

**TOWN OF KIRKWOOD
PUBLIC HEARING**

December 27, 2011

A public hearing regarding the adoption of a Local Law of the Town of Kirkwood for the year 2011 which would amend the Town of Kirkwood Zoning Local Law to allow a Child Day Care Center, licensed and approved by the State of New York, as a permitted use in an Industrial Development (ID) District was held on December 27, 2011 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
Raymond Coolbaugh, Commissioner of Public Works
Marchie Diffendorf, Planning Board Chairman

Supervisor Kniffen verified that he had affidavits of posting and of publication in the Press & Sun Bulletin and The Country Courier and that a short EAF was filed. Broome County Planning Department did not identify any significant impacts but recommended that the Town Board address a number of health, safety and security issues through site plan review and the possible issuance of a conditional use permit to make certain the child day care centers would be compatible with the surrounding uses, and that the industrial uses and activities would not adversely affect the child day care centers. Issues of concern include licensing and approval by NYS, protection from toxic or hazardous materials and air and noise pollution, traffic issues, and fencing. A copy of the letter is on file in the Town Clerk's Office.

Supervisor Kniffen commented that this change was initiated because of an interest in locating a day care center at 27 Link Drive, which is located in an ID District, and day care is not currently included as a permitted use. Marchie Diffendorf explained that when the Planning Board addressed this they did not make their recommendation to the Town Board on a specific location, that this would pertain to all ID Districts.

Supervisor Kniffen opened the hearing to public comment. Hearing none, Supervisor Kniffen ordered the hearing closed at 6:08 PM.

Respectfully submitted,

Gayle M. Diffendorf
Town Clerk