

## **PLANNING BOARD**

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

### **PUBLIC HEARING**

**June 12, 2017**

**SITE PLAN REVIEW TO RELOCATE A BUSINESS TO AN EXISTING BUILDING AND PROPERTY FOR USE AS AN AUTO/MARINE REPAIR FACILITY. REGARDING PROPERTY LOCATED AT 5 IRVING AVENUE, KIRKWOOD, NY AND LOCATED IN A PLANNED UNIT DEVELOPMENT (PUD) DISTRICT ON THE REQUEST OF DANIEL ACAVOY, DBA DKM AUTO/MARINE LLC, KNOWN AS TAX MAP # 162.15-2-9.11.**

Co Chairman Jim Bukowski read the notice of public hearing and 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. We have a short EAF on file. Broome County Planning Department has not identified any significant countywide or inter-community impacts associated with the proposed project; however, we have the following comments:

The Town Planning Board should ensure that this project is consistent with the 2016 Town Comprehensive Plan recommendations for this corridor extending from the Town Hall to the Five-Mile Point Speedway, specifically that this area include:

- compatible uses
- good access management
- walkable streets
- appropriate signage
- landscaping, screening, buffering
- appropriate building and site design for commercial properties
- improved outdoor storage requirements for unregistered motor vehicles, addressing location, setbacks, duration, number, condition, screening and spill prevention.
- improved property and building maintenance for commercial properties located in the corridor

This Department recommends that the Town withhold taking action until the site plan is revised to show the following:

- Entire property boundary
- Driveway curb cuts
- Accurate depiction and orientation of existing buildings and uses located on the site
- Existing and future plans for the remainder of the 5.22 acres

- Site layout for the north side of Irving Avenue, including display area, storage area for repair vehicles and boats, landscaping, setbacks, and signage
- Closure of the floor drains or proper permitting
- Chemical and petroleum products storage location
- Signage

The conditions of approval should include:

- No junk vehicles or boats stored onsite
- No unenclosed outdoor storage of vehicles and boats waiting for repair
- No outdoor tire storage
- No outdoor storage or parking in the setback areas
- No onsite fueling
- Clean up of grounds of all debris and repair and paint to the exterior of the building(s)
- Property maintenance plan for the entire 5.22 acres
- Closure of floor drains or USEPA permit
- Appropriate enclosed storage of all chemicals and petroleum products
- spill prevention plan

The New York State Department of Transportation (NYSDOT) has no comments. The Binghamton Metropolitan Transportation Study (BMTS) has no comments. Broome County Department of Public Works (DPW) has no comments. The Broome County Health Department (BCHD) commented where motor vehicles repairs take place floor drains leading to dry wells of any type are regulated by the USEPA. If floor drains are present in the project, they will need to be closed or a USEPA permit obtained. Also any chemical or petroleum products should be stored outside to prevent accidental spills from contaminating soils and groundwater. Outside chemical/fuel storage should be only done with secondary containment or over an impervious surface.

Co Chairman Bukowski opened the public hearing to public participation at 7:06 p.m.

Robert Gaube from 39 Roberts Street came forward to question why there is an environmental impact so what kind of business is going in there that will possible effect the environment. Also what will be the hours of operation and if the owner and employees would be courtesy about their surroundings and neighbors and not be open at all hours of the night. Attorney Brady Begeal stated we will be discussing this during the site plan review and your questions will be answered then.

Hearing no more comments, Co Chairman Bukowski closed the public hearing at 7:09 p.m.

Respectfully Submitted,

Lori A Garvey  
Secretary, Kirkwood Planning Board