

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

May 10, 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	Matt Williams, Associate 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 March 8, 2021 meeting as submitted.

All voted in favor. Motion Carried.

E.A.F. DETERMINATION – DON ORALLS GARAGE, LLC:

Chairman Diffendorf questioned Part 1, question #20, regarding remediation at the site for hazardous waste and the answer is checked yes. Chad Moran explained this was plugged into the DEC website and it was pre-downloaded. There isn't anything that we know of.

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 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.

SITE PLAN REVIEW – DON ORALLS GARAGE, LLC:

Chairman Diffendorf reviewed the comments from Broome County as follows: What chemicals and/or hazardous materials will be stored onsite? The answer from the applicant was torch tanks, diesel fuel, gas, paint, engine oil, waste oil, engine coolant, aerosols. Any fuel and/or used oil storage tanks, and if so, are they above ground or underground? The answer from the applicant was one diesel fuel tank, one waste oil tank and both are above ground. Are floor drains connected to the municipal sewer system? The answer from the applicant was no floor drains.

Chairman Diffendorf explained that Broome County also wanted us to let the applicant know that they are in the 100-year flood plain. Also, the storage for the above-mentioned chemicals, fuels, and paints, Broome County wants to make sure they won't escape the containment that they are in. They will be anchored to the floor so they won't float.

Mr. Eddie Innella, Manager at the site, was present. Mr. Innella explained that the waste oil tank and the fuel tank is double walled and has a self-containment and is fastened. Chairman Diffendorf questioned if there would be floor drains and Mr. Innella stated no.

Chairman Diffendorf asked about the landscaping and Mr. Innella stated there is existing landscaping that is relatively new. There is one section of the right building on the property where they will be screening in the HVAC. Chairman Diffendorf asked if that is where the arborvitaes are and Mr. Innella agreed.

Chairman Diffendorf asked if they were going to be replacing the existing sign and Mr. Innella stated yes. Chairman Diffendorf asked if there were going to have a sign on the building as well and Mr. Innella stated yes.

Chairman Diffendorf asked if there were three properties and Chad Moran stated there are three tax map numbers. Chairman Diffendorf asked if they owned all the properties and Mr. Innella stated yes, they own all three.

Chairman Diffendorf asked about the driveway gate and Mr. Innella stated the gate is there but they are not using it. Chairman Diffendorf asked if they aren't using the gate could they remove it and Mr. Innella stated yes.

Mr. Heary stated regarding the parking there are ten parking spots, eight regular and two handicapped, which is below what the code requires. Also, the applicant is proposing to have ten or more employees, which raises the question of how many they might need for just employees vs anyone else. Because this is a repair facility the code calls for two per repair bay plus one for each employee. If there are ten plus employees there it is 10 parking spots before you get to the bays. That is something for the Board to consider. You could waive that requirement. Mr. Innella stated right now they have eight employees with more than enough parking. It isn't mapped out but there are designated parking spaces. Chairman Diffendorf asked where the employees will park and Mr. Innella stated in front of the building. Chad Moran commented that when they addressed it they calculated the eight for potential people coming in and the employees would park where the tractor trailers are. Chairman Diffendorf asked if the employee parking would be in the rear of the building on the right and Mr. Innella agreed. Chairman Diffendorf commented that satisfies the code.

Mr. Heary stated they listed the estimated cost of proposed improvements as not applicable. He asked if they had gotten any quotes because it says they will install lighting and landscaping, which has some costs associated with it and Mr. Innella stated yes for the material and labor but he didn't have the exact numbers.

Chairman Diffendorf asked if they were going to install it themselves and Mr. Innella stated a licensed electrician works with them and the planting they would do themselves. Kevin Balachick asked if he had a guestimate for the landscaping and Mr. Innella stated probably about \$1000 for the plants and the lighting is about \$3000. Total improvements would be approximately \$4000-\$5000.

Kevin Balachick asked if all the buildings would be used and Mr. Innella stated the smaller blue building is utilized and the big building on the left is going to be leased out in the future. Kevin Balachick stated they would have to come before the Planning Board for review. Chairman Diffendorf asked if their office would be in the right building and Mr. Innella agreed.

Mr. Heary asked where the storage tanks would be located and Mr. Innella stated that one is in the small blue building, nothing is visible from the outside. Both of the other tanks are secure in their shop. Kevin Balachick asked if there were any dumpsters or scrap metal bins and Mr. Innella stated one scrap metal bin, which is behind the building. Jim Bukowski asked if the tires would be stored in the blue building and Mr. Innella stated yes. Kevin Balachick asked if the Tarco sign will be redone and Mr. Innella stated yes.

Motion by Kevin Balachick and seconded by Gordie Woolbaugh to approve the site plan with the following conditions:

1. Employee parking will be behind the building.
2. Containment of hazardous waste should be double walled and secured to the floor.
3. Storage will not be visible.
4. Remove gate if not going to be used.
5. Future sublease will need to come before the Planning Board.

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

Motion carried.

Motion by Kevin Balachick and seconded by Gordie Woolbaugh to adjourn the meeting. The meeting was adjourned at 8:23 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