

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

**April 10, 2023**  
**Meeting Minutes**

Present:           Jim Bukowski, Member                           Gina Middleton, Attorney  
                  Mike Maciak, Associate Member           Chad Moran, Building & Code Inspector  
                  Gordie Woolbaugh, Member               Mike Maciak, Associate Member  
                  Matt Williams, Associate Member

Absent:           Marchie Diffendorf, Chairman  
                  Kevin Balachick, Member  
                  Dan Wasson, Member

Jim Bukowski called the meeting to order at 7:00 PM.

**APPROVAL OF MINUTES:**

Motion by Matt Williams and seconded by Mike Maciak to approve the minutes of the March 13, 2023 meeting as submitted.

All voted in favor. Motion carried.

**E.A.F. DETERMINATION – KENNETH KITCHEN/KAK,LLC:**

Mr. Kitchen was present.

Jim Bukowski asked if there were any questions regarding the applicant's portion of the Short EAF, board members and the attorney questioned #3, #2, #4, #17, and #10. All answers were corrected on Part 1 of the Short EAF and are included in the file. Ms. Middleton read the questions in Part 2 of the Short EAF and the board members answered each question no, the form is included in the file.

Motion by Gordie Woolbaugh and seconded by Mike Maciak 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:	Matt Williams	Yes
	Gordie Woolbaugh	Yes
	Mike Maciak	Yes
	Jim Bukowski	Yes

Motion Carried.

**SITE PLAN REVIEW – KENNETH KITCHEN/KAK, LLC:**

Jim Bukowski explained there was a response from Broome County, they made referrals that the plan should show compliance with the NYSDOT requirements. NYSDOT's comments included the requirement to bring the site's frontage into conformance with NYSDOT standards for control of access and highway safety, which will require the issuance of a Highway Work Permit. Mr. Kitchen stated he did receive that permit already. Jim Bukowski continued the frontage modification may be achieved through cost-effective NYSDOT approved measures, such as pinned parking bumpers or vegetative barriers. Nothing may be placed within the State right-of-way, including sheds or customer parking, and no parking will be allowed on the shoulder of US Route 11.

Jim Bukowski commented that one thing that was brought up, the plans included jersey barriers or concrete barriers, they didn't want to see those. They would prefer parking blocks in between the landscaping. Mr. Kitchen explained they are not jersey barriers but rather 2X2X6 long blocks. It doesn't matter to him, he picked the larger ones because of the tractor trailers traffic through there. With curbs, they will drive over them. He would do whatever the board wanted, it is cheaper to put the curbs in. Jim explained that Chairman Diffendorf was pretty addiment about having the curbs, they can be moved if need be.

Mike Maciak asked if there would be any stone in the parking lot, anything on the dirt and Mr. Kitchen explained yes, he is meeting with Gorick's Construction on what size stone will go down. The ground is pretty firm and it is graded off.

Motion by Mike Maciak and seconded by Gordie Woolbaugh to approve the Site Plan with the following condition:

1. Curb blocks will be installed instead of concrete blocks.

Roll Call Vote:	Matt Williams	Yes
	Gordie Woolbaugh	Yes
	Mike Maciak	Yes
	Jim Bukowski	Yes

Motion Carried.

Motion by Mike Maciak and seconded by Matt Williams to adjourn the meeting. The meeting was adjourned at 7:16 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

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**PUBLIC HEARING**

**April 10, 2023**

**SITE PLAN REVIEW TO OPERATE A RETAIL SALES BUSINESS FOR PREBUILT STORAGE SHEDS ON THE PROPERTY LOCATED AT 653 UPPER COURT STREET IN THE TOWN OF KIRKWOOD, KNOWN AS TAX MAP NO. 161.08-1-10 AND LOCATED IN A BUSINESS TWO DISTRICT ON THE APPLICATION OF KENNETH KITCHEN, ON BEHALF OF KAK, LLC**

Jim Bukowski commented we have the affidavits of posting by the Town Clerk, notice to property owners within 500 feet of the project, affidavit of publication in the Press & Sun Bulletin and Country Courier. We have the Broome County Planning Department 239-m recommendations and a Short EAF has been filed.

Jim Bukowski opened the public hearing to public participation at 7:01 p.m.

Hearing no comments Jim Bukowski closed the public hearing at 7:01 pm.

Respectfully Submitted,

Mary Kay Sullivan  
Secretary, Kirkwood Planning Board