

TOWN OF SCHUYLER ZONING BOARD OF APPEALS
JANUARY 24, 2017

INTERVIEW ALTERNATE MEMBER
6:15 PM

Chairman Ronald J. Beach, Jr. called the meeting to order at 6:15 PM at the Schuyler Town Office, 2090 State Route 5, Utica, NY. Also present were ZBA Members Christine Proulx and Jo Ann Mammone; Town Supervisor Anthony J. Lucenti, Codes Officer Philip Green; Bette Szesny, who served as Recording Secretary; Town residents A. Eugene Snyder, Georgianna Anderson, Robert H. Wasyleski; David Tripoli; Vincent Carino; and the applicant, Christine Carino.

Mr. Beach asked Mr. Wasyleski, who had applied for the alternate member vacancy, to step up to the podium and state why he wishes to serve on the ZBA.

Mr. Wasyleski said he and his family are life-long residents of Schuyler; he plans to remain here for the rest of his life, and has always been very interested in the Town and its future, and is therefore interested in becoming involved in Town government.

Mr. Beach elicited the Board's recommendation.

Motion by Christine Proulx, seconded by JoAnn Mammone to make recommendation to the Town Board to appoint Mr. Wasyleski to serve as the ZBA's alternate member; all in favor.

Mr. Lucenti stated the Town Board will act on the ZBA's recommendation at the upcoming February 14, 2018 Town Board meeting.

Mr. Beach along with members of the ZBA and audience congratulated Mr. Wasyleski on his recommendation for appointment to the Zoning Board of Appeals.

Mr. Beach closed the interview segment of the meeting.

Bette I. Szesny, Recording Secretary

ZONING BOARD OF APPEALS
PUBLIC HEARING: APPLICATION BY CHRISTINE CARINO
USE PERMIT FOR AN AREA VARIANCE
JANUARY 24, 2018
6:30 PM

Mr. Beach called the Public Hearing to order a 6:30 PM at the Schuyler Town Office, 2090 State Route 5, Utica, NY. Also present were Vice Chairman Joseph Aiello, IV, and ZBA Members Christine Proulx and Jo Ann Mammone; Town Supervisor Anthony J. Lucenti; Codes Officer Philip Green; Bette Szesny, who served as Recording Secretary; Town residents A. Eugene Snyder, Georgianna Anderson, Robert H. Wasyleski, David Tripoli; Vincent Carino; and the applicant, Christine Carino.

Mr. Beach stated the purpose of the public hearing is to consider an application by Christine Carino to allow her son, Vincent Carino, to continue the operation of his used auto sales business on a section of her property located at 2907 State Route 5, Frankfort, NY 13340, Tax Map No. 105.3-1-59, which is located in the Town of Schuyler, Herkimer County, NY, where she plans to reopen her restaurant in approximately two weeks.

Mr. Green stated the property is lacking three tenths (3/10) of an acre to meet the criteria for approval of the used car business to co-exist on the property; three acres are required under Town zoning law, and the property measures 2.7 acres. He stated the applicant therefore requires an area variance. Mr. Green stated this is an allowed use with permission of the ZBA, in accordance with the Town's zoning law.

It was noted that Ms. Carino had been issued a permit to operate the restaurant several years ago, which has since been closed for a period of time. In the interim, Vincent Carino had applied to the ZBA and was granted his request for a special use permit to operate a used car business at the property.

Ms. Carino stepped up to the podium and stated she has made many structural and aesthetic improvements to the restaurant, in preparation for its reopening. She said she will be offering a variety of Italian-American cuisine and the restaurant will also have a wine bar.

Vincent Carino then joined Ms. Carino at the podium, and stated he will be operating his used car business in a separate building located on the east side of the property.

A photo of the structure was included in the packet of materials provided to the ZBA members.

Ms. Mammone asked about the camping trailers currently located in the rear of that section of the property. Vincent Carino stated they are for sale, and he plans to move them to the front of that section of property in the spring where they can be prominently viewed by prospective buyers. He stated he move to the rear of the property due to security issues during off-season when these items are not ordinarily purchased.

Ms. Proulx asked Ms. Carino if installation of any fencing is planned to provide safety. Ms. Carino stated she will install fencing if this is required. Ms. Proulx stated her opinion that fencing would serve to separate the two businesses. Ms. Mammone agreed that fencing to visually separate the two businesses would be advisable.

Ms. Carino stated she favors a split rail type of fencing and stated it will be installed in the spring as soon as weather permits so as to visually separate the two business venues at the shared property location.

Mr. David Tripoli stated his farm property borders to the back of Ms. Carino's property, and asked if fencing would be installed in that area of property. Ms. Carino stated it would not; the fencing will only serve to separate the two businesses. Mr. Tripoli agreed that was a good idea, adding that he would object to fencing in the back, bordering the two properties.

Mr. Tripoli expressed concerns about property borders. Mr. Aiello advised Mr. Tripoli might consider having his property surveyed. Ms. Carino stated she has had her property surveyed and will provide a copy to Mr. Tripoli if he so desires. Ms. Carino added that she will keep her adjacent property mowed, as well. Mr. Tripoli said he is not concerned and thanked Ms. Carino for her offer of help.

In response to Board members' inquiry, Vincent and Christine Carino stated the driveways for both businesses will be upgraded in the spring as soon as weather permits with runner crush fill.

As well, both Christine and Vincent Carino stated signage will be installed at each business venue to clearly identify each as a separate business.

ZBA members' concerns regarding the maximum number of vehicles for sale at one time were also addressed; Vincent Carino stated he will continue to limit the number of vehicles to twelve.

In response to Mr. Aiello's question, Vincent Carino stated his auto sales business will continue to only involve auto sales; no auto repair services will be offered.

Mr. Beach elicited further comments or concerns from the Board and public; there was none offered. Therefore, he asked the pleasure of the Board to act on this application.

Motion by Joseph Aiello, IV, seconded by Christine Proulx to approve the application submitted by Christine Carino for an Area Variance (Use Permit) for three-tenths (3/10) acre, permitting Vincent Carino to continue in the operation of his used car sales business at its current location following the reopening of Ms. Carino's restaurant, both located at 2907 State Route 5, Frankfort, NY 13340, Tax Map No. 105.3-1-59, in the Town of Schuyler, Herkimer County, NY, with the following restrictions:

- Used Car business shall not include any auto repair or maintenance services; number of vehicles for sale shall be limited to 12 vehicles; motor homes along with all other vehicles for sale shall be displayed on the front of the property as soon as weather permits; and,
- Fencing will be installed to separate the two businesses; signage will be installed at each business to identify each as a separate entity; and driveways for both entities will be upgraded with installation of crusher run fill, all to be accomplished as soon as weather permits.

Mr. Beach adjourned the Public Hearing at 7:50 PM.

– Bette I. Szesny, Recording Secretary