

PLANNING BOARD

Town of Kirkwood
70 Crescent Drive
Kirkwood, NY 13795

December 11, 2023
Meeting Minutes

Present: Jim Bukowski, Member
Kevin Balachick, Member
Mike Maciak, Associate Member
Dan Wasson, Member
Gordie Woolbaugh, Chairperson
Chad Moran, Building & Code Inspector
Gina Middleton, Attorney

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

APPROVAL OF MINUTES:

Motion by Dan Wasson and seconded by Mike Maciak to approved the minutes from the November 13, 2023 meeting as submitted. All voted in favor, motion carried.

E.A.F. DETERMINATION – LOVE’S TRAVEL STOPS & COUNTRY STORES:

Ms. Middleton explained this is a Type II action under SEQR regulations, Section 617.5(c)9 states construction or expansion of a primary or accessory/appurtenant, non-residential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls, but not radio communication or microwave transmission facilities are Type II actions requiring no further board action under SEQR.

Motion by Jim Bukowski and seconded by Kevin Balachick to declare this a Type II Action pursuant to the SEQR Regulations, 6 NYCRR Part 617.5, subsection (c)(9), requiring no further Planning Board SEQR Action.

Roll Call Vote:	Jim Bukowski	Yes
	Kevin Balachick	Yes
	Mike Maciak	Yes
	Dan Wasson	Yes
	Chairman Woolbaugh	Yes

Motion Carried.

SITE PLAN REVIEW – LOVE’S TRAVEL STOPS & COUNTRY STORES:

Chairman Woolbaugh questioned the owner of the property on the GIS is Akel Wholesales and Mr. Jason Panicaro from HFA-AE explained that is correct. Chairman Woolbaugh also questioned the property is 9.91 acres and is showing 6398 SF.

Kevin Balachick questioned if a release was needed from Akel Wholesales to do this. Ms. Middleton asked if the lease included improvements and Mr. Panicaro explained they are working through that now and will have a copy of the agreement and will provide a copy to the Board. That will be made a condition of approval.

Mr. Panicaro explained the building will be used for a prep kitchen for Loves, it will have a cooler and a freezer. There will be no public access, all back of the house operations. It will give them more room.

Chairman Woolbaugh asked about parking spaces and Mr. Panicaro explained they will lose 4 parking spaces. Chad Moran commented they are still within the regulations.

Dan Wasson asked if anything else would be done to the exterior besides cutting a hole for the door and Mr. Panicaro explained just cutting the door and some interior remodeling including the checkout desk.

Motion by Dan Wasson and seconded by Kevin Balachick to approve the site plan with the following conditions:

1. Provisions of lease or legal documents allowing LOVES's to make requested improvements.
2. Adhere to 239 requests regarding protection of the wetlands.

Roll Call Vote:	Jim Bukowski	Yes
	Kevin Balachick	Yes
	Mike Maciak	Yes
	Dan Wasson	Yes
	Chairman Woolbaugh	Yes

Motion Carried.

Motion by Jim Bukowski and seconded by Mike Maciak to adjourn the meeting. The meeting was adjourned at 7:14 pm.

Respectfully Submitted,

Mary Kay Sullivan
Secretary, Kirkwood Planning Board

cc: Planning Board Members
Kelley Diffendorf
John Finch, Jr.
Chad Moran

Bob McKertich
Gina Middleton
Katie Legg
Scott Snyder