parties have come to an agreed upon resolution being presented to the Council for approval. The settlement is in the amount of \$1.55 million, which is a significant amount for the City to recover. Corporation Counsel Kristen Wilson noted that the settlement is exclusive of the judgment of \$280,000 from Mr. Yandrasevich's conviction. The City is still free to pursue this money outside of this settlement.

Councilman McCartney believed this was great news for the Golf Club and would allow for the Club to move forward from the past regime. The number itself is a compromise but is close to what the City hoped for. Coupled with the \$280,000 that the City can still pursue, he felt this was a good deal for the Rye Golf Club and the City. The Judge, outside Counsel, and our Corporation Counsel all recommend the settlement and he is in agreement.

Councilwoman Hurd mentioned that several residents have asked to review the documents which have been confidential to date. She hoped that these documents could be made public so all residents can take comfort in the fact that the City Council and Corporation Counsel did their due diligence and recovered as much as possible for the City.

Mayor Sack noted that one outstanding piece from the Rye Golf Club issue is the FLSA lawsuit regarding tips to waitstaff.

Mayor Sack made a motion, seconded by Councilman McCartney, to approve the settlement in principal, to approve the settlement amount of \$1.55 million, and to approve the provision that the City can pursue the \$280,000. He asked that the Settlement document prepared by the City's attorneys come before the Council for a further vote.

ROLL CALL:

AYES: Councilmembers Bucci, Hurd, Killian, McCartney, Mecca and Mayor Sack  
NAYS: None  
ABSENT: Councilwoman Tagger-Epstein

5. Issues Update/Old Business.

Mayor Sack asked for an update on the proposed LED replacement project. City Manager Serrano said that two LED lights had been installed: one in the City Hall parking lot and one on Library Lane. He asked for direction from the Council on how they wanted to move the project forward; either in a phased approach or the project in its entirety. Councilwoman Killian asked if there was a financial impact to phase the project. Mr. Serrano

said there was not, but that the full savings would not be evidenced until all the lights were replaced. Mayor Sack invited the public to take a look at the LED lights that had been installed and share their feelings with the Council; an email blast would be sent to residents with this request. He asked that this item be added to the March 30<sup>th</sup> Agenda. Councilwoman Bucci asked for information to be supplied to the Council regarding the difference in cost of financing the project by Lumen Lighting or by the City directly.

Mayor Sack asked for an update on the silver box installed by Mrs. Greens without the proper approvals from the City. The City Manager outlined that City staff, including himself, Corporation Counsel Kristen Wilson, Assistant City Manager Eleanor Militana, City Engineer Ryan Coyne, City Planner Christian Miller and the Building Inspector Maureen Eckman held several meetings with the renter Mrs. Greens regarding this hot box which is for the sprinkler system and meter. At a meeting held today with Mrs. Greens and Suez (United Water), they have agreed to move the necessary equipment inside the building and remove the hot box and concrete pad located on Boston Post Road.

Councilwoman Hurd mentioned the recent announcement that the County planned to put \$58 million in capital projects into Playland. She inquired if the City had been notified by Westchester County what these projects would be, noting that there had been talk previously of replacing the swimming pool with a water park which would be obtrusive to the local neighborhood. Mayor Sack said that the City had not been notified by either the County Legislator or County administration regarding the capital investment. He reiterated that the City's position has been clear that any addition or construction of any structure would have to go through the City of Rye's land use Boards for approval. He recognizes that Westchester County takes exception to that, but the City is firm on this. Until there is a proposal and plan to build something, there is no role for the City in approving something. He noted that he read comments from the Chairman of the Board of Legislators who had sticker shock and said that the plan may not happen. Councilwoman Killian noted that an agreement had yet to be signed. Councilwoman Hurd said that the President of Standard Amusements contacted her and wanted to know if the City had any concerns. Mayor Sack noted that neither he nor the City Manager had been contacted by Standard Amusements.

6. Consideration of a Memorandum of Agreement between the City of Rye and the Rye Professional Fire Fighters Association, Local 2029, IAFF, Inc. for 2010-2015.

Councilman Mecca, seconded by Councilwoman Killian to adopt the following Resolution:

**WHEREAS**, the City of Rye and the Rye Professional Fire Fighters Association, Local 2029, IAFF, have negotiated a new Memorandum of Agreement which will replace the agreement which expired on December 31, 2009; and

**WHEREAS**, the Rye Professional Fire Fighters Association, Local 2029, IAFF, ratified the proposed terms of the MOA, now therefore be it;



**RESOLVED**, that the City Council approve the contract MOA between the Rye Professional Fire Fighters Association, Local 2029, IAFF for the contract period of 01/01/2010 to 12/31/2015.

**ROLL CALL:**

**AYES:** Councilmembers Bucci, Hurd, Killian, McCartney, Mecca and Mayor Sack

**NAYS:** None

**ABSENT:** Councilwoman Tagger-Epstein

7. Resolution regarding Confidential Information to Council Members-elect.

Mayor Sack said that the resolution included with the Agenda had been revised by Corporation Counsel Kristen Wilson to modify the word “confidential” with “non-privileged”. This is significant as it ensures that the City is not waiving the attorney-client privilege. He noted that this distinction was caught by former Councilman Richard Slack. He noted that Councilwoman Hurd had circulated additional changes and asked her to explain those.

Councilwoman Hurd stepped through her changes noting that the first paragraph that she added was to memorialize past practice. The additional changes were made to clarify the intent of the resolution to include the newly-elected members of the Council as soon as possible rather than waiting for specific events, such as a meeting with the Mayor/current Councilmembers, to occur. The other paragraphs highlight the confidential material sent to the Council and noted that Executive Sessions tend to be more of regularity then not.

Mayor Sack felt there was some wisdom in the current system where there is a lag between when people win and when they are sworn in. Yet it is necessary to bring newly elected people up to speed on Council activities. He felt there is a distinction between receiving confidential non-privileged information and being invited into Executive Session. There are often sensitive matters being discussed by the Council in Executive Session with important outcomes, noting that at the end of last year the Council was negotiating the TKI Settlement. It should not be a requirement that people should be allowed to attend Executive Session; it should be at the City Council’s discretion.

Councilwoman Killian noted several challenges switching from being a private citizen to a Councilmember, including access to confidential information and requests from the press. She said that last December the Council was dealing with many sensitive issues of a confidential nature. She felt that a meeting should be held with new Councilmembers, not necessarily a full orientation, before any information is shared of a confidential nature, or be allowed into Executive Session. She recommended updating the Resolution to add signing the Conflict of Information form, noting that Council members would be subject to FOIL, as well as updating the third paragraph to reflect the wording “non-privileged”.

Councilman McCartney was not in favor of these latest round of changes, noting that the document is more complicated with these changes, not simpler. He stated that confidentiality is a huge concern and reiterated that last December the Council was dealing with items such as TKI and Travelers with impacts of \$4 million dollars to the City. He is in favor of Councilmembers getting up to speed; he is in favor of the Resolution as circulated with the changes noted by Councilwoman Killian. He feels there should be discretion in the Office of the Mayor to handle privileged confidential material in the best interest of the City. People who have not been sworn into office, and may not be adept at handling the press initially, is dangerous.

Councilwoman Hurd said there should be a clear process so that it is not something that is discretionary from term to term, and indicated that was her intent with the changes to the document.

Councilman Mecca noted that similar to Councilwoman Killian he was first appointed to the City Council and questioned how quickly they were brought up to speed. He did not participate in an orientation initially. Councilwoman Killian agreed that there is so much information to learn that it can't be addressed in one meeting. The Council is always changing and felt that this Resolution must cover what happens in the future.

Councilwoman Bucci was in favor of sharing the Confidential packet where there isn't privileged information. She felt it is in everyone's best interests to bring new Councilmembers up to speed as quickly as possible. She is less comfortable with the Executive Session access both for the privileged information piece as well as the dynamic in the room. It is not just about where the information can be disseminated to the public and press but the dynamic in the room is sensitive and needs to be protected.

Councilman McCartney mentioned that Rye Golf Club Commissioner Mack Cunningham asked that this Resolution be extended to other Commissions that are elected. Councilwoman Hurd felt that this reflects the desire for a clear process for new Council and Commission members.

Mayor Sack requested that the Council put off that request for now and deal with what was included on the Agenda. Mayor Sack made a motion to approve the Resolution as circulated in the packet with the changes: substitute "often" for "sometimes", the new Councilmember must sign the same Conflict of Interest Form as the Council, and the addition of "non-privileged" in the third paragraph.

Councilwoman Hurd asked that a vote on the Resolution be held over to the next meeting so that Councilwoman Tagger-Epstein could weigh in.

The Resolution was held over to the City Council meeting of March 9, 2016.

8. Resolution to appoint the next eligible member from the Rye Golf Club election of November 13, 2015 to the Rye Golf Club Commission until the next regular election.

Mayor Sack made a motion, seconded by Councilman Mecca, to enter into Executive Session for five minutes to discuss a personnel matter.

Mayor Sack made a motion, seconded by Councilman McCartney and unanimously approved by the Council to appoint Robert Munsie to the Rye Golf Club Commission until the next regular election.

9. Residents may be heard on matters for Council consideration that do not appear on the agenda.

Mr. Philip Cicchiello of 203 Purchase Street provided the Council with written documentation regarding an issue with a fence on the property at 203 Purchase Street. He wanted to install a new fence at the property and discovered after a survey that his neighbor's fence was on his property. This fence had been installed without a permit. He expressed an issue with response time from the City and the decisions rendered by City departments and the City Court. He spoke at length about the fence and the decision by the Court. Corporation Counsel Kristen Wilson noted that the goal in Court is to get compliance and that the violation that was issued was resolved. It was noted that there are conflicting surveys on the property. Mr. Cicchiello noted several violations that he felt the City should issue regarding this fence. Mayor Sack said the Building Inspector is very good at her job and does a good job. He asked that the City Manager review the situation and report back to the City Council. He asked the Corporation Counsel to follow up with Mr. Cicchiello.

10. Appointments to Boards and Commissions, by the Mayor with Council approval.

This agenda item was withdrawn.

11. Miscellaneous communications and reports.

Councilwoman Killian asked Councilwoman Hurd, liaison to the Landmarks Committee, to present a list of areas they have interest in landmarking for the next City Council meeting.

Councilwoman Hurd noted that the Sustainable Port Chester Committee would be having a meeting at the Knights of Columbus at 7:00 p.m. on Thursday, March 3<sup>rd</sup> regarding the Starwoods project.

12. New Business.

Councilwoman Hurd spoke of the residential teardown Moratorium undertaken by the Village of Larchmont and the Town of Mamaroneck as seen in the New York Times. She felt that this was a topic that has not been addressed by the Council and saw this as a starting point for a public conversation regarding this in Rye. She read an excerpt from the

Larchmont/Mamaroneck moratorium which discussed the trend of removing one home and replacing it with a larger one has been happening for a while, but the trend to develop multiple homes where one stood is more recent. If not controlled this trend could have negative affects on: the unique architectural character, the exacerbation of flooding issues, the impact of rock removal, and effects on an aging water and sewer infrastructure. Councilwoman Hurd urged that Rye engage in a similar analysis to that undertaken by Larchmont/Mamaroneck. She noted that Rye's Master Plan had not been updated since 1985 and felt that time is of the essence with respect to critically evaluating residential development in Rye. She asked for the Council to set a date to have a public discussion on the topic of residential development in Rye.

Mayor Sack indicated that the Master Plan Committee would be meeting shortly to begin a review and revision of the Master Plan. An independent consultant would be chosen to assist the City with the process of reviewing and revising the Master Plan; the Council would be updated as the Master Plan Committee proceeds. He noted that there has been a multi-year process beginning in the early 2000's to review land use and development that resulted in updates to the Zoning Code. He referred to a newspaper article that examines Rye as an older community, struggling against the tide of expansion, to maintain its suburban character. The article was dated April 26, 1965 from the New York Herald Tribune. These issues are not new and will continue to be discussed. He noted that the Council will be updated on the process as it moves forward.

Councilwoman Killian commented that a community conversation is difficult unless there are specifics that are being addressed. She noted that the changes to the attic law was amazing since it produced so many different points of view and that people felt there were unintended consequences. In relation to Larchmont and the changes they enacted, she felt it would be interesting to see what their rules are for FAR. She noted that often you find that other communities are strict on some rules but loose on others.

Councilwoman Hurd proposed to start with a conversation on subdivision with a broader look at development overall. She agreed that this is essential and integral to the Master Plan which the City is addressing, but expressed her hope that this process move forward thoughtfully but quickly being mindful that some changes are irreversible.

13. Adjournment.

There being no further business to discuss within the public meeting of the City Council, Mayor Sack made a motion at 9:47 P.M. and unanimously carried, to enter into Executive Session to discuss personnel and litigation matters. It was anticipated that the Council would not reconvene for the public meeting.

Respectfully submitted,

Eleanor M. Militana  
Assistant City Manager



# CITY COUNCIL AGENDA

NO. 6

DEPT.: City Council

DATE: March 9, 2016

CONTACT: Mayor Joseph A. Sack

**AGENDA ITEM:** Issues Update/Old Business

**FOR THE MEETING OF:**

March 9, 2016

**RYE CITY CODE,**

**CHAPTER**

**SECTION**

**RECOMMENDATION:** That an update be provided on outstanding issues or Old Business.

**IMPACT:** ☐ Environmental ☐ Fiscal ☐ Neighborhood ☐ Other:

**BACKGROUND:**



# CITY COUNCIL AGENDA

NO. 7

DEPT.: City Manager's Office

DATE: March 9, 2016

CONTACT: Marcus Serrano, City Manager

**AGENDA ITEM:** Public Hearing to amend local law Chapter 177 "Taxation" of the Code of the City of Rye by adding Section 177-82(A)(2) "Hidden Spring Lane Historic District" as a separate Historic District.

**FOR THE MEETING OF:**

March 9, 2016

**RYE CITY CODE,**

|         |     |
|---------|-----|
| CHAPTER | 177 |
| SECTION | 82  |

**RECOMMENDATION:** That the City Council hold a Public Hearing regarding designating the properties located on Hidden Spring Lane as an Historic District.

**IMPACT:** ☐ Environmental ☐ Fiscal ☒ Neighborhood ☐ Other:

**BACKGROUND:** The Landmarks Advisory Committee has submitted a recommendation to the City that Hidden Spring Lane be designated as a Historic District.

See attached draft Local Law and Request from the Landmarks Advisory Committee.

**CITY OF RYE**  
**LOCAL LAW NO. 2016**

A local law to amend Chapter 177 “Taxation” of the Code of the City of Rye by adding Section 177-82(A)(2) “Hidden Spring Lane Historic District” as a separate historic district as follows:

Be it enacted by the City Council of the City of Rye as follows:

**Section 1:** Chapter 177-82(A)(2) “Hidden Spring Lane Historic District”

A. The designated historic district shall be set forth in this section by block and lot number, street designation, and if appropriate, by local designation.

**2. Hidden Spring Lane Historic District: the five existing homes and associated structures that front on Hidden Spring Lane as designated on the accompanying map as one historic district<sup>1</sup>:**

**(a) For purposes of the Hidden Spring Lane Historic district, each structure is an “historic building” as it exhibits the architectural style, age, and composition of structures built in this locale in the now City of Rye in the early 1900s to 1929, and the Landmarks Advisory Committee has determined possesses one or more of the following characteristics as outlined in Chapter 117 of the City of Rye:**

**[1] Association with persons or events of historic significance to the City, region, state or nation, specifically the Peck House and the associated architectural style of the early 1900s to 1925.**

**[2] Embodying distinctive characteristics of the era by embracing the distinct architectural style and building composition, including the use of clapboard, shingle and brick and the harmonious use of exterior and facade colors.**

**Section 2: Severability.**

If any clause, sentence, paragraph, section or part of any section of this title shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence,

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<sup>1</sup>Said map is on file in the City offices.



paragraph, section or part thereof directly involved in the controversy and in which such judgment shall have been rendered.

**Section 3:      Effective date.**

This local law will take effect immediately on filing in the office of the Secretary of State.

TO: The City Council of the City of Rye, New York

FROM: The Landmarks Advisory Board  
of the City Council of Rye, New York

RE: Proposal for Designation of Hidden Spring Lane,  
Rye, New York as an Historic District

Dear Council Members:

The Landmarks Advisory Committee (“LAC”) submits this recommendation to the City Council that Hidden Spring Lane (the “Lane”), in the City of Rye, be designated as an Historic District within the meaning of Local Law No. 4 (2013), as amended. The Lane contains five houses on the land between Loudon Woods, Boston Post Road, Peck Avenue, and Midland Avenue.

### **Overview**

The five remaining houses on the Lane are generally homogenous in architectural style, age, composition of construction, and acreage. We say “remaining” since the 1855 Victorian-style Peck House, the manor house on the former Jib Farm, was destroyed in 2011 by a developer who applied to build three large houses on that 1.62 acre property which still bears an address of 1 Hidden Spring Lane. Interested neighborhood property owners and other citizens of Rye strongly opposed the extreme development of this property to its zoning limits, largely because the new dense construction would diminish the historical character of the Lane, and create runoff and traffic safety issues. The Zoning Board agreed to reduce the allowable development to two houses on the property.

In 2013 an abutting neighbor in Loudon Woods purchased 1 Hidden Spring Lane from the developer and has improved the property and maintains it today in a park-like setting.<sup>1</sup>

### **History**

The Lane has a rich history. The Peck House was built by Jared Valentine Peck (“a man of uncommon energy and tact”)<sup>2</sup>, circa 1855, on Jib Farm prior to the railroad extending out to Rye. Peck was the eighth of nine children and became an eminently successful businessman in his family’s lumber, brick, hardware, and agricultural business in Port Chester and along the Byram River where he operated several gristmills. He entered politics, served as auditor of the Town of Rye, served in the State Assembly and in the U.S. Congress from 1853-1855.<sup>3</sup>

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<sup>1</sup> A member of the LAC, Jerome P. Coleman, resides at 2 Hidden Spring Lane.

<sup>2</sup> History of Rye, 1660-1870, Charles W. Baird, Anson D.F. Randolph and Company, 1871, p. 378.

<sup>3</sup> Biographical Directory of the United States Congress  
History of Apawamis, Rye, N.Y., 1940

The land which is now the Lane was bucolic, with numerous springs and ponds, and large boulder and small rock outcroppings typical of the topography of Rye, and an apple orchard. In 1897, the Apawamis Club chose the house and property as appropriate for its purposes and leased the house and land. It created a 9-hole golf course down from the house towards and beyond what is now Midland Avenue, and between what is now Peck Avenue and Loudon Woods. (See excerpts from "Fifty Years at Apawamis," published in 1940, and attached as Ex. "A" hereto.)

The Club later moved to its present location several years later.

While records are sketchy, and we have not performed a title search on all houses in the Lane, it is believed the house was purchased by Mr. James Peak at some point in the early 1900s. It has been reported, but is not documented that he had five children and created a roadway in the center of the property, and built five homes for each around the road on either side leading up to the house in the dominant style of the time using clapboard, shingle and brick. These five homes (Nos. 2, 3, 4, 5 and 6), were built between 1920 and 1924. The current layout (as attached hereto as Ex. "B"), notes lots ranging from .80 acres to 1.45 acres. In building these houses, the rock ledges that run down the north side of the Lane were used as part of the foundations for numbers 2, 4 and 6, and the rock ledges extending down from Loudon Woods were also used as foundation support for numbers 3 and 5.

There have been numerous improvements to each home over the years, yet maintaining the distinctive architectural style and building composition of the houses as originally constructed, and four of the five homes have added pools that are not visible from the Lane. As noted above, the houses have a certain homogeneity, composed of clapboard, shingle and brick, and are all painted white or off-white in color. These improvements and restorations have neither changed the character of the construction nor the ambiance of the Lane as maintained for the last 90 years. Pictures of each house are reproduced in Ex. "C" hereto.

### **Qualifications**

It is the conclusion of the LAC that the criteria for qualification of an Historic District are met in the case of the Lane. Local law No. 4 (2013) was amended by Local Law No. 2015 to amend Chapter 177 "Taxation" Article XII, "Exemption for Historic Districts of the Code of the City of Rye," and added new definitions to Section 177-179 ("Definitions"), and a new Section 177-182 ("Designation of Historic Districts"). In that amendment, the City allowed the designation of an Historic District if the LAC advised that, as outlined in Chapter 117 of the Rye City Code, one or more of the following characteristics were met:

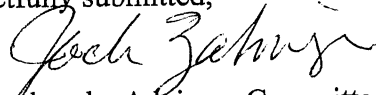
- i. Association with persons or events of historic significance to the city, region, state or nation.
- ii. Illustrative of historic growth and development of the city, region, state or nation.
- iii. Embodying distinctive characterization of a type, period or method of construction . . . .

### **Conclusion and Recommendation**

It is the decision of the LAC that the Lane meets all three of the above characteristics. Thus, we recommend that Hidden Spring Lane be designated as an Historic District in the City of Rye.

Rye, New York  
November 24, 2015

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Jack Zahringer".

The Landmarks Advisory Committee  
Jack Zahringer, Chair

# **EXHIBIT A**

Fifty Years  
*of*  
APAWAMIS



RYE, NEW YORK

1940

## FIFTY YEARS OF APAWAMIS

today. Even the early fathers became fed up with the simple life. They yearned for some of the conveniences and comforts enjoyed at other newly formed clubs. Moreover, the lure of the game had captured an ever increasing number of victims. It was therefore not surprising that agitation by a small group of the more expert players for a decent course with clubhouse facilities, should have met with support.

After much debate, a committee was finally appointed to go thoroughly into the matter. This was in the fall of 1896. At the time there was available the property known as Jib Farm, owned by the Peck Estate. It was located on the easterly side of the Boston Post Road at the point where the railroad bridge crosses; to the south, was the property now known as Loudon Woods, and to the north and east was part of Fulton's Folly. The Peck land contained about thirty acres, with a quite substantial dwelling and suitable stable accommodations. Fifteen additional acres were made available by Mr. Fulton, who had recently built an imposing mansion on the Post Road and acquired the land across the railway tracks for farming purposes.

The committee felt that this combination offered a rare opportunity for the proposed venture, and its report, made in glowing terms at a special meeting of the members, was unanimously approved. Leases of the properties were made in March, 1897. At the time, the floating indebtedness of the Club was about \$1,000. It was found possible to raise by gift \$1,000 and there were issued debentures in amount \$3,000, with coupons which could be used in the payment of house charges. After clearing the debts, there were sufficient funds left to put the house and grounds in order.

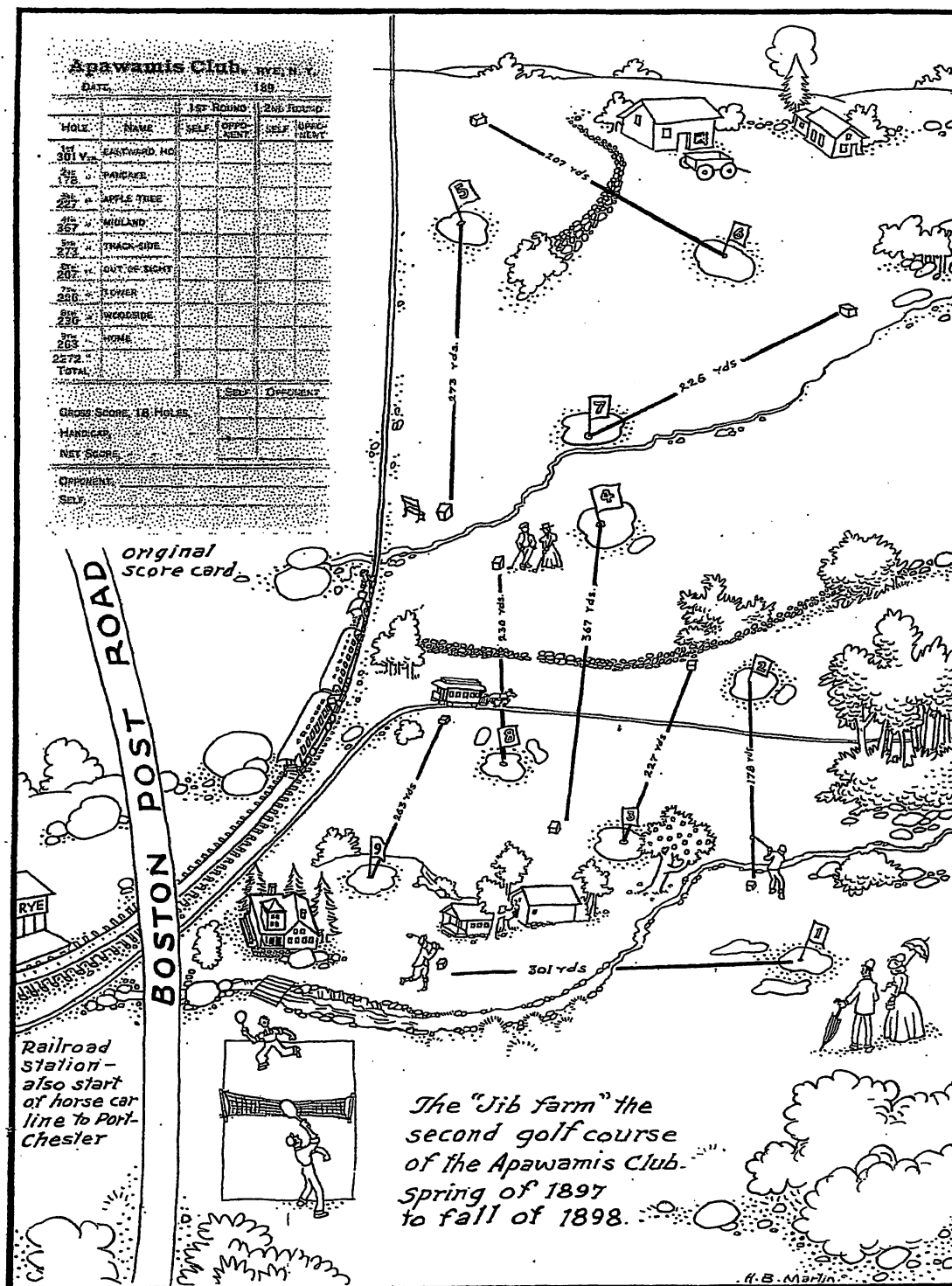
The design and construction of the course was left to the Golf Committee headed by B. Lambert Sackett as Chairman. They had the advice of Willie Kirk, a recent Scotch importation. It was a task of no mean importance, as there were stone and snake fences to be removed, woods to be cleared, ditches to be drained and covered, fairways seeded and greens built. However, by June, although rough and unfinished, play began. A flock of 300 sheep had been acquired from Central Park and they were promptly put to work in place of mowers.



*The Peck House at Jib Farm*

An original score-card which has been recovered and which is attached to a sketch of the various holes, shows a yardage of 2,272. No par is indicated, as in those days "Colonel Bogey" ruled the scoring. Apparently, 39 or 40 was par golf. It must be remembered that the old gutty ball was still in use and a four on a 178-yard hole was top golf. That there were many weird hazards is well remembered. There were swamps, intervening apple orchards, a trolley track through the center, a signal tower at the 8th, which seemed to have a strange attraction for tee shots, and the railway tracks were always a menace on the incoming holes. There was little in the way of traps and the upkeep was carried on by one greensman, Robert Dickey by name, with an occasional as-

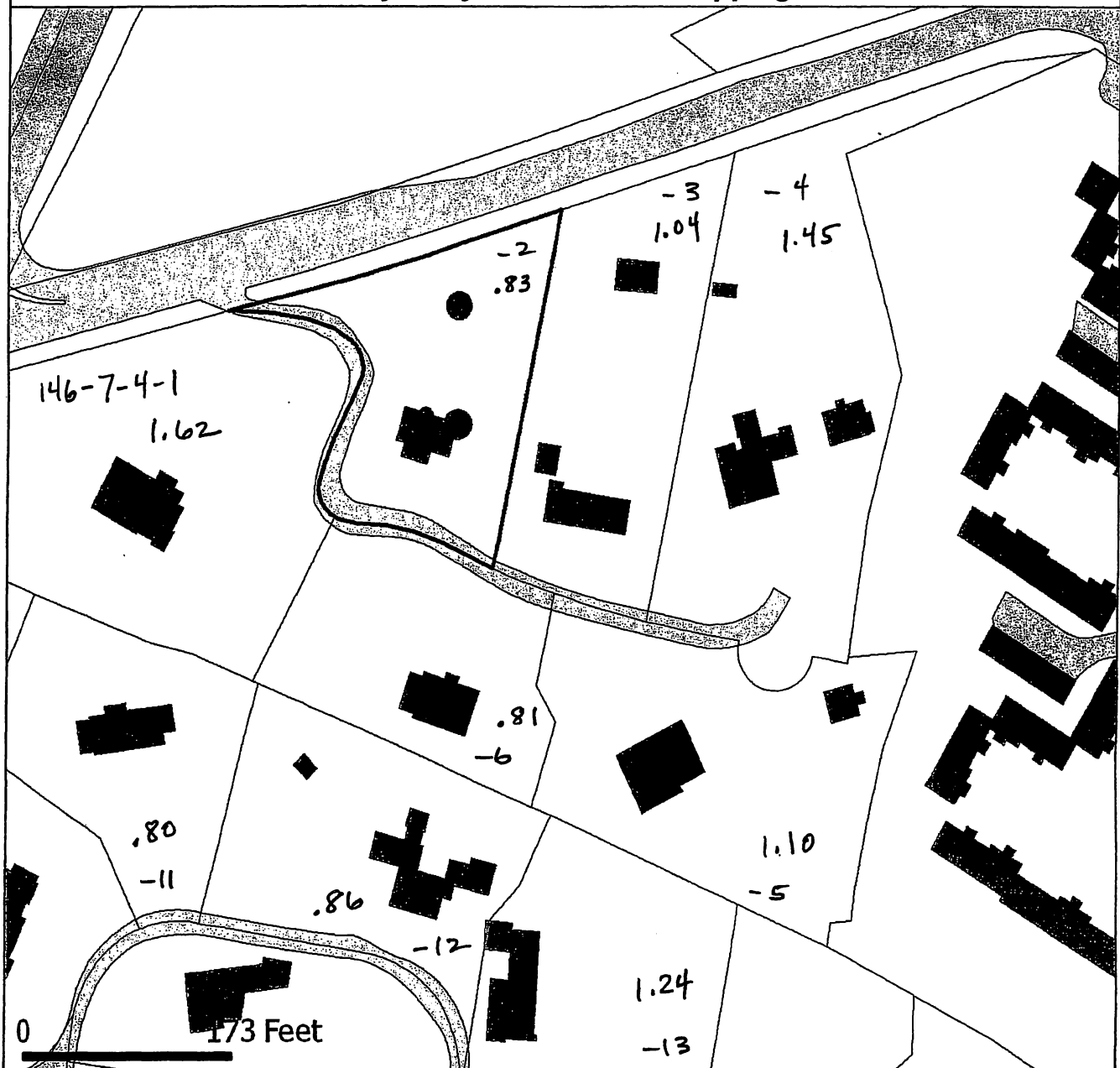




Second course and original score card, Jib Farm

## **EXHIBIT B**

## City of Rye, NY - Online Mapping



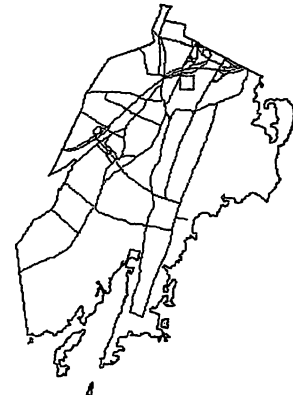
## Property Information

Prop ID 146-7-4-2  
 Location 2 HIDDEN SPRING LN  
 Owner COLEMAN JEROME P  
 Address 1 2 HIDDEN SPRING LN  
 Address 2 RYE  
 Address 3 NY  
 Total Area 0.83 acres

Smallest = .80  
 Average = 1.02  
 Largest = 1.45  
 (excl. undermuffs)

MAP FOR REFERENCE ONLY  
NOT A LEGAL DOCUMENT

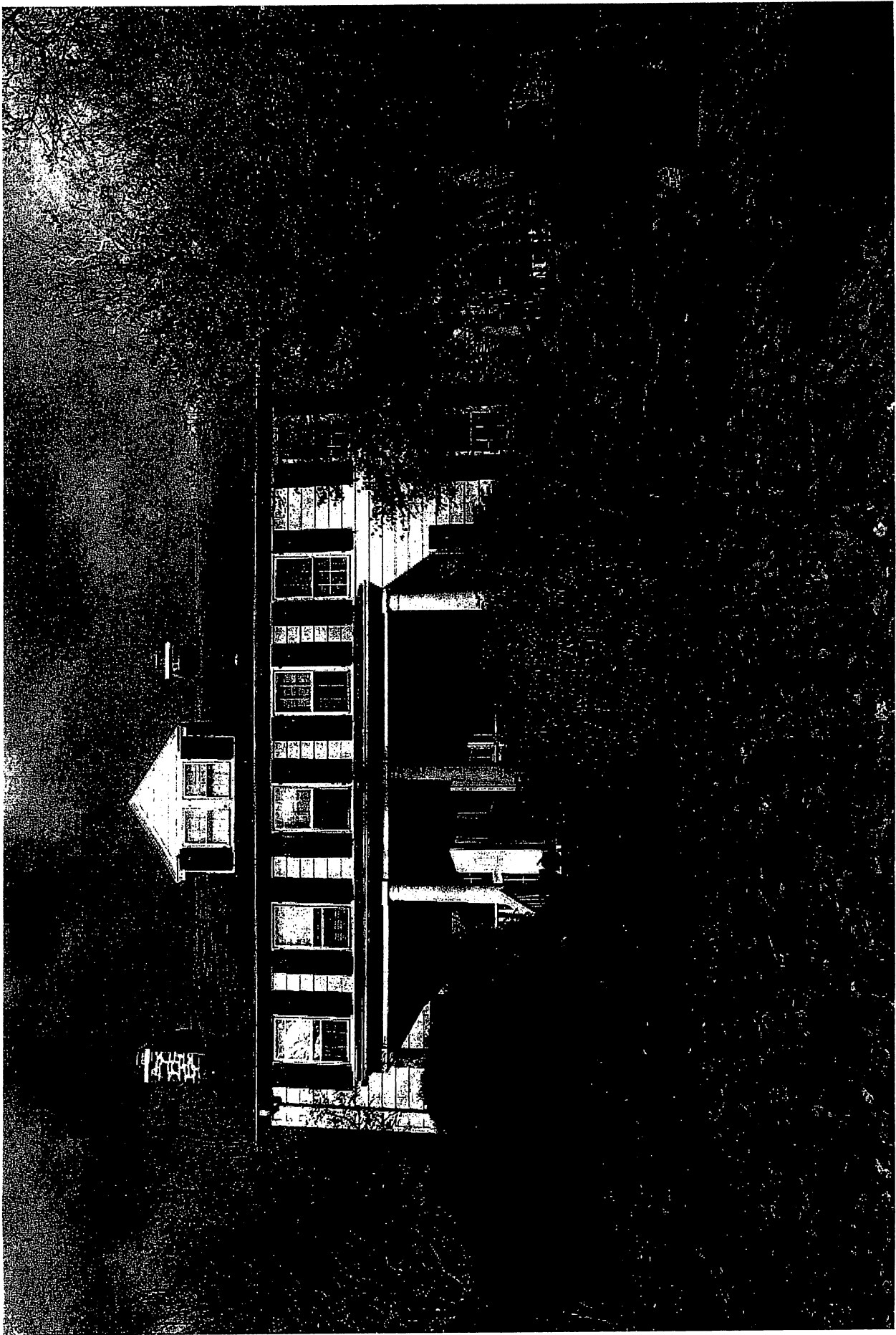
The City of Rye makes no claims, no representations, and no warranties, expressed or implied, concerning the validity (expressed or implied), the reliability, or the accuracy of the GIS data and GIS data products furnished by the Town, including the implied validity of any uses of such data. The use of this data, in any such manner, shall not supercede any federal, state or local laws or regulations.



$$1.62 \div 2 = .81$$

$$1.45 \div 2 = .725$$

# **EXHIBIT C**



2 #



# 3



4#



#5





#6

**CITY OF RYE  
BOARD OF ARCHITECTURAL REVIEW  
AGENDA - Revised**

Carmen Aguilar, Chairman  
Holly Kennedy  
Lisa Hogan  
Kathy Hobbins  
Kevin Grainger  
John Barrett  
Michael Harrington

Meeting, Monday  
November 23, 2015  
7:30 pm

Mayor's Conference Room  
Rye City Hall

Maureen Eckman, Building Inspector

- \* 15.167 **Pell** – 49 Glen Oaks Drive 153.05-3-10  
New Single Family Residence  
**Continued – Driveway Concerns**
  
- \* 15.170 **Koechlin (Contractor Vendee)** – 43 Sanford Street 146.20-1-03  
New Single Family Residence  
**Continued – Requesting Lower Roof Height and Landscaping Plan**
  
- \* 15.171 **10 Florence Avenue LLC** – 10 Florence Avenue 146.17-2-07  
New Single Family Residence
  
- \* 15.175 **Caiati** – 190 Forest Avenue 146.12-1-52  
Deck, Front Porch, Pergola, Fireplace, Outdoor Kitchen per Variance Granted  
#15-53  
**Continued – No One Present**
  
- \* 15.164 **Manning (Contract Vendee)** – 1 Halls Lane 153.14-1-15  
New In-Ground Pool and Terrace  
**Continued - Requesting Landscape Plan**
  
- 15.181 **Rye Greenridge LLC** – 2 Purchase Street 146.07-3-21  
Little Thai Kitchen Restaurant (Previous Subway location)  
Interior Renovations for New Tenant Fit-Out includes New Roof Exhaust Fan
  
- \* 15.068 **Vietor** – 147 Wappannocca Avenue (aka 130 Purchase Street) 139.19-2-01  
2nd Floor Rear Addition over existing and Interior Remodeling  
**Modifications to Relocate Master Bathroom Window**  
**Approved as Small Project**

- 15.182 **Sawyer** – 19 Gramercy Avenue 146.12-1-41  
1<sup>st</sup> Floor Rear Addition and New Deck
- \* 14.085 **Hoover** – 900 Forest Avenue 153.14-1-27  
South Side Kitchen and Family Room Addition  
**Modifications to Add 2<sup>nd</sup> Floor Elevated Porch, Relocate Interior Stairs**
- 15.183 **Kelly** – 3 Billington Court 146.15-1-1.2  
One Story Rear Addition per Variance Granted #15-36
- 15.184 **Egan** – 33 Rosemere Street 146.19-3-20  
2 Story Rear Addition with Balcony and Patio, Remove existing Garage per  
Variance Granted #15-55
- 15.185 **RJV Realty** – 1005 Boston Post Road 146.11-1-18  
**New Hanging Plaque Signage to read "Le Beastro Pet Grooming & Boutique"**
- 15.186 **RJV Realty** – 1005 Boston Post Road 146.11-1-18  
**New Hanging Plaque Signage and Awnings to read "Beauty Box" and "1005"**
- 15.187 **Lonnegren (Contract Vendee)** – 85 Drake Smith Lane 146.12-2-03  
1 Story Addition at 1<sup>st</sup> Floor and 1 Story Addition at 2nd Story Addition per  
Variance Granted #15-56
- 15.188 **Zamarron** – 2 Morris Court 153.05-1-70.11  
Change Kitchen Window as part of Kitchen Renovation, Finished  
Basement  
**Approved as Small Project**
- 15.189 **2 Fulton LLC** – 2 Fulton Avenue 146.18-2-31  
New Single Family Residence
- 15.190 **10 Eve Lane LLC** – 10 Eve Lane 146.15-1-66  
New Single Family Residence

- \* 12.188   Iannucci LLC – 23 Locust Lane 153.06-1-84**  
New Single Family Residence per Variance Granted #12-63 and WP #335  
**Modifications to Add Stone Masonry Retaining Wall**  
**Removed from Agenda – Requires Wetlands Permit**
- \* 13.065   Coccari – 3 Green Acres Drive 146.15-1-05**  
2 Story Addition, 1 Story Rear Addition, New Entry Portico and Rear Patio,  
Interior Renovations per Variance Granted # 12-40 and pending SWC  
**Modifications to Add 2<sup>nd</sup> Floor Addition**
- 15.191   53 Purchase Street LLC – 53 Purchase Street 146.07-1-51**  
Complete Renovation of Existing Building with Ground Floor Retail and  
4- Apartments on Upper Floors
- 15.192   Westchester County – 150 North Street 146.10-1-66**  
Proposed 41 Unit Affordable Senior Citizen Apartment Building with 61  
Parking Spaces

**\* Continued or Modified from Previous Meeting**



# CITY COUNCIL AGENDA

NO. 8

DEPT.: City Council

DATE: March 9, 2016

CONTACT: Mayor Joseph A. Sack

**AGENDA ITEM:** Resolution regarding Confidential Information to Council Members-elect.

**FOR THE MEETING OF:**

March 9, 2016

**RYE CITY CODE,  
CHAPTER  
SECTION**

**RECOMMENDATION:** That the Council consider a Resolution regarding providing Confidential Information to Council Members-elect.

**IMPACT:** ☐ Environmental ☐ Fiscal ☐ Neighborhood ☐ Other:

**BACKGROUND:**

See attached Resolution.

**RESOLUTION OF THE CITY OF RYE  
REGARDING CONFIDENTIAL INFORMATION  
TO COUNCIL MEMBERS-ELECT**

WHEREAS, individuals who are elected to the City Council in November by law do not take the oath of office and do not become fiduciaries of the City until the commencement of their terms in January; and

WHEREAS, new Council members-elect have much information, both publicly available and non-privileged confidential, to learn and digest both before and after actually being sworn in; and

WHEREAS, duly-sworn Council members often receive confidential material, including from the City Manager and Corporation Counsel, in the performance of their fiduciary duties; and

WHEREAS, to encourage optimum performance in their new roles after they take office, it may be beneficial for Council members-elect to also become privy to non-privileged confidential material before they take office; and

WHEREAS, the City Council sometimes often conducts discussions in Executive Session pursuant to the Public Officers Law; and

WHEREAS, the City Council sometimes, depending on the circumstances, invites certain individuals, including City staff members and members of the public, to attend non-privileged portions of Executive Sessions;

NOW, THEREFORE, BE IT RESOLVED, that it is the desire of the City Council to have such non-privileged confidential information be made available to Council members-elect, provided that these recipients execute a document indicating that they agree to assume such fiduciary responsibilities, to disclose any conflicts of interest, to sign a Conflict of Interest form, to maintain and produce any personal e-mails regarding City-related issues, and to be subject to any other similar requirements of a full-fledged Council member, including being subject to FOIL; and

BE IT FURTHER RESOLVED, that the City Council may at its discretion continue to invite certain individuals, including Council members-elect, into Executive Sessions as the Council may deem helpful and appropriate.



# CITY COUNCIL AGENDA

NO. 10

DEPT.: City Council

DATE: March 9, 2016

CONTACT: Mayor Joseph A. Sack

**ACTION:** Appointments to Boards and Commissions, by the Mayor with Council approval.

**FOR THE MEETING OF:**

March 9, 2016

**RYE CITY CODE,**

CHAPTER

SECTION

**RECOMMENDATION:** that the City Council approve the appointments.

**IMPACT:** ☐ Environmental ☐ Fiscal ☐ Neighborhood ☒ Other:

**BACKGROUND:**

- A) Two appointments to the Board of Appeals for a three-year term.
- B) One appointment to the Conservation Commission/Advisory Council for a three-year term.
- C) Four appointments to the Flood Advisory Committee for a three-year term.
- D) Eight appointments to the Rye Cable and Communications Committee for a three-year term.
- E) Two appointments to the Rye Playland Advisory Committee for a three-year term.
- F) Two appointments to the Rye Town Park Advisory Committee for a three-year term.
- G) Four appointments to the Traffic & Pedestrian Safety Committee for a three-year term.