



Town of Kirkwood Comprehensive Plan

2016

Acknowledgements

Over the past year, a number of individuals participated in the development of this Comprehensive Plan for the Town of Kirkwood. We wish to recognize the following people who devoted their time and effort during the process. We also wish to thank the many citizens of Kirkwood for their enthusiasm and contributions to the community survey and public meetings.

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Kirkwood Comprehensive Plan 2016

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Introduction

Entering Kirkwood, people see Kirkwood is a small town that is proud of its community. That being said, the Town faces challenges similar to other municipalities in the county and state. The Town's population is aging and many young adults who grew up in Kirkwood have migrated to other places. The recent economic trends have been unfavorable to small towns, especially those located in upstate NY. Over the past decade, the steady job loss and lack of investment has made it difficult to attract new development. In addition, the region's periodic flooding has displaced many and influenced others' decision to locate here. While these challenges are difficult to overcome, the residents and officials of Kirkwood are dedicated to improving the future of the Town by creating an attractive place where people want to work, live and play.

The Plan

The Town of Kirkwood Comprehensive Plan is intended to become a guide for future growth, development and conservation. The comprehensive plan committee encouraged citizens to provide their perspective and offer insight on the current conditions and issues facing the Town. Public input was also used to develop goals and recommendations that reflect the consensus of the community. Once adopted, future laws and decisions have to be consistent with recommendations set forth in this plan.

“Among the most important powers and duties granted by the [State] legislature to a town government is the authority and responsibility to undertake town comprehensive planning. A "town comprehensive plan" means the materials, written and/or graphics... that identify the goals, objectives, principles, guidelines, policies, standards, devices and instruments for the immediate and long-range protection, enhancement, growth and development of the town.

Section 27s-a(1)(b) New York State Town Law

The 2016 Kirkwood Comprehensive Plan updates the Town's previous comprehensive plan, completed in 2002. This plan was drafted by a special board who worked closed with the Broome County Department of Planning. First the plan provides a brief history of the Town, then offers an overview of data and information including demographics, housing, economic base, land use, local laws and ordinances and the built and natural environment. Using this information and public input, a number of potential issues in the Town were outlined. The concluding chapter identifies those issues and outlines the recommendations for the Town. Ultimately, the Kirkwood Comprehensive Plan serves as a guide for the future and will assist the Town in building upon its strengths and overcoming challenges.

This comprehensive plan will be judged by how successfully it is implemented. The recommendations were the result of a great deal of work, input, and analysis, and they should now be put into action. Implementation will only be successful if the plan is dynamic. The plan should be reviewed periodically to ensure that it remains relevant to the challenges faced by the Town of Kirkwood.

Where do we get our data?

A variety of data sources were used for the update on the Town of Kirkwood Comprehensive Plan. These sources are described below:

Decennial Census

The Decennial Census is the official count of all the people who live in the United States. Since 1790, a census has been conducted every ten years, collecting data on the population and households. The **short-form** asks seven questions about the population including, name, gender, age, relationship to householder, race/ ethnic group and Hispanic origin, and housing tenure. The **long-form** was more detailed and asked 34 detailed questions about the population and housing characteristics related to socioeconomic status. In 2010, the Decennial Census long-form was replaced with the American Community Survey. The Decennial Census is the most reliable data source for counties and small communities, so whenever available, 2010 data is presented.

American Community Survey (ACS)

The ACS is an on-going survey that replaced the Census long-form in 2010 and is distributed to households annually, rather than once every ten years. The data provides a snap shot of the population and is released in 1, 3, and 5-year estimates. Even though the ACS was designed to replace the long-form there are many differences in the way questions were asked and the sample size of the population being surveyed. In addition, the small sample size often leads to a **Margin of Error (MOE)** which is defined as the range, above or below the estimated value where the true value may fall. Considering the Town of Kirkwood's sample size is relatively small, we can expect a high MOE for many questions. Because of these differences, caution was used when comparing and analyzing data based upon these estimates. The ACS is the only place to find detailed population and housing data for counties and local communities. The data tables in the plan do not include the MOE for ACS estimates.

More information about the MOE can be accessed at the following links:

About the ACS: [***census.gov/programs-surveys/acs/***](http://census.gov/programs-surveys/acs/)

Detailed data tables with MOE: [***factfinder.census.gov/***](http://factfinder.census.gov/)

Broome County Data

Broome County construction and parcel data are presented in the housing section. Each year the Broome County Planning Department updates information on building permits issued in various municipalities. This is used as an indicator of growth and development trends. The Broome County GIS & Mapping Services continually updates the parcel data with information provided by each municipality's tax assessor. For the purposes of this section, this information is used to determine land/ property uses and values.

More information about the Broome County Data can be accessed at: [***gobroomecounty.com/planning/***](http://gobroomecounty.com/planning/)

Setting and History of Kirkwood

Setting

Kirkwood is a small town located in rolling hills of south-central Broome County. It is about 30 square miles in size and contains five hamlets. Being a riverfront community on the northern banks of the Susquehanna River, Kirkwood enjoys a number of panoramic views. The central part of Kirkwood is situated at the junction of Interstate 81 and Interstate 86 (former NYS Route 17), where thousands of travelers pass through the town every day. Kirkwood shares its borders with the State of Pennsylvania, the City of Binghamton, and four other towns including Fenton, Colesville, Windsor and Conklin.

The Creation of Kirkwood

During the early formation of Broome County, the large Town of Chenango was created and from this, the Town of Conklin was formed in 1824. Many residents of Conklin settled on the north shore of the Susquehanna River, present-day Kirkwood, because of its accessibility to the village of Binghamton and the growing markets located there. For nearly four decades, residents from both sides of the river journeyed great distances to attend Town meetings and participate in local events. By 1859, it became clear that the distance and geographical barriers were serious challenges the Town needed to address. That year voters signed a petition proposing the division of Conklin and presented it to the Broome County Board of Supervisors. Subsequently, the Town of Kirkwood was created.

Although under the legal language establishing the Town of Kirkwood, it would appear that Kirkwood was removed from Conklin. However this was merely a political subdivision, creating two separate political entities. The residents on the north side of the Susquehanna River selected the Town of Kirkwood as their name, and the remaining territory continued as the Town of Conklin.

The Town of Kirkwood was officially established on November 23, 1859. The first annual Town Meeting was held in February 1860 in the hotel kept by George Jones. The hotel, later known as the Kirkwood House later burned in the early 1920's. That space is now occupied by the Kirkwood Fire Company Station 1.

Originally the Town included 25.7 square miles of land. There was a small tract of land approximately 365 acres to the west of the Town, which was annexed by the City of Binghamton, and became the Binghamton State Hospital grounds. Later on, acres of the State Hospital farmland were purchased and annexed as part of the Town in the mid-twentieth century.

The Great Bridge Controversy

Today the Kirkwood-Conklin Bridge allows residents to easily travel between both towns. Before the original bridge was constructed in the late 1800s, the Susquehanna River acted as a barrier for residents making it difficult to travel between the two towns. At one time, a ferry was used to cross the river, but it became unreliable in the winter months. Conklin residents initiated the process of constructing a bridge that would connect both towns. Residents living in present-day Kirkwood were expected to pay half the costs of the bridge, without ever being consulted about the project. In 1887, the Town's Attorney took the Town of Conklin to court claiming they had no opportunity to participate in the process. The case went to the Court of Appeals, where it was decided in favor of the Town of Conklin. The bridge was completed in 1889. At the time of its construction, the bridge was designed to accommodate travelers on foot or horseback. By mid-twentieth century, the bridge became obsolete and was not functional for automobile travel. The bridge which stands today was constructed in 1966 and connects both towns.

Early Settlers

Like many towns in Broome County, Kirkwood's early growth was attributed to an influx of migrants. The first settlers were primarily farmers from New England who settled near the banks of the Susquehanna. Many of these settlers of the region came along what was called the Catskill Turnpike. The route ran through the Catskill Mountains from the Hudson River and continued to its end at the Chenango River. Today, the remaining portion is known as the Old State Road. Another early road through the region, the Great-Bend Bath Turnpike, followed the route (present-day Route 11) of the Susquehanna River from Great Bend, Pennsylvania, and continued through Binghamton.

Our Town was named after an engineer, James Pugh Kirkwood, who was instrumental in building the famous Starrucca Viaduct and for the development of Erie Railroad which came through this area in 1848. The development of the Erie Railroad through the Town of Kirkwood aided in the Town's growth and settlement. With the construction of the railroad brought new economic activity and migrant labor. Many of the immigrants who settled and worked on the railroad during the latter half of the nineteenth century came from Ireland. Their migration resulted in an increase of sheep and swine farms. In fact, according to the 1866 Census, livestock outnumbered people by five times.

The first known settler to the area after the conclusion of the American Revolution was John Fitch; he came to the Town in 1789 and settled near the outlet of Fitch's Creek at Five Mile Point. Here he began the country's first gristmill in 1792. Gerret Snedaker arrived shortly afterward and established residence along the Susquehanna River about one mile from the hamlet of Kirkwood.

There have been several interesting personalities who have lived in the Kirkwood. The Journals of Samuel Bayless give interesting insights into the early history of the Town. Bayless was a farmer and businessman whose writings cover the period from 1858 to 1865. During this time, Bayless describes going out "west" to Olean, New York, on a cattle drive where livestock were put on railroad cars to be brought back to Kirkwood.

Dr. Beebe was a local physician during the early decades of the twentieth century. His daybook reflects the day-to-day care of his patients. When the Spanish influenza epidemic spread from Europe to the United States in 1918, the 73 year old doctor was put to the test. Rather than the usual two or three visits each day, he was treating twenty-three patients each day during the height of the disease.



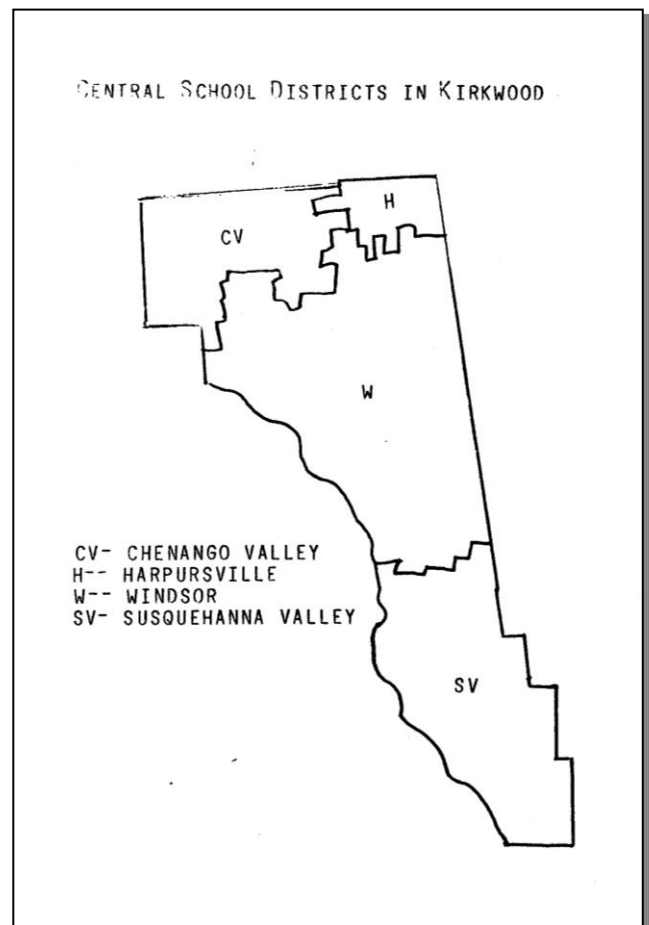
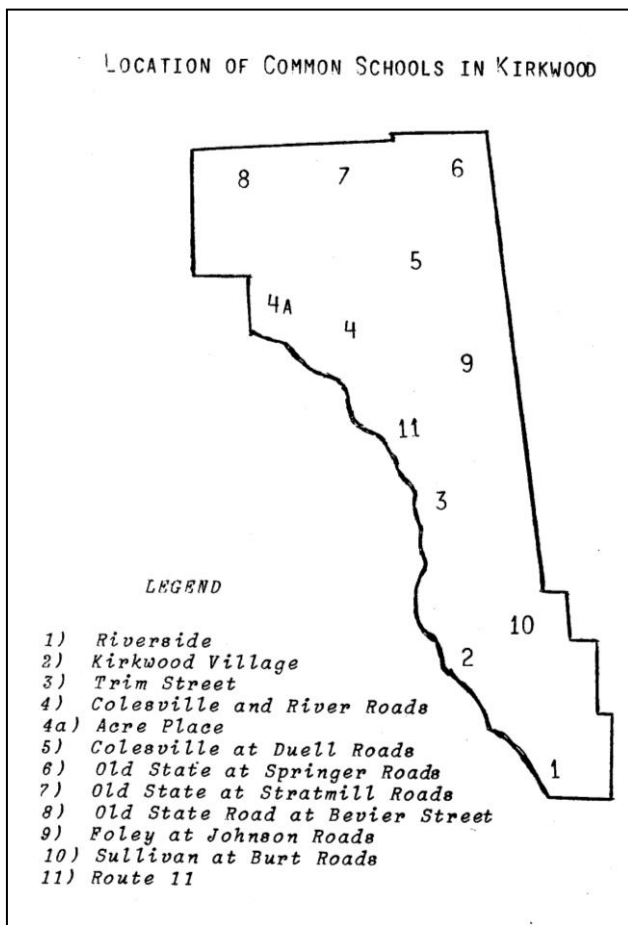
Original bridge connecting Conklin and Kirkwood

Evolution of Kirkwood's School System

During the nineteenth century, Horace Mann advocated for a public school system that would allow all children an opportunity for education regardless of social status. This movement is often referred to as the Common School Era, which provided free education to children through taxes. In Kirkwood, the Common School system lasted nearly 150 years.

After 1859, there were eleven different common school districts located throughout the Town. Early school houses typically only had one room and were heated by a wood stove. For some time, the Kirkwood schools were "ungraded" meaning there was one teacher who taught all students, regardless of age. Children attended school in the winter months, and worked on the family farm the remainder of the year. In its early formation, the Common School offered basic classes where students learned the "three R's" reading, writing and arithmetic; plus religion. As time progressed and the school system advanced, other subjects such as Geography, History and Literature were offered.

By the early twentieth century, education administrators in Albany observed the impacts of the changing society on the school system. The country's shift from an agricultural to industrial society resulted in a rural to urban migration. In order to adapt to the changing needs of society, the education system was transformed. The idea of a central school district that could provide larger multi-classroom facilities, and offer twelve grades and better services persuaded many common school districts to consolidate promptly, including Windsor and Harpursville. While this change was met with reluctance from many Kirkwood Common Schools, eventually all of them Kirkwood would merge into four different school districts including Windsor, Harpursville, Susquehanna Valley and Chenango Valley.



Hamlets

By the turn of the nineteenth century, town centers had emerged; each with its own post office, church, grocery stores, and schoolhouses. Over the years their names have survived, changed, faded, or disappeared.

- **Brookvale**, formerly Stanley Hollow, was centered on Colesville Road in the Town. A post office was established in 1873 and was discontinued in 1902. Early families such as Pierce, Randall, and others helped to create the community. Even though this hamlet is no longer recognized, Brookvale Methodist church still exists and proudly stands with its steeple reaching to the sky as an icon in the community.
- **Five Mile Point** gets its name from its geographical location; it is five miles from the Broome County Courthouse in Binghamton. Important government functions including the Town Hall, Town Court and the post office are located here. The hamlet includes the Five Mile Point Speedway, the Industrial Park, and was also the end terminus of Interstate 81; the first section of what was originally called the Penn-Can Highway.
- **Kirkwood** is the largest of the hamlets within the Town; it dates to the 1840s and 1850s. A bridge connects residents of the northern side of the Susquehanna River with the inhabitants of the southern side of the Town of Conklin. The Kirkwood Wagon Works began operations here in 1884. The construction of Interstate 81 moved much of the traffic away from the Village of Kirkwood, but it continues to thrive and plays an active part in the Town.
- **Kirkwood Center** is a small hamlet located along the western edge of the township, between Route 11 and Interstate 81. This hamlet represents the geographical center of the Town.
- **Langdon** was a milk and postal stop for the New York and Erie Railroad and was named for David Moore Langdon, who settled there with his family from Connecticut in 1842. The Langdon Creamery was located there and later was destroyed by fire.
- **Popes Ravine** is in the northwest part of the Town and borders the City of Binghamton.
- **Riverside** is the hamlet closest to the Pennsylvania border. It had a post office in operation from 1870 to 1911. It is interesting to note that the riverboat Ermine ran excursion rides from this point on the Susquehanna River to the Starrucca Viaduct.

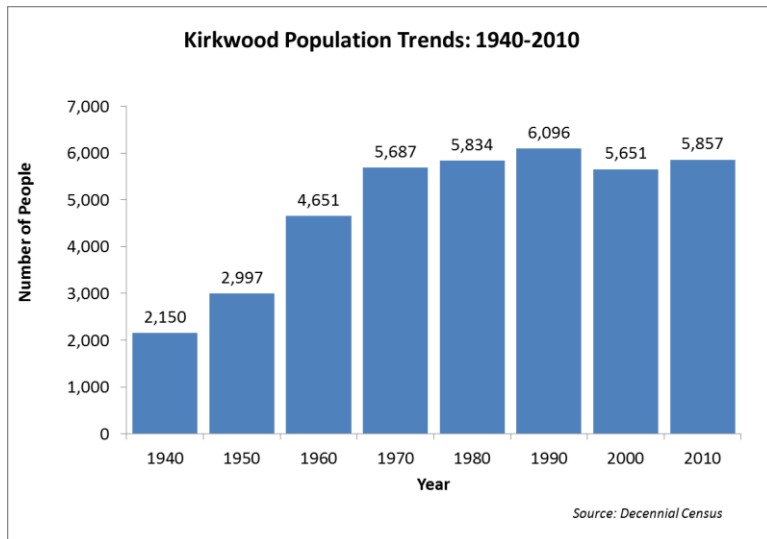
Kirkwood Today

Since its creation, numerous challenges and opportunities have shaped the place Kirkwood is today. Originally settled as a rural agrarian community, the Town maintained local and regional significance, as it transitioned with the development of the railroad and the highway system. These phases of development are clearly reflected in the appearance of Kirkwood. Along Route 11 exists a landscape of commercial and industrial uses, and areas outside the primary corridors possess suburban, rural and open space qualities. Overall, Kirkwood is a small town that appeals to a wide range of individuals.

Demographic & Socioeconomic Analysis

Population

The table shows the population trends for the Town and County from 1940 to the present. Throughout its history, Kirkwood’s population fluctuations correlate with larger social and economic trends of each decade. Since 1940, both the Town and the County have experienced overall growth. Their growth rates were greatest between 1950 and 1960, following the conclusion of WWII. During this time, the Town’s population increased by 1,654 residents, accounting for about 6 percent of the County’s growth. This period of growth is attributed to a number of factors including the region’s role as a manufacturing boomtown, new high-tech industries, the baby boomers, and families moving out of the urban core into smaller towns located on the periphery.



In more recent decades, the growth rates of the Town and the County has been uneven. By 1980, the County showed signs of population loss, and the Town’s growth began leveling off. This is a result of economic challenges including major employers such as EJ, IBM and Link Aviation, downsizing and leaving the local area. The graph shows the Town reached its population peak of 6,096 residents in 1990, making up 3 percent of the County’s total population. Since 1990, the Town’s population net loss was about 4 percent, with some slight growth in the past decade. Generally, the population trends of the Town are similar to the County.

Population Change 1940-2010

Year	Kirkwood		Broome County	
	Population	Percent Change Between Decades	Population	Percent Change Between Decades
1940	2,150	-	165,749	-
1950	2,997	39.4%	184,698	11%
1960	4,651	55.2%	212,661	15%
1970	5,687	22.3%	221,815	4%
1980	5,834	2.6%	213,648	-4%
1990	6,096	4.5%	212,160	-1%
2000	5,651	-7.3%	200,536	-6%
2010	5,857	3.6%	200,600	< 1%

Data Source: Decennial Census

Age

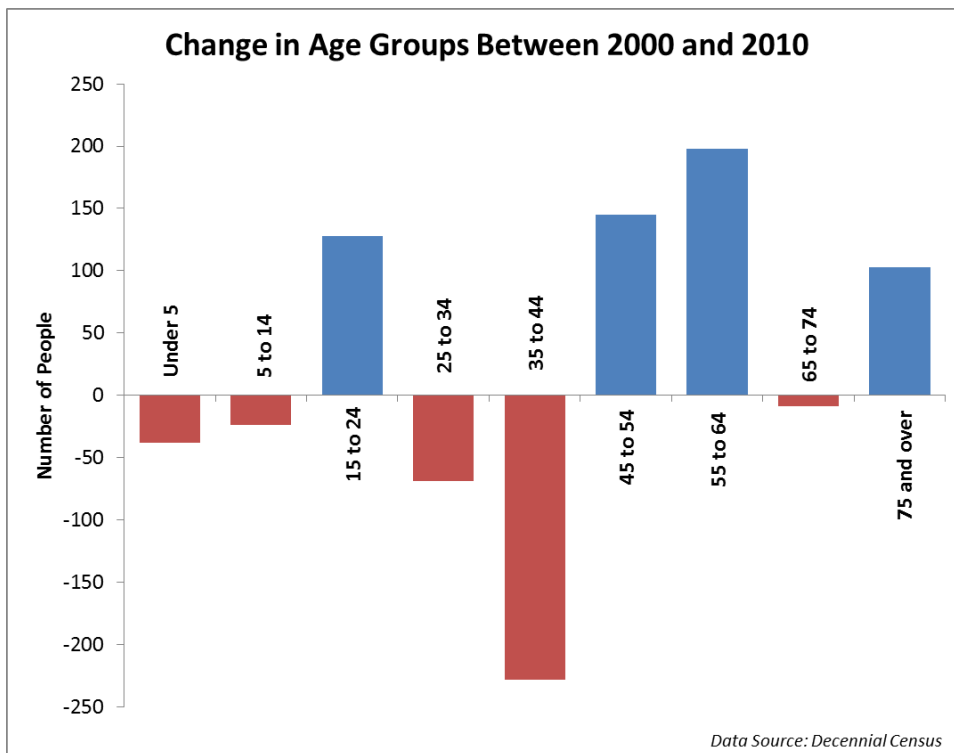
The table shows the distribution and change in age groups between 2000 and 2010. According to the Congressional Research Service, the age structure of a population has numerous implications on the economic and social forces that shape a Town’s future well-being. In 2010, the Town’s 45 to 54 year old and 55 to 64 year old age groups accounted for nearly one-third of the total population. These groups also had the greatest increase of people between 2000 and 2010. Notably the 35 to 44 year old age group had the largest rate of decline, which can be partly attributed to aging and migration to other places. Not surprisingly, the young children population (14 years and younger) decreased as well, suggesting families are having fewer children.

Age Group Distribution: 2000-2010

Age Groups	2000	2010	Total Change	Percent Change
Under 5	346	308	-38	-11%
5 to 14	799	775	-24	-3%
15 to 24	603	731	128	21%
25 to 34	641	572	-69	-11%
35 to 44	992	764	-228	-23%
45 to 54	802	947	145	18%
55 to 64	623	821	198	32%
65 to 74	524	515	-9	-2%
75 and over	321	424	103	32%

Data Source: Decennial Census

Kirkwood and Broome County, along with the the majority of the US, are are experiencing demographic changes. The baby boomer generation, responsible for a large portion of the Town’s growth, is now maturing into their 50s and 70s. Furthermore, the bar graph below shows the 55 to 64 age group grew the most between 2000 and 2010. The growth of elderly individuals (over 75 years) in the Town indicates many people are choosing to age in place, remaining in their homes as long as possible rather than moving to senior homes outside of the Town. Looking forward, the Town will need to make decisions that address and adapt to the changing population trends.



Diversity

Understanding the racial and ethnic make-up of the local area is important because diversity impacts behavioral trends. Overall, Whites are by far the largest racial group in the Town and County. In 2010, Broome County’s minority population was 12 percent, while Kirkwood’s was 3.8 percent. Low diversity levels are common in small towns within the County.

However, the racial and ethnic make-up of the Town is slowly changing. With the exception of the American Indian and Alaskan Native group, all minority group sizes slightly increased over the past decade. Between 2000 and 2010, Kirkwood’s Hispanic/ Latino population increased more than two-fold from 36 residents to 92 residents. They are currently the largest minority group within the Town, representing 1.6 percent of the population. This is consistent with U.S. Census population projections expecting the Hispanic/ Latino group to be the fastest growing minority group in the country. While some of this growth may be contributed to differences in classification between the two surveys, there is still notable growth occurring.

Household Number, Size and Type

Changes in the Town’s population composition can also be analyzed by examining household data. Since the post-war era, the household structure has changed. Generally, there are more households and fewer people living in each household compared to previous decades. This is a result of the decline of married-couple households and an increasing amount of elderly residents living in their homes longer. Together these elements have led to an increase in the number of households, while the population stays the same or decreases.

Changing household structure patterns are apparent in the Town. Between 1990 and 2010, the number of households in the Town increased by 324 while the total population slightly decreased. The growth of households outpacing the growth of the population has also led to smaller average household sizes. In 1990, the average number of persons per household was 2.7 which decreased to 2.4 persons per household in 2010. In addition to household size, the types of households in the Town are changing. The number of family households and the total number of married-couple households decreased and the number of female-led households increased. These patterns are consistent with the County as a whole.

Households: Number and Type

	Total Households 1990	Total Households 2010	Total Families		Married Couple		Male Householder		Female Householder	
			No.	%	No.	%	No.	%	No.	%
Kirkwood	2,244	2,392	1,60	67	1,226	51	128	5	246	10
Broome	81,843	82,167	48,6	60	34,91	42	3,854	5	9,875	12

Data Source: Decennial Census

School Enrollment

Kirkwood is currently served by four school districts including: Chenango Valley, Harpursville, Susquehanna Valley and Windsor. Using the Broome County Parcel Data, the percentages of residential lots within the different school district boundaries were calculated. The table below shows the share of residential parcels for each school district. Windsor Central School District includes the greatest number of residential properties; in 2015, about 450 Kirkwood residents attended Windsor Schools. The Harpursville School District contains the least amount of residential properties; there were no Kirkwood residents enrolled here in 2015.

School District Shares

School Districts	Number of Residential Parcels	Percentage of Total
Chenango Valley	266	14%
Harpursville	64	3%
Susquehanna Valley	375	20%
Windsor	1,156	62%
Total:	1,861	100%

Data Source: Broome County Parcel Data

The table below shows the estimated school enrollment rates of the Town. School-enrollment rates measure the population enrolled in a regular school. In 2013, the school-enrolled population attending primary or secondary school was about 78 percent and the post-secondary population was 22 percent. These rates are fairly similar to the County’s estimated school enrollment rates. The New York State Education Department (NYSED) provides detailed data about enrollment, staff, student performance and other measures at the school, district and higher education scale, and can be accessed at: data.nysed.gov

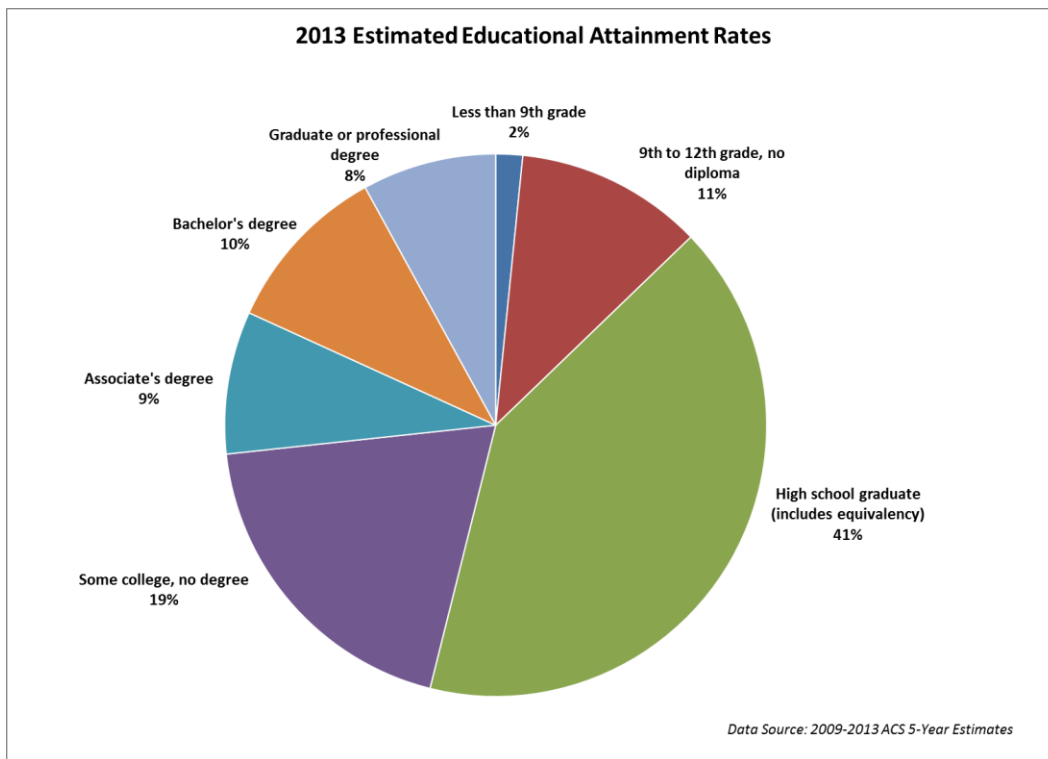
ACS 2013: School Enrollment Rates for the Population 3 Years and Over Estimates

Grade Level	Kirkwood		Broome County	
	Estimate	Percent	Estimate	Percent
3 years and over enrolled in school	1,112	100%	54,838	100%
Nursery school, preschool	51	5%	2,738	5%
Kindergarten	44	4%	2,652	5%
Grades 1 through 12	775	70%	27,436	50%
College, undergraduate	163	15%	18,789	34%
Graduate, professional school	79	7%	3,223	6%

Data Source: 2009-2013 American Community Survey 5-Year Estimates

Educational Attainment

The graph below summarizes educational attainment data for the population 25 years and over. Educational attainment is the highest level of education completed by an individual and is often examined because it is correlated with a number of social and economic outcomes. In 2013, it was estimated that the majority, approximately 87 percent, of the Town's residents over the age of 25 attained a high school diploma or higher. More specifically, about 18 percent of Town residents attained a bachelor's degree or higher. These rates are similar, but slightly lower than Broome County's educational attainment rates; where about 90 percent of the County's population attained at least a high school degree and 26 percent of the County's population had a bachelor's degree or higher.



Income

Measuring income is one method used to gauge the quality of life and the economic well-being of residents. Median household income is the combined income of all members of a household, and the reported number represents the middle value of all household incomes of an area. Another measure is per capita income, which can be more useful for comparisons because it accounts for population size. The per capita income is derived by dividing the total income of an area by the number of residents in the working population (15-64 years old).

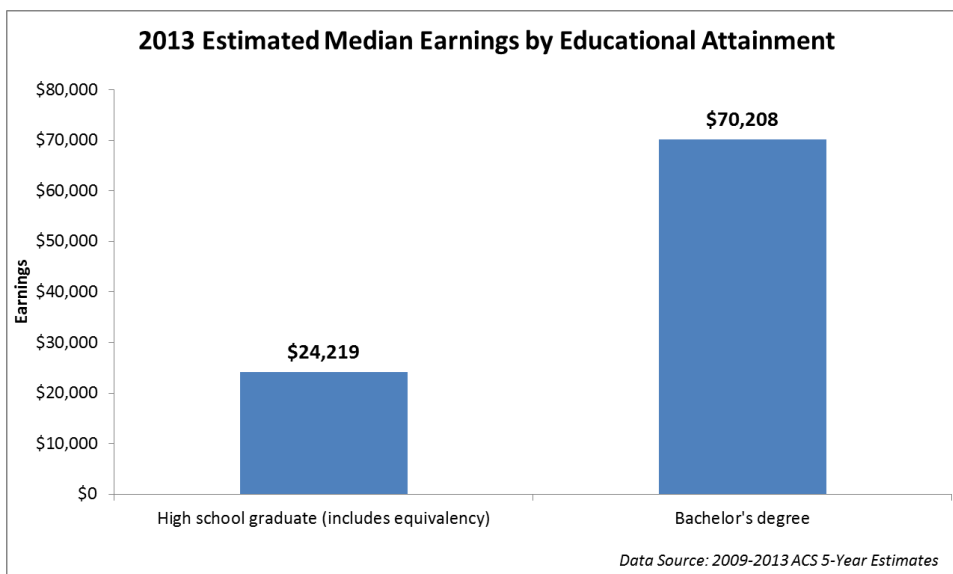
The table below presents the median household income and the per capita income for the Town, County and State. In 2013, the Town’s median household income was higher than the County, but lower than the State median income value. The same pattern was true for per capita income values. The Bureau of Labor Statistics provides an inflation calculator, so income levels can be compared over time. In 2000, the Town’s median household income was \$37,409 (\$50,607; 2013 inflation-adjusted) which shows the Town’s median household income has increased slightly. The Town’s per capita income grew at a faster rate during the same amount of time; it increased by 8 percent from \$19,228 (\$26,012; 2013 inflation-adjusted). It should be noted that these comparisons were derived from two different datasets, so the actual estimated change may not reflect the actual change.

ACS 2013: Median Income Value Estimates

Income Levels	Median household income (dollars)	Median family income (dollars)	Per capita income (dollars)
Kirkwood	\$51,894	\$56,080	\$28,294
Broome County	\$45,958	\$59,345	\$24,835
New York	\$58,003	\$70,670	\$32,382

Data Source: 2009-2013 American Community Survey 5-Year Estimates

The graph below shows the relationship between education and income. On average, residents with a Bachelor’s degree make on average \$46,000 more than residents with a high school degree.



Poverty

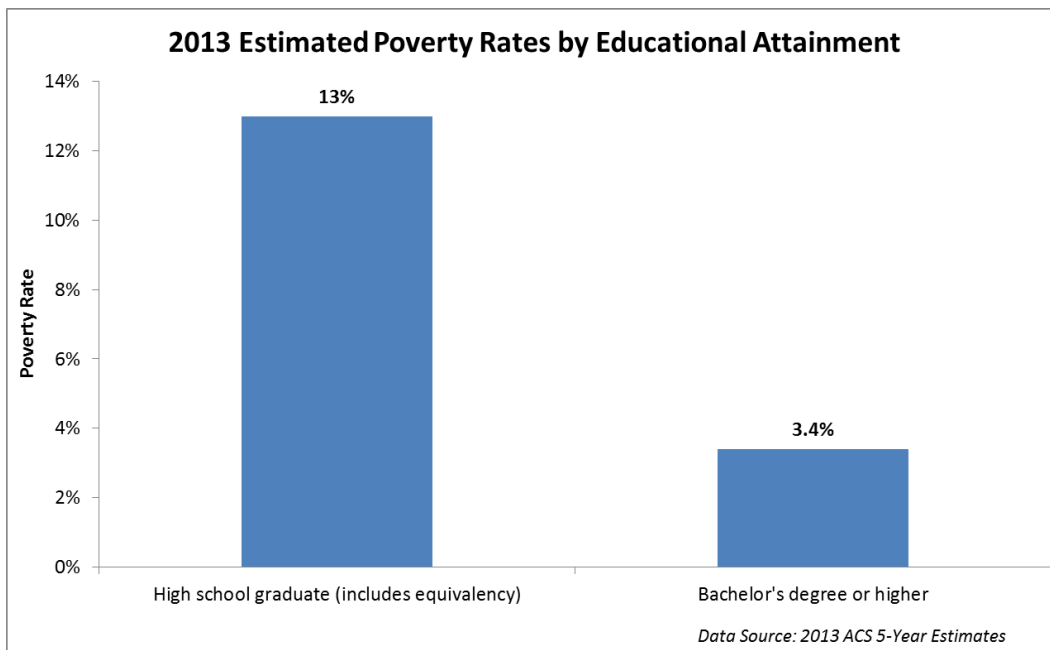
The table below shows the average poverty rates for individuals and families below the poverty threshold for the Town, County and State. The Census Bureau defines a poverty threshold as the minimum income required to meet basic daily needs. A community’s poverty rate is determined by comparing the local income to federal income thresholds. The government uses this data to distribute public assistance to families. Extreme poverty does not appear to be a major problem within the Town. However, the evidence showing that the Town’s estimated poverty rates are greater than 10 percent suggests there are a considerable amount of the Town’s individuals and families face economic and social hardships.

ACS 2013: Poverty Rate Estimates

Percentage Below Poverty Level	All Individuals Below Poverty Level	All Families Below Poverty Level
Kirkwood	12%	10%
Broome County	17%	15%
New York State	15%	12%

Data Source: 2009-2013 American Community Survey 5-Year Estimates

The graph below shows the differences in poverty rates based on the educational attainment of residents. On average, residents with a college degree, have lower poverty rates than those with a high school degree.



Land Use in Kirkwood

Land Use in Kirkwood

Land use planning is an important tool because it creates guidelines for the type and location of future development. The Town’s existing spatial patterns are greatly influenced by physical, social and economic factors. By examining the existing land use patterns, Kirkwood can determine where suitable land is located for future growth and development. Using Broome County Parcel Data (based on individual town assessments), this chapter provides a general inventory of the existing land uses in Kirkwood. A map of the Town’s existing land uses is included in the Appendix.

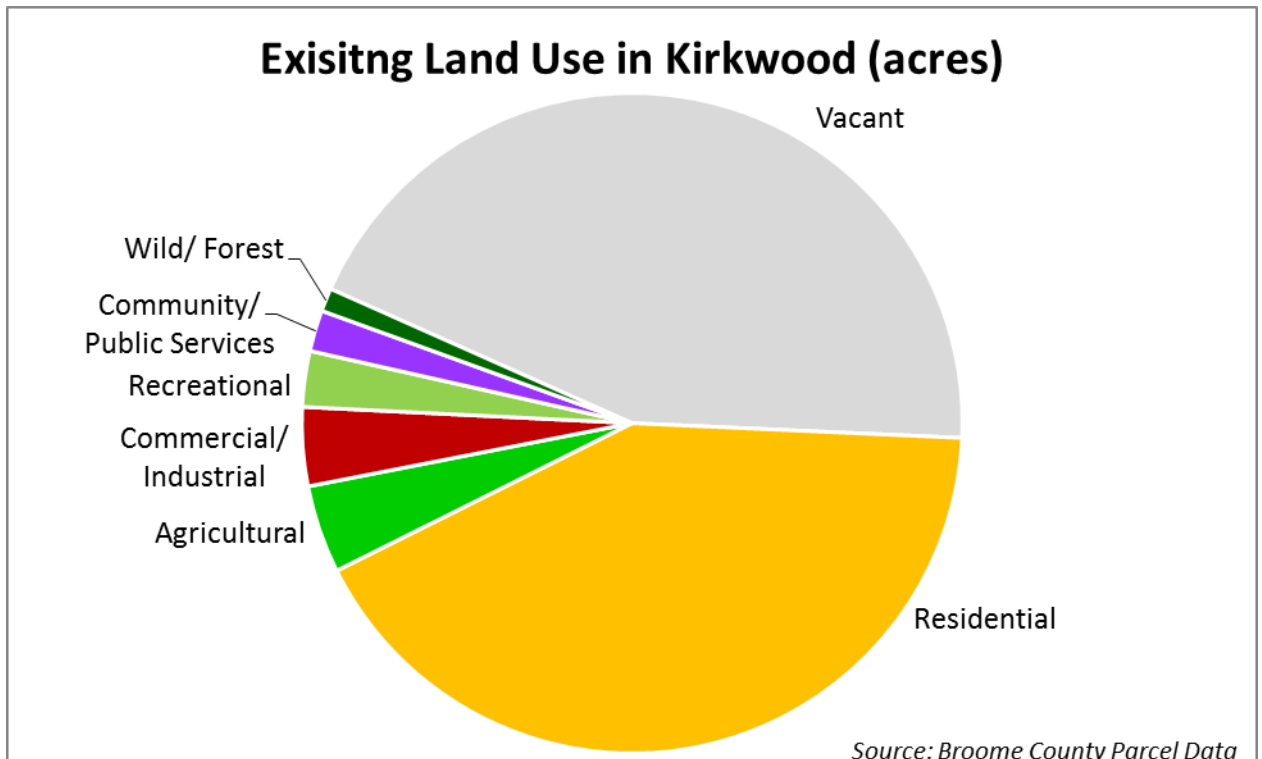
The Town of Kirkwood covers about 17,867 acres, approximately 30 square miles. The average lot size is about 6.3 acres. The population density is 195 persons per square mile, which is less than the County’s population density of 284 persons per square mile. Over this space, a variety of land uses exist.

Existing Land Use in Kirkwood

In Kirkwood, development exists at varying densities. High-density development is concentrated in Five Mile Point and Kirkwood Center. A mix of commercial, industrial, residential and recreational uses are located here. A similar mix of uses exists along Route 11 towards the southern border of the Town, but at a lower density. Areas of the Town further away from Route 11 reflect a low-density rural character.

Land Use Types	Parcels		Acres	
	Number	Percent	Number	Percent
Vacant	735	26%	7,795	44%
Residential	1,862	65%	7,417	42%
Agricultural	10	0.4%	762	4%
Recreation	15	0.5%	483	3%
Commercial	130	5%	478	3%
Community	29	1%	215	1%
Wild/ Forest Land	3	0.1%	201	1%
Industrial	28	1%	192	1%
Public Services	22	0.8%	142	0.8%
No Data	22	0.8%	182	1%
Total	2,856	100%	17,867	100%

Data Source: Broome County Parcel Data



Vacant Land

Over 40 percent, a total of 7,795 acres, of the Town’s land area is classified as Vacant. This means there is no human activity, or any type of site development occurring on the lot. There are a total of 735 vacant lots scattered throughout the Town.

Vacant land is often viewed as an opportunity for investment and development, given there are no physical restrictions. When planning to develop a vacant lot, it is important to keep the other surrounding uses in mind, so incompatible uses are not in close proximity to each other. Other important factors to consider when developing vacant land for residential, commercial or industrial purposes include the lot’s proximity to the flood zone, existing utilities and the topography of the area. Sometimes, vacant properties are not well-maintained and are considered to be a source of blight. Therefore, on the other hand, vacant land can also be perceived as a weakness.

The table below summarizes the four major types of vacant land within Kirkwood. The category “Other Residential Vacant Land” includes vacant lots of 10 acres or less in rural residential areas, and residential land that has a small improvement such as a garage that is not used for living accommodations. The “Other Vacant Land” category includes unproductive agricultural land, swamps, rocky areas, and woods and brush of noncommercial tree species not associated with forest lands. These two types of vacant lands account for about 45 percent of all vacant land in the Town. Only a small percentage of vacant land is located in existing commercial or industrial areas.

Vacant Land Use Breakdown

Vacant Land Use Types	Parcels		Acres	
	Number	Percent	Number	Percent
Residential Vacant Land Over 10 acres in Rural Areas	106	14%	4,059	52%
Other Residential Vacant Land	587	80%	3,344	43%
Vacant Land Located in Commercial or Industrial Areas	39	5%	269	4%
Other Vacant Land	3	0.4%	123	2%
Total:	735	100%	7,795	100%

Residential Land

The second largest land use type in Kirkwood is Residential. This includes large-acreage rural residences, single and multiple-family homes, mobile homes and apartments. Residential land covers 7,417 acres on 1,862 parcels, about 42 percent of the Town's total acreage. Dividing the total number of acres by the number of parcels provides an estimated average residential lot size of 4 acres. Residential land is dispersed throughout the Town; residential patterns become more clustered west of Interstate 81.

The low-density residential development pattern throughout the majority of Kirkwood is common among many towns. These patterns can be attributed to the rapid population growth during post-war suburbanization. As shown in the demographic section, Kirkwood's population increased almost 90 percent from 2,997 residents in 1950 to 5,687 residents in 1970. Numerous single-family homes on large lots were constructed during this time to accommodate the changes in population size and housing preferences. Single-family homes on large lots were favored by the majority of residents during this time, and still largely are today.

Kirkwood's residential patterns are similar to other small towns in Broome County. Single-family and rural residences are the two largest residential land use types; a rural residence is defined as a single-family home that occupies 10 acres or more. Together, these two residential classifications make up 92 percent of residential land and almost 40 percent of all land in Kirkwood.

The demand for residential land is mainly dependent on the size and growth patterns of the population. While the Town's population and average family size is slowly decreasing, the number of households is still increasing. This trend may cause the demand for residential land to only slightly increase in the future. At the same time, the changing age structure of the Town may influence the demand for a mix of housing types in the future. Nonetheless, the majority of survey respondents (67%) indicated they favor more single-family homes over multiple family homes and mobile home parks.

Residential Land Use Breakdown

Residential Land Use Types	Parcels		Acres	
	Number	Percent	Number	Percent
Rural Residence	95	5%	3,585	48%
Single Family	1,636	88%	3,231	44%
Mobile Home	33	2%	120	2%
Multiple Residences	8	0.4%	313	4%
Seasonal Residence	13	0.7%	6	0.1%
Two Family	47	3%	69	0.9%
Mobile Home Parks	3	0.2%	34	0.5%
Three Family	6	0.3%	9	0.1%
Apartments	21	1%	50	0.7%
Total:	1,862	100%	7,417	100%

Agricultural Land

Agriculture is the third largest land use type in Kirkwood, occupying 762 acres on 10 parcels. Agricultural lands are located in both the northern and southern parts of Kirkwood, but according to the property assessments, none of them are located adjacent to the river. The Town’s agricultural lots are adjacent to residential and vacant lots.

The Town’s largest type of agricultural use is dairy farms, which produce products such as milk, butter and cheese. Dairy farms account for over one-third of the Town’s agricultural land; these farms occupy about 288 acres on 3 parcels. The rest of the livestock uses occupy about 437 acres combined. There were 2 parcels that were identified as unspecified or vacant productive agricultural land.



Cattle pasture

Even though agricultural land is the third largest use in the Town, it only represents about 4 percent of the Town’s total area. Kirkwood ranks 10th out of the fifteen Broome County municipalities, including the City of Binghamton, for acres of agricultural land. In its early development, the majority of the Town’s land was dedicated to agriculture, but in the past century farmland has given way to industrial, commercial and residential uses. Loss of farmland is a common trend and concern for many farmers throughout the County. For these reasons, preserving farms and agricultural land is a major priority of the County and other municipalities. Conservation of farmland is also supported by many Town residents. In the public survey, “Protecting Farms and Agriculture” was one of the top choices respondents chose to dedicate resources to.

Agricultural Land Use Breakdown

Agricultural Land Use Types	Parcels		Acres	
	Number	Percent	Number	Percent
Dairy Farm	3	30%	288	38%
Cattle, Calves, Hogs	2	20%	256	34%
Sheep and Wool	1	10%	96	13%
Other Livestock (donkeys, goats)	2	20%	85	11%
Agricultural Vacant Land	1	10%	30	4%
Agricultural Not Specified	1	10%	8	1%
Total:	10	100%	762	100%

Recreation and Entertainment

Private/ public recreation and entertainment uses represent about 2.7 percent of the land in Kirkwood, occupying 483 acres on 15 parcels. There are a number of private recreational and entertainment outlets such as, the Sherwood Valley Grange Auditorium Hall, Five Mile Point Racetrack, the Elks and German Clubs, the Binghamton Gun Club, Sunset Lanes Bowling Alley, Police Athletic League campgrounds, River Run II Golf Course, Camp Sertoma; and public spaces such as Grange Hall Road Park, Veterans River Park and Valley Park. The majority of these facilities are located in the central and northern parts of Kirkwood, with the exception of Grange Hall Road and Veterans River Parks which are located further south.

Recreation and entertainment spaces provide numerous benefits for the community. These types of spaces are known to improve physical and mental health and provide social benefits for the community. Parks are also known to have positive effects on the economy and overall, improve the quality of life. In the public survey, almost two-thirds of the Town’s population said they frequently visit at least one of the three town parks.



Veterans River Park



Wood carving of three bears located in Valley Park

Recreational and Entertainment Land Use Breakdown

Recreation and Entertainment Land Use Types	Parcels		Acres	
	Number	Percent	Number	Percent
Entertainment Assembly	1	7%	0.4	0.1%
Sports Assembly	1	7%	15	3%
Amusement Facilities	2	13%	10	2%
Indoor Sports Facilities	2	13%	52	11%
Outdoor Sports Activities	3	20%	288	60%
Camping Facilities	2	13%	82	17%
Parks	4	27%	37	8%
Total:	15	100%	483	100%

Commercial and Industrial Land

This section combines the Commercial and Industrial uses in Kirkwood. Together, these uses occupy 3.9 percent of the total land in Kirkwood, covering 670 acres on 158 parcels. Individually, Commercial uses occupy 478 acres on 130 parcels, and Industrial uses occupy 192 acres on 28 parcels. The majority of Commercial and Industrial activities are clustered near Five Mile Point within the Industrial Park and along Route 11.

There are a variety of Commercial and Industrial uses throughout the Town, but the major land use types are classified as motor vehicle services, storage and warehouse distribution facilities, and industrial/manufacturing and processing. Storage, warehouse and distribution facilities occupy the majority of the commercial and industrial land in the Town, covering 312 acres; with an average lot size of 5 acres. The “other commercial” use category includes dining establishments, retail services, banks and office buildings, miscellaneous and multipurpose buildings and motels. These activities make up less than 25 percent of the commercial and industrial space; the average lot size for commercial uses is about 2.25 acres. About half of the survey respondents indicated they would like to see more commercial and industrial development in the Town.

Commercial and Industrial Land Use Breakdown

Commercial and Industrial Land Use Types	Parcels		Acres	
	Number	Percent	Number	Percent
Motor Vehicle Services	26	16%	58	9%
Storage, Warehouse and Distribution Facilities	56	35%	312	46%
Industrial/ Manufacturing and Processing	28	18%	192	29%
Other Commercial	48	30%	108	16%
Total:	158	100.0%	670	100.0%



Commercial Plaza in Kirkwood



Truck Wash, Industrial Park West

Wild/ Forested Areas

Another type of open space located in Kirkwood is Wild, Forested, and Conservation Lands. This land use occupies just over 200 acres of land on 3 parcels, only accounting for 1.1 percent of the Town's total acreage. It should be noted that some of the existing wild/ forested land in the town may have been classified as vacant land. The land that is documented as wild/ forested in Kirkwood is owned by New York State. About 97 percent of the wild/ forest lands are part of Skyline State Forest located near the southeast border of the Town; the forest extends into the neighboring Town of Windsor. This state forest is open to the public and allows for primitive camping and fishing. Skyline Drive Forest can be accessed on Grange Hall Road.



Entrance of Skyline Drive Forest

The remaining acreage of the Town's Wild/Forest land is a state-owned riverfront property known as Pine Camp. This site is located near a series of industrial buildings and is not developed for public access. It was established in 1908 as a summer camp for the New York State Asylum nurses and patients. To this day, the land is still owned and maintained by the Greater Binghamton Health Center. Pine Camp was identified in the Broome County Inter-Municipal Waterfront Public Access Plan as an opportunity to increase use of the local riverfront.



Pine Camp

Community Services

A community service is a place or service that is established for the primary purpose of benefiting the residents of the community. Community services occupy about 215 acres on 29 parcels and account for 1.2 percent of the total acreage. Community services are scattered throughout the town, but many of them are located along the major transit corridors in the western part of the Town. Available space, population size and density are important factors for local governments to consider when deciding where to locate community facilities. Many of the organizations listed as a community service provide a number of services aimed at improving the quality of life for residents and assisting those in need.



Kirkwood Town Hall, Crescent Drive

This land use includes cemeteries, religious buildings, fire and police protection, among other uses. The “Miscellaneous” category includes a Benevolent Association, and roads, streets, highways and parkways. The Educational uses include a property Olivet University (a Christian-based institution which has yet to be accredited by the State), Floyd L. Bell Elementary School, the Handicapped Children’s Association facilities, and the Kirkwood Historical Society.

Community Services Land Use Breakdown

Community Services	Parcels		Acres	
	Number	Percent	Number	Percent
Education	6	21%	48	22%
Religious	7	24%	92	43%
Government	4	14%	62	29%
Police & Fire Protection	6	21%	8	4%
Cemeteries	4	14%	4	2%
Miscellaneous	2	7%	1	0.3%
Total:	29	100%	215	100%

Public Services

Public Services account for 0.8 percent of the total acreage, occupying 142 acres on 22 parcels. This land use is defined as basic services and utilities that are provided to the people living in a geographic area. These include infrastructure and space used for electric, gas, water, sewage disposal, communication, and transportation purposes.

The Town of Kirkwood Water and Sewer Department is responsible for many public services including flushing hydrants, maintenance and operation of water meters, water and sewer line inspections and repairs and issuing water and sewer permits. The existing sewer and utility lines do not serve all Town residents; they generally stop at Kirkwood Avenue (Bell School). The Town is currently in the planning stage of expanding natural gas lines to sections of Trim and Johnson Streets.

Public Services Land Use Breakdown

Public Services	Parcels		Acres	
	Number	Percent	Number	Percent
Water	6	27%	12	8%
Communication	6	27%	104	73%
Transportation	9	41%	26	18%
Waste Disposal	1	5%	0.4	0.3%
Total:	22	100%	142	100%



Town of Kirkwood Water Supply, Route 11

Housing

Housing

Housing is important to examine because it is largely the basis of community character and affects the residents' overall quality of life. The Census Bureau collects information about the different characteristics of homes within the community. Analyzing this data helps local governments ensure that there are a variety of housing options available to meet the existing and future housing demand. This chapter examines current housing data to create a picture of the existing housing stock in Kirkwood.

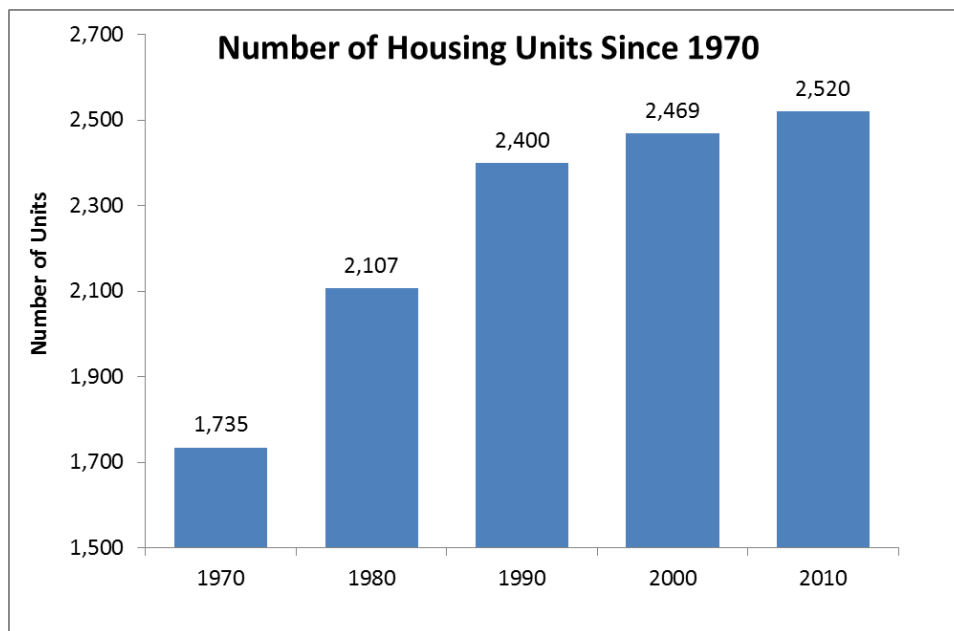
Housing Units

The table shows the growth of housing units in Kirkwood since 1970. The census Bureau defines a housing unit as a house, an apartment, a mobile home, a single room intended as separate living quarters or vacant units intended for occupancy. Over the past forty years, the Town added 785 housing units, an overall increase of 45 percent. The graph shows the most significant growth occurred between 1970 and 1990, where 665 housing units were built. The local housing boom followed the population growth of the previous decade. More recently, the growth of housing units in the Town has begun to level off. Since 1990, only 120 housing units were added to the housing stock.

Total Housing Units from 1970 to 2010

Total Housing Units	1970	1980	1990	2000	2010	Change from 1970 to 2010
Kirkwood	1,735	2,107	2,400	2,469	2,520	45%
Broome County	73,371	81,982	87,969	88,817	90,563	23%

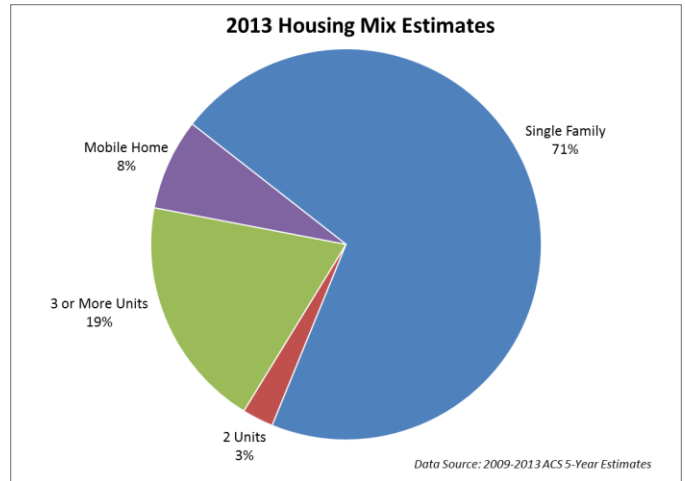
Data Source: Decennial Census



Housing Mix

The housing mix, or housing type, indicates the number of units in a dwelling and represents the housing diversity in an area. Communities with a variety of housing types and affordable housing that incorporates mixed-income groups exemplify good housing diversity practices. Places with more housing diversity are considered to be more socially equitable and inclusive of a wider range of economic classes, family sizes and individuals at different life stages.

Based on the 2013 estimates, the housing diversity in Kirkwood is less than the County as a whole. Historically, the primary development type in Kirkwood was residential single-family homes. It is estimated that about 71 percent of the housing units in Kirkwood are single-family homes, while the share of two or more unit and mobile home dwellings is much smaller. Multiple-family homes are slowly increasing their share of the total housing stock. One challenge the Town faces in creating more types of housing options is location because development is generally limited to areas where the public utilities are present. In addition, according to the survey, the majority of residents do not favor the development of multi-unit homes or mobile homes.



Housing Mix Estimates

Housing Type	Kirkwood		Broome County	
	Estimate	Percent	Estimate	Percent
Single Family	1,777	71%	57,073	63%
2 units	65	3%	10,628	12%
3 or more Units	484	19%	17,954	20%
Mobile home	190	8%	4,566	5%

Data Source: 2009-2013 American Community Survey 5-Year Estimates



Single and multi-family housing units in Kirkwood

Building Permits

Each year, the Broome County Planning Department collects data on the building permits issued by each municipality. This information is a useful indicator of growth and development. It should be noted that not every permit results in a completed project. The table below shows the number of residential permits over the past ten years in Kirkwood. The last column includes the permits issued for property improvements.

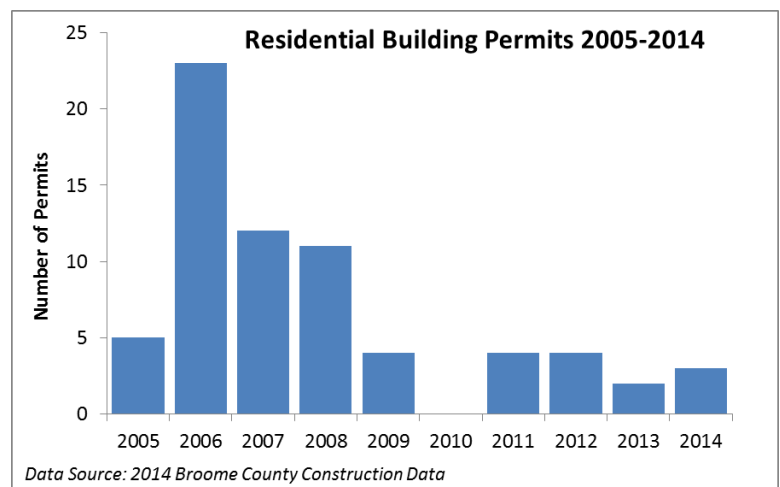
New Residential Construction 2005-2015

Year	Mobile Home		Single-Family Residential Construction		Total Residential			Alterations, Additions and Repairs	
	Permits	Value (\$)	Permits	Value (\$)	Permits	Value (\$)	Average Value	Permits	Value (\$)
2005	0	0	5	997,372	5	997,372	199,474	60	656,947
2006	7	173,000	16	2,417,000	23	2,590,000	112,609	61	614,504
2007	1	85,000	11	1,637,600	12	1,722,600	143,550	55	638,512
2008	1	100,000	10	2,546,000	11	2,646,000	240,545	87	1,035,100
2009	1	50,000	3	479,500	4	529,500	132,375	72	527,833
2010*	0	0	3	4,805,000	0	4,805,000	141,324	66	735,876
2011	2	72,800	2	322,000	4	394,800	98,700	33	504,514
2012	1	25,000	3	330,000	4	355,000	88,750	53	719,692
2013	0	0	2	270,000	2	270,000	135,000	45	889,330
2014	0	0	3	420,000	3	420,000	140,000	51	741,287
2015	0	0	0	0	0	0	0	69	815,173

* In 2010 a 32-unit multiple family residence permit was issued at a value of \$4,500,000

Data Source: Broome County Construction Data

Though the total number of housing units has increased steadily over the past twenty years, the graph shows development over the last decade has been uneven. Since 2005, there were a total of 70 residential permits issued. The majority of permits were issued between 2005 and 2008; a total 51 residential permits were obtained. The sharp increase in permits during this time may be attributed to rebuilding after the June 2006 flood. Since then, only 19 new construction residential permits were issued in the Town; there were no new permits in 2015. The graph shows the number of permits issued and the total value decreased between 2006 and 2009. This decline in development can be attributed to the Great Recession and the bursting of the housing bubble, which resulted in decreased consumerism and investment.



Home Occupancy

Home occupancy rates correlate with the housing supply in an area. Kirkwood has slightly higher occupancy rates compared to the County as a whole. High occupancy rates are often used as a measure of the strong economic vitality of an area. Maintaining high occupancy rates will help the Town reduce the negative effects of vacancy such as blight and declining property values.

Housing Occupancy Estimates

Housing Occupancy Rates	Kirkwood		Broome County	
	Estimate	Percent	Estimate	Percent
Occupied housing units	2,315	92%	79,763	88%
Vacant housing units	201	8%	10,458	12%

Data Source: 2009-2013 American Community Survey 5-Year Estimates

Home Ownership

Housing tenure is a fundamental feature of the housing inventory because it distinguishes whether the housing unit is owner or renter occupied. High owner-occupied rates are typically preferred because it reflects neighborhood stability. Whereas high renter-occupied rates indicate a more transient population resides in the Town. In Kirkwood, it is estimated that 76 percent of residents own their homes. This is about 10 percent greater than the County's (66 percent) home-ownership rates. The relatively high owner-occupied rate is a reflection of the longtime established elderly population and the large supply of single-family homes in the Town.

Housing Tenure Estimates

Housing Tenure	Kirkwood		Broome County	
	Estimate	Percent	Estimate	Percent
Owner-occupied	1,768	76%	53,052	66.5%
Renter-occupied	547	24%	26,711	33.5%

Data Source: 2009-2013 American Community Survey 5-Year Estimates

Age of Housing

A mixed housing stock appeals to different types of homebuyers. The table shows the number of housing units built during each decade since 1940. The age of the housing stock reflects patterns of growth within the Town. Following the nation's housing boom, most of the Town's housing units were built between 1950 and 1980. Corresponding with population trends, construction began to level off between 1980 and 1989 and has decreased since then. The Town has a relatively new housing stock compared to the County as a whole; the estimated median year of construction is 1963 and the median age of homes is 52 years.

Homes built before 1939 are considered a benchmark of lower housing quality because they have obsolete features and lack basic safety measures that are standard in newer homes. In addition, older structures require more updates and modifications to suit the needs of the aging in place population. At the same time, older homes offer a unique architecture style that is charming to many buyers. It is estimated that about 15 percent of the Town's homes were built before World War II; this is relatively low compared to the County's proportion of older housing. This data does not specify the number of homes that have undergone rehabilitation or the quality and condition of homes.

Year Structure Built Estimates

Age of Housing	Kirkwood		Broome County	
	Estimate	Percent	Estimate	Percent
Built 2010 or later	17	0.7%	123	0.1%
Built 2000 to 2009	140	6%	3,063	3%
Built 1990 to 1999	195	8%	5,008	6%
Built 1980 to 1989	351	14%	8,645	10%
Built 1970 to 1979	335	13%	9,456	11%
Built 1960 to 1969	317	13%	12,082	13%
Built 1950 to 1959	442	18%	14,403	16%
Built 1940 to 1949	333	13%	9,511	11%
Built 1939 or earlier	386	15%	27,930	31%
Median Year Built	1963		1955	

Data Source: 2009-2013 American Community Survey 5-Year Estimates

Housing Value

The table below shows the housing values for Kirkwood. The value of housing ranges from less than \$10,000 to more than \$500,000. The largest proportion of the Town's housing is grouped in the \$50,000 to \$99,999 range; it is estimated that 36 percent of the occupied housing units fall within this category. The estimated median house value in the Town is \$106,700, which is about equal to the median housing value county-wide. After adjusting for inflation, it appears the housing value has increased by about 6 percent since 2000.

Housing Value Estimates

Housing Value	Kirkwood		Broome County	
	Estimate	Percent	Estimate	Percent
Less than \$50,000	199	11%	4,972	9%
\$50,000 to \$99,999	634	36%	19,187	36%
\$100,000 to \$149,999	368	21%	13,006	25%
\$150,000 to \$199,999	338	19%	7,592	14%
\$200,000 to \$299,999	156	9%	5,291	10%
\$300,000 to \$499,999	49	3%	2,059	4%
\$500,000 to \$999,999	24	1%	838	2%
\$1,000,000 or more	0	0%	107	0.2%
Median Value	\$106,700		\$107,900	

Data Source: 2009-2013 American Community Survey 5-Year Estimates

Housing Turnover

Housing turnover is a general measure of the stability of the housing market in a community and it varies over time. About half of the Town's population has lived in their house for at least 25 years. As shown in the table, an estimated 9 percent of the total number of housing units has been sold since 2010. Turnover was at its highest for the Town, the County and State between 2000 and 2009, when it estimated to be 40 percent.

Housing Turnover Estimates

Housing Turnover	Kirkwood		Broome County	
	Estimate	Percent	Estimate	Percent
Moved in 1969 or earlier	283	12%	7,641	10%
Moved in 1970 to 1979	245	11%	6,422	8%
Moved in 1980 to 1989	142	6%	8,345	11%
Moved in 1990 to 1999	515	22%	13,898	17%
Moved in 2000 to 2009	925	40%	31,392	39%
Moved in 2010 or later	205	9%	12,065	15%

Data Source: 2009-2013 American Community Survey 5-Year Estimates

Home Heating Fuel

Home heating fuel choice is a reflection of the homeowner's preference, the age of the house and its location within the Town. The two dominant choices for heating fuel in the Town and the County are utility gas and fuel, oil, or kerosene. Since natural gas lines do not extend throughout the Town, many residents use fuel oil or bottled gas to heat their homes. About 14 percent of respondents on the public survey indicated that the lack of natural gas and other utility hook-ups was a major shortcoming of the Town.

Home Heating Fuel Estimates

House Heating Fuel	Kirkwood		Broome County	
	Estimate	Percent	Estimate	Percent
Occupied housing units	2,315	n/a	79,763	n/a
Utility gas	621	27%	52,252	66%
Bottled, tank, or LP gas	267	12%	5,179	7%
Electricity	403	17%	8,506	11%
Fuel oil, kerosene, etc.	883	38%	9,504	12%
Coal or coke	0	0%	494	0.6%
Wood	107	5%	2,952	4%
Solar energy	0	0%	15	0%
Other fuel	34	2%	651	0.8%
No fuel used	0	0%	210	0.3%

Data Source: 2009-2013 American Community Survey 5-Year Estimates

Economic Base

Employment

The characteristics of the labor force are strong indicators of the economic health of an area. The government uses this information to develop policies and to create career development programs. This chapter provides a summary of the current economic conditions by analyzing the labor force, economic sectors and the commuting patterns of residents in Kirkwood. County-level data is provided for comparison purposes.

Labor Force

The table below summarizes the population over 16 by labor force participation. The majority (61.5%) of the labor force-eligible population in Kirkwood is in the labor force. This proportion is similar to the County (59.4%) and state-wide (63.6%) labor force estimates in 2013. There was an estimated 1,878 people not in the labor force, many of which are expected to be people who are in school or retired.

The unemployed population includes persons over the age of 16 who are without work, but are seeking a job. In 2013, the local unemployment rate slightly exceeded both Broome County (5.3 percent) and the state's (5.9 percent) unemployment rates, suggesting that many residents are struggling to find work.

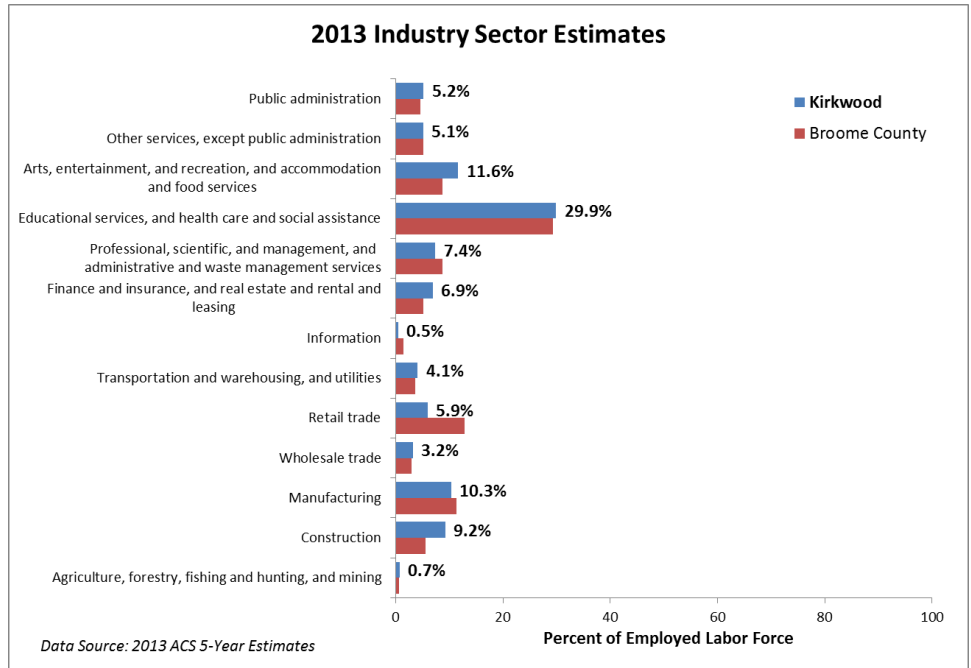
2013 ACS: Labor Force Estimates

Labor Force	Kirkwood		Broome County	
	Estimate	Percent	Estimate	Percent
Population 16 years and over	4,873	n/a	164,633	n/a
In labor force	2,995	62%	97,931	60%
Civilian labor force	2,995	62%	97,853	59%
Armed Forces	0	0%	78	0%
Not in labor force	1,878	39%	66,702	41%
Percent Unemployed	299	6.1%	8,701	5.3%

Data Source: 2009-2013 American Community Survey 5-Year Estimates

Industry Sectors

The Census Bureau distinguishes the employment firms by the type of services and products they provide. This information is used as an indicator of the supply/demand for specific types of jobs in the area. The table shows the breakdown of the industry sector for the Town and County. The single largest source of employment for Town residents is the education, health care and social assistance sector. This industry is the primary employment industry for many municipalities in the County. This is attributed to the rapid development of Binghamton University and the two medical centers, which provide numerous jobs to the region's population. While manufacturing supports the third greatest number of jobs to Kirkwood residents, this sector has greatly declined over the past fifty years.



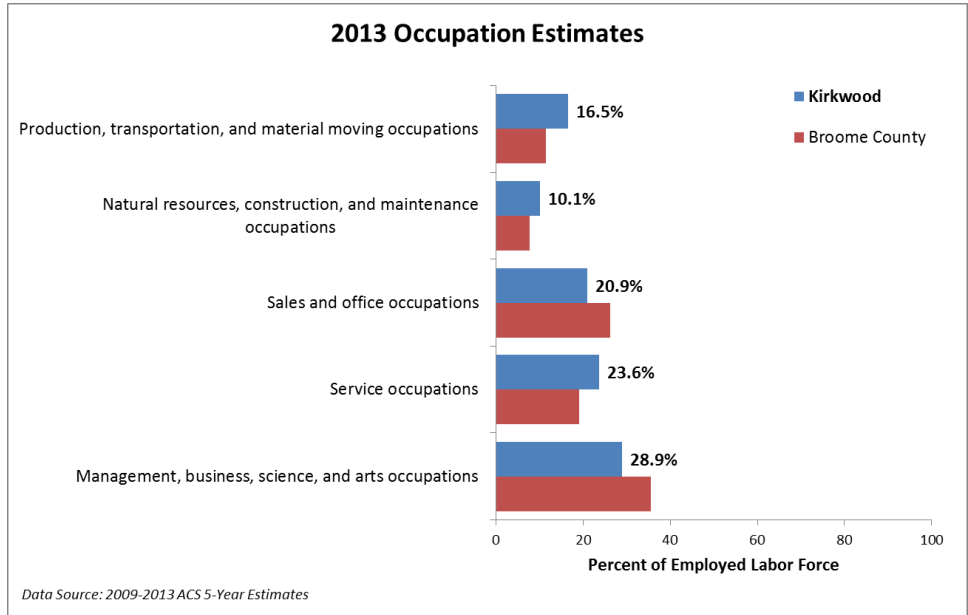
2013 ACS: Employment by Industry Sector Estimates

Industry Sectors	Kirkwood		Broome County	
	Estimate	Percent	Estimate	Percent
Civilian employed population 16 years and over	2,696	-	89,152	-
Agriculture, forestry, fishing and hunting, and mining	18	0.7%	568	0.6%
Construction	249	9%	5,013	6%
Manufacturing	277	10%	10,055	11%
Wholesale trade	86	3%	2,564	3%
Retail trade	159	6%	11,415	13%
Transportation and warehousing, and utilities	111	4%	3,226	4%
Information	14	0.5%	1,298	2%
Finance and insurance, and real estate and rental and leasing	187	7%	4,629	5%
Professional, scientific, and management, and administrative and waste management services	199	7%	7,791	9%
Educational services, and health care and social assistance	806	30%	26,151	29%
Arts, entertainment, and recreation, and accommodation and food services	313	12%	7,787	9%
Other services, except public administration	138	5%	4,529	5%
Public administration	139	5%	4,126	5%

Data Source: 2009-2013 American Community Survey 5-Year Estimates

Occupation

This table below shows the occupation sectors for the Town and County in 2013. The Census Bureau divides the employed labor force into five basic occupation categories which are based on the tasks employees perform. The Town and County have similar proportions of the population employed in each occupation sector. The majority of Kirkwood residents are employed in the management, business, science and arts (28.9%), and service (23.6%) occupations. The management and business occupations typically offer higher salaries compared to other occupations.



2013 ACS: Employment by Occupation Estimates

Occupation	Kirkwood		Broome County	
	Estimate	Percent	Estimate	Percent
Management, business, science, and arts occupations	779	29%	31,652	36%
Service occupations	636	24%	17,009	19%
Sales and office occupations	563	21%	23,326	26%
Natural resources, construction, and maintenance occupations	273	10%	6,900	8%
Production, transportation, and material moving occupations	445	17%	10,265	12%

Data Source: 2009-2013 American Community Survey 5-Year Estimates

Place of Work

The Census Bureau collects data about a worker's location of employment to determine where residents spend the majority of their day. Not surprisingly, the majority (79.8%) of Kirkwood residents work outside of the Town. This can be attributed to the growth of the health and education jobs outside of Kirkwood, and the decline of large employers within the Town.

2013 ACS: Place of Work Estimates

Place of Work	Kirkwood		Broome County	
	Estimate	Percent	Estimate	Percent
Worked in state of residence	2,636	99%	85,972	99%
Worked in county of residence	2,427	92%	78,068	90%
Worked outside county of residence	209	8%	7,904	9%
Worked in city or town ¹ of residence	536	20%	29,847	34%
Worked outside city or town ¹ of residence	2,115	80%	57,407	66%

¹Minor Civil Division

Data Source: 2009-2013 American Community Survey 5-Year Estimates

Building Permits

Each year, the Broome County Planning Department collects information on the building permits in each municipality. This information is used as an indicator of growth and development. The non-residential building permit data for the past decade is presented below. Non-residential permits are issued for commercial, industrial, public/ semi-public and other projects not intended for residential uses. Information about residential permits is discussed in the Housing chapter.

Non-Residential Construction 2005-2015

Year	Commercial		Industrial		Other		Total Non-Residential			Alterations, Additions, Repairs	
	Permit	Value (\$)	Permit	Value (\$)	Permit	Value (\$)	Permit	Value (\$)	Average Value	Permit	Value (\$)
2005	0	0	0	0	2	35,000	2	35,000	17,500	12	741,900
2006	1	8,000	0	0	0	0	1	8,000	8,000	9	284,950
2007	1	910,00	0	0	0	0	1	910,00	910,000	10	1,038,912
2008	0	0	0	0	0	0	0	0	0	10	137,025
2009	1	20,000	0	0	0	0	1	20,000	20,000	16	2,874,400
2010	0	0	0	0	0	0	0	0	0	21	391,100
2011	1	250,00	0	0	0	0	1	250,00	250,000	5	393,000
2012	2	412,00	0	0	0	0	2	412,00	206,000	26	1,751,512
2013	1	350,00	0	0	0	0	1	350,00	350,000	21	4,174,710
2014	0	0	0	0	0	0	0	0	0	9	491,000
2015	0	0	0	0	1	37,000	1	37,000	37,000	24	1,991,958

Data Source: Broome County Construction Data

Over the past decade, non-residential growth was minimal. The majority of construction permits supported commercial development. There have been no industrial development permits issued since 2005 which corresponds with the declining industrial workforce trends. Even though the number of construction permits was sparse in the past ten years that does not mean the Town stopped developing. Typically in times of economic downturn, development and growth will gradually decrease; this happened in many of the County's municipalities. The table shows in the past decade, over 13 million dollars of improvements, alterations and repairs were invested into Kirkwood's existing non-residential improvement projects.

Kirkwood Facilities

Public Safety

Public safety is instrumental while addressing major issues and achieving goals set forth by a community. Establishing and maintaining positive relationships with the various public safety departments provides a foundation for effective community building. Creating a safe environment for people to live, work and play makes places more attractive to new residents and businesses. This section provides an overview of Kirkwood's public safety structure.

Fire Protection:

Five Mile Point Fire Company has two stations located on Crescent Drive and Old State Road, and services the northern section of the Town. This fire company serves the mainly industrial, commercial and residential areas of the Town. The Five Mile Point Fire Company formed was in 1950 when it split from the Kirkwood and has 44 active members.



Five Mile Point Station 2, Old State Road

The **Kirkwood Fire Company** was formed in 1937 and has two stations located on Main Street and Trim Street, covering the southern section of the Town which is mainly residential and rural areas. This company is a 100 percent volunteer organization. The Kirkwood Company Main Street station has a reception hall that is used for community events. Both fire companies are committed to protecting the Kirkwood community and offer fire safety information.



Kirkwood Fire Company Station 1, Main Street

Police:

The Town of Kirkwood is served by the New York State Police and the Broome County Sheriff Department. The NYS Police barracks are located on Crescent Drive, east of the Town Hall. They provide seatbelt safety demonstrations at the annual Kirkwood Town Fair and other community events.



State Police Barracks, Kirkwood

Emergency Services:

Kirkwood is serviced by two emergency service squads. The Broome County Volunteer Emergency Squad is operated by volunteers, part-time and full-time members, and is located in the City of Binghamton. Superior Ambulance is a full-service commercial ambulance provider. This EMS station was started in 1964. Both squads provide education services to the community.

Parks System

Parks are an important asset to any community. There are three parks located in Kirkwood, all of which the Town maintains and operates. Over time, the parks have aged and Town Officials recognize the need to address issues related to improving the facilities and their overall appearance.

Veteran's River Park is approximately 27 acres and is located off Main Street. The park amenities include three pavilions with electricity, picnic tables, playground equipment, baseball and softball fields, a Veterans Memorial, a boat launch, a gazebo, tennis courts, basketball courts, walking paths, bathroom facilities and parking. This is the Town's largest park and many community events such as the Kirkwood Town Fair are held here.



Town of Kirkwood Fair 2015

Kirkwood Valley Park is about 9.7 acres and is located opposite the Town Hall and Schneider's Market, and is accessible from both Interstate Highways and U.S. Route 11. The east and west sections of the park are separated by Frances Street. Park amenities include a circular walking path, playground equipment, baseball and softball fields, basketball courts, a gazebo, portable restrooms and parking. There are also unique woodwork pieces in the east section of the park including the covered bridges; a wood carving of three bears to welcome visitors from the south entrance.



Covered Bridge, Valley Park

Grange Hall Road Park is a small community park located in the southern part of Kirkwood off Route 11, near the Pennsylvania border. It is about 3.5 acres and its amenities include a baseball field, a pavilion, picnic tables, a walking path, a gazebo, portable bathrooms and parking.



Playground & Recreation Fields

Skyline Drive State Forest is located in the southern section of Kirkwood and its boundaries lie within the Town of Kirkwood and the Town of Windsor. This land is owned and maintained by the New York State Department of Environmental Conservation. The entire forest covers 533 acres, and about 195 acres lie within Kirkwood. The highest peak in the forest is 1,729 feet.

Recreational opportunities include mainly passive activities such as, primitive camping, fishing, hunting, trapping and nature observation. There are a variety of plant and animal species within the forest.



Entrance to Skyline Drive Forest

Facilities

Kirkwood Historical Society was founded in the early 1980's to research and preserve the history of Kirkwood, NY. The Historical Society is located in former Kirkwood Schoolhouse #2, at the entrance of the Veterans River Park. Here visitors can find scores of Kirkwood artifacts, books, pictures of all sorts, records and memorabilia. In the early 2000s, the community organized an eight year restoration program for the schoolhouse. The building is currently used for historical meetings and serves as a community center for the local residents of Kirkwood.



Kirkwood Historical Society

The **Broome Gateway Rest Area: Taste of NY Store** is located off Exit 1 off Interstate-81N. This rest area welcomes more than 1,500 travelers each day. In the summer of 2015, the Taste NY market in the Kirkwood Rest Area opened, and became part of a major New York State economic development project. Visitors can buy food and goods produced locally and throughout the state.

Five Mile Point Speedway is a ¼ mile oval dirt speedway which opened in 1951. In 1999, the track operated a ¼ dirt figure-eight racetrack, but it closed shortly after in 2001. Races start in May and go through the end of October. The Speedway hosts community nights throughout the season, where residents of selected communities have free admission. The Five Mile Point Race Track attracts drivers from other states and Canada.

Camp Sertoma is 110 acres of open space and activities. It is located on Johnson Road, off of Exit 76 from I-86. Camp Sertoma is a day/ overnight camp for children and since 1953 has been operated by the Binghamton Boys and Girls Club. Facilities include a swimming pool, tennis courts, athletic fields, playground equipment, horse stables, a pond, dining halls and residence halls. Campers participate in a variety of enrichment activities including swimming lessons, horseback riding, archery, kayaking/ canoeing, athletics, nature studies, music/ drama, crafts and Indian lore. Camp programs run from early July to mid-August.

The **Police Athletic League (PAL) Camp** is a not-for-profit organization which provides local youth with opportunity to participate in positive activities which fosters healthy growth and development for a bright future and improved quality of life. The local PAL facility was built in Kirkwood in the 1950s with an auditorium and an artificial lake. Today, this 47-acre property has an auditorium with a kitchen, bathrooms, a pool table and recreational facilities. In the summer there is a free five-week day camp which provides civic, educational and recreational opportunities to children.

The **German Club of Binghamton**, located in Kirkwood, is a social organization and a member of the New York State Saengerbund whose mission is to promote German culture through music and song. This club was originally organized in 1897 under the name Germania Maennerchor of Binghamton. In 1930, the club bought the property on Loughlin Road which it sits today. They provide a number of services and events open to the public including a German choral group, German language lessons, beer tastings, poker night and they organize trips to Germany and Europe.



Binghamton German Club, Loughlin Road

The **Binghamton Elks Lodge** is a fraternal organization, located in Kirkwood since 1989. Their mission is to provide charitable services to build stronger communities. Each week, the lodge hosts a number of social events open to the community. The facilities at this lodge include a restaurant/ bar, dart boards, reception hall, horse shoe pits and an outdoor pavilion. The Elks Lodge also offers its facilities to host private banquets and meetings.



Binghamton Elks Lodge, Route 11

Broome County Sportsman Association (BCSA) includes 135 acres of space with outdoor and indoor range facilities. The BCSA is open year-round and its facilities include a 100m outdoor rifle range, 50ft indoor rifle/ pistol range, five stand traps, 50m covered air rifle range, a rustic clubhouse with restrooms falling metal plates for rimfire/ pistol and an archery range. Throughout the year the BCSA holds a number of events, competitions and safety courses led by the NYSDEC.

Senior Facilities

Stratmill Brook and Valley View Apartments are new senior housing facilities located in Kirkwood. Each facility has 32 living units which have a combination of one and two-bedroom apartments, and offer a variety of amenities. These apartments are age-restricted and are rented to disabled individuals and individuals who are 55 years or over. Both facilities are near or at full capacity.

Transportation

Introduction

Transportation is an essential part of everyday life. Transportation networks are highly influenced by land use patterns and vice versa. In Kirkwood, the primary mode of transportation is the automobile. That being said, it is important for the Town to provide safe and reliable choices for all travelers, including those using alternative modes of transportation. With the correspondence of the Binghamton Metropolitan Transportation Study (BMTS), this chapter examines the various modes of transportation that exist in Kirkwood.

BMTS

Federal regulations require each urban area to form a metropolitan planning organization which involves local, state and regional governmental agencies collaboration in the planning of the interconnected road system. Locally, the Binghamton Metropolitan Transportation Study serves 21 municipalities in the Binghamton-Metropolitan Region, including Kirkwood. The Town supervisor is actively involved in the BMTS Policy Committee and Planning Committee. Continued active participation is critical in securing funding for federal aid eligible roadways within the Town, as well as providing representation in deciding on federal transportation funding investments in the overall Binghamton Urban Area. The primary responsibility of the BMTS Central Staff is to provide transportation planning and engineering assistance to Urban Area municipalities, which the Town can use.



Highway Junction Directional Signage, Industrial Park

Road System in Kirkwood

Roads accommodate all types of travelers through and within the *Town*. There are about 119 centerline miles of public roads within the *Town*. New York State, through the Department of Transportation, owns and is responsible for the maintenance of Interstates and State highways. According to the NYS Department of Transportation, there are \$14.5 million in active projects located in the *Town*; the major projects include improvements to I-81, the Gateway Rest Area sewer line extension and signage for I-86 and I-81. Broome County is responsible for the County Roads through its Department of Public Works. This past year, the Broome County repaved part of Old State Road and the lower section of Coleville Road, along with numerous other repairs. The total estimated cost of repairs on County roads was more than \$850,000. Kirkwood maintains the more than one-third of the public roads in the *Town* through the *Town* Highway Department, which is responsible for surface repair and clearance, cleaning ditches, setting driveway culvert pipes and maintaining the signs on local roads. In 2015, the *Town* Highway Department spent an estimated amount of \$170,000 towards local road repairs.

Classification of Roadways

Road Classification	Miles	Percentage
Local	45	38%
County	24	20%
State	4	3%
Interstate	28	24%
Federal Route	12	10%
Private	1	1%
Ramp	5	4%
Total	119	100%

Source: Broome County Street Data

Vehicle Usage

It is important for the *Town* to identify which roads are the most heavily traveled, so they can determine how to distribute funds and where to direct maintenance efforts. The New York State Department of Transportation performs annual counts of route segments to determine the estimated Average Daily Traffic Count for the roads throughout the entire state. A complete view of the traffic counts for all roads within the *Town* can be accessed on the DOT website: www.dot.ny.gov

In 2013, an estimated total of 387,700 daily vehicles were counted within Kirkwood. Not surprisingly, the most trafficked roads in the *Town* were the major transportation corridors. Interstates 81 and 86 had the highest traffic counts, followed by Upper Court Street; all of these roads are maintained by the state. Barlow Road and Corporate Park Drive were the two most trafficked roads owned by the *Town*.

Journey to Work

The Mode of Transportation table shows over 90 percent of the Town's labor force commuted to work by car, truck or van. The workers per car estimate of 1.05 reveals that the majority of residents travel to work alone. Of those who did not work at home, less than 3 percent used alternative modes of transportation for their commute to work.

Mode of Transportation Estimates

Means of Transportation to Work	Kirkwood	Broome County
Car, truck, or van	92%	88%
<i>Workers per car, truck, or van</i>	<i>1.05</i>	<i>1.06</i>
Public transportation (excluding taxicab)	0%	3%
Walked	1%	4%
Bicycle	0%	0.3%
Taxicab, motorcycle, or other means	1%	0.9%
Worked at home	6%	4%

Data Source: 2009-2013 American Community Survey 5-Year Estimates

The Travel Time to Work table shows the average commute time to work and each proportion of the labor force commute time in 5 minute increments. Kirkwood's average travel time to work is about equal to the county-wide average travel time, about 19 minutes. The mode travel time for the Town and the County was between 15 and 19 minutes.

Travel Time to Work Estimates

Travel Time	Kirkwood		Broome County	
	Estimate	Percent	Estimate	Percent
Less than 10 minutes	410	16%	15,555	19%
15 to 19 minutes	605	24%	17,216	21%
20 to 24 minutes	394	16%	14,084	17%
25 to 29 minutes	101	4%	4,269	5%
30 to 34 minutes	99	4%	5,697	7%
35 to 44 minutes	50	2%	1,774	2%
45 to 59 minutes	0	0%	2,024	2%
60 or more minutes	141	6%	3,403	4%
Mean Travel time (minutes)	18.9	n/a	18.7	n/a

Data Source: 2009-2013 American Community Survey 5-Year Estimates

Public Transportation

Part of Kirkwood is serviced by BC Transit 51 K Commuter Route. This route runs Monday through Friday and makes stops in the Town at the Industrial Park West, the Felchar Manufacturing plant near Shop-Vac, Frito-Lay and Willow Run Foods. The bus comes twice a day, once in the morning at 6:30 AM and then returns in the afternoon at 2:30 PM. There are no designated bus stops at the destinations; riders are allowed to get on or off the bus by flagging the driver in a safe location. The current bus fare is \$2.00.

BC Lift is a transportation service provided by the County to elderly and disabled individuals who cannot use the regular fixed routes set by BC Transit. This service extends $\frac{3}{4}$ of a mile within the fixed transit routes to accommodate users who may have difficulty walking to a normal bus route. Riders and their health care providers must fill out an application with the Broome County Department of Transportation to show need of this transportation service. BC Lift runs seven days a week. The fare for this service is \$2.50 per ride.

BC Country is a public transportation service used for the residents who live in rural locations throughout Broome County. The bus picks riders up at their residence and brings them to their destination within the urban core of Broome County. This service runs Monday through Friday and the fare is \$3.00.

More information about these services can be accessed on the BC Transit website:

www.gobroomecounty.com/transit

Public Transportation Ridership

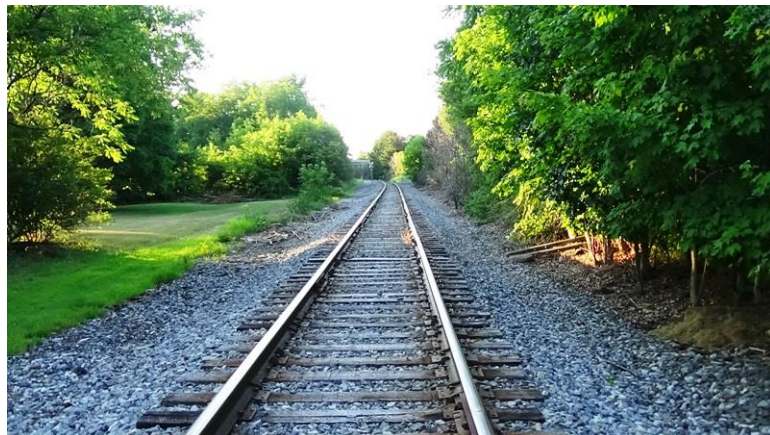
Examining the bus ridership of the different routes that serve the Town can help predict the role of transportation in Kirkwood. Below is a table showing the ridership of the 51K, BC Country and BC Lift routes that serve Kirkwood. These figures account for the total amount of riders who used a BC public transportation service throughout the year; the 51K Commuter accounts for riders who may not live in Kirkwood, but use the bus to travel there for work. The BC Lift and Country estimates account for all riders who boarded the bus in Kirkwood. Overall, the use of public transportation has steadily increased since 2010, with a slight dip in 2013.

Ridership of Public Transit Services in Kirkwood

Year	51K Commuter	BC Lift & Country
2010	10,729	432
2011	13,205	300
2012	13,850	403
2013	11,464	362
2014	15,007	694

Rail

Freight rail lines run along the border of Kirkwood and the Susquehanna River. Currently the rail only carries products and goods, not passengers. This railroad was previously owned by the Canadian Pacific Railway and recently it was transferred to Norfolk Southern Railways. The residential development on Main Street is located near the railroad and reflects the Town's early development and dependence on the railroad to transfer goods.



Looking north on the Norfolk Southern Railroad

Bike/ Pedestrian

Bicycle and pedestrian travel has gained greater recognition in local and regional planning. People want safe places to walk, and to be able to travel by bicycle as well. That means having sidewalks and crosswalks in appropriate locations. Cyclists can benefit from a variety of on-street treatments, from designed bicycle lanes to wider curb lands. In addition, the provision of connective trails can benefit both user groups. Walkers use them mostly for recreation, but cyclists may use them as an off-street part of a longer trip.

There are three major bike routes that run through Kirkwood. The Greater Binghamton Local Bike Route 1 is a 28.95 mile bike trail that connects Kirkwood with Owego, State Bike Route 11 is a 320 mile trail connecting northern Pennsylvania to Quebec, and State Route 17 is a 442 mile bike trail connecting Dutchess County to Lake Erie. The bike lanes within the Town are shared with the roadway and cyclists ride in the shoulder. The Kirkwood Industrial Park Road was previously used for training by the Tioga Velo Club twice a month, and in the past, the Binghamton Circuit Races took place here.



Cyclist riding along Route 11

There are many residents who do not own a car or are unable to drive that must walk to their destination. It appears that the only sidewalks in the Town are located on west side of Crescent Drive from William Street to Frances Street and a small segment on the east side of Main Street, which terminates less than a tenth of a mile before Veterans River Park. Where sidewalks are not present, pedestrians often walk in the shoulder of the roadway. To ensure pedestrian safety, the shoulders should be 4-6 feet wide and maintained in good condition. The Town also has paved walking trails for recreational use in Valley Park and Veterans River Park.

The Town may wish to develop a plan for improving pedestrian and bicycling facilities, with the assistance of BMTS. Such a plan can identify where the installation of sidewalks and road shoulders is most critical. There is a clear benefit to the quality of life for Town residents and visitors in developing better bicycle and pedestrian accommodations. More information about the design and implementation of these facilities can be found in the 2015 BMTS Bicycle and 2013 Pedestrian Plan.

Complete Streets

In 2012, the Complete Streets Legislation was signed requiring state, county and local legislatures to consider all modes of transportation when designing transportation projects that receive state or federal funding. Complete Streets is a concept defined as roadways that safely and adequately accommodate each transportation mode, regardless of age or physical ability. This includes pedestrians, cyclists, public transportation riders, and motorists; it includes children, the elderly, and people with disabilities. The New York State Department of Transportation provides a Complete Streets Checklist to assist local governments with the planning and design of their roadways. In addition, BMTS recently adopted its Complete Streets Policy in 2016 for all regional infrastructure projects. This policy will provide uniform design guidelines for municipalities to adopt when they undertake a reconstruction, paving or pavement stripping project. More information about Complete Streets can be found in the Court Street Corridor Chapter.

Court Street Corridor

Court Street Corridor

The Court Street Corridor is a significant travel corridor in the Town because it provides connectivity between urban and rural areas within Broome County. This is a major entry-point into the Town where many travelers form their first impressions of Kirkwood and the region. Since many residents use this corridor daily, it also reflects how they view their own community. When properly designed and maintained, gateways accommodate safe and efficient travel while providing an enjoyable experience for visitors and residents. The development patterns of the Upper Court Street Corridor over time have formed a generic auto-oriented commercial strip development, common throughout the U.S.



Looking east on the Court Street Corridor

Current Conditions

The Court Street Corridor is a four-lane arterial road, which is part of the U.S. Highway System; it is characterized by its mix of commercial and industrial development. Most of the development consists of one story buildings. The streetscape is dominated by parking lots with minimal use of landscaping. Because of its proximity to the Interstates and the Kirkwood Industrial Park, most of the businesses provide services catering to travelers. There are numerous access points to the different businesses along the road.

As previously stated in the Transportation Chapter, Upper Court Street is one of the most trafficked roads in Kirkwood, aside from the two Interstates. Traffic flows well through this area without heavy congestion during peak travel times. There is a wide shoulder, but no sidewalks for pedestrians. The Norfolk Southern Railway runs along the southwest side of the corridor. Large power lines and streetlights run on both sides of the road.

The current conditions of the corridor present opportunities for improvement and revitalization. This would involve both public and private sectors, collaborating to develop a vision and identify strategies for implementation. Gateway improvement plans focus on the improvements to the built-environment, establishing a unique sense of place.



Looking west on the Court Street Corridor

Kirkwood Industrial Park

Along the Court Street Corridor there are a mix of business and industrial land uses. Land zoned for Industrial Development (I-D) spans the major transportation corridors between the Susquehanna River and Interstate 81. Most of the Industrial Development zones are found here because the land west of I-81 not suitable for large factories or development, due to the steep slopes and lack of public utilities.

Industrial Development is primarily located in or near Five Mile Point. The available open space and proximity to major highways made this an ideal site for industrial development within Broome County. The Kirkwood Industrial Park was constructed during the 1960s, on a 500-acre site that was originally farmland owned by Binghamton State Hospital. The construction of the Kirkwood Industrial Park prompted the extension of water and sewer lines into parts of the Town to accommodate new industries. Today the industrial complexes provide a variety of manufacturing, distribution and office space.



View of Frito-Lay and Love's Travel Stop

According to the Town's Zoning Articles, areas zoned as I-D are suitable for manufacturing, processing or service establishments, offices and administration centers, food preparation and dispenser unit for employees, warehouses, truck terminals, construction equipment yards, and wholesale auto auctions. Kirkwood's existing I-D Zoning Districts are adjacent to residential, planned unit development, business and recreation zones. Light industrial uses may also be found in areas zoned for planned unit developments and business. The Appendix includes a map of the industrial parcels located in the Court Street Corridor.

Using Broome County Parcel Data and information provided by property owners, the table below provides an estimate of the number of buildings, the space they occupy, year of construction and available building space for lease in the major industrial areas of the Town. The Town's Industrial Districts are largely comprised of mid-late twentieth century industrial buildings. The style, age and architecture of these buildings make them suitable for future industrial occupants. Based on the information in the table, it is apparent that Industrial Park East is at full capacity, and there is at least 300,000 leasable square feet between existing buildings in other areas of the Industrial Development Zones in the Town.

Existing Industrial Lands

Major Areas of Industrial	Number of Buildings	Total Sq. Feet	Year Built	Available Space for Lease
Industrial Park East	16	586,535	1980-	0
Industrial Park	12	928,505	1960-	> 80,000 square ft.
Other Industrial	25	1,828,770	1960-	293,330 square ft.

Challenges of Industrial Development in Kirkwood

A major challenge of industrial development is the potential environmental issues associated with this land use. The New York State Department of Environmental Conservation (DEC) maintains a database with information about sites that have been remediated or are being managed by DEC programs. This database has information related to individual sites such as, the site name, classification, code, location, ownership, existing engineering controls, site overview, known or suspected wastes and their pathways, and an environmental assessment and potential health problems related to the site. In Broome County, there are 78 sites documented in this database. Four of these sites are located in Kirkwood in or adjacent to an Industrial Development zone.

The DEC has monitored the site at 112 Barlow Road date since the early 1990s.

Historically, the 18-acre site was used as a dump for different types of solvents. While the quantity of the suspected waste is unknown, the DEC found “no completed exposure pathways”, meaning exposure does not occur. Therefore, this site does not pose a serious threat to the public. Therefore, this case has been closed by the DEC, but still requires regular maintenance, operation and management.

The site at 97 Industrial Park Drive was identified by the DEC in 1991 after a spill occurred on the property. There are six primary contaminants identified on the 5–acre site, with their amounts being unknown. This site is considered by the DEC to represent a significant threat to public health or the environment and action is required. The DEC stated that the level of contaminants in the groundwater is decreasing and actions have been taken to mitigate future exposure routes.

The DEC has monitored the site at 912 US Route 11 since the early 1990s. This 31-acre property was used as a dump for a number of industrial wastes. Two primary contaminants identified were paints and solvents, with quantities unknown. Since the early 1990s, the Town and the State have worked to mitigate the harmful effects of this site’s past uses. A cap was used to cover the landfill, so it is not expected to be a threat to the public. In 2009, the state determined that no further remediation action was needed. This case has been closed by the DEC, but regular groundwater monitoring of the site is ongoing and there is a deed restriction on the property.

The site at 29 Industrial Park Drive has industrial origins dating back to the 1970s. Originally, this site was used as a circuit board manufacturing plant, storing solvents in large storage tanks. Tests revealed that there were contaminants in the soil, storm water and ground water on this site. In 2014, an alternative remedial action was proposed that proved to be more effective than the original remediation action. Additional actions to protect again soil and indoor-air quality have been implemented to address potential exposure routes and protect public health.

More information about the status of these sites can be accessed on the NYSDEC website. <http://www.dec.ny.gov/>

Another potential environmental issue of the Court Street Corridor and the Industrial Park is the risk of natural hazards. Their proximity to the Susquehanna River and the flat topography makes these areas prone to flooding. In the floods of 2006 and 2011, water levels reached the southern edge of the Industrial Park and completely covered other properties between Loughlin and Colesville Roads. Actions to remediate flood-damaged properties and to protect against future flooding are on-going throughout the Town. More information about the Town’s flooding is located in the Environmental Chapter.

Access Management

Businesses in some sections of Upper Court Street have undefined vehicular entrances and/or numerous curb cuts. This has the following impacts:

- Leads to potential traffic conflicts due to the uncontrolled and unpredictable nature of vehicular ingress and egress onto the street
- Slows down traffic due to more entry points onto the street
- Makes Upper Court street less walkable because pedestrians have to cross lengthy, unmanaged curb cuts
- Leads to an unsightly, unprofessional appearance by the businesses.

Examples include:



Access management is a traffic engineering technique used to regulate intersections and driveways to facilitate roadway safety by reducing vehicle, pedestrian, and bike conflicts, increasing driver sight distances and increasing the time drivers have to make decisions. Access management can also improve traffic flows and make the roadway function more efficiently. One method of accomplishing these goals that may be appropriate to Upper Court Street would be to reduce the number of curb cuts, require defined curb cuts, and/or consider requiring or encouraging shared access by neighboring properties when projects come in for site plan review.

Complete Streets and Connectivity

Related to the concept of Access Management is Complete Streets and Connectivity. Currently Upper Court Street is not walkable and is not conducive to bike travel due to the lack of sidewalks or bike lanes and the numerous, wide curb cuts. However, there appears an opportunity to make low cost improvements to the Court Street Corridor to improve its walkability and bike usage while improving its appearance.

New York State recently revamped upper Front Street to improve walkability and bicycle usage, and the resulting project substantially improved the appearance of that commercial corridor. The following are examples of the work done on Front Street by New York State Department of Transportation. The Transportation Chapter contains additional information about the Complete Streets Policy.



Code Enforcement

Opportunities exist to correct some of the unsightly conditions of Upper Court Street through aggressive code enforcement. These include addressing the encroachment of development within the State right of way. From a review of aerial photographs of the area, several businesses appear to use New York State DOT right of way for parking, outdoor storage, and display of cars for sale.

In addition, at numerous locations along the corridor property owners use temporary concrete construction barriers as permanent fencing and screening. These give large areas of Upper Court Street the appearance of being a perpetual construction zone.

Options for dealing with these unsightly barriers including utilizing code enforcement to cite the owners for having screening and fencing that does not conform with Town codes.

At another location on Court Street, the pavement is severely deteriorated and unsightly. Section 302.3 of the Property Maintenance Code of New York requires that, “All sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a ***proper state of repair, and maintained free from hazardous conditions.***” (Emphasis added)



Temporary
Construction
Barrier



Poorly Maintained
Parking Lot

Environment

Environment

Ecological areas, water resources, and other environmental resources contribute to the rural character and beauty of the Town and provide vital services to the community. Documenting the Town's significant environmental resources is important for identifying areas that are deemed as special and worthy of consideration or protection during land use and zoning actions and policy development.

Topography

The Town of Kirkwood is centrally located in Broome County. The Town is located along the Susquehanna River, its border with the Town of Conklin, which flows northwest from the Pennsylvania line. It also shares borders with the Town of Fenton (north), the City of Binghamton and Village of Port Dickinson (west), the Towns of Colesville and Windsor (east), and the and Great Bend Township, Pennsylvania (south).

The topography is characterized by lower valley elevations that lie along the Susquehanna at the southwestern border, to the southwest of Route 81, with elevations along the river ranging from 840-850 feet above sea level. These low-lying areas are surrounded by rolling hills in the northern part of the Town where the highest elevations are in the range of 1500-1600 feet, and in the eastern part of Town with higher elevations that reach the range of 1600-1750 feet. It is in these northern and eastern portions of town where the majority of the steep slopes are found making them less attractive for intensive development. Therefore, much of the development concentrated in the relatively flat areas adjacent to the river.

The topography, steep slopes, and significant high peaks are illustrated on the Topography map.

Water Resources

Surface Waters

The main surface water feature in Kirkwood is the Susquehanna River which flows from Great Bend, Pennsylvania, along the border with the Town of Conklin, into the City of Binghamton.

The Town is within the Upper Susquehanna Watershed of the Susquehanna River Basin which stretches along the mid-Atlantic from Cooperstown, New York to the Chesapeake Bay in Maryland and Virginia. Kirkwood is contained within the Susquehanna – Great Bend sub-watershed. This includes several major creeks and streams that are tributaries to the Susquehanna including Acre Creek, Stratton Mill Creek, Stanley Hollow Creek and Park Creek. Major water bodies are shown on the Water Resources map.

Groundwater

Aquifers are classified by the NYSDEC as primary or principal aquifers based on importance as a public water supply, productivity, and vulnerability to pollution. Primary aquifers are highly productive aquifers utilized as sources of water supply by major municipal water supply systems. Principal aquifers are unconsolidated aquifers, characterized by high recharge rates, known to be highly productive or whose geology suggests abundant potential water supply, but which are not intensively used as sources of water supply by major municipal systems at the present time. Effectively, the only difference between these types of aquifers is the use as a source of a major public water supply. Principal aquifers have the potential should use change in the future.

Both types of aquifers are present in Kirkwood. Lands along the Susquehanna River from the City of Binghamton border to the intersection of Route 11 and Grossett Drive lies above a primary aquifer referred to as the Endicott-Johnson City Aquifer. This aquifer lies along the Susquehanna and Chenango Rivers throughout the urbanized areas of Broome County. Principal aquifers also are located all along the southwestern border of the town along the Susquehanna River. Primary and principal aquifers can be seen on the Water Resources map.

In addition the whole Town is designated by the US Environmental Protection Agency (EPA) as part of a sole source aquifer, the Clinton Street-Ballpark Aquifer System. The extent of this aquifer includes the entire County except a small area in Eastern Broome that lies in the Delaware River watershed. Sole source aquifers are those supplying 50 percent or more of the area’s drinking water, which, if contaminated, would create a significant hazard to public health and could not be replaced by another source. However, this designation has little significance from a programmatic perspective and serves mainly to draw attention to the importance of the resource to the water supply.

The Town of Kirkwood relies on these aquifers for drinking water. There are several public wells located in the Town and the remaining population is serviced by private wells. The public wells include the following:

Public Water Supply Name	Number of Wells	System Users
KIRKWOOD CONSOLIDATED WD #1 <ul style="list-style-type: none"> – WELL #1, MIDDLE WELL – WELL #2, SOUTH WELL – WELL #3, NORTH WELL 	3	2600
CLARENCE R. WEEKS ELEM. SCHOOL	1	365
QUILTY HILL MOBILE HOME PARK <ul style="list-style-type: none"> – CORNER WELL – WELL NEXT TO PUMP HOUSE 	2	45

Floodplains

Flood Insurance Rate Maps (FIRMs), developed by the Federal Emergency Management Agency, are the major tool for identifying flood risk and informing policy surrounding floodplain management. The adoption of the FIRMs is required for participation in the National Flood Insurance Program that provides insurance to property owners for flood protection.

A FIRM will generally show a community's base flood elevations, flood zones, and floodplain boundaries. The flood zones identified include the Special Flood Hazard Area (SHFA), the area with a 1-percent chance of flooding in any given year (also commonly referred to as the 100-year floodplain), as well as the Non-Special Flood Hazard Area (NSFHS), the area with a 0.2% chance of flooding in any given year (also commonly referred to as the 500-year floodplain).

The most recently adopted FIRM in the Town is dated 1977. FEMA periodically goes through the process of updating the flood maps for the following reasons: Flood hazard conditions are dynamic and many maps do not reflect recent development and/or natural changes in the environment; Updated maps take advantage of revised data and improved technologies for identifying flood hazards, and; Up-to-date maps

support a flood insurance program that is more closely aligned with actual risk, encouraged wise community-based floodplain management and improved citizens' flood hazard awareness.

Therefore, the currently adopted maps may not provide an accurate representation of the flood hazards throughout the Town. In 2010, FEMA went through the process of developing updated maps. However, this process was put on hold by FEMA and the maps were never published for adoption. While these maps may not be recognized as official for the purposes of the National Flood Insurance Program, they do serve as a valuable tool for realistic flood mitigation planning.

The area of the Town included in the SFHA, the area with a 1-percent chance of flooding in any given year, and the NSFHA, the area with a 0.2% chance of flooding in any given year, according to both the adopted and preliminary floodplain maps are outlined in the following table. A visual representation can be found in the Adopted Floodplain and Preliminary Floodplain maps.

Floodplain Map	SFHA	NSFHA
Adopted (1977)	786 acres (1.23 mi ²)	296 acres (0.46 mi ²)
Preliminary (2010)	1895 acres (2.96 mi ²)	134 acres (0.20 mi ²)

When it comes to floodplain management and floodplain regulation, most floodplain ordinances, including Kirkwood's, integrate design standards within the SFHA boundaries established by the currently adopted NFIP flood map. In addition, flood insurance is only required for properties that lie within those same SFHA boundaries. It is important to note that when comparing the two maps, the more current preliminary maps, that reflect the most recent hydrological conditions, establish a SFHA that is almost 2.5 times the area of the previously adopted maps. This means that current floodplain ordinance and insurance plans that rely on the older adopted map leave many properties vulnerable to the impacts of flooding.

Considering this, there are steps that can be taken to protect these properties further through No Adverse Impact Floodplain Management, a principle developed by the Association of State Floodplain Managers, consisting of practices that go above and beyond what is required via state and federal flood management requirements. One practice that can be utilized to assist in protecting vulnerable properties that are not officially in the adopted floodplain is the establishment of an overlay district that may institute floodplain development requirements to ensure that properties are built to withstand flooding in those areas and/or land use restrictions that limit property uses that may pose a threat to the environment or public health should they be flooded.

Wetlands

Wetlands are periodically or permanently flooded areas that function to trap and slowly release surface water, rain, snowmelt, groundwater and flood waters. They also provide habitat to many beneficial plant and animal species. At the federal level, the US Army Corps of Engineers (ACE) has the authority to protect wetlands in New York that are larger than 1 acre. State wetlands are those under jurisdiction of the DEC. The Freshwater Wetlands Act protects all wetlands of 12.4 acres or larger, and regulates the land area within 100 feet of protected wetlands. These wetlands are classified from Class 1 (providing the largest benefit) to Class 4. Smaller wetlands may also be protected if they are considered to have local importance.

There are 169.53 acres of federally protected wetlands in the Town and 134.4 acres of NYS protected wetlands. Any development impacting protected wetlands requires a permit that will place conditions for the mitigation of impacts to the wetland.

According to the NYSDEC maps, there are several significantly sized wetlands located within the Town. Two large Class 2 wetlands are located adjacent to Route 11, to the northwest and southeast of Grange Hall road. These wetlands are 31.2 and 27.3 acres respectively. There is also a 16.7 acre wetland located adjacent to Colesville Road, a little over a half mile from Route 86, along Stanley Hollow Creek. All wetlands in the Town are shown on the Ecologically Significant Areas map.

Water Resource Management Issues

Flooding

Flooding has been a serious issue for the Town, especially in recent years. The impacts of flooding on the Town were summarized in the 2013 Broome County Hazard Mitigation Plan (HMP). Since 2006 the town has suffered damages/losses from two major riverine floods (2006 and 2011) and three major flash floods. Generally during riverine flooding, all areas located within the SFHA and NSFHA suffered damages/losses. During the flash flooding events, the Valley Park area suffered damage mainly to the Highway Garage and auxiliary structures. It is estimated that 2,724 residents live within the SFHA, 6.4% is of the Town's total land area and \$214,967,979 (13.3%) of the municipality's general building stock replacement cost value (structure and contents) is located within the SFHA, according to the HMP.



Flooding near Colesville Road Extension and Spud Lane (September, 2011)

The Town has implemented several projects for effective flood mitigation throughout the Town. These include the following:

- There were nineteen FEMA flood buyouts, which involve the acquisition of flood impacted properties, demolition of structures, and preservation of property for greenspace. These projects lower flood risk by moving people out of the floodplain where vulnerability is high and increasing greenspace that provides flood attenuation.
- Five homes were elevated in the community. Raising these structures places the location of the lowest flood above the flood protection level, lessening vulnerability to damage.
- The Town conducted design analysis on major tributaries to the Susquehanna to assess whether management of the streams would help with flood mitigation. However, the analysis showed that the benefits would not be significant, considering the costs of the projects.

- The Town undertook several infrastructure projects including ditch lining, scour protection, upsizing of culverts and bank stabilization in order to repair and improve infrastructure for durability during flood events.

Despite the significant amount of work done by the town, there remain projects that the Town has identified as necessary for the mitigation of flood impacts into the future. The main reason that these projects have not moved forward is due to lack of funding at this time. These projects include:

- Installation of backup generators at the Town wells
- Relocation of the Town Highway Garage – Property has been purchased, but funds have not been obtained for relocation process.
- Flooding issues along Route 11 from Stratton Mill Creek – This area of the Town is located in a commercial area that floods about 4-5 times per year. The cause of this flooding has been attributed to an inadequate stormwater system, with undersized culverts. Since Route 11 is a NYS road, the NYS DOT has developed a design for improving the stormwater infrastructure at this location. However, there is currently no funding to implement the design.

The Town continues to search for funding to implement these identified projects.

Natural Gas Drilling

Another water resource management issue is potentially associated with natural gas drilling. Currently natural gas drilling via hydro-fracking is not permitted in New York State, however if this changes in the future there are several aspects of water resource management that may need to be addressed if the process moves forward.

- Water Consumption - Due to the nature of the drilling process, water withdrawals and consumptive uses require monitoring to ensure that surface and ground water levels are adequately maintained. The Susquehanna River Basin Commission (SRBC) regulates water consumption issues of all types within the Basin.
- Water Quality – The NYS Department of Environmental Conservation (DEC) enforces restrictions on oil and gas drilling processes that are intended to protect against water contamination per New York State Law. Drilling permit requirements inhibit spills, prevent contamination and require proper disposal of wastes, and require that land impacted by drilling be properly reclaimed for productive use. The DEC monitors drilling sites for compliance with the conditions of the permit and brings enforcement actions against violators.
- Wastewater Disposal – Wastewater, also known as flowback water, resulting from hydro-fracking that is not recycled, requires proper disposal due to contamination that occurs during the process. As stated above, the NYS DEC integrates conditions for the proper disposal of wastes into the permitting process associated with oil and gas drilling, and is responsible for enforcement of these conditions.

Ecologically Significant Areas

Rare and Endangered Species

There are three general areas that have been identified by the New York State Natural Heritage Program as potentially containing rare or endangered species. For projects or actions within or near an area with a rare species, a permit may be required if the species is listed as endangered or threatened and the action may be harmful to the species or its habitat.

The following species have been identified as being present in Kirkwood:

- **Plants**
 - Whorled Mountain-mint (*Pycnanthemum verticillatum*), Status: Endangered
 - Shrubby St. John's-wort (*Hypericum prolificum*), Status: Threatened
- **Freshwater Mussels**
 - Green Floater (*Lasmigona subviridis*), Status: Threatened
 - Brook Floater (*Alasmidonta varicose*), Status: Threatened
 - Yellow Lampmussel (*Lampsilis cariosa*), Status: Unlisted
- **Dragonflies and Damselflies**
 - Rapids Clubtail (*Gomphus quadricolor*), Status: Unlisted
- **Amphibians**
 - Hellbender (*Cryptobranchus alleganiensis*), Status: Special Concern

Unique Natural Areas

Broome County's Unique Natural Areas Inventory includes a database of over 200 sites determined to contain significant ecological, biological, geological, or aesthetic characteristics. Identification of a site as a Unique Natural Area does not set any restrictions or regulations, but makes notice of important areas of local significance for consideration in planning and development activities. There are 5 identified sites located in Kirkwood that are listed in the database. The map shows the general location of these areas within Kirkwood. Due to some sites being located on private property, and the potential presence of rare and endangered species, information isn't currently publicly available. However, more details about individual sites can be obtained by contacting Broome County Planning.

Forests

Forested areas provide significant ecological services such as wildlife habitat and clean water, while also providing economic value through the harvest of forest products. In looking at the Ecologically Significant Areas map it is clear that forest cover is a significant part of the Town's landscape, especially to the north and east of Route 81 where the hilly landscape and steep slopes make development less desirable, allowing the forested areas to thrive. According to the USGS land cover data forest land cover totals about 13,055 acres or 20.4 square miles. This amounts to 65% of the total land cover in the Town.

Forest Type	Acres	Square Miles
Deciduous	7,860.5 acres	12.3 mi ²
Evergreen	979.9 acres	1.5 mi ²
Mixed	4,214.5 acres	6.6 mi ²
TOTAL	13,054.9 acres	20.4 mi²

Despite the wide distribution of forest land, proper management is still a concern. Forest land is largely privately owned making it vulnerable to loss during development. Preservation through proper forest management helps retain the rural character in these parts of the Town, as well as the economic viability of the forests. Therefore, it is important to identify potential management issues or land use activities that might impact the health and extent of the forests in the community and to encourage land use activities that take proper forest management into consideration.

The only publicly managed forest land within the Town is 195 acres located in Skyline Drive State Forest. These lands are managed by the NYS Department of Environmental Conservation through a Unit Management Plan that assesses the natural and physical resources present, identifies opportunities for public use consistent with its status as a reforestation area, and consider the ability of the resources and ecosystems to accommodate such use. The remaining forest lands are under private ownership and therefore vulnerable to development. However, lands with at least 50 acres of contiguous forest are eligible to participate in the 480-A tax law program. This encourages the long-term management of woodlands by offering property tax reductions to landowners that follow a DEC approved forest management plan for 10 years. The Town may wish to conduct further analysis to identify property owners that may be eligible under this program to encourage their participation in an effort to encourage practices that preserve the rural character in the forested parts of the Town.

Forest Management Issues

The fragmentation of large blocks of forests into smaller areas is a concern. These smaller areas generally have reduced habitat value and are more vulnerable to invasive species which may deplete the health of the forest, having impacts from an ecological and economic perspective. Some land use activities which may lead to fragmentation include construction of utility corridors (i.e. gas pipelines and transmission lines) and construction of subdivisions where additional infrastructure bisects previously undeveloped forest land. When these types of projects or other intensive development is proposed, impacts to the Town's forests should be taken into consideration through the avoidance of the most valuable forest lands such as significant habitat areas, large contiguous forest tracts, and recreational assets.

The presence of nuisance and invasive species also may cause significant impacts to the forest landscape. The following species have potential to adversely impact forest resources:

- **Deer** - One of these species causing damage in upstate New York is the deer population. Growing deer populations have inhibited forest regeneration by feeding on understory vegetation, thus allowing undesirable invasive species to move in. These impacts may impact the long term viability of forest lands if new trees are unable to be established to replace ones that die off.
- **Hemlock Woolly Adelgid** – This invasive Asian insect was first discovered in New York in 1985 and first confirmed in Broome County in 2011. It uses long mouth parts to extract sap and nutrients from hemlock foliage, causing needles to discolor, and to drop prematurely. This seriously impairs tree health and infestation is usually fatal to the tree after several years.
- **Emerald Ash Borer** – This insect is a more recent concern that infests and kills North American ash species including green, white, black and blue ash. Signs of infection include tree canopy dieback, yellowing, and browning of leaves and most trees die within 2 to 4 years of becoming infested. While it hasn't yet been identified in Kirkwood, it has been found just across the northern border in the Fenton and the southern border in two locations in the Conklin in 2015. This suggests that the distribution throughout the County is spreading fast. An estimated 8-11% of Broome County's forests are estimated to be ash trees. Therefore, mortality could have very significant impacts on the area's forests once the insect spreads more widely.

It is important to understand how these species may impact Town resources. Increased tree mortality due to infestation by invasive insects may have an impact on municipal properties and infrastructure. Especially in the case of the Emerald Ash Borer, considering the significant presence of ash trees in the area, as many trees die off in a relatively short period of time there may be costs associated with that including the cost of tree removal, damage to infrastructure due to falling limbs, and loss of important shade trees at parks and other public facilities. The Town may want to be proactive in identifying potential impacts of these invasive species to municipal facilities and infrastructure in order to assess options for management.

The Town can also help to inform property owners of the threat that these species pose and management options that they can take on their own properties.

Open Space Lands

There are several open space lands that are currently protected due to their recreational, ecological, historic or cultural value. Open space lands are important for preserving natural areas that provide ecological services such as flood mitigation, forest resources, and fostering wildlife. However, they also provide social and economic benefits to the community by providing recreational opportunities, contributing to rural character, and improving the overall quality of life for residents of the Town.

The following open space lands are located within the town. These can also be seen on the Open Space Lands map.

Town Parks

There are three town parks located in Kirkwood.

Veterans River Park is a 27 acre property located along the Susquehanna River to the north of Cedarhurst Road, although the main access point is through an entrance on Main Street. Numerous Town activities are held here throughout the year such as the Kirkwood Town Fair and movie nights. Park features include three pavilions with water and electric, a gazebo for special events, a playground, playing fields, a boat launch, tennis courts, basketball courts, and restrooms. Improvements to this facility were included as a priority project in the Broome County LWRP. Recommended improvements include a fishing platform/overlook and an interpretive trail.

Valley Park is a 9.7 acre property located between the Route 17 Extension, Route 11 and Crescent Drive. Francis Street splits the park into two sections, with access to both sides from Francis Street. This Park hosts numerous sporting events throughout the summer as well as holiday festivities in the winter. A paved and lighted track, along with its location in the heart of the Town, makes the park attractive to walkers and runners. Other park features include a playground, playing fields, basketball courts, gazebo for special occasions, portable restrooms and parking.

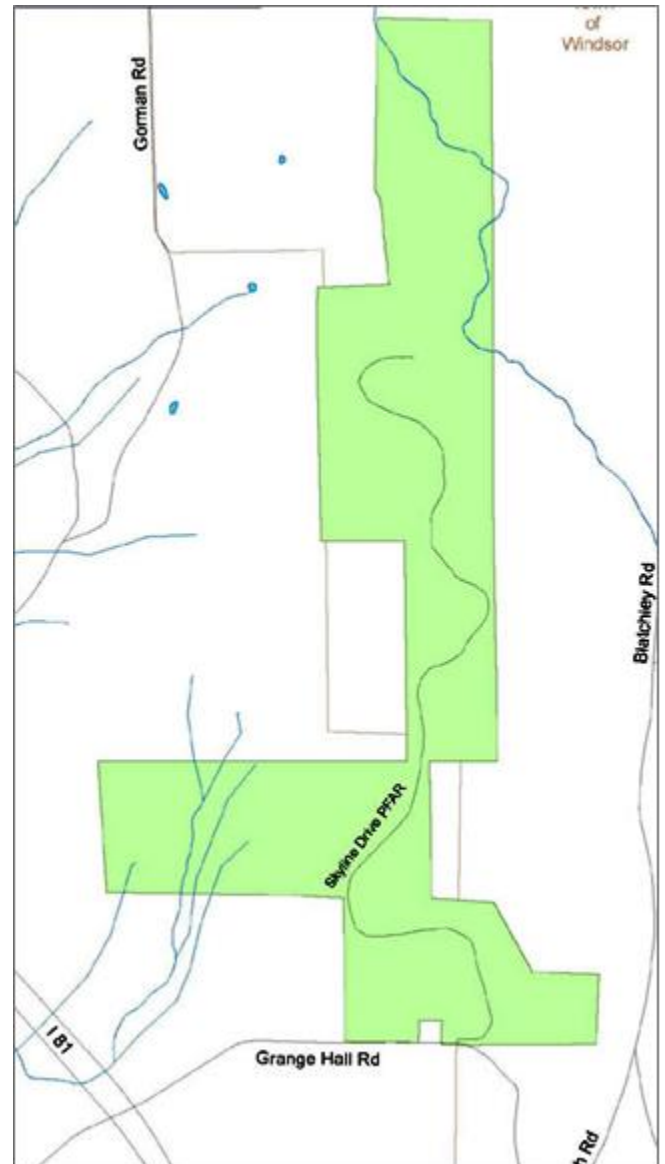
Grange Hall Park is a small 3.5 acre community park located off of Grange Hall Road in Riverside. Park features include a pavilion with water and electric, gazebo for special occasions, baseball field, a paved and lighted track, a playground, portable restrooms, and parking.

State Lands

Skyline Drive State Forest is comprised of 533 acres of land located at the border of the Town of Kirkwood and the Town of Windsor. Of those, 195 acres are located in Kirkwood. While the primary function of the land is for forest management, the property is open to the public for recreational use. However, unlike State Parks, facilities are primitive, making it ideal for passive recreation. It can be accessed by traveling from Route 11 to Grange Hall Road to Skyline Drive Public Forest Access Road. There are five parking areas off of Skyline Drive, the access road through the forest.

Recreational opportunities include hunting and trapping and primitive camping (no access roads, plumbing or electricity). Hiking is allowed anywhere on the property, although there are no officially designated hiking trails. The access road winds across the ridge top of the forest, providing views of the Susquehanna River valley. Similarly there are no designated snowmobiling or horseback riding trails. These activities are allowed on the access trail, however, the length isn't significant to attract enthusiasts.

Pine Camp is a site owned by New York State that was established as summer camp for the New York State Inebriate Asylum where patients could participate in recreational activities like boating, fishing and swimming. It is located about 2 miles from the main campus, located along the banks of the Susquehanna River at the end of Pine Camp Road off of the Coleville Road Extension. Over time the camp grew and rustic buildings for camp facilities were added. Currently, the site sits among a series of industrial buildings. It is not developed or signed for public access. However, the site was listed under the priority projects in the Broome County Local Waterfront Revitalization Plan. According to the LWRP, *"improvements would include clear directional signage, picnic facilities, an accessible fishing platform, and interpretive signage. Due to its historical significance (its connection with the New York State Inebriate Asylum), any site development would need to adhere to the Illustrated Guidelines on Sustainability for Rehabilitating Historic Buildings by the US Department of the Interior."*



Skyline Drive State Forest (NYSDEC)

Private Recreation Lands

While private recreation lands are not protected from development, their current land use generally improves the ecological and aesthetic conditions of the Town and is worth noting.

River Run II Golf Course is a nine hole executive length golf course located between the railroad tracks parallel to Route 11 and the Susquehanna River, near the intersection with Crescent Drive. The 31 acre site is accessed from a service road from Route 11.

Camp Sertoma is a 110 acre Boys and Girls Club campground that is located on Johnson Road. Facilities include a swimming pool, playground, tennis courts, and athletic field, and kitchen, dining and residence facilities. The camp provides activities like swim Lessons, horseback riding, archery, and boating, among others.

PAL Camp is a 47 acre camp on Stratmill Road that is run by the Police Athletic League. The site provides free day camp to members of the community.

Broome County Sportsmens Association, a non-profit, is located on a 135 acre property on Foley Road that is available to members only, consisting of avid sportsmen. Founded in 1917, the club features indoor and outdoor range facilities, training and competition. The facilities host various competitive events including during the New York Empire State Games.

Binghamton Gun Club is located on a 122 acre property on Quilty Hill Road, providing facilities for sport shooting, including skeet, trap, sport clays, and 5 stand. It is also the location of the only International Trap Field in Binghamton and surrounding areas.

Five Mile Point Speedway is a racetrack located adjacent to Route 81 on Frances Street. While the site is listed here as a recreational use, it would not be considered open space as it does not provide ecological benefits.

Boat Launches

There is currently one hand carry boat launch within the Town, located at Kirkwood Veterans River Park. The site has an asphalt hard surface ramp (affords float-off and float-on launching for most trailered boats according to NYSDEC definition). Due to the location at the park, there is ample parking available, restrooms, picnicking facilities, and many other amenities.

This past year the Town worked with the NYSDEC to transform a flood buyout site on Geiger Lane into a public access boat launch. The idea for this boat launch originated from the Sportsmen's Association's need for river access for their annual fishing derby. In addition, the boat launch will be beneficial because it gives emergency service crews increased access for a water rescue. As of July, the launch was complete, but because of the low water levels it was inoperative for the summer. After water levels rise, the Town and DEC will have to reevaluate the ramp to determine if any modifications will be necessary.

Open Space Considerations

The Town may want to consider opportunities for integrating more connections between open space lands located there. Many of the parks, as well as private recreation sites, are located either adjacent to, or a short distance from the Susquehanna River. In addition due to the rural setting in much of the town, along with the impact of flooding in both developed and rural settings, there is vacant land that could potentially be used for open space connections. Low intensity uses like multimodal trails allow for productive use of these vacant sites while preserving their ecological benefits such as flood attenuation.

One of the proposed regional trails in the Broome County LWRP, the Big Bend Trail, and 11 mile trail spanning Binghamton, Conklin and Kirkwood, integrated Veterans River Park into the proposed trail network. Furthermore, while the Town isn't currently integrated into the Two Rivers Greenway, a multimodal trail network, connections to the trail exist throughout the neighboring City of Binghamton and Town of Conklin. Using these as a starting point, the Town can explore opportunities for establishing the connections to become part of a larger regional network.

In addition, the Town is part of the larger Headwaters River Trail, a boating trail that includes blueway trails in the Susquehanna, Chenango, and Chemung Rivers, along with navigable tributaries. The Town should look to this trail network and other regional recreation networks to promote the valuable riverside resources throughout the Town.

Especially for the sites with priority projects included in the LWRP, this is a source of funding the Town should explore further.

Our Laws: Zoning Regulations, Ordinances and Local Laws

Introduction

This chapter evaluates the primary ***Town of Kirkwood Zoning Regulations, Ordinances and Local Laws*** regulating development in the Town of Kirkwood, including the Zoning, Planning Board, Zoning Board of Appeals, Property Maintenance, Dumping, and Junk local laws. The recently revised Mobile Home and Travel Trailer Ordinance is not included in this review.

The Town of Kirkwood posts the ***Town of Kirkwood Zoning Regulations, Ordinances and Local Laws*** on the Town website under ***Town Code*** making them available for the public to download and print.

The Town of Kirkwood revised the entire Zoning Local Law in 2008. The Zoning Local Law contains the standard sections of a zoning code, including title, definitions, district regulations, supplementary standards, site plan review, administration, and code enforcement, and addresses major zoning issues important to the community, including aquifer protection, wireless telecommunication facilities, and mining.

Thus, this review evaluates the zoning regulations, ordinances, and local laws for consistency with the land use and zoning needs of the community; standard planning and zoning principles and state law; and for clarity and user-friendliness.

While largely up to date, the zoning regulations, ordinances, and local laws contain omissions and deficiencies affecting the outcome of development. The zoning regulations, ordinances, and local laws do not adequately address the appearance and function of Upper Court Street, encourage the desired land uses along Upper Court Street, address the parking needs of the Kirkwood Industrial Park to ensure an optimal business environment for new development and expansion, address new billboard signage, or ensure adequate regulations for solar energy and wind energy.

Zoning Local Law

Article II: Definitions: Article II contains definitions of over 40 terms found in the Zoning Local Law. The Zoning Local Law should contain enough definitions so the Zoning Board of Appeals does not need to render interpretations. As discussed below, some definitions are outdated and possibly inconsistent with definitions in state law, and some do not reference the applicable definitions in state law. All definitions should be consolidated to one article of the Zoning Local Law.

Agriculture: The definition for farm operation found in Article II should be based on the one provided by New York State Agriculture and Markets. The Agriculture and Markets definition for farm operation reads as follows:

"Farm operation" means the land and on-farm buildings, equipment, manure processing and handling facilities, and practices which contribute to the production, preparation and marketing of crops, livestock and livestock products as a commercial enterprise, including a "commercial horse boarding operation" as defined in subdivision thirteen of this section, a "timber operation" as defined in subdivision fourteen of this section, "compost, mulch or other biomass crops" as defined in subdivision sixteen of this section and "commercial equine operation" as defined in subdivision seventeen of this section. Such farm operation may consist of one or more parcels of owned or rented land, which parcels may be contiguous or noncontiguous to each other.

Agriculture and Markets recommends definition of farm or agriculture include phrases “production, preparation and marketing” of agricultural commodities and “land and on-farm buildings” associated with a farm. Municipalities also include “timber” in their definition. Agriculture, limited would be appropriate for backyard farm animals (livestock kept on small acreages).

Dwelling: The Zoning Local Law includes the following definitions for dwellings:

- Dwelling, One-Family: A detached building designed for or occupied exclusively by one (1) family.
- Dwelling, Two-Family: A building designed for or occupied exclusively by two (2) families living independently.
- Dwelling, Multiple: A dwelling or group of dwellings in one structure containing separate living units for three (3) or more families.
- Dwelling Unit: A building or portion thereof providing complete housekeeping facilities for one (1) family.

The New York State Building Code includes the following definitions for dwellings:

Dwelling: A building that contains one or two dwelling units used, intended or designed to be used, rented, leased, let or hired out to be occupied for living purposes.

- Dwelling Unit: A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

The definitions should be consistent with New York State Building Code definitions. The Zoning Local Law uses the words “family” and “families” whereas the State Building Code uses the word “persons”. This discrepancy should be reviewed and the definitions should be updated as necessary to be consistent with the New York State Building Code.

Family: The definition of family includes the words “domestics” and “servants”, requires a special use permit in certain instances, and is outdated. This definition should be consistent with the definition of family provided in the New York State Department of State Legal Memorandum LU05. See: <http://www.dos.ny.gov/cnsl/lu05.htm>.

Farm: see Agriculture above.

Haulageway: The definition for haulageway is the same as the definition found in the New York State Mined Land Reclamation Law. It is recommended that the mining definitions incorporate all of the Mined Land Reclamation Law definitions. The Town can establish its own definitions for small mines not regulated by the New York State Department of Environmental Conservation (DEC).

Signs: Definitions should be provided for the following signs: billboard, off-premises sign, digital message sign, illuminated sign, portable sign, awning sign, sandwich board sign, temporary sign, window sign, pylon sign, monument sign (ground sign), political sign, banner sign, and real estate sign.

Town House(s): See Dwelling above.

Underground Dwelling Unit: See Dwelling above.

Other Terms: The following terms are used in the Zoning Local Law, but no definitions are provided.

- Advertising Signs
- Roadside Stands
- Boarding Homes, Group Homes, Rooming and Tourist Homes
- Dispensing Unit
- Identification Signs
- Composting
- Tower or Base Station
- Lot Coverage
- Principal Building
- Manufacturing
- Fabrication
- Distribution
- Wind Energy (small wind turbines and large wind turbines)

The term Sign Area is not used in the Zoning Local Law but should be included to describe the area of a sign used to determine the allowed sign square footage.

Article III Application of Regulations:

Article III lists the zoning districts and regulations governing the zoning map, district boundaries, lots in more than one district, application of regulations, and non-conforming uses. Article III also references Article IV Schedule of Regulations containing the district regulations.

Districts: This section states that for the purposes of the Zoning Local Law the Town of Kirkwood is divided into 16 zoning districts, including 4 residential districts, 5 business districts, 3 industrial districts, 3 overlay districts (aquifer protection, mining, and composting), and 1 planned unit development district, not mentioning the 6 specific planned unit developments: Residential, Business/Commercial, Automobile/Salvage, Industrial, Mobile/Manufactured Home Parks, and Recreation. This results in a total of 21 zoning districts, which is excessive for a town the size of Kirkwood.

Purpose Statements: Article III does not include purpose statements for the zoning districts. Each zoning district should include a purpose statement describing the purpose of the district, intended character, desired land uses, and preferred location consistent with the Comprehensive Plan to provide guidance during development reviews and to ensure developments reflect the intended outcome.

District Names: The district names should help describe the districts. The overlay district names should include “overlay district” to avoid confusion with the base districts. The district names provide little distinction between the various residential districts and between the various commercial districts, such as Residence (R) and Residence (R-I) and Business One (B-1) and Business Two (B-2). The district names and map symbols should indicate what is allowed in the districts by denoting the residential densities (urban, suburban, or rural) and dominate housing type (single-family, two-family, or multi-family). The business district names and map symbols should indicate the allowed land uses and character by denoting general commercial, highway commercial, or neighborhood commercial.

Zoning Map: The Town website should include the Broome County GIS link to the Zoning Map, and mention that the official Zoning Map is available for review in the Office of the Town Clerk. The Zoning Map should be revised to include the PUD district names and separate color coding for each PUD district. The Town of Kirkwood should periodically review the Zoning Map.

Article IV Schedule of Regulations:

Format: The Schedule of Regulations is provided in 9 attachments to the Zoning Local Law each containing a table with one row for each district providing use, dimensional, parking, loading, and sign regulations, a note indicating whether the uses require site plan review, and remarks addressing visibility at intersections, tractor trailer parking, exceptions, and special setbacks requirements.

The district regulations contain numerous references requiring the reader to flip back in forth to other district regulations and code sections and the format lacks space to adequately address the regulations.

The zoning code uses cumulative zoning for the base districts allowing regulations from the less intense districts plus new uses. Cumulative zoning provides flexibility but makes it difficult to know at one glance what uses apply to a district. Cumulative zoning does not necessarily provide a predictable land use pattern or the desired location and character of development. In addition, some disparate uses were added periodically to the allowed uses absent a stated district purpose. These omissions and deficiencies in the zoning regulations have resulted in the often incompatible and chaotic development located in the Upper Court Street corridor.

Recommendations:

- Reformat the Schedule of Regulations: Reduce the numerous cross references and include clear demarcations between the district regulations. Adequately reference performance standards, site plan review requirements, and special permit requirements. OR
- Use New Tables and Charts: Many zoning codes present use, dimensional, and bulk regulations in their respective tables or charts for all zoning districts, allowing regulations for all zoning districts to be shown in one place and making it easier to update the zoning code if new uses are added requiring only one place to make the change. Many zoning codes present parking, loading, driveway, curbing, signage, landscaping, screening, buffering, and outdoor storage in their respective sections of the zoning code using a combination of text, tables, and charts. Some zoning codes also include illustrations in the sign regulations. This format also reduces the need for separate remarks.
- Reduce Cumulative Zoning and Cumulative Referencing: The above recommendations will also help address this issue.
- Remove obsolete uses from the allowed uses.
- Include the Est and purpose for the districts and review uses for consistency.

District Regulations

Residential Districts

The residential districts range from very low density in the rural agricultural areas to medium density in the town center and next to the commercial and industrial districts located in the Upper Court Street and NYS Route 11 corridors. Uses are mostly cumulative.

Residence (R) District

The R District encompasses 1,105 parcels and 2,999 acres of parcels. The R District includes half-acre suburban residential subdivisions and single-family residential neighborhoods located off the state and county roads and along Main Street.

The R District allows one-family and two-family residences, churches, schools, parks, public buildings and uses, professional offices within a residence, and day care centers as principle uses and home occupations, storage of unoccupied and unregistered motor vehicles, roadside stands and wind turbines as accessory uses. The district allows one principal building per 20,000 square feet, a minimum lot size of 20,000 square feet, and a 33 percent reduction in lot width and lot area for lots connected to public sewer.

The Main Street neighborhood lacks required minimum lot sizes and access to public sewer and public water. Some residential lots have experienced septic system failure and neighbor complaints.

Recommendations:

- **Accessory Uses: Unoccupied and Unregistered Motor Vehicles:** The R District allows the storing and parking of two (2) unoccupied and unregistered motor vehicles, travel trailers, or boats on any property at least sixty (60) feet behind the highway right-of-way as accessory uses. The district prohibits locating these accessory uses and all accessory uses in the front yard; however, the district lacks regulations addressing the condition, duration, screening, and spill prevention. The two allowed exceed the one allowed in the Town Building Code. Recommendations: Restrict the number to one and require uses to be stored in good conditions; and allow no dismantled vehicles.
- **Parking and Signs:** The R District should address parking and signs for professional offices and child care centers.
- **Tractor Trailer Parking:** The R District allows the overnight parking of two (2) tractor-trailers or trucks of a gross vehicle weight of 10,000 pounds or more by the registered owner of such tractor-trailer or truck on property which is his or her principal residence or on adjacent property with the consent of the owner of such adjacent property.
- **Wind Turbines:** The R-1 and A/R-R districts do not reference the Section 503.10 special permit requirements for wind turbines.

Residence (R-1) District

The R-1 District encompasses 545 parcels and 2,647 acres of parcels located along the county roads between the R District and A/R-R District. The R-1 District allows agriculture as a principal use and agricultural buildings as accessory uses in addition to the principal uses and accessory uses allowed in the R District. The R-1 District allows one principal building per 1 acre, a minimum lot size of 1 acre, and a 33

percent reduction in lot width and lot area where connections are installed to public sewer. The R-1 District allows larger front yard setbacks.

Recommendations:

- Agriculture: The regulations should include type of agriculture, number of animals, acreage thresholds, building heights, setbacks, screening, and performance standards as the minimum lot size of 1 acre would limit agricultural use.

Agriculture/Rural Residence (A/R-R) District

The A/R-R District encompasses 687 parcels and 10,888 acres of 2-acre and larger residential parcels located along the county roads beyond the R-1 District and small single-family lots located along the Susquehanna River in the Special Flood Hazard Area. The A/R-R District allows veterinarian hospitals, cemeteries, mobile home parks, and nursing homes as principle uses and farm buildings and structures as accessory uses in addition to the principle uses and accessory uses allowed in the R-1 District. The A/R-R District allows one principal building per 2 acres, a minimum lot size of 2 acres, and a 33 percent reduction in lot width and lot area where connections are installed to public sewer. The district allows larger lot widths and front yard setbacks. Remarks prohibit locating accessory farm buildings within 100 feet of the R District or R-M District and allow increased building height of 50 feet for farm buildings and structures.

Recommendations:

- Agriculture: The regulations should include type of agriculture, number of animals, acreage thresholds, screening, and performance standards as the minimum lot size of 2 acre would limit agricultural use, and address keeping of livestock in the Special Flood Hazard Area.
- Alternative Energy: Consider allowing large wind turbines, wind farms and solar farms as principal uses and accessory uses on lots meeting a certain threshold.
- Nursing Homes: This use was added as an allowed principal use subject to special permit requirements to allow a now closed assisted living arrangement provided in a resident's home. Consider removing this use from the allowed uses due to lack of public water and public sewer and access to public transportation and social services in the district and the closure of the nursing home.

Residence Multi (R-M) District

The R-M District encompasses 152 parcels and 196 acres of parcels located in the town center, and adjacent to commercial and industrial uses along Upper Court Street and NYS Route 11. The district allows multi-family dwellings; boarding, rooming and tourist homes; nursing homes; hospitals; professional office medical buildings; and town houses as principle uses in addition to the principle uses and accessory uses allowed in the R District, except wind turbines.

The district allows 2 dwellings per minimum lot size of 12,000 square feet and 1 additional dwelling per each additional 3,500 square feet. The district allows smaller lot widths and larger setbacks and height limits for multi-family dwellings. The R-M District includes special requirements for townhouses and leaves maximum density for Site Plan Review. The district allows a reduction in lot width and lot area for lots connected to public sewer system. The district lacks adequate regulations for access management, signs, landscaping, screening, buffering, open space, and common areas for multi-family residential developments.

Approximately six lots located along Upper Court Street near the town limit contain split zoning encompassing the R-M and B-2 districts. The R-M District includes one industrial property and the Special Flood Hazard Area.

Recommendations:

- See R District recommendations.
- Split Zoning: Review properties located in more than one district.
- Improve regulations for access management, landscaping, buffering, screening, signs, and common areas in multi-family residential developments and encourage universal design.
- Consider requirements similar to Town of Union Suburban Multi-Family District listed below:
 - Minimum lot size with public water and sewer: two-family: 3,000 square feet per dwelling unit; multi-family: 3,000 square feet per dwelling unit
 - Minimum lot size with no public water and/or no public sewer: two-family: 40,000 square feet; multi-family: 40,000 square feet
- Boarding Homes, Rooming and Tourist Homes: These uses should be defined and updated or removed from the list of allowed uses if obsolete. The Town of Union requires special permits for these uses. See universal design terms below.
- Consider whether a less intense residential district zoning would be more appropriate for the contiguous single-family residential and vacant properties lacking public water and sewer located along NYS Route 11 that were grandfathered into the R-M District.
- Consider allowing adult group homes and day care centers on properties containing public water and sewer depending upon the need for these uses. See Town of Union Suburban Multi-Family District.
- Consider one zoning district for the town center in place of the current R-M, B-1, Recreation, and PUD district zoning encompassing the town hall, shopping center, park, residential neighborhoods, and Five-Mile Point Speedway to integrate civic, recreation, community retail, professional offices, and residences and to address compatible character, uses, access management, walkability, signs, landscaping, screening, buffering, and building and site design for commercial properties in this community focal point.

Zoning for Livability for All Age Groups

Housing issues related to addressing the needs of the growing elderly population include maintaining affordability and providing the range of living spaces that the elderly require through the progressive phases of the aging process. To address this, the Town should consider zoning for the following land uses:

Group Homes for the Elderly, Elder Cottages, and Day Care Center for Youths and Adults: Consider allowing these uses where practical subject to special use permits. Group homes or shared residences for the elderly improve affordability for older residents who can no longer afford to maintain a single-family detached home on their own and allow elderly to age in place in multi-generational neighborhoods. Elder cottages are free standing structures installed adjacent to single-family or small multifamily units, offering extended family living, community support for the elderly, and greater independence than provided in an institution. Use special permit process to address design, location, lot size, parking, homeowner eligibility, space and dimensional requirements, quality, and duration.

Business Districts

The Town of Kirkwood has four business districts arranged cumulatively allowing B-1 District uses in the B-2 District; B-1 and B-2 district uses in the B-3 District; and B-1 and B-2 district non-residential uses, plus adult entertainment, in the B-2-E district.

Business 1 (B-1) District

The B-1 District encompasses 39 parcels and 43 acres of parcels, occupying property in the town center, including town hall, residential, auto repair, shopping center, bank building, fire station, vacant property, and Five Mile Point Speedway, and along NYS Route 11 between Gorman Road and Grange Hall Road, including single-family residential, a motel, commercial retail equipment building, and vacant property. The properties located along NYS Route 11 lack public water and sewer and one commercial property experienced septic system failure in the past. The district includes the Special Flood Hazard Area.

Principal uses include retail uses and service uses catering to the immediate neighborhood, including business and professional offices, lodges and fraternal organizations, gasoline service stations, funeral parlors, boarding and tourist homes, hospital and nursing homes, public buildings, banks, and self-service storage facilities (not in Aquifer District) plus multi-family dwellings allowed in the R-M District. Accessory uses include accessory uses allowed in the R-M District, customary accessory uses for the principle uses, and storage and parking of one unregistered motor vehicle for every enclosed bay in a gasoline service station.

The district contains less restrictive dimensional requirements, allowing more than one principal building after site plan review, minimum lot size of 7,500 square feet, and slightly greater maximum lot coverage. The district requires a minimum front yard setback of 30 feet which precludes placing commercial buildings close to the front property line.

The district lacks screening requirements and fails to reference spill prevention plan requirements for motor vehicle storage and auto repair. The district lacks adequate off-street loading requirements, instead requiring reasonable off-street loading as determined by site plan review. The sign requirements base the permitted sign area on the lot frontage and not on the building façade size. The district lacks adequate access management standards.

Recommendations:

- Improve outdoor storage requirements for unregistered motor vehicles, addressing location, setbacks, duration, number, condition, screening and spill prevention.
- See rezoning recommendation for the town center under R-M District.

Business Two (B-2) District

The B-2 District encompasses 155 parcels and 212 acres of parcels located along Upper Court from the town limits to Industrial Park Drive and in several areas along NYS Route 11 from Grossett Drive to the state line. Principal uses include commercial and industrial uses dependent on regional truck traffic in the Upper Court Street corridor, including hotel, motel, auto repair, theatres, bowling alleys, trailer sales, wholesale uses, farm supply and equipment sales, nurseries and green houses, food processing, manufacturing and sales, banks, self-storage facilities, truck-stop facilities, machine shops, modular home and mobile home storage, heavy rigging operations, construction equipment sales and repair, and sales, service, repair, renting, and leasing of allowed uses, plus principal uses allowed in the B-1 District.

Accessory uses include accessory buildings and uses related to the principal uses and storage and parking of not more than one unregistered motor vehicle for every enclosed bay in an auto repair and garage establishment. Actual uses closely mirror the allowed uses. The district includes split zoning as described above.

The B-2 District contains the same regulations as the B-1 District. The district lacks adequate regulation for access management, signs, landscaping, screening, buffering, outdoor storage, and dumpsters to ensure good site planning and to prevent nuisances often inherent in the allowed uses and the tendency for the allowed uses to expand beyond the scope of permitted activity. Minimum lot sizes and setbacks also seem inadequate for these uses that use outdoor storage and frequently expand their functions and operations. The Property Maintenance Local Law also lacks adequate regulations to address these uses as described below.

These above deficiencies and omissions in the regulations plus the inherent nature of these uses have resulted in poor driveway access, poor pedestrian and bike access, poor pavement, unsightly concrete traffic barriers to keep parked vehicles from encroaching in the public right-of-way, poor and illegal signage, unscreened outdoor storage of tires and dismantled vehicles and equipment, possible outdoor vehicle repair, outdoor storage in setback areas, poor screening, no landscaping, unattractive building exteriors and grounds, neglected and cluttered vacant properties, and chaotic and illegal placement of uses in the Upper Court Street corridor. See Court Street Plan.

B-2 District commercial properties located along NYS Route 11 include landscaping, better signage, better property maintenance, and less crowded sites although some include poor access management, illegal signs, and unscreened outdoor vehicular, equipment, and tire storage. This area includes contiguous grandfathered single-family residential properties.

Recommendations:

- Establish the vision and purpose of the B-2 District and amend allowed uses as necessary.
- Address omissions and deficiencies in the district regulations to address uses, building and site dimensions, outdoor storage, property maintenance, signs, landscaping, screening, buffering, access management, internal circulation, cross-parcel connections, sidewalks, and safe pedestrian and bicycle access.
- District regulations should adequately reference performance standards for noxious uses.
- Require minimum setbacks of 10 feet for vehicle and equipment display.
- Establish minimum design standards for commercial and industrial development and redevelopment, including façade treatments, building materials and massing, and building and site maintenance.
- Require screened outdoor storage and no storage in setback areas.
- Require appropriate traffic barriers.
- Require dumpster to be enclosed and located not within direct view of public right-of-way.
- Prohibit outdoor vehicle and equipment repair.
- Establish clear standards for off-street loading addressing setbacks and distances from driveways and public right-of-way, rather than leaving this issue entirely to site plan review.
- Parking should not be allowed setback and landscape areas
- Establish screening regulations, requiring appropriate heights and durable, easily maintained materials.
- Require spill prevention plans and paved lots to prevent hazardous materials from seeping into the ground water.
- Address split zoning.

- Review whether the numerous contiguous single-family residential properties should be rezoned to residential district zoning.
- Establish adequate performance standards and special permit requirements for noxious and hazardous uses.
- Address illegal, non-conforming uses through amortization, or assist in bringing these uses into compliance.

Business Two – Entertainment (B-2-E) District

The B-2-E District encompasses 9 parcels and 8 acres of contiguous parcels located along the south side of Upper Court Street extending 1,800 feet from the city limits to Loughlin Road. The district limits principal uses to non-residential uses permitted in the B-1 and B-2 districts, plus adult entertainment uses. The district includes the same regulations as the B-2 District plus one remark referencing Article V, Section 507 which regulates adult uses.

The zoning concentrates adult uses in one commercial zoning district. Municipalities typically concentrate adult uses in a single geographic area or disperse adult uses using distance requirements. Municipalities can bar adult uses from within certain distances of sensitive uses or other adult uses as long as municipalities assure reasonable alternative avenues of communication. New York City uses distance and floor space restrictions. See New York State Department of State Legal Memorandum LU 03 *Municipal Regulation of Adult Uses*.

Recommendations:

- Review sign regulations for adequacy in regulating adult use signs. Town of Union sign regulations prohibit signs containing words or pictures of obscene or pornographic nature.
- Consider whether the regulations should, limit adult uses to one adult use establishment per lot, and/or restrict floor space.
- Move definitions to Article II.
- Review special registration use permit fee of \$25, renewal/revocation fee of \$25 and penalty of \$500 weekly for failure to register seem inadequate and should be reviewed.

Business 3 (B-3) District (Automobile Sales District)

The B-3 District is a special overlay district in the B-2 District encompassing less than 1 acre of land and 1 parcel located on Upper Court Street. The district allows sale of new and used automobiles, trucks, vans and other types of motor vehicles plus all uses allowed in the B-2 District as principal uses and uses related to the principal uses as accessory uses.

The B-3 District contains same regulations and remarks as the B-1 District, except the district requires a rear yard setback of 10 percent of lot depth and allows illuminated display areas.

The district includes remarks requiring the Planning Board to determine the maximum number of motor vehicles that may be displayed on the lot based on a complicated formula provided in the remarks, a physical barrier to prevent encroachment within the required setback area of 10 feet or within public right-of-way, paved parking and display area, and the requirement that the B-3 District must overlay the B-2 District.

Article XI (Automobile Sales) guides the establishment and location of automobile sales businesses in the B-2 District and provides that a B-3 District for automobile sales shall be considered an overlay district in the B-2 District. Article XI allows automobile sales at any location deemed appropriate in the B-2 District and designated as a B-3 Overlay District by the Town Board provided the Town Board considers the factors in Section 1105 in determining whether to create a B-3 Overlay District. The review criteria are not clear.

The B-3 District regulations contain multiple references to the B-1 and B-2 district regulations, but fail to reference Article XI requirements. Article XI includes a landscape requirement but the district regulations lack landscaping standards. The display area formula does not include landscaping or setbacks. The district regulations and Article XI do not address dismantled vehicles and retail sales of fuel or adequately address maintenance and repair facilities. The district regulations lack design and setback standards for the physical barriers. The district regulations lack language requiring a spill prevention plan. Article XI requires a spill prevention plan for maintenance and repair facilities but not for storage and display areas. The district regulations and Article XI lack language prohibiting outdoor maintenance and repair.

Recommendations:

- Establish clear review criteria for Planning Board and Town Board.
- Consider whether these uses should be allowed in the B-2 District by special permit to reduce number of overlay districts or establish the location where the town wishes to allow these uses.
- Include drainage, and property maintenance requirements in Article XI.
- Include the maximum number of cars that may be sold or stored or displayed onsite in the site plan approvals.
- Include spill prevention plan requirements for vehicle storage and display areas.
- Require maintenance, service, and repair to be performed within a fully enclosed structure.
- Prohibit unscreened outdoor storage of motor vehicle parts or partially dismantled motor vehicles.
- Prohibit outdoor storage of hazardous materials, such as waste oils, solvents, acids, batteries, paints, or tires. Require all hazardous fluids to be stored with secondary containment.
- Prohibit vehicles display within 10 feet of the front property line.
- Require setbacks abutting the public road right-of-way to be landscaped.
- Include the required 10-foot setback for vehicle display in the formula for determining the maximum number of motor vehicles allowed to be sold or store or displayed onsite.
- Require landscaping and appropriate barriers within the 10-foot setback such as curbing surrounding the landscaping or other appropriate barriers.
- Require dumpsters to be enclosed and located out of view from public right-of-way.
- Require adequate parking for employees and customers.
- Address signs customary to vehicle sales including temporary signs, price signs, portable signs, search lights, balloons, banners, sidewalk, curb, blinking, rotating, or moving signs.
- Address onsite retail sales of fuel.
- Require the preliminary development plan to show onsite and adjacent wetlands, waters, floodplains and drainage systems and compliance with the Aquifer Protection District.
- Establish performance standards or special permit requirements for vehicle repairs and maintenance as well as vehicle sales. See Town of Union.

Industrial Districts

The Schedule of Regulations includes three (3) industrial districts arranged according to a nesting order of allowed uses with uses allowed in the Industrial Development (I-D) District allowed in the Industrial Development – Recycling (ID-R) District and in the Industrial Development – Power Plant Facility (ID-PPF) District.

Industrial Development (I-D) District

The I-D District occupies 93 parcels and 575 acres of parcels creating large concentrations of industrial development along the railroad tracks and major roads off Upper Court Street and NYS Route 11 near the interstate interchange, including the Kirkwood Industrial Park.

Principal uses include any manufacturing, processing, fabricating, or service establishments provided such uses comply with the performance standards specified in Article V, Section 501, offices and administrative centers, food preparation and dispensing unit for employees (not defined in the definitions), warehouse, truck terminal, construction equipment yard, wholesale auto auctions, and child care centers to serve the Industrial Park employees. Accessory uses include buildings and uses related to the principal uses and outdoor storage suitably screened.

The I-D District predominantly includes large-scale manufacturing, processing, fabricating, distribution, office, administrative, truck terminal, and warehouses. Actual uses include the River Run II Golf Links, industrial park development, and some residential property.

The district requires a larger minimum lot size of 15,000 square feet and less restrictive front yard setback of 10 feet than the B-2 District. The district allows a maximum building height of 45 feet for principal uses. The district provides the same off-street parking requirements for public building, bank, office, clinic, or lab; manufacturing, processing, fabrication, or repair facility; and wholesale or warehouse facilities. The district also references off-street parking and off-street loading requirements in Article V, Section 505 and the B-1 District off-street loading requirements creating numerous references to parking. The district prohibits signs, billboard, or other advertising except identification signs (not defined) advertising products manufactured or sold on the premises (maximum 200 square feet) and directional safety signs.

Industrial Development – Recycling (ID-R) District

The ID-R District occupies 6 parcels and 24 acres of parcels extending from railroad tracks to the Susquehanna River south of Upper Court Street from the town limits to Loughlin Road.

Principal uses include recyclable handling and recovery facilities issued a permit pursuant to Local Law 6 of 1989 and all uses permitted in the I-D District. Accessory uses include related accessory buildings and uses but include no mention of outdoor storage. Actual uses include a recycling facility with outdoor storage of truck trailers, utility station, and two residences.

The ID-R District includes the same regulations as the I-D District, plus off-street parking requirements for recycling facility.

Industrial Development – Power Plant Facility (ID-PPF) District

The ID-PPF District includes 11 parcels on 24 acres of land extending south of Upper Court Street from the railroad tracks on the north to the Susquehanna River on the south and from the I-D District on east to the Colesville Road overpass on the west.

Principal uses include power plant facility or power generating facility issued a permit pursuant to Local Law 7 of 1990 to accommodate an existing food processing plant and all uses permitted in the I-D District. Accessory uses include building and uses related to the principal use of the property but do not mention outdoor storage. Actual land uses include warehouse, distribution, manufacturing, food processing, and outdoor storage of truck box trailers and other materials.

The ID-PPF District includes the same regulations as the I-D District, with the exception that the ID-PPF District allows a maximum building height of 215 feet for principal uses and includes parking requirements for power plant facility or power generating facility. The ID-PPF District references the same remarks as the I-D District.

I-D, ID-R, and ID-PPF Districts

The above industrial districts do not adequately address outdoor storage, landscaping, and signs. The I-D District lacks minimum building and site design standards for industrial parks to ensure an attractive business setting. The I-D District lacks adequately standards for access management, including driveway dimensions, internal circulation, shared parking, vanpool parking, cross-parcel connections, pedestrian and bicycle access and circulation, and flexible parking standards for industrial park development to allow more efficient use of outdoor space, avoid huge areas of unused parking pavement, and provide room for building expansion. The I-D District lacks landscaping, screening, and buffering standards for transitions between buildings and districts, and standards for sustainable development and natural drainage systems. The I-D District lacks sign regulations addressing off-premise entry signs and business logo signs for industrial parks.

The whole world has changed in the last 50 years since the Kirkwood Industrial Park was envisioned when large corporations wanted stand-alone buildings on large tracts of land. Multi-national corporations are moving away from the large research and development center model to pop-up research and development laboratories that they can set up anywhere in the world. The former model was highly successful in the 1960s and 1970s but talent today wants collaboration spaces, urban activities, cool outdoor spaces and sculpture, and more vibrant spaces, including restaurants, cafes, retail, residential, and health fitness centers. See efforts to re-develop, re-connect, and re-imagine the Research Triangle Park.

The Research Triangle Park was re-imagined in 2015 when leaders realized that one had to drive outside the RTP to find Starbucks, buy a sandwich, or live in RTP and people would say “I did not know where I was, did not know when I got there, and did not know when I left.” They created outdoor connections between isolated, stand-alone buildings surrounded by parking lots, turning ditches into stream parks, installing sculpture, parks, public spaces, walking trails, turning wetlands into an educational wet meadow science area, adding public transit links, hotels, housing, restaurants, cafes, and a food market area promoting local coffees and local food, and a convergent center space for industry and education to convene.

The Research Triangle Park Research Application District regulations were recently revised to allow smaller and narrower lots to better accommodate sites for small companies, increased height limit from 6 stories to 10 stories to 14 stories, and flexible standards for parking that simply ask companies to provide the spaces they need, rather than using conventional calculations. The district regulations increase the amount of permitted signage to better identify the location of companies, require smaller building setbacks placing buildings closer to the road, allow a broader array of uses, and allow more connectivity between buildings while maintaining the pastoral landscape.

The Kirkwood I-D District provides a less restrictive minimum lot area of 15,000 square feet and narrow front yard setbacks of 10 feet, but allows more than one principal building only after site plan review, allows a maximum building height of 45 feet, bases maximum lot coverage on building square footage not on the amount of impervious surface for buildings, parking, driveway, and sidewalks, and includes very restrictive sign regulations.

Recommendations:

- Establish appropriate zoning to accommodate light industrial, business park, and research and development and expansion, allowing more efficient use of existing property and infill development and providing standards to connect culture and productivity, create great communal spaces and amenities and a pleasant work environment, and foster teamwork, collaboration, and partnerships between industry and education. Develop standards to create a dynamic, inspiring space for design and innovation, through clustered development, attractive buildings, connectivity, employee amenities, landscaped grounds, open space, walking trails, and tree-lined streets to attract the new generation of workers.
- Include principal uses accommodating research, testing, development laboratory, pilot plants, prototyping, and research-related manufacturing, office and support services, hotels, and restaurants and accessory uses accommodating cafeteria, day care, and employee recreation facility. Rethink zoning to allow eateries mobile food trucks, restaurants, cafes, and food markets to accommodate industrial park employees. Also consider adding hotel, office, and other support uses to the I-D district to encourage development of a more attractive, campus like setting.
- Increase maximum density and maximum height regulations to accommodate industry requirements in a unified campus setting. Omit lobby, atrium, and similar amenities from the building floor area calculations for determining parking requirements.
- The Hauppauge Industrial Park, one of the largest industrial parks in the nation containing high-value warehousing, manufacturing, and office use in an attractive planned industrial park setting, allows a maximum building height of 50 feet and 62 feet for office buildings. Beth Page allows building heights to accommodate movie production. See Research Triangle Park Research Application District discussed above.
- Develop minimum design standards for buildings and sites, including landscaping in parking lots, encouraging outdoor sculpture, and attractive building materials, color, and massing.
- Amend the off-street parking requirements to allow flexibility, shared parking, and less restrictive parking requirements consistent with modern industrial park standards, and include bicycle amenities, compact parking spaces, and vanpool parking, and address lighting, pavement surfacing, and landscaping, and sites served by public transit, and hybrid vehicles.

The Town of Kirkwood Industrial Development District regulations require 1 parking space per 200 SF of floor area in an office, clinic, or laboratory and 1 parking space per 250 SF of floor area in a manufacturing, processing, fabrication, or repair facility. In comparison, the Durham Unified Development Ordinance provides parking requirements for research and development: 1 parking space per 250 SF of floor area of office space and 1 parking space per 1,000 SF of floor area of laboratory and parking requirements for all other light industrial requiring 1 parking space per 1,000 SF of floor area. The Durham UDO allows parking reductions for shared parking spaces, requires parking spaces designated for vanpools.

- Develop sign regulations to accommodate industrial park development allowing off-premise non-residential entry signs in common areas for unified development complexes with individual business signs included within the common signage plan for the development. Develop standards for common way-finding signage addressing location, materials and illumination, size, fonts, and colors to create a unified theme. Allow business logos on business sites.
- The Town of Kirkwood should investigate whether the maximum building height is a limiting factor to attracting businesses and accommodating business expansion. Regulations should allow warehouse and manufacturing buildings to expand to heights to accommodate taller racking and new equipment and machinery to operate efficiently.
- Establish 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.

Planned Unit Development Districts

As discussed above the Schedule of Regulations include 6 PUD districts which seem excessive and could indicate that the current standards in the base zoning districts do not adequately address the community needs. PUD regulations provide more flexibility but do not necessarily result in better quality development, particularly for noxious developments. The PUD regulations are provided in the Schedule of Regulations and in Article VI.

Recommendations:

- Reduce reliance of Planned Unit Developments and remove obsolete PUD districts from regulations. For example, replace Mobile Home/Manufactured Home PUD District with Mobile Home Park District or include as allowed use in designated districts because the Mobile Home Local Law provides clear standards to regulate these uses.
- Indicate in the zoning regulations and zoning map that the established PUD districts were determined for specific projects. The uses and dimensional requirements were proposed by the developer subject to Planning Board and Town Board approval. The zoning map should clearly identify the PUD districts using district symbols and color coding.
- Include clear reference to performance standards, storm-water and flood control local laws, Aquifer Protection District Local Law, and site plan review.

- Remove “separators” referenced in Section 606.B.7 (supplementary regulations) for consistency with recent local law amendment for separators.
- Require application and final development plan to include project purpose; lot, area and yard dimensions; density and floor area ratios; building characteristics; open space; landscaping, recreation areas, easements; wetlands; floodplain; base flood elevation; railroad right-of-way; signage; parking requirements, maintenance agreements; trees and tree lines; area of disturbance, and land uses located within 500 feet.

Overlay Districts

The Zoning Local Law includes four overlay districts: Composting, Construction Equipment, Aquifer Protection District, and Mining. These overlay districts are addressed in the Schedule of Regulations and in the respective articles of the Zoning Local Law. See also Articles below.

Recommendations:

- Consolidate the regulations to the appropriate section of the Zoning Local Law.
- Remove any obsolete overlay districts that were developed for one-time individual projects unless the Town wishes to keep these regulations and provide for these uses in the future, such as composting.
- Consider allowing composting and construction equipment subject to special permit requirements and designate the districts in which these uses are allowed.

Article V Supplementary Standards:

Article V contains performance standards for land uses in all districts to follow and special permit standards for certain land uses as safeguards and conditions for the protection of the community. Article V also contains site plan review, sign standards, and off-street parking and loading requirements.

Recommendations:

- Establish specific requirements for the following land uses:
 - outdoor storage
 - automotive service station
 - motor vehicle repair shop, gasoline stations, and gasoline service stations
 - automobile sales (see discussion of existing local law and regulations)
 - construction equipment (see discussion of existing local law and regulations)
 - livestock harboring on residential properties, such as chickens
- Establish performance standards or development standards for:
 - landscaping, screening, and buffering
 - building and site design
 - access management (see parking and loading below)
 - grading and drainage and connections to storm sewers
 - erosion and sediment control

For example, include standards for **Landscaping, Screening and Buffering** to ensure an acceptable degree of landscaping, screening and buffering. Site Plan Review requires a landscape plan but lacks specific standards for building and grounds, parking lots, driveway entrances, setbacks fronting public right-of-way, and ground signs. The Schedule of Regulations includes a general screening and buffering requirement but no specific material and dimensional standards for screening noxious land uses, outdoor storage, and dumpsters.

See also Union Town Code and model ordinances addressing the above issues.

- Improve sign regulations and include in development standards or performance standards.
- Adequately reference performance standards and special permit requirements in site plan review. Adequately reference site plan review requirements in special permit requirements. Special Permits should address permit application, approvals, fees, penalties, public hearing and renewal requirements, and adequately reference site plan review.
- Adequately reference the Aquifer Protection District Local Law in the performance standards and site plan review.

Section 501 Performance Standards

Noise: This section does not include exceptions, such as noise due to emergency repairs, or address enforcement, temporary license, special permits, ambient air, and maximum permitted noise above the ambient noise level. See Town of Windsor Noise Control Local Law which provides a good model. The Town of Kirkwood does not have a noise meter. Change sound trucks time to 6:00 PM.

Dust and Dirt: This section addresses dust and dirt from smoke stack operations. The Kirkwood Mining Local Law includes dust control methods and allows the Town Board to require fugitive dust and flying particles to be confined to the mining site and disturbed areas to be kept to a minimum. Consider adding language to address dust and dirt from heavy truck traffic such as requirements for truck covers and removal of mud and debris from the trucks.

Smoke: This section should reference the Outdoor Wood Boilers Local Law.

Pollution of Water: This section should reference the Aquifer Protection District Local Law, Storm-water Management and Erosion and Sediment Control Local Law, Municipal Separate Storm Sewer System Plan (MS4), and Broome County Health Department Standards.

Section 502 Site Plan Review

- Include in Site Plan Submission requirements depending the on project scope:
 - Scale, north arrow and date
 - Existing and proposed buildings, structures and land uses
 - Existing and proposed streets, driveways, curbing, loading area
 - Streams, surface waters, wetlands, and floodplains, base flood elevation

Trees, tree lines, tree removal

Landscape plan and schedule

Building height, bulk, materials, and design

Aquifer Protection District

- Include in Site Plan Action review standards: Consistency with the Town Comprehensive Plan and zoning local laws, ordinances and regulations; and appropriate drainage and storm-water management.
- Require all site plan conditions to be conditions of the building permit.
- Reference New York State Town Law in site plan review.
- Include county referral; findings; filing of the decision; appeals; and application forms and fees in site plan review.

Section 503 Special Permits:

Professional Offices: Move sign requirements to sign regulations.

Nursing, Rest or Convalescent Homes, Hospitals or Medical Arts Buildings: Consider whether senior living facilities should be limited to the RM Residence District and whether special permits should be required.

Family: See definitions above.

Home Occupations: Consider updating the 15 percent of gross living area requirement subject to New York State Department of State approval. Review the following home occupations and remove from list as appropriate: use of property as a drop-off point for merchandise not produced by such home occupation, selling of merchandise not produced by such home occupation, wholesaling and storage of automobiles.

Indoor Flea Markets: Determine whether indoor flea markets are still necessary in the Industrial District or whether this use is obsolete.

Wind Turbines – Special Permit:

The special use permit and site plan approval requirements for wind turbines should be consistent with the State Agriculture and Markets requirement that wind turbines located on farms are considered on-farm equipment and part of the farm operation. See Agriculture and Markets *Guidelines for Review of Local Laws Affecting Small Wind Energy Production Facilities* and *Guidelines for Review of Local Zoning and Planning Laws*. According to the guidelines for small wind turbines, if a town considers a small wind turbine to be a structure or building under its zoning regulations, Agriculture and Markets also considers the wind turbine to be an on-farm building. According to the guidelines, in general, the construction of on-farm buildings and the use of land for agricultural purposes within a county adopted, State certified agricultural district should not be subject to site plan review, special use permits or non-conforming use requirements. The guidelines include provisions for review of small wind turbines.

Recommendations:

- Define small wind turbines and large wind turbine thresholds in terms of rated capacity in kilowatts and total height or other appropriate threshold.
- Include in the special permit requirements proof of liability insurance and a performance bond.
- Consider whether the town wants to allow large wind turbines and commercial wind farms in agriculture district.

Temporary Portable Storage Containers: This section should stipulate the materials that can be stored, condition of the unit, and removal or anchoring of the units during flooding and prohibit storage of toxic or hazardous materials and use as dwellings.

Section 504 Sign Standards:

Sign regulations are provided in Section 504 and in the Schedule of Regulations for each district.

Recommendations:

- Consolidate and move all sign regulations to appropriate section of zoning local law. Move sign definitions to Article II. Use text, tables, and illustrations to convey sign regulations.
- Address illegal signs and signs the community does not wish to see: neon signs, free-standing plastic message boards, internally illuminated plastic signs, billboards located along public right-of-way, railroad right-of-way, and on properties, and amortization of illegal signs.
- Allow off-premise entry signs and business logo signs in industrial parks.
- Use descriptive sign terms (ground sign, monument sign, or wall sign) to describe the types of signs allowed, not simply “one sign” as used in the Schedule of Regulations.
- Adequately outline the special permit process for signs.
- Revise fees for sign permits and deposits for temporary and permanent signs. These fees seem low. Include penalties for failure to remove signs and account for cost of town code officer to inspect, process, and remove illegal signs or temporary signs to remain on the property. See Fee Schedule below.
- Address new types of signs cropping up in many communities: electronic (digital) message centers, and illuminated and scrolling ground signs for places of worship and commercial uses. Address awning and canopy signs, sandwich board signs, pylon signs, and abandoned signs.
- Define advertising signs and remove if obsolete.
- Base the sign area on the square footage of the building façade, not on the lot frontage which can result in signs not to scale.
- Adequately address illumination and consolidate references to illumination to avoid duplication and inconsistencies. The Schedule of Regulations prohibits billboards and flashing, oscillating, and revolving lights. Section 504 states that the illumination of any sign shall be non-flashing, indirect, or

diffused. The conditions do not specifically address scrolling, rotating, intermittent, and back-lit signage.

Section 505: Off-Street Parking and Loading Requirements:

The off-street parking and off-street loading requirements are provided in the Schedule of Regulations and in Section 505. The Schedule of Regulations includes some regulations and references other regulations in Section 505. The Town of Kirkwood receives few requests for variances from the off-street parking and loading requirements, except the Comprehensive Plan Committee expressed concern that the parking requirements are too burdensome for the Industrial Park businesses. Recommendations are provided below.

Recommendations:

- Consolidate and move all parking regulations to performance standards. Address under access management. Provide in text and table format.
- Address omissions and deficiencies as discussed in business and industrial districts above.

For example, the Schedule of Regulations and Section 505 base the minimum off-street parking requirements for manufacturing, processing, fabricating and repair establishments on square footage of gross floor area rather than on number of employees per shift (1 space per 250 square feet of gross floor area compared to 1 space per employee on a single shift for all industrial/manufacturing uses). The Schedule of Regulations and Section 505 calculate minimum off-street parking requirements for wholesale and warehouse separately using a complicated formula.

For example, Section 505 requires commercial and industrial buildings to include reasonable off-street space for loading and unloading vehicles as determined by the Planning Board during site plan review and off-street loading spaces located within 50 feet of a residential property to be shielded by a wall, fencing, or other suitable material to screen noise and fumes. The regulations should standards for staging and maneuvering to prevent encroachment into public right-of-way and vehicle access.

- Provide table listing predominant uses by land use category and corresponding required number of parking spaces.
- Address parking location, shared parking, shared driveway access, general requirements (paving, curbing, bumper guards and wheel stops, drainage, fire lanes, marking, temporary use, accessible parking, parking along street frontage, and off-street parking in commercial and industrial districts location and setbacks from the front property line), and design standards (aisle widths, parking space size based on the parking angle, driveway dimensions, arrangement of parking spaces in the public right-of-way, and off-street loading and maneuvering requirements).
- Address pedestrian and bicycle access and circulation, cross parcel connections, and sidewalks.
- Factor landscaping, buffering, and screening requirements into the formula to calculate parking space requirements.

Section 507: Business Two – Entertainment (B-2-E) District: See B-2-E District above.

Article VI Planned Unit Development District: See PUD Districts above.

Article VII Administration: See Article XIV.

Article VIII Aquifer Protection District

Article VIII regulates development located in the Aquifer Protection District and the Schedule of Regulations references the regulations. The Schedule of Regulations also references the sections in Article VIII that identify the permitted and prohibited uses and lists the allowed accessory uses as those uses related to the principal uses. The remarks reference the sections of Article VIII that contain the standards for the district which overlays the base district.

Recommendations:

- Reference Aquifer Protection District regulations in the performance standards and in site plan review.
- Provide the Aquifer Protection Map in electronic format and show as an overlay district on the Zoning Map to avoid district boundary disputes. Include overlay district in the name.
- Include provision that the Town of Kirkwood would have the ability to specify the types of testing that should be conducted by the applicant in addition to the frequency.
- Consider whether the activities listed in Section 802.G (definition of development) should include the installation of pipelines and wastewater treatment facilities.
- Require applications for permitted uses exempt from Section 807 special permit requirement provide documentation that the project meets the exemption criteria.
- Include residential, business, industrial, commercial or inter-municipal operation which uses, distributes or stores petroleum products, toxic materials or hazardous materials when such distribution, storage or use exceeds a certain number of gallons per month or pounds, such as 25 gallons per month or 220 pounds, whichever is less, in the special permit criteria of Section 807. See Union Town Code Chapter 74. Aquifer Recharge and Watershed Protection Zones.
- Require commercial and industrial applicants using chemicals and hazardous materials in their operations who are exempt from the special permit requirement to document their chemical usage and storage and spill prevention plans to ensure that the project meets the exemption criteria.
- Reference USEPA requirement that applicants are required to obtain underground injection control permits for all floor drains that are not connected to the public sewer.
- Establish special permit conditions in Section 808 for the uses prohibited in Section 805 except by special permit, same as in Article V, Section 503. For example, Section 805. S prohibits storage of chloride salts, except by special permit. Section 808 Application for Special Permit should include standards and conditions for outdoor storage, spill prevention plan, abandonment, and reclamation.
- Section 808 Application for Special Permit should reference site plan review requirements.
- Include section designating the Enforcement Officer as the town official responsible for enforcing the local law and giving the authority to inspect to the Enforcement Officer as noted in Section 804.
- Review professional fees, application fees, and penalties for adequacy. Section 808 requiring professional fees in an amount determined by the Town Board with the advice and recommendation of the Town Engineer and Building Inspector was amended in 2015 and should be current. Application fees are \$100 plus notice publication costs. Penalties are \$1,000 per day or imprisonment not to exceed 90 days or both. The application fee seems low and the penalty could be low. Fees should address abandonment and reclamation.
- Article VIII should adequately address abandonment and reclamation.

- The Aquifer Protection District does not specifically prohibit dumps in the district and this possible omission should be addressed.
- See Source Water Protection / Polluted Runoff / US EPA model ordinance.

Article IX. Siting of Wireless Telecommunications Facilities

Local Law #6-2000, Adopted October 3, 2000 and Amended 10-2-12 by LL #4-2012

Regulations pertaining to wireless telecommunications facilities are found in Article IX added by Local Law No. 6-2000 and adopted on October 3, 2000 in response to the Federal Telecommunications Act of 1996 which recognized and placed limits on local zoning authority over wireless communications facilities. Article IX was amended as follows:

***Local Law 12-2003** adopted on October 7, 2003 deleted one of the goals in Section 905 (Tower Special Use Permits for Wireless Telecommunications Facilities).*

***Local Law #4-2012** adopted on October 2, 2012 amended numerous sections of Article IX to reference Section 6409(a) of the Middle Class Tax Relief and Job Creation Act of 2012 (Tax Relief Act) regarding wireless facility modifications and eligible facilities request. For example, Section 901 was amended in part to state the “Tax Relief Act” in effect mandates that a State or local government may not deny, and shall approve, any request relating to an eligible facility for a modification of an existing wireless tower or base station that does not substantially change the physical dimensions of such tower or base station. Such a request means any request for modification of an existing wireless tower or base station that involves: (1) collocation of new transmission equipment; (2) removal of transmission equipment; or (3) replacement of transmission equipment. Such a request shall not require a special use permit, but shall only require an administrative review by the Code Enforcement Officer.*

***Local Law #3-2013** adopted on June 4, 2013 added paragraph D to Section 908 (Shared Use of Wireless Telecommunications Facilities) to require two (2) copies of a Structural Analysis in the application for a Special Use Permit to allow shared use of a wireless telecommunications facility.*

The Federal Communications Commission (FCC) adopted new rules (“Wireless Infrastructure Order”) on October 17, 2014 (FCC-14-153) interpreting and implementing the “collocation” provisions of Section 6409(a) of the Tax Relief Act.

According to one review, the new FCC rules have significant potential implications for local communities. The FCC rules provide direction for local review of applications for wireless service facility modifications, including definitions for statutory terms found in Section 6409(a), such as wireless tower or base station, collocation, eligible facilities request, eligible support structure, substantial change (“substantially changes the physical dimensions”), and transmission equipment; and clarification on the review of applications, including required documentation and timeframe.

The FCC rules define “substantially change the physical dimensions” of a tower or base station, a term that was not defined in Section 6409(a) and, hence, was not defined in Article IX. Under the definition of substantial change are specific criteria with respect to height, width, equipment cabinets, excavation/deployment beyond site and concealment elements to objectively determine whether a modification substantially changes the physical dimensions of an eligible support structure.

The FCC rules establish that within 60 days of the date on which an applicant submits a request seeking approval for a modification under Section 6409(a), the local government shall approve the application unless it determines that the application is not covered by this section.

Under the Telecommunications Act of 1996 local jurisdiction had 90 days to act on an application for the collocation of additional antennas to existing infrastructure and within 150 days to act on an application for the construction of new infrastructure.

Article IX requires the Zoning Board of Appeals to act within 90 days to approve a complete application for a collocation facility and within 120 days for a new facility. Article IX does not specifically state the time frame for administrative review of modifications by the Code Enforcement Officer, only that all sections of Article IX shall remain in full force and effect when the request is being handled by administrative review by the Code Enforcement Officer.

Recommendations:

- Amend Article IX to comply with the FCC new rule issued on October 21, 2014.
- Determine whether the fees, review schedule and review procedures are adequate for placement, construction and modification of wireless telecommunications facilities.
- Reference appropriate Town entities (Zoning Board of Appeals and Code Enforcement Officer) are referenced in the local law. Consider whether the reference to “Town” should be changed to “Board”. Consider whether the reference to “Town Building and Code Inspector” should be changed to “Town Code Enforcement Officer”.
- **Distributed Antenna System (DAS) and Microcell:** Amend Article IX to address DAS and Microcells. DAS is a network of spatially separated antenna nodes connected to a common source via a transport medium that provides wireless service within a geographic area or structure. DAS antenna elevations are generally at or below the clutter level and node installations are compact. A microcell is a cell in a mobile phone network served by a low power cellular base station (tower), covering a limited area such as a small hotel, school or transportation hub, targeted to boost high demand in a limited area. See **Town of Union Telecommunications Facilities Local Law** which the Town of Union recently revised to address this equipment.

Article X. Mining

The Town of Kirkwood regulations pertaining to mining are found in Article X of the Zoning Local Law. Article X – Mining was added by Local Law #7-2003 adopted on April 1, 2003.

Section 1001. D. Standards for Creation of Mining Districts should include the factors that the Planning Board should consider in making its recommendation to the Town Board concerning the creation of mining districts.

- The site plan referenced in Section 1001.C.vii should show the tree coverage, wetlands, Special Flood Hazard Area, base flood elevation, streams and surface waters, and the Aquifer Protection District boundary located onsite and within 1,000 feet of the project site.

- Include in Section 1001. G Conditions (Special Use Permit) requirements for base level water quantity and quality testing and periodic monitoring; truck covers for trucks hauling minerals and debris and compliance with the Road Preservation Local Law.
- Include provision that copies of the application and conditions of the Special Use Permit be forwarded to the New York State Department of Environmental Conservation (DEC).
- Include provision in Section 1001. L. Violations that the DEC be informed of violations of the Special Use Permit as necessary.
- Require the application to include an official copy of the DEC mining permit.
- The special use permit conditions should include or reference the operating and reclamation requirements contained in the MLRL permit issued by the DEC which the town can enforce through its zoning enforcement procedures.
- Clearly identify the responsible board for reviewing and approving the Special Use Permit and Special Use Permit renewals to avoid confusion between the role of the Town Board and the Town Zoning Board of Appeals in the process.
- Review references to other local laws and adoption and amendment dates.
- Consider including permitted uses, accessory uses, setback requirements and special use permit requirements in table format.
- Include in purpose statement distinction between major mines and minor mines (small mines that are not within the scope of the MLRL and that involve the extraction of 1,000 tons of material per year or less and do not need a DEC permit and are not regulated by DEC) and indicate whether the Town Mining Local Law pertains to major mines or minor mines.
- Include requirement that Special Use Permit shall not be complete unless accompanied by a complete copy of the application to the DEC for a MLRL permit.
- Article X and Mining District Schedule of Regulations should indicate the districts or locations in which mines are allowed in the Town of Kirkwood.

Article XI Automobile Sales: See B-3 District above.

Article XII. Composting

Article XII was adopted by Local Law #2 – 2008 on March 4, 2008. Article XII allows commercial composting in the Agricultural/Rural Residence District at any location deemed appropriate and so designated as a Composting District by the Town Board after the Town Board considers certain factors specified in Section 1205 in determining whether to create a Composting District. The Composting (C) District is considered an overlay zoning district overlaying any portion of the Agricultural/Rural Residence District so designated by the Town Board. The local law is intended to regulate commercial composting and commercial composting facilities. The local law was reviewed by Broome County Department of

Public Works and references to Part 360 Regulations of the New York State Department of Environmental Conservation are correct.

Recommendations:

- Consider whether the Composting Overlay District is obsolete and should be removed from the regulations.
- Include overlay district in district name.
- Section 1204 should include a requirement that the site include screening, fencing and landscaping.
- Section 1205 should include the requirement that the site plan show screening, fencing and landscaping, emergency vehicle access, outdoor storage and stockpiling areas.
- Section 1205 should include the requirement that the site plan include the existing and proposed tree line and identify areas of tree clearing.
- Section 1205 should require compliance with the stormwater management and erosion control local law, flood damage prevention local law, aquifer protection local law, and noise regulations.
- Section 1205 should require the application to include daily truck trips, types of trucks, best management practices to prevent spills and damage to roads, and noise measurements.
- Review 500-foot separation distance for densely populated or sensitive areas.
- Maintenance and Repair facilities referenced in Section 1204 L. should be defined.
- Consider moving the spill prevention plan requirement mentioned in Section 1204. L. to a separate subheading.
- Section 1205. C gives the Planning Board 75 days to provide its recommendation on the rezoning to the Town Board. Section 1205. D gives the Planning Board following the public hearing 45 days to provide to the Town Board its recommendation on the rezoning. These deadlines should be reviewed for consistency.
- Include requirement that Section 1206 require that the special use permit incorporates all of the conditions established by the Town Board and Planning Board and the conditions of Section 1206. D. 1. and 2.
- Section 1206 (Issuance of Composting Special Use Permit) authorizes the Zoning Board of Appeals to issue Composting Special Use Permits unless the facility requires a DEC permit and is operated strictly in accordance with the provisions of that permit. Include the requirement that the Town Board and Planning Board conditions be forwarded to the DEC for those facilities requiring a DEC permit. Include the requirement that the DEC permit and conditions be included in the application to the Town Board, Planning Board and Zoning Board of Appeals.

- Adequately address reviews and approvals required to establish a commercial composting including site plan review and special use permit only mentioned in Section 1205. G.
- Move violations and penalties to one section.
- Require performance bond for the Closure Plan and Reclamation.
- Require reclamation of the site upon closure and provide reclamation standards.
- Address rezoning of the site once the commercial composting facility.

Article XIII Construction Equipment

Article XIII allows construction equipment sales, repairs and auctions in the B-2 District at any location deemed appropriate and designated as a Construction Equipment District by the Town Board provided the Town Board shall consider the factors specified in Section 1305 in determining whether to create a Construction Equipment District. The Schedule of Regulations includes or references the regulations under Construction Equipment (CE) District. The CE District contains the same regulations as the B-2 District except the CE District allows sales, repairs, and auctions of construction equipment as principal uses, plus B-2 District principal uses and requires a more restrictive minimum lot area of 1 acre and a rear yard setback of 10 percent of lot depth. The remarks allow the Planning Board to determine that area for construction equipment display and include the formula. The formula does not include setback areas and landscaping area. The formula seems inconsistent with the required minimum lot area of 1 acre. The B-2 District also allows sales, service, and repair of construction equipment.

- Consolidate and move construction equipment standards to the appropriate section of the Zoning Local Law. Consider allowing construction equipment sales, service, and repair by special permit in the B-2 District to reduce duplication, inconsistencies, and the number of districts.
- Include overlay district in the name if the CE District remains.
- The preliminary development plan addressed in Section 1305. B should include onsite and adjacent wetlands, floodplains, base flood elevation, aquifer protection district, and drainage systems.
- Require spill prevention plan for outdoor display of construction equipment as well as for maintenance repair facilities in Section 1304.
- The formula for determining the maximum area for outdoor construction equipment display should include setback area and landscaping area.
- Clarify whether the Town Board must consider the same factors outlined in Section 1305. C that the Planning Board must consider prior to allowing establishment of the Construction Equipment District.
- Require parking and display areas to be paved, graded, and drained. Section 1304 O. (Parking and Display Areas) requires parking and display areas to be hard gravel.
- Prohibit outdoor maintenance and repair. Section 1304. N. (Maintenance and Repair Facilities) should:
 - Require all maintenance, service and repairs be performed fully within an enclosed structure
 - Require all waste fluids be collected and disposed of according to all applicable state and federal laws and best management practices
 - Prohibit construction equipment parts or partially dismantled construction equipment shall be stored outside of an enclosed structure or screened area
- Allow no construction equipment to be displayed for sale within the required property setbacks.
- Section 1304 should address fueling tanks and fuel sales.

- Remove references in Section 1304 which references the requirements of the B-3 District. The requirements should be stated in Section 1304 to avoid confusion.

Article XIV Administration

Administration includes enforcement, building permits and certificates of occupancy, zoning board of appeals, amendment, notice of hearings, violations and penalties, and application fees.

Recommendations:

- Include bullet point list of Town Code Enforcement Officer duties including development reviews, issuing building permits, issuing stop work orders, review and investigate complaints, collect fees, pursue administrative enforcement actions and proceedings, and legal actions.
- Clearly reference the actions subject to building permits and the exemptions to building permits.
- Include section on construction inspections and the work to be inspected.
- Explain the stop work order process and certificate of occupancy.
- Address any permit requirements for manufacturing, storing, or handling hazardous materials, inspection, and fees.
- Address fire safety and property maintenance inspections, complaints, and record keeping duties.
- Adequately address enforcement and penalties for offenses, including compliance orders, appearance tickets, civil penalties, including penalties.
- See below recommendations for Zoning Board of Appeals.
- Include section on rezoning procedures. Section 1405 (Notice of Hearing) includes the public hearing procedures for any rezoning.
- Section 1406 does not adequately address violations and penalties and seems to conflict with other references to violations and penalties in the zoning local law.
- Section 1407 establishes site plan review fees which range from \$50 to \$100 and seem low. See Fee Schedule.

Zoning Board of Appeals (ZBA): The ZBA membership, rules and regulations and training requirements are covered in the below local laws and section of the Zoning Local Law. The Ad Hoc Membership local law and Rules local law are listed under the Zoning Local Law on the Town of Kirkwood website. The ZBA local laws are not listed in the Zoning Local Law table of contents.

Zoning Board Ad Hoc Members Local Law No. 11 of 1986.

Zoning Board of Appeals Rules adopted by Zoning Board of Appeals on October 28, 1996 covers governing rules, officers and duties, meetings, voting requirements, appeals and procedures, hearings, referrals, and decisions.

Zoning Local Law Article XIV Administration Section 1403 (Zoning Board of Appeals) covers ZBA appointment by Town Board and State Environmental Quality Review Act requirements.

Training Requirements Planning Board and Zoning Board of Appeals Local Law No. 12 adopted 2006 and revised on June 25, 2012 provides the annual training requirements for the Planning Board and Zoning Board of Appeals.

Recommendations:

- Consolidate and move the ZBA regulations to one section of the Zoning Local Law.
- Include regular membership and alternate membership and consider whether the number should be reduced from five members to three members. Town Law allows three or five.

Planning Board: The Town Planning Board is addressed in the following four local laws of the Town Code, separate from the Zoning Local Law:

Planning Board Ad Hoc Members Local Law No. 1 of 2001 adopted on January 2, 2001

Planning Board Members Local Law No. 17 of 2008 adopted on December 2, 2008 provides for a decrease in the membership from seven (7) to five (5) members.

Planning Board Rules and Regulations Local Law No. 4 of 1995 adopted on August 1, 1995 and amended on March 6, 2001 by Local Law No. 3-2001 and December 30, 2003 by Local Law No. 17 of 2003 establishes rules and regulations governing the Planning Board.

Training Requirements Planning Board and Zoning Board of Appeals Local Law No. 12 of 2006 adopted on March 6, 2001 and last amended on June 25, 2012 establishes the annual training requirements for the Planning Board and Zoning Board of Appeals.

- Consolidate and move the Planning Board local laws to the appropriate section of the Zoning Local Law.
- Address inconsistencies. The Ad Hoc local law and the Rules local law describe the full membership as 7 members while the Members local law decreased the membership to 5.
- Address inconsistencies in deadlines. Local Law allows 62 days for Planning Board review. New York State Town Law allows 75 days. Consider increase review to 75 days as a safe measure.
- Change Section 239-n to Section 239-m in Section 5.2.1.

Junk Ordinance: The Junk Ordinance licenses and regulates dealers, businesses and other activities relating to the collection, storage and sale of junk commonly known as junkyards and automobile graveyards. The Junk Ordinance was adopted on June 5, 1962 and last amended by Local Law 4-2013 on June 4, 2013.

- Clarify whether the Junk Ordinance applies to the Automobile Salvage PUD District.
- Designate the zoning districts in which these uses are allowed.
- Provide use, dimensional, off-street parking, outdoor storage and display, sign, landscaping, screening, and buffering, site plan review, special permit requirements, licensing, and annual inspection requirements in table format.
- Require special permit for junkyards, and automobile graveyards, and automobile salvage.
- Include special permit conditions for outdoor storage, and spill prevention plan, no leaking fluids.
- Prohibit outdoor storage in setback areas.
- Reference Aquifer Protection District Local Law application and include Aquifer Protection District Local Law language prohibiting junkyards, automobile graveyards, and automobile salvage in the Aquifer Protection District.
- Include requirements for performance bond, abandonment, and reclamation.
- Include language prohibiting excavation to create a junkyard.

- Reference the Annual Inspection Form and Code Enforcement Officer and Fire Safety Inspector responsibilities for conducting the inspections.
- The Annual Inspection Form should reference the Junkyard Ordinance.
- Move inspections and monitoring from Section 7 regulations to a separate section.
- Address abandonment, reclamation, and rezoning. Require performance bonds, closure plans, reclamation plans and rezoning upon closure.
- A spill prevention plan should be required as part of site plan application, license application, and inspection form.
- Clarify “Monitory ‘temporary storage’ to less than six months” found in Section 4. d. (2).
- Include professional fees for review and monitoring and inspection fees. The license fee of \$100 seems low. The penalties of \$100 per day and 15 days in jail seem inadequate.
- Clarify the reference to “supervisor” in Section 6.f.
- Section 4.b. should include adjacent properties, building footprints, land uses and tree lines as a requirement of the full scale map or plan.
- Prohibit junkyards, automobile salvage, and automobile graveyards in the Special Flood Hazard Area.

Dumping Local Law

Dumping Local Law No. 2 of 1992 which was amended by Local Law No. 3-2003, Local Law No. 15-2003, Local Law No. 5-2004 and Local Law No. 24-2004 restricts and regulates the use of lands for dumping.

- Move duty of the Code Enforcement Officer to serve notice in the event that a property owner fails to remove garbage, rubbish or litter from Section 3 (Prohibitions and Restrictions) to Section 4. Enforcement and Penalties. Address enforcement in the appropriate section of the Dumping Local Law.
- Review fines of not more than \$250 for a corporation, imprisonment not to exceed 15 days for an individual, restitution based on disposal fees and collection and hauling, and community service are adequate. The fines do not include Town Code Enforcement costs.
- Section 3 provides that the disposal within the boundaries of a single family residence or farm of construction and demolition debris generated from that residence or farm shall not be deemed to be prohibited provided that such construction and demolition debris is completely buried not closer than 15 feet from neighboring property lines. This provision does not restrict the contents or volume of the disposal or prohibit within the Special Flood Hazard Area or Aquifer Protection District, does not follow best management practice, does not include restrictive setbacks from neighboring property lines, and might conflict with New York State Department of Environmental Conservation requirements. This activity would be difficult to monitor. Consider prohibiting this activity.

Subdivision Regulations: The Subdivision Regulations were adopted on October 1, 1963 and amended by Town Board resolution on April 2, 1985, Local Law No. 2-1996 and Local Law No. 19-2004. The Subdivision Regulations apply to any tract of land which is divided into four or more lots located along any existing or proposed rights-of-way for sale or rent as residential lots or residential building plots.

- Review application fees, violations, and penalties. The application fee of \$50 is low. The violations and penalties were amended in 2004.
- Request drawings in electronic format.

- The subdivision regulations should be reviewed for consistency with the Broome County Health Department regulations.
- Require the preliminary plat and final plat to include the wetlands, floodplains, base flood elevation, surface waters, tree lines and densely wooded areas.
- Require landscaping plans and landscape maintenance agreements for common areas, amenities and rights-of-way.
- Require maintenance plan for drainage systems, common areas and right-of-way.
- Include requirements for walkability and mobility, including sidewalks, and bicycle accommodations.
- Include Performance Bonds.
- Include referral requirements of General Municipal Law Section 239-n (county referral) and Section 239-nn (referral to adjoining municipalities).
- Include requirement that applicants proposing subdivisions located on property within designated State Agricultural Districts containing a farm operation or, within 500 feet of a farm operation in a designated State Agricultural Districts, must submit an Agricultural Data Statement to the planning board along with a subdivision plat application.

Property Maintenance Local Law

The Property Maintenance Local Law was adopted by Local Law No. 27 on June 1, 2004 and amended on November 3, 2014. The local law requires owners of land located within the Town of Kirkwood to cut, trim or remove from the land owned by them brush, grass, rubbish, or weeds, or spray poisonous shrubs or weeds on such land. The local law requires notice, 10 days from the date of the notice for the property owner to comply with the local law, gives power to the Town Department of Public Works or private contractor to do the above at the owner's expense in the event the owner fails to comply, and assigns the noticing duty to the Town Code Enforcement Officer. The local law does not address the entire maintenance of the exterior of the premises, including building exterior, nuisance and hazards, appearance of the exterior of the premises and window display areas, landscaping, curbing, and sidewalks, repair and painting of the exterior of storefronts and all buildings, awnings, overhangs, structural soundness and general maintenance of the exterior, inflammable or combustible liquids. The local law does not provide for periodic inspections by the Code Enforcement Officer, or include penalties for offenses in addition to assessing the cost of removal, and does not include the total cost to the Town for attorney fees, engineering fees, consultant fees and/or court or litigation fees, or address abandoned and vacated properties.

Recommendations:

- Address the above omissions in the Property Maintenance Local Law addressing the building exteriors and grounds. See Union Town Code Chapter 155 Property Maintenance, Chapter 83 Brush, Grass and Weeds, Chapter 130 Garbage, Rubbish, Refuse, and Recyclables, and Chapter 141 Nuisances. Recommended that these issues be consolidated to the Property Maintenance Local Law as applicable.

Building Code Fee Schedule

The Building Code Fee Schedule was established by Resolution on June 5, 2007. The local law establishes building permit fees for residential and non-residential construction and demolition, signs, development in the floodplain, and fire safety and property maintenance re-inspection fees. The fee schedule does not include fees for site plan review and special permits or fees for all signs, only commercial/industrial signs

exceeding 10 square feet in area. The Town of Kirkwood Building and Codes Enforcement Department keeps a separate complicated fee schedule that includes numerous fees, including publication fees, planning board, zoning board of appeals, and building permit fees. This separate fee schedule includes no adoption date. In addition, numerous fees for development and penalties and violations are scattered through the zoning local laws, regulations, and ordinances.

Recommendations:

- Establish one fee schedule consolidating all development fees, and penalties and fines for violations, provide in electronic format, post on the town website, and periodically review and update.
- Reference fees and penalties in the appropriate sections of the local laws, for example in the appropriate sections under site plan review, special permits, and signs.
- Review all fees and update to address the total cost of doing business in the Town of Kirkwood and assess fees based on the land use (residential and nonresidential) and project scope (square footage, construction costs).
- Address performance bonds in the appropriate sections of the zoning local law, ordinances, and regulations.

Remove Any Inefficiencies and Duplications in Development Review Process

Briefly outline of the development review process in one or two pages using text and flow chart and post on town website. Include the following:

Actions subject to site plan review and special permits

Public hearing, noticing, and publication requirements and expenses

Other agency reviews, including county referral

Anticipated time frame to complete review and approvals

Provide link to the Zoning Map and reference zoning local laws, regulations, and ordinances

Include pre-application meeting in the process

Specify the number of application and site plan copies required

Require electronic submittal of application and site plan

Improve payment options to include credit card payment. Town accepts checks, cash, and money order.

Include application forms in electronic format

Include link to fee schedule

Include Building and Code contact information, including telephone numbers, e-mail addresses, and available hours

Website Improvements:

Include fee schedule, link to zoning map, and application forms in electronic format on town website. See above recommendations.

Public Input

Public Outreach

The comprehensive plan committee understands that gathering public input is essential for the development and implementation of the plan. Public input was gathered via a survey and two public meetings. During these outreach events, residents provided feedback and input about the needs of the Town. By listening and acknowledging the ideas of the community, the committee formed realistic and sustainable goals that could be carried out by the Kirkwood community. The findings of the public outreach efforts are summarized below.

Survey

Our first method of gathering input was via a survey that respondents could either mail-in or take online. The Town of Kirkwood Comprehensive Plan Committee identified topics to be covered in the survey and worked with the Broome County Department of Planning to develop a questionnaire. The survey was designed to gather the opinions of respondents on a wide array of topics. In the fall of 2015, the survey was mailed to 2,100 resident and non-resident property owners; a total of 439 completed surveys were returned for a response rate of 21 percent. Over 90 percent of the returned surveys were completed by Kirkwood residents. The surveys were entered into QuestionPro, an online survey service, and responses were tabulated automatically.

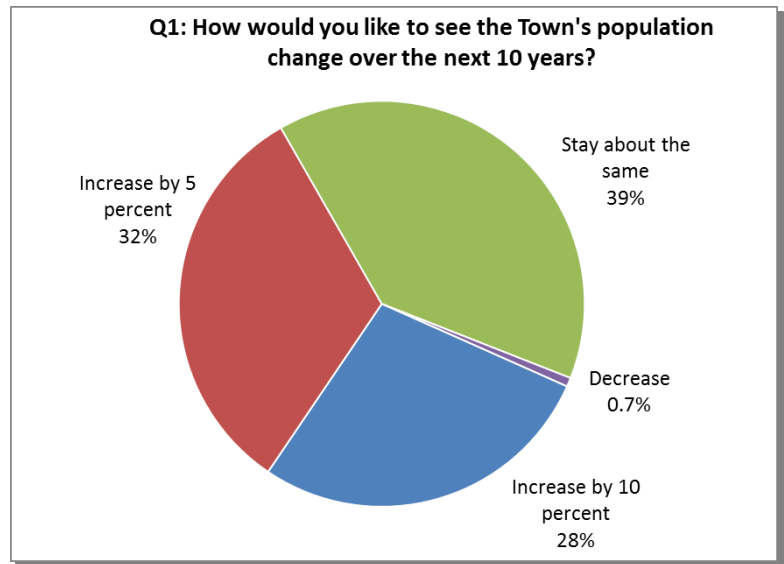
The community survey focused on the following topics:

Growth and Development
Land Use Change
Community Priorities
Community Concerns
Quality of Life
Assets and Shortcomings
Community Resources

In addition to the survey, the committee will hold two public meetings to provide additional opportunities for public input. During these meetings, the committee will review different aspects of the comprehensive plan and attendees will participate in a community assessment activity to help develop a vision for the future of Kirkwood. Near the end of the comprehensive planning process, the public will have an opportunity to provide comments on a draft of the Town's comprehensive plan.

1. Population

Respondents were asked how they would like to see the Town’s population change over the next ten years. A total of 428 people responded to this question. The choice “Stay about the same” alone had the most (39%) number of responses. However, the majority of respondents would like to see Kirkwood’s population grow in some way, either slightly increasing (32%) or significantly increasing (28%) over the next decade. Less than one percent of the respondents stated they would like to see the population decrease. The chart shows the distribution of responses.



2. Land Use Change

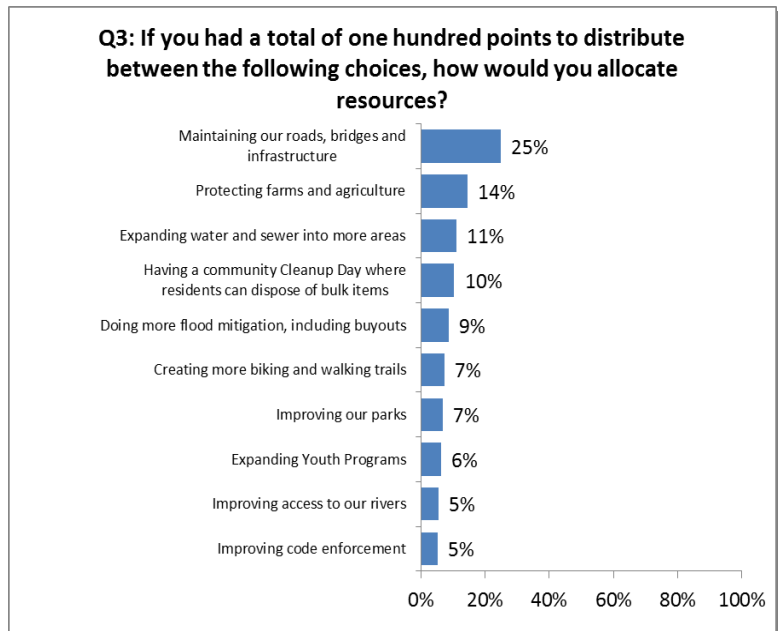
The comprehensive plan should guide decisions the Town makes regarding zoning and land use laws. This question asked what types of land use changes respondents would like to see in Kirkwood and were given three choices including: More, About the Same, or Less. The number of responses varied slightly by choice, but overall each had about 400 responses. The top five choices which respondents strongly indicated they would like to see more of were solar power (74%), restaurants (73%), wind power (69%), retail establishments (62%), and single-family homes (62%). The uses respondents would like to see less of in Kirkwood were mobile homes (62%) along with multi-family homes and apartments (34%). The table below summarizes the responses for each choice.

Q2: What land use changes would you like to see in Kirkwood?

Land Use Types	More	About the Same	Less	n
Single-Family Homes	62%	38%	0.7%	424
Multi-Family Homes and	15%	51%	34%	395
Mobile Homes	5%	33%	62%	397
Senior Housing Facilities	57%	37%	6%	412
Industrial	45%	43%	12%	417
Commercial	53%	39%	8%	413
Medical Services	58%	41%	1%	409
Entertainment	53%	41%	6%	394
Restaurants	73%	25%	2%	424
Retail	62%	35%	3%	404
Professional Offices	49%	46%	4%	403
Wind Power	69%	21%	9%	411
Solar Power	74%	19%	6%	407

3. Community Priorities

All communities have a limited number of resources to dedicate to numerous services. Respondents were asked to allocate one hundred points between ten choices to gauge which services they valued the most. The five choices which received the most points included maintaining our roads, bridges and infrastructure (11,366), protecting farms and agriculture (6,613), expanding sewer and water into more areas (5,019), having a Community Clean Up Day where residents can dispose of bulk items (4,758) and doing more flood mitigation including buyouts (3,946). Many written responses in the comment section reveal that for the most part people are satisfied with the conditions of the roads, however, “litter is a problem” and many believe this issue could be better addressed. The chart shows the percentage of points respondents allocated to each choice.



4. New Developments

The local zoning law governs the way land is used and developed. Respondents were asked to rank the importance of six elements of a development project from Very Important to Not Important. The number of responses varied slightly according to the different elements. Generally, responses indicated that most elements were “Somewhat Important” to consider when reviewing development proposals. The majority of respondents indicated constructing fewer and smaller signs, and not allowing LED or electronic signage was “Not Important” for the Town to regulate. About half of the respondents indicated it was “Important” or “Very Important” for development projects to include pedestrian and bicycle amenities such as sidewalks, benches and bike racks. In addition, almost 70% of the responses reveal people believe green infrastructure and stormwater management systems were “Important” or “Very Important” to require. The table below summarizes the responses by choice.

Q4: When reviewing new development proposals, how important is it for the Town to require the following?

Elements of a Development Project	Very Important	Important	Somewhat Important	Not Important	n
Including pedestrian and bicycle amenities such as convenient sidewalks, benches and	18%	31%	36%	15%	438
Using exterior materials like stone face or wood siding instead of cinder block	8%	28%	36%	27%	430
Constructing fewer and smaller signs on commercial projects	3%	18%	38%	41%	426
Not allowing LED or other electronic signage	10%	14%	34%	42%	428
Using smaller building lots and reserved areas for green space on residential subdivisions	11%	28%	35%	26%	427
Using green infrastructure/ stormwater management systems	31%	37%	25%	7%	432

5. Community Concerns

One goal of the comprehensive plan is to address potential social, environmental and economic issues that may adversely affect residents' quality of life. This question asked respondents to rank fifteen potential problems from being a Major Concern to Not a Concern. The number of responses varied slightly according to the different choices. Responses indicated nine out of the fifteen choices were major concerns in the Kirkwood community, while the other six choices were considered minor concerns. The major concerns in the Town included increasing taxes (74%), potential future flooding (63%), declining home values (56%), and junk in yard (54%). Even though "Noise" was not a top concern in this question, many respondents wrote in the comment section that noise from the Five Mile Point Race Track and Interstate 81 is a major issue; one person stated, "I live on Grange Hall Road, the highway noise is just terrible. I don't even like to sit outside because that is all you hear" which shows noise issues in the Town are negatively affecting residents' quality of life. Many people expressed an interest in the construction of a noise barrier, similar to what was used in the City of Binghamton to help eliminate the noise from the highway. The table below summarizes the responses by choice.

Q5: How much of a concern are the following issues in Kirkwood?

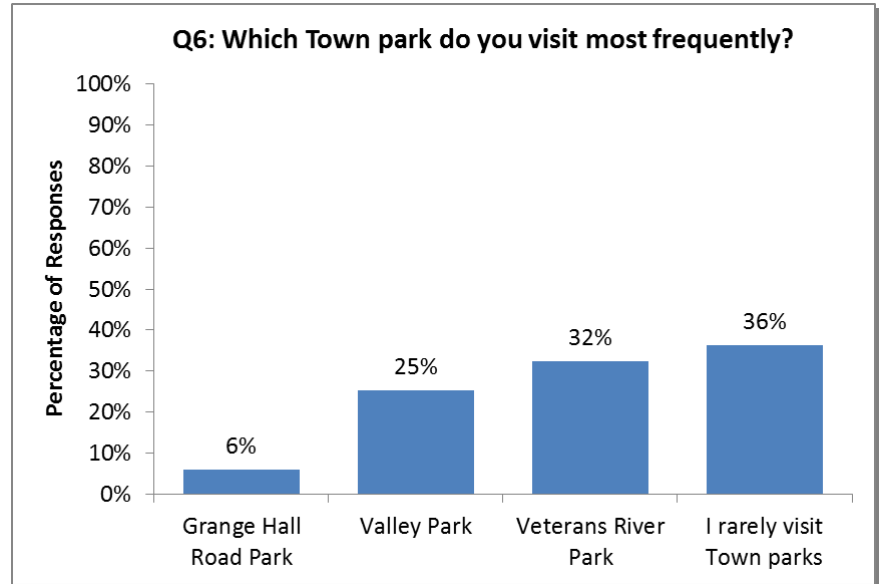
Community Concerns	Major Concern	Minor Concern	Not a Concern	n
Noise	23%	40%	38%	427
Vacant/abandoned homes	40%	42%	18%	426
Unkempt properties, long grass, peeling paint, etc.	46%	41%	13%	432
Junk in yard (home appliances, furniture and other debris)	54%	34%	11%	436
Junk motor vehicles	49%	34%	17%	431
Poor Internet / Cellphone Service	37%	37%	26%	432
Declining home values	56%	34%	9%	432
Increasing traffic congestion	17%	51%	33%	423
Loss of community character	33%	43%	24%	433
Potential future flooding	63%	29%	8%	435
Natural gas development	49%	26%	26%	437
Increasing taxes	74%	22%	4%	439
Loss of open space	25%	53%	22%	429
Development encroaching into the rural areas	30%	49%	21%	430
Lack of natural gas and other public utilities	43%	37%	20%	435

6. Quality of Life

Many cities, town and villages view parks and open space as important factors of building a sense of community and improving the quality of life. The following questions asked residents about their use of the Town parks and the local riverfront.

Parks

Respondents were asked to choose one park which they visit most frequently. A total of 438 respondents answered this question. About 63 percent of respondents indicated they visit Town parks frequently. Of the three parks, Veterans River Park was the most visited (32%) and Grange Hall Road Park was the least visited (6%). Numerous comments offered by respondents were directed towards the Town Parks. Overall, people think the parks are well-maintained and symbolize an important place in the community. Some respondents suggested adding more restroom facilities, creating an ice rink at River park in the winter, creating more walking paths, improving the existing athletic facilities and having more community events at the parks. Just over one-third of respondents said they rarely visit Town parks.



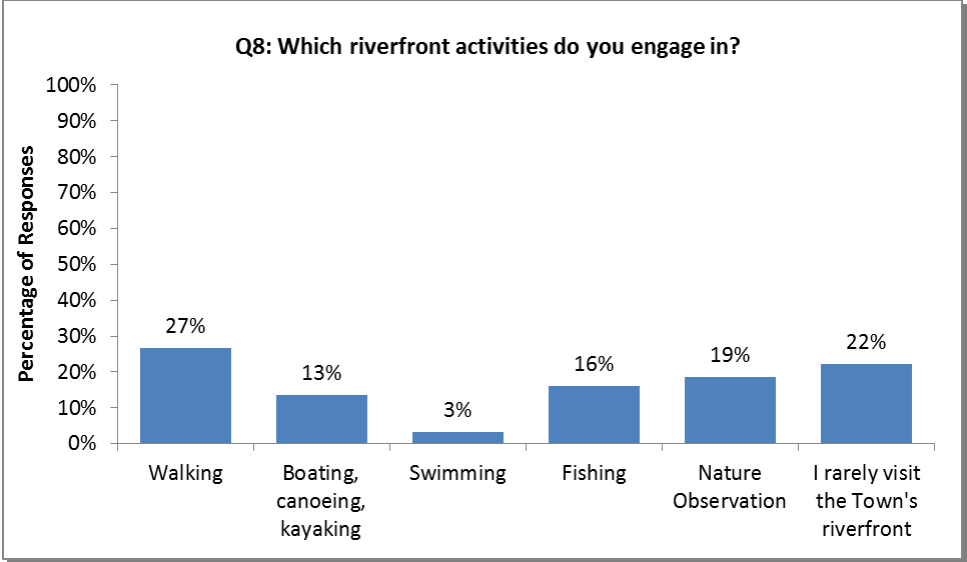
Next respondents were asked to rank six different types of parks facilities, with 1 being the most likely to increase their use of a park and 6 being the least likely to increase their use of a park. There were many incomplete or invalid responses to this question, so the results are not entirely conclusive. Some respondents indicated that none of the given choices would increase their use of a park. Almost 70 percent of the respondents indicated they would be more likely to use a park if there were available walking and biking trails. These results support the position of the respondents in Question 4 which revealed people want more pedestrian and bicycle amenities. The table below summarizes the responses for each given choice.

Q7: Which facilities would increase your use of a park? Rank the following choices from 1-6

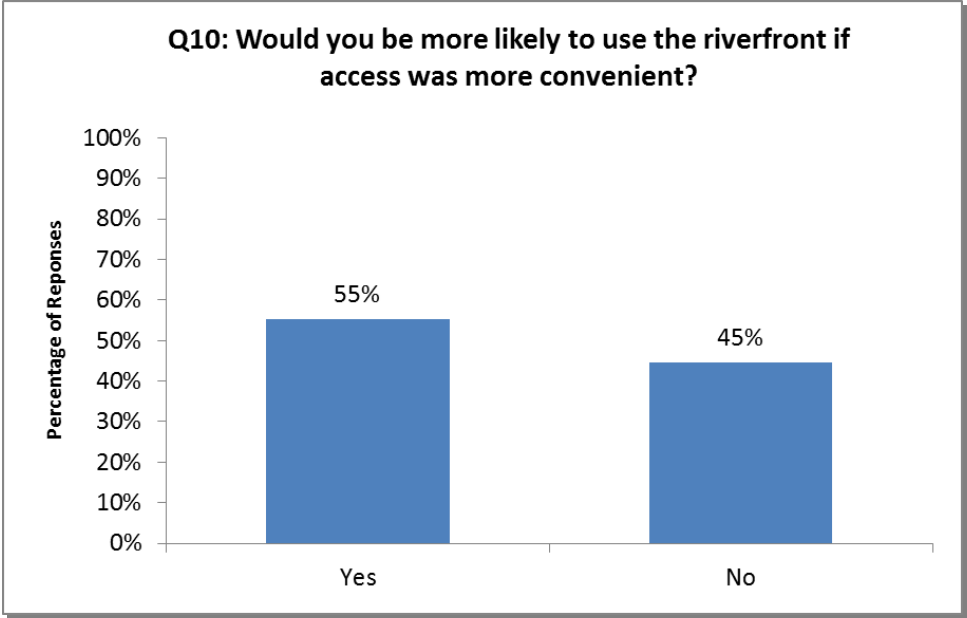
Park Facilities	1 Most Likely	2	3	4	5	6 Least Likely
Walking/ biking trails	50%	19%	16%	7%	7%	9%
Dog parks	10%	12%	8%	13%	14%	46%
Playgrounds	5%	16%	15%	27%	24%	12%
Picnic seating/ grills	7%	22%	27%	18%	15%	9%
Athletic fields	6%	10%	17%	19%	28%	16%
Community events	22%	20%	18%	14%	12%	10%

Riverfront

The majority of the Town borders the Susquehanna River on the west. Respondents were asked to choose all of the listed activities they engage in on the local riverfront. Again, respondents indicated a strong interest in walking trails; walking on the riverfront was the most popular riverfront activity (27%). The other activities which included boating, canoeing, kayaking, fishing, and nature observation scored fairly equal. About 1 in 5 responses stated they rarely visited the Town’s riverfront. Written responses suggested there should be more walking trails along the river and more riverfront activities/ events, and tent sites where long-distance travelers can rest. The chart below shows the percentage of responses for each choice.

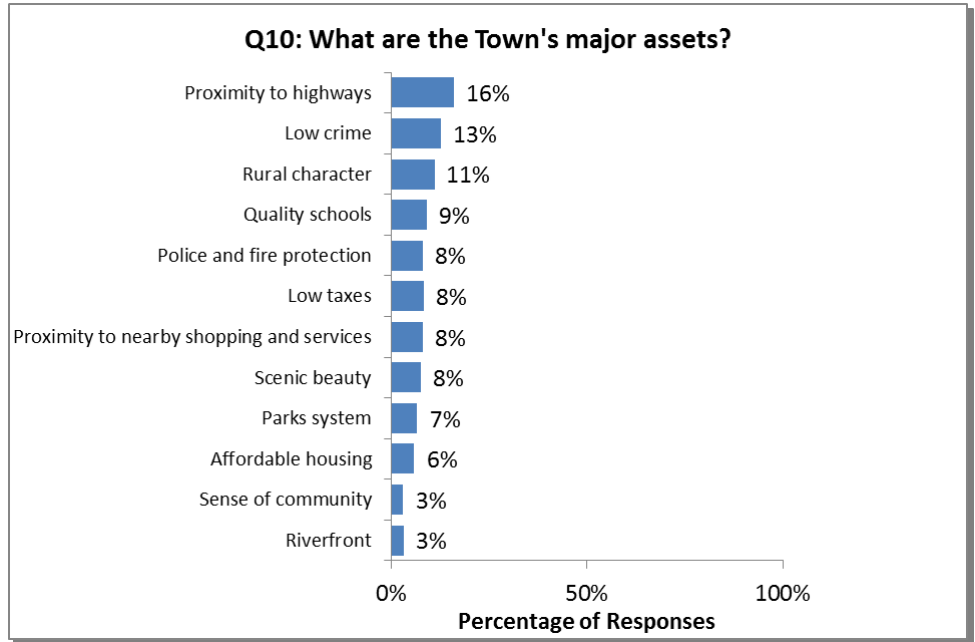


In many parts of the Town, the riverfront is considered inaccessible, so respondents were asked whether they would be more likely to use the riverfront if access was more convenient. A total of 439 respondents answered this question. Just over half of the respondents (55%) said they would be more likely to use the riverfront if access was more convenient. Some written responses expressed interest in improving boat access to the river, “I believe if a proper boat launch site could be found and developed, many people would use the river for all kinds of recreational purposes”.



7. Town Assets

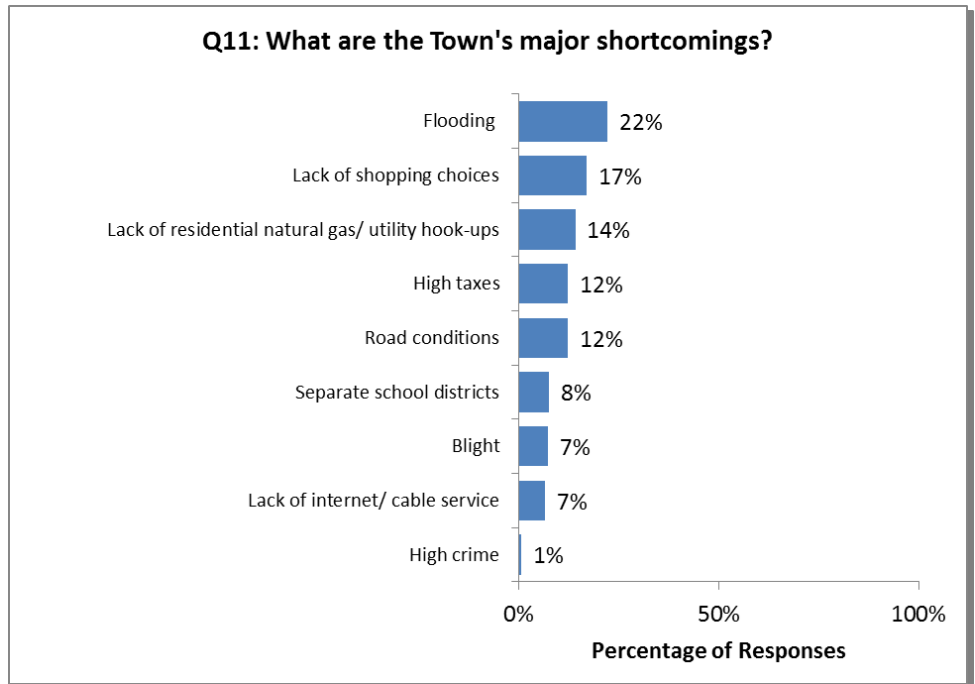
In order to create a comprehensive plan that promotes sustainable growth and development, it is important to identify the major community assets to build upon. Respondents were given a list of twelve different choices and asked to choose up to three which they felt most reflected Kirkwood’s assets. There were some responses where respondents chose none or more than three choices. Based on the percentage of responses, the top three major assets identified were the Town’s proximity to highways (16%), low crime rates (13%) and the Town’s rural character (11%).



The least number of respondents identified the Town’s sense of community as a major asset (3%). The chart shows the percentage of responses for each of the given choices.

8. Town Shortcomings

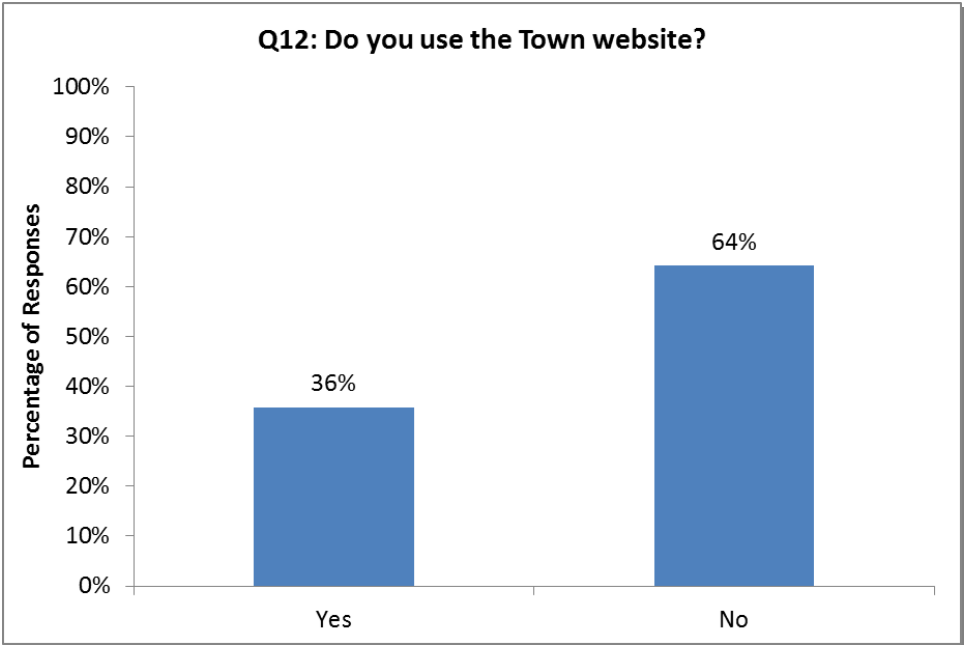
Part of the comprehensive planning process involves identifying existing issues or problems of the community to be addressed in the future. Respondents were given a list of nine choices and asked to select up to three which they feel is a shortcoming of the Town. There were fewer responses for shortcomings compared to community assets. Similarly, there were responses which identified none and others which identified more than three shortcomings. The top three shortcomings identified by respondents were flooding (22%), lack of shopping choices (17%) and lack of residential utility hookups (14%).



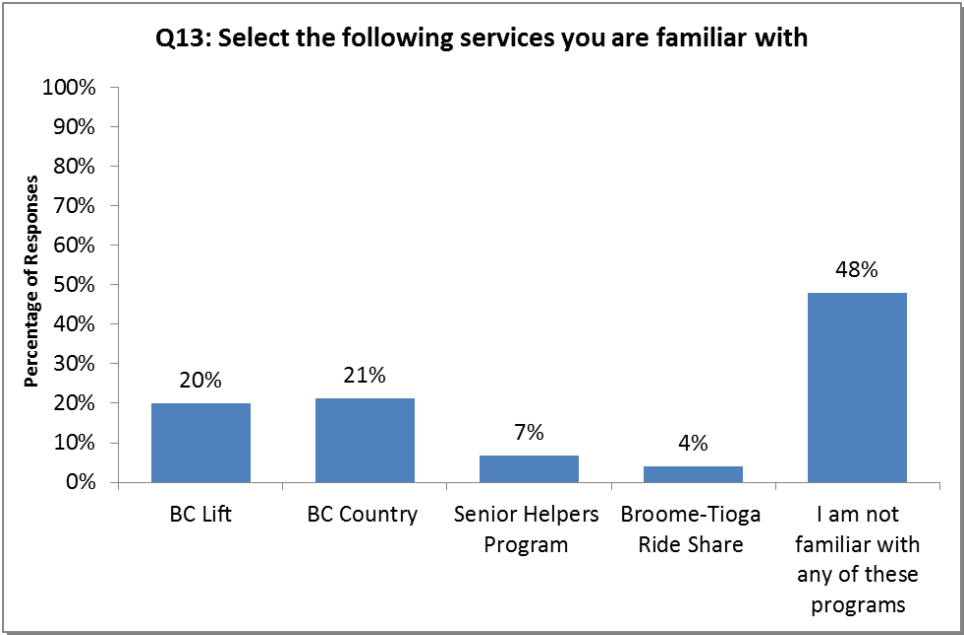
Numerous written comments also addressed the issues of flooding and lack of utility hook-ups throughout the Town. The chart shows the percentage of responses for each choice.

9. Community Resources

In order to evaluate and improve the existing resources available to residents, it is important to understand if they are being utilized. Respondents were asked whether they use the Town of Kirkwood website. A total of 435 people answered this question. Almost two-thirds of respondents indicated they do not use the Town website.



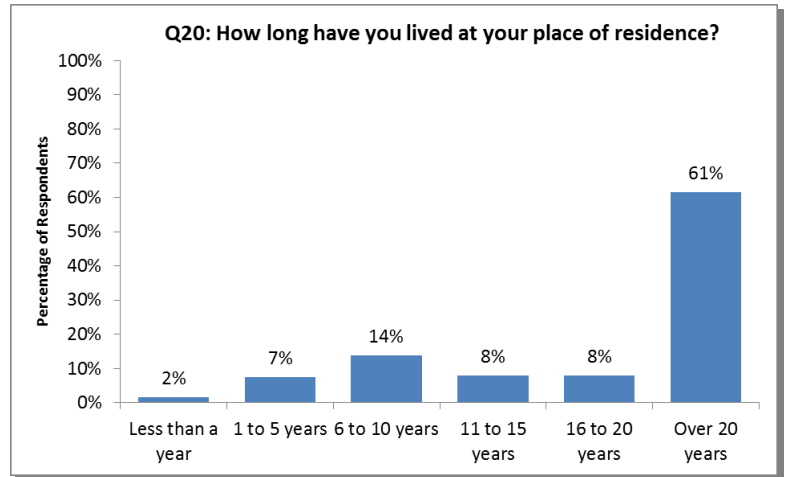
In addition, respondents were asked if they were familiar with four different transportation services available in Broome County. Almost half of the respondents indicated that they are not familiar with any of the programs. The programs which respondents were most familiar with were BC Lift and BC Country. The chart below shows the percentage of responses for each of the programs.



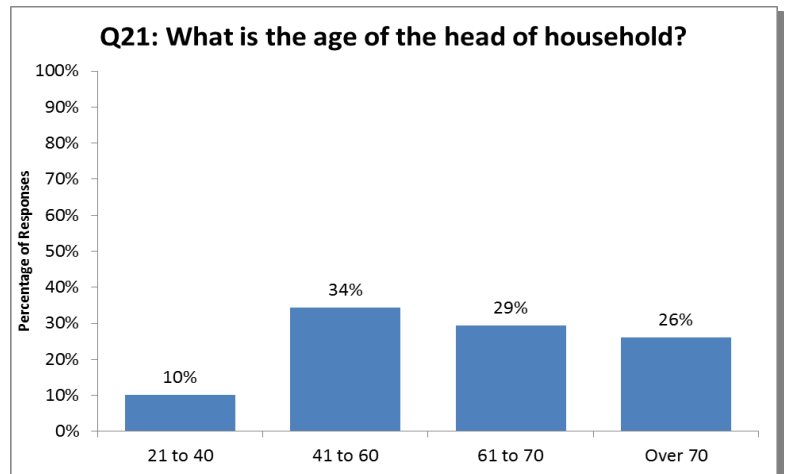
11. Respondent Demographics

The last section of the survey collected information about the respondents' age and household characteristics. This section was only to be completed by Kirkwood residents.

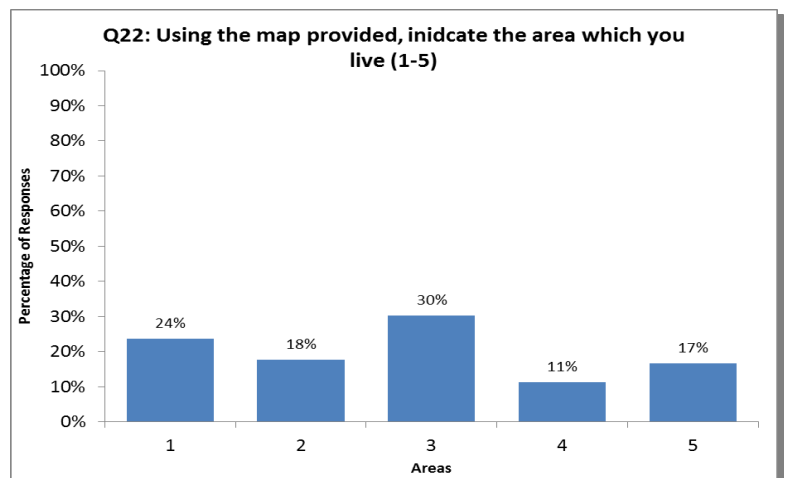
The first question asked respondents how long they have lived at their current place of residence. The majority of respondents are long-time residents; over half of them have lived in their residence for more than twenty years. Residents living in multi-family homes may be underrepresented in the results because surveys were only mailed to property owners. Numerous efforts were made to reach those residents by providing property managers with informational flyers about the survey and posting flyers in public places such as Schneider's Market.



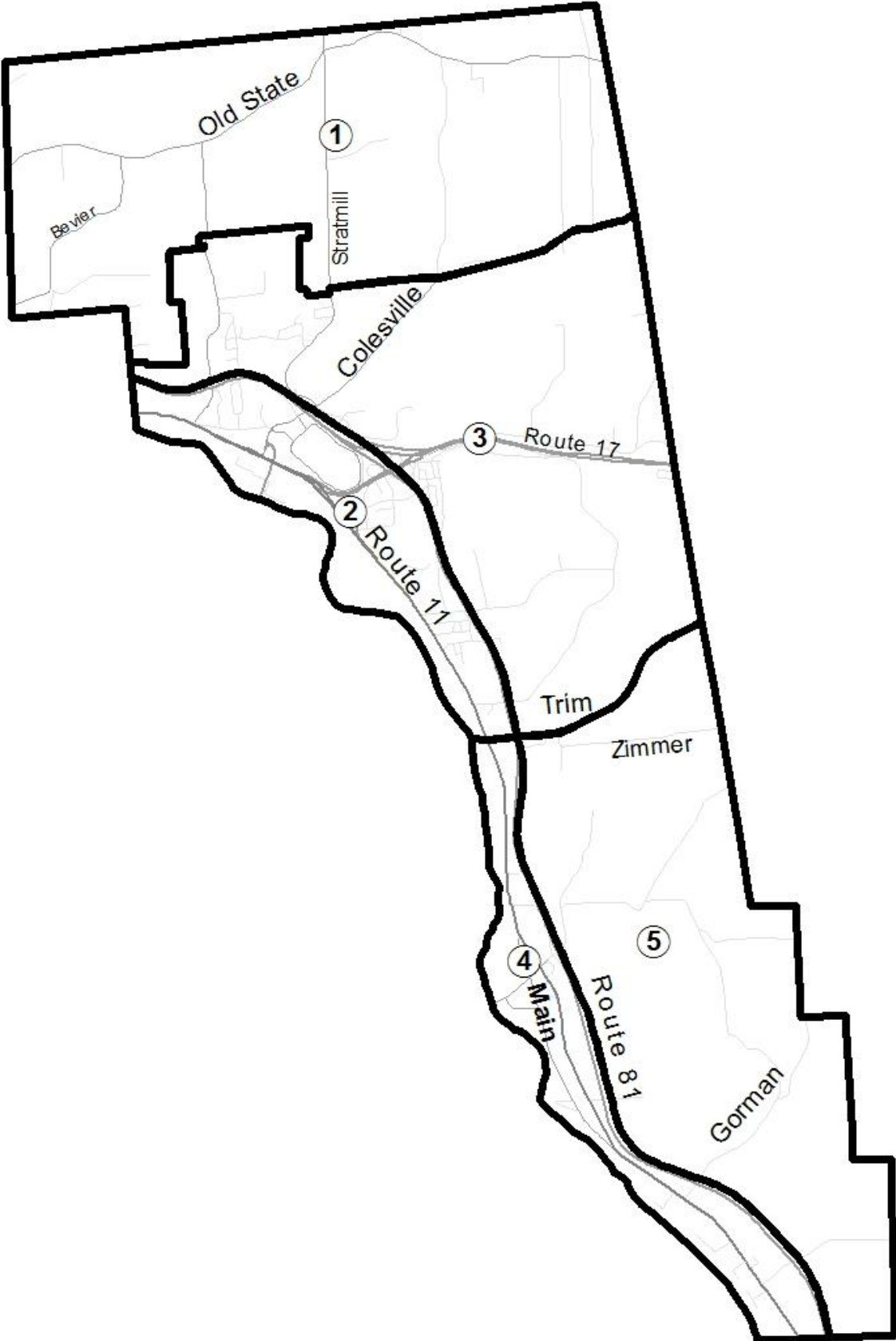
The next question asked about the householder's age. About 90 percent of respondents indicated they were 41 years or older. Of this, over half were 61 years or older. Young adults had the smallest response rate (10%). No respondents which indicated the householder was younger than 20 years of age. The percentage of responses per age group generally correlates with the Census data for the Town, however, the number of responses for people 61 years and over had a slightly higher representation in the survey sample. The chart shows the distribution of responses by age group.



The final question asked respondents to indicate on a map which area they lived. There were five areas created using major roads as boundaries. A map of the boundaries is provided on the following page. The majority of respondents indicated they reside in Area 3, which boundaries include Colesville Road, the Town border with Widnsor, Trim Street and Interstate 81, which contains the hamlets of Langdon and Five Mile Point. The next highest response rate came from residents in northern Kirkwood, living north of Colesville Road. The chart shows the distribution of responses by area.



Map of Kirkwood provided in the public survey:



Public Meetings

The first of two public meetings was held February 25, 2016 at Floyd Bell Elementary School. Residents had an opportunity to review the first draft of the plan to ensure maximum public input. To encourage attendance, a postcard was mailed to Kirkwood property owners and an email was sent to interested survey respondents, which advised them a comprehensive plan was being prepared and they should attend the public meeting to share their input. There were about 50 people in attendance at this meeting.

At this meeting the members of the Broome County Department of Planning conducted a Strengths-Weaknesses-Opportunities-Threats (SWOT) exercise with town residents. The residents identified strengths and weaknesses of the town, which are internal attributes that may help or interfere with the Town's prosperity. Then they were asked to identify the opportunities and threats which are external factors that the Town should embrace or mitigate, respectfully. The results of the SWOT exercise are as follows:

STRENGTHS

- All Aspects of the Town Government
- Strong Tax Base
- Public Utilities
- Good Town Parks
- Fire Departments
- State Police Barracks
- Free Youth Activities
- Good Schools
- Support for Senior Citizens; Housing, Senior Community Group
- The People; Kirkwood is a place that is run and owned by its people
- Proximity to Highways; Good for economic development
- Road Maintenance
- Post Office
- Rural Community Atmosphere

WEAKNESSES

- Town cannot keep a doctor here
- River Flooding
- Lack of Senior Housing; Income limits are too low for many residents
- Noise from I-81, Route 11 and Five Mile Point Race Track
- No Municipal Trash Pick-up; by contract only
- No bulk trash pick-up; Residents must take items to Town dump
- Zoning; Appearance of Upper Court Street Corridor is difficult to improve because many businesses are grandfathered in
- Road Maintenance
- Litter on Roads; Litter pick-up not done regularly
- Not enough small businesses, shops, restaurants, etc.
- Limited shopping; no Lowes or Home Depot
- Town is not business-friendly, there are too many hoops to jump through to start a business here
- Schools are fragmented into four school districts
- Youth programs suffer because kids want to join clubs with their schoolmates
No common core or sense of community
- Two-thirds of the Town lacks access to public utilities
- Influx of traffic on Route 11 from 6:00 AM – 9:30 AM
Many vehicles often speed, making it dangerous for children at bus stops
- Lack of recreational activities and sports leagues for adults
- Fluxing home values
Home assessments are not up to date
- Lack of communication of what events and activities go on in the Town

OPPORTUNITIES

- Senior/ Boy Scouts Highway Clean-up
- Mail list of events to residents
- New assessment of homes
- Provide senior housing for moderate income individuals
- Volunteer Ambulance Station in the Town
- Senior Center
- Youth Center
- Take advantage of River; Boat launch, walking trails/ nature paths
- Small Dog Park
- Attractions for Young Adults
- Health Center; Urgent care, Walk-In Service
- Health Club/ Gym
- Drug Store
- More activities/ events at River Park, similar to what they have at Otsiningo Park (5k, farmers market, music)
- Youth Parks Activities such as skate/bike park (look into liabilities)
- Better concession stand at youth activities
- Hold a farmer's market at the Parks
- Create better access to River Park; Decrease congestion on Main Street during popular events
- Utilize Cedarhurst for sports center or youth center
- Grange Hall Road Park is underused; create a Dog Park or host music and events there
- Identify group to help carry-out the ideas and goals of the Town

OTHER THOUGHTS

- Kirkwood needs to find a way to appeal to a younger generation
- Boat launch coming to Riverside with assistance of the DEC
- How can we get the community involved to help support and promote ideas and goals
- Why is the URI not being distributed to all towns?
- DOT will consider noise barriers on highways in the future
- Kirkwood is a great place to live, but there is no cohesiveness
- There is no incentive to improve blight, once improvements are made property owners are penalized with higher taxes

THREATS

- New York State Government
- Requirements and restrictions are too stringent
- Drug trafficking
- No population growth
- Potentially high costs associated with implementing ideas and goals
- Geographic landscape creates physical barriers; railroad, Route 11/ Interstate 81, hillside
- In order to keep taxes low, Town must reduce costs and services
- Fiscal constraints keep the Town from carrying-out ideas
- Solicitors looking for food and money
- Flooding has emotional and costly toll on community
- Solutions for many problems within the Town are outside of Kirkwood's domain; No support of county, state or federal government
- County maintenance of Trim Street; Changed water flow which created new water runoff problems for residents
- Frack is "in the air"; Some people believe there are many economic opportunities associated with it, while others argue there are many negative environmental impacts especially to water quality, similar to issues there are having in other parts of the country
- Natural gas extension to other parts of the Town is slow
The process of acquiring easements causes delays

Second Public Meeting

On August 23, 2016 the Comprehensive Plan Committee and the Broome County Department of Planning held a second public meeting at Floyd L. Bell Elementary School. At the meeting, the Broome County Planning Department provided an overview of the comprehensive planning process and explained the recommendations to the audience. The purpose of this meeting was to provide an opportunity for the public to review the second draft of the comprehensive plan and allow for an open discussion about the proposed recommendations. Town of Kirkwood property owners were mailed postcards and flyers were displayed at the Town Fair and local businesses to increase awareness and interest in the meeting. Approximately 50 people were in attendance and number comments were received. The comments from the second public meeting are summarized in the Appendix Chapter.



Recommendations

Recommendations

In preparing this plan update, the Town of Kirkwood Comprehensive Plan Committee assembled historic and current community information, including population, age, household size and type, income, occupation, industry, housing condition, transportation infrastructure, utilities, public facilities, environmental resources, land use, agriculture and existing ordinances. The Comprehensive Plan Committee consulted with various authorities such as the Broome County Department of Planning and Economic Development and the Binghamton Metropolitan Transportation Study. This work was augmented by a survey of residents and two public hearings. Based on this extensive work, the Comprehensive Plan Committee has established the following goals and specific action items are identified for Kirkwood:

Fiscal Constraint

On the comprehensive plan survey, the number one concern raised by town residents was ‘Increasing Taxes’. A total of 74% of respondents listed this as a ‘Major Concern’ and 22% called it a ‘Minor Concern’. Only 4% of respondents did not find Increasing Taxes to be a concern. The Town should investigate cost-sharing opportunities with the County and with neighboring communities. As appropriate, the Town should pursue State grant funds for feasibility studies and implementation projects for municipal restructuring efforts.

Court Street Corridor

Upper Court Street is a significant travel corridor in the Town, and is the major entry-point into the community. Many travelers form their first impressions of Kirkwood and the region while driving the Court Street Corridor. Current conditions in the corridor do not reflect positively on the Town or the region. The recommendations for the Court Street Corridor are as follows:

Intensify Code Enforcement

Opportunities exist to correct some of the unsightly conditions of Upper Court Street through more aggressive code enforcement. These include:

- Address the encroachment of development within the New York State right of way
- Eliminate the use of temporary concrete construction barriers as permanent fencing and screening
- Improve the function and appearance of parking lots by citing property owners when their sidewalks, driveways and parking spaces are not in a “proper state of repair, and maintained free from hazardous conditions” (Section 302.3 of the Property Maintenance Code)
- Reduce visual clutter by more strictly regulating signage within the corridor

Practice Better Access Management

Access management is a traffic engineering technique used to regulate intersections and driveways to improve roadway safety by reducing vehicle, pedestrian, and bike conflicts, increasing driver sight distances and increasing the time drivers have to make decisions. Access management can also improve traffic flows and make the roadway function more efficiently. For the Court Street Corridor, better Access Management would mean:

- Reduce the total number of curb cuts
- Require defined curb cuts
- Encourage shared access by neighboring commercial properties during site plan review

BMTS, the metropolitan planning organization for this region, has agreed to prepare a **Town of Kirkwood NYS Rt. 11 Corridor Study** for the upper Court Street area from the City of Binghamton border to Colesville Road. The study will examine access management, right of way encroachment, bicycle and pedestrian improvements and aesthetic improvements for the area. The Town should collaborate with BMTS on this study, and give serious consideration to implementing its recommendations.

Complete Streets and Connectivity

Related to the concept of Access Management is Complete Streets and Connectivity. Complete Streets are designed and maintained to enable safe access for all users, including pedestrians, bicyclists, motorists and transit riders of all ages and abilities.

Currently Upper Court Street is not walkable due to the lack of sidewalks and the numerous, wide curb cuts and is not easily traveled by bicycle because it lacks bike lanes. However, there is an opportunity to make low cost improvements to the Court Street Corridor to improve its walkability and bike usage while enhancing its appearance. And residents desire improvements to the bike and pedestrian travel. A total of 49% of respondents to the survey feel that 'Including pedestrian and bicycle amenities such as convenient sidewalks, benches and bike racks' as part of development projects as 'Important' or 'Very Important'. Recommendations to improve connectivity are as follows:

- Recognize bicycling and walking as forms of transportation as well as recreation
- Attend Complete Streets training for local decision makers
- Adopt a Complete Streets policy for the Town
- Require bike and pedestrian amenities during site plan review

Kirkwood Industrial Park

For the past 50 years, the Kirkwood Industrial Park has served the community as an economic engine. But industrial and corporate parks have changed dramatically over the decades, and the Kirkwood Industrial Park needs to keep pace in order to remain competitive. Firms today want collaboration spaces, urban activities, cool outdoor spaces and sculpture, and more vibrant spaces, including restaurants, cafes, retail, residential, and health fitness centers. In order to attract new businesses and retain existing companies in the Industrial Park, the Town should undertake the following recommendations:

- Reimagine the Industrial Park as a densely developed, campus-like setting which is attractive to modern businesses.
- Amend the industrial park zoning to include hotels, restaurants mobile food trucks, day care, and recreational facilities.
- Increase maximum density and maximum height regulations to accommodate current industry requirements. Regulations should allow warehouse and manufacturing buildings to expand to heights to accommodate taller racking and new equipment and machinery to operate efficiently.
- Omit lobby, atrium, and similar amenities from the building floor area calculations for determining parking requirements.
- Develop minimum design standards for buildings and sites, including landscaping in parking lots, encouraging attractive building materials, color, and architecture.
- Amend the off-street parking requirements to allow flexibility, shared parking, and less restrictive parking requirements consistent with modern industrial park standards, and include bicycle amenities, compact parking spaces, and vanpool parking, and address lighting, pavement surfacing, and landscaping, and sites served by public transit, and hybrid vehicles.
- Develop sign regulations to accommodate industrial park development allowing off-premise non-residential entry signs in common areas for unified development complexes with individual business signs included within the common signage plan for the development. Develop standards for common way-finding signage addressing location, materials and illumination, size, fonts, and colors to create a unified theme.
- Establish 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.
- Work with The Agency to attract and retain business in the Industrial Park.

More information is in Chapter 9: Our Laws

Flooding and Stormwater Management

A potential repeat of the record floods of 2006 and 2011 continues to be a concern to residents of Kirkwood. The top shortcoming identified by survey respondents was flooding (22%), and nearly 2/3rds of survey respondents felt 'Potential Future Flooding' was a 'Major Concern'. In addition, 68% thought that requiring the use of green infrastructure/stormwater management was 'Very Important' (31%) or 'Important' (37%) when reviewing development proposals. At the first public hearing, 'River Flooding' was one of the first 'Weaknesses' listed by attendees. At the hearing, attendees were concerned about the "emotional and costly toll on community" that flooding has taken on the community.

The Town of Kirkwood has been methodically working to mitigate flood risk. Actions taken by the Town include:

- Acquisition and demolition of 19 flood-prone properties through the FEMA 'buyout' process. This program has two benefits. First, buyout properties will no longer be subject to impacts from future floods. Buyouts are the only form of permanent flood protection. Less well known is that demolition of projects in the floodplain gives future floods more room to expand, which lessens the impact to remaining structures.
- Elevation of five homes above the base flood level. This protects these five homes from adverse impacts of future floods.
- Replacement of culverts and bank stabilization on Foley Road, Riverview, and Veterans River Park.
- Upgrade of twin culverts on Barlow Road for higher peak storm flow.

Other projects have been proposed and assessed, but they have not pursued due to a lack of funds. To make Kirkwood a more resilient community, the Town should:

- Encourage best management practices for reduction of impervious surfaces and development of green infrastructure.
- Continue to pursue funding for the mitigation projects outlined in the town's section of the countywide Hazard Mitigation Plan. Examples include relocating critical facilities out of flood prone areas and elevating key equipment such as generators to protect against flood damage
- Continue to pursue FEMA-funded properties for buyouts. Buyouts should be focused on areas such as Geiger Lane and Kirkwood Gardens, where additional buyouts could remove entire neighborhoods from harm's way.
- Direct private and public investment away from flood prone areas by using the best available data to make land use decisions, instead of relying solely on the existing Flood Insurance Rate Maps (FIRMs). By using www.bcgis.com to examine the flood inundation areas from 2006 and 2011 floods and the *preliminary* FEMA floodplain boundaries when reviewing development proposals, the Town can make more effective decisions about potential projects.
- Educate property owners, residents, and businesses about flood risks, flood insurance, and hazard mitigation planning through the town newsletter, town website, and at Town Hall. Informed property owners will make better decisions regarding flood risk.
- Broome County Planning and Woidt Engineering, in close collaboration with local officials, recently completed *Broome County Watershed Flood Hazard Mitigation Study*. This study assessed the true risks and impacts associated with all forms of flooding: riverine, flash floods, ice jams, debris jams, and erosion hazard. The result was a series of conceptual designs for the most heavily impacted watersheds. The study has another important outcome: it provides a framework for assessing the effectiveness of proposed mitigation projects. The Town engineer should use the methodology outlined in the *Broome*

County Watershed Flood Hazard Mitigation Study to evaluate the effectiveness of potential flood mitigation projects

- The Army Corps of Engineers and the New York State Department of Environmental Conservation have for many years promised to prepare the *Upper Susquehanna River Basin Comprehensive Flood Risk Management Study*. The study would be a “systems-based approach to identify appropriate federal and non-federal problem areas and investments to reduce future flood damages and save lives.” (*Army Corps Fact Sheet Dated 2/1/2015*) The first phase of this study, known as a Section 905(b) reconnaissance report, was completed in 2010, but the project has stalled since then. The town should continue to advocate at the State and Federal Level for the Army Corps of Engineers to complete the *Upper Susquehanna River Basin Comprehensive Flood Risk Management Study*.
- The Association of State Floodplain Managers (ASFPM) operates a nationwide program to certify floodplain managers. The certification program begins with a test that covers knowledge of flood studies and maps, National Flood Insurance Program rules and regulations, ordinance administration, flood insurance, hazard mitigation and more. Floodplain managers who pass the test then keep their certification valid by attending annual trainings. Having a Certified Floodplain Manager on staff ensures that highly qualified individuals are administering the town’s floodplain ordinance. The Town should strive to have their floodplain administrator become a Certified Floodplain Manager and maintain that certification. More information about the program is online at www.floods.org
- Remain engaged with the *Broome County Flood Task Force* to stay informed about flood insurance, flood maps, studies, grant programs and potential mitigation projects.



**BROOME COUNTY
FLOOD TASK FORCE**

Solar and Wind Energy

Alternative energy sources are an abundant, renewable, and nonpolluting energy resource. Solar and wind production facilities are increasingly part of the local landscape. In fact, large numbers of Town residents want to see more solar and wind power development in Kirkwood. On the comprehensive plan survey, we asked ‘What type of land use changes would you like to see in Kirkwood?’ Solar (74%) and wind power (69%) were two of the top three choices that residents wanted to see more of in Kirkwood. Both forms of energy, however, bring with them potential adverse impacts. Recommendations for solar and wind energy are as follows:

- The Town Board should adopt local laws regulating solar and wind energy sources so that these facilities may be developed in a manner compatible with the general health, safety and welfare of the residents of the Town. Such local laws would govern the height, size, location, and other features of alternative energy sources.
- Prepare definitions for solar and wind energy based on the amount of energy generated, size and location of the system, whether the energy is used on-site (accessory use) or off-site (primary use), and other relevant factors.
- Review and modify the zoning ordinance and other relevant regulations as necessary to remove barriers to the use of small-scale solar energy systems.
- Review and modify zoning and subdivision regulations as necessary to encourage as many new building lots as possible are laid out to offer maximum solar orientation.

Services and Housing for the Elderly

The Town is aging. The over 75 age group has increased by nearly one-third from 2000 to 2010. The median age has gone up 3.3 years between 2000 (median age 39.2) and 2010 (median age 42.5). In 2000, the largest age group in Kirkwood was the between 35 and 44. By 2010, the Town's largest age group was the 45 to 54 year olds, accounting for 16 percent of the population. As this group ages, it will require increasing services for the elderly and changes to the housing stock to accommodate decreased mobility. The following recommendations address the needs of the aging population:

Approximately 15 percent of homes in the Town were built before 1939, which indicates they may have obsolete features and are lacking in basic safety measures. Although the Town's housing stock is relatively new compared with housing across the county, it still has challenges for an aging population. Older homes tend to have built-in short comings such as lack of handicapped accessibility.

- Encourage Universal Design and "visit-ability" in residential developments. These are design concepts which ensure developments allow all people no matter the age or ability to enter, circulate and enjoy and include common spaces (entrances, bathrooms and hallways) accessible to all regardless of mobility, step-free entrances, doorways wide enough for wheelchairs and other assistance vehicles, bathrooms in accessible locations, and bathroom and household features with adjustable heights designed to accommodate children, disabled, and adults who need to sit while accomplishing tasks.
- Promote services which benefit seniors. According to the comprehensive plan survey, few town residents were aware County programs which are of benefit to Kirkwood seniors. These include the public transit programs BC Country (21% aware) and BC Lift (20% aware) and Office for the Aging program Seniors Helping Seniors (7% aware). In fact, nearly half of town residents (48%) were not familiar with **any** of these programs. The town should promote these programs, as well as Mobility Management of South Central New York's 'Get There' initiative, through the town newsletter, town website, and at Town Hall.

Protecting Farms and Agriculture

When asked how the town should allocate scarce resources, the second highest response was 'Protecting Farms and Agriculture'. Although agriculture makes up just over 4% of acreage of the town (762 acres), many survey respondents see loss of open space as a Major (25%) or Minor (53%) concern.

Preservation and enhancement of farming in the Town holds the potential for many benefits including: providing jobs and support for the local economy, lowering property taxes because farms require fewer community services, providing rural character and scenic landscapes, attracting tourists to New York, protecting water quality and natural resources, and improving floodplain function by preserving of open space. The following are recommendation to protect farms and agriculture:

- Because there is an Agricultural District in Kirkwood, Section 271-11 of the New York State Town Law allows a municipality to reserve a seat on their planning board for a farmer who serves as a representative of agricultural interests. The Town of Kirkwood should take this opportunity to give a direct voice to the farming community on planning matters. The agricultural member would be among the seven (7) Town Planning Board members appointed by the Town Board.

- Work with Cornell Cooperative Extension to establish a Farmers Market in River Park to provide a direct retail outlet for agricultural products and raise the visibility of local farmers.

Increasing Recreation and Cultural Activities

Recreation, culture, and community connections are important social aspects of the quality of life. Only 3% of respondents to the survey thought that Kirkwood's sense of community was an asset of the Town. This shows there is an opportunity to increase the sense of belonging in the Town.

- The Town should promote and utilize www.facebook.com/KirkwoodHappenings and other social media outlets to inform residents about activities in Kirkwood.
- Town of Kirkwood should consider participation in the Susquehanna Heritage Area programs which promote the historical, cultural and natural resources of Broome County through heritage tourism such as the annual New York State Path Through History Weekend and through technical assistance. The Town Supervisor may appoint representatives. Kirkwood Schoolhouse No. 2 may benefit from funding and programs of the Susquehanna Heritage Area.
- Work with the Department of Environmental Conservation to identify additional locations for boat launches and fishing access.

Improving Our Laws

A town's zoning ordinance and related laws help shape the appearance of the community, guide development, and protect the health and safety of residents and visitors. Having up to date laws protect the town against lawsuits and ensure that best practices are followed by developers. The laws which govern land use, property maintenance, and development are fully reviewed in Chapter 9. The Town should give careful consideration to the amendments, corrections, and additions recommended in Chapter 9. The key findings are as follows:

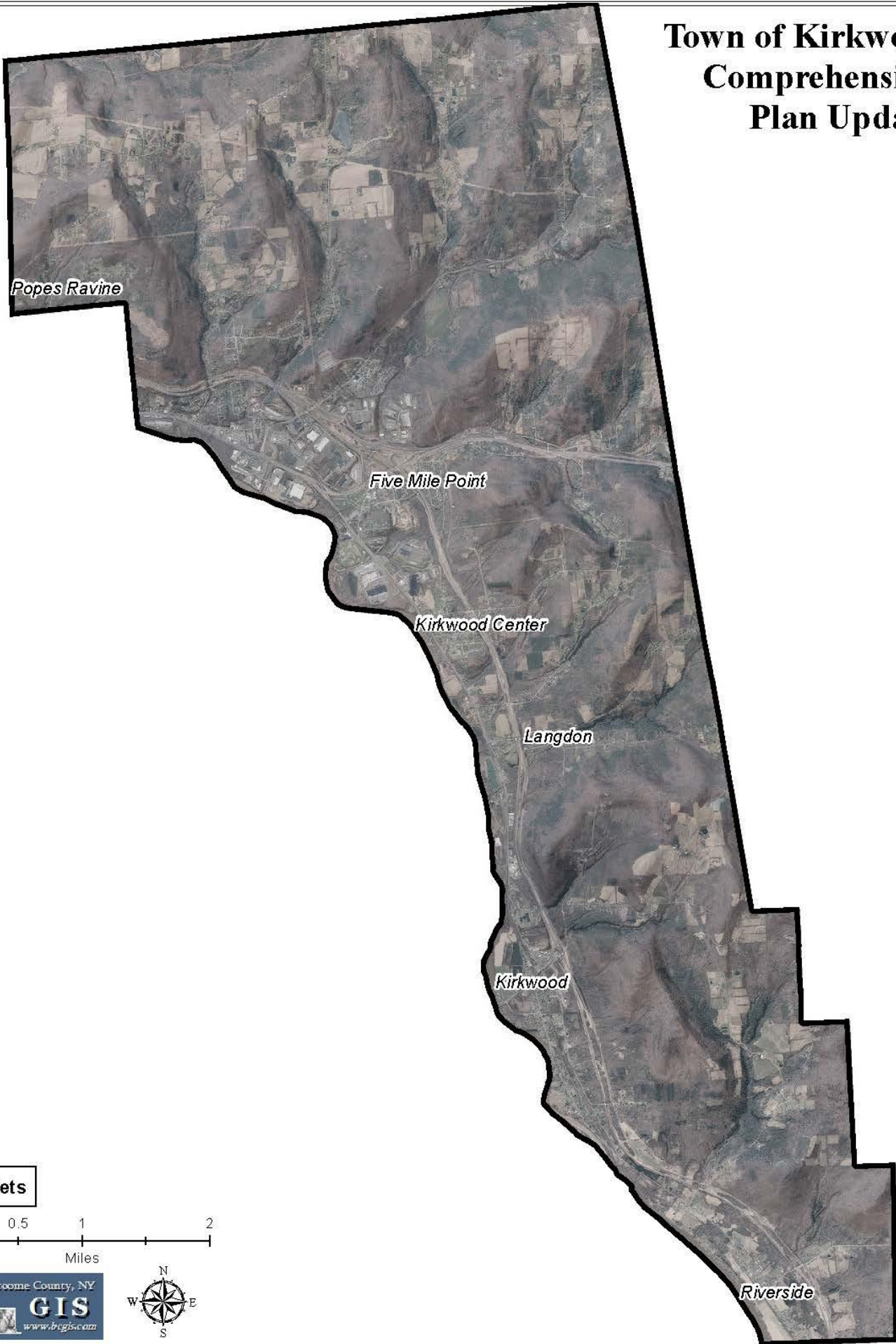
- Definitions for Family, Dwelling, Agriculture and more should be updated to reflect changes in State law and to provide greater clarity for property owners.
- There are currently 21 zoning districts in Kirkwood. The Town should consider reducing the total number of zoning districts to a more manageable number.
- Reduce the reliance on Planned Unit Developments and remove obsolete PUD districts from regulations.
- To address the needs of the aging population, the Town should consider amending the allowed uses to include group homes for the elderly, elder cottages, and day care centers for adults.
- Strengthen regulations related to outdoor storage, screening, landscaping, property maintenance, outdoor vehicle and equipment repair, and more to improve the appearance of the commercial and industrial areas of Kirkwood.
- Amend off-street parking requirements to encourage flexibility, shared parking, and less restrictive parking requirements.

Maintain the Plan

To be effective, a comprehensive plan must remain current. As conditions change and new information becomes available, the plan should be reviewed to ensure that it remains accurate and relevant to the needs of Kirkwood residents. To keep the plan current, the comprehensive plan should be reviewed, and amended as necessary, no later than five years after its adoption and every five years thereafter.

Appendix

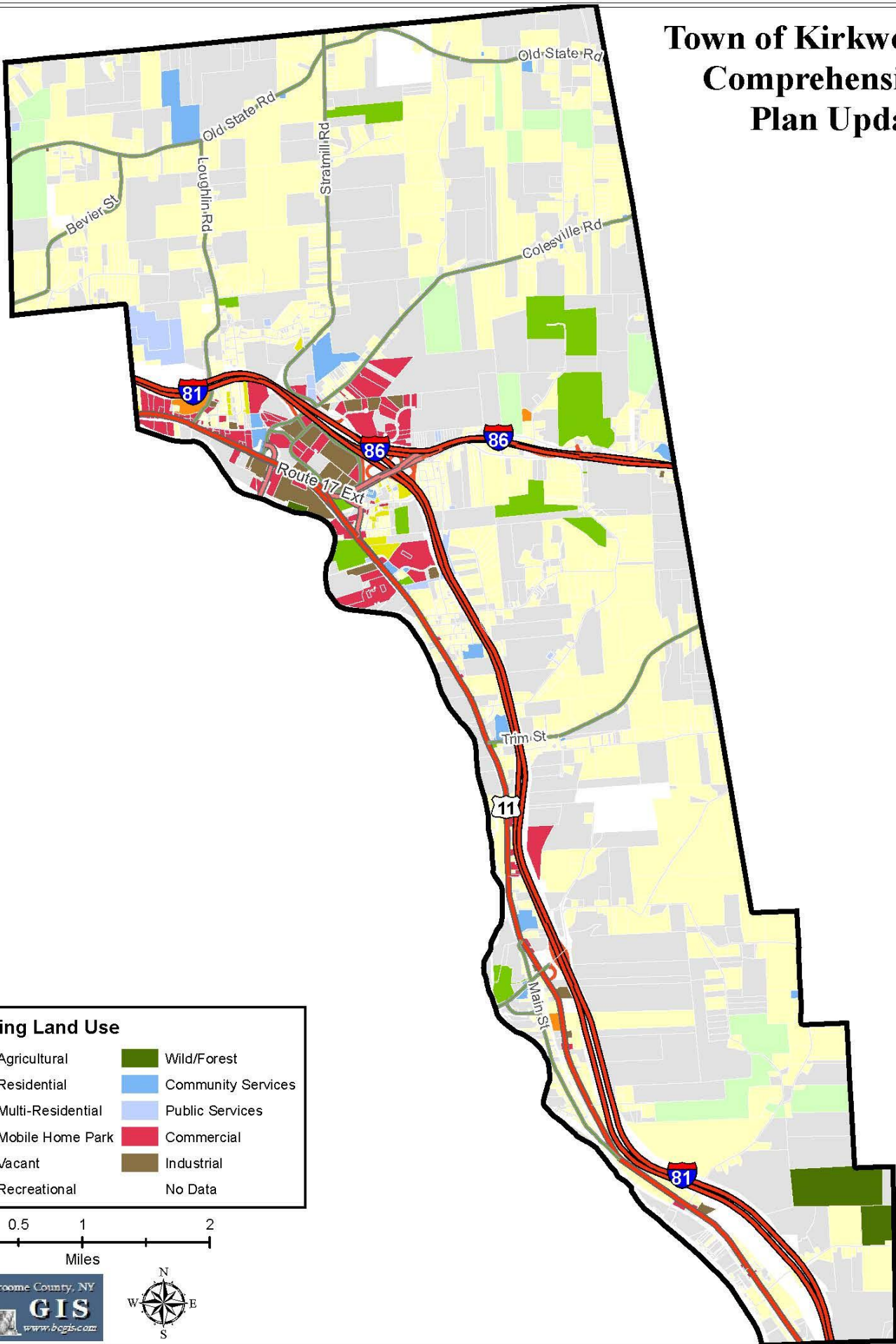
Town of Kirkwood Comprehensive Plan Update



Hamlets



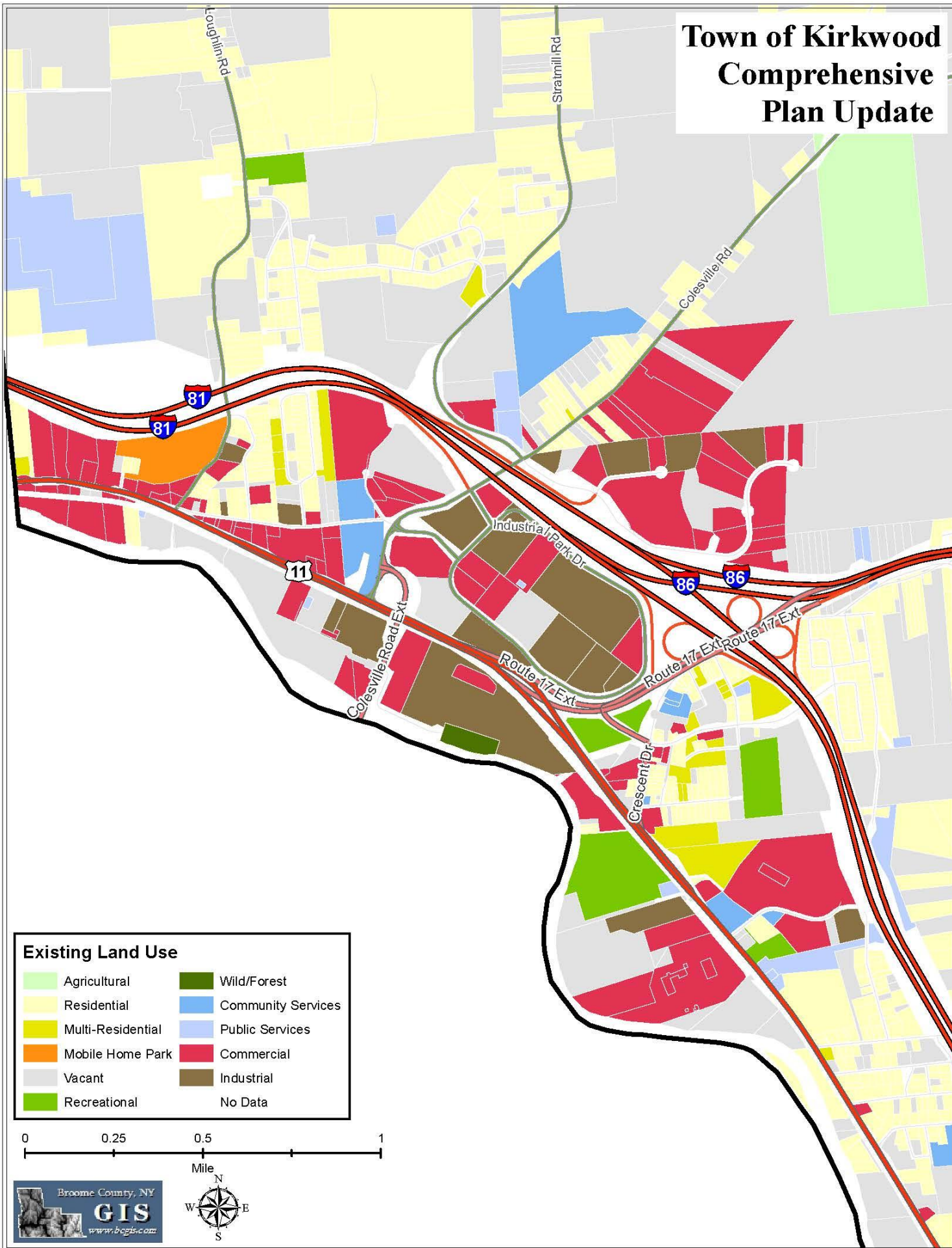
Town of Kirkwood Comprehensive Plan Update



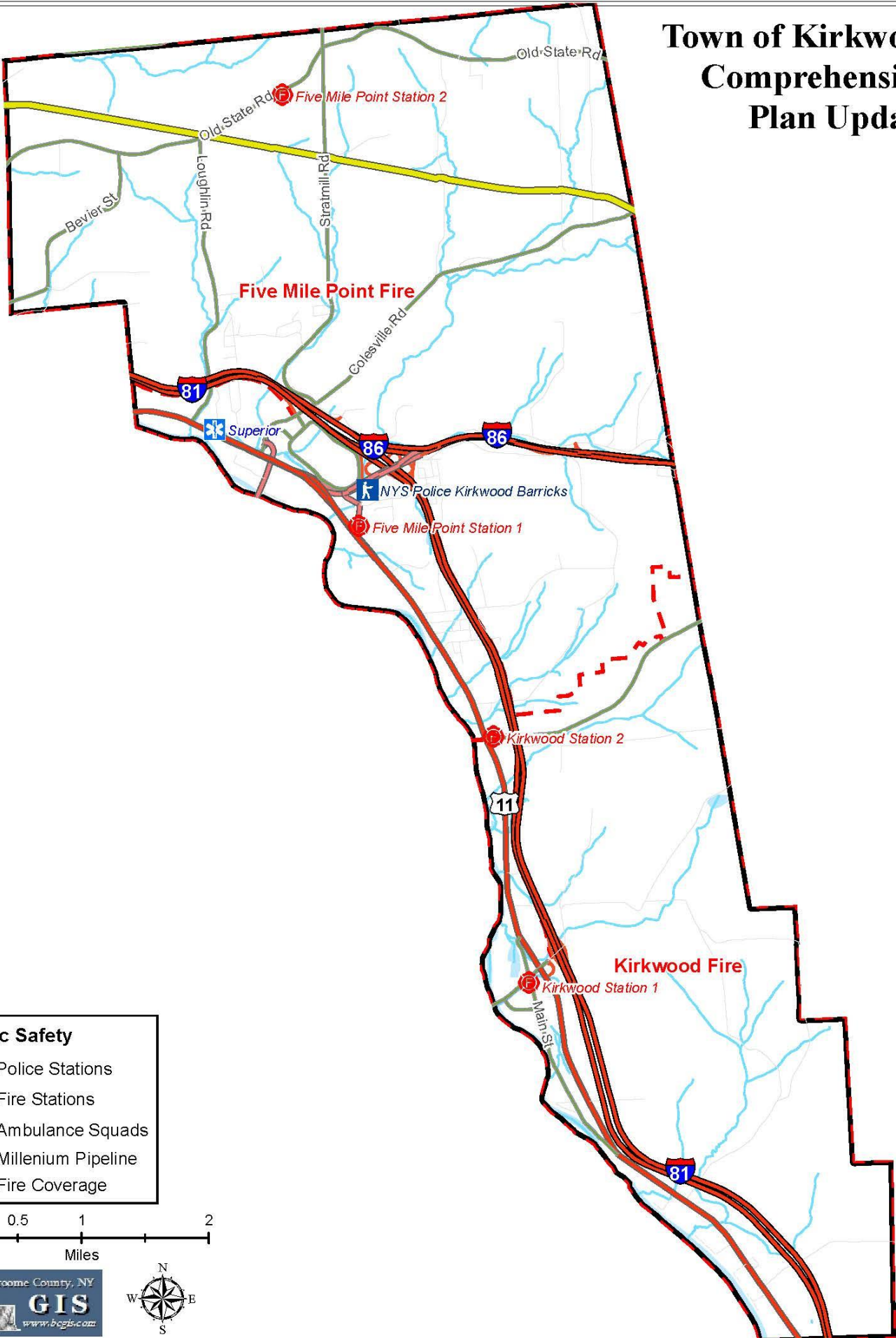
Agricultural	Wild/Forest
Residential	Community Services
Multi-Residential	Public Services
Mobile Home Park	Commercial
Vacant	Industrial
Recreational	No Data



Town of Kirkwood Comprehensive Plan Update



Town of Kirkwood Comprehensive Plan Update

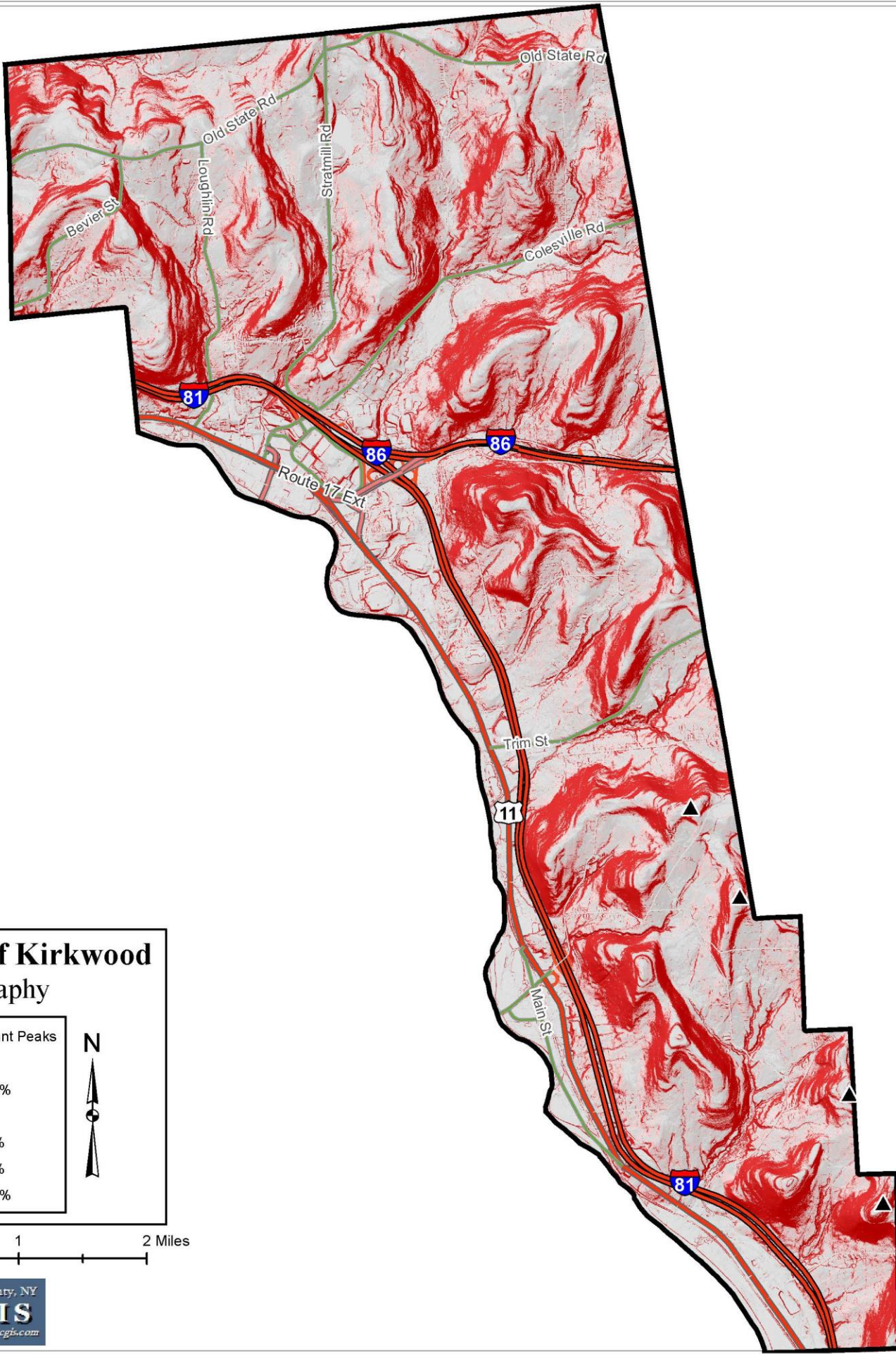


Public Safety

- Police Stations
- Fire Stations
- Ambulance Squads
- Millenium Pipeline
- Fire Coverage



Broome County, NY
GIS
www.bcgis.com



Town of Kirkwood Topography

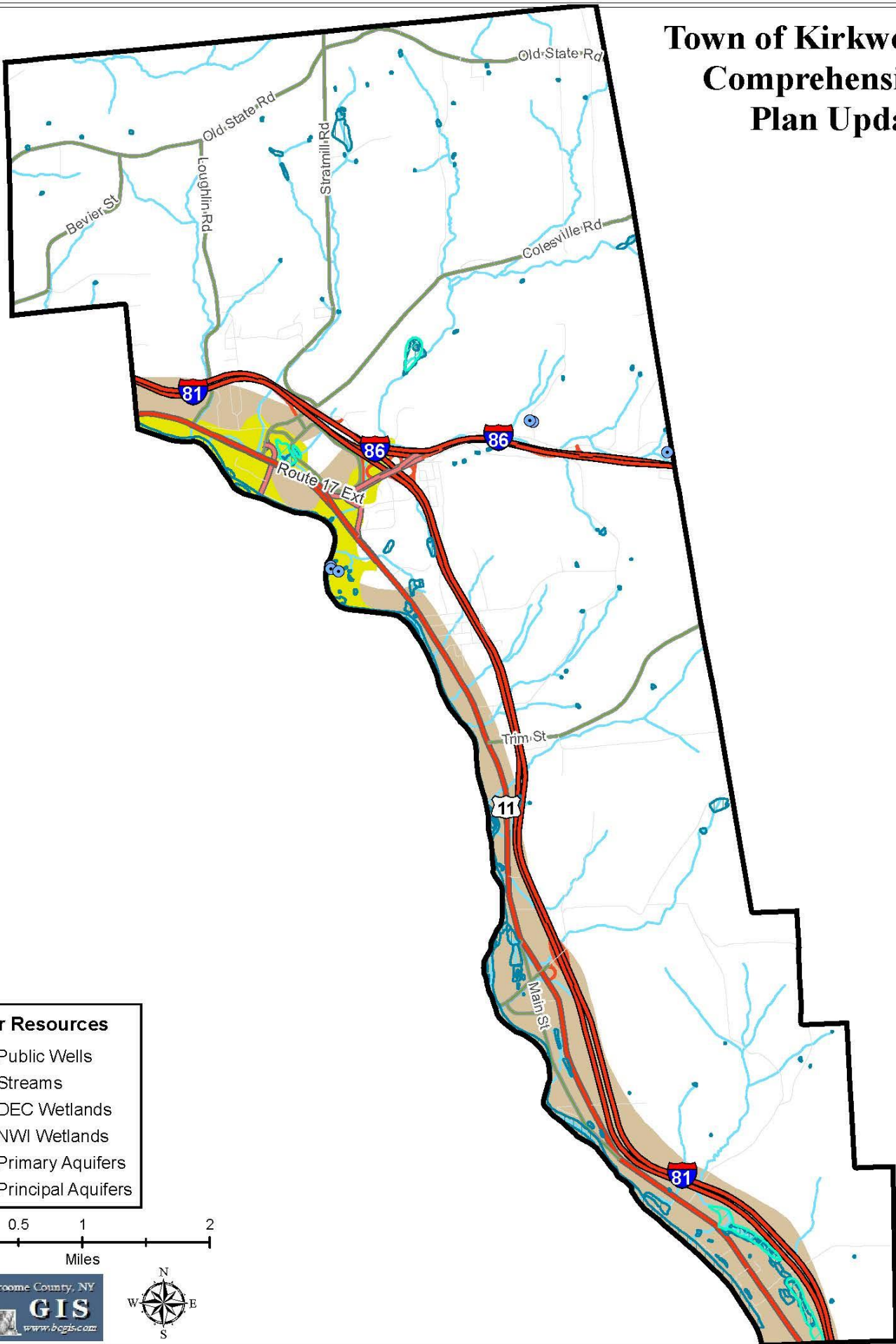
▲ Significant Peaks

Slope

- Under 5%
- 5 - 10%
- 10 - 15%
- 15 - 20%
- Over 20%



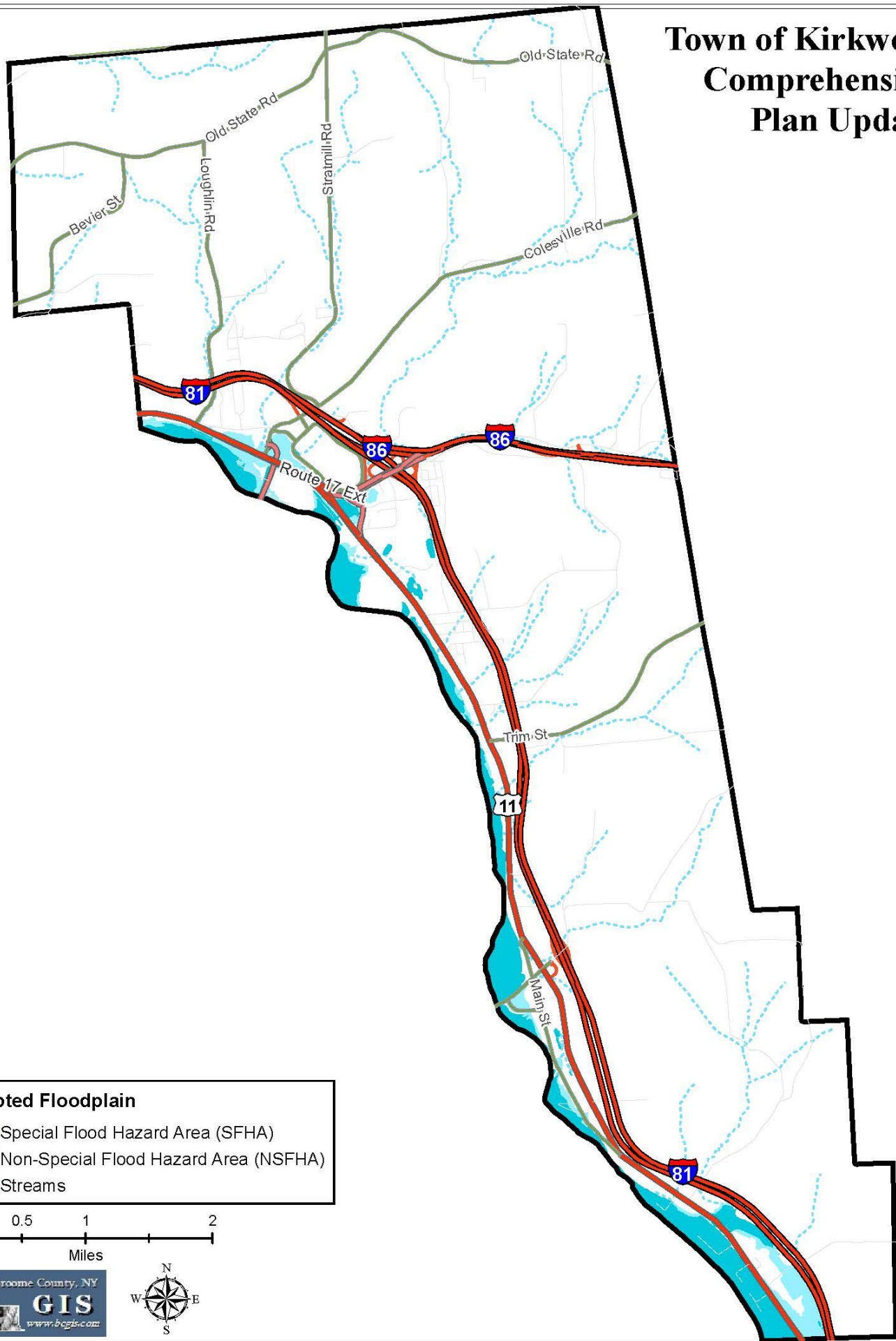
Town of Kirkwood Comprehensive Plan Update



- Water Resources**
- Public Wells
 - Streams
 - DEC Wetlands
 - NWI Wetlands
 - Primary Aquifers
 - Principal Aquifers



Town of Kirkwood Comprehensive Plan Update

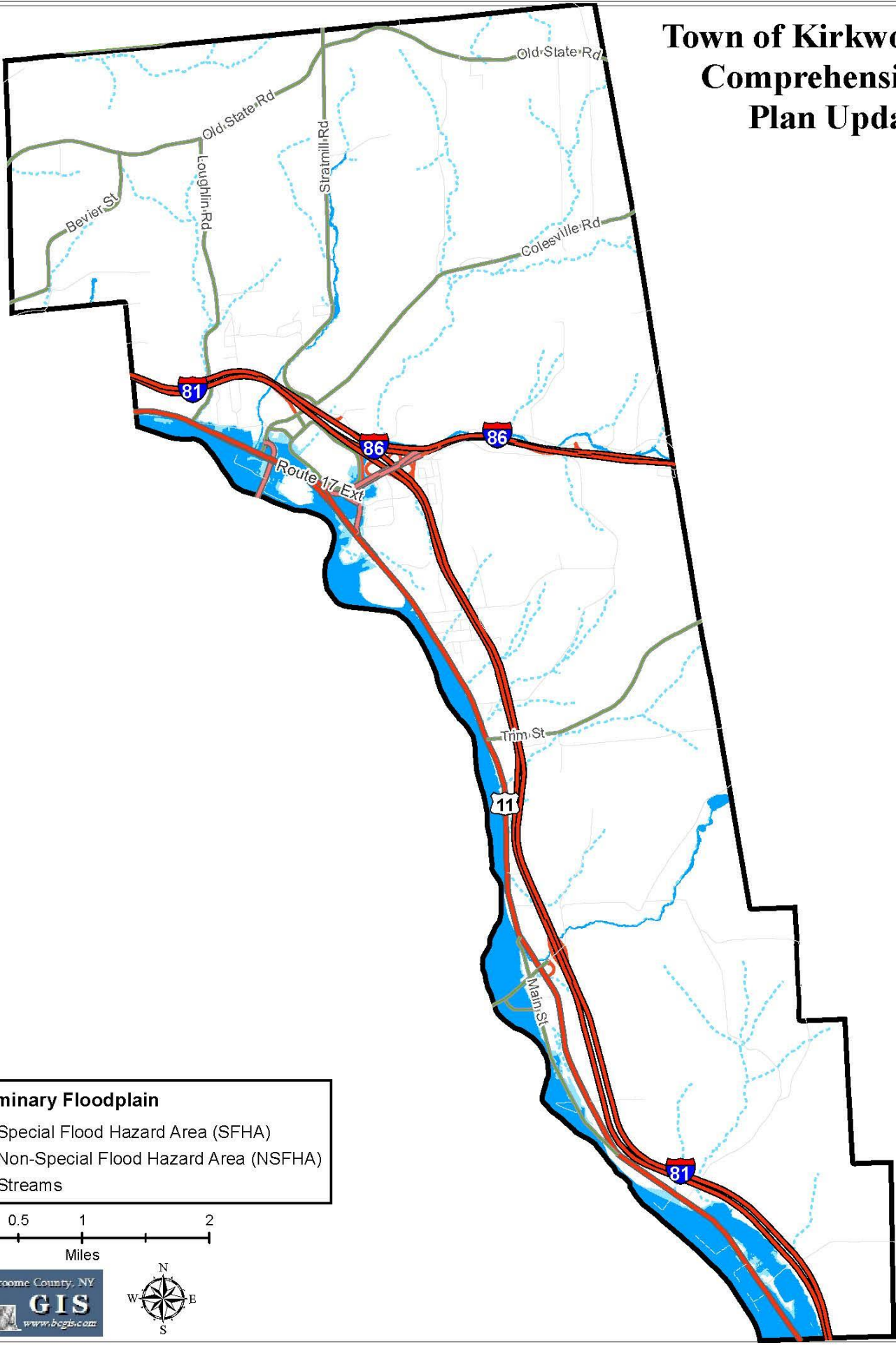


Adopted Floodplain

- Special Flood Hazard Area (SFHA)
- Non-Special Flood Hazard Area (NSFHA)
- Streams



Town of Kirkwood Comprehensive Plan Update



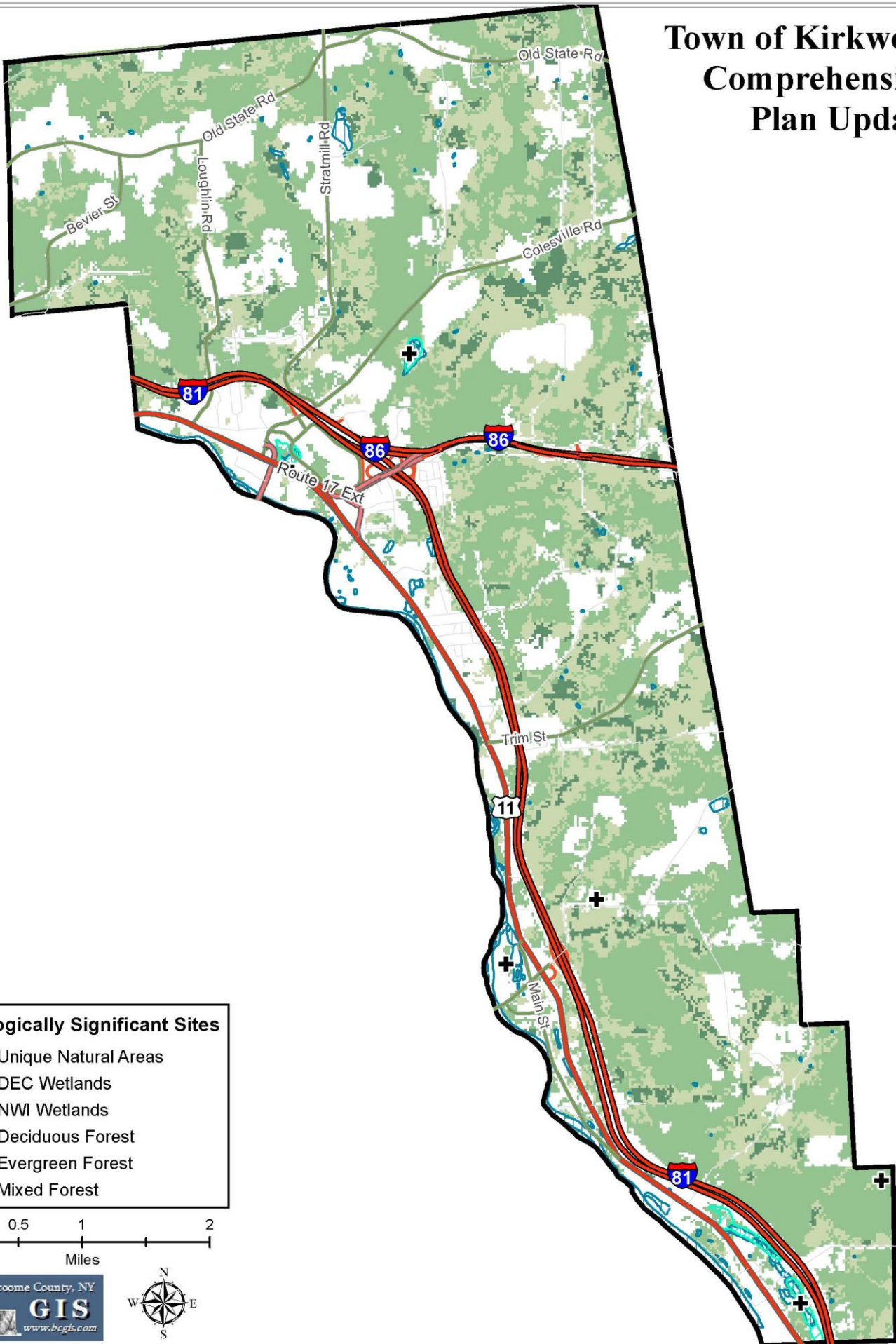
Preliminary Floodplain

- Special Flood Hazard Area (SFHA)
- Non-Special Flood Hazard Area (NSFHA)
- Streams



Broome County, NY
GIS
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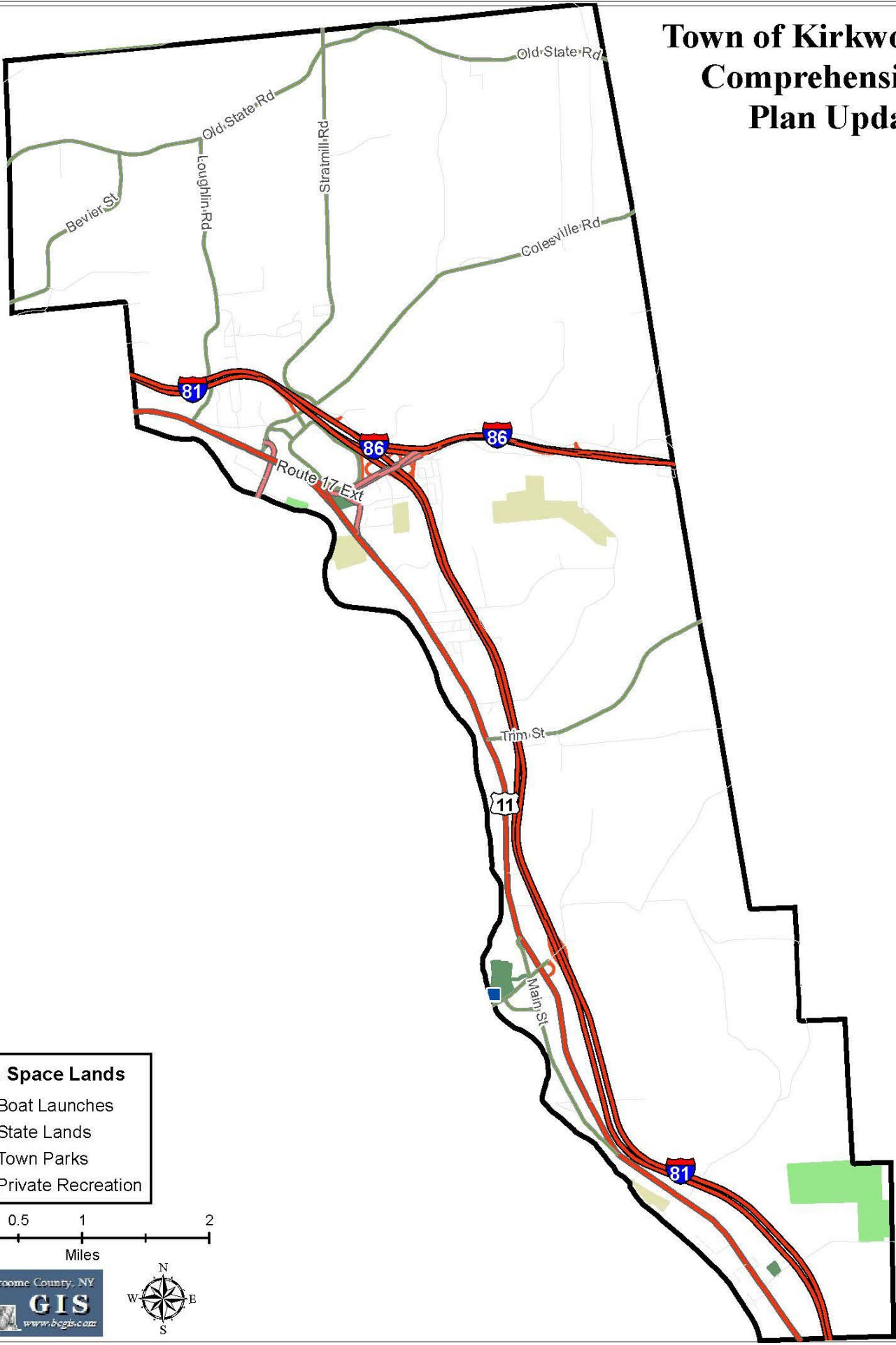


Ecologically Significant Sites

- ✚ Unique Natural Areas
- ▨ DEC Wetlands
- ▤ NWI Wetlands
- Deciduous Forest
- Evergreen Forest
- Mixed Forest



Town of Kirkwood Comprehensive Plan Update



Open Space Lands

- Boat Launches
- State Lands
- Town Parks
- Private Recreation



Kirkwood Survey: Written Responses

VOID ALL OIL AND GAS LEASES

NO FRACKING!

There are many run-down industrial businesses that really look unappealing (used car dealers, mechanic shops, vacant hotel, etc.) We need to clean up the look of our town. There is minimal landscaping and greenery. There is a great sense of community but the look of the town is very uninviting for new families to want to move into.

Improve the park in the Five Mile Point Area; add a fountain and sprinklers to the park. Some play areas have no protection from the sun... we need trees, trim yearly I think access to the river is already convenient. More friendly restaurants with easy access, Exits 3 and 4. More retail such as a Dollar Tree I liked the community events that took place this fall/winter in Kirkwood. Blight on Route 11 is a shortcoming of our town.

We need lighted streets and sidewalks so we can be more active. Real bus stations with a sidewalk

Gas drilling

Hometown Christmas was awesome, so nice for children. Something needs to be done to get parents together and brainstorm solutions, suggestions, anything to help be the horrible heroin problem in our area schools.

I would like to see more good paying jobs in the town, extension of natural gas on Foley Road, and lower taxes.

I feel Kirkwood is a great place to live and raise a family I have always been very proud to say I live in Kirkwood. I feel the Town government makes wise decisions. I don't feel any of the choices given were shortcomings for the town.

I would like to see a "No Outlet Trucks" sign placed on Francis Street, heading west from Crescent Drive to Harry L Drive. More and more they think it takes them to the highway. P.S. our phone line has been broken often

There used to be brush and appliance pick-ups. I understand there is a Town Dump, but most residents have no way to get brush grass or appliances there.

Natural gas resources should be developed it would increase money in the town, so that taxes would not have to remain high. People would then have the opportunity of paying jobs, and better economy would follow with people having more money for improvements they want and more purchasing power for them.

Love to get some noise barriers on the 81 overpass along Route 11

The parks in Kirkwood are beautiful and well-maintained. It would be nice to have a community house that could be rented for groups, weddings to get more use during the cold months. New basketball court at Valley Park. The roads are well maintained, some pot holes, but good snow plowing. More housing (regular and senior) for middle income, there is a lot for low-income, no options for others. More jobs at empty buildings that could be developed. Use eco-friendly energy in public building. Don't move the post office!

We just wish the noise from the highway was much less. Being at home is not peaceful.

We very much need sewers to go through. I am hoping in my lifetime!

Kirkwood is a great place to live, keep up the great work

I would like to see an improvement in the "leash law" for dogs. Or maybe some sort of enforcement.

I would like to see the Town help protect my property from a beef cow farmer who lives near Syracuse and does not care how he damages property or living conditions in my area.

Add a gas station at Five Mile Point. Add better flood control at Five Mile Point

Too many school districts, Windsor High School entirely too far away. Need wider shoulders on Route 11 for increased safety. Would much like sewer line on Zimmer Road

STOP FRACKING!

More restrooms in Town parks

Rights of owners being taken away. We pay the taxes and we should be able to do what we want with our own land, including natural gas development.

First of all, thank you to the committee for taking the time to do this survey. I am basically a lifetime resident of this Town with the exception of a few years that I did not live here. I have had the chance to travel all over, but I can honestly say that there is no other place that I would ever want to live than Kirkwood, NY. So many things make this Town great. Number one, is the sense of community, and I'm sure a lot of that has to do with the closeness and love of its residents. I see so many people putting their time and love into this town, from the people that run it to the people that volunteer for everything from youth to everything else. This town has always been great and has always had great leaders that put that sense of love and commitment forward for all to see and want to be a part of. As in anything that is worthwhile to continue, you have to invest in family and youth to teach your children what community is about and to have them involved and to be involved as parents. That is what I was taught and that is what I will teach to my children. Kirkwood is just a great place to live and I am very proud to say that I am an active and loving resident of this great town. This is a great town, there are no shortcomings.

The Public Works Dept. is so much better here: -Roads are repaired quickly and efficiently -Grass and weeds are cut routinely on roadside -Litter is a problem- sometimes, probably youth -In winter, roads are plowed and salted quickly It's a pleasure to see the care and pride taken by the Town employees

Taxes are high vs the services we get; some of my friends in other towns pay higher taxes, but get more services Stream by the DEC looks very nice- what about all the others? Spring break/ fall leaf pick-up DC's I do not have a truck to go to the Town garage River bed has risen but nothing has been done to clean tributaries or islands Traffic speed on Main Street- no sidewalks- unsafe for walking, especially for children

We need a Wal-Mart or some store for our Town.

Five Mile Point Race Track noise and dust. Frito-Lay fumes.

Extend water, sewer to the remainder of Haskins Road. Cost of well and septic keeping me from building vacant property at 181 Haskins.

Due to Albany's disregard for the rights of citizens in upstate, it is time for NY City to be divorced from upstate. Upstate must become independent with its own government and become the 51st state. Cuomo and his ridiculous gun laws must go. It is long past time when NY City should start paying upstate for our water and other services that we provide. NY City control over upstate must end now. We might end up financially poorer, but development of our resources would be ours and not siphoned off to support the liberal welfare city of NY. It is also time to end the migration of welfare people into our area that only drain our resources and bring their insolent attitudes with them. Also we need serious regulation of outdoor lighting to reduce the drastic light pollution that is taking over this area. Brookeville Methodist Church is a prime example of how a few... ruin the night for all.

Kirkwood is a wonderful place to live! Thank you all! =)

Do something with the motel that has been vacant for years at Court and Colesville Rd.

Make Main Street at the south end an EXIT ONLY; Not allowing traffic to enter at south end. Traffic going to Conklin Industrial Park uses Main Street at high rates of speed. someone is either going to get injured or killed. We need more police protection for speed of traffic.

I live on Grange Hall Road, the highway noise is horrible. I don't even like to sit outside, because that is all you hear. My husband would like to see the drilling for natural gas go through

No to fracking! I am very happy with our Town parks

Kirkwood is a great town to live and raise a family. We have lived in same home for 28 years... great neighbors and great community. Only drawback is lack of cable and internet services, but not a reason to leave.

Working with the state to dredge the river

Lower Taxes

Garbage pick-up; I have 1-13 gallon kitchen bag a week- Bert Adams is about \$5 to throw it away, and the new garbage cans are very heavy, even though they have wheels... hard to push up hill 70' in the snow/ice. Can anything be done to have a more reasonable senior rate? Senior community with pool, rec hall and ranch houses

I did not know about the Town website. My neighborhood used to be beautiful. I live on a dead end, and we bought this house 20 years ago. Recently my neighbors have cut down a lot of trees. It's what made it pretty and gave us a lot of noise preservation and privacy. I think that in rural areas, you should have to plant a new tree for every tree you take down. That's what makes us rural and beautiful. These are neighborhoods and these changes affect all of us.

Small town communities are nice. I don't think attracting more and more people to an area is always beneficial to a town. It is my opinion that attracting more people will also bring more problems. Maintaining and caring for what you have itself will attract people to an area. If your idea is to make Kirkwood a bigger and busier then I would miss the quiet small town atmosphere. It's been a nice place to live. Thanks

I think the Town should allow single-wide mobile homes and doublewides (newer, not old ones)

Would like to see extension of natural gas in residential neighborhoods. Would like gas development/ drilling

They talked about a noise wall to block highway traffic and then never put one in.

I think Kirkwood is a very nice place to live and raise a family. Housing is reasonable. There is a bank, credit union, post office, grocery store. The three Town parks are very nice and well-kept. There does need to be expansion of natural gas and utility hook-ups. Flooding is also a concern in the Five Mile Point area.

I'm afraid I've not been involved much at the Town level. The one thing I'm sure of is that I do NOT want Fracking. I love the rural area and do not wish for the noise, traffic or destruction of our land and water.

When doing road work/ ditch work, please contact homeowner or landowner of the project. Very disappointed to come home from work and find that Town Highway put a ditch in front of my home when there never was one. Now I can't mow my front bank, it has to be done with a weed eater.

Eliminate property tax for seniors/ retirees (over 65) Resurface Zimmer Road with macadaw instead of tar and stone which does not last

It would be nice to have a used tire free drop-off day at least four times a year. So many are dumped on the roadsides.

Please update the Kirkwood Seniors website

The Town website is of no value; the information is out of date or incorrect

I owned 635 Court Street for 20 years. Nothing changed on the structure since it was built. It now can be used for nothing. I lost approximately \$130,000 on this building and now it sits useless and empty because of the Town. With the way the Town operates who wants to move here or even live here. I have heard many other stories from other residents who feel the same way. My experience from dealing with the Town Court to Code, the employees are the worst. The best thing the Town needs is a complete overhaul.

Thanks for all your efforts to keeping the Town of Kirkwood a safe and affordable place to raise families

It would really be great to see effort put into filling vacant buildings within the commercial portions of the Town, and doing so long term. If nothing can be done to develop the large green eyesore hotel on Court Street, have it demolished because it is a health/ safety concern and an eyesore. Maybe the board and this committee missed the WBNG story done on the homeless and the drug addicts living there? Kirkwood is not an urban or inner city community, therefore, there should not be such kind of clientele taking up residency here via low-income/ Section 8 housing laws. The lazy and handout-accepting citizens that the cities cater to are not welcome in this hard-working class town. Keep drug dealers, system abusers and criminals out of this town.

Thanks for your efforts to listen to our desires not only like this, but the Town meetings and personal visits as well.

We now live in NH, but I have canoed much of the Susquehanna; It would be nice to have a couple of tent sites for long distance river travelers.

Lower taxes, or at least don't raise taxes

Lack of a good internet service is a major concern for us

Our Town has a very good group of people attending to Town needs and I can't find a lot to suggest.

Send a newsletter and let us know what is going on in town
Clean town roads of garbage (Main Street)
Need a trash day and pick-up to clean up the neighborhood

Would like to see the river get dredged out to help prevent flooding

Would love to see our Upper Court Street area cleaned up and new retail/ restaurants come in

If Superior Ambulance is on a boondock call, it's a long time for one to come from Brandywine/ Court Street terminal
River access- kayaking is big; we end up going to Conklin. Lack of access for fishing. Our parks are great. Better all night lighting at park across from Schneiders
A traffic light at the intersection of Town Hall
Reduce sewer rates for senior citizens
Squeeze out the Upper Court Street porn- what's wrong with our laws that have let this cluster form?
Best town to live in- hats off to all Town and Highway employees

I would like to see strict enforcement of the 30 mph speed limit on Main Street especially south of Bridge Street. The Sheriff's Dept. place their radar trailer North of Bridge Street for a period of time, but not south of Bridge Street where most of the speeding occurs before and after shift changes in the Conklin Industrial Park. there are many children skating and biking in this area along with their dogs. It is only a matter of time before we experience a serious accident because the 30 mph limit is not observed "I couldn't stop"

As usual, the noise issue was not a primary concern. Five-Mile Point is a severe hindrance to property selling. One prospective buyer couldn't believe we live in an area with such noise. Depending on the weather, temp, and wind, its either not hardly heard, pretty bad, or you can't speak to someone right next to you!

I am not far from the fire station on Main Street. My concern over the past year is the volunteer response when the fire siren blows. It takes about 15 to 20 minutes before I hear a truck going out. Granted, twice it was after 1:30 AM, but it worries me.

Have noticed an increase in drug usage in the area. Which seems to be in many areas. Also, when working second shift, had run ins with people knocking on the door after midnight, looking for gas money, and neighbors have also had problems with people breaking in.

We do not get any services for our tax dollars. Main Street has leaves and debris all along the sides of the road, even covering the drains. When you turn onto Main Street from Rt. 11 under the underpass you have to drive in the middle of the road to avoid the debris. Main Street used to be a nice neighborhood. It is full of unkempt properties now. My neighbor has siding hanging off the house, the weeds between our two driveways are taller than my privacy fence on their side, they mow their front yard but not the back, which is full of tall grass and trees. And it almost seems like they are running a boarding house in a single family home with the number of people living there. People burn garbage and leaves in their yards.

Replace yield signs in the community with stop signs to provide better safety to residents in the area.

More farms, keep rural-- No increase in commercial property

Use solar and wind power in areas where it is appropriate. Take the islands out of the river. The islands in the river were not there 50 years ago, they have changed the river flow, plus all the past flood debris piles up always. Living in area #4- Put in sidewalks through Main Street, as walking to the park is dangerous many times, even though walking on people's lawns, have had many close calls of getting hit by cars. Place an ice skating rink in River Park for the winter or have someone give lessons as well. Get rid of signs where businesses no longer operate. Get rid of empty blighted business buildings and houses

I would like to see better use of tax dollars, employee productivity. Better access to river-- maybe work with DEC to secure boat launch near still water.

Kudos to the Highway Department that keeps our roads clear in the winter

More sidewalks would be great! Access to sewer instead of septic

Would the Town support a farmer's market on a different day than other local ones? Would be great to have one- maybe in Valley Park? Visible from the highway (pavilion in creek area)

I am a senior living alone- I have two large trees that drop leaves in the fall and sometimes large pieces of limbs in a storm. I have no way to dispose of the leaves without paying someone to take them to the designated Town area... Could the Town schedule a leaf pick-up at least one time during the fall?

I think it is important for expansion of natural gas and internet into rural areas.

I was glad to receive this survey and I am looking forward to positive change.

My mother passed October 2012 at the age of 93. She purchased the home in 1950. She was a resident of the Town for over 60 years. Her home flooded in 2006 and again in 2011. Full basement and first floor, both times. In 2006, FEMA was there for her and my son and I did all of the repairs. Three months later she was back in her home. After 2006, I purchased flood insurance for her from Allstate. after the 2011 flood, Allstate paid next to nothing. I took her to the Credit Union to borrow money through a Home Equity Loan. Before doing this, I inquired about a buyout from the Town of Kirkwood. The entire house has a cinder block foundation (Water still comes in the basement walls). I was told inspectors would come by to do an inspection. I asked them to please call me before they came as my mom, 92, would not let anyone into her home unless I was present. I gave them my cellphone number. They did not notify my, came to the house, did the inspection just by walking around the property and declared it structurally sound. They did not go inside. When I was notified of this I called and asked if they would come back and allow me to take them inside to show the damage. Their exact reply was "Oh no, we can't do that". They would not give me any explanation. I proceeded to the bank with my mom, we applied for a Home Equity Loan and my husband and I did all of the repairs and were able to get my mom back into her home (again) after three months. Now, at that time she had a loan on her home that had been paid off for many, many years. With her passing, the loan is now in my name. I will be 65 this year. I will never understand why the inspectors did not come back. The saying "You can't fight City Hall" may be true, but you can be disappointed in a Town that did not have any concern for a women who was 93 and lived in this Town for over 60 years. As I said, we still get water in the basement and there are cracks in the walls that were never there. My mom loved this Town. Thank you for taking the time to read this letter.

Parks- On the walking trails, have the kids and adults riding bikes go the opposite direction so you can see them coming. We had some trouble with kids last summer. They were weaving in and around people walking. Larger signs (or more) for people to pick up their dog's messes! they come at night so no one can see them

The traffic is increasing on Route 11 in Riverside. Trucks are loud and fast. When I-81 is backed up we suffer with noise and increased traffic. Hard to get in and out of driveways. Any way to stop traffic from using Route 11 during these times? They hop off 81 and hop back on. Also liquor store draws PA customers a lot. They need to slow down, be quieter and stop littering! Not opposed to store, but to customers! Maybe more police at 5-9PM times?

We live off of Loughlin Road and the Windsor School District (HS) is over 20 mins away... CV or SV are less than half as far. Can we come up with a plan to allow our children to attend these schools? Natural gas- in favor of. Very pleased with snow removal during winter months! Thanks for the quick response to the Spring (May '15) road flooding (during the heavy rain)

My property is on the border of Kirkwood and Windsor. The house is entirely in Windsor, less than 150 sq. ft. of my 2 acre lot is in Kirkwood. But I was raised in Kirkwood and when I think about it I am more of a Kirkwood person than a Windsor person.

Earlier this year, after securing signatures from 60 of my neighbors, I contacted (former) Senator Libous' office requesting a noise study be done in our neighborhood (Woodhill Court). I was unaware that a study had already been done in 2014 and learned our neighborhood did not qualify for sound barrier walls. Those results were surprising because over the past several years, as the road surface on I81 & Rt 17/86 has deteriorated and the speed limit has been increased, the constant tractor trailer noise emanating from the highway has increased tremendously. Our quality of life has been affected by this continual noise and we are unable to enjoy our outdoor space as much as in past years. I am respectfully requesting that another noise study be conducted in the areas of Woodhill Court, South Woodhill Avenue, Acre Place, and Loughlin Road along I81 & Rt 17/86 in the hope that we can have sound barrier walls erected.

Sound walls between Loughlin Road and Colesville Road would be great. The amount of traffic on the highways has increased over the years and with that an increase of noise. In the survey that they did the equipment was set up in front of the embankment that leads up to the highway. They need to take readings from equipment set up in some of the neighborhood yards and for more than one hour in the morning. The tractor trailer traffic never stops coming off. I would love to be able to open my windows in the spring and fall and still be able to hear my television.

I would like to see no development of wind/ solar power until the technology improves to the point that it is not just a "feel good measure"

There seems to be an increase in the number of sex offenders moving into Kirkwood. I would also like to see brush/ leaf pick-up reinstated.

On Ostrum Road, there are two abandoned buildings. Both properties are within a stone's throw of our residence. They are both falling apart, usually high grass, animals and much more. Both properties undoubtedly should be condemned and torn down/ auctioned off. I know everyone around would most likely agree.

We think the Town of Kirkwood is the best place to live. The elected officials are doing a great job with what they have to deal with. These are difficult times. Our taxes are fair, lower would always be good, however government is so complicated today, which drives up the cost. Good luck to the committee. This is very hard task to make the plans for the future I am sure you will do your best for the Town.

On the whole, Kirkwood is a very nice village to be a part of and all the people that work in the offices are very friendly, kind and patient, especially with us seniors!

I would like to see more homeowners, not renters, to be able to have 4 laying hens, no roosters, if they have a confined area for them. They are allowed in the cities of Binghamton, Ithaca and New York. The eggs are healthier and the chickens eat flies, mosquitoes and ticks, so they are good for the environment.

More police presence.

Very important to acquire Pine Camp from New York State. Needs to be a part of our park system, historical value is important to keep it for future generations.

Bike traffic on Route 11 is frequently going opposite of automobile traffic, partially due to the split by Frito-Lay and Schneiders. It is unsafe for the pedestrians going from Schneiders to the apartments across from Willow Run and unsafe for turning vehicles going onto Route 11 North and South by SEFCU as bikers seemingly "come out of nowhere" on the incorrect side of the roads. Maybe painted biker guides in the shoulders could help clarify biking lanes.

I would like to know more about the Kirkwood activities-- senior citizens, community activities (parades, etc.) Where are these published?

Zoning laws need to be more flexible, Code enforcement laws are too many and too difficult to meet for most homeowners

One of the Town's greatest assets is its natural resources, namely the natural gas that lies beneath our Town

Pro-gas

We need better cell phone service!

Taxes must be tremendously lowered! People can barely pay their mortgage(s) as is. Many have been financially devastated by the 2 floods. Trying to rebuild, gaining another mortgage- and now their home is worth half of what it used to be (before floods). Rivers are full of even more garbage due to these floods, yet nothing is done to prevent it from happening again. Rivers need to be dredged!! Spend our tax money on us!!

I reside in the first home in the Town of Kirkwood on Old State Road, 1.2 miles up from the Brandywine Highway (Rt. 7). Due to my location, I have easy access to shopping, highways, etc. Therefore, many issues that might face other Town residents, do not affect me due to my proximity to the City of Binghamton, Hillcrest and Chenango Bridge. I love the Chenango Valley School District and all of my kids have graduated from there or go there currently. I did have one concern to share regarding my driveway that goes over the culvert/ ditch. Due to past flooding on Old State Road, the pavement is disintegrating and one section has cracked and is sinking into the ditch... Would there be a possibility the Town could take care of this?

More Jobs

Lower taxes.. We see no good done with taxes

Would like to see more fast-food and shopping availability in Town. Water and sewer and gas above 81 to Old State Road.

People need to take better care of their homes and property- this causes the other home to lose value (especially when you want to sell); Main St Code enforcement needs to be more involved. People burning their garbage in their back yards-- not healthy to breathe in when you suffer from asthma!

The creek that comes out from Fallbrook Road starts at Quaker Lake, picks up from Proggy, Brady Hill, Jackson Pond, Pierce Creek, Black Ash and bear swamp on Maxian Road, Vestal Hills and Hands Road etc... All comes out and the island in the river gets all the gravel etc. and has grown all these years and washes the land out on Main Street side; remove it and it will help. Otherwise, in years you are going to lose a lot of houses on Main Street.

Fracking is a major concern! Do what is good for all, not just SUNY. We need major job growth here, not bigger schools with kids to visit and go. We need them to stay here and no corruption in local government! Work for the people not the corporations!

We pay town and highway taxes to have a black-top road and the town spreads dirt in the winter. It dries up and the dust is so bad you would think it's a dirt road. I have to power wash my house every year. My neighbors say the same thing. We have between 70 to 100 cars a day go up and down, not paying attention to the speed limit. The towns of Windsor and Kirkwood are the only towns that spread dirt on their roads.

Be pro gas development

The 5 mile point racetrack has been a thorn in the area residents' side for years. It seems that noise, dust and water pollution is not a concern to the town officials, but the residents have to live with it. With the residential population surrounding the racetrack, its time the racetrack be closed.

Route 11 needs to be re-stripped, the road is too dark

Would be nice to have some of my taxes used to repair my shared gravel Dirt road to mitigate flood during heavy rains. I've been paying taxes over 30 years enduring this major problem... the expanse of private road is not valid given that we're taxed on property, which includes roads- this remains a serious concern for a long time

Lobby NYSDOT to construct noise barriers on the 81 corridor in Kirkwood

The Town of Kirkwood is too divided by the river and rail tracks on one side and primary lots that cannot be developed with old abandoned businesses and state controlled primary lots. This town cannot get anything done this way.

Look into sewer and water for Loughlin Road. These empty lots could be used for living spaces or new home development

NYSEG tree trimming should be done more frequently so that trees are not butchered as they have been. Decent roads- curbs would be great . Street lights. Code Enforcement- homes that are cluttered, etc. that take value from other homes and make Kirkwood look less desirable . Weed control along roads . Since we moved here (1969) there have been very few improvements. It is a sleeping community except for deterioration

We would like to see greater development of water and sewer utilities so as to grow or attract more development.

All of our children and or neighbor's children have left NY for opportunity and say they will never come back to live in NY. The taxes are high, the education system is on the skids, laws for the sake of who knows what! In ten years, the only people left will be geezers! In reference to Q3, public safety, ambulance service, fire/ police should be included In reference to Q1, increase in families with children in our schools, young adults in fire units/ service clubs/ youth activities

If there is no school, the plows do not get out there early enough for people who have to work. Frack Yes

Kirkwood should develop a new public safety complex that includes: -Town public works offices, records and equipment -Emergency power/ water and kitchen -State Police -Ambulance -Post Office -Disaster Recovery/Civil The complex should have access to highway, be flood-safe and function as a shelter and command/ control center in a disaster. Other shortcomings of Town: aging population, loss of young families, transient population in apartments. Town parks have all the listed amenities in Q7. In reference to Q5: the aesthetics of the railroad corridor is a major concern Q1: We need two parent families and children in our school systems. They key is a mixed demographic not numbers! Stop the departure of young adults. Q2: For entertainment, bring a community band to the park-- fewer X-Rated dance reviews For senior house, develop single-unit communities with bus access For mobile homes, make sure they are in planned landscaped parks, not scattered single units. For wind power, not economic here- causes large bird and bat kill For solar power, as economically justified- allowed by building code- not subsidized Q3: Maintain our parks, we have excellent parks Maintain our access to our rivers, we have adequate river access After flood buyouts, then what? -- Promote agriculture on river flat. Before expanding water and sewer, develop a regional sewage treatment plant Create more biking and walking trails with connectivity to commercial and recreational areas Noise at 5-Mile Point Speedway is a concern

The river is an asset, I grew up on it. Create shoreline trails from the city line to PA, as much as it is feasible would be great, private property may be an obstacle. The salamanders take precedence over dredging, so one could put a boat in.

Thank you for all you do! And a big thank you for what you do for our seniors! Do something with the state money that has come into this area to cut down 81 highway noise-Put up highway noise barrier like at the new Bing. 17 (86)-81 split area-- noise is bad from I-81 in Kirkwood area. In reference to riverfront activities, we have the very best in this area! Do something about the blight

5-Mile Speedway is a noise issue! A major hardware store is needed. ie.- Lowes, Home Depot (84 Lumber is not stocked with enough)

Refurbish the covered bridge at Valley Park. New fencing on tennis courts at River Park.

Less control over individuals' freedoms

Some roads don't need paving, take care of the bad ones first. Clean up river banks, so there is not as much flooding. We need natural gas in some better areas where it is easily accessible.

I would like to see the Town clean up all ramps and Town roads (of garbage) it looks like a landfill. Put \$500 fines (signs) if caught littering.

The Town of Kirkwood (as have Conklin, Windsor, etc.) have existed for over 150 years. If the Towns of Kirkwood, Colesville, Windsor and Conklin all merged, I seriously doubt if my life would change at all. In 2016, with internet, super highways, and growing urban centers- why do we need so many small town governments?

I truly like this area, but if I ever decide to leave, it will likely be because of the strangle hold Time Warner and NYSEG have on us!

We live behind the "Privacy Wall" on 17E. Kirkwood officials forget about us until it is time to mail out the tax notices. The hill in/out of our development, as well as the development itself, are rarely plowed, and when they are, it's late in the morning. Kirkwood says Windsor is responsible, Windsor says Kirkwood is responsible.

Don't raise taxes.

Changes are needed in dealing with abandoned homes. It took one year to dismantle an above ground pool. Two doors were removed this summer and the house was open to animals for months. Two houses up there's another abandoned property that was vacated years ago. Our property values are declining while these homeowners (and banks) are protected by privacy rights and the ability to change ownership of the mortgage. There's no way to trace/contact the person responsible for property upkeep and issues. I understand nothing will change until laws/regulations are revised. Things have changed since 1983. No one wants to buy a house next to blighted property. Change the laws and clean up Kirkwood.

Drilling for natural gas would be good for local economy and proven to be safe. Due to code enforcement, it is very hard to open a new business in Kirkwood (if not in Industrial Park) A program to help people jump through the hoops in getting building & business permits should be instituted and advertised. Q7: none of the choices would increase my park use. Q4: green space in housing development is not always good, if not properly placed it becomes a gathering place for drug dealers and trouble makers

Since the Town has no control over population shifts or increase, this (Q1) seems to be a foolish question. Again, since the town cannot regulate growth, what purpose does this (Q2) serve? In reference to Q3, creating biking and walking trails is one thing, maintaining is another In reference to Q7m more public restrooms, clean facilities In reference to Q11, what influence does the Town have over school districts? What happened to the state's plan to erect noise abatement fencing on I-81? Kirkwood noise ordinances seem to go unenforced with regards to 5-Mile Point Race Track (could this be true due to the tight personal relationship between the owner/ manager of the track-- now on the Town Planning Board and the supervisor?)

We need noise control We need truck stops right of highways, not on our roads We need Route 81 to upgrade to three lanes (and finish Route 86). We need more industry that has decent jobs and that pays taxes, no freebees. We need natural gas distribution lines on every street

I don't think being on the Town Board should be a career, term limits would be better.

Would like to see a "go get" for more industrial/manufacturing business that would utilize the major railroad line through Kirkwood for their goods & services. These are generally businesses which offer good paying jobs and have good "hard core" work ethnics. These type of business also generate many support type businesses as well. The rail line offers direct access to the major east coast cities and ports as well links to all major railroad lines in the country serving not only the United States, but with links to serving the Northern Hemisphere and other ports linking to the rest of the world.

Kirkwood does a super job of keeping the roads in great condition, both summer and winter. Thank you! There are a lot of pedestrians and traffic between Schneider's Plaza and Johnson Rd/Trim St. For the safety of all, I propose that the speed limit be reduced to 45 or 50 in that area, and that pedestrian space be provided between Schneider's Plaza and the apartments. I see many people walking to get their groceries. In this area, there are apartments, and many residents who turn off of Route 11 (with a speed limit of 55), and there's also Bell school with many people turning in and out of those streets. With the hump on Route 11, the speed should be reduced there, too. Which is why I suggest the area of Schneider's Plaza to about Johnson Rd or to Trim St. Also, please do something about the green apartment building and the house next to it on the river side of Route 11. That building has looked that way for 40 years, and I can't imagine what the living conditions must be like. I know something was done several years ago, but it's such an eyesore, not to mention what it must like be inside. Thank you for this opportunity.

-Make River Park more like Otsiningo Park (A real jewel!) with longer tree-lined paths -Better cell service - Access to cable TV/ Internet -Better road repair--> Fix potholes -Maintain and clean out roadside drainage ditches -Get more volunteer projects going -Put "hats" on the lights at the park across from the Town Hall. They are blinding driving east towards I-81S on-ramp (exit 2)

Questions 10 & 11 were hard. I LOVE this community! So much so that I feel that few changes need to be made. I chose this area because it feels safe. Good schools- just continue to keep them that way. I am content with what we have here. Anything more would put what we already have out of business. It is a simple community. Simple works. Our small businesses are great! They support their community and the community supports them. Lots of happenings for the kids. Continue to keep our schools great- out town safe- our taxes in check and I will continue to be happy here!

Kirkwood is a riverside community with very little access to the river that runs alongside of it. In the 22 years that we have lived here the only public access to the river that I am aware of is at Veterans Park. The boat launch here could at best be used in the spring and very little at all during the summer and fall because of the condition of the launch and depth of the water. I believe if a proper boat launch site could be found and developed, many people would use the river for all kinds of recreational purposes. I'll be the first to admit this is not the Colorado, Missouri, or Mississippi Rivers, but the Susquehanna is an extremely beautiful river that would see much more use if the people had access to it.

I'm a senior and have 12 acres with no building on it and the 600 dollars in school tax I'm unable to pay because of social security is not enough to keep up. A few years ago the road was made wider so the drainage runoff from ditch makes my property unbuildable. They made shoulder wider so not to have to correct ditch and drainage from road. I have to ask u to help me resolve this situation!

I've lived in Kirkwood over 50 years. Overall it is a fine community and in my opinion, better than surrounding communities. Keeping taxes low, allowing some growth in businesses is essential and so far Kirkwood does this.

Please restart leaf and tree pickup

Put street lights in over area! Quality schools and proximity to highway are also important assets of the Town.

Thanks for reaching out to the residents for our input. Who makes up the committee?

The entry corridor to the town (Court Street) is unsightly. If flooding issues could be addressed in this area, better development projects might come in. Where the hotel flooded is a prime area for another hotel if flooding were addressed. There needs to be an anchor business so that better restaurants would also come in.

Any plans to provide sewer and natural gas hookups on Overlook Dr?

Please keep Veteran's River Park Open for drive in all year round.

Need to balance taxes with the needs of the residents. Taxes may be low, but there are no services. It seems like the only budget dollars are to pay wages and benefits, no money to actually do any work

You should have comment spaces on all the questions so that we can add opinions. Less bureaucracy and more action. Combine more services with other towns. Stop making additional laws and restrictions on the community when you can't uphold the ones you already have in place. Don't make it so hard for businesses to operate in the community. Businesses should be your friends, not the ones you go to and tax the most.

The higher property taxes now in place were supposed on the condition of gas drilling being allowed, and the thought that all would make money on their property. The taxes keep increasing but our property values have decreased substantially. When are the taxes going to go down to meet the fallen values. We have a farm but there's no real incentive available in Kirkwood to keep operating it. If you want to increase the number of tax paying properties in Kirkwood then you need to lower taxes or let gas drilling in. If everyone has to work ridiculous hours just to survive, who has time for parks?

Would like to have a sound barrier wall installed on 81 North by 5 mile point. Would like street lighting on hillside Dr, Don St, And Harry L to prevent further issues with break-ins

The Town Officials are anti-business. They are more concerned with being re-elected than in doing what is right, fair, and good for the future of Kirkwood. They don't keep their word.

Start thinking long term. Bring in good quality businesses with 25 year tax reducing incentives. Embrace businesses. With more jobs comes increased population and more tax revenue. Please put curbs on all roads. In this day and age all homes and businesses should have natural gas. This area has great potential, use it.

I would love to see more parks with walking and hiking trails in the Kirkwood area. Also, I would like to see better use of the river for recreation purposes. Walking trails along the river would be great! Natural gas and water/sewer lines stop very close to our house on Overlook Dr. I would like to see the lines extended up that road if possible, along with the utility lines since all of the homes have underground utilities from the road to the house.

I would like to see the annual leaf pickup service come available again. I would like to see that the projects get federal funding so there is little impact to property taxes. A drop box at the town office for water bill (no need to use the postal service when you drive by). I would like the town to find ways to encourage business development creating more job opportunities.

The single biggest thing that we enjoy about our location is the rural setting including the larger open areas of land and the few farms that remain. I understand that you need to have "some" business in a particular area for jobs to support the population and to have resources available, however I believe we currently have a very nice mix of things available to us now and would prefer to focus on maintaining the "rural" aspect that we are very fortunate to have.

Would love to see more community events tied to youth...partner with Bell School... Love the flower gardens entering 5 mile point area from both ways...nice addition... flood Valley park, like they used to do years ago for ice skating...have to get kids involved - too many drugs hurting/killing our children

Overall, we are happy here. The highway department does a good job of maintaining the town roads and they do a great job of clearing the snow in the winter.

Keeping taxes low is most important to me.

Town facilities and management are adequate and the area is well protected by members of the NYSP and the BCSD. Volunteer fire protection working with EMTs add to the safety and security of the Town making it a great place to live.

While I own property in Kirkwood I no longer live there – Kirkwood's population is likely to grow - looking ahead I would recommend that wooded property be purchased for hiking and outdoor use -- I am also and advocate of natural gas and believe it is possible to drill safely if restrictions are monitored

The valley park in Five Mile Point could use new dugouts for all 3 fields. Many tournaments are played here and bring in many people from other states. Nice to update and show off the community. Also provide food services. Definitely need bathroom facilities. Always a complaint.

Route 11 is a good road for cars, but bad news for bicycles and pedestrians. When Route 81 was built, Sunset Drive was chopped in two, removing a bicycle and pedestrian friendly connection. A pedestrian/bicycle path to one side of Route 81 could restore this connection. We don't need a lot of sidewalks or bicycle lanes in our rural-looking suburb. Some connection allowing cyclists and pedestrians to travel north and south in our town without using Route 11 would be nice.

The Kirkwood town board continues to increase fees and make it more difficult for the average citizen to do anything around to improve their property. I cannot understand why we need to pay more for permits and such, especially when we pay a significant amount in taxes.

The questionnaire seems to have a bias to preserve the past. No demographic data collected-a major failing. Kirkwood and other villages and towns see themselves as more important than they really are, for ex. how would my life change if Kirkwood were to merge with another town? I think not much.

I would like to see natural gas hook up in my area

I have found Kirkwood a nice place to live. The youth programs that are provided for my children have been fantastic and the fact that is free is quite amazing, given the amount of programs that are available. These programs were not all there when I was growing up. The school district (Windsor) is amazing and offers a vast variety of opportunities. I feel that the board needs to be more active in the community and not just once per month at the board meetings. I feel that the board is out of touch with modern practices and chooses to look the other direction and live in the past. If you want to grow the community then you need to be more flexible and get with the times. It would be nice to see the younger generation getting involved in the town government. We have the same group of people there that were there when I was a kid...time to go.

I would like to see noise barrier walls on 81 from Laughlin road down. Noise from tractor trailer traffic is loud and constant all day long not just during rush hour traffic.

The Town needs to lobby NYS to erect sound barrier walls in all residential areas adjacent to Rts 81 and 17/86, not just the short stretch that was approved in the Five Mile Point area. This is truly a quality of life issue in the areas around Exits 2 and 3, as the noise level has increased over the last 10 - 15 years as the road surface deteriorates and the speed limit and traffic have increased. Please consider this issue.

The town should pick up leaves again in the fall. A lot of my neighbors just don't bother taking care of their leaves because there is close place to get rid of them. I have neighbors with ragweed taller than my privacy fence also.

I think our water and sewer bills are ridiculous.. just because they are rebuilding the sewer plant it seems we are getting socked with higher bills and I don't think this is right

I would like to see the sewer system expanded, many of the homes in kirkwood have septic systems which are getting out dated and expensive to replace. Some areas of kirkwood have sewer systems that only go a certain distance then end, they should be expanded to where the city water systems go.

4 school districts, Kirkwood has no community core.

NY State has had an eye sore across from Wendy's/Loves for as long as I can remember. I think it's time to work with them to move the items to a more secluded location it would be a prime place for business to locate to. Possibly they could use the sale of the land to fix Upper Court Street and the standing water at the intersection of Upper Court Street and Colesville Road. I am also not that fond of the junk cars sitting on upper Court Street. I know the cars are probably a legal issue that would be hard to fix.

We need more code enforcement to enforce property upkeep so that property values don't GO DOWN

Help small business to expand in Town by providing incentives to start / grow.

Being able to keep dirt down from 5mile point race track. It's very bad, didn't used to be years ago 1978 when run by other people than who is running it now.

Consider backyard poultry farming for residential areas. Binghamton allows up to 4 without a permit. I would consider Kirkwood to be more rural than Binghamton and see the current zoning laws as a derailment from the town's proud rural history.

Good survey. Indeed comprehensive.

Code enforcement should be community oriented and people friendly as well as firm. Leaf pickup would be nice to have back, it would help keep the ditches clear.

Great job on the parks

Truck traffic on I-81 is loud. It would be nice if some noise barriers could be set up similar to Kamikaze Curve area in Binghamton. Enforce stricter noise pollution ordinance. Five Mile Point Raceway is loud and goes on well past 11 PM some nights. Please add walking/ hiking trails along the river. Extend water/ gas hook-ups. Bury power/ utility lines when doing major construction.

Second Public Meeting

On August 23, 2016 the Comprehensive Plan Committee and the Broome County Department of Planning held a second public meeting at Floyd L. Bell Elementary School. At the meeting, the Broome County Planning Department provided an overview of the comprehensive planning process and explained the recommendations to the audience. The purpose of this meeting was to provide an opportunity for the public to review the second draft of the comprehensive plan and allow for an open discussion about the proposed recommendations. Town of Kirkwood property owners were mailed postcards and flyers were displayed at the Town Fair and local businesses to increase awareness and interest in the meeting. Approximately 50 people were in attendance and number comments were received. The comments from the second public meeting are summarized below.

Recommendation #1: Address Fiscal Constraints

No comments

Recommendation #2: Court Street Corridor

What is the status of the New York State Department of Transportation (DOT) Upper Court Street Study? There was a DOT Court Street study done, this recommendation could be mostly done if we could get the data from that.

The study was completed a few years ago and DOT did not take into consideration all of the possible recommendations for Upper Court Street concerning access management and complete streets. Funding was not available to complete some of the projects such as the project to install new street lights; however, Town Code Enforcement succeeded in working with the businesses to address code violations and make improvements. The improvements to address the flood issues between Strattmill Creek and the Travel Inn did not occur. It is believed that the improvements will occur when a developer brings a development proposal.

Recommendation #3: Kirkwood Industrial Park

No comments

Recommendation #4: Flooding and Stormwater Management

Is anything being done to address flooding in the area of Popes Ravine and Hiner Road, which is partly in the City of Binghamton.

Can the debris be removed from the river? How tied are the local and state agencies by the EPA requirements. There is a lot of debris in the river from Great Bend to Binghamton, there is debris from the last flood still.

In Riverside, there are two ponds between I-81 and Route 11, near the Pennsylvania border and the cemetery on Grange Hall Road. Recently the water levels have gotten very high because of the beaver dams; if we have a heavy storm, Riverside Cemetery will get flooded. What comes first – the beavers or the people?

Isn't this a wetland?

The DEC has been out there, so they might be aware of the issue.

A resident asked what could be done to prevent the water coming down the mountain.

The Town hired Woidt Engineering to look at the creek tributaries, but the result of their report showed that not much could be done, it wasn't cost-effective.

Has a study been done to see how much the riverbed is increasing per year? A resident commented that the creek does not change but the islands do change.

Islands in the river are more prevalent now.

A permeable parking lot is an owner hardship, how do that compare to cleaning out the creek in terms of cost benefit?

Recommendation #5: Solar and Wind Energy

Is there consideration for large solar farms? The resident expressed concern about the visual, aesthetic, wildlife impacts and other environmental impacts of the new solar farm in the Town of Conklin.

The Town currently has a one year moratorium for solar energy until standards are set. The Town will work with Dickinson to establish standards and guidelines for solar.

The solar orientation recommendation sounds like we are telling people how to orient their buildings and sounds like an infringement. The language should be changed there.

Recommendation #6: Services and Housing for Elderly

The Broome County Office for Again Senior Helpers Program is not very helpful or economical. When they needed to repair a window, the Seniors Program said it would cost \$250 to repair. They ended up hiring a teenager who fixed the window within 10 minutes.

Recommendation #7: Protecting Farms and Agriculture

No comments

Recommendation #8: Increasing Recreation and Cultural Activities

No Comments

Recommendation #9: Improving Our Laws

No comments

Additional Comments

Ms. Glover, a Kirkwood resident of 51 years, reviewed the entire draft and made comments about what the Town should do to improve the appearance and quality of life for its residents.

Extension of natural gas lines were not addressed in the recommendations. NYSEG did a study about 20 years ago, but nothing happened. Can the community petition NYSEG to do another study? The Town can encourage NYSEG to do another study, but if the demand and return is not there, they will not add new lines.

A long-time resident of Kirkwood and Conklin and now a resident of Riverside area of Kirkwood said the water comes down the mountain bringing tons of gravel and causing the river to become a 120-foot wide raging river. The water comes from the mountain, not the Susquehanna River.

We have three exits off of 81 in Kirkwood and there are no hotels or major restaurants. Look at everything Owego has. If we want to attract developers and investment then we need to make the town look attractive. That means cutting the grass and improving the appearance.

There need to be sound barriers on Route 81. The study they performed before was flawed and we would like them to look at it again. We cannot sit on our porch or watch TV with the windows open with all of the noise from the highway.