

A special meeting of the Board of Trustees of the Village of Cooperstown was held at the Village Office Building, 22 Main Street, Cooperstown, New York on July 20, 2016 at 6:00 p.m. Members in attendance were Mayor Jeff Katz, Trustees Ellen Tillapaugh, Cynthia Falk James Dean, Bruce Maxson, Louis W. Allstadt and Richard Sternberg. Also in attendance were HPARB Chair Liz Callahan, Todd Hamula, Zaremba Group and Mike Tucker, vhb (representing CVS) and Village Clerk Teri Barown. There were six (6) members of the public present.

Public Hearing - Mayor Katz called the meeting to order at 6:00 p.m. Ms. Barown read the public hearing notice for SEQRA review for the conversion of the former Cooperstown Motel to a CVS pharmacy/drive-thru. Mayor Katz reviewed the guidelines for public comment. He noted that a letter has been received from Anthony and Sydney Scalici, 82 Beaver Street, in opposition to the CVS plan for the corner of Beaver and Chestnut Streets, the original of which is contained in the project folder, with the Trustees receiving emailed copies of said letter. Mayor Katz opened the public hearing at 6:03 p.m.

Liz Swart, 87 Beaver Street, stated that she has issues with the CVS in this location as even without Dreams Park traffic it takes 1-5 minutes to get out of her driveway. She stated she is also concerned with impacts it will have to Badger Park, which is adjacent to the property, and the small children who utilize the park.

She asked if there will be traffic light and, if so, who pays for it, the taxpayers of the Village or CVS.

She stated that this is also the main thoroughfare to the hospital.

She said she is not sure if CVS is the best fit for this location.

Dan Naughton, 80 Grove Street, stated he is all for CVS. He said he understands the traffic issue, but feels the amount of traffic won't have an effect to what exists now. He stated it will be a more convenient location for CVS, as currently he either has to get to the current location by 8:00 a.m. or wait until after 7:00 p.m. to pick up his medicine.

He said he feel CVS will bring a better clientele to this location and it will look nicer than the hotel. He stated he is all for it, as is his wife.

Janet White, 95 Chestnut Street, stated she is concerned with lighting and traffic. She said that traffic on Chestnut Street is horrendous now and she has to back into her driveway to safety exit it. She reiterated that her main concerns are traffic and lighting.

Richard Blabey, 90 Grove Street, stated he is in favor of CVS in that location, as it provides synergy with the Price Chopper next door. He said that the intersection is problematic in the morning and at night. He stated that the triangle at the intersection is confusing and has created accidents.

He said that the key issue is proper traffic flow, and that a traffic study will help everyone understand what is needed.

He said that people turning in and out have the potential to cause gridlock, but he would leave it to the experts to provide the appropriate solution. He said it may require a traffic light and feels without one it causes issues. He said it is something that would help with backup. He felt we should ask for solutions from the experts.

Anne Blabey, 90 Grove Street, agreed with her husband that there is synergy with Price Chopper, Stewarts and CVS and said this is good to encourage. She said it is also good to encourage walking and it is now difficult to cross between Price Chopper and Stewarts. She said it would be great to have a solution to be able to walk to all locations, possibly a crosswalk from Price Chopper or CVS to Stewarts. She said the concern shouldn't just be Chestnut and Beaver, but West Beaver, Maple Street, etc.

Mayor Katz left the public hearing open and asked Dr. Falk to begin the SEQRA review. Dr. Falk began with review of Part 1 of the LEAF as prepared by the applicant. She asked if there were any questions or concerns by the Trustees regarding Part 1 answers.

Ms. Tillapaugh stated that there are discrepancies in different places of the Part 1 regarding square footage of the project. Mr. Hamula noted that this is due to the difference in the questions regarding what parts of the project it pertains to.

Dr. Falk questioned whether there would be a NYS DOT permit required (part B). Mr. Hamula stated they would be coordinating with DOT during the traffic study.

Mr. Maxson stated he felt that Badger Park should be added as an adjacent Village park on question C. 4. d. Mr. Hamula concurred.

Dr. Falk asked how many feet high the one story building would be (page 4, g.) Mr. Hamula stated 18 feet. Mayor Katz asked how high the current building is. Mr. Hamula replied 28 feet.

Discussion was held regarding answer to question h on page 4 regarding storm water – open storage. Mr. Hamula noted that this was hold and discharge or infiltration, not a storage tank.

Ms. Tillapaugh questioned answer on page 7, j. – that there would be no substantial increase in traffic. She feels that there will be. Mr. Hamula stated that it is felt there will be no increase in the overall scheme of traffic and, therefore, felt the increase would not to be substantial.

Liz Swart, 87 Beaver Street, stated that the motel is not busy, and she feels any increase in traffic will be substantial.

Mr. Maxson and Ms. Tillapaugh both concurred that any increase above present levels would be substantial. Ms. Tillapaugh noted that the drive-thru has to increase the amount of traffic.

The applicant was also questioned regarding the question of when peak traffic is expected to occur. It was answered that evening is the expected peak. Mr. Dean felt that mornings, evenings and weekends should all be checked.

Mr. Hamula noted that Part 1 is for the applicant to determine substantial. He said if the project was on a road with no traffic, then yes there would be a substantial increase. However on a road with traffic, it is felt that what is being added is not substantial to what's in the intersection today.

Mayor Katz reminded the Trustees that the applicant completes Part 1, and the Trustees can reply to that when completing Part 2.

Mr. Allstadt asked the CVS representatives if there is some estimate of traffic through the current store location to justify the project.

Mr. Hamula stated that in town they are paying a lease, parking is an issue. He stated that the drive-thru is a value convenience that it is felt it would provide an uptick in customers, and it is also felt that not having to come into downtown would be a convenience.

Mr. Allstadt stated that a number should be available regarding how many cars currently go through CVS based on current business, size of building. He said that traffic tables are able to discern this information, and also, in and out per hour. Mr. Hamula stated that it is felt that the afternoon will have the most cars in and out. He stated that it is also felt that the in and outs will be generally from current traffic already going passed this intersection.

Ms. Tillapaugh stated she agrees with Mr. Allstadt that there should be information regarding how many customers currently utilize CVS a day that could be translated into number of vehicles. She stated that it is apparent from concerns addressed tonight and those expressed in the correspondence from Anthony and Sydney Scalici, 82 Beaver Street, Cooperstown that this is a very important issue to be addressed by the applicant.

Dr. Sternberg asked questions of the applicant pertaining to how many customers go through the current location in a day and how do they define substantial.

Mayor Katz noted substantial is defined in the Part 1 of the SEQRA, not something defined by the applicant.

Dr. Sternberg again asked the applicant feels a substantial increase in traffic would be.

Mr. Hamula stated his personal judgment regarding a substantial increase would be 15-20 percent above current traffic.

Richard Blabey, 90 Grove Street, stated his concern regarding traffic is that this road is close to a tipping point now and you don't need a lot more to create gridlock. He said a low percentage increase could cause an issue.

Jane White, 95 Chestnut Street, asked how late the store is planning to stay open. Mr. Hamula noted hours 8:00 a.m. to 10:00 p.m.

Dan Naughton, 80 Grove Street, stated that the shared driveway between CVS and Price Chopper could eliminate the Chestnut Street driveway.

Mayor Katz stated that they are not issues that we are hashing out tonight, and tonight's focus is on SEQRA review only.

Mayor Katz closed the public hearing at 6:30 p.m.

Ms. Tillapaugh stated that she understands a traffic study will provide information regarding current traffic. She asked how many deliveries are expected with a semi truck. Mr. Hamula stated one a week, with a few deliveries by smaller trucks.

Ms. Tillapaugh noted that there is nothing filled in for deliveries by tractor trailer. Mr. Hamula noted it is not a change from the current deliveries.

Mr. Dean stated that he agrees with Mr. Blabey that this intersection is at a tipping point.

Mayor Katz stated that ultimately the traffic study will provide the information and once we have that information then conclusions can be drawn.

Mr. Dean asked if it will take into account the proposed project and anticipated use of the CVS..

Mr. Hamula stated that there is an existing model for traffic studies and what CVS would add to that.

Dr. Falk noted that the annual electric demand is blank on the application (Page 7, K. ii). Mr. Hamula stated that the proposed CVS is a small footprint store that has only been in existence 9 months, and there is no one-year record of data as of yet. He stated it would be less than current demand.

Ms. Tillapaugh asked Mr. Hamula how the CVS will be heated. Mr. Hamula stated by propane and he noted it is undecided whether above or underground. Dr. Falk stated if it is underground the answer to question P on page 8 would need to be yes. Mr. Hamula agreed to change to yes.

Ms. Tillapaugh felt that we need to reinforce our opposition to pesticide use, which is noted in the Part 1, page 8, letter q. Mayor Katz asked that CVS be aware that this is a big local issue.

It was noted in the question (page 8, r. i) regarding solid waste, how much waste the demolition would create was not addressed. Mr. Hamula noted that a survey needs to be completed prior to providing accurate information for this issue. He stated that they are working with various agencies due to underground fuel tanks across the road at the gas station and asbestos in the motel building.

On page 9 it was noted that adjacent land use need to be checked for public park, as did page 10, question D, Badger Park, facility serving children and page 13, letter H should include scenic resources of Otsego Lake, Route 20 Scenic Byway and include a list of parks within a 5 mile radius, which would include Fairy Spring and Three Mile Point Park.

Dr. Falk led Trustee review and drafting of Part 2 of the EAF. A copy of which is on file with the original minutes.

Mayor Katz made a motion to check question 13 d as small impact. Dr. Sternberg seconded the motion and a vote had the following results:

AYES: Katz, Maxson, Allstadt, Sternberg NOES: Tillapaugh, Falk, Dean Motion carried.

Following drafting of Part 2, Dr. Falk noted that the Trustees cannot proceed with Part 3 and a determination until we received a signed notice of intent on lead agency from NYS DOT or the 30 day timeframe elapses.

Mayor Katz informed Mr. Hamula that he would be providing a letter to him regarding concerns expressed tonight and what will be important to the Village in determining the special use permit application.

Mr. Hamula and Mr. Tucker provided a walk-thru presentation on plans for the project.

Mr. Hamula noted that this CVS is being developed with a smaller footprint than usual. He stated he would provide a list of similar CVS stores now in existence. He noted that the architecture

would not be the usual CVS style but will be designed to conform to the Village's standards. He noted that information is being gathered after looking at various Bassett Buildings, particularly the Field Stone building on Atwell Road.

Mr. Hamula noted that the main business of CVS is pharmaceutical and the current downtown location has 7,000 square feet and the current motel building is 14,000 square feet not including the basement.

He reviewed plans for curb cuts for entrance/exit, which included relocating the existing driveway on Beaver Street farther away and a proposed new entrance/exit on Chestnut Street. He stated that this will be addressed with the traffic study and CVS will work to address traffic concerns both during Dreams Park season and non-Dreams Park time.

He stated they are proposing 44 parking spaces, which are 12 excessive of the code, and realize the importance of appropriate landscaping on the Chestnut Street side as it is the entrance to the Village.

He noted that the property is currently under contract and the closing has not occurred yet. He stated environmental investigations as discussed earlier in the meeting are ongoing and that the receipt of a special use permit is a crucial piece to the project.

He stated that once a permit is received and remaining permits are obtained, the plan would be to break ground next summer or no later than the following season.

He stated CVS sees the park entrance as an opportunity

Mayor Katz asked Mr. Hamula to email the Clerk the area CVS is proposing for the traffic study so that the Trustees can review it at their regular meeting and provide any additional area they would like to see included. Mr. Hamula stated they would provide this information as well as a revised Part 1 as discussed and agreed upon tonight.

Temporary Sign – First Baptist Church – Dr. Sternberg made a motion to approve the request of the First Baptist Church to place temporary signage in the triangle at the intersection of Elm/Chestnut/Delaware for advertising parking for Induction Weekend. Ms. Tillapaugh seconded the motion and a vote had the following results:

AYES: Tillapaugh, Dean, Maxson, Allstadt, Sternberg ABSTAIN: Falk Motion carried.

Mr. Allstadt made a motion to set a public hearing for abolishing the separate Water and Sewer Boards and creating a joint Water/Sewer Board for August 22, 2016 at 7:00 p.m. or as soon thereafter as can be heard. Mr. Maxson seconded the motion and a vote had the following results:

AYES: Tillapaugh, Falk, Dean, Maxson, Allstadt, Sternberg Motion carried.

Permit Application - Mayor Katz made a motion to approve the fireworks display at Fairy Spring on July 30, 2016 with a change in time from 7:00 p.m. to midnight. Ms. Tillapaugh seconded the motion and a vote had the following results:

AYES: Tillapaugh, Falk, Dean, Maxson, Allstadt, Sternberg Motion carried.

Resignations - Ms. Tillapaugh made a motion to approve the following resignations as per letters received from each individual: Bruce Baker, Christopher Burns and Stephen Clancy. Dr. Sternberg seconded the motion and a vote had the following results:

AYES: Tillapaugh, Falk, Dean, Maxson, Allstadt, Sternberg Motion carried.

Mayor Katz appointed Lynne Mebust as a member of the Parks Board. Dr. Sternberg made a motion to ratify the appointment. Ms. Tillapaugh seconded the motion and a vote had the following results:

AYES: Tillapaugh, Falk, Dean, Maxson, Allstadt, Sternberg Motion carried.

Mayor Katz appointed Christine Weiss as a member of the Tree Advisory group. Ms. Tillapaugh made a motion to ratify the appointment. Dr. Falk seconded the motion and a vote had the following results:

AYES: Tillapaugh, Falk, Dean, Maxson, Allstadt, Sternberg Motion carried.

Mayor Katz made a motion to adjourn to executive session at 8:07 p.m. to discuss the work history of particular individuals. Dr. Sternberg seconded the motion and a vote had the following results:

AYES: Tillapaugh, Falk, Dean, Maxson, Allstadt, Sternberg Motion carried.

Ms. Tillapaugh made a motion to return to regular session at 8:25 p.m. and adjourn the meeting. Dr. Sternberg seconded the motion and a vote had the following results:

AYES: Tillapaugh, Falk, Dean, Maxson, Allstadt, Sternberg Motion carried.

Respectfully submitted,

Teri L. Barown, RMC
Village Clerk
Village of Cooperstown