

PLANNING BOARD

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

PUBLIC HEARING

February 12, 2018

SITE PLAN REVIEW TO OCCUPY SUITE B OF MALL TO OPERATE A BAKERY WITH DAILY RETAIL SALES. REGARDING PROPERTY OWNED BY FISHS EDDY III, LLC, AND LOCATED AT 721 UPPER COURT STREET, BINGHAMTON, NY AND LOCATED IN A BUSINESS TWO (B-2) DISTRICT ON THE APPLICATION OF TREVOR TERBOSS/TERB'S TREATS, KNOWN AS TAX MAP # 162.05-2-23.1.

Chairman Diffendorf 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 project tax map is located partially within the existing and preliminary FEMA Special Flood Hazard Area. The applicant should be informed of the risks of placing the project within this area. The site plan should include the signage to be placed on the pole sign. Also to be consistent with the 2016 Town Comprehensive Plan the Town Planning Board should take this opportunity to require the property owner to improve the safety and physical appearance of the area by: removing the concrete barriers, reduce curb cuts, provide bike and pedestrian amenities, repair and maintain driveway and parking lot pavement, add landscaping and address the inconsistent signage on the pole. The New York State Department of Transportation (NYSDOT) commented nothing may be placed within the State right-of-way, including advertising signage. The Binghamton Metropolitan Transportation Study (BMTS) comments were to also be consistent with the 2016 Town Comprehensive Plan to improve the safety and physical appearance of the area. To eliminate the concrete barriers and replace with fencing and screening, reduce curb cuts, provide bike and pedestrian amenities and increase landscaping. The Broome County Health Department (BCHD) comment this business might be regulated by the BCHD food service unit and applicant should contact them for further information.

Chairman Diffendorf opened the public hearing to public participation at 7:07 p.m.

Hearing no comments, Chairman Diffendorf closed the public hearing at 7:07 p.m.

Respectfully Submitted,

Lori A Garvey
Secretary, Kirkwood Planning Board