

Approved: September 21, 2023

**TOWN OF KENT PLANNING BOARD  
JULY 20, 2023  
DRAFT MINUTES**

The Planning Board held their June 20, 2023 meeting at the Kent Town Hall.

Following the Pledge of Allegiance, Mr. Hugo German, Chairman of the Town of Kent Planning Board, called the meeting to order at 7:30 PM.

The following Planning Board members and Planning Board consultants participated in the meeting held at Kent Town Hall.

**Members in Attendance:**

Hugo German, Chairman  
Simon Carey, Vice Chairman  
Jacky Beshar  
Thomas Faraone  
Giancarlo Gattucci  
Richard Morini

**Absent:**

Sabrina Cruz  
Chris Ruthven, Planning Board Liaison  
Donald Fletcher, Planner, Barton & LoGuidice

**Others in Attendance:**

John Andrews, Rohde, Soyka & Andrews, Engineer  
Bruce Barber, Environmental Consultant  
William Walters, Building Inspector

• **Approve Kent Planning Board Minutes from the June 8, 2023 meeting**

Mr. German asked for a motion to approve the June 8, 2023 minutes. The motion was made by Mr. German and seconded by Mr. Gattucci. Following were the roll call votes:

Hugo German, Chairman	<u>Aye</u>
Simon Carey, Vice Chairman	<u>Aye</u>
Jacky Beshar	<u>Aye</u>
Sabrina Cruz	<u>Absent</u>
Thomas Faraone	<u>Aye</u>
Giancarlo Gattucci	<u>Aye</u>
Richard Morini	<u>Aye</u>

The motion carried.

- **Dorman Property, 26 Grey Oaks Ct., Kent, NY; TM: 33,41-1-14**

Mr. John Karell represented the applicant for this property. This was a Public Hearing for this project. This project pertained to a proposed gazebo located approximately 35' from Lake Carmel. Mr. Barber required some remediation in the 100' setback from the lake. A Fuji Clean system will be installed on this property, which will reduce phosphorous and nitrogen in the septic system discharged to the groundwater. Mr. Dorman told the Planning Board that he had spoken to a woman representing Fuji Clean Systems and told them that this project was progressing, but hasn't received a response yet.

Mr. Barber's Comments

Mr. Barber mentioned that this project involved construction of a gazebo on piers within 100' of Lake Carmel (approximately 35'). Part of this project will encroach upon a native vegetative area and there were concerns as to how the lake would be impacted. Mr. Barber asked the audience to refer to Chapter 39-A relative to granting wetland permits.

Mr. Andrews' Comments

Mr. Andrews said that an Erosion Control and a Wetlands Permit would be required for this project, A SPDES permit would not be required. Several submittals have been delivered and a bond estimate of \$3,900.00 and \$1,000.00 Final Inspection fee has been submitted. Providing there are no negative comments at this Public Hearing, Mr. Andrews said he would recommend that this bond be forwarded to the Town Board for approval. Mr. Carey asked again about a bathroom which was shown on the drawing submitted. Mr. Carey showed this drawing to Mr. Karell and Mr. Dorman. Mr. Dorman said that a bathroom in the existing house would be relocated into the addition/breezeway.

Mr. German asked for a motion to open the Public Hearing for this project. The motion was made by Mr. German and seconded by Mr. Carey. Following were the roll call votes:

Hugo German, Chairman	<u>Aye</u>
Simon Carey, Vice Chairman	<u>Aye</u>
Jacky Beshar	<u>Aye</u>
Sabrina Cruz	<u>Absent</u>
Thomas Faraone	<u>Aye</u>
Giancarlo Gattucci	<u>Aye</u>
Richard Morini	<u>Aye</u>

The motion carried.

Mr. German asked if anyone in the audience had any comments and there were none.

Mr. German asked for a motion to close the Public Hearing. The motion was made by Mr. German and seconded by Mr. Gattucci. Following were the roll call votes:

Hugo German, Chairman	<u>Aye</u>
Simon Carey, Vice Chairman	<u>Aye</u>
Jacky Beshar	<u>Aye</u>
Sabrina Cruz	<u>Absent</u>
Thomas Faraone	<u>Aye</u>
Giancarlo Gattucci	<u>Aye</u>
Richard Morini	<u>Aye</u>

The motion carried.

Mr. German asked for a motion to grant the Erosion Control and Wetland Permits. The motion was made by Mr. German and seconded by Ms. Beshar. Following were the roll call votes:

Hugo German, Chairman	<u>Aye</u>
Simon Carey, Vice Chairman	<u>Aye</u>
Jacky Beshar	<u>Aye</u>
Sabrina Cruz	<u>Absent</u>
Thomas Faraone	<u>Aye</u>
Giancarlo Gattucci	<u>Aye</u>
Richard Morini	<u>Aye</u>

The motion carried.

Mr. German asked for a motion to accept the bond estimate of \$3,900.00 and \$1,000.00 Final Inspection Fee and to forward it to the Town Board for approval. The motion was made by Mr. German and seconded by Ms. Beshar. Following were the roll call votes:

Hugo German, Chairman	<u>Aye</u>
Simon Carey, Vice Chairman	<u>Aye</u>
Jacky Beshar	<u>Aye</u>
Sabrina Cruz	<u>Absent</u>
Thomas Faraone	<u>Aye</u>
Giancarlo Gattucci	<u>Aye</u>
Richard Morini	<u>Aye</u>

The motion carried.

Mr. German asked for a motion to move this project to an administrative track. The motion was made by Mr. German and seconded by Ms. Beshar. Following were the roll call votes:

Hugo German, Chairman	<u>Aye</u>
Simon Carey, Vice Chairman	<u>Aye</u>
Jacky Beshar	<u>Aye</u>
Sabrina Cruz	<u>Absent</u>
Thomas Faraone	<u>Aye</u>
Giancarlo Gattucci	<u>Aye</u>
Richard Morini	<u>Aye</u>

The motion carried.

• **Reabuto Property, 49 Tiger Tr., Kent, NY; TM: 21.8-1-39**

This project has been on the Planning Board agenda for some time and pertains to re-construction of a house. Work began and there were issues about fill brought to the site. One wall was built in the wrong location and a stop work order was given to the applicant.

Mr. Andrews' Comments

Mr. Andrews said that an As-Built plan had been submitted and was compared to the survey. Site visits were made to the site. No substantial differences between the survey and As-Built plans were noted. The site can now be completed in compliance with the approved plan and the stop work order may be lifted and the approvals may be extended for a minimum of a year.

Mr. German asked for a motion to lift the stop work order and extend the time frame for one year from this meeting (July 8, 2024). The motion was made by Mr. Gattucci and seconded by Ms. Beshar. Following were the roll call votes:

Hugo German, Chairman	<u>Aye</u>
Simon Carey, Vice Chairman	<u>Aye</u>
Jacky Beshar	<u>Aye</u>
Sabrina Cruz	<u>Absent</u>
Thomas Faraone	<u>Aye</u>
Giancarlo Gattucci	<u>Aye</u>
Richard Morini	<u>Aye</u>

The motion carried.

- **Bruno Property, 251 Towners Rd., Kent, NY; TM: 33.59-1-68 & 69**

Mr. Andrews' Comments

The applicant owns two lots with a lot owned by the Town in between the two lots, which Ms. Bruno purchased. This application is not going to take place and this application will be withdrawn. The applicant is working with the Town of Kent Assessor to merge the three lots.

- **Nichols Rd. Project, Nichols Rd., Kent, NY; TM: 33.18-1-10 & 17**

Mr. Peder Scott represented the applicant. At the workshop there were concerns about the condition of the approved plans for this project. He spoke to an old client and was able to obtain drawings for the construction of the road and they were forwarded to the Planning Board office and will be reviewed later. The next step would be evaluating a use of Nichols Road. The client owns both sides and 3 commercial projects were proposed to the east. Two homes are proposed to be built to the west of the property. Work is to begin on the road within a week. A sewer agreement for the commercial side of the project is in the works and they are waiting for approval from the Board of Health. The applicant hopes to start the SEQRA process in order to move the project along. Wetland flags will be verified shortly. The applicant is waiting for comments from the Kent Planning Board attorney.

Mr. Andrews' Comments

Mr. Andrews confirmed that Mr. Scott had sent in some questions, which were referred to Mr. Battistoni who contacted the Town Attorney and the attorney for Kent Manor for their input. A letter from Mr. Battistoni, dated July 17, 2023, was referred to. The applicant wants to put the storm drain facilities on the residential lots, but that has not been approved at this time. Messrs. Andrews and Barber requested authorization to work with Mr. Scott to validate what's out there.

Mr. Barber's Comments

Mr. Barber asked if the wetland flags shown on the Drawing were out on the field. Mr. Scott said that the agent who verified the wetlands wants to meet with Mr. Barber. Regarding the SEQRA process, Mr. Barber said that additional information is needed before the SEQRA process may begin. A determination as to whether this project is an Unlisted or a Type I action needs to be made. Because of the ground disturbance closing in on 10 acres this may become a Type I action. Legal reviews also need to be done.

Ms. Beshar asked how large the property was and was told that there are 18 acres. Ms. Beshar asked the zoning for the property. The property is zoned C on the west side and R-40 on the other side.

Mr. Scott said that, since the plans were submitted to the Planning Board, the applicant had hoped that some type of preliminary review could be done on the improvements to be made on Nichols Street in order to ensure that the Town of Kent would approve them.

Mr. Barber responded by saying that, since the Nichols Extension is part of the Kent Manor subject property and it was supposedly approved previously, a lot of mitigation was involved. For that reason, legal counsel needs to be involved before the Planning Board could comply with Mr. Scott's request.

Mr. Faraone asked if the applicant had a total square footage of roof and parking lot impervious surface of the commercial section, Mr. Scott said that he didn't have that information with him at the meeting, but that he could provide it soon. Mr. Faraone asked if the stormwater runoff would be contained on site. Mr. Scott said that the stormwater runoff would be treated on site, but that it would be attenuated pre-development levels which will meet DEP requirements for treatment per the 2022 NY State DEC Stormwater Manual. A SWPPP will also be submitted. The location of the stormwater basins also needs to be verified. Mr. Faraone asked if the volume of runoff from the site to Route 52 would be provided, Mr. Scott said that information would also be provided. Previous plans submitted by Kent Manor show that there will be large swales on each side of the roadway at the base of Nichols Street

Mr. German asked for a motion authorizing Messrs. Andrews and Barber to conduct site inspections on this property. The motion was made by Mr. German and seconded by Mr. Faraone. Following were the roll call votes:

Hugo German, Chairman	<u>Aye</u>
Simon Carey, Vice Chairman	<u>Aye</u>
Jacky Beshar	<u>Aye</u>
Sabrina Cruz	<u>Absent</u>
Thomas Faraone	<u>Aye</u>
Giancarlo Gattucci	<u>Aye</u>
Richard Morini	<u>Aye</u>

The motion carried.

Mr. Walters asked Mr. Scott what clarification he needed from the Building Department. Mr. Andrews said that he believed that there were issues regarding Special Use Permits for self-storage and medical buildings on the property.

• **Route 52 Development/Kent Country Square, Route 52, Kent, NY; TM: 12.-1-52**

Mr., Andrews discussed a presentation made by the applicants regarding this project at the July 13, 2023 workshop. A partial submission has been made and Mr. Andrews and the other consultants, including the Planning Board's legal counsel, are seeking authorization to collectively commence review of this project in order to prepare memos as to how to proceed with this project.

Mr. German asked for a motion to authorize all of the consultants to commence reviews of this project. The motion was made by Mr. German and seconded by Ms. Beshar. Following were the roll call votes:

Hugo German, Chairman	<u>Aye</u>
Simon Carey, Vice Chairman	<u>Aye</u>
Jacky Beshar	<u>Aye</u>
Sabrina Cruz	<u>Absent</u>
Thomas Faraone	<u>Aye</u>
Giancarlo Gattucci	<u>Aye</u>
Richard Morini	<u>Aye</u>

The motion carried.

**Permit Applications Updates (Applicants attendance not required/Workshop Discussion):**

- Longinotti Property  
16 Saddle Ridge Ct., Kent, NY  
TM: 12.-3-16
- Erosion Control                      Status Report

The applicants have an existing pool and want to bring in fill to level off some of their property. A site visit was done by Messrs. Andrews, Barber and Bill Walters and there do not appear to be any problems. Memos will be prepared for the next meeting. Additional information will be needed from the applicant regarding the source where the fill will come from. It was recommended that the property line be staked in order to prevent any encroachment on the neighbor's property.

- Doherty Electric  
81 Lincoln Dr., Carmel, NY  
TM: 33.48-1-23
- Lot Line Revision                      Status Report  
Draft Resolution

A submission has been made regarding this property, but there are still some things missing. When the additional material is submitted this project will be completed.

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- Pye Property  
32 Ticonderoga Road, Kent, NY  
TM: 23.80-1-14

Erosion Control  
for an Existing  
Swimming Pool

Status Report

This project is finalized and the only thing left for the applicant to do is to work with the Building Department.

- Ahler Property  
769 Gypsy Tr. Rd./2 O'Brien Ct  
Kent, NY  
TM: 21.-1-19

Erosion Control

Status Report

This project has been finalized and the drawings may now be signed.

- Holly Property  
Winkler's Farm Ct Property, Kent, NY  
TM: 33.16-1-8

Site Plan

Status Report

A submittal is pending on this project.

- Old 17 LLC  
Old Horsepound Road, Kent, NY  
TM: 12.-1-38 & 42

Site Plan/Time Extension/new owner

Status Report

There are still some bond issues pending on this project and Rocky's Ridge.

- Rocky Ridge (new owners of Old 17  
Old Horsepound Road, Kent, NY  
TM: 12.-1-38 & 42

Site Plan/Time Extension  
Approvals to be transferred  
from Old 17 to new owners

Status Report

- Kent Self Storage  
Route 311, Kent, NY  
TM: 22.-2-17

Site Plan

Status Report

The applicant sent material, at the Building Department Inspector's recommendation, to the local fire department and they are *waiting for a response*.

- Raneri Property  
Hillside Paper Rd., Kent,, NY  
TM: 44.24-1-3

Erosion Control Plan  
Public Hearing

Status Report

We are waiting for the applicant to submit the bond agreements and fees.



- Guylazaca/Mayet  
24 Sol Dr., Kent, NY  
TM: 33.17-1-48

Erosion Control Plan  
Alteration/  
2 Car Garage Addition

Status Report

Nothing new has been submitted.

- NYCDEP & Seven Hills  
Lake Property Owners Assn  
(SHLPOA), Kent, NY  
TM: 66.-1-43.1 & 20.11-1-3 (NYC) & 66.-1-43.2 (SHLPOA)

Lot Line Adjustment

Status Report

Nothing new has been submitted

- Kent Manor  
Nichols Rd., Kent, NY  
TM: 33.-1-79

Site Plan

Status Report

- Route 52 Development/  
Kent Country Square  
Route 52, Kent, NY  
TM: 12.-1-52

SEQRA

Status Report

- Town of Kent Excavation Law

Status Report

Mr. Barber said that the Town Board issued a Resolution and authorized the Town Clerk to circulate the material regarding this project to adjoining towns and the County Planning Department for comment. The Board also declared them as Lead Agency and a Public Hearing will be conducted August 1, 2023. Mr. Carey asked for a copy of the material sent, because the Planning Board has not received a copy. Mr. Barber said he'd follow up.

Ms. Civitelli asked for a link to be sent to her regarding this material.

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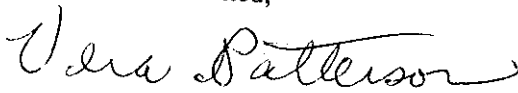
Town Kent Planning Board Minutes  
July 20, 2023

Mr. German asked for a motion to close the meeting at 8:30 PM. The motion was made by Mr. German and seconded by Ms. Beshar. . Following were the roll call votes:

Hugo German, Chairman	<u>Aye</u>
Simon Carey, Vice Chairman	<u>Aye</u>
Jacky Beshar	<u>Aye</u>
Sabrina Cruz	<u>Absent</u>
Thomas Faraone	<u>Aye</u>
Giancarlo Gattucci	<u>Aye</u>
Richard Morini	<u>Aye</u>

The motion carried.

Respectfully Submitted,



Vera Patterson  
Planning Board Secretary

cc: Planning Board Members  
Building Inspector  
Town Clerk

JULY 2023  
KENT PLANNING BOARD MEETING  
FINAL AGENDA

Workshop: JULY 13, 2023 (Thursday, 7:30 PM)

Meeting: JULY 20, 2023 (Thursday, 7:30 PM)

The Kent Planning Board workshop is scheduled for Thursday, July 13, 2023 and The Town of Kent Planning Board meeting will be held on Thursday, July 20, 2023 at 7:30 P.M. at the Kent Town Hall.

- Approve Planning Board Minutes from June 8, 2023
- Dorman Property  
26 Grey Oaks Court, Kent, NY  
TM: 33.41-1-14  
Public Hearing  
Erosion Control  
Review
- Bruno Property  
251 Towners Road, Kent, NY  
TM: 33.59-1-68 & 69  
Lot Line Revision  
Review
- Nichols Rd. Project  
Nichols Rd., Kent, NY  
TM: 33.-18-1-10 & 17  
Site Plan  
Review
- Realbuto Property  
49 Tiger Trail, Kent, NY  
TM: 21.8-1-39  
Erosion Control  
Review
- Route 52 Development/  
Kent Country Square  
Route 52, Kent, NY  
TM: 12.-1-52  
SEQRA  
Presentation

**Permit Applications Updates (Applicants attendance not required/Workshop Discussion):**

- Longinotti Property  
16 Saddle Ridge Ct., Kent, NY  
TM: 12.-3-16  
Erosion Control  
Status Report
- Doherty Electric  
81 Lincoln Dr., Carmel, NY  
TM: 33.48-1-23  
Lot Line Revision  
Draft Resolution  
Status Report

• Pye Property 32 Ticonderoga Road, Kent, NY TM: 23.80-1-14	Erosion Control For an Existing Swimming Pool	Status Report
• Ahler Property 769 Gipsy Tr. Rd./2 O'Brien Ct Kent, NY TM: 21.-1-19	Erosion Control	Status Report
• Holly Property Winkler's Farm Ct Property, Kent, NY TM: 33.16-1-8	Site Plan	Status Report
• Old 17 LLC Old Horsepound Road, Kent, NY TM: 12.-1-38 & 42	Site Plan/Time Extension/ New Owner	Status Report
• Rocky Ridge (new owners of Old 17 Old Horsepound Road, Kent, NY TM: 12.-1-38 & 42	Site Plan/Time Extension Approvals to be transferred from Old 17 to new owners	Status Report
• Kent Self Storage Route 311, Kent, NY TM: 22.-2-17	Site Plan	Status Report
• Raneri Property Hillside Paper Rd., Kent,, NY TM: 44.24-1-3	Erosion Control Plan Public Hearing	Status Report
• Guylazaca/Mayet 24 Sol Dr., Kent, NY TM: 33.17-1-48	Erosion Control Plan Alteration/ 2 Car Garage Addition	Status Report
• NYCDEP & Seven Hills Lake Property Owners Assn (SHLPOA), Kent, NY TM: 66.-1-43.1 & 20.11-1-3 (NYC) & 66.-1-43.2 (SHLPOA)	Lot Line Adjustment	Status Report
• Town of Kent Excavation Law		Status Report



## Cornerstone Associates

*Environmental Planning Consultants*  
1770 Central Street  
Yorktown Heights, NY 10598  
Phone: (914)-299-5293

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July 20, 2023

To: Planning Board

From: Bruce Barber  
Town of Kent Environmental Consultant

**Re: Dorman Application**  
26 Grey Oaks Court  
Section 33.41 Block 1 Lot 14

Dear Chairman German and Members of the Planning Board:

Please be advised the following pertinent documents have been reviewed relative to the above referenced application:

- Email sent by Mr. Dorman dated 07/07/23.
- Memo executed by John Karell, Jr., P.E. dated 06/22/23.
- Erosion Control Cost Estimate-Dorman prepared by John Karell, Jr., P.E. dated 06/22/23 (rev.),
- Stormwater Pollution Prevention Plan Erosion and Sediment Control-Dorman, Gazebo and Breezeway Construction, prepared by John Karell, Jr., P.E. dated 06/20/23 (rev.).
- Plans entitled, "Dean and Marybeth Dorman" prepared by John Karell, Jr., P.E. dated 06/07/23 (rev).
- Architectural Plans entitled; "Additions for Dorman Residence," prepared by TM Designs (undated).

**A: Summary of Application:**

Application is to construct a breezeway and recreation room overlooking Lake Carmel. As indicated below, and as required under Town Code Chapter 39A-5(C), In addition, the applicant has applied to obtain wetland permits to include structures in the wetland buffer which were constructed prior to obtaining a wetland permit. This includes an existing deck and hot tub.

The property is 1.65+/- acres in size and is improved with a residence and detached garage/office area. It is located on the southerly side of Grey Oaks Road in the R-10 (single-family residential) zoning district.

**B: Planning Board Permits Required:**

Steep slope/erosion and sediment control permit.  
Wetland permit

**C: Zoning:**

The applicant has provided information indicating that the proposed and existing structures on the site meet zoning compliance standards and variances are not required.

**D: SEQRA:**

The applicant has provided a short-form Environmental Assessment form. The proposed action is a Type II action.

**E: Environmental Review:**

Wetlands:

The applicant has indicated that the current proposed location of the gazebo is set back as far from the edge of Lake Carmel as desirable and has requested the Planning Board consider this location and the proposed mitigation for the permanent encroachment into the native wetland buffer area.

The applicant has proposed the installation of a Fujiclean septic system retrofit which is a system designed to reduce septic system discharge (effluent) pollutant discharge to ground and receiving waters such as Lake Carmel . The applicant has provided an email regarding the status of the Fujiclean system for the Board's consideration. .

Trees:

The applicant has indicated that trees and shrubs are proposed to be trimmed. A plan note clarifying this action has been provided.

Soils, Steep Slopes and Land Disturbance:

The proposed action will disturb 0.1 acres (4,356 square feet) and will be conducted within an area of steep slopes (greater than 15%). Additionally, 650 square feet of impervious surface (roof) will be created. The applicant has proposed a gravel trench and plantings to be installed at the roof of the addition drip line to reduce the potential for erosion and provide pollutant/nutrient uptake.

An erosion and sediment control plan and cost estimate have been prepared by the applicant's engineer. This office defers review to the Planning Board Engineer.

**G: Additional Review Comments:**

- All loose documents, notes and memos should be incorporated into a complete plan set with all sheets bearing the same revision date and signed and sealed by the NYS design professional. Plan set should include prior architectural design details and elevations.

- Site Plan Note #7 indicates that the Kent Planning Board will support Mr. Dorman in negotiations with Fujiclean as well as the installer. This comment is not correct and should be removed.
- If the Fujiclean system is not found to be feasible, alternative mitigation measures will be required to be submitted as per Planning Board direction prior to application approval.
- The lighting plan was not discernable on the plans. Please provide clear details. .

In reviewing this application, it is recommended that the Planning Board consult the Town Code Chapter 39A- 8 "Standards for Granting Permits" which provides guidance in the approval of wetland permit applications.

Further review and comments will be provided based on the applicant's responses.

Please do not hesitate to contact me should you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to be 'R' followed by a stylized flourish.

Bruce Barber, PWS, Registered Soil Scientist  
Town of Kent Environmental Planning Consultant



**ROHDE, SOYKA  
& ANDREWS**  
Consulting Engineers, P.C.

40 Garden Street  
Poughkeepsie, NY 12601  
Phone: (845) 452-7515  
E-Mail Address: [jandrews@rsaengrs.com](mailto:jandrews@rsaengrs.com)

*Wilfred A. Rohde, P.E. • Michael W. Soyka, P.E. (Retired) • John V. Andrews, Jr., P.E.*

# Memorandum

To: Planning Board  
Town of Kent

Attn: Hugo German  
Chairman

From: John V. Andrews, Jr., P.E.

Subject: Erosion Control Plan – Revised  
Submittal

Date: July 17, 2023

Project: Dorman  
TM # 33.41-1-14

The following materials were reviewed:

- Memo to Town of Kent Planning Board-Dorman Recreation Room and Breezeway-from John Karell, Jr., P.E. dated June 22, 2023.
- Erosion Control Cost Estimate-Dorman prepared by John Karell, Jr., P.E. dated March 10, 2023, last revised June 22, 2023.
- Stormwater Pollution Prevention Plan Erosion and Sediment Control-Dorman, Gazebo and Breezeway Construction, prepared by John Karell, Jr., P.E. dated March 15, 2023, last revised June 20, 2023.
- Drawing sheet S-1- Site Plan-Dorman, prepared by John Karell, Jr., P.E. dated March 10, 2023, last revised June 7, 2020, scale 1" = 30'.
- Sheet A.4 – Schematic – Option 4 - Additions for Dorman Residence, TM Designs, Thomas V. Milano, R.A., undated, not to scale.

The project proposes construction of a gazebo with a covered breeze connecting the gazebo to the existing house. The gazebo will essentially be a three-season family room overlooking the lake.

The subject Erosion and Sediment Control Plan is not approved. The following comments are provided for the Planning Board's consideration based on our June 7, 2023 memorandum. New or supplementary comments are shown in **bold**.

The following comments are provided for the Planning Board's consideration:

1. The proposed project is within the NYCDEP East of Hudson watershed and will disturb less than 5,000 SF of land. The project proposes disturbance within 100' of a wetland or watercourse. The project requires a Town of Kent Wetland Permit as well as a Steep Slope and Erosion Control Permit. Coverage under NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity, GP-0-20-001 is not required.
2. We defer to the Planning Board's environmental consultant regarding wetland issues.
3. The written SWPPP should be signed and sealed by the licensed professional responsible for its preparation. The information associated with the SWPPP should be



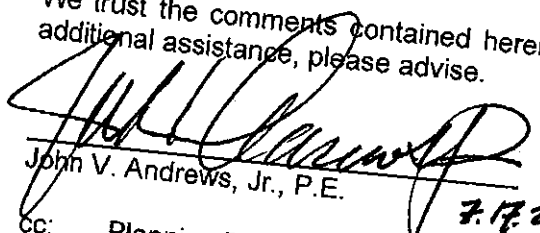
assembled into a complete document with the pages numbered and identified. The piecemeal nature of the submittal makes it difficult to review. **[SWPPP not signed and sealed and/or compiled into a cohesive document. (Please note -- the paper copy submitted to the Planning Board that we received at the workshop was compiled, signed, and sealed.) The proposed disturbance is inconsistent. One location states 3800 SF another identifies 4200 SF. A minor item, correct term is coir logs. Please revise and resubmit, complete.]**

4. Provide a note on the drawing stating "Per §66-6.K (1): Within 10 days after installation of all erosion control plan measures, the applicant shall submit to the Building Inspector a letter from the qualified professional who designed the plan for the applicant/landowner stating that all erosion control measures have been constructed and installed in compliance with the approved plan(s)." **[Resolved]**
5. Refer to the Drawings:
  - a. Extend the limits of disturbance to include the removal of the existing septic tank and its replacement with the alternate system, adjust the disturbance amount as appropriate. **[Resolved]**
  - b. Provide finished floor elevations on the Breezeway and gazebo. **[Noted on Architectural Plan A.4 - Option 4.]**
  - c. Provide a NYSDOT, Type 1, light duty turbidity curtain in the lake downstream of the gazebo work, minimum length 50 feet. **[Resolved]**
  - d. In lieu of the silt fence, provide and install 12-inch erosion control logs, Siltox by Filtrexx or similar equal. Installation to be per manufacturers recommendations. Adjust installation to site conditions and to avoid rock. Confine length to the minimum necessary based on the projected disturbance. **[Resolved]**
  - e. Add an Owner's Consent Note to the plan set to be signed and dated following the date of last revision. **[Note added. To be signed and dated following date of last revision.]**
  - f. There is a stray note regarding the turbidity curtain on the larger scale inset which should be adjusted and repositioned.
  - g. There is reference associated with the notation concerning the highwater mark which identifies a Note 7. The note is a survey note and is not provided on the site plan.
  - h. Add a note to the plan set indicating that no construction entrance is to be provided. Construction materials shall be loaded from the road. Construction ingress and egress shall be kept to the absolute minimum.
6. A bond estimate of \$2,640.00 was included with this most recent submittal. We cannot recommend this bond estimate be accepted for the bond amount at this time. The estimate will need to be amended to address the recommendations reflected herein. **[A revised bond estimate in the amount of \$4400.00 was included with this submittal. The estimate includes a construction entrance which is not to be provided. Removing the construction entrance reduces the bond amount to \$3900.00. Provided there are no substantive comments received at the public hearing that would have the effect of altering the scope of work, upon the close of the public hearing, and in the event the Planning Board sees fit to approve the project as**

proposed, we recommend that the Planning Board accept the bond amount and refer the bond to the Town Board with a recommendation for approval.

7. The applicant is responsible for full payment of actual costs of erosion control inspections. An initial inspection fee deposit of \$1000 is to be paid to the Town in accordance with the Town of Kent Fee Schedule. **[Comment continues]**
8. Provide a written response with future submittals stating how the comments have been addressed.

We trust the comments contained herein are satisfactory for your purposes. If we can be of additional assistance, please advise.

  
John V. Andrews, Jr., P.E.

7.17.2023

cc: Planning Board via email  
Bill Walters via email  
23-261-999-182

Bruce Barber via email



**ROHDE, SOYKA  
& ANDREWS**  
Consulting Engineers, P.C.

*Wilfred A. Rohde, P.E. • Michael W. Soyka, P.E. (Retired) • John V. Andrews, Jr., P.E.*

40 Garden Street  
Poughkeepsie, NY 12601  
Phone: (845) 452-7515 Fax: (845) 452-8335  
E-Mail Address: [jandrews@rsaengrs.com](mailto:jandrews@rsaengrs.com)

# Memorandum

To: Planning Board  
Town of Kent

Attn: Hugo German  
Chairman

From: John V. Andrews, Jr., P.E.

Subject: Erosion Control Plan –  
**Completeness**

Date: July 17, 2023

Project: Ahlers Residence  
TM # 21-1-19

The following materials were reviewed:

- Drawing L-100-Steep Slopes and Erosion Control Permit Plan-Ahlers 769 Gipsy Trail Road, prepared by MKM Landscape Architecture PC, dated June 5, 2023, scale 1" = 20'.
- Short Environmental assessment Form (SEAF) Part 1 dated June 19, 2023

The project has been modified to involve the filling and grading against an existing retaining wall to stabilize and eliminate the need for the wall. The proposed project is within the NYCDEP East of Hudson watershed. Disturbance has been reduced to below 5,000 SF of land. The proposal involves disturbance of steep slopes and the placement of 700 cubic yards of clean fill. A Town of Kent Steep Slope and Erosion Control Permit is required. Coverage under NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity, GP-0-20-001 is not required.

The subject Erosion and Sediment Control Plan is approved. The following comments are provided for the Planning Board's consideration:

1. Engineering concerns have been satisfactorily resolved.
2. The Planning Board's environmental consultant has no further concerns with regard to wetland issues.
3. The Planning Board accepted the bond estimate in the amount of \$4700.00 and referred the matter to the Town Board for approval of the amount and acceptance of the bond.
4. The Town must have a fully executed bond agreement form and a check (or other form of acceptable surety). The Town Board must accept the bond agreement and the check at a regular meeting. Upon acceptance by the Town Board, the final plans may be signed.
5. The applicant is responsible for full payment of actual costs of erosion control inspections. An initial inspection fee deposit of \$1000 is to be paid to the Town in accordance with the Town of Kent Fee Schedule.
6. If not already done, prior to the Planning Board Chairman's signature on plans, all Planning Board costs and fees including the erosion control bond, initial inspection fee

Memorandum  
Ahlers Residence ECP – Completeness  
TM # 21-1-19  
July 17, 2023  
Page 2 of 2

deposit and all professional review fees incurred during the review and approval of the application must be paid in full.

7. Vera Patterson, Planning Board Clerk, should verify that there are sufficient copies of the final drawings in the Planning Office for the Chairman's signature.

We trust the comments contained herein are satisfactory for your purposes. If we can be of additional assistance, please advise.

  
John V. Andrews, Jr., P.E.

7.17.2023

cc: Planning Board via email  
Bill Walters via email  
23-261-999-183

Bruce Barber via email



**ROHDE, SOYKA  
& ANDREWS**  
Consulting Engineers, P.C.

Wilfred A. Rohde, P.E. • Michael W. Soyka, P.E. (Retired) • John V. Andrews, Jr., P.E.

40 Garden Street  
Poughkeepsie, NY 12601  
Phone: (845) 452-7515 Fax: (845) 452-8335  
E-Mail Address: [jandrews@rsaengrs.com](mailto:jandrews@rsaengrs.com)

# Memorandum

To: Planning Board  
Town of Kent

Attn: Hugo German  
Chairman

From: John V. Andrews, Jr., P.E.

Subject: Revised Lot Line Approval –  
**Completeness**

Date: July 17, 2023

Project: Doherty  
81 Lincoln Dr & 38 Chauncey Rd  
TM # 33.48-1-23 & 33.48-1-18

The following materials were reviewed:

- Bargain and Sale Deed with Covenants Section 33.48-1-23- Doherty.
- Bargain and Sale Deed with Covenants Section 33.48-1-18- Doherty.
- Lot Line Change-Robert & Katherine Doherty prepared by David L Odell, PLS dated March 22, 2023, last revised April 19, 2023. Scale 1' -20'.

The project proposes a property transfer between the parcel at 81 Lincoln Dr. (TM # 33.48-1-23) and the parcel at 38 Chauncey Rd. (TM# 33.48-1-18), reducing the Lincoln Dr parcel by approximately 2628 SF and increasing the Chauncey Rd. parcel by that same amount.

The following comments are provided for the Planning Board's consideration based on our February 1, 2023 and April 3, 2023 memoranda and the Resolution of Approval. New or supplementary comments are shown in **bold**. In addition, attached hereto for clarity are **copies of the submitted deeds, the earlier version of the Subdivision Plat, dated March 22, 2023 and a copy of Town Code Section 66A-17 all of which have been hand notated to reflect and/or amply the comments that remain unresolved as indicated herein.**

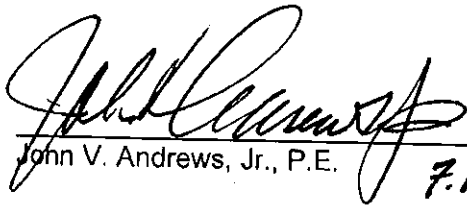
1. There are no proposed improvements associated with this action. This is merely a property transfer and perhaps including a lot merger between consenting parties requiring a revised lot line approval from the Town of Kent Planning Board. The matter is handled as a revised lot line approval. There is no public hearing requirement associated with this action. **[No comment required. See approval Resolution.]**
2. There are some inconsistencies in the application. It appears that three (3) tax parcels are involved, TM # 33.48-1-23 (81 Lincoln), TM # 33.38-1-18( 38 Chauncey) and TM # 33.48-1-19. A portion of TM # 33.48-1-23 is being conveyed to TM # 33.48-1-18 reducing the acreage of TM # 33.48-1-23 to the minimum required of 10,000 square feet and increasing TM # 33.48-1-18 to greater than 15,000 square feet and apparently including its merger with TM # 33.48-1-19. The Planning Board should discuss the intent of the Applicant and confirm the intended outcome. **[ The plat submitted still reflects TM # 33.48-1-19 as a separate parcel. The Applicant should clarify their intent with respect**

- to this parcel. As it is a substandard lot size, in our opinion, it should be combined with the adjoining parcel as part of this action. **[Partially resolved – See hand notated Plat attached]**
3. A completed, signed and dated Short Environmental Assessment Form (SEAF) should be submitted as part of the Application. Per 6 NYCRR 617-§ 617.5(c)(5) "granting of individual setback and lot line variances and adjustments" is considered a Type II action, requiring no further environmental review. We recommend that the Planning Board make such a determination but require the SEAF for record purposes. **[SEAF required][Resolved]**
  4. The zoning designations for the involved parcels are not clear. It appears that TM # 33.48-1-23 is in the R-10 Zoning District and that TM 3 33.48-1-18 is in the C Zoning District. We cannot confirm that based on the Town Zoning Map. If this is in fact the case, both lots to be created as part of this action would conform with respect to lot size. **[The zoning designations remain unclear. The plat note provided indicates that both parcels are in the Commercial District. This requires clarification as both parcels would be non-conforming with the subdivision increasing the nonconformity of one of the parcels.][Resolved – refer to Building Inspector letter in file]**
  5. Conceptually we take no exception to the proposed action. It appears that it is consistent with the subdivision regulations. Future submittals shall include the information required by Town Code Section 66A-17. **[A proper subdivision plat was included in this most recent submittal. It is not consistent with Town Code Section 66A-17 Please refer to the attached hand notated plat and attached Town Code Section 66A-17.]**
  6. The following items required by Town Code Section 66A-17 should be provided in future submittals.:
    - Site data table listing the name of any school, fire or special districts, zoning designations of parcels, required and proposed lot area, required and proposed lot width, and required and proposed road frontage. Lot sizes must be shown in square feet or acres. Some information has been provided in the form of notes, but it is incomplete. **[Not Resolved – See attached hand notated information]**
    - The grantor of lands shall submit a proposed deed conveying the portion of land to the adjoining lot or parcel owner. Said deed must contain a clause stating that: "This parcel of land is conveyed pursuant to a revised lot line approved by the Planning Board of the Town of Kent, on (date) and does not create any new or additional building lots or parcels." Metes and bounds descriptions should be provided for review. **[Not Resolved – See attached hand notated deeds. Metes and bounds incorrect]**
    - The owner of the adjoining lot or parcel shall submit a proposed deed describing, as a single parcel, the existing adjoining lot or parcel along with the property to be conveyed, conveying said increased lot or parcel as a single unified lot or parcel, to himself or herself, or such entity as the owner desires. Said deed shall contain a clause as follows: "This deed of conveyance is for the sole purpose of unifying into a single lot or parcel lands previously owned by the grantor with lands conveyed to the grantee as a result of a revised lot line approved by the

*Planning Board of the Town of Kent on (date)." A complete metes and bounds description of the consolidated lot should be provided for review. [Not resolved  
**See hand notated deeds. Metes and bounds incorrect]***

7. *No topography was provided. We recommend that the Applicant request a waiver such that topographic information not be required on the survey. (Reference - Town Code Section 66A-17.D(4)(c) – existing contours with intervals of five feet or less). The topographic information is not necessary. The lack of such information does not hinder a proper review of the matter. When requested, we recommend the Planning Board consider granting the waiver. [Waived by the Planning Board]*

We trust the comments are useful in your review. Please let us know if we can be of additional assistance.

  
John V. Andrews, Jr., P.E. 7.17.2023

Attachments

cc: Planning Board via email  
Bill Walters via email  
22-261-

Bruce Barber via email

Town of Kent, NY  
Monday, July 17, 2023

# Chapter 66A. Subdivision of Land

## Article IV. Documents and Information To Be Submitted

### § 66A-17. Revised lot line plat.

The following documents shall be submitted for approval:

**ITEMS TO BE PROVIDED**

- Revised lot line application, completed in full.
- Consent of property owner(s) form, completed in full with original signatures.
- Short form environmental assessment form, completed in full.
- Full-size and reduced-size plans depicting the proposed revised lot line in the quantity and media type specified by the Planning Board and including the following data and information:

█ An accurate survey depicting the condition of the affected properties as of the time of the application prepared by a New York State licensed land surveyor, including the date of the survey, the date the map was prepared, a North point, scale, and the name and address of record owner(s) and the surveyor, and depicting the lot line(s) to be revised.

█ Site data table listing the name of any school, fire or special districts, zoning designations of parcels, required and proposed lot area, required and proposed lot width, and required and proposed road frontage. Lot sizes must be shown in square feet or acres.

(V) Location map: scale one inch equals 400 feet.

(4) Unless waived or modified by the Planning Board: — **WAIVED AS INDICATED**

(a) Location of existing watercourses, surface waters, and regulated wetlands and wetland buffer areas. **(NONE PRESENT)**

→ (b) Location of existing sewers, water mains, culverts, driveways and drains on the property with pipe sizes, grades and direction of flow.

→ (c) Existing contours with intervals of five feet or less. **(waived)**

→ (d) Location of existing property lines, streets, easements and buildings.

→ (e) Names, addresses and tax identification numbers of all adjacent property owners.

█ The grantor of lands shall submit a proposed deed conveying the portion of land to the adjoining lot or parcel owner. Said deed must contain a clause stating that:

"This parcel of land is conveyed pursuant to a revised lot line approved by the Planning Board of the Town of Kent, on (date) and does not create any new or additional building lots or parcels." **LANGUAGE NOT INCLUDED IN DEED**

█ The owner of the adjoining lot or parcel shall submit a proposed deed describing, as a single parcel, the existing adjoining lot or parcel along with the property to be conveyed, conveying



said increased lot or parcel as a single unified lot or parcel, to himself or herself, or such entity as the owner desires. Said deed shall contain a clause as follows:

"This deed of conveyance is for the sole purpose of unifying into a single lot or parcel lands previously owned by the grantor with lands conveyed to the grantee as a result of a revised lot line approved by the Planning Board of the Town of Kent on (date)." ~~language not~~  
*included in deed.*



SCHEDULE A

COMMENCING from a point in the southeasterly corner of Lot Tax Map No. 3348-1-23 adjoining Lincoln Drive

THENCE South  $85^{\circ}17'20''$  West a distance of 140.64 feet;

THENCE North  $4^{\circ}42'40''$  West a distance of 40 feet;

THENCE North  $85^{\circ}17'20''$  East a distance of 109.86 feet;

THENCE South  $1^{\circ}50'10''$  East a distance of 30.12 feet to a point or place of beginning.

7.17.2023  
INCORRECT  
DOES NOT MATCH  
PLAN

RECEIVED VIA EMAIL.

JUN 23 2023

ROHDE, SOYKA & ANDREWS  
CONSULTING ENGINEERS, P.C.

**ACKNOWLEDGEMENT TAKEN IN NEW YORK STATE**

State of New York, County of Putnam, ss:

On the \_\_\_\_ day of June in the year 2023, before me, the undersigned, personally appeared ROBERT W. DOHERTY

, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

**ACKNOWLEDGEMENT BY SUBSCRIBING WITNESS TAKEN IN NEW YORK STATE**

State of New York, County of \_\_\_\_\_, ss:

On the \_\_\_\_ day of \_\_\_\_\_ in the year \_\_\_\_\_, before me, the undersigned, a Notary Public in and for said State, personally appeared \_\_\_\_\_, the subscribing witness to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he/she/they reside(s) in \_\_\_\_\_

(if the place of residence is in a city, include the street and street number if any, thereof), that he/she/they know(s)

to be the individual described in and who executed the foregoing instrument; that said subscribing witness was present and saw said

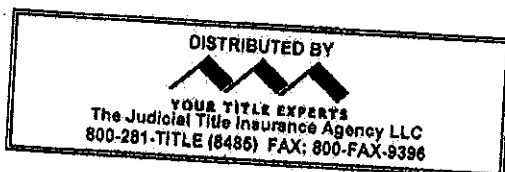
execute the same; and that said witness at the same time subscribed his/her/their name(s) as a witness thereto

**Bargain and Sale Deed  
With Covenants**

Title No.

ROBERT W. DOHERTY  
TO

ROBERT W. DOHERTY and KATHRYN DOHERTY



**ACKNOWLEDGEMENT TAKEN IN NEW YORK STATE**

State of New York, County of Putnam, ss:

On the \_\_\_\_ day of \_\_\_\_\_ in the year \_\_\_\_\_, before me, the undersigned, personally appeared \_\_\_\_\_

, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

**ACKNOWLEDGEMENT TAKEN OUTSIDE NEW YORK STATE**

\*State of \_\_\_\_\_, County of \_\_\_\_\_, ss:

\*(Or insert District of Columbia, Territory, Possession or Foreign County)

On the \_\_\_\_ day of \_\_\_\_\_ in the year \_\_\_\_\_, before me \_\_\_\_\_ the undersigned personally appeared \_\_\_\_\_

Personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), that by his/her/their signature(s) on the instrument, the individual(s) or the person upon behalf of which the individual(s) acted, executed the instrument, and that such individual make such appearance before the undersigned in the \_\_\_\_\_

(add the city or political subdivision and the state or country or other place the acknowledgement was taken).

RECEIVED VIA EMAIL

JUN 23 2023

ROHDE, SOYKA & ANDREWS  
CONSULTING ENGINEERS PC

SECTION: 33.48

BLOCK: 1

LOT: 23

COUNTY OR TOWN: Town of Kent

**RETURN BY MAIL TO:**

Timothy J. Curtis, Esq.  
20 Church Street  
Carmel, New York 10512

THIS INDENTURE, made the \_\_\_\_ day of June, in the year 2023

BETWEEN ROBERT W. DOHERTY and KATHERINE DOHERTY, with a mailing address of 27 Sedgwick Road,  
Carmel, New York 10512,

party of the first part, and ROBERT W. DOHERTY and KATHERINE DOHERTY, with a mailing address of 27 Sedgwick  
Road, Carmel, New York 10512,  
party of the second part,

WITNESSETH, that the party of the first part, in consideration of

paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors  
and assigns of the party of the second part forever, being and intended to be the same premises described in the Deed to the  
party of the first part by John Guttridge, Referee, dated October 8, 2010, and recorded in the Putnam County Clerk's Office

TEN and 00/100 (\$10.00) dollars

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being  
in the

SEE SCHEDULE A ATTACHED HERETO

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads  
abutting the above described premises to the center lines thereof; TOGETHER with the appurtenances and all the estate and  
rights of the party of the first part in and to said premises; TO HAVE AND TO HOLD the premises herein granted unto the  
party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said  
premises have been encumbered in any way whatever, except as aforesaid.  
AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will  
receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied  
first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the  
improvement before using any part of the total of the same for any other purpose. The word "party" shall be construed as if it  
read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:

ROBERT W. DOHERTY

KATHERINE DOHERTY

7.17.2023

Missing  
Required Language

RECEIVED VIA EMAIL.

JUN 23 2023

ROHDE, SOYKA & ANDREWS  
CONSULTING ENGINEERS, P.C.

**ACKNOWLEDGEMENT TAKEN IN NEW YORK STATE**

State of New York, County of Putnam, ss:

On the \_\_\_\_ day of June in the year 2023, before me, the undersigned, personally appeared ROBERT W. DOHERTY

, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

**ACKNOWLEDGEMENT BY SUBSCRIBING WITNESS TAKEN IN NEW YORK STATE**

State of New York, County of \_\_\_\_\_, ss:

On the \_\_\_\_ day of \_\_\_\_ in the year \_\_\_\_, before me, the undersigned, a Notary Public in and for said State, personally appeared \_\_\_\_\_, the subscribing witness to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he/she/they reside(s) in

(If the place of residence is in a city, include the street and street number if any, thereof; that he/she/they know(s))

to be the individual described in and who executed the foregoing instrument; that said subscribing witness was present and saw said

execute the same; and that said witness at the same time subscribed his/her/their name(s) as a witness thereto

**ACKNOWLEDGEMENT TAKEN IN NEW YORK STATE**

State of New York, County of Putnam, ss:

On the \_\_\_\_ day of June in the year 2023, before me, the undersigned, personally appeared KATHERINE DOHERTY

, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

**ACKNOWLEDGEMENT TAKEN OUTSIDE NEW YORK STATE**

\*State of \_\_\_\_\_, County of \_\_\_\_\_, ss:

\*(Or Insert District of Columbia, Territory, Possession or Foreign Country)

On the \_\_\_\_ day of \_\_\_\_ in the year \_\_\_\_, before me the undersigned personally appeared

Personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), that by his/her/their signature(s) on the instrument, the individual(s) or the person upon behalf of which the individual(s) acted, executed the instrument, and that such individual make such appearance before the undersigned in the

(add the city or political subdivision and the state or country or other place the acknowledgement was taken).

**Bargain and Sale Deed  
With Covenants**

Title No.

ROBERT W. DOHERTY and KATHERINE DOHERTY  
TO

ROBERT W. DOHERTY and KATHERINE DOHERTY

SECTION: 33.48

BLOCK: 1

LOT: 18

COUNTY OR TOWN: Town of Kent

RECEIVED VIA EMAIL

JUN 23 2023

ROHDE, SOYKA & ANDREWS  
CONSULTING ENGINEERS, PC.

DISTRIBUTED BY



YOUR TITLE EXPERTS  
The Judicial Title Insurance Agency LLC  
800-281-TITLE (8486) FAX: 800-FAX-9396

RETURN BY MAIL TO:

Timothy J. Curran, Esq.  
20 Church Street  
Carmel, New York 10512

SCHEDULE A

Tax Map No. 33.48-1-18

Commencing from a point in the southwesterly corner as Lot Tax Map No. 33.48-1-18  
adjoining Chauncey Road

Thence South  $85^{\circ}17'20''$  West a distance of 180.84'

Thence South  $40^{\circ}42'40''$  East a distance of 40'

Thence North  $85^{\circ}17'20''$  East a distance of 35'

Thence North  $40^{\circ}42'40''$  West a distance of 40'

Thence North  $85^{\circ}17'20''$  East a distance of 109.86'

Thence South  $1^{\circ}50'10''$  East a distance of 180.12' to a point or place of beginning.

7.17.2023

→ M. CORREY  
RECEIVED VIA EMAIL  
M. CORREY AT PLACE

RECEIVED VIA EMAIL

JUN 23 2023

ROHDE, SOYKA & ANDREWS  
CONSULTING ENGINEERS, PC





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**From:** jandrews@rsaengrs.com  
**Sent:** Thursday, July 13, 2023 10:23 AM  
**To:** 'Hugo German'; 'Planning Kent'  
**Cc:** 'Bruce Barber'; 'Building Inspector'; 'Carl | Albano Agency'; splawsky@townofkentny.gov  
**Subject:** Bruno - Lot Line Realignment, Town of Kent

To all

Concerning the Bruno Lot Line Realignment - We have reviewed this matter. We spoke with the Town Assessor, Seth Plawsky. Yesterday we received a copy of the deed from the Town, fully executed, effectively transferring the parcel to the new owner. There is no longer a need for a lot line realignment. The parcels can now all be merged into one, with a new deed describing the merged parcel filed. The Assessor was going to review this matter with the Supervisor to ensure that the merger would be a condition of the sale of the parcel to the new owner by the Town. There may be some miscellaneous paperwork involved, but no need to involve the Planning Board or continue the current process. The lot line realignment complicates an already complex action.

We respectfully request that the Planning Board take no action on this matter. We ask that the Board simply place the application on hold pending a satisfactory resolution to the merger matter, at which time the action can be stopped with no further Planning Board involvement.

We trust the comments contained herein are satisfactory for your purposes. If we can be of additional assistance, please advise.

John

John V. Andrews, Jr., P.E.  
ROHDE, SOYKA & ANDREWS  
Consulting Engineers, P.C.  
40 Garden Street  
Poughkeepsie, NY 12601  
845-452-7515

Bargain and Sale Deed, with Covenant against Grantor's Acts — Individual or Corporation (Single Sheet)  
CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT—THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY.

THIS INDENTURE, made the \_\_\_\_\_ day of \_\_\_\_\_, in the year 2023

BETWEEN TOWN OF KENT, a Municipal Corporation having offices at 25 Sybil's Crossing, Carmel, New York 10512

party of the first part, and Lynn Bruno, having an address of 251 Towners Road, Carmel, New York 10512  
party of the second part,

WITNESSETH, that the party of the first part, in consideration of

paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors  
and assigns of the party of the second part forever, \_\_\_\_\_ TEN ( \$10.00) \_\_\_\_\_ dollars

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being  
in the piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of  
Kent, County of Putnam and State of New York, known as a portion of Mamaroneck Road as shown on map entitled, "Tenth  
Map of Lake Carmel", filed in the Office of the Clerk of the County of Putnam on May 17, 1930 as Map No. 130-1 and being  
more particularly bounded and described in the Schedule "A" attached hereto and made a part hereof.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads  
abutting the above described premises to the center lines thereof; TOGETHER with the appurtenances and all the estate and  
rights of the party of the first part in and to said premises; TO HAVE AND TO HOLD the premises herein granted unto the  
party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said  
premises have been encumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will  
receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied  
first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the  
improvement before using any part of the total of the same for any other purpose. The word "party" shall be construed as if it  
read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

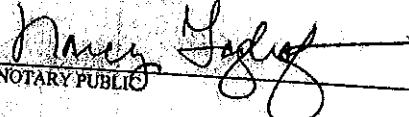
IN PRESENCE OF:

Jaime McGlasson  
Jaime McGlasson, Supervisor of the Town of Kent

# ACKNOWLEDGEMENT TAKEN IN NEW YORK STATE

State of New York, County of \_\_\_\_\_, ss:

On the 11 day of July in the year 2023, before me, the undersigned, personally appeared **JAIME MCGLASSON**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

  
NOTARY PUBLIC

**NANCY TAGLIAPIETRA**  
Notary Public, State of New York  
No. 021A6277617  
Qualified in Dutchess County  
Commission Expires April 21, 2025

## ACKNOWLEDGEMENT BY SUBSCRIBING WITNESS TAKEN IN NEW YORK STATE

State of New York, County of \_\_\_\_\_, ss:

On the \_\_\_\_\_ day of \_\_\_\_\_ in the year \_\_\_\_\_, before me, the undersigned, a Notary Public in and for said State, personally appeared \_\_\_\_\_, the subscribing witness to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he/she/they reside(s) in \_\_\_\_\_ (If the place of residence is in a city, include the street and street number if any, thereof); that he/she/they know(s) \_\_\_\_\_ to be the individual described in and who executed the foregoing instrument; that said subscribing witness was present and saw said \_\_\_\_\_ execute the same; and that said witness at the same time subscribed his/her/their name(s) as a witness thereto.

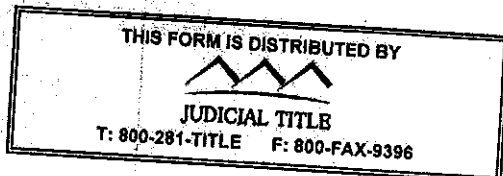
NOTARY PUBLIC

## Bargain & Sale Deed With Covenants

TO

Title Company:

Title Number:



# ACKNOWLEDGEMENT TAKEN IN NEW YORK STATE

State of New York, County of \_\_\_\_\_, ss:

On the \_\_\_\_\_ day of \_\_\_\_\_ in the year \_\_\_\_\_, before me, the undersigned, personally appeared \_\_\_\_\_, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

NOTARY PUBLIC

## ACKNOWLEDGEMENT TAKEN OUTSIDE NEW YORK STATE

State of \_\_\_\_\_, County of \_\_\_\_\_, ss:

On the \_\_\_\_\_ day of \_\_\_\_\_ in the year \_\_\_\_\_, before me, the undersigned personally appeared \_\_\_\_\_, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), that by his/her/their signature(s) on the instrument, the individual(s) or the person upon behalf of which the individual(s) acted, executed the instrument, and that such individual make such appearance before the undersigned in the \_\_\_\_\_ (add the city or political subdivision and the state or country or other place the acknowledgement was taken).

NOTARY PUBLIC

COUNTY: PUTNAM

TOWN/CITY: KENT

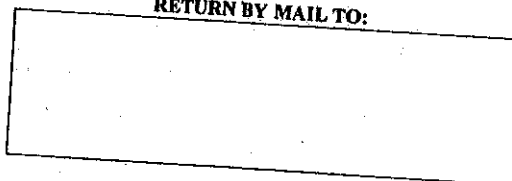
PROPERTY ADDRESS:

SECTION

BLOCK:

LOT:

RETURN BY MAIL TO:



## FOR COUNTY USE ONLY

C1. SWIS Code

C2. Date Deed Recorded

C3. Book

C4. Page

INSTRUCTIONS(RP-5217-PDF-R15): www.dps.state.ny.us



New York State Department of  
Taxation and Finance  
Office of Real Property Tax Services  
RP-5217-PDF  
Real Property Transfer Report (RPT)

## PROPERTY INFORMATION

1. Property Location

\* STREET NUMBER

Towne's Road

Kent

\* STREET NAME

\* CITY OR TOWN

Village

2. Buyer Name

Bruno

Lynn

\* LAST NAME/COMPANY

FIRST NAME

3. Tax Billing Address

Indicate where future Tax Bills are to be sent if other than buyer address(es) at bottom of form

Bruno

Lynn

251 Towne's Road

\* STREET NUMBER AND NAME

\* CITY OR TOWN

STATE

ZIP CODE

4. Indicate the number of Assessment Roll parcels transferred on the deed

1

# of Parcel

OR

Part of a Parcel

(Only if Part of a Parcel) Check all that apply:

4A. Placing Board with Subdivision Authority Edits

4B. Subdivision Approval was Required for Transfer

4C. Parcel Approved for Subdivision with Map Provided

5. Deed

\* FRONT FEET

X

OR

0.00

\* DEPTH

\* ACRES

6. Seller Name

Town of Kent

\* LAST NAME/COMPANY

FIRST NAME

\* LAST NAME/COMPANY

FIRST NAME

7. Select the description which most accurately describes the use of the property at the time of sale:

C. Residential Vacant Land

Check the boxes below as they apply:

8. Ownership Type is Condominium

9. New Construction on a Vacant Land

10A. Property Located within an Agricultural District

10B. Buyer received a disclosure notice indicating that the property is in an Agricultural District

16. Check one or more of these conditions as applicable to transfer:

A. Sale Between Relatives or Former Relatives

B. Sale Between Related Companies or Partners in Business

C. One of the Buyers is also a Seller

D. Buyer or Seller is Government Agency or Lending Institution

E. Deed Type (not Warranty or Bargain and Sale) (Specify Below)

F. Sale of Fractional or Less than Full Interest (Specify Below)

G. Significant Change in Property Taxable Status and Sale Dates

H. Sale of Business is Included in Sale Price

I. Other Unusual Factors Affecting Sale Price (Specify Below)

J. None

Comment(s) on Condition:

## SALE INFORMATION

11. Sale Contract Date

12. Date of Sale/Transfer

13. Full Sale Price

200.00

(Full Sale Price is the total amount paid for the property including personal property. This payment may be in the form of cash, other property or goods, or the assumption of mortgages or other obligations. Please round to the nearest whole dollar amount.)

14. Indicate the value of personal property included in the sale

.00

## ASSESSMENT INFORMATION - Data should reflect the latest Final Assessment Roll and Tax Bill

16. Year of Assessment Roll from which information taken (YY)

23

17. Total Assessed Value

18. Property Class

19. School District Name

20. Tax Map Identifier(s) (If more than four, attach sheet with additional identifier(s))

## CERTIFICATION

I certify that all of the items of information entered on this form are true and correct (to the best of my knowledge and belief) and I understand that the making of any willful false statement of material fact herein is subject me to the provisions of the penal law relative to the making and filing of false instruments.

SELLER SIGNATURE

*Jamie Madonna*  
SELLER SIGNATURE DATE

BUYER SIGNATURE

BUYER SIGNATURE DATE

## BUYER CONTACT INFORMATION

(Enter information for the buyer. Note: If buyer is LLC, company, association, corporation, joint stock company, estate or trust, then it is not an individual agent or subsidiary. Then a name and contact information of an individual responsible party who can answer questions regarding the transfer must be entered. Type or print clearly.)

Tagliaferro

Nancy

\* LAST NAME

FIRST NAME

(845)

279-2986

\* AREA CODE

\* TELEPHONE NUMBER (do not omit)

\* STREET NUMBER

\* STREET NAME

\* CITY OR TOWN

STATE

ZIP CODE

## BUYER'S ATTORNEY

\* LAST NAME

FIRST NAME

\* AREA CODE

\* TELEPHONE NUMBER (do not omit)

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Kent, County of Putnam and State of New York, known as a portion of Mamaroneck Road as shown on map entitled, "Tenth Map of Lake Carmel", filed in the Office of the Clerk of the County of Putnam on May 17, 1930 as Map No. 130-1 and being more particularly bounded and described as follows:

BEGINNING on the easterly side of Towners Road where the easterly side of Towners Road intersects with the northerly side of Mamaroneck Road;

THENCE RUNNING easterly along the northerly boundary of Mamaroneck Road South  $75^{\circ} 06' 20''$  East a distance of 100.36 feet;

THENCE along the easterly boundary of the parcel being described South  $19^{\circ} 43' 00''$  West a distance of 40.14 feet to the southerly side of Mamaroneck Road;

THENCE RUNNING in a westerly direction along the northerly side of Mamaroneck Road North  $75^{\circ} 06' 20''$  West 100.36 feet to the easterly side of Towners Road;

THENCE along the easterly side of Towners road and across Mamaroneck Road North  $19^{\circ} 43' 00''$  East a distance of 40.14 feet to the POINT AND PLACE OF BEGINNING.

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT—THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY.

THIS INDENTURE, made the \_\_\_\_ day of June, in the year 2023

BETWEEN ROBERT W. DOHERTY, with a mailing address of 27 Sedgewick Road, Carmel, New York 10512, party of the first part, and ROBERT W. DOHERTY and KATHRYN DOHERTY, with a mailing address of 27 Sedgewick Road, Carmel, New York 10512, party of the second part,

WITNESSETH, that the party of the first part, in consideration of

paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever, being and intended to be the same premises described in the Deed to the party of the first part by Federal Home Loan Mortgage Corporation, dated April 24, 2019, and recorded May 6, 2019 in Book 2110 at Page 249 in the Putnam County Clerk's Office

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the

SEE SCHEDULE A ATTACHED HERETO

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof, TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises, TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

AND the party of the first part covenants with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose. The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:

ROBERT W. DOHERTY

**SCHEDULE A**

COMMENCING from a point in the southeasterly corner of Lot Tax Map No. 3348-1-23 adjoining Lincoln Drive

THENCE South  $85^{\circ}17'20''$  West a distance of 140.64 feet;

THENCE North  $4^{\circ}42'40''$  West a distance of 40 feet;

THENCE North  $85^{\circ}17'20''$  East a distance of 109.86 feet;

THENCE South  $1^{\circ}50'10''$  East a distance of 30.12 feet to a point or place of beginning.



RETURN BY MAIL TO:  
Timothy J. Curtis, Esq.  
20 Church Street  
Carmel, New York 10512

Title No.  
TO  
ROBERT W. DOHERTY  
ROBERT W. DOHERTY and KATHRYN DOHERTY

SECTION: 33.48  
BLOCK: 1  
LOT: 23  
COUNTY OR TOWN: Town of Kent

### Bargain and Sale Deed With Covenants

ACKNOWLEDGEMENT BY SUBSCRIBING WITNESS TAKEN  
IN NEW YORK STATE  
State of New York, County of \_\_\_\_\_, ss:  
On the \_\_\_\_\_ day of \_\_\_\_\_ in the year \_\_\_\_\_, before me, the undersigned, a Notary Public in and for said State, personally appeared \_\_\_\_\_, the subscribing witness to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he/she/they reside(s) in \_\_\_\_\_ (if the place of residence is in a city, include the street and street number if any, thereof); that he/she/they know(s) to be the individual described in and who executed the foregoing instrument; that said subscribing witness was present and saw said execute the same; and that said witness at the same time subscribed his/her/their name(s) as a witness thereto.

ACKNOWLEDGEMENT TAKEN OUTSIDE NEW YORK STATE  
State of \_\_\_\_\_, County of \_\_\_\_\_, ss:  
On the \_\_\_\_\_ day of \_\_\_\_\_ in the year \_\_\_\_\_, before me, the undersigned personally appeared \_\_\_\_\_, the undersigned personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), that by his/her/their signature(s) on the instrument, the individual(s) or the person upon behalf of which the individual(s) acted, executed the instrument and that such individual make such appearance before the undersigned in the \_\_\_\_\_ (add the city or political subdivision and the state or county or other place the acknowledgment was taken).

ACKNOWLEDGEMENT TAKEN IN NEW YORK STATE  
State of New York, County of Putnam, ss:  
On the \_\_\_\_\_ day of June in the year 2023, before me, the undersigned, personally appeared ROBERT W. DOHERTY, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

ACKNOWLEDGEMENT TAKEN IN NEW YORK STATE  
State of New York, County of Putnam, ss:  
On the \_\_\_\_\_ day of \_\_\_\_\_ in the year \_\_\_\_\_, before me, the undersigned, personally appeared \_\_\_\_\_, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.



THIS INDENTURE, made the \_\_\_\_\_ day of June, in the year 2023  
BETWEEN ROBERT W. DOHERTY and KATHERINE DOHERTY, with a mailing address of 27 Sedgwick Road,  
Carmel, New York 10512,

party of the first part, and ROBERT W. DOHERTY and KATHERINE DOHERTY, with a mailing address of 27 Sedgwick  
Road, Carmel, New York 10512,  
party of the second part,  
WITNESSETH, that the party of the first part, in consideration of

paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors  
and assigns of the party of the second part forever, being and intended to be the same premises described in the Deed to the  
party of the first part by John Guitridge, Referee, dated October 8, 2010, and recorded in the Putnam County Clerk's Office

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being  
in the

SEE SCHEDULE A ATTACHED HERETO

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads  
abutting the above described premises to the center lines thereof, TOGETHER with the appurtenances and all the estate and  
rights of the party of the first part in and to said premises; TO HAVE AND TO HOLD the premises herein granted unto the  
party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said  
premises have been encumbered in any way whatever, except as aforesaid.

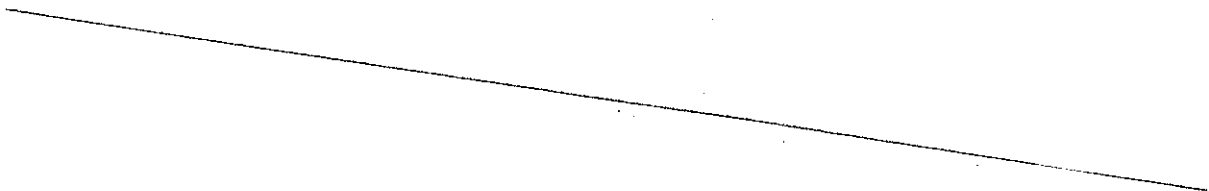
AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will  
receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied  
first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the  
improvement before using any part of the total of the same for any other purpose. The word "party" shall be construed as if it

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:

ROBERT W. DOHERTY

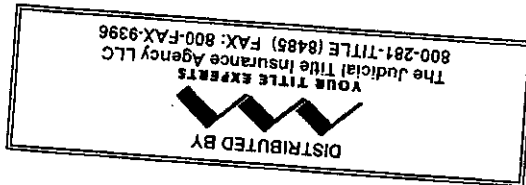
KATHERINE DOHERTY



SCHEDULE A

Tax Map No. 33.48-1-18

Commencing from a point in the southwesterly corner as Lot Tax Map No. 33.48-1-18  
adjoining Chauncey Road  
Thence South 85°17'20" West a distance of 180.84'  
Thence South 40°42'40" East a distance of 40'  
Thence North 85°17'20" East a distance of 35'  
Thence North 40°42'40" West a distance of 40'  
Thence North 85°17'20" East a distance of 109.86'  
Thence South 1°50'10" East a distance of 180.12' to a point or place of beginning.



RETURN BY MAIL TO:  
Timothy J. Curtis, Esq.  
20 Church Street  
Carmel, New York 10512

Title No. \_\_\_\_\_  
ROBERT W. DOHERTY and KATHERINE DOHERTY  
TO  
ROBERT W. DOHERTY and KATHERINE DOHERTY

SECTION: 33.48  
BLOCK: 1  
LOT: 18  
COUNTY OR TOWN: Town of Kent

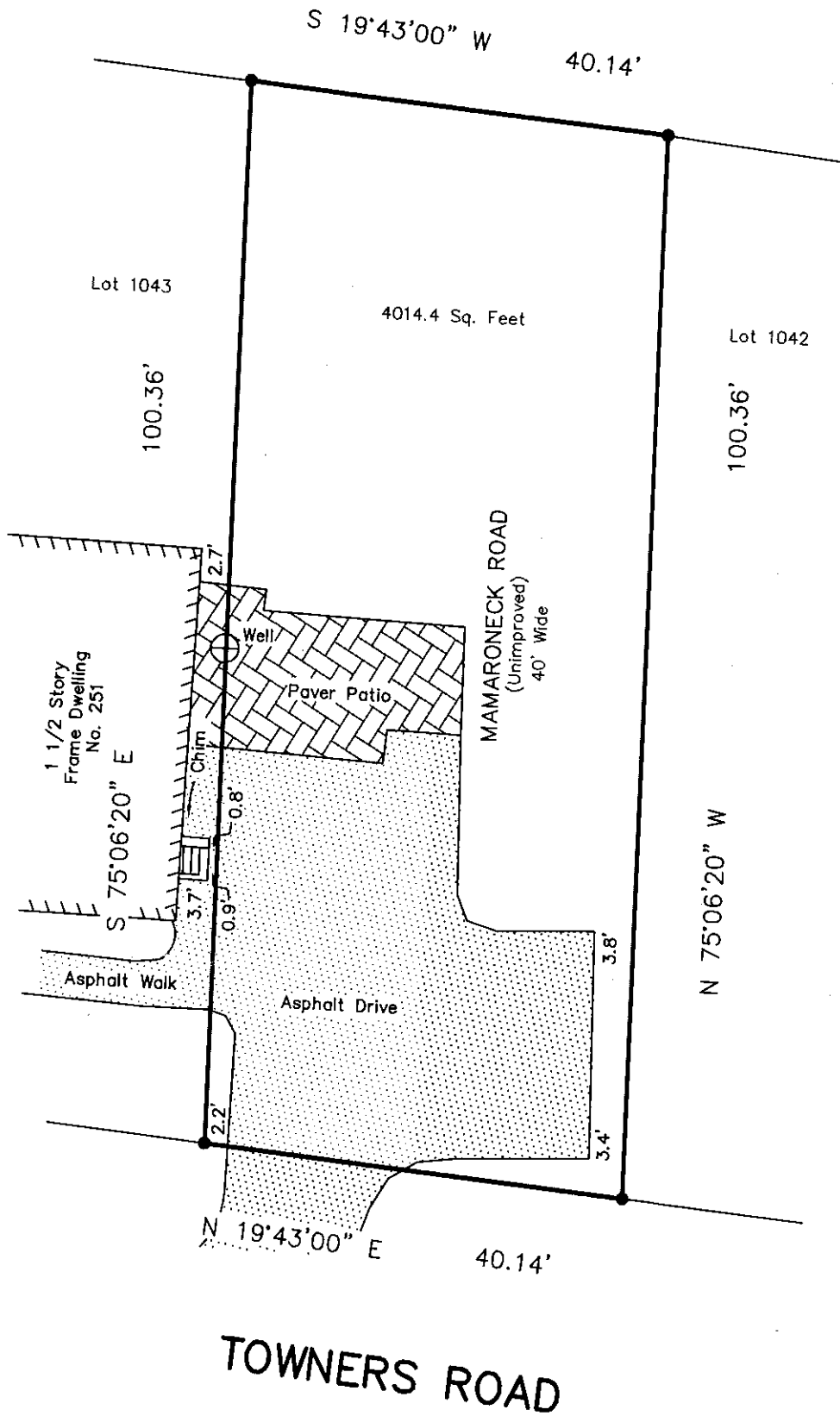
### Bargain and Sale Deed With Covenants

(If the place of residence is in a city, include the street and street number if any, thereof):  
that he/she/they know(s)  
to be the individual described in and who executed the foregoing  
instrument; that said subscribing witness was present and saw said  
his/her/their name(s) as a witness thereto  
execute the same; and that said witness at the same time subscribed  
place the acknowledgment and the state or county or other  
individual(s) acted, executed the instrument, and that such individual  
make such appearance before the undersigned in the  
same in his/her/their capacity(ies), that by his/her/their signature(s) on  
the instrument, the individual(s) or the person upon behalf of which the  
within instrument and acknowledged to me that he/she/they executed the  
evidence to be the individual(s) whose name(s) is (are) subscribed to the  
Personally known to me or proved to me on the basis of satisfactory  
undersigned personally appeared  
On the \_\_\_\_\_ day of \_\_\_\_\_ in the year \_\_\_\_\_, before me the  
State of \_\_\_\_\_, County of \_\_\_\_\_, ss:  
\*(Or insert District of Columbia, Territory, Possession or Foreign  
County)

ACKNOWLEDGEMENT BY SUBSCRIBING WITNESS TAKEN  
IN NEW YORK STATE  
State of New York, County of \_\_\_\_\_, ss:  
On the \_\_\_\_\_ day of \_\_\_\_\_ in the year \_\_\_\_\_, before me, the undersigned,  
Notary Public in and for said State, personally appeared \_\_\_\_\_, the  
personally acquainted, who, being by me duly sworn, did depose and  
say that he/she/they reside(s) in \_\_\_\_\_  
State of New York, County of \_\_\_\_\_, ss:

ACKNOWLEDGEMENT TAKEN IN NEW YORK STATE  
State of New York, County of Putnam, ss:  
On the \_\_\_\_\_ day of June in the year 2023, before me, the undersigned,  
personally appeared KATHERINE DOHERTY  
satisfactory evidence to be the individual(s) whose name(s) is (are)  
subscribed to the within instrument and acknowledged to me that  
he/she/they executed the same in his/her/their capacity(ies), and that by  
his/her/their signature(s) on the instrument, the individual(s), or the  
person upon behalf of which the individual(s) acted, executed the  
instrument.

ACKNOWLEDGEMENT TAKEN IN NEW YORK STATE  
State of New York, County of Putnam, ss:  
On the \_\_\_\_\_ day of June in the year 2023, before me, the undersigned,  
personally appeared ROBERT W. DOHERTY  
satisfactory evidence to be the individual(s) whose name(s) is (are)  
subscribed to the within instrument and acknowledged to me that  
he/she/they executed the same in his/her/their capacity(ies), and that by  
his/her/their signature(s) on the instrument, the individual(s), or the  
person upon behalf of which the individual(s) acted, executed the  
instrument.



NOTES:  
PLAT WAS PREPARED WITHOUT  
T OF A TITLE REPORT AND  
ORE DOES NOT NECESSARILY  
E ALL ENCUMBRANCES UPON  
ROPERTY, AND THIS IS SUBJECT

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Kent, County of Putnam and State of New York, known and designated as Lots Nos. 1033 through 1042, Lots 1043 through 1045, and a portion of Mamaroneck Road as shown on map entitled, "Tenth Map of Lake Carmel", filed in the Office of the Clerk of the County of Putnam on May 17, 1930 as Map No. 130-1 and being more particularly bounded and described as follows:

BEGINNING on the easterly side of Towners Road at the division between Lot 1046 and Lot 1045 on the above said map;

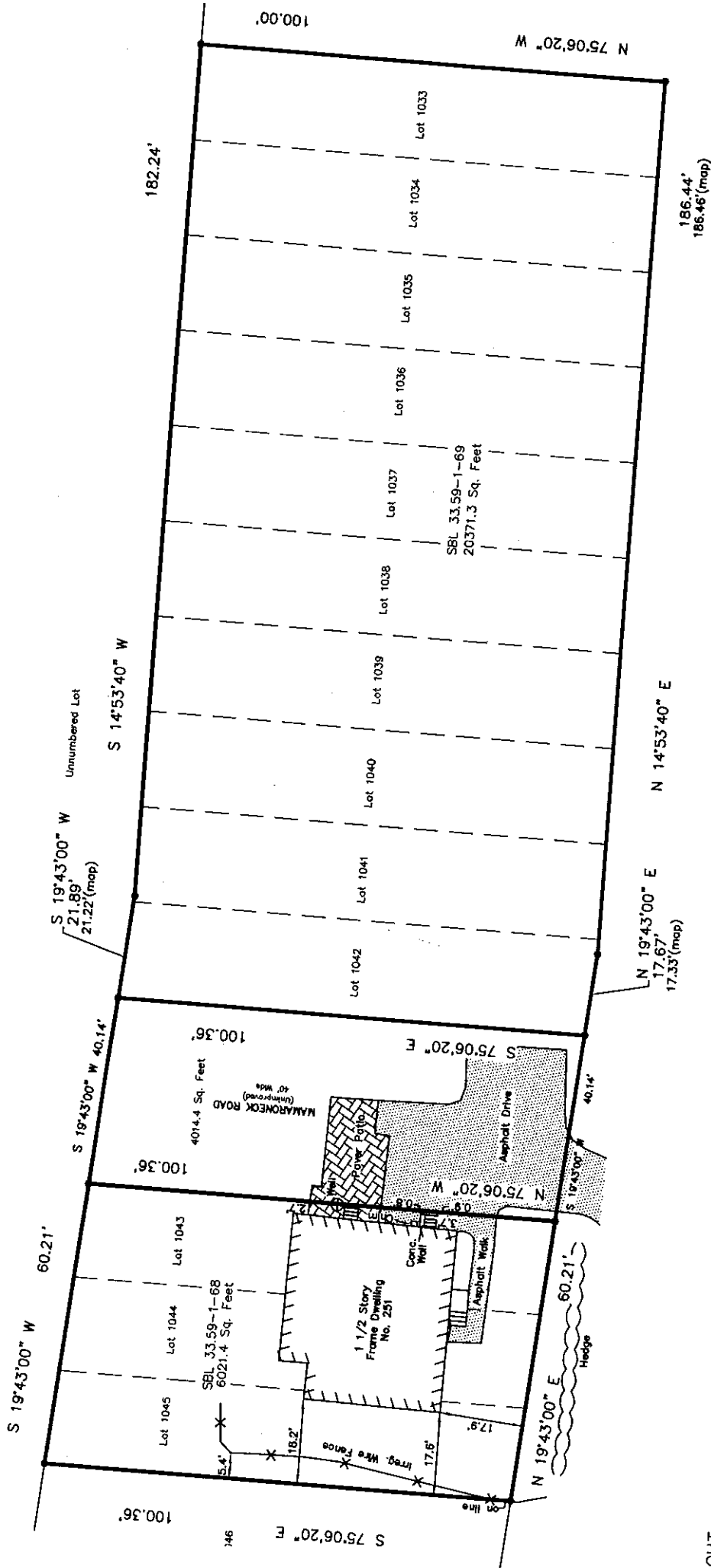
THENCE RUNNING easterly along the southerly boundary of Lot 1046 South  $75^{\circ} 06' 20''$  East a distance of 100.36 feet;

THENCE along the easterly boundary of the parcel being described South  $19^{\circ} 43' 00''$  West a distance of 122.24 feet and South  $14^{\circ} 53' 40''$  West 182.24 feet to the northerly side of Harrison Road;

THENCE RUNNING in a westerly direction along the northerly side of Harrison Road North  $75^{\circ} 06' 20''$  West 100.00 feet to the corner of Harrison Road and Towners Road;

THENCE ALONG the easterly side of Towners Road in a northerly direction North  $14^{\circ} 53' 40''$  East a distance of 186.44 feet;

CONTINUING along the easterly side of Towners road and across Mamaroneck Road North  $19^{\circ} 43' 00''$  East a distance of 118.02 feet to the POINT AND PLACE OF BEGINNING.



# TOWNERS ROAD

THOUT  
 )  
 ILY  
 PON  
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 IONS,  
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 JRRNT  
 E  
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 FOUND  
 IFORM  
 AT

*[Signature]*

Richard J. Spinelli, L.S. NYS Lic. 50975

-Unauthorized additions to or alterations of this plan is a violation of Section 7209 of the N.Y.S. Education Law.

VICINITY MAP  
1:500'

[illegible][illegible]

**DRAWING TITLE:**

KENT RE HOLDINGS, LLC  
NICHOLS STREET  
TOWN OF KENT, NY  
LOT #1 INDUSTRIAL BUILDING  
LOT #2 SELF STORAGE  
LOT #3 MEDICAL BUILDING  
OVERALL SITE PLAN

P. W. SCOTT  
ENGINEERING & ARCHITECTURE, P.C.  
3971 ROUTE 8  
BREWSTER, NY 10809 846-276-2110  
CIVIL ENGINEER

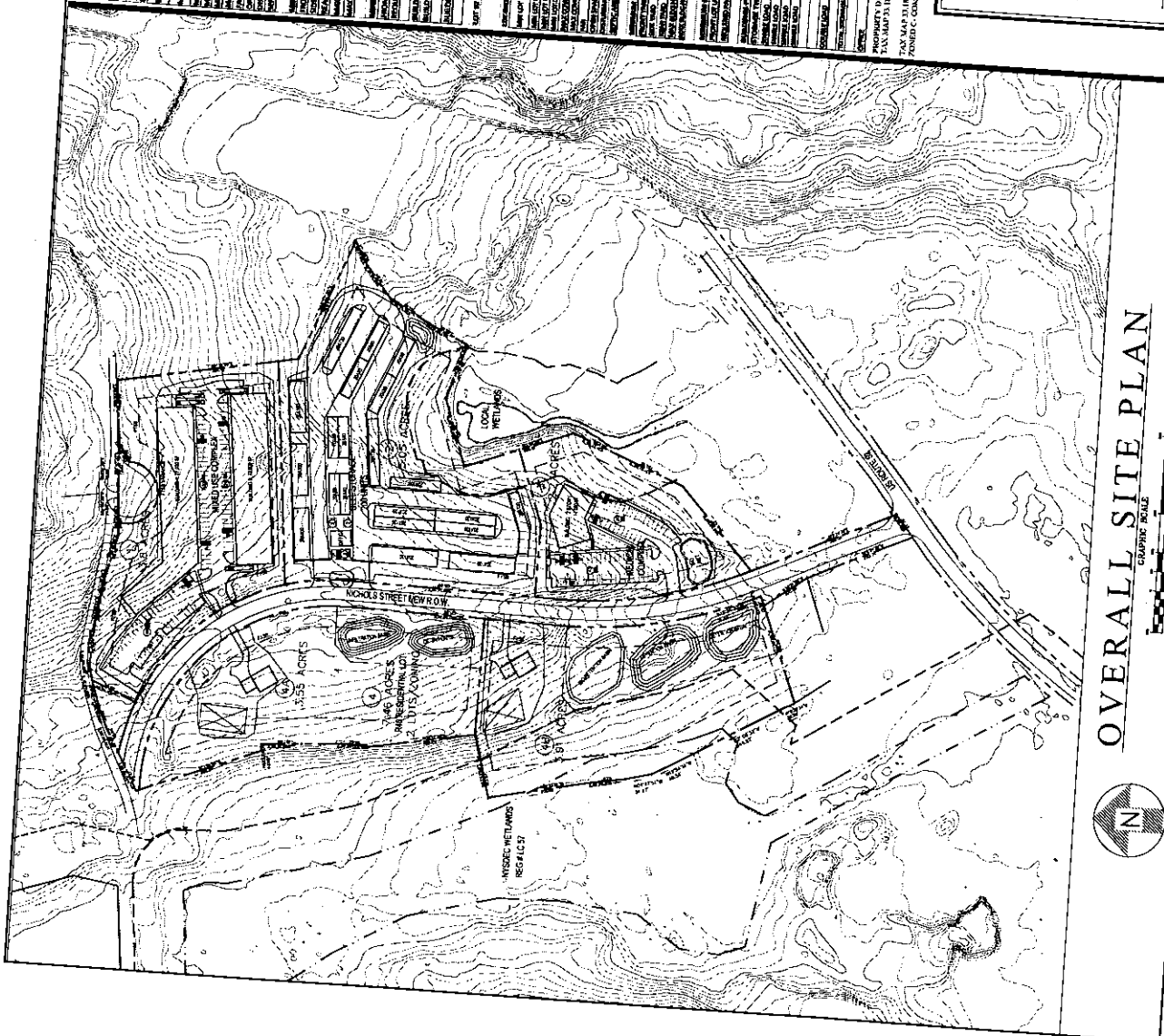
DATE:	3/17/23
DRAWN / CHECKED:	PWS/MA/MP
SCALE:	AS NOTED
PROJECT NUMBER:	22-156
DRAWING NO:	

SY1A

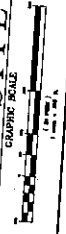
**ZONING COMPLIANCE TABLES - TOWN OF KENT**

[illegible][illegible]

TAX MAP 33, BLOCK 1, SHEET 17 ON THE WEST SIDE OF 7.46 ACRES ZONED R40  
FOR WILSON'S STREET;  
TAX MAP 33, BLOCK 1, SHEET 17 ON THE EAST SIDE OF 11.05 ACRES  
ZONED C-COM/MERC(A).



OVERALL SITE PLAN



**LEGEND**

- PROPOSED DUMPMETER W/ FLOCCULOR**
- EXISTING DRAIN LINE TIE IN**
- PROPOSED HANDICAPPED RAMP**
- PROPOSED BOLLARD**
- PROPOSED CONCRETE PAD**
- BUILDING PROPOSED**
- 90° 7' CONTIGUOUS ELEVATION RENOVATED**
- PROPOSED SIDE WALL**
- PROPOSED CONCRETE SIDEWALK**
- PROPOSED ELECTRIC CHARGING STATION**
- STORMWATER BASINS**
- W/OUT OF DISBURSANCE**
- REFERENCES: PITMAN COUNTY GIS DATA**
- PROPERTY LINE**
- LOT SETBACK LINE**
- DIRECTION OF TRAFFIC**
- CITY PARKING SPACES (9.6'x18')**
- CITY HANDICAPPED PARK SPACES**
- PROPOSED PAVEMENT STRIPING**
- CATCH BASIN**
- PAINTED HANDICAPPED SYMBOL**
- PROPOSED PARK/TRAFFIC SIGN**
- PROPOSED 8' HIGH CONCRETE CURB**
- METLAND LINE-IN-SCAPE MAPPER**
- DOT METLAND LINE OFF-SET**





Nichols Street  
TM# 33.18-1-10 & 33.18-1-17  
Town of Kent, NY 10512

## Statement of Use

DATE: April 17, 2023

PROJECT: Mixed Use - Residential & Commercial

### **PROPERTY DESCRIPTION**

This project includes two properties along the proposed Nichols Street: Tax Map 33.18, Block 1, Sheet 10 on the west side of 7.46 acres zoned R40 and Tax Map 33.18, Block 1, Sheet 17 on the east side of 11.05 acres zoned C- Commercial.

### **PROJECT DESCRIPTION - COMMERCIAL SITE**

The sites have been purchased with the intent to subdivide the commercial parcel into 3 lots with the following uses proposed (refer to the attached overall site plan):

- Lot #1: Mixed Use Complex
- Lot #2: Self Storage Units
- Lot #3: Medical Complex

Each will be discussed as follows:

#### **Lot#1 - Mixed Use Complex**

(2) 1-story buildings totalling 46,000 sf proposed on a 3.8 acre parcel with central parking area. Proposed uses are Contractor/Business Office Uses optional Contractor/Warehouse Uses - no outside storage.

#### **Lot#2 - Self-Storage**

Proposed is 15 independent buildings on 5.05 acres with a standard size of 30 x 80 or 20 x 80 which are subdivided into 10 x 20 or 10 x 30 internal storage units which totals 148 storage units. A central office controls entry. No outside storage is proposed.

#### **Lot #3 - Medical or Professional Complex**

Proposal is for a 2-story 14,000 total sf building on 2.2 acres with two on grade entry points serviced with parking aisles of 43 and 27 spaces, each sloping to a front entry plaza.

### **RESIDENTIAL LOT**

The Residential property is zoned R40. The zoning includes the Supplementary Minimum Lot Area Regulations relative to density. The project does not have sewer or water services and will be served with individual wells & septic systems.

Since the soils are Class C, the Minimum Lot Area Chart (R40, 50% or greater, Class C soils) limits the development of the lots as 3.5 acres minimum lot area for a total count of 2 parcels.

## PERMITTED USES

Referencing Section 77-21

Reference list below for the uses proposed for Lots 1, 2, & 3.

Lot #1	Mixed Use/ Special Use	Contractor Business office (C.5) (no outdoor yard) Wholesale Warehousing, Storage (C.13) Retail Business (C.14)
Lot #2	Self Storage; Special Use	Wholesale Warehousing & Indoor Storage (C.13) Self Storage (not noted in any zone)
Lot #3	Medical/Professional	Permitted Use #A3 Note: referenced in 10C District (A.26)

Possible amendment of Zone due to IOC District. May be more conducive to this proposed project.

## ZONING COMPLIANCE

The project is in compliance with the zoning for Commercial Use and 2 Residential Lots .

### ZONING COMPLIANCE CHART- COMMERCIAL

ITEM	Lot #1		Lot #2		Lot #3	
	REQUIRED	PROVIDED	REQUIRED	PROVIDED	REQUIRED	PROVIDED
LOT GEOMETRY						
MIN LOT	60,000 sf	138,520 sf (3.18 ac)	60,000 sf	224,334 sq ft (5.15 ac)	60,000 sf	95,832 sq ft (2.2 ac)
MIN LOT FRONTAGE	200 sf	386 ft + Nichols St	200 sf	542 ft	200 sf	428 ft
MIN LOT WIDTH	200 sf	327 ft	200 sf	476 ft	200 sf	316 ft
MIN LOT DEPTH	No Noted	481 ft	No Noted	526 ft	No Noted	305 ft
MAX COVERAGE - BUILDING	50%	33%	50%	15%	50%	7.5%
MAX COVERAGE - LOT	75%	58%	75%	48%	75%	38%
FAR		33%		15%		15%
OPEN SPACE						
DISTURBANCE AREA		2.8 ac		3.5 ac		1.2 ac
SEPTIC AREA		SEWER		SEWER		SEWER
MINIMUM BUILDING SETBACKS						
FRONT YARD	40 ft	44 ft	40 ft	44 ft	40 ft	98 ft
SIDE YARD	20 ft	25 ft	20 ft	20 ft	20 ft	20 ft
REAR YARD	40 ft	53 ft	40 ft	52 ft	40 ft	89 ft
MAX BLDG HEIGHT - STORIES	3 Stories	2 Stories	3 Stories	1 Story	3 Stories	2 Stories
MAX BLDG HEIGHT - FEET	40 ft	35 ft	40 ft	20 ft	40 ft	35 ft

## EXPANDED SITE PLAN

Should the Planning Board permit the location of the commercial property stormwater basins on the residential lot, the areas on SY1 which contain the basins would be developed as additional parking for Lots 1 & 3 while Lot #2 would include additional self-storage units.

## **PARKING REQUIRED**

### **77-38 Parking Regulations:**

Mixed Use: Not Listed: 1/500 sf assumed  
Medical: 1 per 200 sf gross area  
Self Storage: Limited to employee & customer parking

### **Provided:**

Mixed Use Building: 45,000 sf  
Proposed Parking: 58 spaces + 19 overflow  
Self-Storage: 2 employees  
3 customers plus parking at each unit for access.

Medical/Professional Building: 14,000 sf  
Proposed Parking: 70 spaces

## **WATER**

A water system will be developed to service the 3 parcels using individual wells drilled on the property or through a common water system for the parcels.

## **SEWER**

The commercial properties have a delegated sewer capacity from the neighboring subdivision (Kent Manor) which created the Nichols St improvement. This allocation is 4,200 gpd limited to the Commercial uses proposed.

## **SOIL**

Refer to the attached Soil Map. Soils consist of Paxton B, C & D slopes with Leicester to the west of the residential lot, a NYSDEC Wetlands and Woodbridge at the south portion of the Residential Lot. All of the soils are Hydraulic Class C Soils.

## **WETLANDS**

A NYSDEC Wetland # LC-57 is located on the western edge of the residential lot. A local wetland is located on the southeast corner of the commercial lots. The site plans include 100' control area buffers for each wetland noted. Each wetland will require updated flagging and NYSDEC Wetland flag confirmation and subsequent surveying of the flag locations.

## **STORMWATER MANAGEMENT**

The intent is to develop 2 lots on the 7.46 acre residential parcel with easements granted to the commercial lots (under same ownership) for the placement of pocket wetland detention basins as part of an overall stormwater management system. This would provide a lower slope area for the basins and provide additional development areas for Commercial Lots 1, 2 & 3. If this option is not granted, then each commercial lot contains independent stormwater basins as shown.

## **SITE CONSTRUCTION**

### **Commercial Lots**

The site contains slopes between 6% and 20% extending to the southwest. The intent is to utilize the buildings as retaining walls to step construction up the hillside creating level parking areas on each lot. Excess soil will be moved to the residential lot.

### **Residential Lots**

Grades range from 10% along Nichols Street frontage to 15% along the rear. Two lots have adequate room for house, driveway & SSDS locations.

### **LANDSCAPING**

Landscaping is provided along Nichols Street in front of the buildings as street trees. Additional plantings will be added along parking lots in islands and along handicapped spaces and refuse enclosures.

### **TRAFFIC IMPACT**

The access for Nichols Street is from US Route 52 with relatively open terrain for sight distances. Nichols Street extends up the hillside from US Route 52 at an average grade of 4%. It has been partially graded with heavy brush cover at this time. Soil deposits as noted on the survey are piled along this roadway. Upon improvement, Nichols Street offers adequate sight distance and capacity for the proposed project. Sidewalks could be added for pedestrian traffic as well.

### **SIGNAGE**

A 911 address will be posted for each proposed establishment in compliance with local sign ordinances.

### **SITE LIGHTING**

The site lighting shall consist of LED wall packs mounted at 12' elevations for each lot on the buildings plus light poles all of which are night sky compliance. These will provide adequate light for the parking area.

### **NOISE IMPACTS**

The proposed facility is similar to other existing projects on that portion of US Route 52, therefore the noise generation is similar to the ambient noise levels.

### **IMPACT ON THE COMMUNITY**

The use should not constitute a change in the character of the existing commercial corridor located along this section of US Route 52. The buildings are set back from the street, similar to adjacent buildings. This portion of Nichols Street is segmented from other residential uses by the NYSDEC wetland to the west and grade changes to the north of the property being 30 ft minimum above Nichols Street development.

# LOT #1 - INDUSTRIAL BUILDINGS

<u>ITEM</u>	<u>REQUIRED</u>	<u>PROVIDED</u>
<b>LOT GEOMETRY</b>		
MIN LOT	60,000 SQ FT	138,520 SQ FT (3.18 AC)
MIN LOT FRONTAGE	200 FT	386 FT + NICHOLS RD
MIN LOT WIDTH	200 FT	327 FT
MIN LOT DEPTH	Not Noted	481 FT.
MAX COVERAGE - BUILDING	50%	33%
MAX COVERAGE - LOT	75%	58%
FAR		33%
OPEN SPACE		
DISTURBANCE AREA		2.8 AC
SEPTIC AREA		SEWER

<b>MINIMUM BUILDING SETBACKS</b>		
FRONT YARD	40 FT	44 FT
SIDE YARD	20 FT	25 FT
REAR YARD	40 FT	53 FT
MAX BLDG HEIGHT - STORIES	3 STORIES	2 STORIES
MAX BLDG HEIGHT - FEET	40 FT	35 FT

<b>MINIMUM PARKING SETBACK</b>		
FRONT LOT LINE	25 FT	84 FT
REQUIRED PARKING	1/500 SF (EST)	82 SPACES

<b>BUILDING DESCRIPTION</b>	
BUILDING 1	22,000 SF
2ND FLOOR - OPTIONAL	
BUILDING 2	23,000 SF
2ND FLOOR - OPTIONAL	

# LOT #2 - SELF STORAGE BUILDINGS

ITEM	REQUIRED	PROVIDED
<b>LOT GEOMETRY</b>		
MIN LOT	60,000 SQ FT	224,334 SQ FT (5.15 AC)
MIN LOT FRONTAGE	200 FT	542 FT
MIN LOT WIDTH	200 FT	476 FT
MIN LOT DEPTH	Not Noted	526 FT.
MAX COVERAGE - BUILDING	50%	15%
MAX COVERAGE - LOT	75%	48%
FAR		15%
OPEN SPACE		
DISTURBANCE AREA		3.5 AC
SEPTIC AREA		SEWER

## MINIMUM BUILDING SETBACKS

FRONT YARD	40 FT	44 FT
SIDE YARD	20 FT	20 FT
REAR YARD	40 FT	52 FT
MAX BLDG HEIGHT - STORIES	3 STORIES	1 STORY
MAX BLDG HEIGHT - FEET	40 FT	20 FT

## MINIMUM PARKING SETBACK

FRONT LOT LINE	25 FT	84 FT
REQUIRED PARKING	NOT IN ZONING	4 + ALONG DRIVEWAYS

## BUILDINGS PROPOSED

STORAGE TYPE	NUMBER	OVERALL SIZE	TOTAL Sq FT	STORAGE UNITS	# UNITS
SINGLE LOAD	3	30 x 80	7,200	30 x 10	24
SINGLE LOAD	9	20 x 80	14,400	20 x 10	72
SINGLE LOAD	1	30 x 130	3,900	30 x 10	13
SINGLE LOAD	1	20 x 100	2,000	20 x 10	10
DOUBLE LOAD	1	20 x 130	2,600	20 x 10	13
	2	20 x 80	3,200	10 x 10	16
OFFICE	1	20 x 130	2,600	10 x 10	26
	1	30 x 40	1,200	TOTAL	174

**LOT #3 - MEDICAL BUILDING**

<b>ITEM</b>	<b>REQUIRED</b>	<b>PROVIDED</b>
<b>LOT GEOMETRY</b>		
MIN LOT	60,000 SQ FT	95,832 SQ FT
MIN LOT FRONTAGE	200 FT	(2.2 AC)
MIN LOT WIDTH	200 FT	428 FT
MIN LOT DEPTH	Not Noted	316 FT
MAX COVERAGE - BUILDING	50%	305 FT.
MAX COVERAGE - LOT	75%	7.5%
FAR		38%
OPEN SPACE		15%
DISTURBANCE AREA		
SEPTIC AREA		1.2 AC
		SEWER

**MINIMUM BUILDING SETBACKS**

FRONT YARD	40 FT	98 FT
SIDE YARD	20 FT	20 FT
REAR YARD	40 FT	89 FT
MAX BLDG HEIGHT - STORIES	3 STORIES	2 STORIES
MAX BLDG HEIGHT - FEET	40 FT	35 FT

**MINIMUM PARKING SETBACK**

FRONT LOT LINE	25 FT	25 FT
REQUIRED PARKING	1/200 SF (EST)	70 SPACES

**BUILDING DESCRIPTION**

**66' WIDE - 30' WIDE SUITES - 5' CENTER HALLWAY**

BUILDING 1: FIRST FLOOR	7,000 SF
2ND FLOOR	7,000 SF

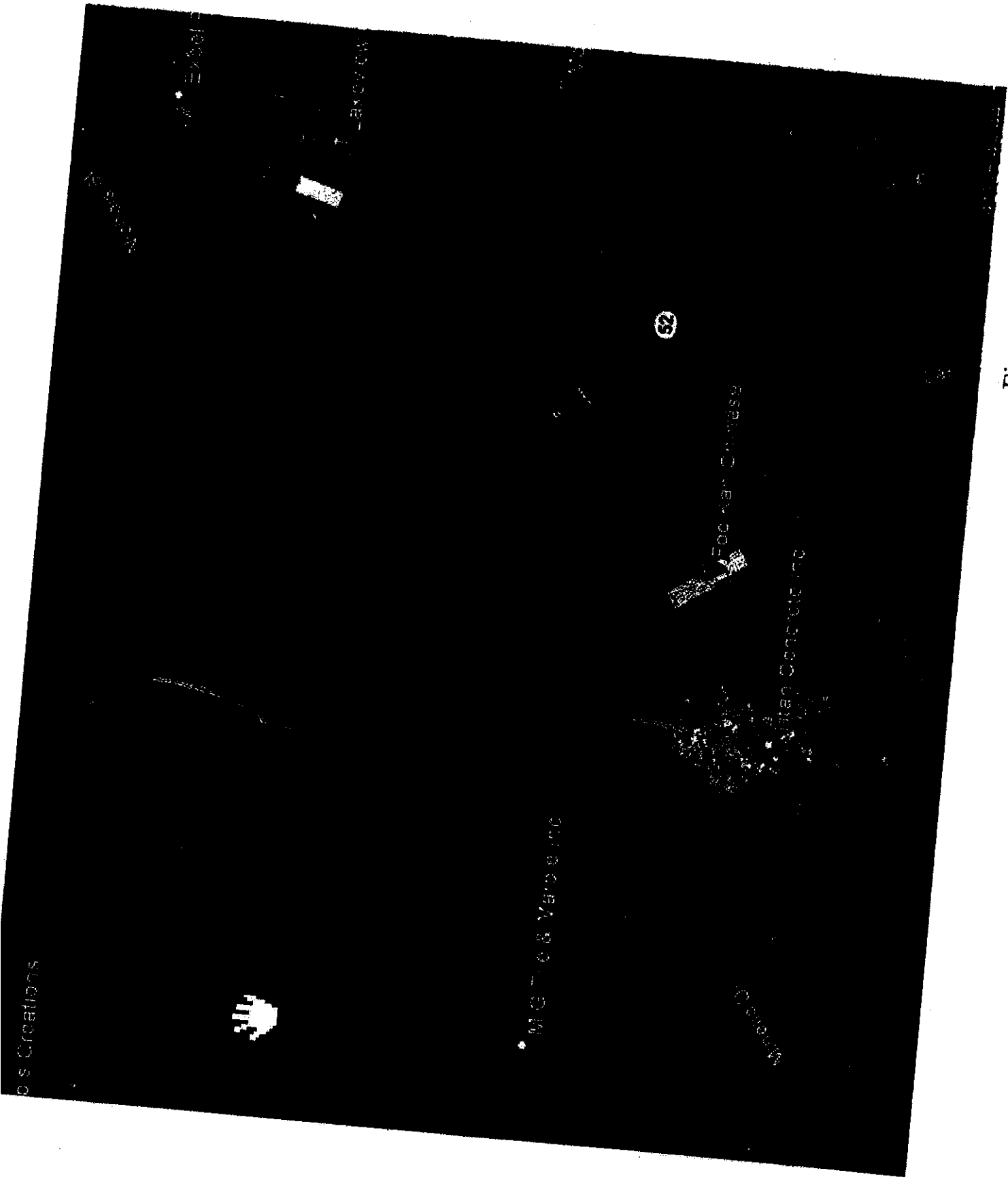


Figure 1.0 - Aerial Photo



[illegible][illegible]

U.S. Department of Justice  
Federal Bureau of Investigation

Figure 2.0 – NYSDEC Environmental Resource Mapper

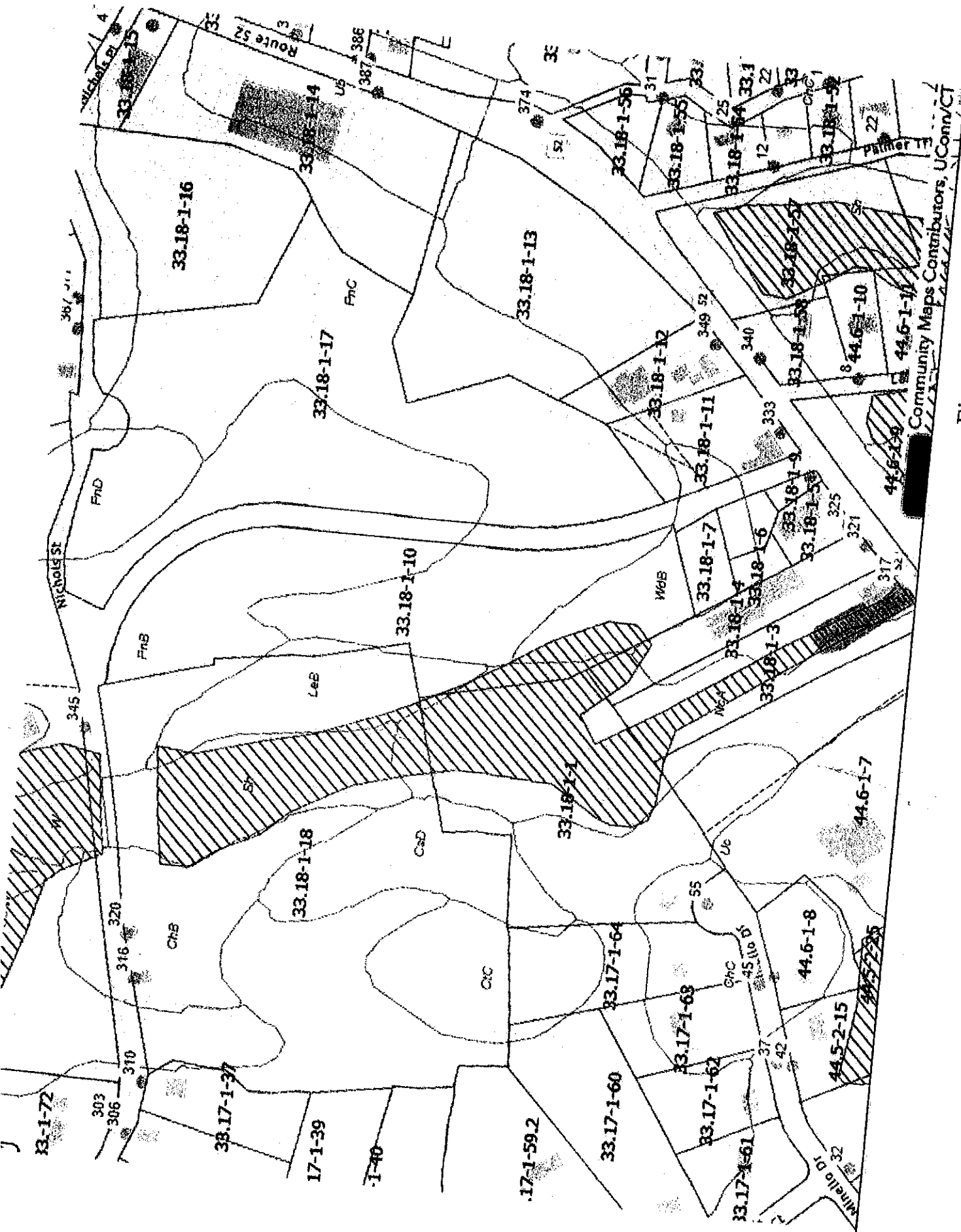


Figure 3.0 – Tax Map with Soils

**TOWN OF KENT PLANNING BOARD  
SITE PLAN CHECKLIST**

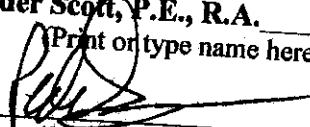
APPLICANT NAME: Tommy Racek, Kent RE Holdings, LLC  
ADDRESS: 56 Papania Dr. Mahopac, NY 10541

CONTACT TELEPHONE NUMBER: (914) 497-3230  
TM: 33.18-1-17, 33.18-1-10

The following preliminary information must be included on the site plan. Please either check box as completed or indicate N/A (not applicable).

1. ☒ The dimensions of all property lines
2. ☒ Identify scale used
3. ☒ Name of all adjacent roads and driveway location
4. ☒ Sight distances if new curb cut is requested
5. Pending Easements for utilities including overhead
6. N/A All existing structures (including pools) shown and labeled as to their use and the distance from proposed structure and property lines
7. ☒ Distance from the proposed structure to ALL property lines
8. ☒ Completed bulk zoning table
9. ☒ Location of any wetland, stream, lake or body of water within 100 feet of the property line.
10. N/A Location of septic system (including 100% expansion area)
11. ☒ Location of well head
12. Pending Pre and post-construction topography (grading plan)
13. ☒ Total limit of disturbance line
14. ☒ Area(s) of disturbance where slopes are greater than 15%
15. ☒ Total area of disturbance calculation (in square feet)
16. Pending Erosion and sediment control plan (if area of disturbance is greater than 5,000 square feet)
17. Pending Cost estimate (breakdown) to implement erosion and sediment control plan
18. Pending KNOX box system (if commercial property)

Check list completed by:

Peder Scott, P.E., R.A.  
(Print or type name here)  
  
(Signature)

Professional Engineer  
(Print or type Title here)

June 12, 2023  
(Date)

**DO NOT WRITE BELOW THIS LINE (OFFICIAL USE)**

Plans Date Stamped: \_\_\_\_\_ Reviewer: \_\_\_\_\_ Date: \_\_\_\_\_  
Notes: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

APPROVAL REQUESTED FOR: (Check all that apply)

**X**

### Preliminary Subdivision

## X

**Lot Line Change**

# X

### Conditional Use Permit

Steep Slope & Erosion Ctrl   X  

**Sign Approval**

Name of Project: Nichols Street Commercial Development      Sign

Description of Proposed Activity: Rebuild and

Description of Proposed Activity: Development of 2 parcels along Nichols Street with residential and commercial projects. Refer to Statement of Use.

Name of Applicant(s): Tommy Racek, Kent RE Holdings, LLC  
Address: 56 Pennington

Address: 56 Papania Dr., Mahopac, NY 10541  
Telephone: 914 497 2222

Telephone: 914-497-3230

Name and Address of Record Owner(s): Tommy Racek, 56 Papania Dr., Mahopac, NY 10541  
Anthony Genovese, 53 Atherton

Anthony Genovese, 53 Athena Court, Mahopac, NY 10541

Tax Map Number of all parcels: 33.18-1-17, 33.18-1-10

**A) For All Applications:**

1) Total acreage involved in application: 11.05 & 7.46 acres

2) Total contiguous acreage controlled by applicant/owner (1): 11.05 & 7.46 acres

3) Total number of existing structures:      **Vacant Land**

4) Type of existing structures:

5) Total square footage of all new construction:

6) Estimated value of new construction or addition: \_\_\_\_\_

7) Type of construction: \_\_\_\_\_

7) Type of construction or activity proposed: (Check all that apply)

New Construction: Residential   X  

Commercial **X**

Institutional

**Expansion: Residential**

**Commercial**

Institutional

**Home Occupation:**

**Change in use:**

Other:

8) Zoning District: \_\_\_\_\_ Change in use: \_\_\_\_\_  
 \_\_\_\_\_ **R40 and C-Commercial**

1) Shall include lands owned by family members of the applicant, and any corporation(s), partnership(s), limited liability company(ies) or other entities in which the applicant has an interest.

9) Does applicant intend to request any information waivers?

No ☒ Yes \_\_\_\_\_. If yes, please list all waivers (attach separate pages if necessary):  
\_\_\_\_\_  
\_\_\_\_\_

10) Are there agricultural and/or forestry exemptions affecting the property?

No ☒ Yes \_\_\_\_\_. If yes, please list in detail (attach separate pages if necessary):  
\_\_\_\_\_  
\_\_\_\_\_

11) Have any area or use variances affecting the property been granted?

No ☒ Yes \_\_\_\_\_. If yes, please list in detail (attach separate pages if necessary):  
\_\_\_\_\_  
\_\_\_\_\_

12) Have any permits affecting the property been issued by any other governmental agency?

No ☒ Yes \_\_\_\_\_. If yes, please list in detail (attach separate pages if necessary):  
\_\_\_\_\_  
\_\_\_\_\_

13) Has any application(s) for any other permit(s) for any activity affecting the property been submitted to any other governmental agency?

No ☒ Yes \_\_\_\_\_. If yes, please list in detail (attach separate pages if necessary):  
\_\_\_\_\_  
\_\_\_\_\_

14) Attach a copy of the current deed and any easements affecting the property.

Name and Address of Professional Engineer: Peder Scott, P.E., R.A.  
PW Scott Engineering & Architecture, PC, 3871 Danbury Rd., Brewster, NY 10509  
Telephone: 845-278-2110

Name and Address of Licensed Land Surveyor: Major Abstract Corp  
1171 Route 55, LaGrangeville, New York 12540  
Telephone: 845-337-4910

Name and Address of Attorney: Michael Caruso, Esq.  
445 Hamilton Avenue, 14th Floor, White Plains, NY 10601  
Telephone: 914-761-1300

Name and Address of Wetland Consultant: Michael Nowicki, Ecological Solutions, LLC, PO Box 291,  
West Wardsboro, VT 05360  
Telephone: (203) 910-4716

B) For Subdivision and Lot Line Change Applications Only:

1) Total number of lots proposed: (2) R40 Zone (3) Commercial Zone

- 2) What is the size of the smallest lot proposed? 3.5 acres
  - 3) What is the size of the largest lot proposed? \_\_\_\_\_
  - 4) Number of private driveways proposed: 2
  - 5) Number of common driveways proposed: N/A
  - 6) Maximum number of lots serviced by a common driveway: N/A
  - 7) Number of private roads proposed: N/A
  - 8) Number of lots serviced by a private road: N/A
  - 9) Preliminary Plat includes \_\_\_\_\_ acres and tentatively includes \_\_\_\_\_ future lots. The amount of area shown on this Preliminary Plat proposed to be dedicated for future public use, (exclusive of roads) is \_\_\_\_\_ (define measure: acres/square feet).
  - 10) Does subdivider intend to submit a single subdivision plat for filing with County Clerk for all property in the Preliminary Plat? Yes \_\_\_\_\_ No X. If no, state the number of sections to be filed 2 sections, R40 & C-Commercial.
- C) For Freshwater Wetland Permit Applications Only:

- 1) A map of the site, prepared using a recent boundary and topographic survey of the property showing conditions on the site as of the date of application, shall be submitted.
- 2) The survey map shall show the location of the all federal, state, and local jurisdictional wetland boundaries as delineated by the applicant's consultant, and the location of proposed disturbance to wetlands and wetland buffers. The survey map shall also show the location of all regulated water bodies on the site and within 200 feet of the boundary of the site.
- 3) What is the date of the boundary and topographic survey used as the base map for the application?  
1994
- 4) Proposed activity is located in:
  - a) Lake/pond [ ] Control area of lake/pond [ ]
  - b) Stream/River/Brook [ ] Control area of stream/river/brook [ ]
  - c) Wetland [ ] Control area of wetland [ X ]
  - d) Not located in wetland/wetland buffer [ ]
- 5) Attach a description of the proposed activity in the controlled area including the following: i.e. maintenance, construction of dwelling, addition, driveway, culverts, including size and location.  
**Buffer development along 100 ft control area.**
- 6) Attach a statement of compliance with §39A-8 of the Town Code.

**D) For Steep Slopes and Erosion Control Permit Applications Only:**

- 1) A map of the site, prepared using a recent boundary and topographic survey of the property showing conditions on the site as of the date of application, shall be submitted.
- 2) Does the project involve any of the following:
  - a) Any disturbance involving 5,000 square feet or more of land? Yes ☒ No ☐
  - b) Any disturbance on ground areas having a topographical gradient equal to or greater than fifteen percent (15%) measured by utilizing two (2) foot contours?  
Yes ☒ No ☐
- 3) What is the date of the boundary and topographic survey used as the base map for the application?  
\_\_\_\_\_

4) Refer to Chapter 66 of the Town Code for the application requirements.

By His/Her signature the Applicant avows that: 1) He/She has read this application and is familiar with its content; and 2) He/She has read, is familiar with, and understands the requirements of the Town Kent Code provision(s) affecting or regulating the project for which this application is made; and 3) He/She agrees to comply with the requirements of the Town Kent Code provision(s) affecting or regulating the project for which this application is made including any general or special conditions of any permits or approvals granted by any board, agency, or department of the Town of Kent; and 4) He/She has read this statement and understands its meaning and its terms.

Applicant Signature: \_\_\_\_\_

Print Name: Tommy Racek

Date: 6/12/2023

**AFFIDAVIT TO BE COMPLETED BY OWNER**

State of NV }

} ss:

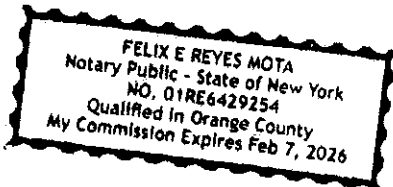
County of PUTNAM }

\_\_\_\_\_ being duly sworn, deposes and says:

1. That I/we are the Owner(s) of the within property as described in the foregoing application for Subdivision /Lot Line Change / Site Plan / Conditional Use Permit / Change in Use / Freshwater Wetland / Steep Slope and Erosion Control approval(s) and that the statements contained therein are true to the best of my/our knowledge and belief.
2. That I/we hereby authorize Peder Scott, P.E., R.A., to act as my/our representative in all matters regarding said application(s), and that I/we have the legal right to make or authorize the making of said application.
3. That I/we understand that by submitting this application for Planning Board approval that I/we expressly grant permission to the Planning Board and its authorized representatives to enter upon the property, at all reasonable times, for the purpose of conducting inspections and becoming familiar with site conditions. I/we acknowledge that this grant of permission may only be revoked by the full withdrawal of said application from further Planning Board action.
4. That I/we understand that by submitting this application that I/we shall be responsible for the payment of all application fees, review fees, and inspection fees incurred by the Town related to this application.
5. That I/we understand that I/we, and our contractors shall be jointly and severally liable for all costs incurred, including environmental restoration costs, resulting from noncompliance with the approved application. I/we acknowledge that approval of the site plan and commencement of any work related to the approved application shall constitute express permission to the Planning Board, the Building Inspector, and their authorized representatives and designees, to enter the property for the purposes of inspection for compliance with the approved application, whether or not any other permits have been applied for or issued for the project. I/we acknowledge that approval of the application and the commencement of work related to the approved plan is an express waiver of any objection to authorized Town official(s) entering the property for the purpose of conducting inspections.
6. That I/we understand that the Town of Kent Planning Board intends to rely on the foregoing representations in making a determination to issue the requested applications and approvals and that under penalty of perjury I/we declare that I/we have examined this affidavit and that it is true and correct.

[Signature]  
Applicant/Owner Applicant/Owner

[Signature]  
Notary Public





AFFIDAVIT TO BE COMPLETED BY AGENT OF OWNER

State of NY }

} ss:

County of Putnam }

being duly sworn, deposes and says:

1. That I/we are the Thomas Racek, Owner named in the foregoing application for Planning Board for Subdivision / Lot Line Change / Site Plan / Conditional Use Permit / Change in Use / Freshwater Wetland / Steep Slope and Erosion Control approval(s) and that the statements contained therein are true to the best of my/our knowledge and belief.
2. That he/she resides at 56 Papania Dr. Mahopac in the County of Putnam and the State of New York
3. That I/we understand that by submitting this application for Planning Board approval that I/we expressly grant permission to the Planning Board and its authorized representatives to enter upon the property, at all reasonable times, for the purpose of conducting inspections and becoming familiar with site conditions. I/we acknowledge that this grant of permission may only be revoked by the full withdrawal of said application from further Planning Board action. That I/we understand that by submitting this application that I/we shall be responsible for the payment of all application fees, review fees, and inspection fees incurred by the Town related to this application.
4. That I/we understand that I/we, and our contractors shall be jointly and severally liable for all costs incurred, including environmental restoration costs, resulting from noncompliance with the approved application. I/we acknowledge that approval of the site plan and commencement of any work related to the approved application shall constitute express permission to the Planning Board, the Building Inspector, and their authorized representatives and designees, to enter the property for the purposes of inspection for compliance with the approved application, whether or not any other permits have been applied for or issued for the project. I/we acknowledge that approval of the application and the commencement of work related to the approved plan is an express waiver of any objection to authorized Town official(s) entering the property for the purpose of conducting inspections.
5. That I/we understand that the Town of Kent Planning Board intends to rely on the foregoing representations in making a determination to issue the requested applications and approvals and that under penalty of perjury I/we declare that I/we has examined this affidavit and that it is true and correct.

[Signature]  
Applicant/Agent

[Signature]  
Applicant/Agent

[Signature]  
Notary Public

FELIX E REYES MOTA  
Notary Public - State of New York  
NO. 01RE6429254  
Qualified in Orange County  
My Commission Expires Feb 7, 2026