

Mr. Switala stated they wanted to appear before you to see if there are any concerns and maybe answer any questions. They know they have to process through the County with the 239 referral and come back here for site plan approval and SEQR. They wanted to introduce it and see if anyone had questions or concerns.

Chairman Diffendorf stated at this time he didn't have any concerns and he knows there are questions regarding the holding tank. Until we see the complete application he has no questions.

E.A.F. DETERMINATION – BOBCAT OF BINGHAMTON:

Chairman Diffendorf asked if there were any questions or concerns with the part the applicant filled out. Gordie Woolbaugh stated #9. There was a discussion as to what it meant. Does it apply to new construction only? Does it even apply in this case because it is an existing building? Gordie Woolbaugh stated #17, main answer is no and the answer to a. should be no.

Bill Graves suggested that having reviewed Part 1 and before reviewing Part 2, you hear the site plan just so you have more knowledge about what exactly they plan on doing so you can make the determination on the Part 2. Chairman Diffendorf asked if he is suggesting they change the agenda in the future and Mr. Graves stated yes, in the future.

SITE PLAN REVIEW – BOBCAT OF BINGHAMTON:

J. Stark Bartron, III, from Bartron Supply, Inc., in Tunkhannock, PA stated his family has been in the equipment business since 1948 down there. It is a single location and they are looking to expand up here and sell Bobcat Equipment, including skid steers, loaders and mini excavators. They will just have that equipment up here and down in Tunkhannock they have John Deer. They are renting 596 Upper Court Street for that purpose. They will have sales, rentals and some light service work. Anything major they will take down to Tunkhannock. They will also sell parts. Kevin Balachick asked if they were affiliated with the other Bobcat dealer and Mr. Bartron stated no and added the other dealer isn't going to be a Bobcat dealer anymore. Thompson and Johnson's contract is up. Bobcat parted ways with them and they asked them to come up and help with this area.

Chairman Diffendorf asked Mr. Bartron if he has seen a copy of the recommendations from Broome County and he stated yes.

Chairman Diffendorf stated that the biggest concern is moving the guide rail and closing the one entrance. Mr. Bartron stated he wasn't opposed to closing the east entrance but since he is renting the place he doesn't want to go to the expense of putting a curb in all around the area because obviously it can get pretty expensive. He is willing to work with the Board with whatever suggestions you may have as far as keeping the guide rail. He is more than willing to fix the guide rail that looks terrible, where it was hit by a truck. If you would be acceptable to it he would repair that and paint the guide rail. If he has to take it out to get this approved he would do that but he doesn't know how to block off that other entrance. The only thing he can think of is to put in 6 foot planters with a chain between them. Chairman Diffendorf stated he was going to suggest planters. As far as the guide rails go maybe the State's concern is that they aren't tapered at the ends. If you could protect the ends, in his opinion, he would be ok with leaving them there just taper the ends and put flower boxes there. They can't be on the State right-of-way. Mr. Bartron understood.

Kevin Balachick asked if the current guide rail is on the State right-of-way, is that why they are asking for them to be removed and Chairman Diffendorf stated they didn't say that. Jim Bukowski commented they are concerned about safety.

Chairman Diffendorf commented that the guide rail that is on the west side of the property, the small section, he doesn't know if that is big enough to help you to close off the other driveway or not. You could move that. Mr. Bartron stated if not he could get another section and bolt that in place if that is ok with the Board. Chairman Diffendorf stated we should have that closed off because they are recommending it.

Chairman Diffendorf asked Mr. Bartron how he wanted to protect the ends of the guide rails so they are either tapered or with planter boxes and Mr. Bartron stated he would put a planter box in. Kevin Balachick asked if we should confirm with them that is what their safety concern is or do they say that and Chairman Diffendorf stated they didn't say, they just said safety. Mr. Bartron commented that the wording did say recommends.

Mr. Graves commented that all of these recommendations are that, recommendations but as far as the DOT is concerned they are requiring that the easterly driveway be closed. Regarding safety on the guide rails he doesn't know if that is the State's concern. He doesn't know if a car would plow through a planter and hit the guide rail in the same fashion that it would without it being there. As far as the DOT is concerned they are requiring that be closed but again the comments the Planning Board received are just that, they are recommendations. Chairman Diffendorf asked Mr. Bartron if that was suitable and he agreed.

Mr. Graves noted for the contingencies that he will close the 24 foot driveway and cap the guide rail with planter boxes. Mr. Bartron agreed. Chairman Diffendorf stated that any ends would have to be capped with the planter box so a vehicles can't drive into it.

Mr. Graves asked what the dimensions of the parking spaces are and Mr. Bartron stated he did not know that but he plans on getting in there and clean up the driveway, sealcoat and repaint the lines. Mr. Graves stated that Chad can work with you on the dimensions for the parking spaces. Mr. Graves stated you indicated 26 parking spaces with two handicap and he believes the Code requires, based on the square footage of the building, 50 spaces for a 5000 SF building. He is just noting what the Code requires. He asked if any parking was going to be taken up with outdoor display and Mr. Bartron stated yes, some will. Mr. Graves asked any of the 26 spaces and Mr. Bartron stated they plan on parking machines out in front of the building and having people park against the building, where the handicapped spots are going down from there. For their business 50 spots is way more than they need. They will have four fulltime employees working there plus at any one time they won't have any more than 4-5 customers there. Mr. Graves stated that the Planning Board can deviate down from that based on the nature of the business. Chairman Diffendorf stated that in reviewing the Comprehensive Plan we considered the parking regulations and cut it back. Chad Moran stated he thinks it is one per 250 SF, four per 1000 SF. Mr. Graves mentioned that Chad and Marchie along with some of the other attorneys at his office have worked to revise the Comprehensive Plan and the Code Book. They are making a lot of changes. If you have 26 spots on here, two of those handicap, he thinks that those spots would be dedicated to actual vehicle parking and no storage of the equipment. Mr. Bartron agreed.

Mr. Graves stated that in the cover letter you indicated that you would need written approval from Bobcat and asked Mr. Bartron if he obtained that and Mr. Bartron stated yes.

Mr. Graves stated that if they are using outside spots for storage space of your inventory take a look at setbacks and make sure nothing is within the setback.

Chairman Diffendorf stated that landscape is minimal but has increased with the planter boxes. There is grass area in the back and Mr. Bartron explained that on the east side they are going to plant some shrubs in there. Other than that in the back you are not going to see anything back there and it is just asphalt and concrete along the front of the building itself. Chairman Diffendorf asked about the dumpster being in a grassy area in the back and Mr. Bartron stated that will be in the back and with the Board's approval he would like to eventually put in a chain link fence so stuff doesn't get stolen, small things like buckets. The dumpster would be inside the fence. Chairman Diffendorf asked if the dumpster would be in the grass area and Mr. Bartron explained there is a half circle concrete area in back.

Jim Bukowski asked if they were going to do rentals and Mr. Bartron stated yes. Jim asked if the storage upfront is for new equipment and Mr. Bartron explained it is new equipment and power units. The landscape rakes will be outback.

Mr. Graves asked if he had the sign dimensions and Mr. Bartron explained they are going to use the existing sign, not making it any bigger and using the Bobcat logo. Mr. Graves asked if he will be getting a permit from Chad and Mr. Bartron stated yes.

Chairman Diffendorf asked if there were floor drains in the building and Mr. Bartron stated he believes there is one floor drain in there where the kitchen use to be, not in the shop area. The drain is where their sales office is going to be. There is nothing in the service area. Chairman Diffendorf asked if it is connected to the sewer and Mr. Bartron stated it might be, he wasn't sure.

Chairman Diffendorf asked about chemical storage and Mr. Bartron explained all they are going to have as far as new oil that they sell it is nothing bigger than 5 gallon buckets and for the used oil they are going to have a 55 gallon drum and when that gets filled up they are going to take it back to Tunkhannock where they burn it in the furnace. Chairman Diffendorf asked if that would be stored inside and Mr. Bartron stated yes, inside.

Mr. Graves, referring to the floor drain, stated he would be interested to know whether that drains to the sewer. He asked Mr. Bartron if he thinks the floor drain is in the office and Mr. Bartron stated he thinks it is. Mr. Bartron asked if it was okay with the Board could he ask his contractor to seal it off and Chairman Diffendorf stated yes. Mr. Graves stated he would add that as a contingency. Chairman Diffendorf commented that he looked inside the building and it looks nice.

Kevin Balachick asked if there was a physical barrier right now on the west side between the properties. On the drawings it is not penciled in. Chad Moran stated it is the property line.

Hearing no other questions or comments, Mr. Graves reviewed with the Board Part 2 – Impact Assessment of the Short Environmental Assessment Form, which is included in the file. The Board answered No to all questions asked by Mr. Graves. Chairman Diffendorf commented the second box at the bottom of the page could be checked.

Motion by Gordie Woolbaugh and second by Kevin Balachick that the Planning Board, as lead agency in this Unlisted Action, declare a negative declaration for the purpose of SEQR, since based on the review of the short form EAF and the updated site plan, the proposed action will not result in any significant adverse environmental impact in the Town of Kirkwood.

Roll Call Vote:	Jim Bukowski	Yes
	Kevin Balachick	Yes
	Gordie Woolbaugh	Yes
	Dan Wasson	Yes
	Chairman Diffendorf	Yes

Motion Carried.

Motion by Jim Bukowski and second by Dan Wasson to accept the site plan review with the following contingencies:

1. Close the 24 foot driveway.
2. Cap the ends of the guide rails with planter boxes.
3. No storage in the parking spaces and setbacks.
4. Seal the floor drain.

Roll Call Vote:	Jim Bukowski	Yes
	Kevin Balachick	Yes
	Gordie Woolbaugh	Yes
	Dan Wasson	Yes
	Chairman Diffendorf	Yes

Motion Carried.

Motion by Gordie Woolbaugh and second by Kevin Balachick to adjourn the meeting. The meeting was adjourned at 7:36 pm.

Respectfully Submitted,

Mary Kay Sullivan
Acting Secretary, Kirkwood Planning Board

cc: Planning Board Members	Dan Griffiths
Gayle Diffendorf	Scott Snyder
John Finch, Jr.	Oliver Blaise, III
Bill Diffendorf	William Graves
Code Department	