

**MINUTES of the regular meeting of
the Board of Appeals of the City of Rye held
in City Hall on June 25, 2015 at 7:30 P.M.**

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

ABSENT: Susan Brown

Joseph Sack, City Council Liaison, (Absent)

The following applications were adjourned to the July 16, 2015 meeting:

**#15-35
2 Natoma Realty LLC
2 Natoma Ave
139-19-2-62**

**#15-36
James & Suzanne Kelly
3 Billington Ct.
146-15-1-1-2**

**#15-37
Gus & Karen Koutsoubis
61 Intervale PI
146-15-2-57**

The following applications were withdrawn.

**#15-41
Adam & Jackie Cohen
58 Bradford Ave
153-5-2-65-2**

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

**#14-65
Margaret Ciogna
Robert & Jennifer Howard,
Contract Vendees**

In accordance with the Findings and Decision proposed by Mr. Piscionere, seconded by, Mr. Weil the Board voted to adopt the Findings and Decision upon the condition, consented to by the applicant, that stormwater issues shall be addressed pursuant to a SWPPP that the applicant and the objecting neighbor mutually agree upon.

The Board adopted the Finding and Decision by the following vote:

ROLL CALL:

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

#15-12
William Walsh
42 Orchard Dr.
153-7-2-71

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

ROLL CALL:

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

#15-24
James & Judy Wilson
720 Milton Rd, Apt F-5
153-10-1-20

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

#15-28
Samantha & Gilbert Tollinchi
7 Ellis Ct.
146-11-3-43-4

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

ROLL CALL:

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

#15-29
Myles & Weezier Mullaly
20 Hillcrest Ln.
146-15-2-32

In accordance with the Findings and Decision proposed by Mr. Piscionere, seconded by, Mr. Nivelles, the Board voted to grant the relief requested conditioned upon, accepted by the applicant, that the applicant install evergreen screening on the property line from the rear corner of the two-story addition to the garage and the applicant retain the services of a structural engineer to insure the continued integrity of the retaining wall on the property line. Due to circumstances after the close of the public hearing, the applicant has withdrawn the request for a 4 ft. 6 in. front yard variance (Chapter 197, Article VIII, §197-86, Table A, Col. 8) to construct a 1st fl. Addition and 2nd fl. Master suite. Therefore, the specific variance will not be granted

The Board adopted the Findings & Decision by the following vote:

ROLL CALL:

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

#15-30
Thomas J. & Amy Hanson
10 Cloverdale Ln.
146-15-2-45

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

ROLL CALL:

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

#15-31
Chris Vlasto

**375 Oakland Beach Ave.
153-7-1-74**

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

ROLL CALL:

AYES: Mr. Cutner, Mr. Nivelles, Mrs. Powers Mr. Wiener and Mr. Weil

NAYS: None

ABSTAIN: Mr. Piscionere

ABSENT: Ms. Brown

**#15-32
James & Sally Joyce
11 Ann Ln.
146-11-3-86**

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. Nivelles, Mr. Piscionere, Mrs. Powers Mr. Wiener and Mr. Weil

NAYS: None

ABSENT: Ms. Brown

**#15-33
Eric & Sheri DeGraw
2 Brookdale Pl
146-14-2-34-2**

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, Mrs. Powers Mr. Wiener and Mr. Weil

NAYS: None

ABSENT: Ms. Brown

**#15-34
Mit & Dimple Desai
130 Forest Ave.
146-15-1-32**

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

ROLL CALL:

AYES: Mr. Nivelle, Mr. Piscionere, Mrs. Powers Mr. Wiener and Mr. Weil
NAYS: Mr. Cutner
ABSENT: Ms. Brown

#15-38
Susan Lubin
58 Franklin Ave
146-18-1-60

In accordance with the Findings and Decision proposed by Mr. Weil, seconded by, Mr. Piscionere, the Board voted to adopt the Findings & Decision conditioned upon the applicant paying \$1000 to the City of Rye.

ROLL CALL:

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

#15-39
Salvatore Albanese
23 Johnson PI
153-5-1-75-35

In accordance with the Findings and Decision proposed by Mr. Weil, seconded by, Mr. Wiener the Board voted to adopt the Findings and Decision conditioned upon the applicant paying \$1000 to the City of Rye

ROLL CALL:

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

#15-40
Brian & Lorna Gager

**80 Maple Ave.
146-6-2-86**

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

ROLL CALL:

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

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.

**Diane C. Moore
Deputy City Clerk**

**TO: Christian K. Miller, City Planner, e-mail
Noreen P. Whitty, City Assessor e-mail**