

Approved: October 9, 2014

**Minutes  
Town of Kent Planning Board Meeting  
September 11, 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.

**In attendance were the following Planning Board members:**

Michael McDermott, Chairman	Charles Sisto
Janis Bolbrock, Vice Chairman	Philip Tolmach
George Brunner	Glenna Wright
Dennis Lowes	

**Others in attendance:**

Bruce Barber, Environmental Consultant	Julie Mangarillo, Engineering Consultant
Bill Walters, Town of Kent Building Inspector	Neil Wilson, Planner

**Absent:**

Anthony Mastrangelo (Alternate)	Arthur Singer (Alternate)
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• **Approve Planning Board Minutes from August 14 , 2014**

Mr. McDermott asked for a motion to approve the Planning Board minutes from August 14, 2014. The motion to approve the minutes was made by Janis Bolbrock and seconded by Philip 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>
Anthony Mastrangelo	<u>Absent</u>
Arthur Singer	<u>Absent</u>
Charles Sisto	<u>Aye</u>
Philip Tolmach	<u>Aye</u>
Glenna Wright	<u>Aye</u>

The motion carried.

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

Mr. Edward Ryan, proprietor, and Mr. Bruno Pietrosanti attended the meeting. Mr. Pietrosanti pointed out that the sign will be moved from its current location over the entrance door to the side of the building. Other changes are eliminating the flag pole and he said that the lighting on the building is adequate and in compliance with town codes. Mr. Pietrosanti went through all the points on his comment memo (attached). He is awaiting approval from the DOT regarding the curb cuts. Mr. Pietrosanti said that they had submitted plans to the Board of Health for permission to utilize the existing septic system in the former residence when the business is moved to that building. In order to get approval they had to prove that the future use will not be increased. Mr. Pietrosanti also addressed comments from Ms. Mangarillo regarding their submittal (memo attached). He said DEP also has to sign off on their reports. The official connection will be made to the sewer, all the connections are shown on the drawings submitted (attached). Ground disturbance up to 5,000 square feet is allowed and they plan to disturb approximately 800 square feet. The LED lighting is shown on the drawings. The ATF will give their approval when the CO is issued. Signage for the handicapped are shown on the drawings.

**Ms. Mangarillo's Comments (memo attached)**

Ms. Mangarillo said that Precision had been granted conditional approval in May and had been working through those issues to get final approval from the Planning Board. The last item the applicant is waiting for is approval from the DOT regarding curb cut changes. Before the Certificate of Occupancy (CO) is issued Ms Mangarillo recommended that the applicant have the letter from the Health Department approving the use of the existing septic system in hand.

Ms. Mangarillo stated that once the DOT letter is delivered the drawings may be signed and the DOH letter may be delivered to the Planning Board later.

Ms. Wright asked if the old signs will be removed. Mr. Pietrosanti said that the signs will be removed and replaced once the business has been relocated to the residential building. The flag will be hung from a rod attached to the building. A small placard will be placed on the entrance to the building as will signs pertaining to additional parking in the rear of the building.

Mr. McDermott advised Mr. Pietrosanti to contact the Planning Board Secretary when the DOT letter is received and she will contact him to come in and sign the drawings so Precision Armory may get their CO from the Building Department.

- **Kent Countryside Nursery/Sclafani Property, 523-527 Route 52, Kent, NY; TM 33.48-1-5**

Fred and Joe Kussin, the owners of Kent Countryside Nursery, were at the meeting requesting an approval for a change of use on this property. They want to utilize the property on Route 52 to sell their nursery stock year round. They have used this property in the past to sell Christmas Trees. There is an existing well on the property which has Board of Health approval and there will be a Port-A-Potty on the property. They have a nursery on Ludington Court and will bring stock from that location. The applicant is also planning on having a shed put on the property to contain a cash register. Mr. Sisto asked what type of signage would be on the property. Mr. Kussin said that the sign will be an arbor situated approximately 45' back from the road. Mr. Lowes asked about electric power and Mr. Kussin said they will tap into a box on a pole already located on the property and it will be hooked into the shed, but there will be a shut-off button attached.

Mr. Wilson's Comments (memo attached)

Mr. Wilson said he had prepared a draft site plan approval resolution for the Planning Board to consider. This is a Type II action under SEQRA and is a seasonal use. Mr. Wilson said that the applicant would have to get a permit from the Town Board to sell Christmas Trees. Bill Walters would oversee the installation of electricity, power, sanitation facilities, etc. Standard conditions of approval were noted on Page 2 of the Resolution.

Mr. McDermott asked for a motion to approve the site plan for Kent Countryside Nursery. The motion was made by Mr. Sisto 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>
Anthony Mastrangelo	<u>Absent</u>
Arthur Singer	<u>Absent</u>
Charles Sisto	<u>Aye</u>
Philip Tolmach	<u>Aye</u>
Glenna Wright	<u>Aye</u>

The motion carried.

• **Biben Property, 146 S. Knapp Court, Kent, NY; TM: 10.-1-1**

Mr. Joe Buglino, the architect for this project, represented the applicants. Mr. Buglino said he had received a notice (memo attached) regarding an open permit application from a previous project for this property and that he would address and facilitate the closure of that application when he returned to his office.

The new plans pertain to an addition to a guest house on the property within the wetlands buffer. He said he had filed for an application with NYSDEC.

Mr. Barber's Comments (memo attached)

Mr. Barber said that the applicant provided architectural plans for a 700 square foot addition which includes an office area and a bedroom, a short EAF form, Combined Planning Board Application NYSDEC Notice of Complete application for their Article 24 wetland permit. This property has DEC wetlands and Kent jurisdictional wetlands. A site plan has been requested from the applicant. There had been a previous project which needs to be closed out before the review process can begin on this project.

Mr. Buglino said a bedroom will not be added, the plan is to keep the 3 existing bedrooms upstairs, a family room downstairs and an office. Mr. Barber said the EAF reflects that the bedroom and office are 700 square feet and needs to be amended and clearly delineate the spaces. Mr. Walters will need to send this information to the Board of Health to have them determine if they are bedroom spaces and if the septic system will be adequate.

Ms. Mangarillo's Comments (memo attached)

Ms. Mangarillo said that she needs more information to determine if an erosion control plan is necessary because there is no site plan to date. She invited the architect to the monthly review meeting to further discuss this project. She referred to a memo sent in June (attached) with what steps need to be taken.

Mr. Buglino stated that he had responded to the memo sent in June and that the area of disturbance is less (excavation is under 9,800 cubic yards and the area of disturbance is less than 2,000 square feet). Ms. Mangarillo said that there are also wetlands involved and that if a Kent Wetland Permit is needed a Kent Erosion Control Plan is also necessary. Again she recommended that he attend the Review meeting on August 19, 2014. Mr. Barber suggested the applicant contact the Planning Board secretary to find out if a wetland permit was required for the previous project and could be used for this project as well.

- **Seven Hills Lake Dam Rehabilitation (DEP), Farmers Mill Road, Kent, NY; TM: 20.-1-43.1**

Mr. Tom Boland, who works with the NYSDEP Eastern Operations Dam Safety Division, discussed the Seven Hills Lake Dam restoration project. He said that there is a leak in the dam on the right embankment and that he hopes to be able to create an access road to get to the embankment. He has been working with the Homeowners Association to repair this and they are minimizing the number of trees to be cut. They will be installing silt fences and have been in contact with Ms. Mangarillo.

Mr. Barber's Comments (memo attached)

Mr. Barber advised the Planning Board that the applicants had met with the consultants at the Review meeting held in August. Mr. Barber said that some of the work will be done in the Town of Kent wetlands and watercourses and that this is not construed as emergency procedures. Therefore, the applicant needs a Town of Kent wetlands permit and the dredging will be regulated by the Army Corp of Engineers.

Ms. Mangarillo's Comments (memo attached)

Ms. Mangarillo said that the applicant is hoping to begin construction in October. She said her main concern was that some of the property lines are not clear and that she would like to see tax map numbers added to the plans. She also asked for more information pertaining to the access road and the limits of disturbance. She recommended waiving the watershed survey and the depth to bedrock and to the water table requirement. She said her estimate for the bond estimate in the amount of \$11,334.00 is included in her memo and suggested that, if the applicant agrees to this amount, it could be approved at this meeting and referred to the Town Board for their approval. She also recommended taking action on the waivers and also waiving the Public Hearing. Ms. Mangarillo suggested the applicant provide documentation that the HOA agrees with the plans to repair the dam. Mr. Boland said that the President of the HOA had signed the application as a co-owner and would have no trouble getting a letter from the HOA.

Mr. Paul Costa, from the NYSDEP, addressed the bond issue and said that NY City usually sends a "Letter in Lieu of a Bond" to the town rather than providing a cash bond and that the contractor usually posts a bond. He asked if the Town of Kent could agree to this and Mr. McDermott asked Mr. Wilson for his opinion. Mr. Wilson said he'd like to see a sample letter and would look into the matter. Mr. Wilson suggested referring the bond amount to the Town Board. He said that the Planning Board would also need to get an opinion from the Planning Board Counsel, Ronald Blass of Van DeWater & Van DeWater.

Ms. Mangarillo said that a cash bond, not a performance bond, from the contractor would need to be given.

Mr. McDermott asked for a motion to:

1. Waive the items listed in Ms. Mangarillo's comment memo; and
2. Waive the Public Hearing, subject to the receipt of a letter from the Seven Hills HOA that they are in agreement with the NYSDEP to make the repairs to the dam.

The motion was made by Mr. Tolmach and seconded by Mr. Brunner.

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>
Anthony Mastrangelo	<u>Absent</u>
Arthur Singer	<u>Absent</u>
Charles Sisto	<u>Aye</u>
Philip Tolmach	<u>Aye</u>
Glenna Wright	<u>Aye</u>

The motion carried.

Mr. McDermott asked for a motion to recommend to the Town Board that they accept the bond amount of \$11,334.00. The motion was made by Mr. Brunner and seconded by Mr. Tolmach. The motion carried.

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>
Anthony Mastrangelo	<u>Absent</u>
Arthur Singer	<u>Absent</u>
Charles Sisto	<u>Aye</u>
Philip Tolmach	<u>Aye</u>
Glenna Wright	<u>Aye</u>

The motion carried.

Ms. Mangarillo asked Mr. McDermott how to handle the "Letter in Lieu of Bond" matter. Mr. McDermott said that after the sample letter is reviewed and approved by the Planning Board counsel Mr. McDermott asked for an "Amended Resolution" as described by the Planning Board Engineer. The motion was made by Ms. Bolbrock and seconded by Mr. Brunner. The motion carried.

Mr. McDermott asked for a motion to move this project to the administrative track. 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>
Anthony Mastrangelo	<u>Absent</u>
Arthur Singer	<u>Absent</u>
Charles Sisto	<u>Aye</u>
Philip Tolmach	<u>Aye</u>
Glenna Wright	<u>Aye</u>

The motion carried.

- **Lewis/Ackerley Property, 72 Barrett Circle Court, Kent, NY; TM: 42.12-1-24,25**

Ms. Teresa Ball represented the applicant on this proposed project to demolish an existing residence and build a new one. She said that the concerns noted in August had been addressed and that the applicant had received Board of Health approval on September 11, 2014 of the septic system.

Mr. Barber's Comments (memo attached)

Mr. Barber said that a letter from Gene Reed had been submitted previously by the applicant that stated that repairs to the existing septic system would be acceptable to the Board of Health. Mr. Reed also noted that plans for a new septic system had been submitted and was under review by the NY City DEP. He also confirmed that a letter from the NYCDEP had been received on September 11, 2014 and said that he would like to see the plans as well. He asked Mr. Karrel to explain where the new system is going to be and to confirm that it will be outside of the wetland buffer. Mr. Karell explained the drawings and confirmed that the new septic system is outside of the wetland buffer and had been approved by the NYCDEP. There will be 300' of trenches and they intend to abandon the existing septic system in order not to disturb the 100' setback.

Ms. Mangarillo's Comments (memo attached)

Ms. Mangarillo said that she had recommended that a letter be submitted to the town when the system was decommissioned. She said one concern was that some of the grading near the structures was extremely steep and asked the applicant to look at the plans again and to reconsider the grading. The letters from NYCDEP refers to different drawings and she asked to have the applicant ensure that the Planning Board had the most recent plans. Ms. Mangarillo said that an erosion control bond estimate had been provided on July 21, 2014 in the amount of \$3,600.00 and recommended that it be accepted and forwarded to the Town Board for approval. She also recommended that the Public Hearing be waived because this project was to replace a single-family residence and that there would not be any improvements to any public or private roadways. Ms. Mangarillo recommended that the remainder of this project be placed on administrative track.

Mr. McDermott asked for a motion to accept the bond estimate in the amount of \$3,600.00 and forward it to the Town Board for their approval. The motion was made by Ms. Bolbrock and Mr. Brunner seconded it.

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>
Anthony Mastrangelo	<u>Absent</u>
Arthur Singer	<u>Absent</u>
Charles Sisto	<u>Aye</u>
Philip Tolmach	<u>Aye</u>
Glenna Wright	<u>Aye</u>

The motion carried.

Mr. McDermott asked for a motion to waive the Public Hearing. The motion was made by Mr. Tolmach and seconded by Ms. Wright.

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>
Anthony Mastrangelo	<u>Absent</u>
Arthur Singer	<u>Absent</u>
Charles Sisto	<u>Aye</u>
Philip Tolmach	<u>Aye</u>
Glenna Wright	<u>Aye</u>

The motion carried.

Mr. McDermott asked for a motion to move this project to the administrative track with the understanding that the applicant obtain a town wetlands permit in order to decommission the existing septic tanks. The motion was made by Ms. Wright 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>
Anthony Mastrangelo	<u>Absent</u>
Arthur Singer	<u>Absent</u>
Charles Sisto	<u>Aye</u>
Philip Tolmach	<u>Aye</u>
Glenna Wright	<u>Aye</u>

The motion carried.

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

Ms. Jaime Kieper, of Insite Engineering, represented Mr. Esposito the applicant who was also at the meeting. She said that comments were brought up at the last meeting, one of which was that the Board's request for the DEP approval be submitted and it was. They also asked a surveyor to check on the encroachment by Mr. Schultz has been resolved. The Highway Superintendent had sent a letter stating that the \$3,000.00 fund was no longer necessary. A Declaration was prepared by the applicant's attorney in lieu of an HOA because it is a more favorable route and easier to maintain.

Mr. Wilson's Comments (memo attached)

Mr. Wilson provided the Planning Board with a Draft Resolution of Final Approval (attached). He said he had concerns about the use of an HOA. He said that he had concerns about an HOA and the above mentioned Declaration. He said that, in his opinion, a Public Hearing was not warranted and should be waived. He said that one change to the title on Page 1 should read "Steep Slope and Erosion Control Permit as well as Fresh Water Wetland Permit".

Mr. Richard Esposito, the applicant, asked to be heard. He said that he had some items that needed to be addressed, which were:

1. The 100,000 gallon water tank for water protection – Sprinkler systems will be installed in each house and it was not included in the draft.
2. The scale on the property – Mr. Esposito said that he was advised that the scale had been removed, but he had not verified that it had been.. He said that if it had not been removed he had no intention of going into litigation with Mr. Schultz nor crossing the wetlands to remove it. He said that he didn't care if it was on the property because it didn't affect the value of the property. He also said that the matter was private and not in the purvue of the Planning Board.

Mr. Lowes advised Mr. Esposito that "the matter does fall within the purvue of the Planning Board and that they were trying to protect Mr. Esposito from himself". He suggested that if Mr. Schultz does not want to move the scale he should have the surveyor grant an easement to Mr. Schultz or create a lot line change conveying the piece of property holding the scale to him. Mr. Esposito asked for the record to show that he objected to these suggestions.

Mr. McDermott told Mr. Esposito that it appeared to him that Mr. Esposito was asking the Planning Board to approve a subdivision that will create an illegal lot and that they could not do so.

Mr. Wilson said that the question was not the encroachment and what it means to the applicant, but that the effect of the encroachment would be that now there would be an improvement within the commercial zone which violates our setbacks. This approval would be valid for six months and the applicant would have time to resolve the matter. Alternatively a revised lot line may be necessary and the lot line could help him with the process. Mr. Wilson said that the applicant needs to work with the Fire Department to determine whether a water tank or sprinkler systems should be installed in the houses. He recommended that Planning Board grant conditional approval to this project at the meeting.

Mr. Barber said that he is unclear what the implications of going through the wetlands to remove the scale would be and asked for more details as to what actions would be necessary to remove the scale. Mr. Esposito reiterated that he had no intention of going through the wetlands to remove the scale. Mr. Sisto asked for clarification as to whether or not the scale is on the property. Ms. Kieper said they plan on having a surveyor go out to the property to confirm this. Mr. McDermott said that he will not sign any drawings as long as the scale is on the property. Mr. Lowes asked if new plats will be submitted to the Planning Board after the surveyor visits the property which will show whether or not the scale is on the property and Ms. Kieper said that new plats would be submitted.

Mr. Walters said that the fire protection system originally recommended was 30,000 and not 100,000 gallons. He said that the applicant is asking for an extension of a cul-de-sac which would require the fire departments to have longer lines. This is the minimum that ISO allows for homeowners to get reductions in their homeowner insurance. Mr. Walters said if the homes have sprinkler systems the Fire Department would waive the need for a water tank.

Mr. McDermott asked for a motion for conditional approval of final subdivision on Hilltop Subdivision as noted in Mr. Wilson's Resolution. Ms. Bolbrock made the motion and it was 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>
Anthony Mastrangelo	<u>Absent</u>
Arthur Singer	<u>Absent</u>
Charles Sisto	<u>Aye</u>
Philip Tolmach	<u>Aye</u>
Glenna Wright	<u>Aye</u>

The motion carried.

- **Patterson Crossing, Route 311, Kent, NY; TM: 22.-2-48**

Mr. Sisto and Ms. Wright recused themselves. Mr. Jeff Contelmo, of Insite Engineering, represented the applicant. Mr. Contelmo stated that he had submitted updated plans for reapproval of a site plan, wetlands permit and erosion control permit. This project was granted in 2010, reapproved in 2012 and again in 2013 based on the same set of plans. The plan submitted this year reflects recent improvements along Route 311 which corrected some erosion problems. The plan was also approved by the Town of Patterson.

A summary of the expiration dates was also submitted to the Planning Board. Following are the expiration dates of plans:

- Town of Patterson approvals expire in October 2015
- The Board of Health approval expires in February 2016
- NYCDEP SWPPP approval expires in November 2019
- DEC SPDES permit for sewers expires in February 2015
- SPDES permit for stormwater has gained coverage and they are locked in
- Kent approvals expire on November 5, 2014

Mr. Contelmo asked that the Planning Board reapprove this plan, as was done previously, and waive a Public Hearing because there were no changes to the environment or neighborhood. He said that he was prepared to answer comments from Mr. Barber.

Mr. Barber's Comments (memo attached)

Mr. Barber's questions pertained to the stormwater management on the property along Route 311.

Ms. Bolbrock asked about the Army Corp of Engineers and what their process would be – if it involved an application or a letter. Mr. Barber said that the applicant requests a “Jurisdictional Determination” indicating if this is a “waters of the United States” to be regulated by the Army Corp of Engineers and is your activity within these waters meeting a threshold requiring an individual or nation-wide permit within a certain amount of time. Mr. Barber said that the Army Corp of Engineers was consulted for confirmation of jurisdictional determination and did not respond within the allotted time so it was a moot point. Ms. Bolbrock asked Mr. Barber if he could furnish a copy of this communication to the Planning Board and he said he would email that communication to them. Ms. Bolbrock asked about the drainage work done on Route 311 and if any water testing would be done. Mr. Barber said that none had been done in the cove and that the DEC was testing all of Lake Carmel.

Mr. Contelmo said that he wanted to clarify some misconceptions. The improvements to Route 311 and Interstate 84, including the drainage pipes, were done by the DOT under the multimodal program with Patterson being the sponsor and not one Patterson Crossing undertook but that they did help fund it. The drainage runs within the right-of-way of the DOT and is their line and is the condition that exists after construction. Patterson Crossing proposes to purchase this property eventually which is in the Town of Kent. He acknowledged that the wetland area existed and did drain to some of the sinkholes in the piping. Mr. Contelmo advised the Planning Board of the following facts pertaining to two permits required:

1. He advised the applicant that getting an Army Corp of Engineers permit was the correct thing to do. Tim Miller Associates, on behalf of the project team, put in for nation-wide coverage to do a repair. The Army Corp of Engineers decides to get involved or to let the applicant proceed and time expires, which is what happened.
2. This permit was for work being done in the Town of Patterson on the other side of the interchange where a wetland comes up on each side of Route 311. A NYSDEC wetland permit was granted. All the work was completed and closed out.

Mr. Contelmo responded to the following questions from Mr. Barber:

**1. Are all the structures in the Town of Kent?**

All the drainage lines are DOT owned and in their right-of-way on their property. The stormwater basin is partially in the DOT right-of-way and partially on the Patterson Crossing property and is being maintained by the applicant. The part of the property owned by the DOT will be deeded to Patterson Crossing. The DOT will continue to maintain the drainage pipes and catch basins and Patterson Crossing will maintain the stormwater basins.

**2. Did or will the Town of Kent and ultimately East of Hudson receive credit for phosphorous reduction?**

The policy of the DEC is that any regulatory improvements made necessary for a project are not eligible for phosphorous credits and that anything above regulatory requirements are eligible. A good portion of the large pond in the front of the property, the stream channelization and the small Lake Carmel stormwater basin are in excess of regulatory requirements. The applicant said that all of the credits can go to the Town and East of Hudson Watershed. East of Hudson is looking to get involved in all or part of this plan.

**3. Were Army Corp of Engineer permits required?**

They were not required, but the applicant opted to apply for one, as explained above.

Mr. Contelmo said that the applicant had submitted a letter to the Planning Board explaining why the project had not progressed.

Ms. Bolbrock said her understanding was that the applicant had not requested a permit from the Army Corp of Engineers for the remainder of the work. Mr. Contelmo said that was correct. Ms. Bolbrock asked Mr. Barber if he agreed with that and he said that he did because the work would not be in the jurisdictional Kent wetlands.

Mr. McDermott asked Mr. Barber if he had any observations pertaining to Mr. Contelmo's comments. Mr. Barber said that the remaining question was that part of the approved plan in the Town of Kent wetlands was implemented and said that the Planning Board may want to have documentation from the applicant in respect to the maintenance of it and that it complies with the MS4 requirements. He also said that whatever piece done in Kent had an approved grading and construction plan for the basin and the Board should ask for verification that it was installed in accordance with those plans. Mr. Contelmo said that the Resolution of Approval had many conditions, one of which was maintenance of the stormwater basins and they were doing so. He said that the Planning Board had approved the plans on three other occasions and that nothing had changed. Mr. Barber reiterated that the applicant should furnish a letter to the Planning Board regarding the maintenance of the stormwater basins. Mr. McDermott confirmed that the Planning Board requires a letter stating that the applicant would be maintaining the basin and that they had been installed in accordance with the approved plans. The Planning Board also requested that Ms. Mangarillo and Messrs. Wilson and Barber inspect the property to ensure it was done in compliance with the plans.



- Putnam Concrete  
301 Route 52, Kent, NY  
TM: 44.6-1-7

Site Plan/Erosion Control Plan  
Code Violations

Discussion/Workshop

Mr. Barber spoke for Mr. Walters. Mr. Walters indicated that the owner of Putnam Concrete started a rock crushing operation with a machine and that Mr. Looney, the Kent Code Enforcer, had issued a "Stop Work" order. In the meantime the DEC examined what was going on and is issuing a violation. Mr. Walters is also issuing a violation from the Town of Kent because the material on the site was not removed in the allotted amount of time in August.

Mr. McDermott asked for a motion to adjourn at 9:30 PM. The motion to adjourn was made by Mr. Brunner and seconded by Mr. Tolmach. The motion carried.

Respectfully Submitted,



Vera Patterson  
Planning Board Secretary

cc: Planning Board Members  
Building Inspector  
Town Clerk