

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

May 8, 2023
Meeting Minutes

Present:	Jim Bukowski, Member	Mike Maciak, Associate Member
	Kevin Balachick, Member	Matt Williams, Associate Member
	Gordie Woolbaugh, Member	Chad Moran, Building & Code Inspector
	Dan Wasson, Member	Gina Middleton, Attorney
	Chairman Diffendorf	John Mastronardi, Engineer

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

Chairman Diffendorf explained there is a change in the agenda, originally Marshall Equipment was going to be first but there has been a development with the solar farm project. The public hearing will not be held tonight, it will be continued until the next meeting, when we will have more information on the appraisal.

Ms. Middleton explained the appraisal was prepared and completed by CNY Pomeroy Appraisers. There were a couple of errors with regard to the radius in which they did a price study for the existing solar placements. An amended report is forthcoming. Once that amended report comes out, at the next meeting, which is June 12th, the preparer of the report, Don Fisher of CNY Pomeroy will be here via Zoom to give a brief overview of the report and answer any questions people may have. That was in regards to a market study of property valuation.

Chairman Diffendorf commented that if anyone had any questions for him in regards to this they could have the floor otherwise it will be next month.

Sherry Orals, 20 Trim Street, wanted to bring something to the Board's attention regarding properties that were done in Conklin. Referring to page 17 of the report, Ms. Orals stated they were using flooded properties that sold for \$50,000. Chairman Diffendorf explained that when we get the revised appraisal, that would be a better time to discuss this in case there are any differences. Ms. Orals commented they need to do a different property study, they never came here. Chairman Diffendorf explained she should come next month to the public hearing.

Mr. Tim Gourley, Tract Engineering, stated he would like to address the comments now rather than later and it would give the appraiser an idea of the comments he is going to receive. Chairman Diffendorf commented he knows it has been delayed and he isn't happy about it, he has spent a lot of time on this. Mr. Gourley commented if we ask a question now it will get addressed in the next revision. Chairman Diffendorf explained his intent was to vote tonight, we aren't going to prolong it. If we had the report tonight and if it was acceptable, in his opinion we would have voted tonight.

A resident asked if there was a time limit on this and Chairman Diffendorf stated no, we are going to address all the issues. Another resident asked if they were going to vote on it in June and Chairman Diffendorf stated that is his intent. We have all the information that has come forth from the citizens, the engineers, our research so the intent would be to vote on it next month.

APPROVAL OF THE MINUTES FROM THE APRIL 10, 2023 MEETING:

The minutes were not included with the board members packets so they will be approved at the next meeting.

E.A.F. – MARSHALL MACHINERY

Dan Wasson recused himself from this project and Matt Williams took his seat on the board.

John Mastronardi reviewed with the board what is still needed regarding the SWPPP as follows: stamp and signature of NYS Licensed Design Professional, signed copy of the SWPPP Preparer certification, sign copy of the owner/operator certification, a sign copy of the SWPPP Acceptance Form when available, comparison of pre-development vs. post-development runoff values, Appendix F of the NYS Standards and Specification for Erosion and Sediment Control, drainage area maps including sub-catchment areas, time of concentration/flow paths, removal of the analysis of the 200-yr and 500-yr storm events with respect to Hydraulic Calculations as they are not required, post-construction stormwater inspection, operation and maintenance form for the detention pond, WQv and RRv calculations, infiltration/percolation tests or logs of borehole investigations and supporting geotechnical report for detention pond, and landscape plans for detention pond.

Nick Rayner, Engineer, Lakeside Engineering and Robert Harner, Lakeside Engineer were present.

Nick Rayner explained that most of the forms and documentation can be provided.

Chairman Diffendorf asked John Mastronardi if those 12 items could be conditions and he indicated they could. A SWPPP Acceptance Form wouldn't be issued until these items are addressed and without the SWPPP Acceptance Form they can't submit a Notice of Intent to DEC. Without a Notice of Intent, they have no permit, they can't break ground or any disturbance of the site. John Mastronardi went on to say he feels comfortable that at this point for them to get permit coverage I think they could satisfy these items hopefully within the next month. Mr. Rayner stated they could, a majority of the SWPPP comments aside from the drawing, most of the information they already have.

Ms. Middleton explained that these updates were provided to the County for 239 review and we are still waiting for an updated 239 review from them. If we are going to be back here in June regardless you may want to wait until the County 30-day period expires.

Mr. Harner stated they do want to move the project forward, the comments that came back from the County were minimal. Another very similar development was approved there. He asked if there are any conditions they could put on that would be greatly appreciated. Chairman Diffendorf pointed out that some of the comments were significant, the right-of-way, drainage, paving, and a highway permit. Usually when we get these projects we pass them in one night, this is the second night and the third month and we can't pass this tonight.

Chairman Diffendorf explained this would be tabled until the June 12th meeting.

Kevin Balachick asked on the drainage plan, going from the storm manhole it just runs to the end of the parking lot, is that going to go into the stormwater retention pond and will there be any outlet on that and Mr. Harner explained it is an outlet structure.

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Motion by Matt Williams and seconded by Kevin Balachick to adjourn the meeting. The meeting was adjourned at 7:26 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