

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

May 14, 2025
Meeting Minutes

Present:	Adisen Harden, Member	Gina Middleton, Attorney
	Jason Maxian, Member	David Pasquale, Ad Hoc Member
	Mike Maciak, Member	
	Dan Wasson, Member	
	Gordie Woolbaugh, Chairperson	

Chairman Woolbaugh called the meeting to order at 7:02 PM.

APPROVAL OF MINUTES:

Minutes from the January 8, 2025 meeting were approved as submitted. All voted in favor.

E.A.F. DETERMINATION – ROGER STUDER ON BEHALF OF STUDER’S BODY SHOP & GARAGE:

Motion by Mike Maciak and seconded by Dan Wasson to declare this an Unlisted Action pursuant to SEQR.

Roll Call Vote:	Adisen Harden	Yes
	Jason Maxian	Yes
	Mike Maciak	Yes
	Dan Wasson	Yes
	Chairman Woolbaugh	Yes

Motion Carried.

Mr. Studer was present and submitted to the Board an updated SEQR Part 1.

The Board questioned #13 regarding wetlands and Mr. Studer explained that he had Mr. York from the Cortland DEC office come down and marked the areas that can be filled in and where they cannot be filled. Ms. Middleton asked if there is any written confirmation on that and Mr. Studer stated he is going to send it. Ms. Middleton explained that would be a condition.

The Board questioned #15 regarding threatened or endangered species, the answer should be changed to no. The Board questioned #17 regarding stormwater drainage and it was noted that the increase in stormwater drainage will only be related to the area covered and roof drainage which will be handled by existing runoff area and will not impact neighboring properties.

Ms. Middleton read the questions in Part 2 of the SEQR and the board answered no to all questions. It was noted that in regard to #9, the Board answered no with the understanding that Mr. Studer will be receiving a letter from the DEC noting the same. The completed SEQR is included in the file.

Motion by Jason Maxian and seconded by Adisen Harden to declare a Negative Declaration for this project under SEQR.

Roll Call Vote:	Adisen Harden	Yes
	Jason Maxian	Yes
	Mike Maciak	Yes
	Dan Wasson	Yes
	Chairman Woolbaugh	Yes

Motion Carried.

SITE PLAN REVIEW – ROGER STUDER ON BEHALD OF STUDER’S GARAGE AND BODY SHOP:

Chairman Woolbaugh asked about restrooms and Mr. Studer stated they are in the other building, not the new one. Chairman Woolbaugh asked if there would be any additional signage and Mr. Studer stated no.

Chairman Woolbaugh asked if he had met with DOT regarding the entrance and exit and Mr. Studer stated he did talk to someone today and she is coming out on Monday to review the site. Mr. Studer explained there will not be any additional driveways off the state highway, just what is there now. DOT approval will be a condition. Chairman Woolbaugh asked if there were any drains in the building and Mr. Studer stated no. Chairman Woolbaugh asked about containment for oils and fluids and Mr. Studer stated they are very careful but if there is a spill it is small and cleaned with speedy dry. Chairman Woolbaugh asked about secondary containment for spills and Mr. Studer stated he had not thought about that. They put it in 55-gallon drums, and they use a waste oil burner in the wintertime. If he must do that he will. DEC approval and compliant for oil and gas containment and storage will also be a condition.

Dan Wasson asked if he was buying just the portion of the parcel by the garage and Mr. Studer explained he is buying 3 acres and will be combining the parcels. Ms. Middleton asked if he would provide the Town with a copy of the new deed or title when the parcels are combined and Mr. Studer said he would. This would also be a condition.

Chairman Woolbaugh asked if there were any plans for landscaping facing Route 11 and Mr. Studer explained there are trees on the side.

Mike Maciak asked what type of heat is going into the garage and Mr. Studer explained forced air waste oil burner. Adisen Harden asked if there is going to be a fire suppression system and Mr. Studer stated no, fire extinguishers, which are inspected every year.

Motion by Dan Wasson and seconded by Mike Maciak to approve the site plan with the following conditions:

1. Receipt of approval by the DEC of the construction area and non-interference with existing wetlands or waterbody areas.
2. Approval by DOT for entrances and exists to the new building.
3. Any oil and gas containment or storage in the new structure needs to be DEC approved and compliant.
4. Provision of deed for combined parcel upon filing with the Broome County Clerk’s Office.

Roll Call Vote:	Adisen Harden	Yes
	Jason Maxian	Yes
	Mike Maciak	Yes
	Dan Wasson	Yes
	Chairman Woolbaugh	Yes

Motion Carried.

E.A.F. DETERMINATION – CAMERON HORTON – BREWED AWAKINGS COFFEE SHOP:

Motion by Adisen Harden and seconded by Jason Maxian to declare a Negative Declaration for this project under SEQR.

Roll Call Vote:	Adisen Harden	Yes
	Jason Maxian	Yes
	Mike Maciak	Yes
	Dan Wasson	Yes
	Chairman Woolbaugh	Yes

Motion Carried.

Cameron Horton was present and submitted new drawing to the Board.

Chairman Woolbaugh, referring to the SEQR, questioned #2, #3, #9, and #16. All questions were corrected and are included in the file.

Chairman Woolbaugh asked if anything was going to be done with the parking area other than what is there and Mr. Horton stated no.

Ms. Middleton read the questions in Part 2 of the Short EAF, the board members answered each question, and the completed form is included in the file.

With regard to how much traffic Mr. Horton expects, he explained he expects no more than ten vehicles on the property at once, 3-4 vehicles in each drive up and 2-3 employee vehicles.

Motion by Dan Wasson and seconded by Mike Maciak to declare a Negative Declaration for this project under SEQR.

Roll Call Vote:	Adisen Harden	Yes
	Jason Maxian	Yes
	Mike Maciak	Yes
	Dan Wasson	Yes
	Chairman Woolbaugh	Yes

Motion Carried.

SITE PLAN REVIEW – CAMERON HORTON ON BEHALF OF BREWED AWAKENINGS COFFEE SHOP:

Chairman Woolbaugh, referring to the drawing that was originally submitted and the drawing that was submitted here at the meeting, the original one has dimensions on it and the new one does not. Mr. Norton explained that he thought if one had the dimensions it would be all right. Chairman Woolbaugh pointed

out that there are issues with the driveway with DOT and Mr. Horton explained he has been in contact with DOT, and they decided on just one in and out driveway is allowed for this project. Chairman Woolbaugh stated we would like an updated drawing with the dimensions and showing the traffic pattern on the property.

Ms. Middleton explained we will need a drawing showing the traffic pattern and additionally a specific space for spill over.

Mike Maciak asked what the hours were going to be and Mr. Horton explained roughly 6 am to 2 pm, Monday through Saturday. Chairman Woolbaugh commented this is strictly drive thru.

Chairman Woolbaugh asked if the food he will be serving is pre-prepared and how long will that car have to sit there and Mr. Horton explained it is not anything pre-made, they will prepare using a microwave, a panini press, and coffee pots. There is no open flame.

Chairman Woolbaugh asked what kind of heat is in that shed and Mr. Horton explained it will be heated with two mini splits.

Chairman Woolbaugh explained we will need an updated site plan before we can approve the site plan. This will be tabled until the next meeting in June. Ms. Middleton asked if he thought he would have DOT approval by the next meeting and Mr. Horton explained DOT had seen the updated drawing and they had no comments, no written approval has been given. Mr. Horton will ask for written approval from DOT.

Motion by Jason Maxian and seconded by Adisen Harden to table this site plan review until the June meeting.

Roll Call Vote:	Adisen Harden	Yes
	Jason Maxian	Yes
	Mike Maciak	Yes
	Dan Wasson	Yes
	Chairman Woolbaugh	Yes

Motion Carried.

Motion by Dan Wasson and seconded by Jason Maxian to adjourn the meeting. The meeting was adjourned at 7:58 pm.

Respectfully Submitted,

Mary Kay Sullivan
Secretary, Kirkwood Planning Board

cc:	Planning Board Members	Bob McKertich
	Kelley Diffendorf	Gina Middleton
	Poe Williams	Katie Legg
	Chad Moran	Scott Snyder

PLANNING BOARD

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

PUBLIC HEARING

May 14, 2025

SITE PLAN REVIEW TO BUILD A 40'X 50' STEEL BUILDING TO REPAIR TRUCKS AT PROPERTY LOCATED AT 1828 AND 1841 US ROUTE 11 IN THE TOWN OF KIRKWOOD, KNOWN AS TAX MAP NOS. 211.01-1-23 AND 211.01-1-28 AND LOCATED IN A RESIDENCE R AND AGRICULTURAL/RURAL RESIDENCE DISTRICTS ON THE APPLICATION OF ROGER STUDER, ON BEHALF OF STUDER'S BODY SHOP & GARAGE

Chairman Woolbaugh commented we have the affidavit of posting by the Town Clerk, notice to property owners within 500 feet of the project, affidavit of publication in the Press & Sun Bulletin. We have the Broome County Planning Department 239-m recommendations, and a Short EAF has been filed. Chairman Woolbaugh read the notice of public hearing.

Chairman Woolbaugh opened the public hearing to public participation at 7:03 p.m.

Mike Brand, 1827 US Route 11 commented he and his wife own property almost directly across the road from where he wants to build and they have no problem with this project.

Steven Cook, 1842 US Route 11 commented he and his wife live right next door to Roger and they have no opposition to this project, it is a good thing.

Hearing no other comments Chairman Woolbaugh closed the public hearing at 7:05 pm.

Respectfully Submitted,

Mary Kay Sullivan
Secretary, Kirkwood Planning Board

PLANNING BOARD

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

PUBLIC HEARING

May 14, 2025

SITE PLAN REVIEW TO PLACE A REMOVABLE 20'X10' SHED-STYLE BUILDING ON SITE TO SERVE A LIMITED BREAKFAST AND LUNCH MENU BY DRIVE THRU WINDOWS ONLY AT PROPERTY LOCATED AT 653 UPPER COURT STREET IN THE TOWN OF KIRKWOOD, KNOWN AS TAX MAP NO. 161-08-1-10 AND LOCATED IN A BUSINESS TWO DISTRICT ON THE APPLICATION OF CAMERON HORTON, ON BEHALF OF BREWED AWAKENINGS 1, LLC

Chairman Woolbaugh read the notice of Public Hearing and commented we have the affidavit of posting by the Town Clerk, notice to property owners within 500 feet of the project, affidavit of publication in the Press & Sun Bulletin. We have the Broome County Planning Department 239-m recommendations, and a Short EAF has been filed.

Chairman Woolbaugh opened the public hearing to public participation at 7:32 p.m.

Hearing no comments Chairman Woolbaugh closed the public hearing at 7:32 pm.

Respectfully Submitted,

Mary Kay Sullivan
Secretary, Kirkwood Planning Board