

## **PLANNING BOARD**

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

### **PUBLIC HEARING**

**April 11, 2016**

**SITE PLAN REVIEW TO ADD DELICATESSEN, COOLERS AND FREEZERS (WITH EXTERIOR COMPRESSORS) TO AN EXISTING GROCERY STORE. REGARDING PROPERTY LOCATED AT 608 UPPER COURT STREET, BINGHAMTON AND LOCATED IN A BUSINESS-TWO (B-2) ENTERTAINMENT DISTRICT ON THE REQUEST OF ACQUISTO DISCOUNT GROCERIES, KNOWN AS TAX MAP # 161.08-1-16.1.**

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 that was approved by the Town of Kirkwood Zoning Board of Appeals. We will also review and do our own determination.

Broome County Planning Department has not identified any significant countywide or inter-community impacts associated with the proposed project; however we have the following comments. Applicant should be aware that a small portion of the project site is located within the Preliminary FEMA Special Flood Hazard area. The Planning Board should ensure that the project exterior compressors comply with the Town noise regulations. The project is located along an important gateway to Town of Kirkwood and the Town should ensure that the applicant improves the appearance of the building exterior and adds landscaping. The site plan should include directional signage for the offsite parking and pedestrian access between the two properties. The site plan should also be revised to include both 596 and 608 Upper Court Street, shared parking, driveways, directional signage, cross parcel connections pedestrian access between the two properties and landscaping. The Broome County Health Department (BCHD) commented the applicant should check with Mark Mancini, Health Department Senior Sanitarian (607) 778-2810 to see whether a food service facility permit will be required for this project. The Binghamton Metropolitan Transportation Study (BMTS) has no comments. The New York State Department of Transportation (NYSDOT) commented nothing is to be place within the NYS right-of-way without prior approval. If work is proposed in the right-of -way a NYS permit must be obtained.

Chairman Diffendorf opened the public hearing to public participation at 7:04 p.m.

Michael F. Acquisto, the owner of Acquisto's Discount Groceries, LLC came forward to speak about the above comments, see site plan review for his comments.

Hearing no other comments Chairman Diffendorf closed the public hearing at 7:12 p.m.

Respectfully Submitted,

Lori A Garvey  
Secretary, Kirkwood Planning Board