

Mr. Austin reviewed the application and explained that the existing raised letters for Auger's Books would remain. He stated that the Distillery sign would be the same raised letters in the same colors as the existing sign in the open panel on the building.

Mr. Blabey asked if the Distillery sign would replace the existing sign.

Mr. Austin stated that the existing sign would remain but even with the additional sign the building will not be over the allowed square footage for wall signs.

Mr. Berman made a motion to approve the application for wall signage at 73 Main Street, Cooperstown Distillery, as submitted with the colors to match the existing signage. Mr. Blabey seconded the motion and a vote had the following results:

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

Mr. Kuhn stated that the Auger's sign is historic; therefore, the sign may not be removed.

Mr. Austin stated that the sign may be covered with other signage that does not disturb the historic signage similar to other buildings in the business district.

25 Lakeview Drive South (Susan Snell, architect for the Booker family) – referral from the Board of Trustees for a new home in the Waterfront Development Overlay district

Mr. Austin explained the proposed new single family home is within the Waterfront Overlay District which requires a use permit from the BOT and therefore review and recommendation from the Planning Board. He continued to explain that the proposed structure will require a variance for the porch and they have applied to the ZBA for the variance and it will require that the applicant work with the Village for the relocation of the existing sewer line. Mr. Austin stated that the structure complies with all setback requirements, except the one location where a variance is being applied for and it complies with the parking requirements for a single family home.

Ms. Snell stated that the plan has been revised in the last 24 hours to place the garage in the basement of the home. She reviewed the proposed changes and provided the board with updated plans.

Mr. Blabey asked where the lake is in relation to the proposed structure.

Ms. Snell shared the location of the lake as it relates to the plans provided.

Mr. Blabey questioned the fact that the residence will be in the waterfront overlay district but is separated from the lake by a roadway.

Ms. Snell stated that the waterfront overlay district, encompasses the area up to 200' from the lake.

Mr. Austin stated that it has been suggested to the Trustees that the district be modified to 100' or other physical barrier such as a road but the Trustees felt that a Planning Board review never hurts. Mr. Austin further stated that the proposed structure will require the removal of more than 30% of the trees on the property.

Mr. Kuhn stated that the Planning Board cannot grant permission for the removal of the trees.

Mr. Austin explained that a recent law change allows the Planning Board or the ZBA to review items such as tree removal or parking. He further stated that since the Planning Board will be the board responsible for the environmental review for this project through the site plan review it is appropriate for the Planning Board to make a decision regarding the removal of the trees. Mr. Austin stated that due to the setback requirements of the Village and the Lakeland Shores Homeowner's Association, as well as the placement of the existing trees, the lot would not be buildable without the removal of the trees.

Ms. Snell reviewed the location of trees which may be able to be retained.

Mr. Kuhn stated that unless the ash tree is diseased or in the way of the proposed construction he feels it should be retained. He recommended that the application have it looked at by a professional arborist prior to a decision to remove it.

Ms. Snell stated that she thinks the tree will be in the way of the proposed construction and/or compromised by the construction.

Mr. Kuhn stated that if the tree is in the way of the construction it should be looked at differently but if it can be retained he feels it should be.

Mr. Berman asked Ms. Snell to review the proposed sewer changes.

Ms. Snell stated that the existing sewer line is located through the middle of the property. She explained that there is no way to build on the property without the relocation of the line. Ms. Snell further explained that they will work directly with the Village to relocate the line appropriately.

Mr. Sternberg asked why the sewer was initially placed through the middle of the lot.

Mr. Austin stated that almost every property in Lakeland Shores has had to relocate or adjust the location of the sewer. He stated he believes that the initial placement was done in the quickest and cheapest manner possible which has led to each lot having to make some changes to the sewer line as the lot was developed.

Mr. Berman explained the role of the Planning Board and stated that at this time they just need to give a recommendation to the Trustees. He continued to explain that if the Trustees issue a Special Use Permit the application will come back to the Planning Board for a final site plan review.

Mr. Sternberg made a motion that the standards in section 300-16.C.(1) – (4) have been met with regards to the preliminary site plan review for a single family residence at 25 Lakeview Drive S, the Booker property a positive recommendation be provided to the Board of Trustees. Mr. Blabey seconded the motion and the following discussion was held.

Mr. Kuhn stated that he feels it appropriate to add that the ash tree should be retained as long as it is not diseased or compromised by the construction.

Mr. Sternberg accepted the amendment and amended his motion to read: a motion that the standards in section 300-16.C.(1) – (4) have been met with regards to the preliminary site plan

review for a single family residence at 25 Lakeview Drive S, the Booker property a positive recommendation be provided to the Board of Trustees, with the condition that the ash tree be retained as long as it is not diseased or compromised by the construction. Mr. Blabey seconded the motion and a vote had the following results:

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

124 Main Street (Altonview for BTP) – referral from the Board of Trustees for a Special Use Permit and SEQRA lead agency determination

Mr. Tom Lagan, partner in BTP, stated that he feels that the project will bring economic growth to the business district in the Village. He explained that the construction alone will cost between 3 – 4 million and they intend to use local suppliers, contractors, labors and other local resources. He continued to state once build the hotel will employ approximately 50 people full time during the tourism or summer season and 25 people full time during the off-season. Mr. Lagan stated that although it is difficult to project accurate revenue based on full occupancy with each occupant spending \$100 per day in the Village, the revenue for the village would be about 2 million per season. He pointed out that there is great potential for this to be a much larger number. Mr. Lagan stated that in addition the new structure would also increase the tax revenue for the Village. Mr. Lagan continued to state that more and more of the tourism industry is being pulled out of the Village and into Hartwick and a hotel such as proposed would help draw some of that loss back into the Village.

Mr. Sternberg asked the total square footage of the proposed structure.

Mr. Austin reviewed with the board their task for tonight, explaining that just like the review for the residence in Lakeland Shores, they need to provide a recommendation to the Trustees regarding the requested special use permit.

Mr. Sternberg admitted that it was mostly for his curiosity that he asked for the square footage of the structure.

Ms. Drerup reviewed the proposed dimensions of the proposed structure.

Mr. Lagan added that the existing building is 4,600 square feet.

Mr. Austin stated that the board should be reviewing objectives A – G of section 300-42 of the Zoning Law. He continued to state that the project has begun a review by the ZBA for a height variance and that HPARB will look at all exterior features for appropriateness of design, etc. He stated he believes that the Planning Board will mainly need to focus their review on parking and the use of the roof in regards to how this will impact the site directly as well as the neighbors.

Ms. Drerup reviewed the history of hotels on Main Street and the appropriateness of the proposed use and development of a four story structure in the business district. She reviewed the proposed use of each floor.

Mr. Blabey asked if the restaurant would be for hotel patrons only or available to the public.

Ms. Drerup stated that the restaurant would be open to the public. She continued to explain that she would expect a keycard system to be utilized to be able to enter the elevators, etc. Ms. Drerup continued to review the proposed project and the number of units and sleeping rooms

per floor. She stated that there are currently 31 sleeping rooms proposed and with the valet parking there are 31 non-conforming parking stalls. Ms. Drerup reviewed the use of the rooftop for hotel guest and what will be seen from the street level. She pointed out that a member of HPARB had asked if the use of the rooftop could be seen from Doubleday Parking lot and although it will be visible she does not feel it will have a significant impact due to the distance from the building.

Mr. Ofer reviewed the tools being provided to help the boards in their process of reviewing the project. He stated that he is confident that these tools will let the boards approve or at least provide critical comments regarding the development of the proposed structure. He reviewed the reviewed the height of the proposed building in relation to the other buildings on Main Street and stated that he hopes everyone feels that the building was developed with a sensitivity to the massing and features of the business district. Mr. Ofer reviewed the proposed parking plan discussing the parking area, use of a valet, and the mechanics of how the parking would implemented. He further stated that although valet parking has never been considered in the Village he feels the plan is safe and effective while it allows for the utilization of non-conforming size parking stalls. Mr. Ofer stated that a traffic study has been done and it was indicated that the expected increase in traffic volume will be about 1%. He and Ms. Drerup reviewed the traffic flow from the street to the valet pickup and into and out of the proposed parking areas. Mr. Ofer stated that of the 31 spaces 50% do not require another vehicle to be moved to access the vehicle. He continued to state that after much research it was discovered that most municipal law allows parking spaces to be a minimum of 7.5 feet wide when a valet service is used.

Ms. Drerup pointed out that although the proposed parking stalls do not meet the required 9' width they are all 8' in width and vary in length.

Mr. Berman stated that based on the statute the parking stalls must be a minimum of 9' by 18'. He stated that the statute does allow the planning board to reduce the stalls size of a limited number of spaces for use by compact cars.

Mr. Austin stated that he believes that the Trustees will be reviewing a proposed change in the law that would allow this type of parking.

Mr. Berman stated that although that might be true the Planning Board is obligated to follow the law as it currently exists.

Ms. Drerup stated that she understood that the law does allow for valet or shuttle service to accommodate parking requirements.

Mr. Berman stated that valet or shuttle service may be provided if off-site parking is utilized.

Mr. Blabey stated that at the time the parking stall size and other issue regarding parking was reviewed and the current law put into place there was discussion about allowing stacked parking if valet service is provided. He stated that although he was in favor of allowing this type of parking the other members of the board did not favor the idea. He stated that he believes it was the intent of the members of the board, at that time, to eliminate the possibility of allowing valet parking. He further stated that there was an application by a property owner who was running a tourist accommodation to utilize valet parking which was not as effectively thought out and planned. Mr. Blabey stated that he believes that may have played some role in the decision of the Planning Board to not provide for valet parking in the law. Mr. Blabey continued to state that

just because it is not allowed by the existing law does not mean it is not a good idea; in fact he is in favor of allowing this type of parking. However, until the law allows for this type of parking the Planning Board has no authority to grant it.

Mr. Sternberg stated that it was indicated that during the off-season the tenants would park themselves. He asked how the two sets of parking stalls would be discerned on the pavement.

Ms. Drerup stated that there is not a need for the lot to be striped for the valet parking.

Mr. Sternberg asked the number of legally sized parking stalls that would be available during the off-season.

Ms. Drerup stated that they can accommodate 18 legally conforming parking stalls, with two being for compact cars. She continued to state that no parking is required for long term use.

Mr. Sternberg asked if there was anything that precluded the applicant from providing 18 stalls on site and 13 stalls at a remote location.

Mr. Berman stated that that solution is legally allowed as long as the property owner owns the property used for parking or has at least a five year lease.

Mr. Sternberg asked if there was a maximum distance from the property that the parking spaces could be legally located.

Mr. Austin stated that they spaces may be no more than 3,000 feet from the property, unless shuttle service is provided.

Mr. Kuhn asked for details regarding the proposed law change mentioned earlier.

Mr. Austin read his email regarding the proposed change, and stated that he had misunderstood the proposed change.

Mr. Berman stated that the proposed law change to which Mr. Austin referred concerns the elimination of a single sentence which contradicts the law concerning tourist accommodations and home occupations requiring a special use permit. He explained that the sentence should have been removed when the zoning law was modified in Local Law 16 of 2014.

Mr. Austin stated that the Planning Board is obligated to follow the law as it currently is written. He further stated that they may choose to state that based on the current law they cannot make a recommendation to approve a special use permit until the parking plan has been revised and/or recommend that a change be made to the existing law which would allow valet parking.

Mr. Kuhn asked if the applicant could ask for a variance from the ZBA with regards to parking.

Ms. Drerup stated that due to the application requiring a Special Use Permit and a site plan review by the Planning Board it is her understanding that the Planning Board can grant variances for the required parking.

Mr. Berman stated that if the required 31 spaces are not met the applicant would have to apply to the ZBA for a variance to the required parking.

Mr. Blabey stated that the plans indicate three drains in the parking area. He asked where the drains flow to.

Ms. Drerup stated that the drains run into Willow Brook.

Mr. Kuhn stated that they then end up in the lake which is where the Village drinking water comes from.

Mr. Austin stated that the area currently has the same drainage pattern.

Mr. Blabey stated that given the Village persuaded the State to give financial assistance to reduce the run off on Main Street through rain gardens and permeable pavers; how would it look if the Planning Board agrees to a 31 car parking area which drains into our drinking water. Not favorable. Mr. Blabey continued to state that it is illegal for a personal property owner to place a drain in their garage which runs into the storm sewer it seems really impractical for the Village to allow these drains to run into the brook and ultimately the lake.

Mr. Ofer stated that buffers could be added to the plans to mitigate this issue. He stated that it would not be the first time that a property owner was required to put in special filters etc. He further stated that although these things are not on the existing plans it could be added.

Mr. Blabey stated that there are many residents who are concerned about the use of products like Round-Up and their impact on the lake and our drinking water. He stated that it would be disconcerting to the residents if the Planning Board did not work to mitigate this situation.

Mr. Kuhn recommended that any recommendation to the Trustees include requiring mitigation of runoff water.

Mr. Berman referred to section 300-42 of the Zoning Law regarding Site Development Plan Review and pointed out areas where it requires the Planning Board to review these types of environmental impacts.

The board concurred that the mitigation of run-off should be a condition of approval.

Mr. Blabey stated that if valet parking cannot be allowed then there are other issues regarding the parking plan and traffic patterns which will need to be addressed. He stated that the public use of the entry and parking area requires a different review than if a professional driver is utilized for parking.

Mr. Austin stated that if valet parking is allowed the property owner takes complete responsibility and liability for all 31 parking spaces and the vehicles utilizing them. The requirement for a 9' by 18' parking stall is based on the average person's use of the space for any type of use, for example Wal-Mart, where the only goal for that person is to get themselves in and out and not pay special attention to any other details or vehicles around them. In a valet situation, once the person signs into the facility, the property owner becomes liable for all vehicles in their lot.

Mr. Sternberg agreed that in a valet situation the property owner takes on all the responsibility of parking and care of the vehicle.

Mr. Blabey stated that he is not sure if the proportionality of compact vehicle spaces to full size vehicle spaces is appropriate. He further stated that he believes that there will be a more

significant number of large vehicles than compact vehicles. He further explained that generally visitors come in large vehicles, especially those families visiting Cooperstown Dreams Park.

Mr. Sternberg asked the width of the driveway.

Ms. Drerup stated that the drive is 17' 4".

Mr. Austin stated that Pioneer Street is only 19 feet in width and if the measurement is taken mirror to mirror it is significantly less.

Mr. Ofer stated that the property owners are looking to put millions in to this site. He stated that he understands the possibility of setting a precedent, but this is probably the only property that could accommodate this use and valet parking. He further stated that he understands that the proposed parking solution is not ideal but it is possible. He continued to state that he would like to work through the issues with the board.

Mr. Sternberg stated that he is not and doesn't feel that the Planning Board members are against the project, but they must follow the law. He explained that he feels the proposed structure and use fits with his image of Cooperstown's future and he likes the basic idea and appearance as well as the increase in jobs. He further stated that the board is trying to help look for solutions, not mow the project down.

Mr. Blabey stated that if the majority of summer rentals are weekly, and probably Cooperstown Dreams Park families most will be driving minivans and staying in the Hartwick area.

Mr. Sternberg stated that most of those types of visitors are driving minivans but they are also the same visitors who would be renting a two-sleeping room suite and have only one vehicle for the two allotted parking spaces.

Mr. Blabey stated that the required 31 parking stalls may not truly be needed.

Mr. Sternberg concurred but stated that the law still requires that many spaces; therefore, the Planning Board must require them.

Mr. Kuhn recommended that the Planning Board inform the Trustees that the proposed parking plan does not meet the existing law and therefore the Planning Board cannot recommend the project as proposed.

Mr. Berman stated that should the applicant change their plans or the Trustees change law to allow the proposed type of parking the Planning Board would reconsider the application.

The board further reviewed the proposed parking and the legal constraints of the law.

Mr. Sternberg made a motion that the recommendation to the Board of Trustees regarding the proposed project at 124 Main Street be that based on the proposed plans the parking requirements of the Village Zoning Law have not been satisfied and mitigation of the run-off water from the parking area should be required. Mr. Kuhn seconded the motion and the following discussion was held.

Mr. Kuhn stated that traffic considerations are a concern as well. He stated that he appreciated the reference to the history of hotels on Main Street but reminded everyone that it is not 1939

and there are new rules and traffic considerations for the use such as proposed. He further stated that the application does provide a report from a traffic engineer but it is not clear if the engineer actually visited Cooperstown and it appears the data points were taken from a previous study.

Ms. Drerup stated that the data points were taken from August when Cooperstown Dream Park visitors are in the Village.

Mr. Ofer stated that Mr. Jim Napoleon was hired for the traffic study. He provided the board with Mr. Napoleon's credentials and stated that Mr. Napoleon insisted on visiting the Village, walking the site and the streets before giving any reports.

Mr. Berman stated that he is concerned about the statement on page 2 of the report which indicates the expected number of vehicles entering and exiting each day to be between 50 and 60. He stated that he believes that this will be significantly greater, especially if the renters are Cooperstown Dream Park visitors as they will come and go several times per day between games times and during inclement weather.

Mr. Kuhn stated that the board should consider the detailed remarks from Trustee James Dean. He summarized these remarks explaining there are concerns about valet parking and larger vehicles not being able to pass each other as they travel in opposite directions down the driveway to the parking area. He continued to state that Trustee Dean's assessment of the traffic is on the opposite end of the spectrum when compared to the provided assessment by Mr. Napoleon.

Mr. Ofer stated that the board may wish to require the applicant to provide a more detailed traffic assessment.

Mr. Berman suggested that off-site parking may also be a solution to the parking and traffic situation.

Mr. Blabey stated that a right turn out of the driveway would be easier and safer than a left turn, and due to the fact that we believe a majority of the occupants will be visitors to the Cooperstown Dreams Park most would be making a right hand turn. He continued to surmise that after accessing the lot once visitors will begin to learn the traffic patterns and may opt to drive around the block and enter the lot with a right hand turn as well. Mr. Blabey stated that he is not as concerned about the traffic on Main Street. He explained that he believes that the greater the traffic in a given area the slower operators tend to travel in turn making the driving conditions safer. Mr. Blabey stated that he personally likes traffic as the traffic indicates that people are visiting and business is good. He further stated that if individuals want a "sleepy" place to live he can recommend some places to the east and west but he would prefer the Village to having a thriving business district.

Mr. Kuhn stated that order is also important.

Mr. Sternberg stated that safety is of utmost importance as well.

Mr. Berman stated that valet services would be coordinated.

Mr. Blabey stated that the coordination provided by valet services would create a much safer environment.

Mr. Sternberg stated that he feels the traffic analysis is inaccurate. He explained that based on "mini apartments" he feels that the regular number of vehicles for the hotel would be more accurately stated as about 25 but to think that they will come and go only twice a day is an underestimate. He further stated that the number should be at least double.

Mr. Blabey stated that the argument for valet parking is that it would significantly increase the safety of the whole operation.

Mr. Ofer stated that the façade of the proposed hotel as well as the neighboring building is recessed from the street and sidewalk providing for additional sight lines and increased safety.

Mr. Sternberg suggested some type of light might be used to signal when vehicles were entering and exiting.

Mr. Kuhn stated that the traffic patterns need further study.

Mr. Blabey asked if the fire department has been consulted regarding the accessibility in the event of an unforeseen emergency, fire, etc.

Ms. Drerup stated that they had been consulted. She further stated that the originally proposed fence along the property line but they were asked to remove the proposed fence to allow access to the property by Emergency Service from the rear.

Mr. Blabey stated that he feels it would be appropriate to have the parking plan reviewed by the fire department and a report regarding the impact and need for additional resources like hydrants, hoses, etc.

Mr. Kuhn stated that he is sure the fire department has enough equipment and that fire hydrants are sufficient but he would be concerned about the safety of and plans for rescues from the upper floors.

Mr. Berman asked if there were plans for delivery vehicles and trash removal.

Ms. Drerup stated that these services will be handled during off peak hours and some may be handled from the street similar to other businesses.

Mr. Ofer stated that visitors will not be exclusively from Cooperstown Dreams Park. He stated that visitors may be here for other events such as visiting the Hall of Fame, Induction or Classic weekends, the opera, or gala weekend. He continued to state that these should all be considered as part of the traffic patterns.

Ms. Drerup asked if the Planning Board would be favorable to valet parking if the Trustees were to change the law.

Mr. Sternberg stated that it is not for the Planning Board to decide what is allowed but only to follow what is allowed by the statute.

Mr. Berman stated that given 31 parking spaces are required, should the Trustees provide for the Planning Board have discretion in parking stall size he feels that it may be a feasible option.

Ms. Drerup asked if the Trustees allow for the discretionary variation of parking stall size would the board feel that valet parking is a good option.

Mr. Berman stated that if that was allowed he feels that valet parking would be a feasible mitigation to the parking for this project.

Mr. Sternberg stated that based on the initial review he feels that the project does not meet the requirements as set forth by village law. He continued to state that should the Trustees change the statute or the applicant submit a new parking plan the project should be further reviewed.

Mr. Blabey stated that he feels that valet parking is a good idea but that without the opportunity to look at other options he does not know if there is a better solution. He stated that without reviewing other currently allowed parking solutions if he could recommend valet parking. He continued to state that should a feasible and legally obtainable parking plan be proposed the board would need to further examine pollution, lighting, etc.

Mr. Berman stated that he has a couple of questions regarding SEQRA. He asked for clarification on page 8, letter O & N of SEQRA.

Ms. Drerup reviewed those sections of SEQRA and the reason for the given designations.

Mr. Kuhn asked that Mr. Sternberg withdraw his motion and a new motion be made to include all areas of concern and ensure clarification.

Mr. Sternberg agreed and withdrew his motion.

Mr. Berman made a motion that based on the initial site plan review for the proposed project at 124 Main Street the Planning Board finds that the project does not meet the requirements of the law. They recommend that should a special use permit be granted it should require mitigation for the storm water drains in the parking area which lead directly to Willow Brook and the Village water supply, that the proposed parking plan does not meet the constraints of the current law and that the traffic patterns need further study and consideration. Mr. Sternberg seconded the motion and a vote had the following results:

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

Mr. Berman made a motion to relinquish the role of lead agency to the Board of Trustees for the 124 Main Street Project. Mr. Blabey seconded the motion and a vote had the following results:

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

VOC Downtown Streetscape and Pedestrian Improvement Project

Mr. Berman made a motion to turn down the role of lead agency for the Downtown Streetscape and Pedestrian Improvements project being facilitated by the Board of Trustees. Mr. Kuhn seconded the motion and a vote had the following results:

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

Vending Law Changes

Mr. Berman reviewed the proposed changes and provided the members of the board with a memorandum of the proposed changes for review.

Mr. Berman recommended that the memorandum be signed and presented to the Board of Trustees as a recommendation of changes to the law. Mr. Sternberg seconded the motion and a vote had the following results:

AYES: Berman, Blabey, Kuhn, Sternberg

Motion carried.

Meeting adjourned at 6:12 PM

Respectfully submitted,

Jennifer Truax
Deputy Clerk