

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 November 15, 2016 at 4:30 p.m. Members in attendance were Chair – Eugene Berman, Richard Blabey, and Paul Kuhn. Members Joe Membrino and David Pearlman were absent. Zoning Enforcement Officer Jane Gentile was also present. There was one member of the public present.

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

Mr. Berman introduced Jane Gentile, the Village's new ZEO, to the members.

Minutes

Mr. Berman stated that the version of the draft minutes from the July 19, 2016 meeting presented for review was incomplete. He gave a complete version to Ms. Gentile and stated that those minutes would be reviewed at the next meeting.

Agenda

1. Law Change – Portable Storage Units

Mr. Berman stated that the Board of Trustees referred a proposed local law concerning the regulation of portable storage containers to the Planning Board for its review and recommendation. Mr. Berman provided to the members copies of the Trustees' proposal and a revised version that he prepared. He explained that the Trustees' proposal provided for a Planning Board review before a portable storage container could be placed on a lot. Mr. Berman added that he believed that the required Planning Board review would be unnecessarily time consuming to property owners, and that he preferred that the ZEO handle any requests.

Mr. Blabey stated that he had problems with the definition of a temporary mobile storage unit set forth in the Trustees' proposal. Mr. Berman referred Mr. Blabey to the definition of a portable storage container in the revised draft. The members then discussed the definition.

Mr. Berman stated that he limited the regulation to containers with at least one dimension (length, width or height) exceeding five feet because he did not want to include Rubbermaid and similar storage containers typically located on patios and back yards.

Mr. Berman stated that after a discussion with Martin Tillapaugh, he added a definition of hazardous material. He added that he obtained the definition from the web site of the Institute of Hazardous Materials Management, an organization that develops professional standards for hazardous materials management professionals.

The members discussed the construction trailer exemption in the draft and then discussed the appropriate placement of containers. The members agreed that containers should not be placed in front yards, other than on driveways within the front yard setback. The members also agreed that minimum yard dimensions must be observed.

The members discussed the length of time that a portable storage container should be permitted to remain on a lot. Ms. Gentile stated that containers are typically rented for a month. The members decided that the ZEO should be authorized to issue a permit for a 31-day period. The members also believed that the ZEO should have the discretionary authority to extend the permit for a period not exceeding 31 days if the owner presented a bona fide reason for the extension.

Mr. Berman moved to recommend the revised draft, as discussed, to the Trustees. Mr. Kuhn seconded the motion and a vote had the following results:

AYES: Berman, Blabey, Kuhn

Motion carried

2. Tree Removal Section 300-31 C – clarification of the need for a public hearing because of ZBA involvement.

Ms. Gentile asked if the Planning Board had intended that a public hearing would be required then the ZBA reviews a tree removal request.

Mr. Berman stated that he was not focusing on the area variance procedures when the Planning Board last reviewed the issue. He added that the Planning Board could prepare a draft local law that would eliminate a public hearing if the Trustees decided to refer the issue.

3. Signage - clarification of sandwich boards and private property

Ms. Gentile stated that there was a difference of opinion among some Trustees and the Village Administrator concerning whether the sandwich board prohibition applied to sandwich boards on private property.

Mr. Berman stated that since the Sign Law applies to signs on private property, the sandwich board prohibition includes sandwich boards on private property.

Mr. Blabey stated that when the sign law was amended, it was intended that sandwich boards would be prohibited everywhere in the Village.

Mr. Berman stated that the Sign Law provides that the Planning Board is responsible to resolve all questions concerning the law's interpretation. Mr. Berman added that the Planning Board should therefore issue an interpretation.

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Mr. Berman moved to interpret the Sign Law's sandwich board prohibition to include the prohibition of sandwich boards on private property. Mr. Blabey seconded the motion and a vote had the following results:

AYES: Berman, Blabey, Kuhn

Motion carried

The meeting was adjourned at 5:35 p.m.

Respectfully submitted,

Eugene D. Berman
Chair