

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County

City of Cooperstown

Town

Village

Local Law No. 5 of the year 2019

A local law to add regulations to the creation of the Planned Development District of 75 Chestnut Street-72 Elm Street regarding permitted uses, yard and height requirements and additional conditions

(Insert Title)

Be it enacted by the Board of Trustees of the County

(Name of Legislative Body)

County

City of Cooperstown as follows:

Town

Village

A local law creating a Planned Development District comprising the parcels known as 75 Chestnut Street (tax map #131.06-1-37.00) and 72 Elm Street (tax map # 131.06-1-36.00) in the Village of Cooperstown, New York.

IT IS ENACTED as follows:

Section 1. Creation of a Planned Development District

- A. A Planned Development District (PDD) is created comprising the parcels known as 75 Chestnut Street (tax map # 131.06-1-37.00) and 72 Elm Street (tax map # 131.06-1-36.00) in the Village of Cooperstown, New York.
- B. The uses permitted in the PDD are:
 - 1. Restaurant or any use permissible within the R-3 zone.
 - 2. Long-term residential occupancy.
 - 3. Accessory parking for the foregoing.
 - 4. Non-accessory parking.
 - 5. Outdoor dining.
 - 6. Bus stop.
- C. The yard and height requirements in the PDD are:

1. All setbacks to the east, west, and south must be a minimum of 12 feet from the curbline; no parking is permitted within setbacks.
2. No setback is required at the boundary of the parcels comprising the PDD, nor between this PDD and the PDD at 71-73 Chestnut Street.
3. The height requirement shall be the same as in the R-3 district.

D. Additional conditions

1. The property owner must receive the Planning Board's final site development plan approval as set forth in § 300-22 (A) of the Code of the Village of Cooperstown. The exceptions to site development plan approval set forth in § 300-41 (B) of the Code of the Village of Cooperstown shall not apply to the PDD. The Planning Board must address lighting, drainage, adequate buffering, noise and traffic impact in addition to all other requirements for final site development plan approval.
2. The existing structure at 75 Chestnut Street must provide both restaurant and residential space and said residential space must be a minimum of 1,200 square feet and regularly occupied for long-term residential use.
3. There shall be no expansion of the seating in the existing structure at 75 Chestnut Street.
4. Parking in the PDD shall be limited to 17 spaces for all uses.
5. Any dumpsters must be located to the north of the existing building at 75 Chestnut Street and screened from Elm Street.
6. Buffers must be provided for mechanical equipment and outdoor dining facilities to maintain noise levels permitted within residential areas.
7. New York Pizzeria may allow non-restaurant and non-occupant parking subject to any conditions that the Planning Board may require during the final site development plan review.

Section 2. The PDD shall not be effective, and this local law shall not be filed with the Secretary of State of the State of New York, until the PDD has been duly entered upon the Official Zoning Map in accordance with the provisions of § 300-4 of the Code of the Village of Cooperstown.

Section 3. Effective date. This local law shall take effect immediately upon its filing with the Secretary of State of the State of New York.