

PLANNING BOARD
Town of Kirkwood
70 Crescent Drive
Kirkwood, NY 13795

March 8, 2021
Meeting Minutes

Present: Marchie Diffendorf, Chairman Bob Heary, Attorney
 Jim Bukowski, Member Chad Moran, Building & Code Inspector
 Dan Wasson, Member Mike Maciak, Associate Member
 Kevin Balachick, Member
 Gordie Woolbaugh, Member

Chairman Diffendorf called the meeting to order at 7:00 PM.

APPROVAL OF MINUTES:

Motion by Dan Wasson and seconded by Jim Bukowski to approve the minutes of the January 25, 2021 meeting as submitted.

All voted in favor. Motion Carried.

E.A.F. DETERMINATION – HOMER C. GOW & SONS (ATKORE PLASTICS PIPE & CONDUIT):

Chairman Diffendorf commented that there are a few questions on the Short EAF that the applicant submitted. Chairman Diffendorf reviewed with the Board and the Applicant the following starting with Page 1, 3b, the answer should be 400 SF. Page 2, 6, the answer should be Yes. Page 2, 8a, the answers should be No. Page 2, 8c, the answer should be Yes for pedestrian crossing. Page 2, 9, answer should be a Yes, it meets the energy code requirements. Page 3, 19, answer should be Yes because the old golf course was a dump. Gordie Woolbaugh stated Page 3, 17 a & b shouldn't be checked.

Mr. Heary commented that Page 2, 13a Broome County came back with that it does occupy a portion of the property that is a wetland and that answer should be a Yes. Kevin Balachick commented that on Page 2, 11 the answer should include Existing – no change.

Mr. Heary reviewed Part 2 with the Board Members and the Members answered no to all questions. Chairman Diffendorf stated in Part 3 the second box should be checked. A copy of the complete Short EAF is included in the file.

Motion by Gordie Woolbaugh and seconded by Jim Bukowski 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
	Dan Wasson	Yes
	Kevin Balachick	Yes
	Gordie Woolbaugh	Yes
	Chairman Diffendorf	Yes

Motion carried.

SITE PLAN REVIEW – HOMER C. GOW & SONS (ATKORE PLASTICS PIPE & CONDUIT):

Chairman Diffendorf stated we have the comments from Gorick Construction with regards to the roadway. He indicated he wasn't sure if the roads were wide enough and with shoulders to accommodate semi-tractor trailers for the entrance.

Mr. Bill Gow was present. He does have a copy of the email from Gorick Construction.

Chairman Diffendorf asked as far as the turning radius goes, you have a proposed plan and Mr. Gow stated the turning radius is a butterfly effect, you can go left or you can go right. Those roads are a carbon copy of one another. Mr. Gow explained to the Board that he downloaded a site view, printed that off and overlaid that and they are identical, whether you go left or right. The rigs that are coming out now, the way they are exiting now from Atkore is going to be the same way they are coming in on the new entrance. With the shoulders and the roadways, the way they are configured now it is identical, whether entering or leaving.

Chairman Diffendorf stated there is a question as to whether it would be better to have that as an exit instead of the proposed new entrance, which may help alleviate congestion or crossing over into the other driving lane. Mr. Gow explained they have sufficient parking/storage area behind the Atkore facility. There will be no stacking on that road. They can get trucks in there and on to the property quickly. That is the reason they wanted to bring them in on that side where there is sufficient room for those rigs to park. Chairman Diffendorf asked if the entrance and exit you are using now wouldn't work for an entrance and Mr. Gow stated it would work, he isn't saying it wouldn't work but from the planning side the way they thought about this all along, which has been an item they have been wanting to tackle for quite some time. Chairman Diffendorf stated we have two recommendations to reverse it. He can see the merit in it too. It would alleviate stacking. If you have two trucks coming in at the same time they would be blocking the railroad tracks if the other one can't proceed. Mr. Gow stated right now you have the red light so when they are turning in they can't turn right on red so you are going to have a green light, you aren't going to have congestion on that track due to that unless they are running a red light. Chairman Diffendorf stated there is hardly any traffic at all coming from the water plant and the old golf course but if there was more traffic in the future coming out of there they have to go into the other lane, coming across the railroad tracks to turn right there is vehicle traffic there. Potentially there could be stacking there if they can't make that turn, having to wait for cars to move. Mr. Gow stated you have the same amount of space on the left as the right-hand side. The turning radius is identical to the other side. If they don't have a problem exiting now they won't have a problem entering due to the same dimensions with sweeps and turns on the right side.

Jim Bukowski asked if there was a traffic study to verify that and Mr. Gow stated no. Jim Bukowski asked if he was saying the left-hand turn has the same amount of sweep as the right hand turn and Mr. Gow explained when you come into that T, diamentially the road has the same amount of pavement and same swing as the trucks leaving on the left side. Jim Bukowski stated he didn't agree with that, looking at the picture. The left-hand turn looks tighter because you don't have the ground. Tractor trailers don't necessarily find the exact pattern going in, they are going to swing into the other lane but you have a lot more room going to the left than you do on the right.

Chairman Diffendorf stated when we met over there the turn radius was a concern and I still question when they make that turn they will have to go into the other lane. Kevin Balachick stated if there is a car at the red light waiting to get out they can't make that turn. Jim Bukowski stated if you had a traffic study

and an engineering study he would probably agree but from what he sees he doesn't agree. Jim asked if they did any core borings on the road and Mr. Gow stated no, he didn't want to get involved financially until the project is approved. If he had a conditional approval he would do core borings, core testing. From a financial standpoint it doesn't make sense to invest money in a project that might not be approved. Jim Bukowski commented it seems funny they didn't do that already, to put it into the design of the road, so we know going in that it meets standards that we accept so that road doesn't deteriorate over time. Who is going to fix it after that?

Chairman Diffendorf stated under the recommendations of the meeting we had and the attorney, that will be a condition of approval. Mr. Gow stated they don't have an issue with that. He went on to say he raised that concern with Atkore. They are going to have to take some samples of that road and most likely they will have to redo that road. Mr. Heary stated that presents another issue in terms of redoing the road. The road is currently not a public road, it is essentially a private driveway that the Town owns. The proposed work around for making that happen, if we needed to repave the road would be that the Town Board would agree to declare it a public road with Atkore having to pay the Town to repave it, which gets around a lot more difficulties in terms of setting it up where the Town would agree to have a private contractor do the paving on that road just because of the risks involved and the legal restrictions on setting up that type of arrangement. That would also be a condition of approval if the road needs to get redone then the Town would be doing it based off of Atkore agreeing to pay for it.

Chairman Diffendorf stated right now we are at a stalemate, which way to enter and which way to exit. Kevin Balachick stated there is a gate and what are the chances it will be closed and you have tractor trailers being stacked up at night. Mr. Gow stated on Atkore's property they are installing a guard shack that will be manned 24/7. Mr. Heary asked where on the drawing is that going to be located and Mr. Gow stated on the property itself to the left side of the entrance. On the elevation sheet it would be in the vicinity of E2. Kevin Balachick asked how much traffic will be coming in that way and Mr. Gow stated approximately 10-12 trucks per day.

Chairman Diffendorf asked if the guard shack was on the drawing and Mr. Gow stated he didn't include it because to him it was not relevant to the culvert design. Mr. Heary stated it would be part of the site plan. Chairman Diffendorf stated that is something that should be on here.

Chairman Diffendorf stated we almost never table a site plan review but his suggestion would be to go back to Atkore and ask them about flipping the entrance and exit and Mr. Gow stated he would do that. Chairman Diffendorf stated the guard shack needs to be put on the drawing and address the email from Mr. Gorick and the concerns from the public and bring it back in April. These are legitimate questions. Kevin Balachick stated also the scale, is that 40 ft to scale on the road and just a miss print on the other and Mr. Gow stated it is not to scale. Kevin Balachick stated the 14 ft. 2 in. opening to the golf course is about the same as the 40 ft. Mr. Gow stated that may have been a misprint.

Chairman Diffendorf stated on the conditions that is recommended by our attorney there will be no parking or standing signs put up and Mr. Gow agreed with that. Chairman Diffendorf asked Mr. Glover in regards to the communications are there underground cables and Mr. Glover stated yes, they are roughly about 2 ft. underground. Chairman Diffendorf asked about the water main and Mr. Glover stated approximately 5 ft. Jim Bukowski asked if they run along the right side and Mr. Glover stated the water main is on the right side, not off the shoulder. Chairman Diffendorf asked Mr. Grubham if his concerns were the turn and parking and Mr. Grubham stated yes, no overnight parking. Chairman Diffendorf stated we are addressing the turn by reversing it. Mr. Grubham commented he thinks the traffic study needs to be done on that corner. He knows the County didn't ask for it. Chairman Diffendorf stated he wasn't sure it's needed with only 10 trucks. Mr. Grubham

stated there is a traffic detection system that may need to be moved backwards, who is going to pay for that. You can't make the assumption that the golf course isn't going to be sold or reopened. Chairman Diffendorf stated the road would be brought up to Town standards, they aren't going to require the applicant to make provisions for a future site that we don't know will ever be used. It may or may not be used, you can't put that on the applicant. Mr. Grubham asked if they provided a certain number of parking spaces allocated, provisions have to be made for that, don't they, for the golf course and Chairman Diffendorf stated that is different. We are talking about the road, whether it is an exit or an entrance. We can't concern ourselves with the golf course. Mr. Grubham said I thought we were talking about the vehicle detection, whether or not that warranted a vehicle traffic study. Chairman Diffendorf stated Broome County didn't think so.

Chairman Diffendorf commented we will go over the conditions so you are aware of those. The conditions are as follows:

1. Securing Town approval to dedicate a portion of Fairway Drive as a public road.
2. Boring and obtaining core samples of the road to determine if upgrades are necessary.
3. Atkore paying for any required upgrades based on the core samples, with such upgrades being performed by the Town.
4. Trucks may not park or stand on Fairway Drive.

The Board tabled this project until the April 12, 2021 meeting.

E.A.F. DETERMINATION – SCHNEIDER'S OF KIRKWOOD:

Chairman Diffendorf stated on Page 1, 3a was marked 0. Chad Moran stated the structure is 12X10 so it will be 120 SF. Chairman Diffendorf stated it is 20X25, 500 SF. Page 1, 3c was marked 0 but should be 3.03 acres. Gordie Woolbaugh stated Page 3, 17 a & b should not be checked. Mr. Heary stated Page 3, 14 should be checked Urban and Suburban. Page 2, 10 & 11, if no it is not applicable with the wastewater and water supply connection.

Mr. Heary reviewed Part 2 with the Board Members and the Members answered no to all questions. Chairman Diffendorf stated in Part 3 the second box should be checked. A copy of the complete Short EAF is included in the file.

Motion by Gordie Woolbaugh and seconded by Dan Wasson 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
	Dan Wasson	Yes
	Kevin Balachick	Yes
	Gordie Woolbaugh	Yes
	Chairman Diffendorf	Yes

Motion carried.

SITE PLAN REVIEW – SCHNEIDER’S OF KIRKWOOD:

Chairman Diffendorf explained there is a temporary structure that has been put up at Schneider’s, on the side of the building. They met with Bob Hamm and they determined that as long as the COVID emergency is going on they would let him to be able to use that as their pickup area as soon as possible. We have allowed them to do that, on an emergency basis. They have submitted an application to put up a permanent shelter along the side of the building, which will be 12X25. Chad Moran stated it is 12X10. The 12X25 was the original size of it before it was cut in half. Chairman Diffendorf stated it says 25X20. Chairman Diffendorf asked if it was sticking out 10 ft from the building and Mr. Siedlecky agreed. Chairman Diffendorf asked it isn’t the one that is there now, not the temporary one and Chad Moran stated the one that is there will be the permanent one. Chad Moran stated it comes out 12 ft. and it is 10 ft. wide. Chairman Diffendorf stated it was his understanding that was temporary and they would have something more esthetic. Mr. Siedlecky stated it is not going to look just like it does right now, it will be fixed up. It is set there temporary for now but that will be the permanent structure. Chairman Diffendorf asked what is it going to look like when it is permanent, will it be sided or painted and Mr. Siedlecky stated they are not going to side it. It will be like it is with the roof and it will be painted their colors. Chairman Diffendorf asked if there will be a stand or a table under it for when people come up for their pickup or will they walk into the building and Mr. Siedlecky stated they won’t walk into the building. It is an exit only, no one is coming in the door. There is a concrete base there now and they are going to put concrete off that, as a landing coming off. It is just for them to pull up so the employees can go out and load the car.

Kevin Balachick asked if they were going to pour a slab inside that the same square footage and Mr. Siedlecky explained they are going to come off the landing that is there now, a rampway off. They are not building a porch, they are building a shelter for the people that have to go out and load the cars. They are not building an addition off the building.

Chairman Diffendorf stated we don’t have a drawing of this. He asked how big the slab is going to be and Mr. Siedlecky stated the slab is there now, roughly 40X48. There is a step down off the slab now.

Chairman Diffendorf stated to be honest he doesn’t like the looks of this the way it is. Everything else around the store looks nice and to have this with the braces on it, it seems it could be more esthetic. Chad Moran stated the braces will be coming off, only there until Spring. They are going to dig a hole in the blacktop, down 42 inches and mount them with the bracket and it is going to be free standing. He mentioned putting flower boxes on both sides. They would just walk out the door and put the packages in the cars. Chairman Diffendorf stated the braces are coming off and it will be anchored to the concrete and Mr. Siedlecky stated yes. Chad Moran read from the application what they will be doing. Chairman Diffendorf asked if a concrete footer will be put in and Chad Moran stated yes, four, one for each post. They don’t want to attach it to the building. Chairman Diffendorf asked if they were going to put pipes in the ground and Mr. Siedlecky stated he wasn’t exactly sure what Bob was doing. Chad Moran stated he is going to put lights on the building, like they discussed. Chairman Diffendorf asked if they were going to fasten the 2X6’s to the sono tubes and Chad Moran stated the 6X6’s are going to have anchor braces right into the sono tubes so it will sit right on top with legs. It will be free standing, not toughing the building. Chairman Diffendorf stated there are some concrete blocks there now and he agreed with Bob to put them in there temporarily but as far as more permanent we would like to see bollards to protect the corners and Chad Moran stated he plans on putting the bollards in to make it more esthetically pleasing and get rid of the 2X2 block as soon as the weather breaks. Chairman Diffendorf asked if they would have delineation on them and Chad Moran stated they would be yellow and he is going to black out the parking spots perpendicular to the building in front of it. When he resurfaces the lot, he will draw the lines

coming in. Mr. Heary asked if there will be any additional signage and Chad Moran stated he has one on the building.

Mr. Heary stated a lot of the plan requirements that are contained in the Code are not addressed with this including things like exactly how traffic is going to be circulating through this area, a sketch plan or drawing, property lines, rights of way, easements. The Board can obviously waive any site plan requirements if it wants to but there are items missing off the list. Chairman Diffendorf stated this makes it very difficult for the Board because we are missing things.

Chairman Diffendorf stated you have the temporary structure there. He thinks we need more specific drawings of what this is going to look like and the parking flow. He recommends holding this over until the April meeting and we will know exactly what this will look like when it is done. You can still use the temporary one and it is considered temporary now. We really want to see what it is going to look like with the ramp and the bollards and the flower box. Be specific as possible.

Motion by Dan Wasson and seconded by Jim Bukowski to adjourn the meeting. The meeting was adjourned at 8:03 pm.

Respectfully Submitted,

Mary Kay Sullivan
Secretary, Kirkwood Planning Board

cc:	Planning Board Members	Dan Griffiths
	Kelley Diffendorf	Scott Snyder
	John Finch, Jr.	Bob Heary
	Katie Legg	Code Department