

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 October 21, 2014 at 4:30 p.m. Members in attendance were Chair – Eugene Berman, Richard Blabey, Chuck Knull, Paul Kuhn, and Richard Sternberg. Zoning Enforcement Officer – Tavis Austin and Deputy Village Clerk – Jennifer Truax were also present. There were eleven members of the public present.

Mr. Berman called the meeting to order at 4:30 p.m.

Regular Agenda

24 Lakeview Drive South – Lot 18 (Ed Tietz) – proposed amendment to previously approved site plan

Mr. Berman asked Mr. Austin to review the proposed changes.

Mr. Austin stated that Lot 18 of Lakeland Shores has an approved site plan for a single family home with an attached two car garage. He stated that the house was built a little proud of the site and this has made the driveway rather steep. He explained that the proposed amendment to the site plan would establish a parking spot in the front yard, just off the driveway and set back slightly from the road. He further explained that due to the established and approved site plan any change to the plan required review and approval by the Planning Board.

Mr. Austin stated that typically parking in a setback has been restricted by the Zoning Law but in 2013 a law was passed which loosened the law regarding parking in a setback. He explained that the loosening of the law had been done unintentionally and that the Trustees are currently looking at a revision which would again restrict parking in the setbacks. He stated that at this time the requested parking space is permitted by law but does require that the Planning Board review it as an amendment to the original site plan.

Mr. Kuhn stated that all residence within the Village of Cooperstown park within the setbacks.

Mr. Austin concurred, stating that residence do, on a regular basis, park within the setbacks but they are not parked in a required parking space but rather within the driveway, which by definition, is the lane that leads to a required parking space. He further stated that in this case the applicants are requesting to pave an extra area just off the driveway for use as an additional parking space.

The board reviewed the proposed site plan amendment, reviewing the location of the paved area, its relationship to the road, and other physical structures.

Mr. Berman asked if the proposed parking space would have any adverse effects on the property's drainage.

Mr. Austin stated that the run off is already being diverted by the retaining wall.

Mr. Blabey asked if there would be bushes to shield the parking area.

Mr. Austin stated that no screening is proposed.

Mr. Blabey asked if the proposed space would mean that the applicants would pull into the driveway and swing to the left to park in the proposed space.

Mr. Austin stated that to be correct, and indicated on the site plan and in site photos the location of the proposed parking area.

Mr. Kuhn asked if the proposed area would be a parking space or a turnaround area.

Mr. Austin stated that it would be a parking space.

Mr. Blabey asked if the law limits the width of a driveway.

Mr. Austin stated that the proposed parking space location was reviewed with Mr. Brian Clancy – DPW Superintendent. He continued to state that Mr. Clancy's only concern was that the location of the parking area provides enough distance from the road to ensure a clear path for the Village snow plows during the winter months. He further stated that Mr. Clancy wants to ensure that a parked vehicle is far enough from the road that there is no chance of the vehicle being struck by a passing plow.

Mr. Blabey asked if the law gives a set width that a driveway cannot exceed.

Mr. Austin stated that there is not an established maximum driveway width only that it must lead to an approved parking space.

The board discussed the 2013 law change in the parking regulations.

Mr. Kuhn asked if a public hearing is required for the site plan amendment.

Mr. Austin stated that, unless the board feels that they need additional information from the public to make a decision regarding the proposed parking space, a public hearing is not required. He stated that he has spoken with the Lakeland Shores Home Owner's Association and they are aware of the proposed parking space, and have expressed that this space can be accepted to eliminate the possible need for the applicants to park on the street.

Mr. Blabey stated that the paving of this area will make the driveway more serviceable from the north.

Mr. Austin stated that it will actually make the driveway more accessible from either direction and will provide more maneuverability for a driver to operate up the slope of the driveway.

Mr. Tietz stated that they are concerned about the steep slope of the driveway during winter weather conditions. He stated that the proposed parking space will help ensure that they are able to get their vehicle off of the public road even in more inclement conditions.

Mr. Sternberg stated that he does not see anything in the request which is questionable or violates the law.

Mr. Knull concurred.

Mr. Sternberg made a motion to approve the requested site plan amendment for 24 Lakeview Drive, Lakeland Shores Lot 18 to allow the applicant to pave an additional area for parking as indicated in the application. Mr. Kuhn seconded the motion and a vote had the following results:

AYES: Berman, Blabey, Knull, Kuhn, Sternberg Motion carried.

Minutes:

Mr. Sternberg made a motion to accept the September 16, 2014 minutes as presented. Mr. Kuhn seconded the motion and a vote had the following results:

AYES: Berman, Hill, Kuhn
ABSTAIN: Blabey, Sternberg Motion carried.

Other Business:

Mr. Berman stated that he would like to express his gratitude to Mr. Charles Hill for his years of dedicated service to the Planning Board. He continued to state that Mr. Hill has offered to help guide him through his new appointment as Chair and he truly appreciates his continued efforts and support.

Mr. Kuhn welcomed Mr. Berman as the new Chair of the Planning Board.

Mr. Berman stated that after the Board of Trustees have finished acting on the currently proposed zoning law changes he would like the Planning Board to review the Zoning Law and Sign Law for areas of ambiguity.

Meeting adjourned at 4:51 PM

After the meeting adjourned, members of the board fielded questions from the Participation in Government Class attendees.

Respectfully submitted,

Jennifer Truax
Deputy Clerk