

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 19, 2014 at 4:30 p.m. Members in attendance were Chair – Charles Hill, Eugene Berman, Richard Blabey, Chuck Knoll, Richard Sternberg and alternate – Paul Kuhn. Zoning Enforcement Officer – Tavis Austin and Deputy Village Clerk – Jennifer Truax were also present. There were four members of the public present.

Mr. Hill called the meeting to order at 4:32 p.m.

Public Hearing

137 Main Street (Vincent Carfagno / Cooperstown Cigar Company) – Proposed wall signage

Mr. Hill opened the public hearing at 4:33 PM. He asked if there was any public comment. There were no comments. Mr. Hill stated that he would leave the public hearing open for a period of time and asked the board to move on to the next agenda item.

Regular Agenda

149 Main Street (Alex Webster) – Proposed window sign variance

Mr. Hill reviewed the application for a variance for a neon window sign. He stated that Mr. Webster has submitted an application for the existing “Corn Dog” sign at 149 Main Street. He further stated that Mr. Webster would not require a variance for the sign if he were to place the sign at least five feet from the inside of the store front window. He explained that the sign law allows each property to have no more than two internally lighted signs totaling no more than eight square feet.

Mr. Austin stated that Mr. Webster has admitted that he misunderstood the law. He explained that Mr. Webster inferred that this portion of the law would not apply to him as he was only placing one sign in the window.

Mr. Hill stated that Mr. Webster explains the reasons for the sign size in an attached letter to the board.

Mr. Webster stated that everything is covered in the letter. He stated that the mistake was his but he has invested \$2,200.00 on the sign and it is easy to see how the law could be misunderstood. He provided the board with photos of the storefront with the sign illuminated and not illuminated, stating that during the day it is difficult to tell whether or not the sign is on. He stated that he understands the intent of the Village sign law but does not feel that this sign is offensive in nature and from his experience as a Village business owner, signs behind the glass are not regulated.

Mr. Hill stated that the new sign law was adopted in 2012 and over ten years prior to the adoption of the new law there were various regulations, many of which were questionable as to whether or not they were actually enforced. He continued to explain that based on increasing community comments regarding the appearance of the business district, the Planning Board developed the current sign law. He stated that during the development of the law the Planning Board reached out to business owners for input and worked diligently to develop a law that was equitable to both the community and business owners. He explained that the board wrote the law carefully and has had no other problems with misinterpretation.

Mr. Webster stated that although the sign is over the allowed square footage, it does not include much neon. He stated that the neon is very thin and unobtrusive.

Mr. Berman asked if the sign has remained off since Mr. Austin cited the violation.

Mr. Webster stated that it has remained off. He continued to state that due to not being able to light the sign they have resorted to placing paper signs in the window to indicate that the business is open. He stated that there were multiple occasions when people assumed they were closed due to the sign not being lit.

Mr. Sternberg asked if an open sign would be considered as part of the allowed eight square feet of lit signage.

Mr. Austin stated that if the open sign is lit, then it would need to be considered as part of the allowed eight square feet of lit signage.

Mr. Hill stated that the sign does attract attention even when not lighted.

Mr. Sternberg asked what portion of the sign is illuminated when on.

Mr. Hill stated that the text CornDog and the green exterior border both illuminate when the sign is on.

Mr. Webster pointed out that it is the simple green border which violates the law.

Mr. Hill stated that if the illumination is kept to 8 feet or less, the sign could be lit. He suggested that the border be turned off and just the text CornDog be illuminated.

Mr. Knoll asked if the marquee was also subject to this law.

Mr. Hill stated that due to the marquee being preexisting it is not subject to this law. He further stated that Mr. Webster's sign could be unchanged and lit if it was placed at least five feet back from the window, as there is no regulation for interior internally lighted signs which are placed greater than five feet from the inside of the store front.

Mr. Webster stated that he has explored the option of placing the sign further from the window but this is not feasible.

Mr. Berman stated that the CornDog text is within the limits of the law and asked if the outside border could be turned off.

Mr. Webster stated that he does not know if a portion of the sign could be shut off. He stated that it was made by a manufacturer in NYC and would cause additional expense to modify.

Mr. Hill stated that a similar situation occurred previously and the sign manufacture instructed the owner to paint the neon tube black to block the light. He explained that once this was done the light was no longer visible and the sign could be used without being in violation. He suggested to Mr. Webster that the use of paint, flexible plastic tubing, or electrical tape to cover the border may be options worth exploring.

Mr. Webster stated that he submitted a letter and application in which he accepts responsibility for the misinterpretation of the law. He continued to state that due to the limited amount of neon

and the financial hardship caused by being unable to use the lit sign, he asks that the Planning Board grant the variance. He further explained that he could have designed a sign that falls within the allowed 8 square feet which included more neon and was much less attractive than the existing sign. Mr. Webster again stated that he made a mistake but he does not think that the sign has a negative impact on the Village.

Mr. Sternberg asked the square footage of the text CornDog.

Mr. Austin stated that text CornDog is 4 square feet.

Mr. Sternberg asked if the border itself is considered a sign and what the square footage of just the neon border is.

Mr. Austin stated he does not know the square footage of the border. He explained that the square footage of the sign was figured by using the smallest square which can encompass the entire lit area of the sign.

Mr. Webster stated that this sign really has a limited amount of neon. He again stated that more neon could be placed in an 8 square foot area than has been used in this sign.

Mr. Hill asked the members of the board how they would like to proceed.

Mr. Berman stated that he likes the sign and would like to see it work.

Mr. Sternberg concurred.

Mr. Austin asked the board if they like the sign enough to find facts regarding the approval of a variance that would allow this sign without opening the door for similar requests.

Mr. Blabey asked for clarification on where the confusion regarding the amount of allowed illuminated signage occurred.

Mr. Austin pointed out section 227-6.A. (19)c.[1] which stated "the total maximum area exempted for any two signs is eight square feet." He explained that when Mr. Webster read "two signs" he assumed that this section did not apply to a single sign.

Mr. Blabey stated that it does not make sense that this would be misunderstood in this manner. He explained that if two sign are limited there is no reason to believe that a single sign would have no limitations.

Mr. Knull stated that he will be abstaining from this item due to work with the trademark.

Mr. Hill stated that he spoke with Village Attorney, Martin Tillapaugh, who stated that the hardship was in this case caused by the applicant and would not be undue financial hardship. He continued to state that Mr. Tillapaugh said that a public hearing should not be set unless the board intends to grant the variance as the public hearing is intended only to allow the public the opportunity to speak regarding the potential relaxation of the law.

Mr. Berman stated that he would love to grant a variance but that he does not see any basis in the law which would allow the board to do so. He stated that the sign could remain in the window if left unplugged or if the border was masked.

Mr. Sternberg concurred.

Mr. Blabey stated that he is concerned that granting a variance in this situation would cause precedence. He stated that the only resolution is to find a way to use the sign without lighting the border. He suggested painting the border with a color that will reflect natural light.

Mr. Hill concurred.

Mr. Blabey stated that Mr. Webster is correct in that a legally conforming sign could be less appealing and have considerably more neon; however, it is difficult to judge aesthetics as they are based on opinion but the standards in the law are measurable. He continued to state that the Planning Board does review aesthetics to the best of their ability but they must follow the law as written.

Mr. Hill stated that he believes that the consensus of the board is that although they like the sign they do not feel that there are any provisions which would allow them to grant a variance for this situation. He stated that although Mr. Webster is the first person to misinterpret the law the board will consider his suggestion regarding the wording of the law. Mr. Hill encouraged Mr. Webster to use the CornDog section of the sign.

Mr. Webster stated that he did not feel a lawyer was necessary for this review but maybe he will need to consult with a lawyer and come back to the board. He stated that he understands that the board is not allowing the sign based only on size, when they have all indicated that they like the sign and that the sign is not offensive. He stated that it was the way the law was written that caused the misunderstanding in the first place.

Mr. Sternberg stated that personal preference does not matter; the board is required to follow the law.

Mr. Hill stated that the intent of this portion of the law relates to overall bulk and size. He stated that this law has applied to all business owners since the law was enacted in 2012.

Mr. Blabey stated that he spent a lot of time writing and rewriting the law. He explained that section 227-6.A.(19)c[1]a states "Two signs are exempt as long as they meet all the conditions stated in Subsection d.[4] below and comply with the purpose and intent of the Sign Law." He explained that this clearly refers the reader to another section so it cannot be taken alone.

Mr. Webster stated that he is here with an application which needs a variance based on miscommunication in a law that this board created, and he does not understand why the very board who created the law, and feels that the sign is appropriate and appealing, cannot allow an exception to the rules.

Mr. Berman stated that the rules were designed to prohibit excessive signage, and once enacted, the Board must enforce them.

Mr. Blabey stated that the Board of Trustees, as the executive board, reviewed, approved and passed and adopted the law. It is now the Planning Board's responsibility to ensure that the law is abided by.

Mr. Webster stated that he worked diligently to ensure that the sign was tasteful and appropriate.

Mr. Hill asked for a motion.

Mr. Blabey made a motion to deny Mr. Alexander Webster's request for a variance for a sixteen square foot illuminated sign for the Cooperstown CornDog Company at 149 Main Street. Mr. Berman seconded the motion and a vote had the following results:

AYES: Berman, Blabey, Hill, Sternberg

ABSTAIN: Knull

Motion carried.

Mr. Hill informed Mr. Webster that he is welcome to illuminate any portion of the sign which will fit inside a rectangle no bigger than eight square feet. He encouraged him to find a way to cover or shut off the border to be able to legally use the sign.

Mr. Webster asked what the definition of flashing is.

Mr. Sternberg stated that the border itself is over the allowed 8 square feet and will not be able to be lit.

Mr. Hill stated that the text CornDog may be lit anytime the business is open.

Mr. Blabey left the meeting at 5:05 P.M.

Lakeview Drive South (Reberta O'Neill Keiler for the Weinstock family) – Trustee referral for a Special Use Permit application for a single family residence & Preliminary site development plan review

Mr. Hill reviewed the application for a single family residence explaining that preliminary site plan review is necessary due to the building requiring a special use permit due to being built in the Waterfront Overlay District. He stated that the Trustees have referred it to the Planning Board to review for site plan completeness and a report.

Mr. Austin stated that if the board feels that there is enough information they may grant approval or set a public hearing for the next meeting, if they feel a public hearing is necessary.

Mr. Hill reviewed the site plan and stated that the driveway traverses up to the garage. He asked if the 10 foot sewer right of way is maintained.

Ms. O'Neill-Keiler stated that the right of way is maintained.

Mr. Hill stated that the drawings indicate that the appropriate setbacks have been maintained. He asked if there was any other information not included on the drawings which the board should be aware of.

Ms. O'Neill-Keiler asked the required diameter of the driveway culvert.

Mr. Austin stated that the culvert must be at least 15 inches in diameter. He suggested that they may want to get permission to run the culvert the length of the front yard.

Ms. O'Neill-Keiler stated that they might ask for permission to run the culvert the length of the front yard to keep the curb appeal neater and more kept.

Mr. Hill stated that when visiting the property he did not see any survey markers. He asked where the property lines are located.

Ms. O'Neill-Keiler stated that there is a stake by the telephone pole in the right front corner, and in the left right-of-way, and an older marker in the back southeast corner of the property.

Mr. Hill asked if the trees to the south are located on the property line.

Ms. O'Neill-Keiler stated that the trees are located on this property, just within the property owner's side of the south line.

Mr. Hill asked if the trees would be retained.

Ms. O'Neill-Keiler stated that all of the trees, except the pine tree in the middle of the property, will be retained. She explained that she feels that it is important to retain the trees to help soften the new build.

Mr. Hill asked about the placement of the electric line.

Ms. O'Neill-Keiler stated that NYSEG has already installed buried cable to supply the electric.

Mr. Hill asked if the electric line was installed in the ditch.

Ms. O'Neill-Keiler stated that she does not know the location of the electric line at this time.

Mr. Austin stated that it was probably installed on the back slope of the ditch but not physically in the ditch.

Mr. Hill asked Ms. O'Neill-Keiler to indicate the final grade surface water flow on the property with dotted lines on the site plan. He stated that it should be graded to keep the run off from flowing onto the neighboring properties.

Ms. O'Neill-Keiler asked if the run off could flow onto the right-of-way.

Mr. Hill stated that all run off from this parcel needs to stay on this parcel and not run onto any neighboring property. Again he stated that the flow of the water should be indicated with dashed lines and arrows.

Ms. O'Neill-Keiler stated that she would complete this item.

Mr. Hill asked if the garage would hold two vehicles.

Ms. O'Neill-Keiler stated that it would be a two car garage.

Mr. Hill stated that due to parking regulations the site plan needs to indicate that it is a two car garage. Mr. Hill asked if silt fence and hay bales would be used to mitigate soil erosion during construction.

Ms. O'Neill-Keiler stated that they would.

Mr. Hill asked if the culvert would be 15 inches in diameter.

Ms. O'Neill-Keiler stated that they would.

Mr. Hill asked that these items be indicated on the site plan.

Mr. Hill stated that any disturbed soil should be seeded and mulched before winter, if possible.

Mr. Kuhn joined the meeting at 5:16 PM.

Mr. Austin stated that if the work is not complete or should winter arrive earlier than expect or a problem occur it would be appropriate for the contractor to use other appropriate soil erosion control methods rather than seed and mulch only to dig it back up in the spring.

Mr. Hill stated that although it would be better to seed and mulch prior to winter, should they be unable to, appropriate methods of soil erosion control should be used.

Mr. Hill asked what surface material would be used for the driveway.

Ms. O'Neill-Keiler stated that it would be paved.

Mr. Hill asked about roof drains.

Ms. O'Neill-Keiler explained that the gutters would drain into perimeter drains. She continued to state that the property would also have French drains.

Mr. Hill stated that the new home on the neighboring property is experiencing issue with water in the basement.

Ms. O'Neill-Keiler stated that they are working diligently to mitigate any water issues. She stated that they are anticipating the worse and aggressively mitigating any possible issue as the basement will be living space.

Mr. Hill stated that there is PVC pipe on the edge of Lot #20 and anytime he is there it has water flowing from it. He asked Mr. O'Neill-Keiler to provide new clean copies with all the information discussed including drainage, trees, etc.

Ms. O'Neill-Keiler stated that she would provide a new copy with all the information for the record.

Mr. Hill asked if the area near the garage, which appears to be a back around area, will be paved.

Ms. O'Neill-Keiler stated that this area will be used for parking and similar uses but will be topped with gravel rather than paved. She stated that no permanent structures can be placed in this area due to the easement.

Mr. Hill reviewed the required actions of for the board. The board reviewed the standards and determined that the standards for a special use permit have been met.

Mr. Sternberg made a motion that the standards in section 300-16.C.(1) – (4) have been met with regards to the site plan for a single family residence at Lakeview Drive S, the Weinstock property. Mr. Berman seconded the motion and a vote had the following results:

AYES: Berman, Hill, Knoll, Sternberg

ABSTAIN: Kuhn

Motion carried.

Mr. Berman asked if there is a required time frame for which the new drawings need to be submitted.

Mr. Hill stated that the drawings should be submitted within 10 days to ensure that they are available for review by the public prior to the public hearing.

Mr. Hill set a public hearing for Tuesday, September 16 at 4:30 PM or as soon thereafter as possible.

The board reviewed the reasons for the required Preliminary Site Development Plan Review and its correlation to the Waterfront Overlay District.

Continuation of Public Hearing

Continuation of the public hearing for 137 Main Street (Vincent Carfagno / Cooperstown Cigar Company) – Proposed wall signage

Mr. Hill asked if there was any public comment for 137 Main Street. There was no public comment and Mr. Hill closed the public hearing at 5:32 PM. He reviewed the application for a variance for the existing conditional signage for the Cooperstown Cigar Company.

Mr. Sternberg made a motion to grant the variance for the wall signage for Cooperstown Cigar Company as submitted. Mr. Kuhn seconded the motion and a vote had the following results:

AYES: Berman, Hill, Knull, Kuhn, Sternberg

Motion carried.

Mr. Hill suggested that Mr. Austin speak with Mr. Carfagno about the development of a total signage plan.

Mr. Austin stated that he will speak with Mr. Carfagno and that he feels that he would be agreeable to a total signage plan as long as he will not lose any of the existing sign locations or sizes.

Mr. Kuhn stated that he is disappointed that Mr. Carfagno was not in attendance to answer any questions which might have arose. He stated that the board entertained his application last month even though he was not on the agenda and then allowed him to place the sign prior to the receipt of a variance to prevent any hardship to the business and out of courtesy Mr. Carfagno should have respected the board enough to attend tonight's meeting.

Continuation of Regular Agenda

124 Main Street (McManus Engineering) – Trustee referral for a Special Use Permit application for a hotel and Preliminary Site Development Plan Review

Mr. Hill reviewed the referral from the Board of Trustees for this proposed Special Use Permit and the Planning Board's role in this process.

Mr. Austin stated that the Trustees discussed declaring themselves lead agency and sent out notification to all involved agencies. He explained that the Trustees have to notify all involved agencies and give them the opportunity to ask to be lead agency.

Mr. Hill asked Mr. McManus to give a quick review of the proposed project, focusing on changes to the site, building and parking.

Mr. McManus read the project summary as provided with the project plans. He stated that they will do everything possible to protect Willow Brook and he provided the board with letters from DEC and the Army Corp of Engineers.

Mr. Hill asked if these organizations had any stipulations for the brook following the completion of the project.

Mr. McManus stated that these agencies only regulate the activity occurring during construction. He pointed out that he has answered the standards for the Special Use Permit, and the objectives regarding Site Development Plan review, within the application.

Mr. Austin stated that this is a tricky project as each board can only act on their own elements, but their elements may "rub" or effect the decisions of other boards. He pointed out that the conditions of one board could affect the conditions of the other boards. He stated that parking is probably going to be the most difficult area.

Mr. McManus stated that he meet with the Mayor and Board Chairs August 1st to begin to discuss this proposed project. He indicated that at that time he was asked to submit the same complete application to all of the boards so that there was not any confusion or action taken without knowing all of the information.

Mr. Hill asked Mr. McManus to focus on area that will be looked at by the Planning Board such as parking, access ways, drainage, propane tank locations, dumpsters, etc.

Mr. Austin stated that one of the biggest areas of concern will be the parking plan. He stated that Mr. McManus is currently proposing a two season plan. The hotel will have 22 suites with a total of 44 sleeping rooms this configuration technically requires 44 parking stalls. Mr. Austin stated that it has been suggested that the ZBA might give a seasonal variance to the parking requirements but prior to making a determination on parking it would be extremely helpful for the ZBA to know if the Planning Board is willing to consider stacked parking. Mr. Austin explained that if the Planning Board will not consider stacked parking, then the ZBA might make a different decision regarding parking requirements.

Mr. McManus reviewed the proposed plans. He indicated that the property has been completely surveyed in its current state. He stated shared the plans for the demolition of structures on the property and provided photos of the structures to be demolished. He provided a map of all eight trees located on the property and stated that all eight trees will need to be removed to maximize the available parking area. He stated that there will be little to no room for landscaping. Mr. McManus stated that there is a stone wall with a wooden fence on top on the north side which will provide screen for this side of the property and that both the east and west sides are bordered by parking lots and will not require screening.

Mr. Hill asked if any trees will be retained.

Mr. McManus stated that all eight trees will be removed. He further stated that although the demolition is relatively minor it will have a substantial impact on the lot. He continued to state that the biggest impact to the lot will be the loss of the trees.

Mr. Austin asked if all of the trees are over 6 inches in diameter.

Mr. McManus stated that they are all at least 6 inches in diameter.

Mr. Kuhn asked if the deck which will be demolished is an illegally constructed deck of the neighbor's which protrudes onto the property at 124 Main Street.

Mr. McManus stated that it is. He continued to state that he expects that the neighbors will choose to remove the entire deck.

Mr. McManus explained the proposed sediment control plan and stated that he will be doing daily inspection and taking all necessary actions to protect Willow Creek.

Mr. Kuhn asked if all of the trees were mature trees over 6 inches in diameter.

Mr. McManus stated that all of the trees are mature trees.

Mr. McManus reviewed the grading plan stating that they plan to keep the existing topography with a minor grade; sloping everything to the center slabs.

Mr. Hill asked Mr. McManus what the light "x"s on the plans indicate.

Mr. McManus stated that those indicate spot elevations.

Mr. McManus review the proposed 15 stall parking plan.

Mr. Steinberg asked if all vehicular traffic will enter and exit from Main Street.

Mr. McManus stated that to be correct. He continued to state that the driveway is currently shared but without any legal agreement. He explained that the width of this property's portion of the drive is 11 feet and the neighboring property owns 6 feet. He stated that a legal easement is being worked on.

Mr. Austin clarified that the physical width of the drive is 17 feet but that only 11 feet of that is part of the 124 Main Street property.

Mr. Hill stated that the plan reference a shared driveway.

Mr. McManus stated that it was thought to be a shared driveway and has been used as such for years. He explained that both properties use the entire width and the neighboring property even parks in the driveway at times.

Mr. Knull asked if no right-of-way is obtained will it mean that there is no way to provide parking.

Mr. Kuhn pointed out that until now both properties have been owned by the same party.

Mr. McManus stated that he does not know exactly how the right-of-way issue will be resolved and at this time they are being treated as separate properties.

Mr. Steinberg asked who the primary clientele for this hotel will be.

Mr. McManus stated that during the summer season or approximately, June 1 – Labor Day, the primary use will be tourists, most often those staying for a period of a week or longer, such as

Dreams Park visitors. He continued to state that Post Labor Day through May 31 he the clientele will be long term rental for parties such as traveling nurses.

Mr. Steinberg stated that he is concerned about the number of cars in the valet parking plan that will have to be moved to retrieve other vehicles. He stated that this overflow may end up on the street and could create traffic issues during the seasonal use.

Mr. McManus reviewed the parking plan with 15 parking spaces and indicated that this plan does not require valet parking and provides room for drive aisles and backing up. He continued to point out the proposed location for dumpsters and buried propane tanks. He apologized for the lack of that information on the drawings and indicated that they would be included on future drawings.

Mr. Hill asked if the propane tanks can be driven over.

Mr. McManus stated that they are designing the lot to handle the vehicle traffic over the tanks.

Mr. Hill stated that based on 15 legal parking spaces and the fact that the law indicates one parking stall for each sleeping room, with two sleeping rooms per suite there is only enough parking to legally have 7 ½ suites.

Mr. McManus stated that they are proposing 22 suites with 44 bedrooms.

Mr. Hill stated that there is not enough parking for even half of the proposed suites.

Mr. McManus stated that they are looking into the possibility of leasing off-site parking spaces.

Mr. Austin reviewed the regulations regarding leasing off-site parking spaces.

Mr. McManus stated that he cannot ensure that boards that they will be able to provide enough parking spaces. He explained that he has tried to maximize the number of stalls and still allow for drive aisles and backup space.

Mr. Hill asked what they envisioned the primary use to be from September till June.

Mr. McManus stated that in his experience the traveling nurses are looking for inclusive units that they can share and which are within walking distance to work and other amenities. He stated that during the winter months they may not need many parking spaces.

Mr. Hill stated that the proposed stall size in the 15 spot lot are 9' X 18' as legally required and which have the required space to back out. He stated that it is too bad that the spaces cannot be rearranged to get more legal sized spaces.

Mr. McManus stated that there is no other way to arrange the spaces and have the required size space.

Mr. Hill stated that the law requires one spot per sleeping room for hotels.

Mr. McManus reviewed the seasonal parking plan which shows 36 parking stalls which are 7' X 18' each. He explained that this plan is purely for discussion and he only shows 36 stalls to show the maximum number of spaces that might be feasible.

Mr. Knull asked if triple deck parking had been considered.

Mr. McManus stated that a parking garage was discussed but due to the limited space it would require a lift as there is not sufficient room for ramps.

Mr. Knull stated that in NYC they have racks which stack cars three or four high on top of each other. He stated that these racks make getting vehicles out easier than stacked parking lots but still require some expertise in parking.

Mr. Austin stated that if the request height variance is granted then it triggers the request for a parking variance. He explained that even though the Planning Board is not required to review the height, the height will affect the parking due to the number of parking spaces required, and therefore the Planning Board's review.

Mr. Steinberg stated that the proposed stacked parking plan does not allow for a staging area. He stated that it appears that several cars will need to be moved out to the public street to access a specific vehicle.

Mr. Austin stated that they may not use street parking but may need to circle the block.

Mr. Steinberg stated that he has fewer concerns about stacked parking, than about the impact to the Public Street and traffic flow.

Mr. Hill summarized, stating there are not enough parking stalls to meet the required spaces for the number of sleeping rooms and no room for staging.

Mr. McManus stated that this is not a true parking plan at this time it is just to show the maximum number of vehicles that might be able to fit in this area. He stated that if the Planning Board is willing to entertain stacked parking he will develop a full plan but has not done a full plan at this time as he does not know what the Boards might be willing to accept.

Mr. Hill asked if the proposed spaces in the stacked plan are 7 feet wide.

Mr. McManus stated that he got the 7 foot width based on his truck which is 6 feet in width.

Mr. Hill stated that the proposed spacing leaves only about one foot to open the door and allow the driver to get out.

The board continued to discuss the possible issues which would need to be reviewed in a stacked parking situation.

Mr. Steinberg stated that even if only one parking space was required for each suite there is still not enough spaces available.

Mr. Austin stated that should the boards decided that a parking garage was required, the cost would probably be so astronomical, the proposal would be rescinded.

Mr. Steinberg stated that he would like to see the project be built but he does not want to see additional burden placed on the Village streets.

Mr. McManus stated that he would like to review the plan and site as a whole with the full time 15 space parking plan and comeback at a later date with an actual plan for valet parking which would include a staging area if it is something the Planning Board is willing to entertain.

Mr. Austin stated that the ZBA will be reviewing the proposed variance which would allow the property to have 15 spaces although 44 are required. He stated that the application has to be reviewed as it was received.

The board further discussed the parking options, and obstacles.

Mr. Kuhn asked if any portion of the original structure would be retained.

Mr. McManus stated that the plan is to use the existing foundation.

Mr. Kuhn asked if they had considered moving the building forward to the edge of the property line.

Mr. McManus stated that they have looked at that as an option but that little if anything is gained from that change.

Mr. Hill stated that the adjacent property, currently the Cooperstown Bat Company, has a parking area that will be significantly lower than the proposed parking for 124 Main Street. He asked if there is a plan to allow run off from their property.

Mr. McManus stated that he saw that comment in one of the emails that was circulated and he will be making a plan modification to put in a small swale and French drain to keep run off from entering that property.

Mr. Berman asked if a visitor would pull into the driveway in order to check in at the hotel lobby.

Mr. McManus concurred indicating that to be correct.

Mr. Berman asked if there would be sufficient room for another car to exit if a car was parked in the drive.

Mr. McManus stated that there is sufficient room for a car to maneuver pass a parked car in this area.

Mr. Hill asked Mr. McManus the plans for use of the roof top.

Mr. McManus stated that the plans at this time include a small pool and restaurant.

Mr. Hill asked how the restaurant would be serviced.

Mr. McManus stated that food would be prepared in the restaurant within the hotel and brought to the roof top. He stated that the hotel will have a least one elevator and possibly a small service elevator.

Mr. Hill asked if he could provide additional details regarding the roof top services.

Mr. McManus stated that the details are not set at this time but any structures on the roof top would be temporary and may include a small pool, guest seating and a portable serving station.

Mr. Hill asked if there would be a bar on the roof top.

Mr. McManus stated that at this time there are no plans to have a bar on the rooftop.

Mr. Hill asked if they do consider a bar would it be similar to the existing bar at 99 Main Street.

Mr. McManus stated that there would not be a canopy and if a bar was placed on the roof it would be a small serving bar.

Mr. Hill asked if there would be restrooms.

Mr. McManus stated that the visitors would have to leave the rooftop and use one of the interior restrooms.

Mr. Steinberg asked if the proposed pool takes up space that could have been used for suites.

Mr. McManus stated that the pool does take up space that could have been used for rooms but it is not feasible to increase the number of rooms from the proposed 44.

Mr. Hill asked if there are stairwells.

Mr. McManus stated that there is one proposed elevator and one stairwell at this time.

Mr. Hill asked if two stairwells are required by code.

Mr. McManus stated that only one stairwell is required.

Mr. Hill asked about the railing around the parapet.

Mr. McManus stated that there is a railing around the parapet but it is not structural.

Mr. Hill asked, if the roof is generally flat, would the railing be installed on an elevated area.

Mr. McManus stated that's it is not but stated that they could install a 6 inch concrete curb to install the railing on.

Mr. Austin asked how the water will drain from the building.

Mr. McManus stated that it will be drained internally.

Mr. Hill asked where a visitor who was coming to the hotel would park when they arrive.

Mr. McManus stated that if the valet parking is off the table, the visitor would enter the driveway and pull up along the side of the building where there is a door which will lead to the lobby.

Mr. Hill asked if the entry door is on the same level at both the front and back entrances.

Mr. McManus stated that they were at approximately the same level. He explained that the rear door may require a few steps.

Mr. Hill asked if in this scenario where the visitor would pull in and unload allowing for any landscaping.

Mr. McManus stated that there may be room for a small amount of landscaping.

Mr. Hill asked the board if they had any additional questions.

Mr. McManus stated that he would include updated plans and a verbal discription once he has had the opportunity to meet with all three Zoning Boards.

Mr. Austin stated that Mr. McManus will attend the ZBA and HPARB meetings prior to returning to the Planning Board meeting on September 16.

The board discussed the SEQRA process.

Mr. McManus asked if there were any additional items which the board felt were needed for the application.

Mr. Hill stated that an explanation of the operational details should be provided. He stated that what was related to the board tonight relieved many of the concerns, but those details should be in writing.

Mr. Steinberg asked if the owners had built hotels previously.

Mr. McManus stated that one of the owners has a construction company in NYC.

Mr. Steinberg stated that it appears as if they are designing a boutique hotel similar to NYC but that they have not taken into account the differences in the traffic flows.

Mr. Hill asked the size of the proposed restaurant.

Mr. McManus stated that it would be a high end restaurant but he is not sure of the occupancy.

Mr. Kuhn stated that he is not confident that this will work. He explained that there are many problems to overcome but that he is trying to find the positives.

Mr. Austin asked the Planning Board if they wanted to be lead agency.

Mr. Steinberg made a motion to request that the Planning Board not be considered for lead agency for the proposed project at 124 Main Street. Mr. Kuhn seconded the motion and a vote had the following results:

AYES: Berman, Hill, Knull, Kuhn, Sternberg

Motion carried.

Mr. Hill stated that the key question is related to allowing a reduction in the required parking. He stated that with the 15 spaces on site even if they are able to rent a few additional spaces they will probably never be able to reach the required 44 spaces.

Mr. Austin stated that the original proposal presented informally to the board chairs was for a 15 suite hotel. He explained that after that initial proposal that number went up but it the world of contracting they typically ask for 20% more than they want or need in hopes that they might get a

bonus or that the boards will consider that they gave a little by the reduction they make during the review process.

Mr. Hill reviewed the proposed height of the new structure and the height of the neighboring buildings.

Mr. Kuhn stated that the height of the structure will be another key issue for this project.

The board discussed the height of the proposed structure and other structures on Main Street.

29 Elm Street (Catholic Church) – Removal of second freestanding sign

Mr. Hill reviewed the previous application which approved the replacement of the existing freestanding sign with a new freestanding sign.

Mr. Austin reviewed with the board possible action and his discussions with the Village Attorney.

Mr. Kuhn stated that the newly approved sign provides all of the necessary information and that there is really no reason for the old sign to remain.

The board reviewed the minutes from the approval of the new freestanding sign and discussed the placement of the new sign, and concurred that based on the minutes it was not the board's intention to grant a variance for the second sign.

Mr. Knull made a motion, that based on the minutes of the September 17, 2013 Planning Board Meeting, the board approved the proposed freestanding sign as a replacement to the existing freestanding sign. Mr. Hill seconded the motion and a vote had the following results:

AYES: Berman, Hill, Knull, Kuhn, Sternberg

Motion carried.

Minutes

Mr. Berman made a motion to approve the minutes of July 15, 2014 as submitted. Mr. Sternberg seconded the motion and a vote had the following results:

AYES: Berman, Hill, Kuhn, Sternberg

ABSTAIN: Knull

Motion carried.

Meeting adjourned at 7:18 PM

Respectfully submitted,

Jennifer Truax
Deputy Village Clerk