

City of Olean
ZONING BOARD OF APPEALS

Minutes for Zoning Board
Meeting held on November 2, 2017

1. Roll Call

Bob Moser called the meeting to order at 5:33p.m. Thomas Enright read the roll call. All members were present.

Present:

- Charlotte Hardy
- Otto Tertinek
- Darryl Bloom
- Shayne Certo
- Bob Moser
- Michael Padlo
- Thomas Enright

Absent:

Staff:

- Kathleen Hewitt- Account Clerk Typist
- Edward Jennings- Code Enforcement Supervisor

1. Old Business

Reading and approval October 26, 2017 meeting minutes.

A MOTION was made by Thomas Enright, seconded by Michael Padlo to approve the meeting minutes as is: Voice vote, ayes all. Motion carried.

117 South 4th Street – David Carucci

Bob Moser questioned if members would like to make comments or suggestions or possible conditions.

Darryl Bloom stated he had concerns with the noise level the buses produce. He explained he went to Mr. Carucci and heard the noise level with the door closed and the bus running. Once he heard the level of noise that was produced he found it to be negligible and only a small vibration to the neighbor. Darryl stated he was satisfied with the results and would support Shayne's recommendation for the sound issues.

Charlotte Hardy stated she had concerns in regards to the hardship. She explained this location would be suitable and would be a hardship to find a different location. She further explained that Mr. Carucci has been respectful to the neighbors and has proven he is willing to assist with the neighbors as much as possible.

Shayne Certo stated her concern for the neighbors was the noise at nighttime and feels if the neighbors were able to get a decent night sleep they would be more acceptable to other problematic issues. She explained she spoke to Mr. Carucci in regards to changing his arrival times to 9:00 or 10:00 instead of 11:00 and Mr. Carucci stated that he could not because it would be problematic because buses need to arrive back at some point and better at 11:00 pm than 3:30 a.m. Shayne suggested a condition of "no backing or idling outside between the hours of 11:00 p.m. – 7 a.m.

Otto Tertinek stated his concern was the environmental issues of washing the vehicles and if he needed an oil/water separator. When he visited the building he discovered in the garage area there was 4-6 spots of oil that were negligible and he is now going to a biodegradable soap base for washing vehicles. He explained there would be virtually no run off because the floor heating is at 70 degrees and water evaporates. Otto stated that his concerns were put to rest.

Thomas Enright Explained he was happy to receive the letter from Mr. Grant. He feels the board should be attentive to both neighborhoods and business. He further explained Mr. Carucci will be or is addressing the neighborhoods concerns. He noted Mr. DeRose clarified the deed transfer issue at the last board meeting.

Bob Moser stated he paid multiple visits and was thankful Mr. Carucci went to the point of installation of a compressor to reduce idle time on the vehicles and feels that is/was an investment. He is concerned with fumes and he assumes Mr. Carucci is addressing that in some fashion. He noted Mr. Carucci cares for employees and neighbors.

Thomas reminded Bob there is an open motion on the floor already from previous meeting.
(Please see page 3 of meeting minutes dated October 26, 2017)

(From October 26, 2017 meeting minutes, page 3)

A MOTION was made by Thomas Enright, seconded by Darryl Bloom to approve and grant the use variance with conditions:

- No idling/backing between the hours of 11:00 p.m. – 7:00 a.m. (outside)
- Continue to be attentive to reasonable concerns of the neighborhood
- Comply with EPA Regulations/ Health/ Environmental

Voice vote, ayes all. MOTION carried.

Bob reviewed Use Variance Findings & Decision

(See file for coinciding paperwork)

Bob Reviewed “Short Environmental Assessment Form” and completed Part 2 and Part 3

(See file for coinciding paperwork)

2. New Business

Training is scheduled for November 9, 2017 from 12:30 p.m. - 5:00 at the JCC Cutco theater.

Due to new members joining a reorganizational meeting will be conducted on the next business meeting for the following positions.

- 1. Chairperson**
- 2. Vice-Chairperson**
- 3. Secretary**

Please bring your nominations for all 3 positions.

Adjournment

A MOTION to adjourn was made by Darryl Bloom, seconded by Michael Padlo. Voice vote, ayes all, Motion carried.

Next Meeting Date

The next Zoning Board meeting has been scheduled for Thursday, December 14, 2017 at 5:30 p.m. located in room 119 pending new business. Meeting adjourned at 6:22 pm.