

**TOWN OF KIRKWOOD  
PUBLIC HEARING**

**February 23, 2010**

A public hearing regarding the adoption of a Local Law of the Town of Kirkwood for the year 2010 which would amend the Town of Kirkwood Zoning Local Law by rezoning property located at 665 Upper Court Street, owned by owned by FAS Enterprises, Inc. from Business-2 (B-2) to Business-3 (B-3), was held on February 23, 2010 at 6:00 PM at the Joseph A. Griffin Town Hall with Supervisor Gordon Kniffen presiding.

Present: Supervisor Gordon Kniffen  
Councilman Robert Weingartner  
Councilman Lewis Grubham  
Councilwoman Linda Yonchuk  
Councilman William Diffendorf, Jr.

Also Present: Herbert Kline, Town Attorney  
Gayle Diffendorf, Town Clerk  
Raymond Coolbaugh, Deputy DPW Commissioner

Supervisor Kniffen verified that he had affidavit of posting and mailing to property owners within 1,000 feet, affidavits of publication in the Press & Sun Bulletin and The Country Courier and that a short EAF had been filed. He also noted that Broome County Planning Department offered no negative comments.

Supervisor Kniffen explained that this involves rezoning property on Upper Court Street in the Loughlin Road area to allow a used car sales. He noted that the Planning Board has recommended this for approval.

Peter Cirba, a real estate broker of 587 Old State Road, said that he drives by the property almost every day and he would be offended if a used car lot is not allowed to locate there. He said there are used car lots up and down Court Street and he can't see why anyone would be against it.

Paul Cirba of 1356 Chenango Street, Fenton, explained that they have had the property on the market for over five years which almost classifies it as a hardship. He said that he feels the person that wants to purchase the property is a high caliber person and he will be a plus to the area. He added that there are used car lots as well as a junk yard and adult entertainment on Upper Court Street and he does not think this request is too far out of line.

Sharon Sweetay, currently part owner of the property, stated that the vacant building on the property has been vandalized several times and is an eyesore, and it would be nice to have someone bring revenue into town.

Hearing no additional comments, Supervisor Kniffen ordered the hearing closed at 6:09 PM.

Respectfully submitted

Gayle M. Diffendorf  
Town Clerk