

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 **SEPTEMBER 17, 2019** at 4:30 PM

IN ATTENDANCE

- **MEMBERS ATTENDING (4):** Richard Blabey (Acting Chair) / Ellen Pope / David Pearlman / John Webb (Alternate)
- **MEMBERS ABSENT (3) :** Gene Berman (Chair) / Fred Schneider / James Lacava (Alternate)
- **OTHERS ATTENDING**
 - Jane Gentile - Zoning Enforcement Officer (ZEO) / Mikal Sky-Shrewsberry - Clerk, PT
 - Member(s) of the **Public: (1)**

MEETING CALLED TO ORDER by **Richard Blabey** at **4:30 PM**

REGULAR AGENDA: (3) ITEM(S)

2. 5 West Beaver

- a) Building signage including directional and unit placards per Chapter 227
 - **PRESENT / PARTICIPATING**
 - Joseph Galati - owner
 - **MATERIALS DISTRIBUTED**
 - NA
 - **DESCRIPTION/DISCUSSION**
 - **Current signage**
 - Currently, there is NO business signage on the building
 - **Front of building defined**
 - Board agreed that the front included all parts of the building visible in the front elevation drawing
 - Front facade includes the walls that are parallel to the street and the walls that are perpendicular to the street
 - Perpendicular walls are due to the fact that the front facade has walls that step back
 - **Wrapped signage was determined to be located on the front of the building**
 - CREAMERY sign wraps around the stepped back walls shown in the front elevation
 - **Board agreed that the wrapped signage is approvable**
 - It is located on the front of the building
 - Design meets sign code requirements
 - Size is less than the maximum 40-square-feet allowed
 - **Informational Sign and Dwelling Unit Numbers**
 - **Dwelling Unit numbers were determined NOT to count towards square footage limits for signage**
 - Numbers on the dwelling units were considered to be informational and required by law for safety
 - Dwelling units are complete apartments, accessed from the outside
 - They were allowed Cooper Lane Apartments and other similar dwelling complexes
 - Jane Gentile (ZEO) agreed that it should be allowed
 - Can't find anything in the code that specifically addresses this type of sign
 - **Sign on back of building regarding recyclables/trash was determined NOT to count towards square footage limits for signage**
 - Trash sign is informational (NOT promotional) and located on the back of the building
 - **Board agreed that all signage including dwelling unit numbers and trash signs were approvable**
 - **MOTION:**
 - Made by: **David Pearlman** / Seconded by: **John Webb**

- o Proposition:

To Approve The Building Signage for 5 West Beaver - as proposed

- **Includes directional and unit placards**

- o Vote:

- **Ayes (4):** Blabey / Pearlman / Webb / Pope
- **Abstentions (0):**
- **Nays (0):**
- **MOTION PASSED**

3. 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 NO Representative was present

- **MATERIALS DISTRIBUTED**

- o NA

- **TYPE 2 ACTION FOR SEQR**

- o **MOTION:**

- Made by: **David Pearlman** / Seconded by: **John Webb**
- Proposition:

To Declare that the proposed Dunkin Brands Project on Walnut Street is a Type II action for the purposes of SEQR

- Vote:

- o **Ayes (4):** Blabey / Pearlman / Webb / Pope
- o **Abstentions (0):**
- o **Nays (0):**
- o **MOTION PASSED**

- **DESCRIPTION/DISCUSSION**

- o **Objection to the descriptor *Corner Lot* being used on the application and in discussions**

- **Property is inappropriately described as being located on the corner of Chestnut and Walnut on the application**
 - o It is NOT a corner lot
 - o It is actually located 2 lots in from Chestnut
- **It is very important to make sure that the property is NOT described as a corner lot on the application or anywhere official**
 - o Richard Blabey stated
 - Designating it to be (or not be) a corner lot effects allowed signage and potentially other elements of the project as well
- **Corner Lot descriptor was used as a convenient handle NOT as an official designation**
 - o **Jane Gentile (ZEO) explained**
 - Lot does NOT have an easy descriptor because it does NOT have an address
 - She has been referring to the lot that way too
 - Tax ID number is too complicated to use as a descriptor
- **Jane Gentile (ZEO) will make sure**

- o **The descriptor used on the application is corrected/clarified**
- o **The applicants know their lot is actually NOT a corner lot**
 - **Rules governing corner lots will NOT apply to their project**
- o **Sign Variance**
 - Jane Gentile (ZEO)
 - o **Dunkin believes they may need a sign variance**
 - o Price Chopper was granted a sign variance
 - Richard Blabey
 - o Price Chopper variance was granted due to distance from the street
 - o Granting a sign variance might provide leverage
 - The Village could use to ask Dunkin for something in return
 - o They are allowed to have a freestanding sign in a commercial district without any special permission needed
 - **Sign discussion was tabled for another meeting since it fell outside the scope tonight's agenda**
- o **Review of Letter from Cyndi Falk on behalf of the Streets Committee**
 - **Requesting that the Planning Board provide feedback on each point in the letter**
 - o Board agreed to review and vote on each consideration proposed in the letter independently from one another
 - **Jane Gentile (ZEO)**
 - o Stated that everything hinges on the traffic safety study
 - She believes Dunkin did not have a representative at tonight's meeting because they are waiting for the results before investing a great deal more time and effort
 - o **Reported that Gene Berman told her that he is in favor of all propositions in the letter and thinks they should be approved**
 - **Key Discussion Points**
 1. **Loading Area**
 - **Street Loading Area is Problematic**
 - o **Walnut is too narrow to allow trucks to park at any time of day**
 - Walnut Street is already designated and signed as NO PARKING
 - o **Trucks will park on Walnut despite prohibitive street signage if Dunkin does not establish a designated area just for deliveries**
 - Ellen Pope cited example of trucks parking on Chestnut when parking lot is too full
 - **Potential On-Site Loading Solutions Include**
 - o **Using the drive-through/exit lanes and letting customers go around**
 - Planning Board allowed CVS to use its drive-through lane as a loading area
 - o Trucks park far enough back to leave room for customers to go around
 - o **Using the central part of the lot currently designated for green space**
 - Jane Gentile (ZEO)
 - o Thinks this is less desirable - would go against the Village goal of preserving green space
 - Richard Blabey stated
 - o Noted that the proposed size of the business means they will be required to have a minimum of (4) parking spaces
 - o **Village designates specific times for deliveries**
 - Jane Gentile (ZEO) stated

- Although the Planning Board has the power to impose time restrictions it is important to consider the impact imposed hours could have on residential neighbors
 - o **Jane Gentile (ZEO)**
 - o Thinks Dunkin will NOT want to designate an area just for deliveries
 - o **Role of the Board/Village**
 - Village dictates that loading cannot take place on the street
 - o Loading zone must be provided on-site
 - Legally Dunkin (not the Village) will be in charge of deciding where and how an on-site loading zone will be incorporated
 - o If it effects customers they will need to revise their approach
 - Village needs to remind Dunkin that they always need to have a minimum of 4 parking spaces available regardless of the solution they implement
 - o **MOTION:**
 - Made by: **David Pearlman** / Seconded by: **John Webb**
 - Proposition:
 - Only off-street loading should be allowed on Walnut Street**
 - Vote:
 - o **Ayes (4):** Blabey / Pearlman / Webb / Pope
 - o **Abstentions (0):**
 - o **Nays (0):**
 - o **MOTION PASSED**
- 2. Alternate Forms of Transportation Requiring Accommodation**
- o **Cooperstown Village Has Adopted A Complete Streets Policy**
 - Goal is to make entire Village accessible by all forms of transportation
 - o Includes bicycles and pedestrians in addition to cars and other vehicles
 - **Pedestrians And Bicyclists**
 - o Businesses should facilitate use by pedestrians and bicyclists
 - Safe paths
 - Bike racks
 - Village law does not permit anyone but children to ride bicycles on sidewalks
 - **Railroad**
 - Needs to be discussed because the Village comprehensive plan addresses possibility of reintroducing railroad transportation into the Village
 - o Existing tracks are at the intersection of Chestnut and Walnut so they would impact Dunkin
 - Railroad will NOT impact the proposed Dunkin
 - o Board agreed that there is almost no possibility of the railroad returning in the foreseeable future
 - o **Board Agreed that Dunkin Needs to Make Reasonable Accommodations for Pedestrian and Bicycle Traffic**
 - Dunkin should provide bicycle racks
 - Pedestrian and bicycle traffic needs to be included in the safety study
 - Dunkin needs to create safe paths for pedestrians and bicycles by creating reasonable connections to the existing network of sidewalks and crosswalks

o **MOTION:**

- Made by: **Ellen Pope** / Seconded by: **John Webb**
- Proposition:

**All forms of transportation need to be accommodated
motor vehicles, bicycles, pedestrians**

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

3. Sidewalks and Crosswalks

• **Current Plan is Inadequate**

- o **Dunkin is proposing to put in a sidewalk that runs across their entire property - but no further**
 - Will result in a sidewalk to nowhere
- o **Pedestrians need a sidewalk that connects to existing network of sidewalks and crosswalks**
 - If project goes forward assuring an adequate sidewalk is essential to ensure safety

• **Board discussed: Where sidewalks should begin and end / Where crosswalks should be located**

o **Ideas Rejected**

- **Sidewalk on South Side of Walnut that continues around the corner to PriceChopper/CVS**
 - o Richard Blabey
 - Requiring Dunkin to put in a sidewalk that runs all the way to CVS/Price Chopper is **UNREASONABLE**
 - **Board agreed**

- **Connecting new sidewalk on South Side of Walnut with the existing sidewalk on the North Side of Walnut by creating a new crosswalk**

o **Ideas Preferred**

- **Sidewalk on the South side of Walnut along the entire section from Chestnut to Linden Ave**
- **Relocating existing crosswalk so that it will run from West side of Chestnut to South side of Walnut**

o Jane Gentile (ZEO)

- Believes it is reasonable to require the creation of a sidewalk that will connect to a crosswalk that crosses over to an existing sidewalk

o Will provide a safer path than the existing crosswalk to both Dunkin and the schools

o Will allow pedestrians to cross directly to the same side of Walnut that they are located on

o Will require ripping out a piece of the existing sidewalk to redo the curb

- Curb is cut back where the existing crosswalk meets the sidewalk

o **New crosswalk should be enhanced with flashing lights**

- Like the crosswalk located at West Beaver and Chestnut

o **MOTION:**

- Made by: **Ellen Pope** / Seconded by: **John Webb**
- Proposition:

To approve the Street Committee's recommendations regarding sidewalks and crosswalks

- **Install a sidewalk on the South side of Walnut that runs from Linden Ave to Chestnut**
- **Ends of sidewalks at Linden and Chestnut should ramp down**
- **To approve (2) additional recommendations regarding sidewalks and crosswalks**
 1. **Remove existing crosswalk that runs from the West side of Chestnut to the North Side of Walnut**
 2. **Install enhanced crosswalk that runs from the West side of Chestnut to the South Side of Walnut**
 - **Enhanced crosswalk should have the same types of flashing lights (w/ button) used at Beaver and Chestnut**

- **Vote:**
 - **Ayes (4):** Blabey / Pearlman / Webb / Pope
 - **Abstentions (0):**
 - **Nays (0):**
 - **MOTION PASSED**

○ **Other topics discussed**

• **Traffic congestion**

- Traffic already backs up at intersection of Walnut and Chestnut at certain times of day due to the schools and hospital
- David Pearlman
 - **Consider RIGHT TURN ONLY**
 - Can just be at certain times of day when congestion is worst due to schools etc
 - Signage can direct traffic to use the Linden Ave extension to reach Chestnut

• **Wetlands**

- Dunkin's applications indicates that the property is listed as wetlands
- Jane Gentile (ZEO)
 - County records do NOT show lot as being or ever having been wetlands
 - Believes Dunkin may have relied on a website containing some misinformation

• **Building Design Approval**

- HPARB is responsible for assuring design is appropriate to the neighborhood
 - Will help assure building is reusable should ownership turn over to a new business or use

• **NEXT STEPS**

4. REVIEW OF PLANNING BOARD MINUTES - REGULAR MEETING: TUESDAY, AUGUST 20, 2019

• **DISCUSSION**

- Tabled due to lack of a quorum
 - (Only 2 people at tonight's meeting were also as the August 20, 2019 meeting)

• **MOTION**

- **No Motion was made / No Vote Was Taken**

5. REVIEW OF PLANNING BOARD MINUTES - SPECIAL MEETING: WEDNESDAY, JULY 10, 2019

- **Made by:** John Webb / **Seconded by:** Richard Blabey
- Resolution

To **APPROVE** the **PLANNING BOARD MINUTES** for the **SPECIAL MEETING** held on **WEDNESDAY, JULY 10, 2019**- as Written

- o Vote:
 - **Ayes (4):** Webb / Pearlman / Pope / Blabey
 - **Abstentions (0):**
 - **Nays (0)**
 - **MOTION CARRIED**

OTHER BUSINESS

- **COMMENDATION FOR THE MINUTES**
 - o David Pearlman asked to go on record with a note of appreciation for the usefulness of the August minutes
 - The rest of the Board concurred
- **PLANNING BOARD'S RECOMMENDATIONS TO THE TRUSTEES REGARDING THE PROPOSED HOUSING CODE**
 - o Jane Gentile (ZEO) reported
 - Trustees accepted all the recommendations made by the Planning Board except for the elimination of ADUs (Accessory Dwelling Units) from the code
- **NEXT PLANNING BOARD MEETING: OCTOBER 15, 2019**
- **MOTION TO ADJOURN**
 - o Made by: **Ellen Pope** / Seconded by: **John Webb**
 - o Resolution
 - To **ADJOURN THE MEETING**
 - o Vote:
 - **Ayes (4):** Webb / Pearlman / Pope / Blabey
 - **Abstentions (0):**
 - **Nays (0):**
 - **MOTION CARRIED**
- **MEETING ADJOURNED AT 5:50 PM (1hr 20min)**

Respectfully submitted,

Mikal Sky-Shrewsberry, Clerk (PT)