

MINUTES of the regular meeting of the  
Board of Appeals of the City of Rye held in City  
Hall on March 19, 2009 at 8:00 P.M.

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

ABSENT: None

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

The following applications were withdrawn:

#09-01	#09-12
Rye Nature Center	Alan Mun
873 Boston Post Rd.	22 Manursing Ave.
146.10-2-23	146.10-2-23

**Application #09-01**-The finding of the Board is that because the property is owned by the City of Rye and Rye Nature Center is operated as part of a governmental activity of the City, they are permitted to install the deer fence they intend to install without a variance. Therefore, the application was withdrawn

The following applications were adjourned to the April 16, 2009 meeting:

#09-05	#09-06	#09-14
Rye-Cottage Holdings. LLC	Graziano C. Carlon	Mark Dellicolli
15 Edgar Pl.	76 Hewlett Ave.	2 Goldwin Street
139.20-1-14	153.11-1-29	146.11-3-68

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

#09-07  
Robert Zahm  
7 Ridgewood Dr.  
146.06-1-22

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

ROLL CALL:

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

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#09-08  
Christopher Mosher  
15 Cayuga St.  
139.19-1-54

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

ROLL CALL:

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

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#09-09  
James Jenkins  
40 Halls Ln.  
153.14-1-16

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

ROLL CALL:

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

#09-10  
Mark Erickson  
15 Valleyview Ave.  
153.11-2-40

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

ROLL CALL:

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

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#09-11  
Realty 3 Associates LLC  
78 Purchase St.  
146.7-3-07

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

ROLL CALL:

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

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#09-13  
David Vanslette  
18 Davis Ave.  
146.12-1-09

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

ROLL CALL:

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

#09-15  
Anthony Cassano  
96 Hix Ave.  
153.6-2-62

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

ROLL CALL:

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

NAYS: None

RECUSED: Mr. Piscionere

ABSENT: None

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