

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 **June 20, 2017** at 4:30 PM

**MEMBERS ATTENDING:(5 REGULAR + ALTERNATE)**

- Gene Berman (Chair) / Richard Blabey / Paul Kuhn / Joe Membrino / David Pearlman
- Fred Schneider (alternate)

**MEMBERS ABSENT: (0)**

**OTHERS ATTENDING:**

- Zoning Enforcement Officer-Jane Gentile / Clerk, PT – Mikal Sky-Shrewsberry
- (3) Member(s) of the Public

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

**PUBLIC HEARING (0 ITEM(s))**

**AGENDA (3 ITEM(s))**

**1. Proposed Signage (54 Main Street)**

Luann and Drue Thomas – proposed signage (projecting and storefront signs)

- **PRESENT/ PARTICIPATING:**

- o Luann and Drue Thomas

- **SIGN LOCATION AND SPECS**

- o Business is located where “The Food Truck” was previously located
- o Hanging a new “Whirl Series” sign in the same location that the “Food Truck” sign was located
- o Color is Navy Blue (subtle)

- **BOARD DISCUSSION**

- o **Jane Gentile (ZEO)**

- Presented a photo showing where the previous sign (“Food Truck” sign) hung to illustrate where the new sign will be located
- Stated there were no dimensional issues since the sign will be
  - o Hung using the exact same bracket used by the previous business at that location
  - o Well within square footage requirements

- o **Gene Berman**

- Noted that the Planning Board had previously approved the bracket for the old “Food Truck” sign
  - o Hung lower than the required height
  - o Placed above the railing to prevent pedestrians from walking under the sign
  - o Approved with the condition that the railing remained in place
- Suggested that a motion to approve the current application include the same condition regarding the railing and placement of the sign

- **MOTION**

- o To approve the sign at **54 Main Street** as submitted
  - with the understanding that the railing must remain in place to prevent traffic from passing under the projecting sign which is installed at a height that is less than the required distance from the sidewalk
- o Made by: Joe Membrino / Second: Paul Kuhn
- o Results:
  - Ayes (5): Berman / Pearlman / Blabey / Membrino / Kuhn

- Nays (0)s
- **MOTION CARRIED**

**2. PLANNED DEVELOPMENT DISTRICT PROPOSAL (71/73 CHESTNUT STREET)**

Scott White, Bank of Cooperstown and Teresa Drerup, Altonview Architects

- **PRESENT/PARTICIPATING:**
  - o Teresa Drerup, Altonview Architects
  - o NOTE: Although this was not a public hearing, Brian Wrubleski spoke with the Chair's permission regarding the potential impact of the PDD on the neighboring property
- **PURPOSE OF THE MEETING**
  - o Planning Board has been asked to make a recommendation to the Board of Trustees
    - Planning Board to base its recommendation as to whether the proposed PDD is good for the Village on criteria set forth in the PDD statute
      - o Gene Berman
        - Provided copies of Zoning Law §§ 300-2, 300-18 (A), 300-20 (D)(4), 300-21 (H), and 300-42, which set forth the criteria for the Planning Board's review
          - o Reviewed the statutes and stated that the provisions of Code §§ 245-3 and 245-4 were not relevant because the proposed PDD would not create a subdivision
        - Stated that the Planning Board was not conducting a site plan review at the meeting
        - Stated the proposed PDD was previously discussed during the May 16, 2017 Planning Board meeting
- **DISCUSSION**
  - o **Completeness of Application**
    - Gene Berman stated
      - o Application appears complete
      - o Environmental impact statement is included
      - o Does not see any problems as set forth in the statutes
  - o **Concerns of Potential Negative Impact on Neighboring Property Owned by His Children**
    - Brian Wrubleski
      - o Requested / was given permission to speak although this was not a public hearing
      - o Expressed concern that proposed shrubbery screening was not adequate to insure privacy and security
      - o Expressed concern about impact on property value
    - Planning Board Members
      - o Explained that if the PDD is approved to go forward appropriate buffering and other issues will be addressed during the site plan review (which will have a public hearing)
      - o Suggested a privacy fence could eliminate the problem
    - Teresa Drerup
      - o Stated that the applicant is planning to use 6-7-foot-tall Juniper trees as screening
      - o Junipers have been used successfully on applicant's Oneonta property
      - o Stated that there is already a privacy fence between the Bank property and the Bagley's property
  - o **General Info About PDD**
    - Teresa Drerup

- o Applicant is expanding the bank into the back of apartment of the existing structure to create a more appropriately sized space for closings
- o Size of existing residential apartment is being reduced from approx. 2200 sq. ft. to approx. 1100 sq. ft.
- o Parking
  - Adding 5 new spaces in addition to the Bank's current spaces (total of 9)
    - o Additional parking is needed to accommodate the people attending closings
  - Current parking situation
    - o There is a sign: "Bank Parking Only"
    - o Applicant allows after hours public parking for pizza parlor etc. and often permits public use during banking hours
- o **PDD – Public Benefit Requirement**
  - PDDs require that some form of public benefit is received in return for the establishment of the PDD
    - o Joe Membrino stated
      - bank is acquiring the right of commercial use in an R-3 zone and giving the public some benefits in exchange
  - The PDD grant needs to assure that the public benefits do not eventually disappear by clearly specifying what public benefits will be created and how they will be implemented
  - Future owners will be required to provide the same public benefit if they purchase the PDD property
    - o Gene Berman stated
      - By applying for a PDD the Bank is assuming any potential impact on selling the property in the future in exchange for the benefits it is getting from the PDD now
  - Parking
    - o Public parking is the significant public benefit that this PDD will provide
    - o Trustees need to include enforceable memorialization of public parking in the PDD agreement
  - Residential Housing
    - o Currently the property is considered "mixed use" and requires the property to include a residential dwelling
    - o Once the PDD is established it will eliminate the need to maintain a residential dwelling on the property
    - o Given the shortage of long term housing in the Village, another potential benefit of the PDD could be derived by assuring the permanent existence of a long term residential dwelling on the property
      - A minimum size should be specified to assure it remains useful
- o **Discussion of Motion Content/Language**
  - Zoning Law § 300-20 (D)(4), explains what the Planning Board needs to provide to the Board of Trustees
  - Recommends approving the PDD
  - Important to recommend memorializing enforceable public benefits in the PDD that the Trustees establish
  - 2 public benefits
    - o Permanent public parking
      - Trustees need to work out how public hours/usage will be specified
    - o Permanent long term residential housing
      - Trustees need to specify the minimum square footage

- **SEQRA**

Gene Berman requested the Planning Board's agreement that it will not act as the lead agency for the SEQRA review

- o **Made by:** Gene Berman / **Seconded:** Richard Blabey

- o Results:

- **Ayes (5):**

- o Berman / Blabey / Pearlman / Membrino / Kuhn

- **Nays (0)**

- **MOTION CARRIED**

- **MOTION**

- o **The Planning Board Recommends that the Trustees Approve the Proposed PDD**

- The Planning Board has identified two issues of concern that it recommends the Board of Trustees address in the PDD statute:

- o The Planning Board recommends establishing permanent residential use for long term occupancy. The minimum area to be allotted for this purpose will be determined by the Board of Trustees.

- o The Planning Board recommends establishing criteria that assures permanent public access to parking on the PDD site.

- o **Made:** Joe Membrino / **Second:** Richard Blabey

- o Results:

- **Ayes (5):**

- o Berman / Blabey / Pearlman / Membrino / Kuhn

- **Nays (0)**

- **MOTION CARRIED**

### 3. REVIEW OF PLANNING BOARD MEETING MINUTES: TUESDAY, MAY 16, 2017

- o All board members looked over the minutes

- o No corrections or changes to the minutes were requested

- o Gene Berman stated

- Although the minutes accurately reflected the content of the May 16, 2017 meeting, he wanted to correct for the record a mistake he had made during that meeting

- o RE: agenda # 1 (28 Railroad Ave) / **Sign Location and Specs** / Proposing Planter around the sign

- Gene had referred to the parking plan that the Board reviewed as a site plan

- **MOTION**

- o **To Approve the Planning Board Minutes for Tuesday, May 16, 2017 as Submitted**

- o **Made:** David Pearlman / **Second:** Richard Blabey

- o Results:

- **Ayes (5):**

- o Berman / Blabey / Pearlman / Membrino / Kuhn

- **Nays (0)**

- **MOTION CARRIED**

**ADJOURNMENT**

- MOTION
  - **To Adjourn the Meeting**
  - **Made:** Gene Berman / **Second:** Paul Kuhn
  - **Results**
    - **Ayes (5):**
      - Berman / Blabey / Pearlman / Membrino / Kuhn
    - **Nays (0):**
    - **MOTION CARRIED**

**MEETING ADJOURNED AT 5:58 PM**

Respectfully submitted,

Mikal Sky-Shrewsberry, Clerk (PT)