

**Minutes
Town of Kent Planning Board Meeting
May 8, 2014**

Following the Pledge of Allegiance, the meeting was called to order at 7:30 PM by Mr. Michael McDermott, Chairman of the Town of Kent Planning Board.

The following Planning Board members were in attendance:

Michael McDermott, Chairman
Janis Bolbrock, Vice Chairman
George Brunner

Dennis Lowes
Arthur Singer (Alternate)
Charlie Sisto
Philip Tolmach

Others in attendance:

Bruce Barber, Environmental Consultant
Bill Walters, Town of Kent Building Inspector

Julie Mangarillo, Engineering Consultant

Absent:

Anthony Mastrangelo (Alternate)

Glenna Wright

• **Approval of Planning Board Minutes from April 10, 2014**

Mr. McDermott asked for a motion to approve the minutes from the April 10, 2014 meeting. The motion was made by Mr. Tolmach and seconded by Mr. Brunner. The motion carried.

• **Hilltop Estates (Kent Development Corp), Peckslip Road, Kent, NY; TM: 12.-1-38 & 42**

This was a continuation of a Public Hearing on this project as well as applications for approval of a sub-division and erosion control plan. Mr. John Watson represented the owner, Mr. Richard Esposito. Mr. Watson said the remaining open issues are the location of the stormwater basins. Based on input at the last meeting they looked at the possibility of relocating the basins and found that there were no other locations which would be suitable. (See his memo attached).

Mr. Barber's Comments (Memo attached)

Mr. Barber said that the two issues regarding the stormwater basins location discussed at the April Public Hearing of this property were:

- Damage to the trees on the neighbor's property caused by construction; and
- A concern about groundwater draining onto the property

To address these issues the applicant proposed to remove the limits of disturbance 10' further from the adjoining neighbor's property line in order to protect the trees and he said at least 60 – 75% of the canopy will be preserved.

Notes on the plans will state that:

- The limit of disturbance will be clearly marked
- There will be no vehicles or equipment allowed, which will prevent any compaction of the tree roots
- There will be no fill installed or excavation done in that area

Regarding the stormwater basins, Mr. Barber stated that the following changes were made to the plans:

- 1) The front/upper basin is infiltration itself and for water quality, not water volume.
- 2) There will be an "underdrain" system which will be installed and will prevent the water from sitting an undue period of time and percolating and infiltrating the groundwater.
- 3) A clay berm will be installed between the basins and the common property border, which will address the concerns noted above.

Mr. Barber said he felt that all of his questions had been satisfactorily resolved.

Mr. Tolmach asked Mr. Barber if he agreed with Mr. Watson's point of view that the basins could not be moved and he said he did.

Ms. Mangarillo's Comments (memo attached)

Ms. Mangarillo asked that:

- The maintenance access path to the stormwater management areas be shown on the preliminary sub-division plat;
- An updated Resource Analysis map be provided showing the current sub-division lot line configuration; and
- Additional details regarding the water tank for fire prevention

Mr. Wilson's Comments (memo attached)

Mr. Wilson said that he had provided copies of a draft Negative Declaration and Preliminary Sub-Division Approval. Comments from Mr. Barber and Ms. Mangarillo were incorporated into these documents.

Mr. Wilson said that, because this project was considered to be a major sub-division (more than 3 lots), a Negative Declaration would be issued, then preliminary conditional approval would be given to the applicant, which would allow the applicant to move forward. However, they would still need to get approvals from the DEP and Board of Health for the septic designs of each of the lots.

Mr. Singer asked if the applicant would address the concerns from Mr. Fuchs, the owner of the adjoining property. Mr. Wilson said "not necessarily" and that there had been communication between Insite Engineering and Mr. Fuchs and many design changes had been made as a result of these discussions.

Ms. Bolbrock asked Mr. Wilson to explain the town code pertaining to the Recreation Fee per lot in a sub-division in lieu of development of parkland. He said the amount is \$7,500 per residential lot. The Town of Kent puts it into a trust fund and can only be used for recreation purposes.

Mr. McDermott asked for a motion to close the Public Hearing. The motion was made by Mr. Singer and seconded by Mr. Tolmach.

Mike McDermott	<u>Aye</u>
Janis Bolbrock	<u>Aye</u>
George Brunner	<u>Aye</u>
Dennis Lowes	<u>Aye</u>
Arthur Singer (Alternate)	<u>Aye</u>
Charles Sisto	<u>Aye</u>
Philip Tolmach	<u>Aye</u>
Glenna Wright	<u>Absent</u>

The motion carried.

Mr. McDermott asked for a motion to grant a Negative Declaration. The motion was made by Mr. Sisto and Seconded by Mr. Brunner. The motion carried. A roll call vote was not required for the Negative Declaration.

Mr. McDermott asked for preliminary sub-division approval for the Hilltop Estates project. The motion was made by Ms. Bolbrock and seconded by Mr. Tolmach. The roll call vote was as follows:

Mike McDermott	<u>Aye</u>
Janis Bolbrock	<u>Aye</u>
George Brunner	<u>Aye</u>
Dennis Lowes	<u>Aye</u>
Arthur Singer (Alternate)	<u>Aye</u>
Charles Sisto	<u>Aye</u>
Philip Tolmach	<u>Aye</u>
Glenna Wright	<u>Absent</u>

The motion carried.

Mr. Singer asked about the 62 day clock on this project and Mr. Wilson said that at the time the Public Hearing was closed and SEQRA was completed it was no longer applicable. He said both had been done on this project.

- **Precision Armory, 421 and 423 Route 52, Carmel, NY; TM: 33.14-1-10**

Mr. Bruno Pietrosanti represented the applicants, Mr. Edward Nicholas and Donna Ryan, who are proposing to move the store to the residence which is larger than the commercial building. Some site work will also be necessary due to recommendations from the Kent Planning Board. Curb cuts along Route 52 will be modified along with the entrance to the property. The new sewer system construction on Route 52 has already begun and has impacted some of the site work to be done on this property. Handicap ramps have been installed and some signage work is proposed.

Mr. Singer asked if a dumpster was required on a commercial project and Mr. Wilson said that it is not a requirement and that he didn't believe a dumpster would be necessary. Mr. Pietrosanti said that there were no dumpsters and that there won't be much refuse to be discarded. Mr. Sisto asked about the signage and said that on Drawing A4 there was a sign over the front entrance and asked Mr. Pietrosanti to confirm that that would be the only sign and that it would not be illuminated. Mr. Sisto also asked about plans to also sell fishing and camping supplies. Mr. Pietrosanti said that those plans had been cut back. Mr. Singer asked about the "Parking in the Rear" sign and said he did not see it on the plans. Mr. Pietrosanti said that it was placed on the corner of the building. Mr. Singer asked about the curb cut and was told that there would be no curb cuts on Nichols Road. The striped parking lines on the side will be removed.

Mr. Singer mentioned that there was work being done by the DOT on the traffic signal pole and he overheard a discussion whereby the owner told them to stop working. He asked for clarification of the discussion. Mr. Pietrosanti said that a request was made but no specific mapping was furnished regarding an easement on the property for the sewer system and that was the reason the owner asked them to stop working. Mr. Ryan said that it was the contractor working on the traffic light and he asked them to stop because he had not received nor signed the agreement pertaining to the easement the Town had asked him for. Mr. Edward Ryan, the owner of the property, asked to be heard regarding the easement. He said the contractor had tied off the traffic light with a cable to a dump truck and began to cut with the power saw across his parking lot. He was under the impression he was to receive paperwork authorizing the contractor to do the work and he had never received any documentation pertaining to this. The contractor stopped work and Insite had called him and advised him that it would take too long to get the paperwork and asked if they could proceed without it. Mr. Ryan said he was not comfortable with that and asked the Planning Board for their opinion. Mr. McDermott said that the Planning Board could not advise him about that and that he should consult his own attorney. There was also discussion about installing a pole to hold the American flag and the applicant was advised that he would have to talk to the Planning Board prior to putting the pole up. Mr. Sisto asked about the exterior lighting and expressed his concern that the lighting would impact the neighbors and/or traffic. Mr. Pietrosanti said that they would ensure that it would not. Mr. Wilson advised Mr. Pietrosanti that there were town codes regulating lighting and that the lighting plan would have to conform to them. He asked that information be put on the final plans. Mr. Ryan said that the Kent Police Department had asked them to put as much lighting as possible on the property. He also said the ATF had visited his property and approved his plans. Mr. Lowes asked if ATF published specifications regarding the lighting and Mr. Ryan said they did not. He said he can't get a new license from them until everything was completed; and at that time they would re-inspect the property. Mr. Lowes advised Mr. Ryan that any documents and any licenses he received from the ATF be provided to the Planning Board as well and Mr. Ryan agreed to do so.

Mr. McDermott suggested that if there is anything on the lighting plan which does not meet The Kent Town Code but is required by the ATF or the Police Department it be noted on the plans and that documentation supporting this be given to the Planning Board in order to be granted a waiver from the Planning Board. Mr. Wilson confirmed that that should be done as well.

Ms. Mangarillo's Comments (No memo)

Ms. Mangarillo asked Mr. Pietrosanti if he had received DOT approval regarding curb cuts and he said that he spoke to Insite and was told that there would be a meeting within a week and he would know more at the next meeting and would discuss it at that time. The current plan was to leave the two curb cuts which were on the premises, but that they be relocated and they did feel it was a reasonable request, but would need to be approved by the DOT. Mr. McDermott asked if one of the conditions of approval would be pending approval of the curb cuts by the DOT and she said yes. Ms. Mangarillo also said that because the curb cuts were to be closed, grass planted and the handicapped ramp to be constructed the applicant would have to be cognizant of the limits of disturbance. She wanted a note on the plans indicating that there would not be more than 5,000 square feet disturbed.

Mr. Wilson's Comments (Memo attached)

Mr. Wilson confirmed that the Putnam County Planning Department had approved this project (copy of form attached). He said he provided the Planning Board a draft of the Site Plan Approval and waiver of a Public Hearing. He said it needed to be amended and that conditions needed to be added. He would resend it to the Planning Board Secretary when it is finalized.

Mr. McDermott asked for a motion to grant conditional approval to the Site Plan with a note that in addition to the six conditions set forth in the Resolution two new ones – one relating to DOT approval for curb cuts and the other pertaining to the lighting plan and its conformance with the Town Code. There should be a total of 8 conditions in the amended Resolution. The motion was made by Mr. Brunner and seconded by Mr. Tolmach.

The roll call vote was as follows:

Mike McDermott	<u>Aye</u>
Janis Bolbrock	<u>Aye</u>
George Brunner	<u>Aye</u>
Dennis Lowes	<u>Aye</u>
Arthur Singer (Alternate)	<u>Aye</u>
Charles Sisto	<u>Aye</u>
Philip Tolmach	<u>Aye</u>
Glenna Wright	<u>Absent</u>

The motion carried.

Permit Applications Review:

- Boccia Property Beach Court, Kent, NY TM: 21.-1-16	Erosion Control	Status Report
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Still waiting for results of title search regarding the access road.

- Scott Frey (Zappolo Property) Bowen Road, Kent, NY TM: 22.-1-24	Erosion Control/ Wetland Permit	Status Report
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Waiting for erosion control bond to be executed.

- Lakeview Church
Route 52, Carmel, NY
TM: 33.18-1-14

Site Plan

Status Report

Waiting for additional information.

- Morini Property
China Paper Circle, Kent, NY
TM: 42.18-1-2

Erosion Control

Status Report

Waiting for Sedgewood Club approval.

Mr. McDermott asked Ms. Boyer-Cafiss, the Kent Historian, to introduce herself and her role in the town. She did so and said that she was responsible for making the Planning Board aware of any projects which might impact the historical structures or artifacts. Ms. Boyer-Cafiss said she would be attending the Planning Board meetings. Mr. Wilson asked if the Planning Board should routinely defer to the Historian's office for review and she said that she would like to be added to the distribution list for the monthly agenda.

Mr. McDermott asked for a motion to adjourn the meeting. The motion was made by Mr. Brunner and seconded by Mr. Tolmach. The motion carried. The meeting adjourned at 8:45 PM.

Respectfully Submitted,



Vera Patterson
Planning Board Secretary

cc: Planning Board Members
Building Inspector
Town Clerk

MAY 2014 AGENDA

Workshop: May 01, 2014 (Thursday, 7:30 PM)

Meeting: May 08, 2014 (Thursday, 7:30 PM)

- Approve Planning Board Minutes from April 10, 2014

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|---|---|--------|
| <ul style="list-style-type: none"> - Hilltop Estates (Kent Development Corp)
Peckslip Road, Kent, NY
TM: 12.-1-38 & 42 | Public Hearing Continued
Subdivision/Erosion Control | Review |
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Permit Applications Review (Applicants attendance not required/Workshop Discussion):

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| <ul style="list-style-type: none"> - William Huestis, Kent Councilman | General Planning Topics | Discussion |
| <ul style="list-style-type: none"> - Boccia Property
Beach Court, Kent, NY
TM: 21.-1-16 | Erosion Control | Status Report |
| <ul style="list-style-type: none"> - Precision Armory
Route 52, Carmel, NY
TM: 33.14-1-10 | Switching Buildings | Discussion |
| <ul style="list-style-type: none"> - Scott Frey (Zappolo Property)
Bowen Road, Kent, NY
TM: 22.-1-24 | Erosion Control/
Wetland Permit | Status Report |
| <ul style="list-style-type: none"> - Lakeview Church
Route 52, Carmel, NY
TM: 33.18-1-14 | Site Plan | Status Report |
| <ul style="list-style-type: none"> - Morini Property
China Paper Circle, Kent, NY
TM: 42.18-1-2 | Erosion Control | Status Report |