

**TOWN OF SCHUYLER ZONING BOARD OF APPEALS
PUBLIC HEARING: GREEN WASTE SALVAGE & RECYCLING LLC
MAY 29, 2018 – 7:14 PM**

Chairman Ronald J. Beach, Jr. called the meeting to order at 7:14 PM at the Schuyler Town Office, 2090 State Route 5, Utica, NY. This meeting was scheduled for 7:30 PM but in the interest of the applicants' as well as the audience's and the Board's time, the meeting was placed second on the evening's agenda due to the absence of the scheduled 7:00 PM applicant.

Also present were ZBA Members Christine Proulx, Jo Ann Mammone, Robert Wasyleski, and Alternate Member David Pasick; Town Supervisor Anthony J. Lucenti; Codes Officer Philip Green; Bette Szesny, who served as Recording Secretary; Town residents Ricky Proulx, Sharon & Joe Rolchigo, Andrea Stillwell and her minor son, Thomas Humphreyville, Sharon & Joe Rolchigo, and Stanley Coffin; Bill Graham (Upstate NY Comm. Real Estate); and the applicants, Sean O'Brien & Hans Hendrick (Green Wave Salvage & Recycling).

This application was submitted by Green Waste Salvage & Recycling LLC for a Special Use Permit to open a salvage and recycling operation at 2974 State Route 5, Frankfort, NY 13340, Tax Map #105.003, which is located in the C-H (Commercial Highway) Zone of the Town of Schuyler, as is set forth in Article 9, Section 9.03 of the Town's Zoning Ordinance. In accordance with Section 9.03 of the Town's Zoning Ordinance, this application represents a permitted use, with permission from the ZBA.

Chairman Beach asked the applicants to step up to the podium and state their case. Mr. Sean O'Brien stated they wish to purchase the former Chandler Equipment property at the above listed location for the purpose of recycling retired heavy equipment. The operation hours will be from 8 AM to 6 PM daily, and the back portion of the property will be utilized for this purpose. The area is already fenced, but a higher and more attractive fence is planned. The Schuyler site will become the centralized location/main headquarters for this new business, which will expand to a large number of other locations throughout a wide area. In response from Mr. Wasyleski's concerns regarding noise created by the operations of the recycling machinery, the applicants provided their assurance that this will not become problematic. As well, the area will be kept neat and clean, with minimal visibility of any activity; completion of each recycling process and complete clean-up will be accomplished in a speedy fashion with no remnants of debris. The recycling process will be completely invisible to the public eye.

Codes Officer Philip Green stated he has spoken to Town Attorney Michael Misiaszek, Esq. who advises the Town request a 3-year Performance Bond to protect against any negative issues that could result from the company's failure to remain at the location. Both Mr. O'Brien and Mr. Hendrick assured Mr. Green and the Board that this business is very stable in today's economy; in fact, the clean-up of an abandoned business is a very lucrative opportunity for their business to undertake; however they agreed to accept the Town's proposal to obtain a 3-year Performance ("Security") Bond as a condition of the application's approval.

Chairman Beach then asked for a motion from the Board. Motion by Christine Proulx, seconded by JoAnn Mammone to approve the application by Green Waste Salvage & Recycling LLC for a Special Use Permit to open a salvage and recycling operation at 2974 State Route 5, Frankfort, NY 13340, Tax Map #105.003, which is located in the C-H (Commercial Highway) Zone of the Town of Schuyler, conditional on the company securing a 3-year Performance ("Security") Bond. All members present voted affirmatively when polled by voice vote; motion carried.

Chairman Beach adjourned the public hearing at 7:38 PM.

– Bette I. Szesny, Recording Secretary