

Motion to approve the special use permit for a CVS retail store of 9,657 square feet with a drive through pharmacy in accordance with 300-16 of the Village of Cooperstown Zoning Law with the following conditions:

In accordance with 300-16 (C) 2, which reads: “The location and size of such use, the nature and intensity of operations involved in or conducted in connection therewith, its site layout, and its relation to access streets shall be such that both pedestrian and vehicular traffic to and from the use and the assembly of persons in connection therewith will not be hazardous.”

- (1) The applicant must return to the Board of Trustees with a completed traffic study, site distance analysis, and drainage analysis for the site and surrounding streets before the location and configuration of entrances/exits to the parking lot and any necessary offsite mitigations to address different traffic patterns and/or increased traffic volume can be approved in conjunction with this special use permit. Such mitigations shall be at the expense of the applicant and may include: traffic signals, crosswalk signals, reconfigured roadways, or other means. The Village may seek outside analysis of the traffic study at the expense of the applicant.
- (2) In accordance with NYSDOT recommendations, entrances/exits shall be limited to two traffic lanes.
- (3) The applicant must maintain sidewalks on Beaver Street and Chestnut Street.
- (4) The applicant must provide improvements to allow safer pedestrian crossings of Beaver Street and of Chestnut Street to access the store as guided by the completed traffic study.
- (5) The applicant must provide designated pedestrian access to Badger Park due to increased vehicular traffic as a result of the new use, including the drive-through pharmacy.
- (6) The applicant must provide pedestrian connection from Beaver Street to CVS and Price Chopper.

In accordance with 300-16 (C) 1, which reads: “The proposed use shall be of such location, size and character that it will be in harmony with its surroundings and with the appropriate and orderly development of the district in which it is proposed to be situated. The use shall not be detrimental to its site or to adjacent properties. The density of the surrounding area, such as lot size, distances between structures, amount of open space, street width and parking regulations, shall be carefully considered so as to maintain the integrity of the district.”

- (1) The applicant must treat any elevations that front or partially front Chestnut Street, Beaver Street, and/or the Badger Park entrance as public facades to be designed with consideration for aesthetics and historical compatibility. The building as a whole must meet the criteria of section 300-26 of the Zoning Law.
- (2) The applicant must limit exterior lighting to the minimum level required to provide safety and security with no interior or exterior lighting shining onto nearby residential properties.

- (3) The applicant must provide for landscaping, including trees, not only at the perimeter of the lot but interior to parking areas and in conjunction with commercial elevations, understanding that that may reduce the number of parking spaces.

In accordance with 300-16 (C) 4, which reads: “In addition to the general standards for special permit uses as set forth above, the approving board may, as a condition of approval of any such use, establish any other additional standards, conditions and requirements, including a limitation on hours of operation, as it may deem necessary or appropriate to promote the public health, safety and welfare and to otherwise implement the intent of this chapter.”

- (1) The applicant must provide for ongoing stormwater evacuation via existing or improved stormwater systems and without introducing above ground retention areas, which are believed to be potentially adverse to public health and safety in an area that encourages pedestrian access especially by children. A DEC-approved Stormwater Pollution Protection Plan must be in effect during demolition and construction.
- (2) To promote public welfare, the applicant must provide for the location of signage on the CVS property directing park users to the Badger Park entrance