

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

PUBLIC HEARING

April 9, 2018

SITE PLAN REVIEW FOR THE CONSTRUCTION OF 2 (TWO) STORY METAL BUILDING AND GRAVEL (PAVED) PARKING LOT FOR PERSONAL AND EQUIPMENT STORAGE AND STORAGE OF CARS WAITING TO BE SOLD. REGARDING PROPERTY OWNED BY TERRY RESOURCES AND LOCATED AT 24 TRACK DRIVE, KIRKWOOD, NY AND LOCATED IN AN INDUSTRIAL DEVELOPMENT (ID) DISTRICT ON THE APPLICATION OF JUSTIN CICIO ON BEHALF OF ONTRACK MOTORS, LLC, KNOWN AS TAX MAP # 162.05-2-14.

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. 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.

- The Town Planning Board should ensure that this project is consistent with the 2016 Town Comprehensive Plan recommendations for the Industrial Development District and Industrial Park. The Plan calls for:
 - "More adequate outdoor storage regulations, addressing materials, durability, and maintenance, prohibiting outdoor storage in the front yard or within 10 feet of the property line, prohibiting outdoor storage of tires, and requiring compliance with applicable performance standards and state and federal laws for hazardous material storage."
- The Town Planning Board should also ensure that this project is consistent with the 2016 Town Comprehensive Plan recommendations for Automobile Sales, specifically that these uses include:
 - Maximum number of cars that may be sold or stored or displayed onsite in the site plan approvals
 - Spill prevention plan requirements for vehicle storage and display areas
 - No unscreened outdoor storage of motor vehicle parts or partially dismantled motor vehicles
 - No vehicles display within the setback
 - Setbacks abutting the public road right-of-way to be landscaped
 - Dumpsters enclosed and located out of view from public right-of-way

To those ends, the project should address the following:

- The project should include a spill prevention plan.
- The parking lot should be paved to prevent accidental leaks from contaminating the soil and groundwater. The landscape plan states: "gravel parking area". One Sketch Plan states: "black top parking area". This discrepancy should be addressed.
- The applicant stated in the Town Zoning Board of Appeals minutes of January 15, 2018 that the building would measure 30 feet by 60 feet (1,800 square feet). The Sketch Plan shows a 6,400 square-foot, two-story building. This discrepancy should be addressed.
- The project should include landscaping along Track Drive and the building perimeter and around any ground sign and decorative fencing along the perimeter of the cars facing Track Drive at a minimum.
- We recommend that any ground signage be a landscaped monument sign and not a pole sign.
- We recommend that fencing be well designed and not metal chain link fencing.
- The conditions of approval should include the following:
 - No vehicle maintenance or repair onsite
 - No chemical and/or fuel storage
 - No onsite fueling
 - No storage and/or parking in the setback areas
 - No junk vehicles or vehicles parts, or vehicles leaking fluids and needing repair
 - No outdoor tire storage
 - Removal of existing storage space
 - Clean up of ground of all debris
 - Property maintenance plan
 - No direct sales to the public, online sales only (see Town Zoning Board of Appeals condition of approval)
 - No unscreened outdoor storage (see also Town Zoning Board of Appeals recommendation)
 - Maximum number of vehicles that can be stored outside at any given time (see also Town Zoning Board of Appeals recommendation)
- The site plan should include the following:
 - Appropriate driveway curb cuts
 - Grading plan
 - Drainage plan
 - Signage plan
 - Building elevations, materials, and colors, and renderings
 - Limits of outdoor equipment storage area(s)
 - Limits of outdoor vehicle storage area(s)
 - Fencing or other screening details
 - Dumpster enclosure
 - Loading and unloading area
 - Conditions of Approval

The New York State Department of Transportation (NYSDOT) has no comments. The Binghamton Metropolitan Transportation Study (BMTS) has no comments. The Broome County Department of Public Works (DPW) has no comments. The Broome County Health Department (BCHD) commented a new review should be considered if in the future circumstances change and vehicle maintenance, repairs or fuel, chemical storage will be done on the property.

Chairman Diffendorf opened the public hearing to public participation at 7:06 p.m.

Hearing no comments, Chairman Diffendorf closed the public hearing at 7:06 p.m.
Respectfully Submitted,

Lori A Garvey
Secretary, Kirkwood Planning Board