

TOWN OF KIRKWOOD PUBLIC HEARING

March 14, 2024

A public hearing regarding the adoption of a Local Law of the Town of Kirkwood for the year 2024 entitled “A Local Law Rezoning 110 William Street (Tax Map #162.15-2-11), 925 NYS Route 11 (Tax Map #162.15-2-12), and a Portion of 24 Sunset Drive (Tax Map #162.15-1-56) to the Industrial Development Zoning District” was held on March 14, 2024 at 6 PM at Floyd L. Bell Elementary School, 15 Golden Street, Kirkwood, NY with Supervisor Lewis Grubham presiding.

Present: Supervisor Lewis Grubham
Councilmember William Diffendorf, Jr.
Councilmember Katie Legg
Councilmember Sandy Wasson
Councilmember Robert Weingartner

Also Present: Robert McKertich, Attorney
Kelley Diffendorf, Town Clerk
Gordie Woolbaugh, Planning Board Chairman
Karen Ferguson, Historian

Supervisor Grubham opened the hearing and explained that Mr. Meinstein would give a brief explanation of changes he has made to the original proposed Five Mile Point Warehouse Project site and then the public would be allowed to comment and give their opinions as well.

Adam Meinstein, manager of Five Mile Point Warehouse Investors, LLC, handed out a packet of drawings to everyone and announced his company is the owner of the former Five Mile Point Speedway property. He thanked everyone for the opportunity to present a redesigned plan of the original warehouse project. Mr. Meinstein explained the Town of Kirkwood Planning Board and Broome County Planning Department approved the new plan with minor stipulations. NYSDOT also accepted and approved the revised traffic impact study with three required mitigation areas. The three areas include: crosswalks for Valley Park, improved turning and motion lanes at the intersection of Route 11 and Crescent Drive, and a turning lane for the Route 11 south bound lane into Grosset Drive. Mr. Meinstein has agreed to these revisions and to incur the expense of them as well. Mr. Meinstein suggested traffic patterns are vastly improving and reported approval from NYSDOT to add signage in the Grosset Drive area to hopefully direct traffic away from the Crescent Drive/Frances Street area. Another significant change from the original proposed plan is the acquirement of a right of way that allows access to a driveway off of Grosset Drive. All Frances Street driveway access has been eliminated. The deed restrictions state that Frances Street will never be used as a driveway, and the property will be maintained by the owner. Building orientation has been changed as well, with the buildings essentially flip flopped, now facing Interstate 81. Mr. Meinstein referred to the packet of drawings he handed out several times regarding green space, setbacks, lighting, and sound barriers. This packet is on file in the Town Clerk’s office. The sewer pump and pumping station that service the warehouse property will be upgraded by Mr. Meinstein. Although the land may get rezoned as Industrial Development, Mr. Meinstein is willing to restrict the uses his company would allow to only Light Industrial uses.

Will Thornton a mechanical engineer with Thornton Acoustics and Vibrations evaluated the sound impact of the proposed project. After the Town’s local sound ordinance was reviewed and an ambient sound study was conducted, it was determined the residents are already experiencing very high noise levels throughout the day, primarily from Interstate 81. The final portion of the study was to model and predict the sound impact of the warehouses, it was determined the truck noise will not exceed the current noise ordinance or add to the existing ambient noise. The buildings will act as a noise barrier to residents living to the west of the project site.

Lisa Batzel of William Street expects the rezoning to be passed, she questioned what roads will be used when the construction begins. Mr. Meinstein explained the intention is to use Grosset Drive, but if work needs to be done near Frances Street or William Street then those roads may be used at times. Lisa Batzel expressed her concern regarding area flooding and if the EMS access roads would be available to residents, which Mr. Meinstein agreed.

Robert Gaube of Robert Street was surprised to hear a strip of land that runs along Frances Street will have deed restrictions and is not being deeded over to the Town. He then questioned what would happen if a new owner wanted to access Frances Street. It was explained by several people that with the deed restriction it cannot ever be used as an access point, even if the owner changes. The owner is also responsible to maintain that portion of land. Robert Gaube then questioned the retention ponds, what will be retained in them and

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how deep will they be. The final design is not complete yet, but there will be no standing water. He also spoke about a concern for Frances Street being used during the construction phase, along with dust and dirt that have been contaminated for decades with hazardous materials. Supervisor Grubham explained that Town code and the DEC will be on site to monitor these things. Lastly, Robert Guabe expressed the relocation and reconfiguration of the warehouses are positive changes.

Zach Demannix of Robert Street asked if the stormwater could be monitored to be sure inappropriate things weren't being dumped from the warehouses, although restrictions are in place, it doesn't mean they are always followed. He's concerned about what the Industrial Development zone could bring to the area.

Cheryl Coolbaugh of Blakeslee Road, who lives past Exit 1 off Route 11, questioned if there has ever been a traffic study done at Exit 1. She pointed out the amount of traffic already coming from Conklin (Dick's and Amazon) using Exit 1 and suggested the Board keep that in mind with the traffic that is getting pushed that way from Grosset Drive. She mentioned sound issues for residents living between I-81 and Route 11, and wanted to know if property values have ever been discussed. She felt the warehouses would most likely decrease property values. Lastly, Cheryl Coolbaugh questioned why Kirkwood only attracts warehouses, and nothing useful or fun.

Linda Glezen of Crescent Drive brought up a study regarding sound barriers near Exit 2, 81N, and 17W and although adding more sound barriers at this time has not been approved by the State, she is concerned the warehouses will add more truck traffic, therefore add more noise to an already noisy area. Will Thornton explained the amount of traffic coming from the warehouses will not increase the ambient sound levels.

William Teegarden of Don Street inquired about the tree line along 81S and site elevations of the project.

Bob Hamm, co-owner of Schnieder's Market, reported he rarely has to wait for trucks when leaving his plaza, at times it could be for buses or when Buckingham Manufacturing is letting out, otherwise he claimed Route 11 is not a busy road.

Angela Tokos Coolbaugh of Haskins Road inquired about the deed restrictions and a new owner with the use of Frances Street as an access point. Mr. McKertich explained it will be enforced in two different ways, one through the local law itself, which prevents access to and from the site from Frances Street. In addition, a deed restriction will be acquired from the property owner that prohibits access to and from the property, that restriction will run with the land, and survive from owner to owner. Angela Tokos Coolbaugh questioned her study regarding the addition of two large warehouses and then being told there is no change in noise level.

Councilmember Diffendorf moved to adopt resolution to close the public hearing. Councilmember Legg seconded. All voted in favor.

MOTION CARRIED.

Supervisor Grubham thanked everyone for coming and closed the hearing at 7:08 PM.

Respectfully submitted,

Kelley M. Diffendorf
Town Clerk