

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

APPLICANT NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

CONTACT TELEPHONE NUMBER: \_\_\_\_\_

TM: \_\_\_\_\_

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.  Easements for utilities including overhead
6.  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.  Location of septic system (including 100% expansion area)
11.  Location of well head
12.  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.  Erosion and sediment control plan (if area of disturbance is greater than 5,000 square feet)
17.  Cost estimate (breakdown) to implement erosion and sediment control plan
18.  KNOX box system (if commercial property)

Check list completed by:

\_\_\_\_\_  
(Print or type name here)

\_\_\_\_\_  
(Print or type Title here)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

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

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

Notes: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**TOWN OF KENT**  
25 Sybil's Crossing  
Kent Lakes, New York 10512

Yolanda D. Cappelli  
Town Clerk

Administrative Office  
Tel. (845) 225 - 2067  
Fax (845) 225 - 5130



**RESOLUTION**

**Adopt Local Law #3/2017 Bonds**

On a motion by Councilman Denbaum  
Seconded by Councilman McGlasson

WHEREAS, a local law to amend the Kent Town Code authorizing the acceptance by Town of Kent Boards of surety bonds and letters of credit in addition to cash bonds was introduced as Introductory Local Law # 3 of the year 2017 before the Town Board of the Town of Kent on August 1, 2017; and

WHEREAS, a public hearing was held on September 5, 2017 and continued to September 26, 2017 and the public was invited to attend and be heard on the matter;

NOW THEREFORE, BE IT RESOLVED, that Introductory Local Law #3 of 2017 is hereby enacted by the Town Board of the Town of Kent and; and

IT IS FURTHER RESOLVED, that the Town Board hereby adopts a fee schedule, a copy of which is annexed hereto, and

BE IT FURTHER RESOLVED, that a true copy of the law is attached hereto and made a part hereof.

Motion carried unanimously

**LOCAL LAW NO. 3 OF THE YEAR 2017**

**LOCAL LAW AUTHORIZING THE ACCEPTANCE BY TOWN BOARDS OF THE TOWN OF KENT OF SURETY BONDS AND LETTERS OF CREDIT IN ADDITION TO CASH BONDS WHEN A BOND IS REQUIRED BY THE TOWN CODE**

**BE IT ENACTED** by the Town Board of the Town of Kent, County of Putnam as follows:

**Section 1:** This Local Law shall be known as: "Local Law authorizing the acceptance by Town of Kent Boards of surety bonds and letters of credit in addition to cash bonds".

**Section 2:** The Town of Kent Code contains several sections which require the posting of a cash bond. The Town Board wishes to expand the types of bonds which may be accepted by the various Town Boards which require such bonds to include surety bonds and letters of credit wherever a cash bond is required.

**Section 3.** Chapter 39A regarding "Freshwater Wetlands" is hereby amended to read as follows:

§ 39A-9. Limitations, duration and posting of permit; inspections; certificate of completion.

A. In granting a permit, the approving authority may limit the same or impose conditions or limitations designed to carry out public policy set forth in this chapter. The approving authority may require a cash bond, a surety bond or a letter of credit in an amount and with ~~[surety and]~~ conditions satisfactory to it securing to the Town of Kent compliance with the conditions and limitations set forth in the permit. The approving authority, or its designated agent, may inspect the premises in question from time to time. The approving authority shall suspend or revoke a permit if it finds after public hearing on 10 days' written notice to the applicant, and such further notice as may have been required for the public hearing held under § 39A-7E hereof, that the applicant has not complied with one or more of the conditions or limitations set forth in the permit or has exceeded the scope of the permitted activity. An immediate stop-work order may, however, be issued by the Town Engineer pending such hearing where, in his reasonable judgment, additional damage may be done to the wetland, water body, watercourse or regulated area, pending a determination on such hearing. No public hearing shall be required for the suspension or revocation of a permit where no public hearing was required for the issuance of the same.

Section 4. Chapter 57 regarding "Driveways" is hereby amended to read as follows:

§ 57-24. Bond or surety.

No bond or surety shall be required of any applicant in connection with a driveway permit unless such work will require the breaking of pavement on a Town road or unless culvert work or other work, such as erosion control work, is required for satisfactory construction. In such case, the Highway Superintendent shall require sufficient surety, in ~~[a form and manner satisfactory to him,]~~ the form of a cash bond, surety bond, or letter of credit to ensure the restoration of the pavement or completion of the work, as the case may be.

Section 5. Chapter 63 regarding "Soil Removal" is hereby amended to read as follows:

§ 63-5. Performance of work.

M. The applicant shall file with the Town Board a performance bond, in such form and with such surety as shall be acceptable to the Town Board, in such amount as the Town Board may deem sufficient to ensure the faithful performance of the work to be undertaken.

Section 6. Chapter 62 regarding "Sewer Use, Connections and Rents" is hereby amended to read as follows:

§ 61-74. Delinquent payments; performance bonds; liability insurance.

B. Performance bonds. The Inspector may decline to reissue a permit to any user which has failed to comply with the provisions of this chapter or any order or previous permit issued hereunder, or may require, as a condition of reissuance, such user to first file with the sewer district a ~~[satisfactory]~~ cash bond, surety bond or letter of credit, payable to the sewer district, in a sum not to exceed a value determined by the Inspector to be necessary to achieve consistent compliance.

Section 7. Chapter 66 regarding "Steep Slope Protection and Stormwater Management" is hereby amended to read as follows:

§ 66-7. Performance bond; inspection.

A. Performance bond.(1) In order to insure the full and faithful completion of all construction activities related to compliance with all conditions set forth by the Town in its issuance of a steep slope and erosion control permit, the Planning Board may require the owner or applicant to provide, prior to construction, a performance bond, supported by sufficient security in the form of cash bond, surety bond, a cash escrow

account, irrevocable letter of credit or certified check drawn upon an national or state bank or other cash equivalent, which guarantees satisfactory completion of the project and names the Town as the beneficiary. The security shall be in an amount to be determined by the Planning Board based on submission of final design plans.

Section 8. Chapter 66A regarding "Subdivision of Land", Article VI, is hereby amended to read as follows:

§ 66A-32. Performance security; maintenance security.

C.

Performance security required by the Planning Board.

(1) Where a performance security is required by the Planning Board, the subdivider shall file with the Town a cash bond, a security bond or a letter of credit in an amount sufficient to cover 100% of the cost of the required improvements as estimated by the Superintendent, the Planning Board Planner, the Planning Board Environmental Consultant or the Planning Board Engineer. Such security shall be subject to the review and acceptance by the Town Attorney as to form, sufficiency and manner of execution. The security shall be accepted by the Town Board prior to the time of the Chairman's signature on the final plat. The security shall be accepted by the Town Board and filed with the Town Clerk prior to commencement of any site work or construction. The security shall run for a term to be fixed by the Planning Board, but in no case for a longer term than three years; provided, however, that the term of such security may be extended by the Planning Board with the consent of the parties thereto. If the Planning Board decides at any time during the term of the security that the extent of building development that has taken place in the subdivision is not sufficient to warrant all of the improvements covered by the security, or that the required improvements have been installed in sufficient amount to warrant reduction in the amount of the security, then, upon approval by the Town Board, the Planning Board may modify its requirements for any or all such improvements, and the amount of such security shall be reduced by an appropriate amount so that the new amount will cover the cost in full of the amended list of improvements required by the Planning Board.

F. Execution of contracts. The Town Board resolution shall require that the owner or owners of real property execute such contracts with the Town as the Town Board may deem necessary for the purpose of ensuring that the expense of such construction or installation, including the cost of issuing obligations to raise moneys to pay the expense thereof and interest on such obligations, shall not be an undue burden upon the property deemed benefitted by the agreements or of such improvement district or extension thereof as the case may be and may require a security agreement, including but not limited to the filing of a surety bond, letter of credit, or the deposit of cash or securities in a form approved by the Town Attorney and accepted by the Town Board so as to assure the performance of such contracts.

Section 9. Chapter 77 regarding "Zoning", Article XVII regarding "Special Use and Site Plan Requirements" is hereby amended to read as follows:

§ 77-61. Approval procedure.

C. Performance bond or surety and inspection fee. The applicant may be required to post a performance bond in the form of a letter of credit, cash bond or surety bond in an amount sufficient to assure that all streets or other public improvements shown on the site plan are suitably graded and paved, and that street signs, sidewalks, streetlighting, curbs, gutters, street trees, water mains, sanitary sewers, fire alarm signal devices, including associated ducts, pipes, cable and connecting facilities, are installed in accordance with applicable standards, specifications, and procedures acceptable to the Town. Prior to commencement of work and as a condition of a building permit, the applicant shall pay

an inspection fee in an amount as set from time to time by resolution of the Town Board.

Section 10. Severability.

If any part or provision of this local law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this local law or the application thereof to other persons or circumstance, and the Town Board of the Town of Kent hereby declares that it would have passed this local law or the remainder thereof had such invalid application or invalid provision been apparent.

Section 11: Effective Date.

This local law shall take effect immediately upon filing in the Office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

I, Yolanda D. Cappelli, the Town Clerk of the Town of Kent, does hereby certify that the above is a true and exact copy of Resolution adopted by the Town Board of the Town of Kent at a meeting of said Board on September 26 2017.

DATED: October 3, 2017

  
\_\_\_\_\_  
Yolanda D. Cappelli, Town Clerk

**TOWN OF KENT, NEW YORK**  
**SUMMARY OF APPLICATION FEES**  
(ADOPTED JULY 2012)

**1: BUILDING DEPARTMENT:**

**Chapter § 27, Building Administration & Construction**

Building Permit:	\$ 50.00 work up to \$1,000 and \$5 for every additional \$1,000. 00
Time Extension:	\$50 (building permits good for one year).
Septic/Well:	\$10 each (new construction only)
Certificate of Occupancy:	\$75.00
Inspection fee, special use permit and site plan:	
<u>Rescission of a Stop Work Order :</u>	
• First	\$150
• Second	\$250
• Additional Thereafter	\$350

Flood Hazard Construction: \$500.00

Application for Variance \$500.00

**Chapter §54, Plumbing**

Plumbing	\$50 for five fixtures, \$5 for each additional fixture
Zoning	As per ordinance

**Chapter § 30, Christmas Tree Sales**

Application \$25 plus site restoration deposit of \$200

**Chapter § 38, Fire Prevention**

Blasting permit, including storage and use of explosives	\$100
Operating permit	\$ 50

**Chapter § 39, Flood Damage Prevention**

Flood hazard construction application	\$500
Application for a variance from requirements of Chapter 39	\$500

Rescission of a Stop Work Order :

- First \$150
- Second \$250
- Additional Thereafter \$350

**2: PLANNING DEPARTMENT:**

**Chapter § 39A, Freshwater Wetlands**

Permit Application fee	\$ 500
------------------------	--------

Rescission of a Stop Work Order :

- First \$ 150
- Second \$ 250
- Additional Thereafter \$ 350

**Chapter § 63, Soil Removal**

Application for a permit	\$ 500
--------------------------	--------

**Chapter § 66, Steep Slope Protection and Stormwater Management**

Application for permit	\$ 500
------------------------	--------

Inspection fee	\$1,000 Initial review fee deposit
----------------	------------------------------------

Applicant shall be responsible for Full payment of actual costs of inspection As the project progresses additional review Fees may be necessary. A summary of The Review account and copies of the Invoices will be sent when they are Processed.

SWPPP Review	\$ 100
--------------	--------

Rescission of a Stop Work Order :

- First \$ 150
- Second \$ 250
- Additional Thereafter \$ 350

Site Plan, Inspection Fee and Special Use Permit	\$ 150
--	--------

Freshwater Wetland Permit Application Fee:	\$ 500
Steep Slope/Stormwater Management Inspection	\$ 500 \$1,000 Initial review fee deposit
Watercourse Inspection Fee	\$ 10

\* Note that a separate check is required for each Application, Inspection, and/or review fees and needs to be made out to:

The Town of Kent  
 25 Sybil's Crossing  
 Kent, NY 10512  
 Attn: Planning Department  
 Email is: [planningkent@townofkentny.gov](mailto:planningkent@townofkentny.gov)

**3: TOWN BOARD:**

Soil Removal: \$500 (temporary permit)



**Town of Kent Planning Board  
Application Forms and Description of Procedures**

---

**Subdivision Sketch Approval  
Subdivision Preliminary Approval  
Subdivision Final Approval  
Site Plan Approval  
Conditional Use Permit Approval  
Freshwater Wetland Permit Approval**

**1) Meetings**

- a) The Town of Kent Planning Board meets in regular session on the second Thursday of each month starting at 7:30 PM.
- b) The Planning Board meets in a workshop session on the first Thursday of each month starting at 7:30 PM. The workshop meeting is an open meeting. The public may attend but may not speak except by invitation of the Planning Board.
- c) Special meetings may be called by the Planning Board Chair and shall be noticed pursuant to the Open Meetings Law.
- d) If the date of any meeting is cancelled due to inclement weather, lack of quorum, or other conflict, the meeting will be scheduled for another night and the new meeting day and time will be posted and made public pursuant to the Open Meetings Law.

**2) Deadlines**

- a) All submittals are due no later than 12:00 PM (noon) on the Thursday prior (21 days) prior to the regular meeting. There shall be no exceptions.

**3) Application Submittals**

- a) All applications shall include the following:
  - i) Original and 10 copies of the completed application forms, affidavits, and EAF. We will need 10 complete sets (applications, Forms, 11" x 17" maps and surveys and seven sets including completed application forms, affidavits and EAFs and 7 full-size drawings and surveys).
  - ii) Nine (9) full-size sets of maps and ten (10) reduced size (11" x 17" size sheet) sets of maps depicting the proposed activity and prepared in accordance with the requirements of the Town Code. Should be sent or delivered to:

The Kent Planning Board  
25 Sybil's Crossing  
Kent, NY

PDF files should also be sent to: the  
planningkent@townofkentny.gov

- iii) **All maps shall be folded. Maps that are not folded will not be accepted. When the drawings are approved three full size drawings are retained in the Planning Board file; one is retained in the Building Department file; a full size drawing is returned to the applicant; one to the architect/engineer**

- iv) Application fee in the amount established by the Town Board. Applicants are advised to consult the Planning Board Clerk.
  - v) Review fee in an amount required by the Planning Board. Applicants are advised to consult the Planning Board Clerk.
  - vi) Survey information shall be recent or recently re-certified by a New York State Licensed Surveyor so as to accurately depict topographic and site conditions as of the date the application is submitted.
  - vii) Short Form Environmental Assessment Form. Applicants are advised that the Planning Board may require the applicant to provide a Long Form Environmental Assessment Form where the Board determines that the Short Form does not provide sufficient information about the application.
  - viii) Agricultural data statement, if applicable.
  - ix) Recent aerial photo at a scale of 1:200 or less with tax parcels delineated.
- b) Applicants are advised to consult the following Town Code sections:
- i) Subdivision Sketch Plan Plat - §A81-7 of the Subdivision Regulations
  - ii) Subdivision Preliminary Plat - §A81-8 of the Subdivision Regulations
  - iii) Subdivision Final Plat - §A81-9 of the Subdivision Regulations
  - iv) Site Plan- §77-60 of the Town Zoning Law
  - v) Conditional Use Permit Application - §77-59 of the Town Zoning Law
  - vi) Freshwater Wetland Permit - §39A-7 of the Town Code.

#### 4) Application Procedures

- a) All applications and submittals are formally received as of the submittal date each month as shown on the Planning Board Schedule (attached), reviewed at the workshop and discussed in depth at the regular meeting of the Planning Board. Applicants are not required to attend the workshop, but are welcome. The applicants and/or their representatives are required to attend the meeting, which is televised.
- b) Upon receipt of an application, including all application and escrow fees, the maps and supporting documentation will be forwarded by the Town to the Planning Board, Building Inspector, Planning Board's Planner, the Planning Board's Engineer and Environmental Consultant. All communication(s) must be directed to the Planning Board Office and not directly to the Planning Board's consultants.
- c) All maps must comply with the Town requirements for preliminary plats and site plans. In addition, all submissions must contain enough engineering data to enable a proper engineering and planning review in accordance with the Zoning Law. If maps either fail to comply with the code requirements or are insufficient to support a proper engineering and planning review, the result may be the denial of approval and the requirement of a new application and applicable fees. The adequacy of all submissions will be determined by the Planning Board after recommendation of the Planning Board Engineer and the Planning Board Planner.
- d) If a public hearing is required the hearing will be set only after the Board is satisfied that the applicant has addressed all comments and questions to the satisfaction of the Board.

- e) An application is not complete until a Negative Declaration has been issued or a DEIS has been received and declared complete.

**5) Notes**

- a) In addition to other notes as may be required by the Board, the applicant shall include as notes on the map the following:
  - i) Driveway Construction notes. (See attached)
  - ii) Erosion Control notes. (See attached)

**6) Actions of the Planning Board**

- a) Prior to making a decision on the application, the Planning Board shall make a determination of significance under the State Environmental Quality Review Act. The Planning Board may open a public hearing prior to the determination of significance in order to obtain public comment on the issues of environmental concern. An application is not considered complete until a SEQRA determination has been made.
- b) Decisions of approval or disapproval will be made no more than sixty two (62) days after the close of a public hearing on a complete application unless extended by agreement of the Planning Board and the applicant. The decision of the Planning Board will be filed with the Town Clerk within five (5) business days of the date of the decision.
- c) Disapproval of an application will require the resubmission of a preliminary application if the applicant wishes to pursue further consideration of the plan.
- d) The Plat will be void if it is revised after Planning Board signature. No changes, erasures, modifications or revisions shall be made on any plat after the plat has been signed by the Board. If the recorded plan contains any changes, the plat shall be considered void, and the Planning Board shall take action to remove the plat from county records.

**7) Fees**

All application fees and review fees are due at the time an application is submitted. Application fees are not refundable. Unexpended review fees are returnable upon completion of the Planning Board's review of the application and the receipt of final invoice(s) from all professionals retained by the Planning Board to review the application. At the time an application is submitted to the Planning Board fees shall be paid with separate checks to cover the following: (1) Application Fee; and (2) Review Fee. Checks shall be made payable to the "Town of Kent", but should be mailed or delivered to:

The Kent Planning Board  
25 Sybil's Crossing  
Kent, NY 10512  
Tel: 845-225-7802

Recreation Fees are due and payable prior to the Chairman signing the approved residential subdivision or site plan map. Approval of any application is expressly conditioned on the payment of all application fees, review fees, and recreation fees, and the signature of the Chairman on the final plat or site plan shall be withheld pending payment of all fees.

Pursuant to §55 of the Town of Kent Code an applicant is responsible to pay the cost of services of consulting attorneys, engineers, planners, architects, and other professionals retained by the Planning Board to review an application. At the time an application is submitted the applicant shall pay to the Planning Board an initial deposit in an amount set by the Planning Board for the Review Fee. The fee will be used to pay the cost of consultant fees incurred by the Planning Board to review the application. The deposit amount may be adjusted up or down by the Planning Board based upon the type, size and complexity of the application. The applicant may be periodically advised as to the need to replenish the review fee fund, and the Planning Board may cease its review of an application pending such replenishment. Any unexpended deposit amounts will be returned to the applicant.

**Town of Kent Planning Board**  
**Application Forms and Description of Procedures**

---

**Steep Slope & Erosion Control Approval**

**1) Deadlines**

- a) None. Applications are accepted on an on-going basis.

**2) Application Submittals**

- a) All applications shall include the following:
  - i) Original of the completed application form with affidavits.
  - ii) Nine (9) full-size and ten (10) reduced sets (11" x 17") of maps prepared and sealed by a New York State licensed professional depicting the proposed activity and prepared in accordance with the requirements of the Town Code. **All maps shall be folded. Maps that are not folded will not be accepted.** The applicable sections of the Town Code are as follows:
    - (1) Steep Slope and Erosion Control Permit - §66 of the Town Code.
  - iii) Survey information shall be recent or recently re-certified by a New York State Licensed Surveyor so as to accurately depict topographic and site conditions as of the date the application is submitted.

**3) Application Procedures**

- a) Within five (5) days of receipt an application, including payment of all fees, the maps and supporting documentation will be forwarded by the Town to the Planning Board's Engineer, Town Planner, Environmental Consultant and Building Inspector. All communication(s) must be directed to the Planning Board Office and not directly to the Planning Board Engineer.
- b) All maps must comply with the Town requirements for Steep Slope and Erosion Control Permit as set forth in §66 of the Town Code. If maps either fail to comply with the code requirements or are insufficient to support a proper engineering review, the result may be the denial of approval and the requirement of a new application and applicable fees. The adequacy of all submissions will be determined by the Planning Board Engineer.

**4) Notes**

- a) In addition to other notes as may be required by the Board, the applicant shall include as notes on the map the following:
  - i) Driveway Construction notes. (See attached)
  - ii) Erosion Control notes. (See attached)

**5) Actions of the Planning Board**

- a) The Planning Board will only approve the application based on the recommendation of the Planning Board Engineer.

## 6) Fees

All application fees and review fees are due at the time an application is submitted. Application fees are not refundable. Unexpended review fees are returnable upon completion of the Planning Board's review of the application and the receipt of final invoice(s) from all professionals retained by the Planning Board to review the application. At the time an application is submitted to the Planning Board fees shall be paid with separate checks to cover the following: 1) Application Fee; and 2) Review Fee. Checks shall be made payable to the "Town of Kent" and mailed or delivered to the Kent Planning Board, 25 Sybil's Crossing, Kent, NY 10512. Approval of any application is expressly conditioned on the payment of all application fees, review fees, and recreation fees, and the signature of the Planning Board Engineer and the Chairman on the final plans shall be withheld pending payment of all fees.

Pursuant to §55 of the Town of Kent Code an applicant is responsible to pay the cost of services of consulting attorneys, engineers, planners, architects, and other professionals retained by the Planning Board to review an application. At the time an application is submitted the applicant shall pay to the Planning Board an initial deposit in an amount set by the Planning Board for the Review Fee. The fee will be used to pay the cost of consultant fees incurred by the Planning Board to review the application. The deposit amount may be adjusted up or down by the Planning Board based upon the type, size and complexity of the application. The applicant may be periodically advised as to the need to replenish the review fee fund, and the Planning Board may cease its review of an application pending such replenishment. Any unexpended deposit amounts will be returned to the applicant.

**Applicants are advised to contact the Planning Board Clerk to determine the amount of the application fee and the amount of the initial deposit for the review fee that must be submitted with the application.**

## 7) Erosion Control, Stormwater, Performance Bonds

When bonds are required, cash bonds, surety bonds or Letters of Credit are acceptable (see attached document). The bond is first approved by the Planning Board and then forwarded to the Town Board for their approval.

**Town of Kent Planning Board  
Combined Application Form**

---

APPROVAL REQUESTED FOR: (Check all that apply)

Sketch Plan (subdivision)	_____	Preliminary Subdivision	_____
Final Subdivision	_____	Lot Line Change	_____
Site Plan	_____	Conditional Use Permit	_____
Freshwater Wetland	_____	Steep Slope & Erosion Ctrl	_____

Name of Project: \_\_\_\_\_

Description of Proposed Activity: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Name of Applicant(s): \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

Name and Address of Record Owner(s): \_\_\_\_\_

Tax Map Number of all parcels: \_\_\_\_\_

\_\_\_\_\_

**A) For All Applications:**

1) Total acreage involved in application: \_\_\_\_\_

2) Total contiguous acreage controlled by applicant/owner (1): \_\_\_\_\_

3) Total number of existing structures: \_\_\_\_\_

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 or activity proposed: (Check all that apply)

New Construction: Residential	_____	Commercial	_____	Institutional	_____
Expansion: Residential	_____	Commercial	_____	Institutional	_____
Home Occupation:	_____	Change in use:	_____	Other:	_____

8) Zoning District: \_\_\_\_\_

---

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: \_\_\_\_\_

\_\_\_\_\_

Telephone: \_\_\_\_\_

\_\_\_\_\_

Name and Address of Licensed Land Surveyor: \_\_\_\_\_

\_\_\_\_\_

Telephone: \_\_\_\_\_

\_\_\_\_\_

Name and Address of Attorney: \_\_\_\_\_

\_\_\_\_\_

Telephone:

\_\_\_\_\_  
Name and Address of Wetland Consultant: \_\_\_\_\_  
\_\_\_\_\_

Telephone:

\_\_\_\_\_

**B) For Subdivision and Lot Line Change Applications Only:**

- 1) Total number of lots proposed: \_\_\_\_\_
- 2) What is the size of the smallest lot proposed? \_\_\_\_\_
- 3) What is the size of the largest lot proposed? \_\_\_\_\_
- 4) Number of private driveways proposed: \_\_\_\_\_
- 5) Number of common driveways proposed: \_\_\_\_\_
- 6) Maximum number of lots serviced by a common driveway: \_\_\_\_\_
- 7) Number of private roads proposed: \_\_\_\_\_
- 8) Number of lots serviced by a private road: \_\_\_\_\_
- 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 \_\_\_\_\_. If no, state the number of sections to be filed \_\_\_\_\_.

**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?  
\_\_\_\_\_



- 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 [ \_\_\_\_\_ ]
  - 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.
  
- 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 one (1) or more acres 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: \_\_\_\_\_

Date: \_\_\_\_\_

**AFFIDAVIT TO BE COMPLETED BY OWNER**

State of \_\_\_\_\_ }

} ss:

County of \_\_\_\_\_ }

\_\_\_\_\_ 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 \_\_\_\_\_, 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.

\_\_\_\_\_  
Applicant/Owner Applicant/Owner

\_\_\_\_\_  
Notary Public

**AFFIDAVIT TO BE COMPLETED BY AGENT OF OWNER**

State of \_\_\_\_\_ }

} ss:

County of \_\_\_\_\_ }

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

1. That I/we are the \_\_\_\_\_ 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 \_\_\_\_\_ in the County of \_\_\_\_\_ and the State of \_\_\_\_\_.
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.

\_\_\_\_\_  
Applicant/Agent

\_\_\_\_\_  
Applicant/Agent

\_\_\_\_\_  
Notary Public

**CERTIFICATION OF PROFESSIONAL ENGINEER/LICENSED LAND SURVEYOR/ARCHITECT**

State of \_\_\_\_\_ }

} ss:

County of \_\_\_\_\_ }

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

1. That I/we are the \_\_\_\_\_ named 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 I/we have been duly authorized by the owner in fee to make such application and that the foregoing statements contained therein are true to the best of my/our knowledge and belief.
2. 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.

\_\_\_\_\_  
Licensed Professional

\_\_\_\_\_  
Licensed Professional

\_\_\_\_\_  
Notary Public

**DISCLOSURE OF BUSINESS INTEREST**

State of \_\_\_\_\_ }

} ss:

County of \_\_\_\_\_ }

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

1. Pursuant to §803 of the General Municipal Law the following municipal officer(s) or employee(s), and any of their family members, outside employers, business associates, clients, or campaign contributors, have, or will later acquire, an ownership position, employment position, or other contractual interest in the proposed project: (Insert name, home address and municipal position held. Attach additional pages as necessary.)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. That the interest of said municipal officer(s) or employee(s) is: (Detail the nature and extent of the interest. Attach additional pages as necessary.)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. That he/she understands 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 he/she declares that he/she has examined this affidavit and that it is true and correct.

\_\_\_\_\_  
Agent/Owner

\_\_\_\_\_  
Agent/Owner

\_\_\_\_\_  
Notary Public

**Town of Kent Planning Board  
Agricultural Data Statement**

---

In accordance with §283-a of the New York State Town Law and §305-a of the Agriculture and Markets Law, this Data Statement will be used to evaluate the potential impacts of a proposed development on farm operations in agricultural districts.

Name of Applicant(s): \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

Description of the Project: \_\_\_\_\_

---

**APPROVAL REQUESTED FOR: (Check all that apply)**

Sketch Plan (subdivision) \_\_\_\_\_ Preliminary Subdivision \_\_\_\_\_

Final Subdivision \_\_\_\_\_ Lot Line Revision \_\_\_\_\_

Site Plan \_\_\_\_\_ Conditional Use Permit \_\_\_\_\_

Project Location: \_\_\_\_\_

Tax Map Number of all parcels: \_\_\_\_\_

---

Is any portion of the project site currently being farmed? \_\_\_\_\_

Is the project site located in an Agricultural District? Yes \_\_\_\_\_ No \_\_\_\_\_

Who is farming the site? \_\_\_\_\_

Does the person farming the site: Rent \_\_\_\_\_ Own \_\_\_\_\_ the land?

Attach a list of the names and addresses of the owners of land within an agricultural district containing a farm operation located within 500 feet of the boundary of the project property, and the tax parcel number of the farm parcels. Attach a copy of the tax map and indicate with an "X" the farm parcels within 500 feet of the project property.

I hereby confirm that the information provided herein is true and accurate.

Signature of Applicant: \_\_\_\_\_ Date: \_\_\_\_\_

**Town of Kent Planning Board  
Standards for Private and Common Driveways**

---

The following notes must be placed on the plan for development approval as applicable.

- A) *The driveway for any lot shall provide vehicular access to within 150 feet of the exterior wall of each habitable structure.*
- B) *For lots legally in existence as of the date of adoption of this local law, driveways proposed to serve three or fewer single family residential lots shall meet the following standards:*
- 1) *Finished grades for all parts of any proposed driveway shall not exceed ten (10%) percent, and shall not exceed three (3%) percent within thirty (30) feet of the intersection of the driveway with the public highway, private road, or garage or parking pad, and shall be paved for a distance of thirty (30) feet from said intersection. The Planning Board may grant a waiver for a driveway slope of up to fifteen (15%) percent upon a showing by the applicant of practical difficulty in meeting these standards. Any section of a proposed driveway that exceeds 10% finished grade shall be paved.*
- C) *For lots created after the date of adoption of this local law, driveways proposed to serve three or fewer single family residential lots shall meet the following standards:*
- 1) *Finished grades for all parts of any proposed driveway shall not exceed ten (10%) percent, and shall not exceed three (3%) percent within thirty (30) feet of the intersection of the driveway with the public highway, private road, or garage or parking pad, and shall be paved for a distance of thirty (30) feet from said intersection. No waiver or variance from these standards shall be permitted.*
- D) *For all driveways:*
- 1) *The minimum driveway width shall not be less than 16 feet with a travel way width of not less than 12 feet and a shoulder width of not less than 2 feet on each side. For driveways in excess of 300 feet the Planning Board shall require pull-offs to provide safe passage for users of the road and shall require designation of area(s) along the driveway for snow storage. Passing turnouts shall be placed at not more than two hundred foot intervals along the length of the driveway. The passing turnouts shall have an additional 4 feet of shoulder width. The minimum dimension of a turn-out shall be 10 feet in width and 50 feet in length.*
  - 2) *Shoulders shall be top soiled, seeded with an appropriate grass or grass blend, and mulched.*
  - 3) *All roots and stumps shall be grubbed, excavated and removed from the travel way and shoulders.*
  - 4) *All unsuitable and unstable materials shall be completely excavated and removed and all rocks or boulders larger than 6 inches across shall be excavated to at least 8 inches below finished grade.*
  - 5) *The foundation course of the driveway shall be a minimum of 6 inches of clean, run of bank gravel.*
  - 6) *Final course of the driveway shall be a minimum of 4 inches of item 4 or processed gravel. Pavement, where required, shall be a minimum of two and one-half inches (2 ½") compacted thickness.*
  - 7) *The paved and unpaved travel-way, passing turnouts, shoulders and flow line of drainage ditches and swales shall be maintained in satisfactory condition to assure safe and continuous year-round access for all vehicles.*
  - 8) *Trees and shrubs shall be trimmed and maintained so as not to hang into or obstruct the travel way, passing turnouts and shoulders. Overhead branches shall be trimmed and maintained to a height of not less than 13 feet.*

- 9) *Each lot accessed by a common driveway shall be subject to a Driveway Maintenance and Improvement Agreement which shall run with the land and be binding on each owner of the lots so accessed and, and upon their heirs, successors and assigns. Such Agreement shall be recorded in the office of the County Clerk and shall be subject to the approval of the Planning Board prior to such recording.*
- 10) *A development plan for the driveway, together with driveway profiles and other information as may be required by the Town Building Inspector to show compliance with the section, shall accompany an application for a Steep Slope and Erosion Control Permit, and/or a highway work permit, prior to an application for a Building Permit being made.*
- 11) *The development plan shall use as a base map an accurate boundary and topographic survey of the property depicting all existing improvements and grades prepared by a New York State licensed land surveyor. The plan shall depict all proposed improvements shall be prepared by a professional engineer, a landscape architect, or an architect licensed by the State of New York. The development plan and profiles shall show conformity of the proposed driveway construction with these standards.*
- 12) *Upon completion of grading and placement of sub-base material, and prior to final paving, the applicant's New York State licensed land surveyor shall provide to the Town an "as-built" survey depicting the actual grades and dimensions to which the driveway has been constructed. Such as built survey shall accompany the application for issuance of a Building Permit for construction of on-site improvements. Upon completion of construction the applicant's Professional Engineer shall certify to the Town that the driveway has been constructed in accordance with the approved plans and with these specifications.*
- 13) *The driveway construction requirements as shown on the final development plan or plat approved by the Planning Board shall be referenced in the deed for the property upon transfer.*



**Town of Kent Planning Board**  
**Steep Slope and Erosion Control Notes**

In order to assure compliance of the project with both the Town Zoning Law and the NYSDEC regulations the following note shall be placed on all plat maps.

- A) Any individual or entity proposing to develop land within the Town of Kent or to conduct construction activities on land within the Town of Kent shall prepare an application pursuant to §66-6 of the Town of Kent Code for a steep slope and erosion control permit when one or more the following criteria are met:*
- 1) Any disturbance involving one (1) or more acres of land;*
  - 2) Any disturbance on ground areas having a topographical gradient equal to or greater than fifteen percent (15%) measured by utilizing two (2) foot contours, except for:*
    - a) Any planting of landscape materials or gardening which does not disturb the existing terrain in excess of a two-foot depth in two thousand (2,000) square feet;*
    - b) Emergency situations as determined by the Town Engineer, where the disturbance of steep slopes is required to protect persons, animals or property from imminent danger;*
    - c) Any routine road, highway or street maintenance; or d) Ordinary maintenance and repair of existing structures or facilities.*
  - 3) Disturbance within one hundred (100) feet of a wetland or watercourse as defined in Chapter 39A, "Wetlands and Watercourses", of the Town of Kent;*
  - 4) Excavating or filling which exceeds a total of one hundred (100) cubic yards of material within any parcel or any contiguous parcels.*
- B) Agricultural activities including household gardening shall be exempt from applying for a steep slope and erosion control permit.*
- C) The discharger, owner or operator shall at all times comply with the New York State SPDES General Permit (GP-02-01) requirements. A copy of any completed Notice of Intent submitted to the New York State Department of Environmental Conservation pursuant to GP-02-01 shall be submitted to the Planning Board.*

**REQUEST FOR WETLAND DELINEATION CONFIRMATION  
PLANNING DEPARTMENT  
TOWN OF KENT, NEW YORK**

Date: \_\_\_\_\_

Property Address: \_\_\_\_\_

Property Tax Identification: \_\_\_\_\_

Property Size: \_\_\_\_\_

Name of Wetland Consultant: \_\_\_\_\_

Phone Number of Wetland Consultant : \_\_\_\_\_

Name of Design Professional: \_\_\_\_\_

Phone Number of Design Professional: \_\_\_\_\_

Name of Applicant: \_\_\_\_\_

Name of Owner: \_\_\_\_\_

(Note: If the applicant is not the owner, written and executed authorization to access the property must be provided to the Planning Board Secretary (845-225-7802 or [planning@townofkentny.gov](mailto:planning@townofkentny.gov)) prior to site inspection).

**Request:**

*I request the Town of Kent confirm the wetland boundary delineation(s) completed by the applicant's wetland consultant at the above referenced site. I understand that the wetland confirmation will be conducted to verify only Town of Kent jurisdictional wetlands, watercourses and waterbodies as defined in Chapter 39A of the Town of Kent Town Code. I also understand that this confirmation does not constitute an application for any activity at the above referenced property. If an activity is proposed, then the appropriate application must be filed with the Town of Kent Planning Board Secretary and reviewed by the Town of Kent Planning Board.*

*I agree to the fee of \$125.00 per hour which shall include document review, travel time, on-site inspection and verbal/written correspondence.*

Signed: \_\_\_\_\_  
*Owner/Authorized Representative*

Please attach a sketch map depicting the approximate location of the delineated wetlands.