

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

**PUBLIC HEARING**

**December 10, 2018**

**SITE PLAN REVIEW FOR USE OF THE EXISTING BUILDING TO STORE AND SERVICE VEHICLES FOR AN EQUIPMENT RENTAL SERVICE. REGARDING PROPERTY LOCATED AT 608-610 UPPER COURT STREET, KIRKWOOD, NY AND LOCATED IN A BUSINESS TWO (B2) DISTRICT ON THE APPLICATION OF PRECISION CONCRETE PUMPING, INC., REGARDING PROPERTY OWNED BY BEHLOG & SON PRODUCE, INC., KNOWN AS TAX MAP # 161.08-1-16.1 AND 161.08-1-16.2.**

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, they have the following comments: The site plan should include the following: washing facilities and plans for drainage and management of wash water and contaminants, location of vehicle repair work, location of concrete mix storage, landscaping, lighting and signage. The conditions of approval should include the following: no onsite fueling, no outdoor vehicle repairs, no outdoor storage of concrete trucks and no onsite dumping of concrete or other materials. The New York State Department of Transportation (NYSDOT) commented that water and contaminants from equipment washing may not be discharged to the State right-of way, including to the State drainage system along US Route 11. Please direct the applicant to submit information to the Region detailing the proposed plans for drainage and management of wash water and contaminants. The Binghamton Metropolitan Transportation Study (BMTS) has not identified any issues related to site access or traffic impacts. However the proposed use variance for the storage, light maintenance and washing of concrete trucks at 610 Upper Court Street would be incompatible with the Kirkwood's Upper Court Street Corridor Study, recently completed by BMTS in cooperation with the Town. It would also be inconsistent with the community's visual preferences for Upper Court Street identified through a survey conducted as part of the corridor study, as well as incompatible with the Town of Kirkwood's Comprehensive Plan. The Broome County Department of Public Works (DPW) had no comments. The Broome County Health Department (BCHD) commented 1) Federal regulations apply to floor drains in the service bays, if these exist. Floor drains connected to dry wells are regulated by the USEPA and must be closed under Federal Law or receive a USEPA permit. The reasoning behind this is to prevent groundwater contamination from spilled fuel or maintenance chemicals. 2) Chemicals and petroleum products should be stored inside the building whenever possible, for the same reason as (1). If outside storage is unavoidable, secondary containment should be considered.

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

Code Enforcement Officer, Chad Moran stated the use variance that is checked on the 239 Review Submission Form was checked in error. There is no use variance for this project.

Page 2

December 10, 2018

Public Hearing

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

Respectfully Submitted,

Lori A Garvey

Secretary, Kirkwood Planning Board