

A regular meeting of the Planning Board of the Village of Cooperstown was held in the Village Office Building, 22 Main Street, Cooperstown, New York on March 17, 2015 at 4:30 p.m. Members in attendance were Chair – Eugene Berman, Richard Blabey, Chuck Knull, Paul Kuhn, and Richard Sternberg. Zoning Enforcement Officer – Tavis Austin and Deputy Village Clerk – Jennifer Truax were also present. There were three members of the public present.

Mr. Berman called the meeting to order at 4:32 p.m.

### **Regular Agenda**

#### **43 Pioneer Street (Lucy Townsend/Firehouse Market) – proposed projecting sign**

Mr. Knull recused himself at 4:33 p.m.

Mr. Berman reviewed the application and explained that Ms. Townsend was requesting to relocate a sign that had been previously approved for a different location.

Mr. Kuhn asked if it was the same exact sign.

Ms. Townsend stated that the exact same sign, previously approved for the Firehouse Market, would be installed in the location of the previous projecting sign for Crazy Cups. She stated that the existing bracket would be replaced with one of the same size and in the same location, but which is more durable.

Mr. Sternberg made a motion to approve the projecting sign for 43 Pioneer Street as submitted. Mr. Kuhn seconded the motion and a vote had the following results:

AYES: Berman, Blabey, Kuhn, Sternberg                      Motion carried.

Mr. Knull returned to the board at 4:36 p.m.

### **Other Business**

Ms. Ryan, 90 Chestnut Street, stated that she has a letter for the board which regulates zoning. She explained that they own back to back properties on Chestnut Street and Grove Street which have two different zones. She further explained that the property on Chestnut Street is improved with the hotel but is zoned residential while the rear property is zoning commercial. She stated that they would like to request that the zones be changed to place the property the hotel is located on as commercial as well.

Mr. Austin informed Ms. Ryan that she would need to petition the Board of Trustees to request that type of change.

Mr. Berman informed the board that a new application for the proposed hotel at 124 Main Street may be submitted for review at the April meeting. He explained that there is a new architect involved and it will be the Planning Board's responsibility to review the site plan for items such as parking, traffic flow, lighting, etc.

### **Minutes:**

Mr. Sternberg made a motion to approve the minutes from the January 20, 2015 meeting as presented. Mr. Kuhn seconded the motion and a vote had the following results:

AYES: Berman, Kuhn, Knull, Sternberg  
ABSTAIN: Blabey

Motion carried.

**52 Pioneer Street (Paperkite/D&W Holdings) – proposed new freestanding and projecting signs**

Mr. Berman reviewed the application.

Mr. Austin stated that although there is currently a sign in place there is an understanding between the owner and applicant that the current sign will be removed prior to placement of any new signs. He continued to state that a separate application will be made by the other business at this location for a freestanding sign as indicated in the application submitted by Paperkite.

Mr. Sternberg asked if there is anything unusual about this application.

Mr. Austin stated that the only thing that is out of the ordinary about this application is that the existing sign for the current business will be removed prior to placement of the proposed sign. He explained that this is due to facilitate freestanding signage for both businesses.

Mr. Blabey asked if this property would be a good candidate for a signage plan.

Mr. Austin stated that he does not believe a signage plan is warranted as there are only two businesses at this location.

Mr. Blabey agreed that a signage plan is not necessary.

Mr. Kuhn made a motion to approve the suspended and freestanding signs at 52 Pioneer Street as submitted. Mr. Sternberg seconded the motion and a vote had the following results:

AYES: Berman, Blabey, Knull, Kuhn, Sternberg

Motion carried.

**139 Main Street (Richard Busse/Italian Ice) – proposed new wall and projecting signs**

Mr. Austin reviewed the application for new signage at 139 Main Street. He stated that Mr. Busse has purchased the equipment from the previous Italian Ice business and is relocating to 139 Main Street. He stated that the existing sign will be refaced to the proposed red and white sign in the application.

Mr. Sternberg asked if the proposed sign meets the legal requirement for size, clearance, etc.

Mr. Austin stated that the signs do meet all legal requirements and that Mr. Busse is aware of all of the requirements.

Mr. Blabey asked if there would also be a hanging sign.

Mr. Austin stated that there were both a projecting and wall sign proposed, both of which are existing signs which are being refaced.

Mr. Sternberg made a motion to approve the projecting and wall signs for 139 Main Street as submitted. Mr. Kuhn seconded the motion and a vote had the following results:

AYES: Berman, Blabey, Knull, Kuhn, Sternberg                      Motion carried.

**22 Chestnut Street (Brian Wrubleski/Mel's at 22) – proposed new projecting sign**

Mr. Austin stated that the application was not received prior to the printing of the agenda but after discussion with Mr. Berman it was agreed that as long as the application was complete the board would be allowed to decide if they wanted to review the application or hold it till the April meeting. Mr. Austin explained that the proposed projecting sign was approximately half the size of the previous projecting sign. He stated that the sign meets all legal requirements as determined with the review of the previous projecting sign at this location.

Mr. Sternberg asked if the location of this projecting sign allows it to be seen from both Main and Chestnut Streets.

Mr. Austin stated that it does as it is affixed at an angle from the corner of the building.

The board reviewed the determination for the previous projecting sign in this location and how that determination was obtained.

Mr. Kuhn asked if a variance is required.

Mr. Austin explained that, based on the previous determination for this location, the sign is within the limits of the law and does not require a variance.

Mr. Knull made a motion to approve the projecting sign for 22 Chestnut Street as submitted. Mr. Kuhn seconded the motion and a vote had the following results:

AYES: Berman, Blabey, Knull, Kuhn, Sternberg                      Motion carried.

Mr. Wrubleski stated that there is a place on the building which previously said "restaurant". He asked if he could use this are to indicate his business or again place the word restaurant on it.

Mr. Austin stated that the law allows for placement of the building address to be displayed without approval but any other language would be considered signage which would require an application, and review.

**Other Business**

Mr. Austin stated that Mr. Busse, owner of Smallies Restaurant, located off Doubleday Parking and also through a walkway off Main Street, was previously approved for "wall" signage on the iron archway which serves as the entrance to the walkway off Main Street. He explained that the owner of the building to which the iron archway is attached is claiming that damage is being done to his building and wants the sign removed to prevent further damage. Mr. Austin stated that Mr. Busse would like to place the sign on 6 X 6 posts which would allow the installation of the wall sign over the archway without being attached to the buildings.

Mr. Blabey stated that this mounting of the sign would make it a freestanding sign which would fall under different guidelines.

Mr. Austin stated that if the board determines the sign to be a freestanding sign it would cause a violation as a business is not allowed both a freestanding and projecting sign.

Mr. Sternberg stated that he feels time is needed for the board to visit the site to become more familiar with the situation.

Mr. Austin provided the board with photos and documents from previously approved signage at this location.

The board reviewed the definition of a wall and a fence as well as the allowed signage.

Mr. Blabey stated that if the arch or other structure is not attached to the neighboring buildings they it no longer serves as a wall.

The board further discussed the archway and signage.

Mr. Austin stated that he would inform Mr. Busse that if the sign is not affixed to the arch then the sign would no longer conform to the definition of a wall sign.

Mr. Austin informed the board that he received an incomplete application from Baseballisms. He explained that in the application the owners are proposing the use of a projector to project signage on the wall of the building which is seen from the entrance to Doubleday Field Parking lot towards Key Bank. He further explained that based on the law extra signage is not allowed on this face of the building as it is not located on a public way, i.e. street, alley, lane. It is his determination that this placement would require a variance.

The board discussed the definition of wall signs and the access to the parking lot as a driveway versus a street, or lane. The board also discussed how a projected sign would be classified and whether or not it would be considered a lighted sign.

Mr. Austin stated that at this time he does not have a complete application but if the applicant decides that they want to pursue this signage he will deny the application in order to allow it to come before the board to seek a variance.

Meeting adjourned at 5:17 PM

Respectfully submitted,

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Jennifer Truax  
Deputy Clerk