

**TOWN OF KIRKWOOD
PUBLIC HEARING**

September 7, 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 to allow temporary portable storage containers for a period of up to twelve months or so long as there is a valid building permit in effect was held on September 7, 2010 at 6:05 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
Richard Jones, Commissioner of Public Works

Supervisor Kniffen verified that he had affidavits of posting and mailing to neighboring municipalities and of publication in the Press & Sun Bulletin and The Country Courier, that Broome County Dept. of Planning was in agreement, and a short EAF had been filed.

Mr. Kline explained that temporary portable storage containers (PODS) will be permitted in Residence (R), Residence-One (R-1), Agricultural/Rural Residence (A/R-R) or Residence Multi (R-M) Districts. A permit will be required from the Enforcement Officer at no charge. When the permit expires the POD must be removed and the property must remain free of the POD for at least 60 days. If a dwelling has been damaged by fire or other casualty, there can be an exception and an additional time period can be allowed.

In response to Councilwoman Yonchuk, Mr. Kline said that if there are currently PODS that are on properties without permits they are grandfathered in with a non-conforming use. Those PODS can remain on the property without ever getting a permit.

Hearing no additional comments Supervisor Kniffen ordered the hearing closed at 6:07 PM.

Respectfully submitted,

Gayle M. Diffendorf
Town Clerk