

**MINUTES of the regular meeting of
the Board of Appeals of the City of Rye held
in City Hall on January 23, 2014 at 7:30 P.M.**

**PRESENT: ALAN WEIL, CHAIR
DAVID CUTNER
SERGE NIVELLE
ANTHONY PISCIONERE
MAUREEN POWERS
ALAN WIENER**

ABSENT: Ms. Brown, Mrs. Powers, Mr. Weil

Council Liasion

The following applications were postponed to the February 27, 2014 meeting

**#13-67
Walter Nelson
50 Kirby Ln.
146-8-2-28**

**#14-04
Peter Hancock
83 Brevoort Ln.
152-20-1-26**

The following applications were adjourned to the February 27, 2014 meeting:

**#14-08
Lavany Shah & Robert Jackson
Contract Vendees
12 Philips Lane
153-11-2-28**

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

**#13-81
Alena Karr
56 Hughes Ave
146-17-2-29**

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

ROLL CALL:

AYES: Mr. Cutner, Mr. Nivelle, Mr. Piscionere, Mr. Wiener
NAYS: None
ABSENT: Ms. Brown, Mrs. Powers, Mr. Weil

#14-01
Brookdale Place Realty, Inc.
47-49 Brookdale Pl.
146-14-2-52

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

ROLL CALL:

AYES: Mr. Cutner, Mr. Nivelle, Mr. Piscionere, Mr. Wiener
NAYS: None
ABSENT: Ms. Brown, Mrs. Powers, Mr. Weil

#14-02
Kevin & Cali Gibbs
24 Guelisten Pl.
146-7-4-72

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. Cutner, Mr. Nivelle, Mr. Piscionere, Mr. Wiener
NAYS: None
ABSENT: Ms. Brown, Mrs. Powers, Mr. Weil

#14-03
Keith Turco
63 Midland Ave.
153-6-2-63

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

ROLL CALL:

AYES: Mr. Cutner, Mr. Nivelle, Mr. Piscionere, Mr. Wiener
NAYS: None
ABSENT: Ms. Brown, Mrs. Powers, Mr. Weil

#14-05
Mike & Bonnie Herzog
5 Clark Ln.
146-15-1-40

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: Mr. Cutner, Mr. Nivelles, Mr. Piscionere, Mr. Wiener
NAYS: None
ABSENT: Ms. Brown, Mrs. Powers, Mr. Weil

#14-06
Iron Horse Realty LLC
1 Theall Rd.
146-13-1-6

In accordance with the Findings and Decision proposed by Mr. Piscionere, seconded by Mr. Nivelles, the Board voted to adopt the Findings and Decision with the condition that the Landscape Plan identified as "L-Landscaping Plan" dated 11-25-13 initialed by Anthony Gioffre, Esq. and Building Inspector Maureen Eckman on January 23, 2014 are a condition of the approval and compliance with that Plan is a condition of the approval for the granting of the variance.

The Finding and Decision was adopted by the following vote:

ROLL CALL:

AYES: Mr. Cutner, Mr. Nivelles, Mr. Piscionere, Mr. Wiener
NAYS: None
ABSENT: Ms. Brown, Mrs. Powers, Mr. Weil

#14-07
William & Megan Schatz
6 Westbank Rd.
153-6-1-52

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

ROLL CALL:

AYES: Mr. Cutner, Mr. Nivelles, Mr. Piscionere, Mr. Wiener
NAYS: None
ABSENT: Ms. Brown, Mrs. Powers, Mr. Weil

#14-09
Thomas Ausfahl
80 Claremont Ave
146-18-1-10

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

ROLL CALL:

AYES: Mr. Cutner, Mr. Nivelles, Mr. Piscionere, Mr. Wiener
NAYS: None
ABSENT: Ms. Brown, Mrs. Powers, Mr. Weil

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
Noreen P. Whitty, City Assessor e-mail