

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 **AUGUST 20, 2019** at 4:30 PM

**IN ATTENDANCE**

- **MEMBERS ATTENDING (4):** Gene Berman (Chair) / Fred Schneider / David Pearlman / Ellen Pope
- **MEMBERS ABSENT (3) :** / Richard Blabey / John Webb (Alternate) / James Lacava (Alternate)
- **OTHERS ATTENDING**
  - Jane Gentile (Zoning Enforcement Officer) / Mikal Sky-Shrewsberry (Clerk, PT)
  - **(7)** Member(s) of the **Public** (+Joe Membrino (Trustee))

**MEETING CALLED TO ORDER** by **Gene Berman** at **4:35 PM**

**PUBLIC HEARING: (1) ITEM(S)**

**1. 75 Chestnut Street / 72 Elm Street PDD (Joe Vezza / Teresa Drerup)**

- a) Site Development Plan Review per Article VIII
  
- **PUBLIC HEARING OPENED:** by Gene Berman / 4:37pm
  
- **PUBLIC COMMENTS**
  - **Parking Lot Screening**
    - **Bill Rigby**
      - Concerned about making sure light and noise from cars is adequately blocked for neighboring residents (#4 in letter)
        - Originally thought natural screening would suffice but architect suggested a 3-foot high wall would be more effective and long-lasting
        - Suggests using Arborvitae tree (like the one on his property) to create natural screening
          - Very dense foliage
          - Deer resistant
    - **Joe Membrino (Trustee)**
      - Believes lights from the parking lot will add significantly to existing visibility problems at the intersection
        - Intersection of Elm Street / Delaware Street / Chestnut Street already creates challenges for drivers
          - Meeting of the three streets makes intersection complicated
          - Often has lots of glare especially late and at night and early in the morning
        - Car lights in lot will face directly down Chestnut and impair visibility for drivers
      - Believes an opaque barrier is needed to adequately address the problem
        - Suggests constructing a wall similar to the one built by the Bank of Cooperstown
        - Thinks it will be much more effective than natural shrub screening
  - **Garbage Cans**
    - **Bill Rigby**
      - Would like pizzeria to put garbage cans outside for patrons use
        - Goal is to reduce litter problem in the neighborhood
  - **Overall Perception of Project**
    - **Bill Rigby**
      - Thinks plan is fine as long as it is executed as discussed

- **PUBLIC HEARING CLOSED:** by Gene Berman / 5:16 pm

**REGULAR AGENDA: (5) ITEM(S)**

1. **75 Chestnut Street / 72 Elm Street PDD (Joe Vezza / Teresa Drerup)**
  - a) Final Site Development Plan Review per Article VIII
  - b) Proposed revision to existing freestanding sign - 12.5 sq ft with post lowered to meet code i. Section 227-3A(4) Post-type signs: maximum area, 24 square feet; maximum height, 14 feet above the ground beneath the sign.
- **PRESENT / PARTICIPATING**

Joe Vezza (owner) / Teresa Drerup (architect)
- **A. FINAL SITE DEVELOPMENT PLAN REVIEW PER ARTICLE VIII**
  - **MATERIALS DISTRIBUTED**
    - o Large scale plan drawings
      - Current plan (SK-8)
        - o Reflects several landscaping revisions that have occurred since the version viewed at the July Planning Board Hearing
  - **PROJECT DESCRIPTION/DISCUSSION**
    - o **Landscaping / Screening**
      - Board reviewed proposed landscaping as shown on the site plan drawings
      - **Parking lot**
        - o Teresa Drerup
          - Landscaping revisions made to soften look without obscuring views of pedestrians and drivers
          - Landscape consultant says that one existing tree needs to come down because it is not structurally sound
        - o Ellen Pope
          - Concerned about headlights shining into houses
        - o Teresa Drerup
          - Parked and idling cars will not directly face houses
          - Headlights will only shine directly at houses when cars turn to enter or leave the lot
      - o **Types of Plantings**
        - Teresa Drerup
          - o Landscaping consultant suggested using same type of tree Village planted along Main Street
            - Eventually grows to approximately 30-feet tall
        - Jane Gentile (ZEO)
          - o Type of tree suggested may not be suitable for corner locations because of how it grows
          - o Goal is not to restrict views for safety
          - o Read Village code (out loud)
            - Regulations state that on corners any limbs must be below 3-feet or above 8 feet
      - o **Screening Around Parking Lot**
        - o During the public hearing two members of the public suggested considering a man-made wall
        - o **Board Discussion**
          - Teresa Drerup
            - o Several Trustees did NOT like the idea of a solid wall
          - Ellen Pope
            - o Consider creating a living wall by planting an evergreen shrub hedge

- o More dense and effective than proposed trees
    - o Can be limited to desired height of 3-feet by pruning and choice of species
  - Fred Schneider
    - o Less about what the wall is made of than about how dense it is
    - o Need it to be dense enough to block as much light as possible
  - Gene Berman / Fred Schneider
    - o NOT comfortable with a manmade wall
  - David Pearlman
    - o Concerned about visibility of drivers
  - Jane Gentile (ZEO) reviewed required specs for wall
    - o Shrubs can't be higher than 3-feet
    - o Used site plan drawing to show Planning Board Members the areas affected by the supplementary yard requirement 300-28B
  - Teresa Drerup
    - o Likes idea of incorporating trees with the shrubs to soften the appearance
  - **AGREED SCREENING for PARKING LOT**
    - o Joe Veza and all members of the Planning Board agreed that a solid bank of evergreen shrubbery should provide sufficient screening
    - o A few trees will probably be placed along the shrub wall to improve appearance
    - o Shrub and tree species to be planted will be determined by Epic Landscapes
    - o Modified plan drawing to indicate the locations along property line facing Delaware Street that evergreen shrubbery will be planted
- o **Buffer Zone Between Sidewalk And Road on Chestnut Street**
  - Made of Concrete
  - Owned by Village
    - o Village decides if trees will be planted there
- o **Planter Area**
  - Considering removal /replacement of failing permanent planter with temporary seasonal planters
  - Several benches will be located in that area
- o **Bicycle Rack**
  - Ellen Pope
    - o Suggested installing a bike rack to complement Village's complete streets initiative
    - o Can install bike rack in location being considered for seasonal planters
    - o Thinks business will benefit from being bike friendly
  - Jane Gentile (ZEO)
    - o There is enough space for a bike rack in the green area
  - Joe Veza
    - o Agreed that installing a bike rack was a good idea
    - o Said he will install one
  - **Will be installed**
    - o **Will NOT be included as a condition for approval of the site plan**
- o **Drainage**
  - **No modifications planned - water will drain as existing**
    - o Never been a problem

- o No drains exist on Elm Street
    - o Does not think removing the AAA Building will affect drainage
  - o **Pedestrian Safety**
    - Ellen Pope
      - o Thinks her concern about people cutting through the parking lot has been adequately addressed
  - o **Patio**
    - Will be stamped concrete
  - o **Fan**
    - Industrial fan is being relocated back to original side of building
      - o Current location creates too much noise for residential neighbors
    - Scott White is ok with locating the fan on the side of the pizzeria that faces his property
  - o **Fence**
    - Being installed to mask dumpster and fan
    - Goal is to be create a pleasant view from the neighboring apartment
    - Will match the fence installed by Bank of Cooperstown
  - o **Apartment Parking Space**
    - Driveway on North side of building has (1) existing parking space
    - Will probably be used for apartment tenant
  - o **Garbage Cans**
    - Joe Vezza
      - o Will put garbage cans outside as long as it is allowed
    - Jane Gentile (ZEO)
      - o Does not know of anything in the law that would prohibit putting garbage cans outside
      - o Will review code to make sure
    - Gene Berman
      - o Garbage cans should not be addressed in the site plan
      - o **Can be discussed with ZEO after PDD is formed**
  - o **Lighting (3 types)**
    - Specs (& images) of all lights called out on plans
    - **(2) Patio Lights**
      - o Installed under eaves - point down
      - o Turned off at 9:30
      - o Will be supplemented by existing street lighting
    - **(5) Doorway Lights**
      - o Over each doorway
      - o Shine down
      - o Same lights used by Bank of Cooperstown
    - **(2) Parking Lot Lights**
      - o 42-inch tall
      - o LED
  - **MOTION:**
    - o Made by: **David Pearlman** / Seconded by: **Fred Schneider**
    - o Proposition:

**To Approve The Site Plan for 75 Chestnut Street / 72 Elm Street PDD**

- **PLAN (SK-8) As Amended: Alterations Drawn in on (08-20-2019)**

- o Vote:
  - o **Ayes (4):** Berman / Schneider / Pearlman / Pope
  - o **Abstentions (0):**
  - o **Nays (0):**
  - o **MOTION PASSED**

- **B. PROPOSED REVISION TO EXISTING FREESTANDING SIGN**

- **SUBMITTED MATERIALS**

- o Rendering of proposed sign: NYPC logo on the existing AAA sign post
  - Colors shown: black logo / white background

- **DISCUSSION**

- o **Sign Colors**

- **Requirements**

- o Board approves colors (but NOT content)
- o Must be compatible with the building in scale / color / design

- **Proposed Colors**

- o (2) Color Schemes have been proposed
  - Black logo / Red background
  - Black logo / White background
- o Board feels neither of the proposed color schemes sufficiently meet the compatibility requirements
  - Also thinks it is important to be compatible with overall feeling of the neighborhood

- **Colors Possibilities**

- o Ellen Pope
  - Cream color background to matching building color would make the sign more compatible
- o Consider Logo in black or red on cream colored background

- o **Sign Lighting**

- Lighting sign is fine as long as lights are not internal and will not result in large pool of surrounding light
- Proposed lighting
  - o Bullet 12: 12 Watt LED lights shining up (as per specs on file)
  - o Gene Berman stated Bullet 12 lights should be ok

- o **Final Design**

- **NO MOTION WAS MADE / NO VOTE WAS TAKEN**

- o Vote is tabled until September meeting after final design has been submitted

**2. Walnut Street/Chestnut Street (Mark Donahoe - Dunkin Brands, Inc / Steven Wilson - Bohler Engineering)**

a) Preliminary Site Plan / Parking Plan Review per Articles VII and VIII

- **PRESENT / PARTICIPATING**

- o Steven Wilson - Bohler Engineering

- **MATERIALS DISTRIBUTED**

- o Presentation boards showing site plans and renderings

- **DESCRIPTION/DISCUSSION**

- o **Location**
  - Empty lot near intersection of Chestnut Street and Walnut Street
- o **Layout**
  - Small size of lot dictates simple layout
  - **Small building**
    - o Just under 2000-square-feet
      - Approximately half the size of McDonalds in the Commons on Route 28
    - o 14 seats inside
    - o Entrance faces Walnut Street
  - **Drive-through**
    - o One pay/pickup combo window located on side of building
  - **Screening**
    - o Residential side of drive-through will be screened with board-on-board fence
  - **One way traffic circulation**
    - o Enter Walnut
    - o Exit onto Walnut using bypass lane that runs next to drive-through lane
  - **Patio**
    - o Small patio with limited amount of outdoor dining on front of building
  - **Sidewalk**
    - o Willing to construct new sidewalk to facilitate safe pedestrian traffic
  - **Retaining Wall**
    - o Project design/development plans have not been developed enough to finalize this level of detail
- o **Exemption from Site-Plan Review**
  - **Village Ordinance: 300-41 B 3**
    - o Construction or expansion of a non-residential structure permitted by right if less than 4000-square-feet and no variances required
  - **Proposed Dunkin does NOT require site-development plan review**
    - o Store is well under 4000-square-feet
    - o NO variances required
- o **Parking Plan**
  - IS required although site-plan review is not
- o **Public Hearing**
  - Is NOT required
- o **Building Design Approval**
  - HPARB will review the building for appropriateness
- o **Vehicle and Pedestrian Safety**
  - **Traffic Safety**
    - o Board members were very concerned location of proposed business would create significant traffic and safety problems
    - o Traffic at surrounding intersections (Walnut and Linden) (Walnut and Chestnut) already backs up significantly due to
      - School traffic - cars and buses
      - Bassett traffic

- Tourist traffic
- Price Chopper parking lot entrance
- o **Dunkin Donuts typically redistributes traffic - It typically does NOT generate new traffic**
- Dunkin is not usually a destination in itself
  - o 80% of patrons stop while passing by while on their way to somewhere else
- o **Traffic / Traffic Safety Study**
- **Traffic and Safety studies are essential for approval of project**
- **IMPORTANT TIMES / ELEMENTS TO INCLUDE IN THE TRAFFIC/SAFETY STUDY**
- o **Times**
  - While schools are in session: Start of school / Dismissal / Release from after-school activities
  - Bassett shift changes
- o **Elements**
  - Automobile traffic
  - Bicycle and pedestrian traffic
    - o Village is implementing a Complete Streets policy
    - o Many students and their parents walk by that area to get to and from the schools
    - o Many students will probably walk from the schools to the store

• **MOTION**

- o **Made by:** Gene Berman / **Seconded by:** David Pearlman
- o **Proposition To:**

**DECLARE the PLANNING BOARD to be LEAD AGENCY for proposed DUNKIN DONUTS at WALNUT STREET/CHESTNUT STREET**

- o **Vote:**
  - **Ayes (4):** Berman / Schneider / Pearlman / Pope
  - **Abstained (0):**
  - **Nays (0):**
  - **MOTION CARRIED**

• **NEXT STEPS**

- o Dunkin Donuts will commission a traffic study
- o Village will look into establishing an escrow for traffic study review

**3. 43 Pioneer Street** (Susan Marie LeBlanc - Scoreboard Classics)

- a) Existing 36 inch wide by 36 inch high ± projecting signage (9± sq ft) mounted on existing bracket i. Section 227-3A(3)  
Maximum dimensions: area, 12 square feet; height, four feet; width, three feet.

• **PRESENT / PARTICIPATING**

- o NO representative for the property was present

• **DESCRIPTION/DISCUSSION**

- o Jane Gentile (ZEO)
  - **Sign meets all spec requirements (size, location, format)**
  - **Only problem is it was installed without going through the approval process**
    - o Business owner is applying for sign permit after the sign was installed
      - Did NOT know that Village approval was required

- o Told by building owner that Village approval was NOT needed because it was the same location and size as the previous sign
    - **Preventing similar problems with other properties**
      - o Jane Gentile (ZEO) will inform business/building owners of sign approval requirements next spring 2020
        - Will be included with notice regarding sandwich boards
    - o **MOTION**
      - **Made by:** Fred Schneider / **Seconded by:** Ellen Pope
      - Proposition:
        - Move to **APPROVE** the **SIGN** for **43 PIONEER STREET As Currently Displayed**
      - Vote:
        - **Ayes (4):** Berman / Schneider / Pearlman / Pope
        - **Abstentions (0):**
        - **Nays (0):**
        - **MOTION CARRIED**
4. **Final review of the proposed changes to Chapter 300 of the Village Code in regards to the recommendations from the Housing Committee**
  - **DESCRIPTION/DISCUSSION**
    - o **Report for Trustees**
      - Gene Berman wrote up summary of suggested changes resulting from the Planning Board Housing Code review
      - Planning Board informally approved the summary
        - o No Vote was taken
      - **Suggestions by Richard Blabey**
        - o Board agrees with suggested changes that Richard Blabey submitted by email
          - They will be included in the report that will be submitted to Trustees
    - o **Board discussed the Public Information Session regarding the Housing Code that was held on Monday August 19, 2019**
5. **REVIEW OF PLANNING BOARD MINUTES - REGULAR MEETING: TUESDAY, JULY 16, 2019**
  - **DISCUSSION**
    - o No board members had questions or concerns regarding the **JULY** minutes
    - o No changes/corrections
  - **MOTION**
    - o **Made by:** Fred Schneider / **Seconded by:** David Pearlman
    - o Resolution
    - To **APPROVE** the **PLANNING BOARD MINUTES** for the **REGULAR MEETING** held on **TUESDAY, JULY 16, 2019- as Written**
    - o Vote:
      - **Ayes (3):** Berman / Schneider / Pearlman
      - **Abstentions (1):** Pope  
(Pope was not at the July meeting)
      - **Nays (0)**
      - **MOTION CARRIED**



**6. REVIEW OF PLANNING BOARD MINUTES - REGULAR MEETING: TUESDAY, JUNE 18, 2019**

- **Tabled until next Planning Board meeting (September 17, 2019)**
- **MOTION**
  - o NO motion was made / NO vote was taken
  
- **NEXT PLANNING BOARD MEETING: SEPTEMBER 17, 2019**

**OTHER BUSINESS**

- **Lot Subdivision - Hill Street**
- **Jane Gentile (ZEO)**
  - o **Description**
    - Single family house with garage
      - o Garage has been converted to art studio
    - **Owner want to subdivide into (2) lots**
      - o **Garage and house each be on a separate lot**
        - Hopes to sell the lot with the house
        - Intends to keep the lot with the garage
          - o Would like to continue using the garage as a studio without having a house on the lot
          - o Intends to build a house on the lot in the future but will not be able to afford to build until the lot with the existing house is sold
  - o **QUESTION**
    - **Will she be allowed to continue using the garage as a studio although there will NOT be a house on the same property?**
      - o It would come to the Planning Board for approval of a subdivision with an existing structure not being used as a house
      - o Gene Berman
        - **Owner should submit plans showing what she ultimately wants the property to look like (with house / garage and any other intended structures)**
        - Time frame of when lot will actually include these structures is not relevant
- **MOTION TO ADJOURN**
  - o Made by: **Gene Berman** / Seconded by: **Fred Schneider**
  - o Resolution
  - **To ADJOURN THE MEETING**
  - o Vote:
    - **Ayes (5):** Berman / Schneider / Pearlman / Pope
    - **Abstentions (0):**
    - **Nays (0):**
    - **MOTION CARRIED**
  
- **MEETING ADJOURNED AT 6:33 PM (2hr 58min )**

Respectfully submitted,

Mikal Sky-Shrewsberry, Clerk (PT)