

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

October 12, 2021
Meeting Minutes

Present: Marchie Diffendorf, Chairman Bob Heary, Attorney
 Jim Bukowski, Member Chad Moran, Building & Code Inspector
 Mike Maciak, Associate Member John Mastronardi, Town Engineer
 Gordie Woolbaugh, Member Matt Williams, Ad Hoc Member
 Dan Wasson, Member

Absent: Kevin Balachick, Member

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

APPROVAL OF MINUTES:

Motion by Mike Maciak and second by Jim Bukowski to approve the minutes of the July 12, 2021 meeting as submitted.

All voted in favor. Motion Carried.

E.A.F. – 42 BINGHAMTON, LP:

Chairman Diffendorf stated first we should go over the comments from Broome County, which were received just today. Mr. Heary stated the first one is for the underground storage tanks that are proposed. Those would need to be approved by NYS DEC and registered with them. They would also require primary and secondary containment as well as the spill response plan and spill response equipment. The other comments regarded installing a back-flow prevention device to the service connection to the Town water supply. The 265 Industrial Park Drive portion has a long history of an electronics manufacturing. Other similar facilities have had accidental chemical spills and leaks. It is suggested that soil vapor screening be done in the vicinity of the building footprint to ensure that there are no contamination issues, especially if excavated soil will be removed from the property.

Mr. Chris Maby, Delta Engineering was present. Chairman Diffendorf asked if the storage tanks that are proposed for the future fueling facility are being put in now and Mr. Maby stated they are not putting them in now. The infrastructure that we are getting there from the building is the underground conduit for the wiring and an 8-inch drainage line. If the canopy is built it would drain into the storm system. They are not proposing to put in any tanks at this time. Chairman Diffendorf explained they will have to come back for site plan review to do those and Mr. Maby agreed. Chairman Diffendorf stated that Broome County is suggesting that if we approve them tonight, even though we don't have the plans for them, we would have to do another SEQR, which can't be avoided. Mr. Maby stated he doesn't think that facility is going to be put in. That is something they blanket across all of their projects.

Chairman Diffendorf stated the back-flow valve has already been addressed. John Mastronardi explained that the comments that Bob just read were from the previous site plan in December 2020 and he doesn't know about the vapor testing of the soil. Mr. Maby explained that there was some soil that was removed during excavation

that was vapor tested and DEC was out there for that and it was done the right way. There was some questionable soil on this side of the building for a tank that was shut down 30 years ago and the paper trail was when DEC was going from paper to all electronic they couldn't find it so they opened the tank up and basically did what they did 30 years ago and they have documentation this time.

Chairman Diffendorf explained this is a Full Environmental Assessment Form. Part 1 has been submitted by the applicant.

Mr. Heary read each question in Part 2 of the Full EAF and the Board answered each question. The Board's responses are included in the file.

Motion by Gordie Woolbaugh and seconded by Dan Wasson that the Planning Board, as lead agency in this Type 1 Action, declare a negative declaration for the purpose of SEQR, since based on the review of the Full 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
	Mike Maciak	Yes
	Gordie Woolbaugh	Yes
	Dan Wasson	Yes
	Chairman Diffendorf	Yes

Motion carried.

SITE PLAN REVIEW – 42 BINGHAMTON, LP:

Mr. Maby, referring to large maps, explained this is basically the same drawings you saw the last time. He pointed out the area where the building would be and where the vehicle maintenance would be. They will be turning some of the parking around and increase the green space in the process to help out the stormwater. He pointed out where the conduit and piping would be also. The building eaves will be just over 26 feet and the peak is 34 feet.

Chairman Diffendorf asked about the fluids including oil, anti-freeze and paint and Mr. Maby stated there shouldn't be any paint. Chairman Diffendorf asked if all the fluids will have dual containment and Mr. Maby stated yes. Chairman Diffendorf asked about floor drains and Mr. Maby stated there are floor drains going to the oil water separator. Chairman Diffendorf asked if just Fed Ex vehicles will be maintained and Mr. Maby stated yes.

Dan Wasson asked if there is an elevation map of this building and Mr. Maby stated it is A55 in the packet. It is a relatively flat roof, overhead doors and man doors. It was determined that the packets didn't have A55 so Mr. Maby showed the members the elevation map that he had.

Motion by Jim Bukowski and seconded by Dan Wasson to approve the site plan with the following conditions:

1. Any hazardous materials/wastes stored onsite should utilize primary and secondary containment systems and be registered with the NYS DEC as required.
2. If they decide to put the underground tanks in they need to come back for Site Plan approval.
3. A spill response plan and equipment should be readily available onsite for any spills, leaks or other discharges of hazardous materials/wastes. Plan to include notification to NYS Spill Hotline of any "Reportable Spill" as defined by NYS DEC.
4. All fluids will be stored inside the building.
5. Provide a maintenance schedule for the oil water separator.

Roll Call Vote:	Jim Bukowski	Yes
	Mike Maciak	Yes
	Gordie Woolbaugh	Yes
	Dan Wasson	Yes
	Chairman Diffendorf	Yes

Motion Carried.

Motion by Gordie Woolbaugh and seconded by Mike Maciak to adjourn the meeting. The meeting was adjourned at 7:29 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