

Mr. Ray Tartaglione  
101 Westmoreland Ave  
White Plains N.Y. 10606

April 18, 2008

Mr. Vincent Tamburro  
City of Rye New York Building Department  
1051 Boston Post Road  
Rye, NY 10580

**Dear Mr. Tamburro,**

I write with regard to the present outstanding building permit # P0814120 in the name of Kuder Island Colony.

The referenced building permit is issued with "permission to erect/install & maintain residential exterior alteration" as written on the posted permit. Mr. Ederer's project description to the building department inaccurately states "Renovation of Existing Summer Cottage." The wetlands permit also contains the same intentional and misleading statement.

Also, Mr. Ederer improperly states on his neighbor notification letter for the ARB that he would be applying for a building permit for an alteration and represented to the architectural review board that he is conducting a renovation. However, upon my recent visit to the site, I observed the entire structure has been demolished along with the removal of the foundation.

It is my understanding that Mr. Ederer has failed to submit asbestos abatement forms, has never applied for or received a demolition permit, and has never been approved to construct a new structure. Please advise if my understanding is inaccurate in any manner.

I also observed that there is no present gray water tank as described on the plans submitted to the building department by Mr. Ederer. The Plan details that he would be tying into an existing gray water tank. This is untrue. How can he possibly do so when there is no existing tank? Additionally, he stated by letter to the WCDOH that the cottage originally existed with two bedrooms when it only had one. He misrepresented the number of bedrooms, no doubt trying to avoid Health Department inspection and approval.

Mr. Ederer also stated on the regulatory compliance portion of the application that the project is not within a designated preservation area. That statement is also false. (See e-mail attached from the DEC). Mr. Ederer further falsifies his application by stating that the project is not within a designated coastal area boundary. What are the ramifications of Mr. Ederer falsifying sworn and notarized city documents? I would also like to draw your attention to the fact that the proposed structure is within 10 feet of the neighboring cottage.

As you may know, I have recently filed an article 78 proceeding regarding the Zoning Board's arbitrary and capricious decision to treat the variance as an area variance as opposed to a use variance. As you recall, you stated to the Zoning Board that the variance was a use variance which was, regrettably, disregarded by the Board. Notwithstanding, assuming the treating of the application as one for an area variance, I also believe the applicant would need an additional variance for the setback requirements. I formally request that Mr. Ederer is served with a stop work order until the time that these issues can be rectified.

With reference to our present article 78 proceeding in the Supreme Court against Mr. Ederer, the City of Rye, and Kuder Island Colony Inc., I have advised Mr. Ederer and Kuder Island by a separate communication that we will be happy to dismiss all litigations should Mr. Ederer decide to connect to a compliant sewage disposal System and install potable water as required anywhere else in Westchester County. (See attached letter)

Thanking you in advance for you time and consideration.

Ray Tartaglione

RJT/lag

Enclosures: Ederer Letter;

cc: Kuder Island Colony Inc.  
Vincent Tamburro Rye Building Department  
Deputy Commissioner Meyerson WCDOH  
Rye conservation commission  
Mayor Steven Otis  
Rye City council  
Rye ZBA  
Rye ARB