

MINUTES of the regular meeting of the
Board of Appeals of the City of Rye held in City
Hall on January 15, 2009 at 8:00 P.M.

PRESENT: ALAN WEIL, CHAIR
SCOTT BEECHERT
TAMARA MITCHEL
SERGE NIVELLE
ANTHONY PISCIONERE
MAUREEN POWERS

ABSENT: Alan Wiener

Andrew Ball, City Council Liaison, (Absent)
Vincent Tamburro, Building Inspector (Present)

The following applications were adjourned to the February 12, 2009 meeting:

#09-01
Rye Nature Center
873 Boston Post Rd.
146.10-2-23

The following applications were heard at this hearing and a decision was rendered:

#08-61
Brian Ahrens
1 Oakdale Pl.
146.19-1-15

In accordance with the Findings and Decision proposed by Mr. Piscionere, seconded by Mr. Nivelles, the Board voted to adopt the Findings and Decision by the following vote:

ROLL CALL:

AYES: Ms. Mitchel, Mr. Nivelles, Mr. Piscionere, Mrs. Powers, Mr. Weil
NAYS: None
ABSTAIN: Mr. Beechert
ABSENT: Mr. Wiener

#09-02
Richard & Laura Slack
365 Grace Church St.
146.08-1-10

In accordance with the Findings and Decision proposed by Mr. Weil, seconded by Mr. Piscionere, the Board voted to grant the relief requested noting that the Applicant established the special needs of an autistic family member, requiring a turn around area for the bus/van that regularly picks up the child. The Applicant also established that the requested variance would permit the Applicant to improve the subject property and would not significantly increase the paved surface in the front yard set back over what exists today. Moreover, the proposed change would move the driveway entrance away from a sharp curve in the road alleviating a potentially dangerous condition.

The Board voted to adopt the Findings and Decision by the following vote:

ROLL CALL:

AYES: Mr. Beechert, Ms. Mitchel, Mr. Nivelles, Mr. Piscionere, Mrs. Powers, Mr. Weil

NAYS: None

ABSENT: Mr. Wiener

#09-03
Bob & Lee Woodruff
14 Phillips Lane
153.11-2-27

In accordance with the Findings and Decision proposed by Mr. Nivelles, seconded by Mr. Weil, the the Board voted to grant the relief requested noting that the Applicant's proposed construction returns a significant amount of wetland to the natural habitat, that the actual increase in FAR when compared to the existing structure, represents less than a 4% increase (156 sq feet) and that the general design of the new structure includes new eco-friendly technology creating a positive impact on the neighborhood, thus mitigating the Board's concerns for setting precedent in granting such a significant FAR variance

Board voted to adopt the Findings and Decision by the following vote:

ROLL CALL:

AYES: Mr. Beechert, Ms. Mitchell, Mr. Nivelles, Mr. Piscionere, Mrs. Powers, Mr. Weil

NAYS: None

ABSENT: Mr. Wiener

Legal notice pertaining to the above stated public hearings was published in the City's official newspapers and notice of said public hearings was mailed to the owners of property in the immediate vicinity of the property of the petitioners.

Said Findings and Decisions, which will be filed with the respective applications, are made a part of these minutes, representing the majority vote of the members of the Board present.

Dawn F. Nodarse
Secretary,
Board of Appeals

TO: Christian K. Miller, City Planner, e-mail
Vincenzo Tamburro, Building Inspector, e-mail
Noreen P. Whitty, City Assessor e-mail