

**Minutes
Town of Kent Planning Board Meeting**

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, Chair	Charles Sisto
Janis Bolbrock, Vice Chair	Philip Tolmach
George Brunner	Glenna Wright
Dennis Lowes	

Others in Attendance:

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

• **Approve Planning Board Minutes from March 12, 2015**

Mr. McDermott asked for a motion to approve the Planning Board minutes for March 12, 2015. Mr. Tolmach made the motion and it was seconded by Mr. Sisto. 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>
Charles Sisto	<u>Aye</u>
Philip Tolmach	<u>Aye</u>
Glenna Wright	<u>Aye</u>

The motion carried.

• **Kent Materials/TM: 12.-1-44 & Unit Step Property/TM: 12.-1-48, Route 52, Kent, NY**

Mr. Watson, of Insite Engineering, and Mr. Steve Caruso, the owner of the Kent Materials, were at the meeting. This was a continuation of a Public Hearing for an amended site plan for Kent Materials which would encompass Mr. Weck's property. The Public Hearing opened in February of 2015. The purpose is to increase the area of disturbance on Kent Materials property to include a portion of the Unit Step property. Mr. Watson mentioned that the only comment at the February meeting from the public was from Dr. Feldman, who had concerns about his driveway being used by construction vehicles. Mr. Watson said that he had added a note to the amended site plan prohibiting this. The other outstanding item was a letter from the DEP regarding SEQRA and a letter had prepared a response letter for the Planning Board itemizing how all the questions would be answered.

Ms. Mangarillo's Comments (memo attached)

Ms. Mangarillo said all of her previous comments had been addressed and that bonding for this project needed to be adjusted because some of the proposed phases had been moved around from earlier plans before the drawings could be approved. Previously the applicant requested that the existing erosion control and stormwater facility bonds be moved over to the Weck parcel. She had no objection with the erosion control bond because only 5 acres could be disturbed at a time on each parcel. However, she said that Kent Materials and Unit Step property should each have their own stormwater facility bond. A separate stormwater maintenance agreement also needed to be signed by Mr. Weck before final approval.

Mr. Barber's Comments (memo attached)

Mr. Barber advised the Planning Board that comments on his March 12, 2015 memo had been addressed. With respect to the mitigation pond, there is a provision in the Town Code that would allow the Planning Board to ask the applicant to submit a bond and to agree to periodic inspections of the mitigation pond. The applicant would need to provide a cost estimate of labor and materials similar to the erosion control bond; to be held for five years. That period is measured upon completion of construction and certification by the applicant's consultants that the materials were installed in accordance with the approved plans. 85% or greater survival of the plants would be necessary after the five year period in order to return the bond. Semi-annual or annual inspections would also be conducted by the Planning Board consultants during the five years. Mr. Barber also stated that the "contingency plan" proposed for the Kent Materials project should remain in effect.

Mr. McDermott asked if anyone in the audience or the Planning Board had any more questions and there were none.

Mr. Wilson's Comments (memo attached)

Mr. Wilson advised the Planning Board that it would be appropriate to close the Public Hearing. Mr. Wilson had prepared and distributed drafts of the following items for the meeting:

- The Negative Declaration;
- The Resolution of Amended Site Plan;
- A Freshwater Wetland Permit; and
- The Steep Slope and Erosion Control Permit Approval.

Mr. Wilson said a major change to the site plan was due to the fact that now there would be wetlands on the Weck property which are regulated by the Town of Kent rather than New York State. Mr. Wilson said that he would recommend that the Negative Declaration be adopted. He said that the Site Plan Resolution had conditions that required a separate stormwater maintenance easement agreement and bond for the Unit Step property. Mr. Wilson advised the Planning Board that he would also recommend adoption of the Site Plan with the conditions noted.

Mr. McDermott asked for a motion to close the Public Hearing. The motion was made by Mr. Lowes and seconded by Mr. Tolmach. The vote was as follows:

Mike McDermott	<u>Aye</u>
Janis Bolbrock	<u>Aye</u>
George Brunner	<u>Aye</u>
Dennis Lowes	<u>Aye</u>
Charles Sisto	<u>Aye</u>
Philip Tolmach	<u>Aye</u>
Glenna Wright	<u>Aye</u>

The motion carried.

Ms. Bolbrock asked if the DEP had conducted a site walk and Mr. Watson said they have been on the site.

Mr. McDermott asked for a motion to adopt approvals for the Amended Site Plan, Freshwater Wetland Permit, Steep Slope and Erosion Control Permit on the matter of Kent Materials and Bonnie Weck Living Trust properties. The motion was made by Mr. Brunner and seconded by Mr. Tolmach. The vote was as follows:

Mike McDermott	<u>Aye</u>
Janis Bolbrock	<u>Aye</u>
George Brunner	<u>Aye</u>
Dennis Lowes	<u>Aye</u>
Charles Sisto	<u>Aye</u>
Philip Tolmach	<u>Aye</u>
Glenna Wright	<u>Aye</u>

The motion carried.

- **James Staley Company, 5 Bowen Court, Kent, NY; TM: 33.73-1 (wrong tm #**

Mr. Watson and Mr. Chris Staley were at the meeting to discuss an amended site plan for a 4,800 square foot addition (a metal building with a metal roof) that is proposed to be built on an existing manufacturing plant surrounded by residential homes that has been in existence since 1976 and they moved to Carmel in 1982. They manufacture test equipment for aircraft component parts. There will be no changes to the parking lot or traffic circulation. They are below the thresholds for DEP and DEC post construction stormwater; but because they will be disturbing more than 5,000 square feet a construction activity general permit for erosion control from the DEC will be necessary. An erosion control permit with the Kent Planning Board will also be required because 100 cubic yards of soil excavation will be done as well as an amended site plan.

Mr. Tolmach asked if a lot of truck traffic would occur during this construction and Mr. Watson said there would be some. Mr. Lowes asked what hazardous materials are used at the plant and how it was discarded. Mr. Staley said the solvents are calibrating fluid or hydraulic oils which are stored in containers and re-used.

Ms. Mangarillo's Comments (memo attached)

She said that because Lost Pine Realty is listed as the owner of the property she would like some documentation that the person who signed the applications submitted is the owner of Lost Pine Realty. Ms. Mangarillo also stated that she had questions about an increase in employees using the septic system but that Mr. Watson had already answered that question earlier when he said there would not be an increase in employees at the plant.

Mr. Barber's Comments (memo attached)

Mr. Barber said that the applicant had indicated on the EAF and the plans submitted that there is a potential water body or wetland on or adjacent to the property but that there would be no encroachment. Mr. Barber would conduct a site visit and report back to the Planning Board. He noted there is a pond which is not close to the property and he felt that there were no DEC issues associated with the project.

Mr. Wilson's Comments (memo attached)

Mr. Wilson advised the Planning Board that for SEQRA purposes this project was just over the threshold making it a Type II action and had no comments on the short form EAF. He did not recommend a coordinated review so that was acceptable. He asked for information about the aesthetics of the building to be constructed, landscaping plans, details about a dumpster enclosure, specifications for the free-standing sign and lighting. Mr. Wilson also noted that the plans would need to be reviewed by the Putnam County Planning Department and asked Mr. Watson to work with the Planning Board secretary in compiling the material to be given to them. He suggested that the plans also be given to

the Kent Fire Inspector for review and comment. He said that given the nature of the addition and the fact the property was already disturbed it was reasonable to grant the waiver around the trees and the topography if Ms. Mangarillo and Mr. Barber agreed. Ms. Mangarillo and Mr. Barber both said they also would agree to grant the two waivers. Mr. Wilson recommended scheduling a Public Hearing for the May 14, 2015 meeting.

Mr. McDermott asked for a motion to grant the tree and topography waivers. The motion was made by Mr. Tolmach and seconded by Mr. Lowes. The vote was as follows:

Mike McDermott	<u>Aye</u>
Janis Bolbrock	<u>Aye</u>
George Brunner	<u>Aye</u>
Dennis Lowes	<u>Aye</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 open a Public Hearing on this project at the Planning Board meeting to be held on May 14, 2015. The motion was made by Ms. Bolbrock and seconded by Mr. Brunner. The vote was as follows:

Mike McDermott	<u>Aye</u>
Janis Bolbrock	<u>Aye</u>
George Brunner	<u>Aye</u>
Dennis Lowes	<u>Aye</u>
Charles Sisto	<u>Aye</u>
Philip Tolmach	<u>Aye</u>
Glenna Wright	<u>Aye</u>

The motion carried

• **John Kelly Property, Deer Hill Court, Kent, NY; TM: 32.-1-62**

This application is for review of an erosion control re-submittal for a residence to be constructed on Deer Hill Court, which was before the Planning Board in 2012. Mr. John Kelly, the owner of the property, advised the Planning Board that he is proposing to have a 3,200 square foot residence which will be very modern, super-insulated with a flat sod roof for energy efficiency. He said that 5,000 acres of DEC property abuts his property. He was unable to complete this project until this time and didn't realize his permits had expired.

Ms. Mangarillo's Comments (memo attached)

Ms. Mangarillo told the Planning board that during the previous approvals all the DEC permits had been granted and were still in effect. The hard copies submitted to the Planning Board were incorrect and antiquated, but the digital drawings were correct. The correct hard copies would need to be re-submitted and Mr. Kelly said he'd take care of it. Ms. Mangarillo said that driveway waivers had been granted previously and she attached her memo from 2012 regarding it but that the driveway code had changed in 2012. She recommended that the Planning Board reapprove the waivers from 2012 and the Public Hearing. The erosion control bond was approved and submitted to the Town Board as well as the inspection fee and she asked the Planning Board secretary to verify everything was intact. She advised Mr. Kelly that he would need to have the Board of Health reapprove his septic and well.

Mr. McDermott asked for a motion to grant the driveway waivers, as they were granted on June 14, 2012. The motion was made by Mr. Tolmach and seconded by Mr. Brunner. The vote was as follows:

Mike McDermott	<u>Aye</u>
Janis Bolbrock	<u>Aye</u>
George Brunner	<u>Aye</u>
Dennis Lowes	<u>Aye</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. Brunner and seconded by Mr. Tolmach. The vote was as follows:

Mike McDermott	<u>Aye</u>
Janis Bolbrock	<u>Aye</u>
George Brunner	<u>Aye</u>
Dennis Lowes	<u>Aye</u>
Charles Sisto	<u>Aye</u>
Philip Tolmach	<u>Aye</u>
Glenna Wright	<u>Aye</u>

The motion carried

Ms. Mangarillo said that this was ready to be handled administratively when the new plans and BOH were delivered to the Planning Board.

Mr. McDermott asked for a motion to move this project to the administrative track when conditions noted by Ms. Mangarillo were satisfied. The motion was made by Mr. Brunner and seconded by Mr. Tolmach. The vote was as follows:

Mike McDermott	<u>Aye</u>
Janis Bolbrock	<u>Aye</u>
George Brunner	<u>Aye</u>
Dennis Lowes	<u>Aye</u>
Charles Sisto	<u>Aye</u>
Philip Tolmach	<u>Aye</u>
Glenna Wright	<u>Aye</u>

The motion carried

- **Sunoco, 1320 Route 52, Kent, NY; TM: 12.-1-43**

Ms. Laurie Pettingill represented the owners of the Sunoco service station on Route 52. This was a request for approval to install a pre-fab 10' x 20' storage shed in the rear of the property. There will be no land disturbance and will not be on a foundation.

Mr. Barber's Comments (memo attached)

Mr. Barber said that the shed is not going to require any excavation and will be placed on an existing impervious surface. However, it will be in a wetland buffer and, according to Code 39-A 5(c), a wetland and building permit will be required.

Mr. Wilson's Comments

Mr. Wilson said that a Public Hearing is not required and that it is a Type II action and does not require SEQRA. He recommended that the Planning Board waive the Public Hearing and grant site plan and wetland permit application approvals. He would forward these to the Planning Board secretary.

Mr. McDermott asked for a motion to waive the Public Hearing. The motion was made by Mr. Brunner and seconded by Mr. Tolmach. The vote was as follows:

Mike McDermott	<u>Aye</u>
Janis Bolbrock	<u>Aye</u>
George Brunner	<u>Aye</u>
Dennis Lowes	<u>Aye</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 grant Site Plan and Freshwater Wetland Permit approvals based on the fact that the project meets the requirements of 77-60 and 39-A. The motion was made by Mr. Brunner and seconded by Mr. Tolmach. The vote was as follows:

Mike McDermott	<u>Aye</u>
Janis Bolbrock	<u>Aye</u>
George Brunner	<u>Aye</u>
Dennis Lowes	<u>Aye</u>
Charles Sisto	<u>Aye</u>
Philip Tolmach	<u>Aye</u>
Glenna Wright	<u>Aye</u>

The motion carried.

Ms. Bolbrock advised Ms. Pettingill that the air compressor had been broken for 3 months and that she believed that by county law air compressors must be working if there are more than 8 gas pumps. She asked Ms. Pettingill to ensure that this matter is addressed.

- Wellington Property
Towners Road, Lake Carmel, NY
TM: 33.73-1-38 & 39

Amended Site Plan

Status Report

Board of Health documents have been submitted, but Mr. Walters said the applicant needs to go back to the Health Department regarding a restroom.

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

Erosion Control Plan/
Wetland Permit

Status Report

The close-out permits have been submitted and the applicant may now move forward with the new applications.

Mr. McDermott asked for a motion to adjourn the meeting at 9:15. The motion was made by Mr. Tolmach and seconded by Mr. Sisto. 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>
Charles Sisto	<u>Aye</u>
Philip Tolmach	<u>Aye</u>
Glenna Wright	<u>Aye</u>

The motion carried.

Respectfully Submitted,

Vera Patterson
Planning Board Secretary

cc: Planning Board Members
Building Inspector
Town Clerk

APRIL 2015 AGENDA

Workshop: April 02, 2015 (Thursday, 7:30 PM)

Meeting: April 09, 2015 (Thursday, 7:30 PM)

- Approve Planning Board Minutes from March 2015
- Kent Materials (Mountain View)
Route 52, Kent, NY
TM: 12.-1-44 & 12.-1-48
Amended Site Plan/
Public Hearing
(Continued) Review
- Staley Company
5 Bowen Court, Kent, NY
TM: 33.73-1
Erosion Control/Site Plan Review
- John Kelly Property
Deer Hill Court, Kent, NY
TM: 32.-1-62
Re-Submittal
Erosion Control Review
- Sunoco
1320 Route 52, Kent, NY
TM: 12.-1-43
Amended Site Plan Review

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

- Schulhof-Kravits
8 Cat Briar Road/Gipsy Trail, Kent, NY
TM: 21.19-1-10
Erosion Control Status Report
- Putnam Nursing Home
Ludingtonville Road, Kent, NY
TM: 12.-3-40 & 41
Erosion Control/Site Plan
Wetland Permit Status Report
- Patterson Crossing
Route 311, Kent, NY
TM: 22.-2-48
Site Plan Status Report
- Hilltop Estates (Kent Development Corp)
Peckslip Road, Kent, NY
TM: 12.-1-38 & 42
Subdivision/Erosion Control Status Report
- Wellington Property
Townners Road, Lake Carmel, NY
TM: 33.73-1-38 & 39
Amended Site Plan Status Report
- Biben Property
146 S. Knapp Court, Kent, NY
TM: 10.-1-1
Erosion Control Plan/
Wetland Permit Status Report

Revised 4/6/15

Vera Patterson

From: Neil Wilson [nwilson.lrcplanning@gmail.com]
Sent: Thursday, April 09, 2015 4:57 PM
To: barberbruce@yahoo.com; Bill Walters; Charles Sisto; Dennis Lowes; George Brunner; Glenna Wright; Janis Bolbrock; Julie Mangarillo; Michael McDermott; Phil Tomalch; planning@townofkentny.gov; Ron Blass
Cc: John Watson
Subject: Kent Materials
Attachments: Kent Materials and Weck Property Site Plan Approval 040915.pdf; Kent Materials Neg Dec 040915.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Revised draft site plan resolution and Neg Dec attached.

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of the site, it being noted that no additional building construction is proposed for the Weck property under the application.

Location:

Route 52, Tax Map #12.-1-44 and Tas Map #12.-1-48, Town of Kent, Putnam County, New York.

Reasons Supporting This Determination:

1. Steep Slopes & Rock Removal

Portions of the proposed construction fall within areas having slopes of 15% and greater. These areas include portions of the proposed driveway, building pads and storm water management facilities. During construction all erosion and sediment control measures will be implemented in accordance with the design drawings and the Storm Water Pollution Prevention Plan (SWPPP) prepared by the project engineer which will follow guidelines set forth by the Town of Kent, the New York State Department of Environmental Conservation, and the New York City Department of Environmental Protection. These measures include diverting clean water away from construction areas; containing sediment through the use of stabilized construction entrances; silt fence and temporary sediment basins; minimizing the amount of land area disturbed at any one time; and timely stabilization of final graded areas. All subsurface sewage disposal systems would be constructed on slopes of 15% or less. Any construction on slopes of 15% or greater will require a separate application and review for permit by the Town of Kent. As mitigation, all slopes greater than 3H:1V will be supplemented with erosion control blankets, or rip rap armoring, or be a stable rock face.

The onsite soils within the areas of proposed development consist of Charlton Loam and Charlton-Chatfield Complex, which are typically very stony or rocky, and Chatfield-Charlton Complex, which typically contain some areas of rock outcrops. The phasing of the work requires that the overburden soil be removed first in smaller work quadrants within each phase. Once the rock is exposed, the potential for soil erosion is greatly reduced. The majority of the earthwork is rock removal, with limited potential for soil erosion. The lead agency notes that the majority of the finished grades for the project are less than five percent. To minimize potential adverse impacts measures such as blasting mats, appropriately sized charges, seismic monitoring and the use of skilled blasting contractors will be required. Contractors involved in

the blasting operations shall be licensed by New York State and will follow proper blasting site containment practices and time schedules.

Rock blasting shall comply with the rigorous Town of Kent blasting permit requirements. The blasting permit requires all appropriate fees, permits, and insurance, as well as a pre-blast survey. The pre-blast survey includes mapping all structures within 1,000 feet of the blast site, as well as a written description of each structure. The survey also includes notification to potentially affected property owners. The actual blasting procedures are listed in Section 38-13.3 of the Town of Kent Code. The procedures include notification, hours of blasting, Town inspections, blast monitoring, and recording each blast event.

Blasting is not expected to commence until all of the topsoil, subsoil, and loose rocks and fractured bedrock have been removed by conventional excavating equipment from phase or quadrant. It is anticipated that the applicant will perform blasting in small sections until the blasting is completed. For blasting operations the site will be divided into a grid of numerous quadrants. The quadrants will be drilled and blasted in a specific pattern. Working in smaller quadrants results in the use of fewer explosives and provides for controlled blasts with low seismic activity. Blasting would begin on the north side of the work area at the shallowest cuts. Blasting would continue in a southerly direction to the deeper cuts, with "keyholes" to be established in the rock face as blasting proceeds inward in order to limit the potential for fly rock. All of the required recordkeeping will be prepared, and all vibration and concussion standards will be adhered to.

Based on the proximity of the blasting to NYS Route 52 and Interstate 84, traffic will be temporarily stopped for any blasting within 300 feet of either highway or as may be required by NYSDOT. Blasting will be coordinated with the NYSDOT in addition to the Town of Kent and the adjoining property owners. It is anticipated that there will be between one and five blasts per day on each of the 115 blasting days. The average number of blasts per day (therefore the average number of times traffic will be stopped per day for blasting within 300 feet of the state road) is 3 times per day with traffic stopped for up to 3 minutes each time. NYSDOT standards for placement of blasting warning signs and flaggers shall be adhered to at all times.

It is anticipated that approximately 365,000 cubic yards of natural material (rock and soil) will be removed from the site during construction. An amended Mined Land Use Permit from the New York State Department of Environmental Conservation (NYSDEC) is required due to the

substantial amount of soil and rock removal from the site. The proposed mining operation will be temporary during construction to establish the elevations for the development pads for the proposed uses. Through preparation and acquisition of a Mined Land Use Permit, and by complying with the requirements of the Permit, it is anticipated that any potential significant impacts during construction to the site and adjoining properties would be mitigated to the greatest extent practicable.

Proposed site work, including blasting, would not typically generate much noise. The technique of shooting a larger number of holes using smaller amounts of explosives would result in less noise and ground vibration than a smaller number of larger blasts, thereby mitigating potential off-site damage to structures.

The site plan depicts measures incorporated into the project design to eliminate and reduce impacts related to work on steep slope and rock to prevent serious erosion potential. The amount of area to be disturbed exceeds one acre and a Storm Water Pollution Prevention Plan (SWPPP) will be required. Additionally, in the event a Building Permit for the construction of the contractor building is not applied for and construction of said improvements have not been started within one year of completion of site work the applicant shall be required to implement the "Phase 4 Contingency Erosion Control Plan" dated January 23, 2014 as submitted by the applicant. The Town shall retain monies as set forth in the Contingency Plan narrative to ensure implementation and completion of the Plan.

Accordingly, the potential adverse impacts related to development on steep slopes and rock would be avoided.

2. Traffic

The site work phase of the project is expected to generate the greatest number of truck trips to and from the site to haul processed material to other locations. It is expected that the majority of these truck trips would travel north on Route 52 to Interstate 84, although there may be a limited number of truck trips traveling south on Route 52 instead of the Interstate, with the actual distribution of truck traffic depending on where the material is needed. Construction phase truck trips would involve approximately 11 trips during the PM peak hour (i.e. 4:30 – 6:00 pm), or approximately 1 truck every ten minutes during daylight working hours. Given that the Average Annual Daily Traffic (2008) for Route 52 at the site is 9,350 vehicles per day this

number of additional truck trips is not considered significant. It is also important to note that the IOC District zoning for the site was selected specifically for its proximity to a state highway and the Interstate highway and that the use of the state highway by construction vehicles to access the interstate is consistent with the zoning of the site.

Post-construction, and at full occupancy the proposed uses would generate an estimated 20 vehicle trips during the morning peak hour. The Planning Board notes that NYS Route 52 at the proposed site driveway carries an average of 9,350 vehicles and the proposed additional traffic volume is less than 1% of the overall existing daily volume. No significant adverse impacts related to additional vehicle traffic related to the project have been identified and no off-site improvements to local roads or intersections are required.

3. Storm Water

Construction activities that result in the disturbance of 5,000 square feet or more of total land area require compliance with the NYSDEC's *General Permit for Stormwater Discharge from Construction Activities*, GP-0-15-002 ("CA General Permit"). In accordance with the CA General Permit, and the NYCDEP and Town of Kent requirements, the project's SWPPP is required to provide both erosion and sediment controls designed and implemented in accordance with the *New York Standards and Specifications for Erosion and Sediment Control*. Post-construction storm water management must be designed and implemented in accordance with the *New York State Stormwater Management Design Manual*.

To meet the requirements of the NYSDEC, and the NYCDEP and the Town of Kent, the qualitative design includes capturing and treating the water quality volume generated by a 1-year, 24-hour storm event. This design would ensure that the required stream channel protection, overbank flood control, and extreme storm control requirements are also satisfied.

The project plans and report reviewed by the lead agency include detailed sediment and erosion control notes, construction sequence notes and construction details to guide the contractor in implementing the sediment and erosion control measures. The plans and report include notes and details relative to, at a minimum, diversion of clean water and containment of sediment, treatment of dirty water and stabilization of disturbed areas, during and after construction. The plans and report include guidance on minimizing the amount of disturbed areas, limiting the length of time that areas are permitted to remain undisturbed and preventing transport of silt,

sediment and air-borne particles to adjoining properties, downstream drainage facilities or water bodies.

Because the proposed site work is considered a temporary mining operation, coverage is required for the duration of the work under the NYSDEC's *SPDES Multi-sector General Permit for Stormwater Discharges Associated with Industrial Activity*, GP-0-12-001 (MSGP) for Sector J - Mineral Mining and Dressing. This permit covers storm water discharges from soils disturbance associated with mining except for reclamation activities where the pre-approved post-mining use would otherwise require post construction storm water controls under the *SPDES General Permit for Stormwater Discharges from Construction Activities* (GP-0-15-002).

An erosion and sediment control plan has been prepared as part of the MSGP Stormwater Pollution Prevention Plan (SWPPP) to meet the requirements of the MSGP. The MSGP SWPPP establishes temporary and permanent structural, vegetative and procedural measures that will be used at the site during mining operations. Other elements of the MSGP SWPPP include parameters and protocol for routine site inspections, annual reporting and employee training; establishment of numeric effluent limitations and benchmark monitoring requirements for pollutants of concern.

The project includes the drilling and installation of one drilled well on the property. The drilled well is subject to review and approval of the Putnam County Department of Health (PCDOH). As part of the PCDOH requirements, the minimum well yield for all new wells in Putnam County is 5 gallons per minute minimum or a daily usage of 7,200 gallons per day. The PCDOH expected minimum well yield applies to every new well drilled in Putnam County. The subject project is anticipated to utilize up to a maximum of 2,000 gallons per day for the dust control. The 2,000 gallons per day will be divided between the dust control systems on the rock crushing equipment (up to 500 gpd) and the rest will be used to fill the onsite dedicated water truck (up to 1,500 gallons per day). The lead agency notes that the water used during construction will be of medium term duration, and only to be used during the construction period of 2 to 3 years. Water used for dust control would be variable depending on the temperature and weather conditions at the site. It is expected that between 250 and 1,000 gallons per day would be used on an average day both during and after construction. This water consumption is equivalent to the daily demand for a single family residential dwelling. Therefore the order of magnitude of water taken from the project is not anticipated to have any impacts to the water supply of adjoining wells.

The lead agency notes that site work began on the subject property in the late summer of 2012 under the previously approved Mountain View Realty project. During that time, no groundwater has been encountered in any portion of the work area. Based on the vast spread of test holes, as well as the earth moving activities currently ongoing at the site, no part of the site work is expected to encounter groundwater during the full build out of the Kent Materials/Weck Property project. The Geotechnical Report also concludes that blasting activities are unlikely to develop fissures or open fractures within the bedrock that could potentially allow water to flow directly from the surface to any underlying drinking water aquifer. Notwithstanding, if during the full build out of the Kent Materials project, groundwater is encountered during any portion of the rock cut, a more detailed, situation specific plan will be prepared by the project geotechnical engineer. This contingency plan will ensure that groundwater that currently supports the onsite wetland will continue to support the wetland. The data indicates that the wetland on the Kent Materials property and the Weck property would not be adversely affected by ground water intercept as part of the site work operations. The contingency plan is depicted on drawing MP-1 of the plan set.

In accordance with the MSGP SWPPP, regular onsite maintenance will be performed for the rock crushing/processing equipment in-situ at the processing area and for the onsite vehicles and equipment at the construction staging area. Maintenance includes minor repairs and checking for leaks, fueling and topping off fluids. In addition, these areas will be routinely inspected for spills and leaks. Any spills or leaks identified shall be cleaned immediately in accordance with NYSDEC spill notification requirements and the protocols established in the MSGP SWPPP. All waste fluids from maintenance (including oil, grease, hydraulic fluids) and spill cleanup will be properly contained and removed from the site for proper disposal. Any hazardous materials shall be disposed of in accordance with federal, state, and local regulations. No hazardous materials shall be disposed of in on-site dumpsters used for construction waste. Any oils and fluids stored on site will be stored based on the good housekeeping practices established in the Construction Activity SWPPP and the Multi-Sector General Permit SWPPP. Hazardous materials shall be stored in appropriate and clearly marked containers and segregated from the other non-waste materials. All hazardous waste shall be stored in structurally sound and sealed shipping containers located in the staging area. Material safety data sheets, material inventory, and emergency contact numbers will be maintained in the office trailer. All personnel working on the site shall be instructed of the proper procedures for hazardous waste disposal.

The proposed improvements will remove vegetation and expose soil by way of constructing the development pads and the storm water management facilities. All disturbed areas will be protected during construction with approved sediment and erosion control techniques in accordance with the *New York State Standards and Specifications for Erosion and Sediment Control*. Erosion and sediment control would be accomplished by four basic principles: diversion of clean water, containment of sediment, treatment of dirty water, and stabilization of disturbed areas. Diversion of clean water will be accomplished with swales. This diverted water will be safely conveyed around the construction area as necessary and discharged downstream of the disturbed areas. Sediment will be contained with the use of silt fence at the toe of disturbed slopes and excavation of the temporary sediment basin. Disturbed areas shall be permanently stabilized within seven days of final grading to limit the required length of time that the temporary facilities must be utilized.

Permanent erosion and sediment control will be accomplished by diverting storm water runoff from steep slopes, controlling/reducing storm water runoff velocities and volumes, and vegetative and structural surface stabilization. Temporary sediment traps will be cleaned of all sediment and debris, excavated to their final elevations and dimensions, and stabilized with the vegetation as indicated on the plans. Rip rap aprons will be used at the discharge end of all piped drainage systems. Runoff velocities will be reduced to levels that are non-erosive to the receiving water bodies through use of these aprons. Other than the buildings and paved surfaces, disturbed surfaces will be stabilized with vegetation. The vegetation will control storm water runoff by preventing soil erosion, reducing runoff volume and velocities, and providing a filter medium.

Site work will involve the disturbance of more than one acre, thus the project will require coverage for *Erosion and Sediment Control and Permanent Stormwater Features* under the New York State Department of Environmental Conservation (NYSDEC) SPDES General Permit No. GP-0-15-002 and a Multi-Sector General Permit SWPPP. In order to meet the requirements set forth by this permit, the latest edition of the NYSDEC *New York State Stormwater Management Design Manual* (NYSSMDM) was referenced for the design of the proposed storm water management system. As the subject is located in the New York City Watershed East of Hudson the requirements of the NYSSMDM Chapter 10 Enhanced Phosphorus Removal Standards must be met.

The project also proposes the disturbance of more than two acres, thus the project will require the New York City Department of Environmental Protection (NYCDEP) Stormwater Pollution

Prevention Plan approval. To meet NYCDEP requirements, the storm water management system has been designed to meet the requirements set forth in Section 18-39 of the *Rules and Regulations for the Protection from Contamination, Degradation, and Pollution of the New York City Water Supply and Its Sources*.

The Kent Materials site currently drains predominantly to the north to NYSDEC Wetland LC-38, which dominates the northern half of the Kent Materials property. This wetland is also classified as a United States Army Corps of Engineers (USACE) Wetland and is also a Town of Kent regulated freshwater wetland. The Weck property also contains a wetland along the northern boundary near Interstate 84. This wetland is not connected to the Kent Materials wetland and is regulated by the Town of Kent. The site plans for both properties provide for designed drainage paths through the storm water collection and conveyance system that eventually allow storm water to flow to the wetlands. The conveyance systems consist of grass and rip rap swales, drainage inlets, catch basins and HDPE pipes. Collected storm water passes through sediment basins then into an infiltration basin, which are proposed to provide storm water quality treatment and/or storm water peak flow attenuation as well as infiltration.

Best Management Practice for this project include temporary erosion control measures that will be utilized during construction, permanent erosion control measures which will exist after construction is complete, and storm water treatment devices. Best Management Practices, which have been incorporated into the design of this project, include storm water quantity (peak flow) and quality mitigation.

Accordingly, the potential adverse impacts to surface and ground water from construction and post-construction activities would be avoided or mitigated to the extent practicable.

4. **Noise and Odors**

The applicant prepared an amended Noise Study in accordance with the NYSDEC's approved methodology and proposed appropriate mitigation. With respect to noise mitigation the applicant has amended the site plan to provide for additional separation between the areas proposed for blasting and the adjoining veterinarian business property. For the original Site Plan Approval for the Kent Materials project construction of the contractor buildings along Route 52 would not occur until Phase 4 in order to maintain the existing land contours along Route 52 as a natural berm to attenuate noise from the rock crushing operation, it would mitigate "to the

extent practicable” noise from the site work and rock crushing operations. The lead agency agrees with the proposed revision to the phasing plan on the basis of the results of the Noise Study and the directive to mitigate adverse environmental impacts “to the extent practicable” under SEQRA. It is also important to note that post-construction noise would be minimal and would largely involve passenger and truck traffic to and from the site periodically during the day. No specific mitigation for post-construction noise appears to be necessary.

Although significant dust creation is not associated with the use of the contractor’s office and storage building or the outdoor material storage area, there is potential for dust creation during site work and rock processing. Both the primary crusher (jaw unit) and the secondary crusher (cone unit) are equipped with dust suppression systems. These dust suppression systems include a high pressure water pump that boosts the on-site water tank and pumps the high pressure water through a water manifold. The water manifold has several spray bars that spray atomized water over the crushers and conveyors at strategic locations. Using a high pressure system with atomized water provides enough water to provide dust control, without creating actual water runoff from the crusher itself. Any stray dust would be captured and treated by the on-site erosion and sediment control measures. Dust levels shall be reported as part of the overall site reporting with appropriate action being taken by the Town as necessary. Therefore, specific provisions for capturing and treating the dust suppression water are not required.

The proposed temporary rock processing for the project has the potential to create airborne dust to a level that requires mitigation. Airborne dust is created during several phases of the temporary rock crushing operation, including the jaw crusher, cone crusher, screeners, and conveyor belts.

In general, there are three general types of dust suppression technology:

- Wet Chemical Systems

These systems utilize a wetting agent combined with water. This process attempts to thoroughly wet the material being handled so that dust is bound to the surface of larger material and is not released to the atmosphere.

- Ventilation Systems

These systems extract the dust as it is created and filters it through conventional collectors such as fabric filters or scrubbers. These systems are preferred when the control of respirable dust is required, where the material handled cannot tolerate the addition of water.

- **Agglomerative Dust Control Systems**

Agglomerative systems work on the principal that small particles of water will come together with small particles of solid matter (dust), forming larger and heavier particles that will settle by gravity. This system uses water and no chemicals, and separates dust by the filtration process created from the atomized fog created by the system.

One of the benefits of the agglomerative dust control system is that it is designed to suppress airborne dust without wetting the crushed product. Atomized is water sprayed through spray bars with individual cluster heads at targeted locations. The system creates an environment similar in nature to a very wet fog often experienced on a cool summer morning. The dust particles agglomerate with the atomized water particles increasing in weight, then fall to the ground by gravity. The volume of water added to the material is extremely low because only the airborne dust is affected. The final location and number of cluster heads vary depending on the size and configuration of the crusher. Individual nozzle heads generally flow between 0.1 and 1.0 gallons per minute. The water supply is variable, and is adjusted based on current weather conditions. Temperature, humidity and wind all affect the amount of water required to adequately control dust. Rainy days may not require any dust control. Hot, dry days may require the full 1 gpm / machine.

Actual flow rates for the project's primary (jaw) crusher and the secondary (cone) crusher can vary up to a maximum of 1.2 gallons per minute. Due to the relatively low flow rate of water which is atomized and sprayed over a large surface area, there is not the potential for water runoff to leave the general footprint of the crusher. The water either evaporates or agglomerates with dust and falls to the ground. Therefore, additional storm water collection and treatment of water runoff from the dust control operations is not required. The applicant will use an agglomerative dust control system for the temporary rock crushing equipment. The system will have to be initially tuned and adjusted to provide for the proper agglomeration without providing

water runoff from the crusher footprint. As previously noted, any stray dust would be captured and treated by the on-site erosion and sediment control measures.

Each phase of site work and construction shall be conducted in accordance with the Town Noise Law.

Accordingly, the potential adverse impacts related to construction noise and odors would be minimized and avoided to the extent practicable.

5. Cultural Resources

Based on information provided by the New York State Office of Parks, Recreation and Historic Preservation (SHPO), the proposed project would have no adverse impact on historic or pre-historic cultural resources of local, state or federal significance.

6. Flora and Fauna

The Lead Agency has examined correspondence from the New York State Natural Heritage Program that indicates that there have been no reports of rare, threatened or endangered species of flora or fauna on or near the site. The Lead Agency also notes that the site was previously cleared of trees and vegetation by a prior owner, albeit without the benefit of a prior review by any local, regional, or state agency. As a result, the areas of proposed construction are presently cleared and do not appear to have any potential as a habitat for rare, threatened, endangered, or special concern species of flora or fauna. Although a portion of the Kent Materials site includes a State protected freshwater wetland LC-38, no construction within the wetland or wetland buffer area is proposed. The site plan for the Weck property includes a wetland mitigation plan that would address the impact of prior activities so as to restore the function of the wetland and wetland buffer. The proposed site plan includes a "limit of disturbance" line to restrict the amount of area to be cleared and to preserve existing trees and vegetation. Accordingly, the potential impacts to flora and fauna and to the on-site wetland would be eliminated or avoided to the extent practicable.

7. Water Supply and Sewage Disposal

Post-construction the proposed facility would generate a demand for approximately 600 gallons of water per day. This volume is roughly equivalent to the daily water usage of a single or a two family home and is not considered significant in terms of overall water usage. On site water

supply (well) and sewage disposal (septic) systems are subject to the approval of the New York City Department of Environmental Protection and the Putnam County Health Department, and the continued maintenance of these facilities would be an on-going obligation of the site owner/operator. Compliance with the regulations for installation and operation of private water supply and subsurface sewage treatment facilities would ensure that the proposed redevelopment would have no adverse impact on surface water or ground water resources, or present a threat to public health.

8. Impact on Growth and Character of Community or Neighborhood

The proposed activity consists of the development of a cleared and vacant site for use as a contractor office and storage use facility, and expansion of the existing manufacturing use. The businesses are not retail operations at which customers are typically received. The vehicle traffic therefore involves employee arrivals and departures and the arrival and departure of trucks making deliveries to customer locations. No population increases having a significant adverse effect on local community services such as police and fire protection, or recreational and educational facilities, have been identified. As a result of landscaping that would be installed along the street frontage and along the internal driveways the site would be largely screened from view from the state highway and neighboring properties. The potential visual impact of the new construction is therefore not considered significant. The scale of the proposed development is therefore appropriate for the proposed site at the proposed location. No significant adverse impacts related to an increase in the density of development have been identified.

For Further Information:

Hon. Michael McDermott, Chairman
Town of Kent Planning Board
25 Sybil's Crossing
Kent Lakes, New York 10512
Tele: 845-225-7802

THIS NEGATIVE DECLARATION WAS AUTHORIZED AT A MEETING OF THE LEAD AGENCY HELD ON APRIL 9, 2015.

I certify that the above resolution was adopted by the Town of Kent Planning Board at a meeting of the Board on the date set forth above.



Vera Patterson, Clerk
Town of Kent Planning Board

**Town of Kent Planning Board
Amended Site Plan Approval
Freshwater Wetland Permit Approval
Steep Slope and Erosion Control Permit Approval**

Matter of Kent Materials and Weck Living Trust Properties

Whereas, the Town of Kent Planning Board ("Planning Board") has received an application from Kent Materials and Bonnie Weck Living Trust for an amendment to the Site Plan Approval granted on February 28, 2014 in regard to the Kent Materials site located on NYS Route 52, Tax Map #12.-1-44; and

Whereas, the amended site plan would expand the area of site preparation and rock removal to include a portion of the adjoining lands owned by the Bonnie Weck Living Trust also located off of Route 52 and identified as Tax Map 12.-1-48; and

Whereas, the proposed amendment would expand the area for the business use of the Goldens Bridge Unit Step manufacturing business located on the Weck property while expanding the area on the Kent Materials site for future tenants such as tradesmen (i.e. electricians, plumbers, HVAC contractors, garage door installers, excavating contractors, masons, carpenters and other similar building contractor establishments, etc.) that would utilize the buildings and the site for offices and storage of equipment and materials pursuant to the February 28, 2014 Amended Kent Materials Site Plan; and

Whereas, on January 8, 2015 the Kent Planning Board declared its intent to be the lead agency for the Kent Materials/Weck Property applications; and

Whereas, no objection was received to the Board's declaration of intent to assume lead agency status and the Planning Board is therefore the lead agency; and

Whereas, pursuant to General Municipal Law §239-m the application was referred to the Putnam County Department of Planning for review, and

Whereas, the County Department of Planning has recommended approval of the project plans without comment or modifications; and

Whereas, on March 12, 2015 and April 9, 2015 the Planning Board convened a public hearing on the applications, and said public hearing was closed on April 9, 2015; and

Whereas, the Planning Board has compared the application for Amended Site Plan Approval against the criteria set forth in §77-60 of the Town Zoning Law and has determined that the proposed action would satisfy the site plan standards, specifically:

- 1) The plans for the development of the properties are consistent with, and meet the requirements of §77-60 subparagraphs “F”, and “I” through “T” thereof of the Town Code.
- 2) The project is an application for Amended Site Plan Approval for the Kent Materials/Weck properties located on Route 52, Tax Map #12.-1-44 and Tax Map #12.-1-48 in the Town of Kent. The action would amend the February 28, 2014 site plan approved for Kent Materials. The proposed site plan would expand the area of site work and rock removal at the rear of the Kent Materials property and across the property boundary with Weck to include an additional ± 4.9 acres for a total area of disturbance of ± 17.8 acres. The Board is satisfied that the proposed amended site improvements and use are consistent with the amount of land available, and that access to the site would not impede or adversely affect the use and enjoyment of neighboring lands; and
- 3) The proposed contractor and storage uses for the Kent Materials site are allowed under the previously issued Special Use Permit for the Industrial Office Commercial (IOC) District, and the size and dimension of the site improvements are appropriate to the site. The Board hereby affirms the previously approved Special Use Permit. The Goldens Bridge Unit Step manufacturing use is similarly allowed in the IOC District subject to site plan approval and the expansion of the area available for outdoor storage and business expansion as part of that manufacturing use is consistent with the historic use of the site, it being noted that no additional building construction is proposed for the Weck property under the application; and

- 4) The principal project impacts are related to the site preparation work required to remove and to process soil and rock, but the finished development as a contractor office and storage use, and manufacturing is otherwise consistent with the existing and planned development of contiguous lands and adjacent neighborhoods and would have no material adverse effect upon the desirability of adjacent and nearby property for development of other uses allowed within the IOC District; and
- 5) The proposed contractor and storage use, and manufacturing business are properly related to the uses, goals and policies for land development as expressed in the Town Master Plan; and
- 6) Expansion of the area on which site work and rock removal will occur would increase the total number of truck trips during a given work day and work week, and would increase the overall total number of truck trips due to the increase in volume of material to be removed. However, the Board notes that the current number of daily truck trips for the Kent Materials operation do not result in any disruption of vehicle movement on NYS Rote 52 or Interstate 84. The conclusion being that the public highway network is adequate to accommodate the anticipated additional vehicle trips. The Board is satisfied that pedestrian and vehicular access to the site during and after construction, traffic circulation on the site, and the general layout of the site have been properly planned with regard to the safety of vehicles and pedestrians, as well as those on neighboring properties and streets; and
- 7) The proposed contractor and storage facility and manufacturing spaces would be sited to take advantage of solar access insofar as practical with respect to sun angles, the shading and windscreen potential of existing and proposed vegetation on and off the site, and the impact of solar access to adjacent uses and properties; and
- 8) The proposed site plan reflects an awareness of and sensitivity to the views, terrain, soils, plant life and other unique qualities of the site and preserves and enlarges upon these assets for recreation, scenic or conservation purposes to the extent practicable; and

- 9) The proposed contractor and storage use and the manufacturing business would conform to the requirements of the Town Zoning Law and all other applicable local laws; and

Whereas, pursuant to §39-A-8(C) of the Town Code the Planning Board hereby finds that the proposed activity meets the standards for issuance of a Freshwater Wetland Permit, specifically:

- 1) The proposed disturbance to the controlled area (i.e. wetland buffer) would be consistent with the policies of Chapter 39A.
- 2) The proposed disturbance to the wetland buffer area as depicted on the site plan would be consistent with the land use regulations governing wetlands, water bodies and watercourses applicable in the Town of Kent.
- 3) The proposed disturbance to the wetland buffer area as depicted on the site plan would be compatible with the public health and welfare.
- 4) The proposed wetland mitigation plan would restore previously affected wetland and wetland buffer areas.
- 5) The proposed disturbance would minimize the degradation to the Town's surface water bodies and adverse impacts on the functions and benefits that the surface waters provide.
- 6) The proposed disturbance would be in compliance with the standards set forth in the New York State Freshwater Wetland Regulations, 6NYCRR 665,7(e) and (g).

Now Therefore Be It Resolved, the Planning Board finds that the proposed amended site plan would not result in any large or important impact(s) and would not have a significant impact on the Environment and hereby adopts and issues a *Negative Declaration – Determination of New Significance*, a copy of which is attached hereto and made part hereof; and

Be It Further Resolved, pursuant to Chapter §77-60 and §77-61 of the Town Code the Planning Board grants Amended Site Plan Approval for the Kent Materials/Weck Property project as described herein; and

Be It Further Resolved, pursuant to Chapter 66 of the Town Code the Planning Board grants Steep Slope and Erosion Control Permit approval subject to final plan review and approval by the Planning Board's Professional Engineer; and

Be It Further Resolved, pursuant to §39A-7(D)(1) of the Town Code the Planning Board grants Freshwater Wetland Permit approval for the regulated activities as described herein subject to final plan review and approval by the Planning Board's Environmental Consultant, and the posting of security pursuant to §39A-9(A) of the Town Code in an amount to be approved by the Planning Board sufficient to ensure the successful implantation of the wetland mitigation plan; and

Be It Further Resolved, that these Amended Site Plan, Freshwater Wetland Permit, and Steep Slopes and Erosion Control Permit approvals are expressly conditioned on the following:

- 1) *Site improvements shall be constructed in accordance with the plans and specifications prepared by Insite Engineering, Surveying & Landscape Architecture, P.C., specifically:*
 - a) *Sheet OP-1, "Amended Overall Site Plan", dated December 18, 2014 and bearing a latest revision date of March 19, 2015.*
 - b) *Sheet SP-1 "Amended Layout and Landscape Plan", dated December 18, 2014 and bearing a latest revision date of March 19, 2015.*
 - c) *Sheet SP-2 "Amended Grading and Utilities Plan", dated December 18, 2014 and bearing a latest revision date of March 19, 2015.*
 - d) *Sheet SP-3, "Amended Sediment and Erosion Control & Phasing Plan", dated December 18, 2014 and bearing a latest revision date of March 19, 2015.*
 - e) *Sheet MP-1, "Amended Mining Plan", dated December 18, 2014 and bearing a latest revision date of March 19, 2015.*
 - f) *Sheet MP-2, "Amended Mining Plan", dated February 19, 2015 and bearing a latest revision date of March 19, 2015.*
 - g) *Sheet D-1, "Site Details", dated December 18, 2014 and bearing a latest revision date of March 19, 2015.*

- h) Sheet D-2, "Site Details", dated December 18, 2014 and bearing a latest revision date of March 19, 2015.
- 2) The contractor building proposed for the Kent Materials site shall be constructed in accordance with the architectural plans and elevations prepared by JFM Architect dated September 25, 2008 and bearing a latest revision date of February 19, 2009 as follows:
- a) Sheet A-01, "Mountain View Realty Building "A".
- 3) Prior to commencement of site work all required erosion control measures shall be implemented as shown on the approval plans for the development. The erosion control may be changed or modified by order of the Planning Board Engineer or the Town Building Inspector based on field conditions. At all times during construction, the applicant shall maintain the on-site erosion control measures in good repair so as to avoid siltation of the onsite stream and wetland.
- 4) The applicant shall obtain and shall keep current all required approvals from the New York State Department of Transportation for any highway work at the entrance driveways.
- 5) The applicant shall obtain and shall keep current all required approvals, including a mined land reclamation permit from the New York State Department of Environmental Conservation.
- 6) The applicant shall obtain and shall keep current all required approvals of the New York City Department of Environmental Protection.
- 7) At the completion of construction, and prior to issuance of a Certificate of Occupancy the applicant's engineer shall provide a certification to the Town Building Inspector that all construction has been carried out and completed in substantial compliance with the approved Site Plan for the project. Additionally, the applicant shall provide to the Planning Board and the Town Building Inspector an "as built" survey of the completed development.
- 8) Payment to the Town of Kent the following fees:
- a) Any unpaid and outstanding application fees;
- b) Any review fees accrued by the Planning Board during the review of the application;

- c) *An inspection fee, in an amount to be established by the Planning Board, to cover the cost of construction and post-construction inspections by the Board's Professional Engineer, Wetland Consultant, and Planning Consultant.*
- 9) *It is the responsibility of the applicant/project sponsor to submit to the Planning Board proof that each of the conditions of this Approval have been completed and that the response to comments have been completed to the satisfaction of the Planning Board's Professional Engineer, The Planning Board's Environmental Consultant, and the Planning Board's Consulting Planner. The signature of the Planning Board Chairman shall be withheld pending receipt of a written memorandum from the Planning Board's Consulting Planner verifying that each of the conditions of this Approval have been completed. The proposed final drawings shall not be accepted by the Planning Board without submission of proof of completion.*
- 10) *Pursuant to Chapter 48 of the Town of Kent Code construction activity within the Town of Kent shall be limited to Monday through Friday from 7:00 AM to 9:00 PM, and Saturday and Sunday from 8:00 AM to 9:00 PM.*
- 11) *Provide the following documents for Planning Board review and approval and obtain the approval of the Town Board for said documents:*
 - a) *Amended Storm Water Easement and Maintenance Agreement for the Kent Materials site plan including the posting of a performance bond pursuant to Chapter 66 of the Town Code.*
 - b) *Storm Water Easement and Maintenance Agreement for the Weck Property site plan including the posting of a performance bond pursuant to Chapter 66 of the Town Code.*
 - c) *Posting of a performance security in an amount to be determined by the Planning Board and approved by the Town Board to ensure the successful implementation of the wetland mitigation plan.*
- 12) *This site plan approval shall expire 12 months from the date of approval unless implemented in accordance with the approvals granted herein, or otherwise extended by the Planning Board upon the express written request of the applicant.*

- 13) On site water supply (well) and sewage disposal (septic) systems are subject to the approval of the New York City Department of Environmental Protection and the Putnam County Health Department, and the continued maintenance of these facilities in accordance with said approvals shall be an on-going obligation of the site owner/operator.
- 14) Address the comments of the Planning Board's Professional Engineer dated April 9, 2015.
- 15) Address the comments of the Town Environmental Consultant dated April 9, 2015.
- 16) In addition to posting of any required performance security monies, the applicant shall post with the Town monies to cover the cost of Town inspections in an amount as determined by the Planning Board upon the recommendation of the Board's Professional Engineer.

Motion: George Brunner

Second: Philip Tolmach

Michael McDermott, Chairman	<u>Aye</u>
Janis Bolbrock	<u>Aye</u>
George Brunner	<u>Aye</u>
Dennis Lowes	<u>Aye</u>
Charles Sisto	<u>Aye</u>
Philip Tolmach	<u>Aye</u>
Glenna Wright	<u>Aye</u>

I certify that the above resolution was adopted by the Town of Kent Planning Board at a meeting of the Board on April 9, 2015.

Vera Patterson
Vera Patterson, Clerk
Town of Kent Planning Board



Memorandum

To: Planning Board
Town of Kent

Attn: Michael McDermott
Chairman

From: Julie S. Mangarillo, P.E., CPESC

Subject: Amended Site Plan Review

Date: April 9, 2015

Project: Kent Materials TM # 12.-1-44
Weck Parcel (Goldens Bridge Unit
Step Site) TM 12.-1-48

The following material was reviewed:

- Transmittal letter from Insite Engineering, Surveying & Landscape Architecture, P.C., dated 3/19/2015
- Amended Stormwater Pollution Prevention Plan, prepared by Insite Engineering dated 3/19/2015 including the Weck Parcel
- Drawings, prepared by Insite Engineering, revised 3/19/2015 including:
 - OP-1, Amended Overall Site Plan
 - SP-1, Amend Layout and Landscaping Plan
 - SP-2, Amended Grading and Utilities Plan
 - SP-3, Amended Sediment and Erosion Control
 - MP-1, Amended Mining Plan
 - MP-2, Amended Mining Plan
 - D-1, Site Details
 - D-2, Site Details

This project is seeking amended site plan approval for Kent Materials for additional material removal from the adjacent Weck parcel (TM 12.-1-48).

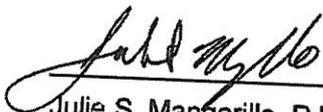
New or supplementary comments are shown in **bold**.

The following is offered for consideration by the Planning Board:

1. We continue to defer to the Town's Environmental Consultant regarding impacts/improvements to the wetland buffer.
2. Regarding erosion control and long-term stormwater facility bonding:
 - a. A new phasing plan and phased bonds have been submitted. The phased bonds may require updating based upon recent minor changes to the proposed phasing.
 - b. The applicant has requested the existing bonds for Kent Material be re-organized to cover the new work on the Weck parcel.
 - i. We have no objection in theory to allowing Kent Material erosion control bond money to be used to cover construction on the Weck parcel. This is because disturbance is limited to only 5 acres at any given time per NYSDEC regulations. If there is disturbance on the Weck parcel, then there will be a corresponding decrease in disturbance on the Kent

Materials property. As the applicant is aware, the erosion control bond agreements would have to be revised to accommodate this arrangement.

1. This is of course subject to Planning Board approval and assuming none of the proposed Weck phases will require a larger bond amount than already approved for Kent Materials.
- ii. Regarding the long-term stormwater facility bond, we recommend the Weck parcel have a bond separate from the Kent Materials long-term stormwater facility bond. Kent Materials property has stormwater management facilities that are separate and distinct from the stormwater management facilities proposed for the Weck parcel. This is a different situation from erosion control.
3. Prior to signature of the plans by the Planning Board Chairman, stormwater maintenance and easement agreements will have to be executed for the Weck parcel. The applicant is aware of this and has already provided draft documents for review by the Planning Board attorney.



Julie S. Mangarillo, P.E., CPESC

cc: Planning Board via email
Neil Wilson via email
John Watson, PE, Insite Engineering, via email

Bill Walters via email
Bruce Barber via email
12-261-199-01



Cornerstone
ASSOCIATES

April 9, 2015

To: Planning Board

From: Bruce Barber
Town of Kent Environmental Consultant

Re: **Kent Materials (Amended + Weck)**
NYS Route 52
Section 12 Block 1 Lot 44

I have reviewed the following pertinent documents relative to the above referenced project:

- Letter executed by John Watson, P.E of Insite Engineering dated 03/19/15, 5 pages.
- Plans entitled; "Kent Materials-Amended Overall Site Plan" prepared by Insite Engineering dated 03/19/15 (rev.), 87 total sheets: OP-1, SP-1, SP-2, SP-3, MP-1, MP-2, D-1, D-2.
- Amended Stormwater Pollution Prevention Plan prepared by Insite Engineering dated 03/19/15.
- Long-form EAF, Part I executed by John Watson, P.E. of Insite Engineering dated 3/19/15.

Review Comments:

The applicant has provided satisfactory responses to the majority of the review comments in the prior memo prepared by this office dated March 12, 2015. The following comments are remaining:

1: Response Memo: Page 3: Comment 7: The applicant is requested to review the Town of Kent Town Code Chapter 39A-9(A) which indicates: "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". Annual inspections are not adequate to ensure the success of a wetland mitigation plan. Semi-annual inspections, with provisions to remove invasive species and replace plant material which is no longer viable have been found to provide a greater potential for success of the mitigation. Typically, the inspections are conducted over a five-year period as measured from the date in which the applicant's consultant certifies that the mitigation has been completed in accordance with the approved plans.

2: Response Memo: Page 3: Comment 8: The applicant is requested to review the Town of Kent Town Code Chapter 39A-9(A) which indicates: "The approving authority may

require a bond 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”.

Section 39A-9(C) of the Town of Kent Town Code indicates: “When all work allowed under a permit is deemed acceptable, the Town Engineer shall issue a certificate of completion, which shall be accompanied by cancellation or return of any bond collected for the permit”. With respect to wetland mitigation and restoration, it is recommended that the Planning Board consider “acceptable” to be at the such time that the Town will inspect and certify that at the end of the five year period, a minimum of 85% of the planted species as indicated on the approved plan have survived.

It is recommended that the Planning Board:

1) require semi-annual inspections for a five-year period as measured by the date of receipt of certification from the applicant's consultant that the mitigation and buffer restoration has been completed in accordance with the approved plans. Inspection reports should be submitted within 7 days of the date of inspection and detail the condition of the mitigation and indicate that all invasive species have been removed and dead plant material replaced.

2) require the applicant prepare a cost estimate including labor and materials of the mitigation and buffer restoration, in a similar manner to estimates prepared for erosion control bonding for review and approval by the Planning Board and ultimate approval by the Town Board. The bond shall be released at the end of the five-year period when survival conditions and percentages indicated above have been met.

3: Response Memo: Page 3, Comment 9:

It is recommended that the Planning Board direct the applicant to include the area of disturbance proposed on the Weck parcel in the Contingency Plan. There does not appear to be a time table in which the expanded storage area will be utilized and as a result, long-term stabilization must be considered.

4: EAF:

Page 2: Section B: Indicate that acceptance/approval of bonds will be required from the Town Board.

Page 2: Section B: Indicate at Town of Kent wetland permit is required to be obtained from the Planning Board.

Page 7: Section D.2.i: Provide “yes” response.

Page 8: Section D.2.m: Indicate plan will maintain berm and vegetation on Weck parcel as mitigation.

Page 11: Section E.2.h.iv: Correct repetitive: “Federal Waters” and also indicate “Town of Kent jurisdictional wetlands and watercourses.”

5: SWPPP:

Attachment A, Long Term Maintenance Plan does not specify a long-term maintenance program of basin plant material (indicates maintenance is “limited”). Language should comport with maintenance table found on Plan Sheet SP-2.

6: Plans:

Sheet SP-1: Indicate on plan that indicated area of wetland and wetland buffer shall not be disturbed other than to perform required to comply with Planning Board maintenance requirements.

Sheet D-2: Indicate limits of disturbance within wetland buffer. Provide details of the mitigation plan for disturbance in the buffer not included in the pond. This material should be a mix of herbaceous plants, shrubs and trees.

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

Sincerely,

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

Bruce Barber, PWS, Certified Ecologist
Town of Kent Environmental Consultant

April 16, 2015

RECEIVED

APR 16 2015

Planning Board
Town of Kent

Town of Kent Planning Board
Kent Town Center
25 Sybil's Crossing
Kent Lakes, New York 10512

RE: Amended Site Plan
James A. Staley Company
5 Bowen Court
Kent, New York
Tax Map No. 12-1-69

Dear Chairman McDermott and Members of the Board:

Enclosed please find fourteen (14) of the following:

- Drawing SP-1, "Amended Site Plan", dated April 16, 2015. (5 Full Size, 9 Reduced Size)
- Drawing D-1, "Proposed Landscape Plan, Site Details & Notes", dated April 16, 2015. (5 Full Size, 9 Reduced Size)
- Figure CS-KEY, "Site Cross Section Key Map", dated April 16, 2015.
- Figure CS-1, "Site Cross Sections", dated April 16, 2015.
- Figure CS-2, "Site Cross Sections", dated April 16, 2015.
- Figure P-KEY, "Site Photograph Key Map", dated April 16, 2015.
- Figure P-1, "Site Photographs", dated April 16, 2015.
- Drawing T-1, "Truck Maneuvering Plan", dated April 16, 2015.
- Drawing IP-1, "Illumination Plan", dated April 16, 2015.
- Waiver Request Application for Amended Site Plan Approval, dated April 16, 2015.
- Erosion Control Bond Estimate, dated April 16, 2015.
- Deed of Record (one copy).
- Owner Authorization Letter for Applicant, dated April 14, 2015.

The enclosed plans have been revised in response to the comments received at the last Planning Board meeting, as well as the Planning Board Consultant's comments. In response, we offer the following:

Memorandum from Neil A. Wilson, AICP, LRC Planning Services, LLC, dated April 9, 2015:

SEQRA:

1. We acknowledge that Mr. Wilson has no further comments pertaining to the EAF.
2. A waiver request has been provided on the 'Waiver Request Application for Amended Site Plan Approval', in regards to the request for architectural elevations for the proposed building. As discussed at the April 9, 2015 Town of Kent Planning Board meeting, the addition will be constructed adjacent to, and connected to, the existing building and will match the existing buildings, materials, colors, size and shape. The applicant has not chosen a building

3 Garrett Place, Carmel, New York 10512 (845) 225-9690 Fax (845) 225-9717
www.insite-eng.com

April 16, 2015

- manufacturer yet, so we are unable to provide architectural drawings at this time. Photographs of the existing building have been submitted to the Planning Board in lieu of architectural drawings, on Figures P-KEY and P-1.
3. Cross sections and a key map have been provided in figures CS-KEY, CS-1 and CS-2 to show the proposed improvements in relation to the nearby residential structures and the motorist on Interstate 84 (I84). Furthermore, these figures show that all sight lines for the proposed addition to the James A. Staley Company building are screened by topographic elevation changes, existing vegetation, and/or the existing building.
 4. We acknowledge the determination that the project appears to be an unlisted action under SEQRA.
 5. We acknowledge the recommendation that the Planning Board undertake process SEQRA review as an uncoordinated review.

SITE PLAN REVIEW:

1. The largest potential vehicle that will access the site is a tractor trailer with a 53' trailer. A truck turning template showing this vehicle has been provided in Drawing T-1 for the only areas that the truck will maneuver on the site.
2. A detailed landscape plan has been provided on Drawing D-1 identifying the specie type, size and location of proposed landscaping, as well as the location of relocated existing vegetation. Screening for the residences on Bowen Court and motorist on I84 is primarily provided by substantial existing vegetation and topography surrounding the developed portion of the site, as shown on figures CS-1 and CS-2.
3. As stated previously, waiver request has been provided on the 'Waiver request Application for Amended Site Plan Approval', in regards to the request for architectural elevations for the proposed building. As discussed at the April 9, 2015 Town of Kent Planning Board meeting, the addition will be constructed adjacent to, and connected to, the existing building and will match the existing buildings, materials, colors, size and shape. The applicant has not chosen a building manufacturer yet, so we are unable to provide architectural drawings at this time. Photographs of the existing building have been submitted to the Planning Board in lieu of architectural drawings, on Figures P-KEY and P-1.
4. A waiver request has been provided on the 'Waiver request Application for Amended Site Plan Approval', in regards to the request for the detail of the dumpster enclosure. Photographs of the existing dumpster have been submitted to the Planning Board in lieu of a detail, on Figure P-1.
5. The location of the single existing freestanding sign has been shown on Drawing SP-1. The location, associated sign table and detail, for all proposed signage, have been provided on Drawings SP-1 and D-1.
6. The location of all of the existing and proposed site lighting has been provided. Specifications for the proposed lighting fixtures had been provided on Drawing D-1. An illumination plan showing lighting across the site in the proposed condition has been provided as Drawing IP-1. Please note that we were unable to identify the make, model number and wattage for the existing site lighting, and assumptions were made in preparation of the illumination plan to the best of our ability.
7. The dimensions of the handicap spaces and striped access lane between the spaces has been field verified and found to be non-compliant with New York State Building Code Standards. Therefore the location and dimensions of a proposed handicap space and access aisle has been provided on Drawing SP-1, as well as a detail on Drawing D-1. Please note that only one space/aisle has been proposed based on the New York State Building Code requirements, when considering total number of parking spaces provided.

April 16, 2015

8. The following notes have been added to the site plan:
 - a. General Note #6, "All new utilities shall be placed underground."
 - b. General Note #7, "The exterior storage of materials and equipment is prohibited unless depicted on the approved site plan."
 - c. General Note #8, "The onsite repair, washing and maintenance of vehicles, equipment, and machinery are prohibited."
9. It is understood that you will defer to Bruce Barber with respect to wetlands, stream, and steep slope impact issues.
10. It is understood that you will defer to Julie Mangarillo with respect to the site engineering issues.

RECOMMENDATION:

1. We acknowledge that the Planning Board granted the waiver request for topography and tree surveys at the April 9, 2015 Planning Board meeting.
2. We acknowledge that the project must be referred to the Putnam County Department of Planning. It is our understanding that the Kent Planning Board Secretary has already forwarded the submission materials to the County for their review.
3. A full copy of this submission has been sent to the Fire Inspector for his review and comment.
4. We acknowledge that the public hearing has been scheduled for May 14, 2015. Our office will mail out the required adjoiner notices prior to the meeting.

Memorandum from Julie S. Mangarillo, P.E., CPESC, Rohde, Soyka & Andrews Consulting Engineers, P.C., dated April 9, 2015:

1. General Note #11 on Drawing SP-1 has been added to state, "Within 10 days after installation of all erosion control measures shown on this plan, the applicant shall submit to the Building Inspector a letter from the qualified professional, who designed the plan for the applicant/landowner, stating that all erosion control measures have been constructed and installed in compliance with the approved plan(s)".
2. The Sediment and Erosion Control Notes #4 and #7 on Drawing D-1, have been revised to reflect the requirement for the soil stabilization measures to be "initiated by the end of the next business day" in accordance with the new NYSDEC General Permit GP-0-15-002.
3. A copy of the property deed has been provided.
4. Lost Pine Realty, Inc. is the record owner of the property. A letter of authorization from Lost Pine Realty, Inc. allowing the James Staley Co. to apply on behalf of Lost Pine Realty, Inc. has been provided.
5. The existing septic system will not be impacted by the proposed addition. The proposed addition and all improvements are to be constructed in the back of the building, and the septic system is in the front of the building as shown on the site plans. Pertaining to the septic system capacity, there will not be an increase intensity of use on the property after the addition is completed. There are no new employees anticipated as part of the addition, the additional warehouse space will be used for storage, and/or additional assembly/lay down area for the Staley Companies ongoing business.
6. An erosion control bond estimate is provided for your review.

April 16, 2015

Letter from Bruce Barber, Cornerstone Associates, dated April 9, 2015:

1. It is understood that Mr. Barber will perform a site inspection the week of April 13, 2015 to determine if there are any Town of Kent jurisdictional wetland or wetland buffers that will be impacted by the proposed action.

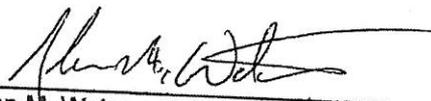
We respectfully request this project be placed on the May 14, 2015 Planning Board agenda for review of the amended site plan and for a public hearing.

Should you have any questions or comments regarding this information, please feel free to contact our office.

Very truly yours,

INSITE ENGINEERING, SURVEYING & LANDSCAPE ARCHITECTURE, P.C.

By:


John M. Watson, PE
Principal Engineer

JMW/sjc

Enclosures

cc: James A. Staley
William Walters, Town of Kent Fire Inspector

Insite File No: 15104.100



**WAIVER REQUEST
APPLICATION FOR AMENDED SITE PLAN APPROVAL**

**for
James A. Staley Co.
5 Bowen Court
Town of Kent, New York**

March 19, 2015

Revised: April 16, 2015

1. A waiver of the requirement of §77-60.F(c) of the Town of Kent Code for *Applications* is requested for the location of all property lines and structures within 200 feet of the property boundary, with topography extended 50 feet outward from the site property boundary and 200 feet outward along existing roads. This waiver is respectfully requested based on the fact that the entire scope of the proposed action is located centrally on the property and there will be no grading operations beyond the immediate vicinity of the proposed addition. GRANTED BY TOWN OF KENT PLANNING BOARD 04/09/15
2. A waiver of the requirement of §77-60.F(e) of the Town of Kent Code for *Applications* is requested for the location of trees with a diameter of eight inches dbh and greater. This waiver is respectfully requested because there will be no disturbance to any existing trees with the proposed action. GRANTED BY TOWN OF KENT PLANNING BOARD 04/09/15
3. A waiver for the architectural elevations for the proposed building is requested. It is understood that there are extensive architectural details that are considered by the Town in regards to site plan and SEQRA review process'. However, this waiver is respectfully requested because, as previously discussed, the addition will be constructed adjacent to and connected to the existing building, and will match the existing buildings, materials, colors, size and shape. Furthermore, it is not the intention of the applicant to immediately build the proposed addition, but to phase the process of the proposed addition. The applicant is not prepared to hire an architect at this time, but will do so when prepared to seek his building permit. Photographs of the existing building are provided in lieu of architectural plans at this time, on Figures P-KEY, P-1 and P-2.
4. A waiver for a detail of the dumpster enclosure is requested. This waiver is respectfully requested base on the unique site conditions found on onsite. The existing dumpster is not enclosed, has been maintained and used without incident, and most importantly, is not visible from off site. The applicant desires the permission to forgo the building of an enclosure for this existing dumpster, citing the unnecessary additional facilities maintenance. Photographs of the existing dumpster are provided in lieu of a detail at this time, on Figure P-2.



EROSION CONTROL BOND ESTIMATE

Prepared For
James A. Staley Company
5 Bowen Court
Town of Kent, New York

April 16, 2015

Item	Quantity	Unit Price	Total
Silt Fence	130 L.F.	\$4.00/L.F.	\$520.00
Seeding & Mulching	14,500 S.F.	\$0.06/S.F.	\$870.00
		TOTAL	\$1,390.00

Note: It is illegal for more than 5 acres to be disturbed at any one time in accordance with the NYSDEC General Permit GP-0-10-001 and the construction sequence and SWPPP for the proposed project.



JAMES A. STALEY CO.

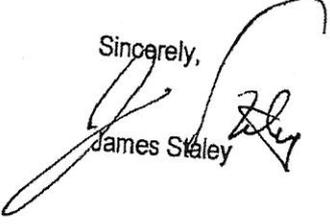
5 BOWEN COURT
CARMEL, NEW YORK 10512
WEBSITE: WWW.STALEYCO.COM

April 14, 2015.

To whom it may concern,

James A. Staley, a majority owner of both James A. Staley Company Inc. and Lost Pine Realty Inc., hereby give permission for the James A. Staley Company to authorize any and all permits on the behalf of Lost Pine Realty Inc.

Sincerely,


James Staley

TELEPHONE: 845-878-3344 • FAX: 845-878-3429 • E-MAIL: sales@staleyco.com



April 9, 2015

To: Planning Board

From: Bruce Barber
Town of Kent Environmental Consultant

Re: **Staley Company-Amended Site Plan**
5 Bowen Court
Section 33.73 Lot 1

I have reviewed the following pertinent documents relative to the above referenced project:

- Letter executed by John Watson, P.E. of Insite Engineering dated 03/19/15, 2 pages.
- Town of Kent Planning Board Combined Application executed by James Staley, dated 03/17/15.
- Short-form EAF executed by John Watson, P.E. of Insite Engineering dated 03/19/15.
- Plan entitled; "James A. Staley Co. Facility Addition" prepared by Insite Engineering dated 03/19/15, 2 sheets..

Summary:

The application is to construct an expansion (4,800 SF) to an existing manufacturing facility. Review of the EAF (Page 2, Question 13a) indicates that a portion of the site may contain wetlands or other waterbodies. The applicant has indicated that there shall not be any encroachment.

Comments:

A site inspection will be conducted at earliest opportunity to determine if there are any Town of Kent jurisdictional wetland and/or wetland buffer that will be impacted by the proposed action.

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

Sincerely,

Bruce Barber, PWS, Certified Ecologist
Town of Kent Environmental Consultant

1770 CENTRAL STREET YORKTOWN HEIGHTS, NY 10598
Telephone: 914.299.5293

LRC PLANNING SERVICES, LLC

LAND USE/REAL ESTATE/ENVIRONMENTAL CONSULTING

**8 MOREHOUSE ROAD
POUGHKEEPSIE, NEW YORK 12603-4010
TELE: 845-452-3822
FAX: 845-452-3346**

MEMORANDUM

TO: Town of Kent Planning Board
From: Neil A. Wilson, AICP
Date: April 9, 2015
Re: Staley Company Site Plan

With reference to the above matter, we have reviewed the site plan application submitted by the applicant's consulting engineer by letter dated March 19, 2015 and offer the following for the Board's consideration:

SEQRA

1. A short form EAF has been provided. We have no further comments on the EAF.
2. Due to the location of the site along a well-traveled state highway, the architectural appearance, colors, and materials of the proposed buildings are critical elements to be considered for SEQRA purposes.
3. A cross section analysis of the proposed improvements in relation to nearby residential structures and to motorists on I84 should be prepared to allow the Planning Board to analyze the potential visual impact of the structures on residents, and to develop appropriate mitigation.
4. Based on the information provided the proposed development appears to be an Unlisted Action under the SEQRA regulations.
5. Because the new construction would occur in an area already developed as an asphalt parking area we recommend that the Board undertake the SEQRA review as an uncoordinated review.

Site Plan Review

1. The applicant should identify the size of the largest potential vehicle that will access the site, and a template showing the movement of the largest potential vehicle into and out of the site should be provided.
2. A landscape plan should be provided including identification of proposed specie type and planted size. Emphasis should be placed on providing sufficient screening for the residences on Bowen Road and I84.

3. Site plan approval also includes consideration of the appearance of the building including colors, materials and massing. Future submittals should include elevations depicting the visible sides of the new building including proposed materials and colors. The applicant will also need to provide a materials board depicting the color and type of materials proposed for the exterior of all proposed structures. All roof mounted equipment, including communication satellite dishes, should be shown on the site plan and the architectural elevations.
4. Provide a detail of the dumpster enclosure.
5. The location of any freestanding sign should be shown. A detail depicting the height and dimensions of all proposed signage should be included on the plan.
6. The location of freestanding and wall mounted lighting should be shown, and cut sheets of proposed lighting fixtures provided on a detail sheet. Compliance with §77-44.3(E) of the Town Code is required and an illumination plan showing lighting across the site and at the property lines should be provided.
7. The complete dimension of the handicap spaces, including the stripped access lane between the spaces should be noted on the plan.
8. The following notes should be added to the site plan:
 - a. *All new utilities shall be placed underground.*
 - b. *The exterior storage of materials and equipment is prohibited unless depicted on the approved site plan.*
 - c. *The on-site repair, washing, and maintenance of vehicles, equipment, and machinery are prohibited.*
9. We defer to Bruce Barber with respect to wetland, stream, and steep slope impact issues.
10. We defer to Julie Mangarillo with respect to site engineering, sewer, water supply, and storm water management issues.

Recommendation

1. The Board should consider the applicant's waiver request. Given that the new construction would occur in an area already developed as an asphalt parking area the requested topography and tree survey waiver seems reasonable.
2. Because the project site is adjacent to a state highway the application must be referred to the Putnam County Planning Department pursuant to GML 239-m.
3. A copy of the proposed plan should be sent to the Fire Marshall for review and comment.
4. It is recommended that the Board consider setting a public hearing for the May meeting.

*Town of Kent Planning Board
Staley Company Site Plan
April 9, 2015
Page 3*

LRC Planning Services, LLC



Memorandum

To: Planning Board
Town of Kent

Attn: Michael McDermott
Chairman

From: Julie S. Mangarillo, P.E., CPESC

Subject: Amended Site Plan Review

Date: April 9, 2015

Project: Staley Company
TM # 12.-1-69

The following material was reviewed:

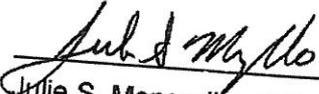
- Transmittal letter from Insite Engineering, Surveying & Landscape Architecture, P.C., dated 3/19/2015
- Combined Application Form with affidavits
- Short Environmental Assessment Form (EAF), signed 3/19/2015
- Notice of Intent (NOI), signed 3/19/2015
- MS4 SWPPP Acceptance Form
- Drawings, prepared by Insite Engineering, dated 3/19/2015 including:
 - SP-1, Amended Site Plan
 - D-1, Site Details & Notes

This project is seeking amended site plan approval and erosion control permit for addition of warehouse space.

The following is offered for consideration by the Planning Board:

1. Include the requirement per Town Code §66-6.K(1) "Within 10 days after installation of all erosion control plan measures, the applicant shall submit to the Building Inspector a letter from the qualified professional who designed the plan for the applicant/landowner stating that all erosion control measures have been constructed and installed in compliance with the approved plan(s)."
2. "Erosion & Sediment Control Notes" on drawing D-1, #4 and 7 should be revised to reflect the requirement for soil stabilization measures to be "...initiated by the end of the next business day..." in accordance with new NYSDEC General Permit GP-0-15-002, Part I.B.1.b 'Soil Stabilization'.
3. Provide a copy of the deed in accordance with the Combined Application Form, # 14.
4. Putnam County Image Mate Online indicates the property is owned by "Lost Pine Realty Inc." Provide legal documentation to show James Staley can authorize the application on behalf of "Lost Pine Realty Inc."
5. Provide information regarding the existing septic system. Will the increase in warehouse space create demand for additional water usage? Will additional employees be working at the warehouse?
6. Provide an estimate for the erosion control bond.

Memorandum
Staley Company
TM # 12.-1-69
April 9, 2015
Page 2 of 2


Julie S. Mangarillo, P.E., CPESC

cc: Planning Board via email
Neil Wilson via email
John Watson, PE, Insite Engineering, via email

Bill Walters via email
Bruce Barber via email
15-261-221



Memorandum

To: Planning Board
Town of Kent

Attn: Michael McDermott
Chairman

From: Julie S. Mangarillo, P.E., CPESC

Subject: Amended Site Plan Review

Date: April 9, 2015

Project: Staley Company
TM # 12.-1-69

The following material was reviewed:

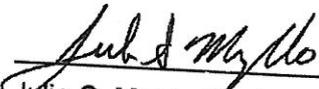
- Transmittal letter from Insite Engineering, Surveying & Landscape Architecture, P.C., dated 3/19/2015
- Combined Application Form with affidavits
- Short Environmental Assessment Form (EAF), signed 3/19/2015
- Notice of Intent (NOI), signed 3/19/2015
- MS4 SWPPP Acceptance Form
- Drawings, prepared by Insite Engineering, dated 3/19/2015 including:
 - SP-1, Amended Site Plan
 - D-1, Site Details & Notes

This project is seeking amended site plan approval and erosion control permit for addition of warehouse space.

The following is offered for consideration by the Planning Board:

1. Include the requirement per Town Code §66-6.K(1) "Within 10 days after installation of all erosion control plan measures, the applicant shall submit to the Building Inspector a letter from the qualified professional who designed the plan for the applicant/landowner stating that all erosion control measures have been constructed and installed in compliance with the approved plan(s)."
2. "Erosion & Sediment Control Notes" on drawing D-1, #4 and 7 should be revised to reflect the requirement for soil stabilization measures to be "...initiated by the end of the next business day..." in accordance with new NYSDEC General Permit GP-0-15-002, Part I.B.1.b 'Soil Stabilization'.
3. Provide a copy of the deed in accordance with the Combined Application Form, # 14.
4. Putnam County Image Mate Online indicates the property is owned by "Lost Pine Realty Inc." Provide legal documentation to show James Staley can authorize the application on behalf of "Lost Pine Realty Inc."
5. Provide information regarding the existing septic system. Will the increase in warehouse space create demand for additional water usage? Will additional employees be working at the warehouse?
6. Provide an estimate for the erosion control bond.

Memorandum
Staley Company
TM # 12.-1-69
April 9, 2015
Page 2 of 2


Julie S. Mangarillo, P.E., CPESC

cc: Planning Board via email
Neil Wilson via email
John Watson, PE, Insite Engineering, via email

Bill Walters via email
Bruce Barber via email
15-261-221



Memorandum

To: Planning Board
Town of Kent

Attn: Russ Fleming
Chairman

From: Julie S. Mangarillo, P.E., CPESC

Subject: Erosion Control Plan
June 2012 Planning Board Agenda

Date: June 14, 2012

Project: Kelly Property
TM #32.-1-62

The following materials were reviewed:

- Email from John Kelly, dated 6/12/2012
- Drawing Sheets - New Residence for John Kelly, prepared by Luigi Demasi Architecture, sheet 2 of 5 "Layout, Grading & Utility Plan" and sheet 5 of 5, "Details and Profile" revised May 30, 2012, received via email

The subject Erosion and Sediment Control Plan is not approved.

A comment memo, dated May 29, 2012, was issued with comments regarding the Stormwater Pollution Prevention Plan (SWPPP), adherence to Chapter 66 for Steep Slopes and Erosion Control, and general drawing set comments.

The following new comments are provided regarding the proposed driveway:

The Applicant has provided a copy of the Town of Kent Department of Highways Application for Permit to Do Work on and within a Town Road Area, signed July 5, 2011.

- a. Based on this office's records, the permit was issued prior to the project coming before the Planning Board for the Steep Slope and Erosion Control Permit.
- b. The permit was issued prior to the adoption of Chapter 57, Roads and Driveways. Therefore, the current Chapter 57 does not apply.

The parcel was subdivided after adoption of the 1978 Subdivision Code, §A81. The Applicant is requesting a waiver from the Planning Board for the maximum driveway slope of 10% to be increased to 14%. A waiver is required under the former driveway section of the subdivision code §A81-18.D.

Former §A81-18.D(1)(b): For lots legally in existence as of the date of adoption of this subsection, 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 10%, and shall not exceed 3% within 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 30 feet from said intersection. The Planning Board may grant a waiver for a driveway slope of up to 15% 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.

A meeting was held on May 25, 2012 with the John Kelly, the Applicant, Julie Butler, the Building Inspector, William Walters, the Fire Inspector, Bruce Barber, Environmental Consultant and Julie Mangarillo, Planning Board Engineer to discuss the driveway layout as proposed on the drawings, revised April 24, 2012.

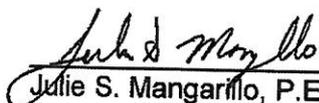
1. General comments provided during the meeting regarding the driveway layout included:
 - a. The driveway profile shows 14% slope within 5 feet of the exterior of the house. Provide a larger area at the exterior of the house at 3% slope.
 - b. Passing Turnouts – Provide a flatter slope at the passing turnout. The current driveway code requires one (1) passing turnout for a driveway of this length. One (1) flatter, wider passing turnout is preferable to two (2) passing turnouts that are steeper and more narrow.
 - c. Within the drawing set, provide the Town of Kent Planning Board Standards for Private and Common Driveways, included in the Application Forms packet.
2. We recommend the highway permit be updated/revised at the Highway Superintendent's discretion because the permit was issued to the Applicant/Property Owner's former design professional.

A revised driveway layout and profile, revised May 30, 2012 has been provided by the Applicant and submitted to the Fire Inspector for review and comment. Additionally, the proposed home will have sprinklers and the entire driveway will be paved.

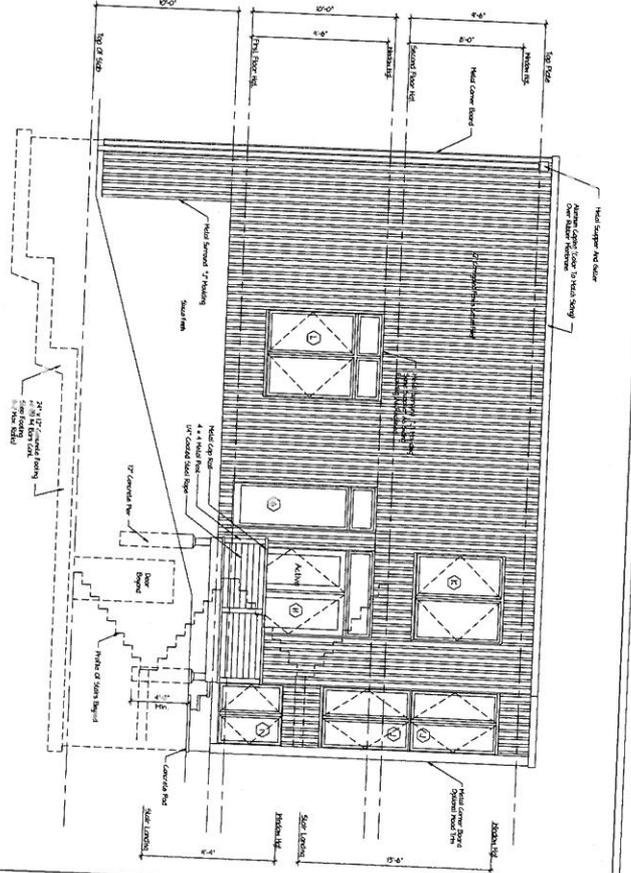
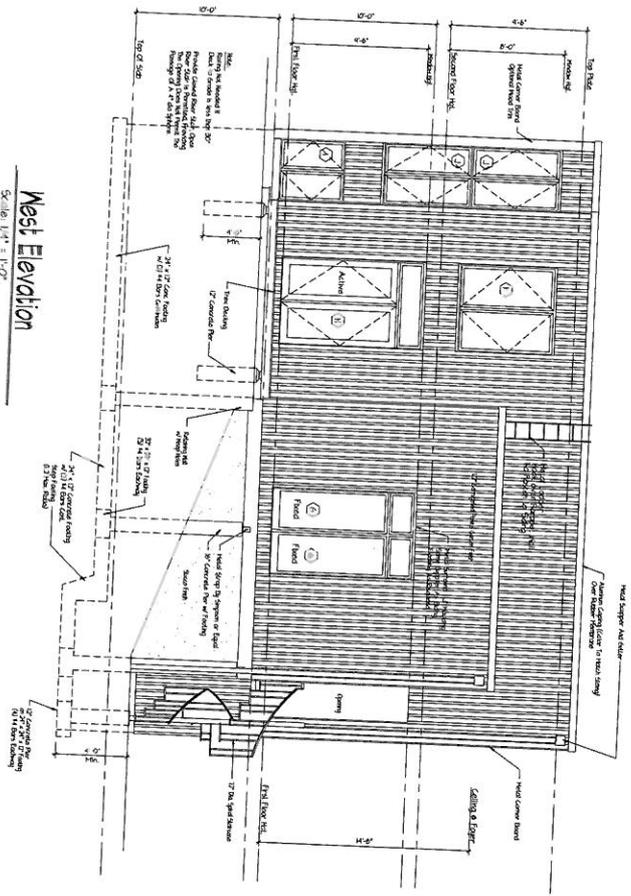
We recommend that the Planning Board waive the driveway requirements from §A81 and defer the driveway design to the Fire Inspector for review and comment under the current Fire Code and Residential Code of New York State.

Additionally, as included in the May 29, 2012 comment memo regarding the Steep Slope and Erosion Control Permit:

Per §66-6.F we recommend waiving the Public Hearing. The project is minor in nature as it is for a single-family home.


Julie S. Mangarillo, P.E., CPESC

cc: Planning Board Secretary via email
Julie Butler via email
Bruce Barber via email
Neil Wilson via email
10-261-999-125



West Elevation
Scale: 1/4" = 1'-0"

East Elevation
Scale: 1/4" = 1'-0"

Window Schedule - Pella Designer Series - Double Glaze

Unit	Manufacturer	Qty	Model No.	Type	Finish	Color	Material	Unit Price	Height	Width	Area	Notes
A	Pella - Designer Series	3	464-1/2	60"	60"	White	Wood	45.30	40 1/2"	24 1/2"	984	
B	Pella - Designer Series	8	303	60"	60"	White	Wood	45.30	40 1/2"	24 1/2"	984	
C	Pella - Designer Series	8	303	60"	60"	White	Wood	45.30	40 1/2"	24 1/2"	984	
D	Pella - Designer Series	8	303	60"	60"	White	Wood	45.30	40 1/2"	24 1/2"	984	
E	Pella - Designer Series	1	404	60"	60"	White	Wood	45.30	40 1/2"	24 1/2"	984	
F	Pella - Designer Series	1	404	60"	60"	White	Wood	45.30	40 1/2"	24 1/2"	984	
G	Pella - Designer Series	2	303	60"	60"	White	Wood	45.30	40 1/2"	24 1/2"	984	
H	Pella - Designer Series	2	303	60"	60"	White	Wood	45.30	40 1/2"	24 1/2"	984	
I	Pella - Designer Series	2	303	60"	60"	White	Wood	45.30	40 1/2"	24 1/2"	984	
J	Pella - Designer Series	2	303	60"	60"	White	Wood	45.30	40 1/2"	24 1/2"	984	
K	Pella - Designer Series	4	303	60"	60"	White	Wood	45.30	40 1/2"	24 1/2"	984	
L	Pella - Designer Series	1	404	60"	60"	White	Wood	45.30	40 1/2"	24 1/2"	984	
M	Pella - Designer Series	1	404	60"	60"	White	Wood	45.30	40 1/2"	24 1/2"	984	
N	Pella - Designer Series	1	404	60"	60"	White	Wood	45.30	40 1/2"	24 1/2"	984	
O	Pella - Designer Series	1	404	60"	60"	White	Wood	45.30	40 1/2"	24 1/2"	984	

Design Loads:

Required Live Loads:

First Floor Loads: Live Load 40 PSF
Second Floor Loads: Live Load 30 PSF
Roof Loads: Live Load 20 PSF
Wind Load: 30 PSF
Snow Load: 30 PSF
Seismic Loads: 30 PSF
Roof Load: 5 PSF
Standard Dead Load: 30 PSF

Provided Design Loads:

Live Load: 40 PSF
Dead Load: 20 PSF
Wind Load: 30 PSF
Snow Load: 30 PSF
Roof Load: 5 PSF
Standard Dead Load: 30 PSF

Residential Code of New York State (2010)

Code	Section	Section	Section	Section	Section
Chapter 1	Chapter 2	Chapter 3	Chapter 4	Chapter 5	Chapter 6
Chapter 7	Chapter 8	Chapter 9	Chapter 10	Chapter 11	Chapter 12
Chapter 13	Chapter 14	Chapter 15	Chapter 16	Chapter 17	Chapter 18
Chapter 19	Chapter 20	Chapter 21	Chapter 22	Chapter 23	Chapter 24
Chapter 25	Chapter 26	Chapter 27	Chapter 28	Chapter 29	Chapter 30
Chapter 31	Chapter 32	Chapter 33	Chapter 34	Chapter 35	Chapter 36
Chapter 37	Chapter 38	Chapter 39	Chapter 40	Chapter 41	Chapter 42
Chapter 43	Chapter 44	Chapter 45	Chapter 46	Chapter 47	Chapter 48
Chapter 49	Chapter 50	Chapter 51	Chapter 52	Chapter 53	Chapter 54
Chapter 55	Chapter 56	Chapter 57	Chapter 58	Chapter 59	Chapter 60
Chapter 61	Chapter 62	Chapter 63	Chapter 64	Chapter 65	Chapter 66
Chapter 67	Chapter 68	Chapter 69	Chapter 70	Chapter 71	Chapter 72
Chapter 73	Chapter 74	Chapter 75	Chapter 76	Chapter 77	Chapter 78
Chapter 79	Chapter 80	Chapter 81	Chapter 82	Chapter 83	Chapter 84
Chapter 85	Chapter 86	Chapter 87	Chapter 88	Chapter 89	Chapter 90
Chapter 91	Chapter 92	Chapter 93	Chapter 94	Chapter 95	Chapter 96
Chapter 97	Chapter 98	Chapter 99	Chapter 100	Chapter 101	Chapter 102

- Window Note:**
- All Glazing to be Low E, Multi-Layer, Insulated Glass.
 - All Windows to be 1/2" or greater.
 - All Glazing to be 1/2" or greater.

New Residence For
Mr. John Kelly

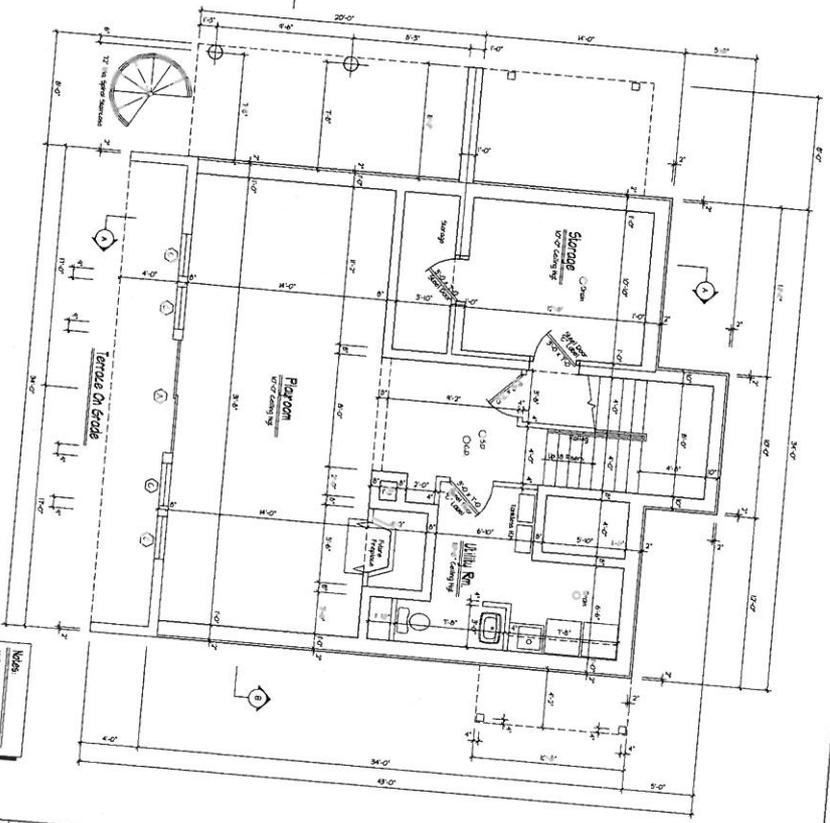
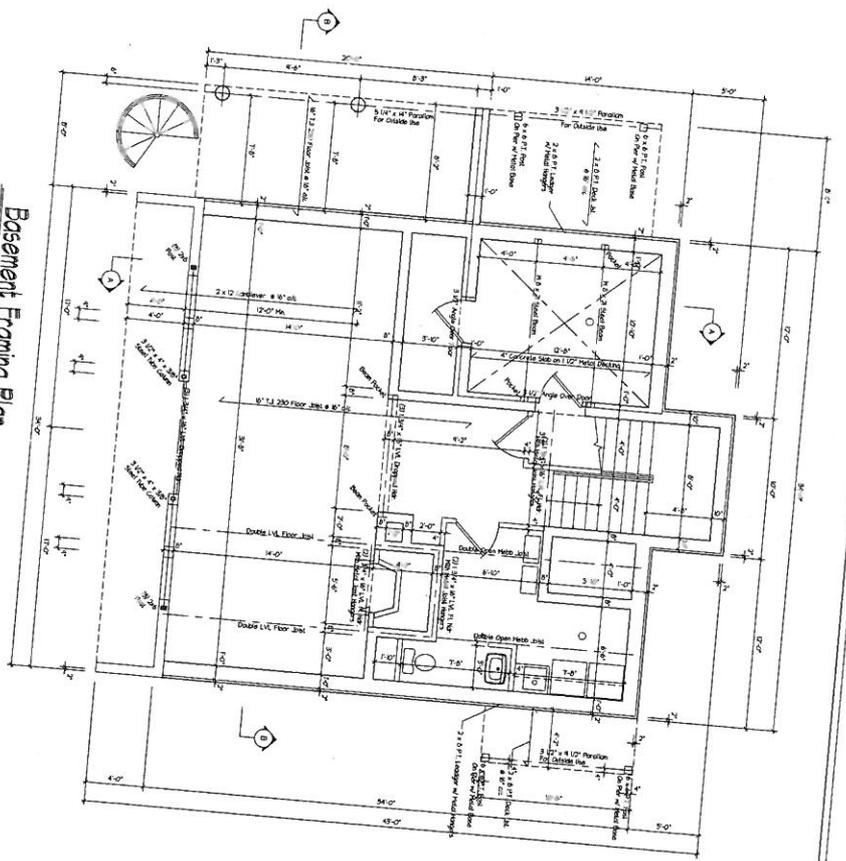
Lot #11 Deer Hill Subdivision Kent, NY

Date: February 15, 2011
Drawing No: 202-019
Drawing: 1 of 3

LUIGI DEMASI
Architecture

16 Oakbrook Hill, Ossining, New York 10562 (914) 325-9086

Do Not Scale Prints



Notes:

1. All framing members 1/2" x 1/2" x 2" unless otherwise noted.
2. All framing members 1/2" x 1/2" x 2" unless otherwise noted.
3. All framing members 1/2" x 1/2" x 2" unless otherwise noted.
4. All framing members 1/2" x 1/2" x 2" unless otherwise noted.

Legend:

- 1. 2" x 4" Stud
- 2. 2" x 6" Stud
- 3. 2" x 8" Stud
- 4. 2" x 10" Stud
- 5. 2" x 12" Stud
- 6. 4" x 4" Post
- 7. 4" x 6" Post
- 8. 4" x 8" Post
- 9. 4" x 10" Post
- 10. 4" x 12" Post
- 11. 6" x 6" Post
- 12. 6" x 8" Post
- 13. 6" x 10" Post
- 14. 6" x 12" Post
- 15. 8" x 8" Post
- 16. 8" x 10" Post
- 17. 8" x 12" Post
- 18. 10" x 10" Post
- 19. 10" x 12" Post
- 20. 12" x 12" Post
- 21. 12" x 14" Post
- 22. 12" x 16" Post
- 23. 12" x 18" Post
- 24. 12" x 20" Post
- 25. 12" x 24" Post
- 26. 14" x 14" Post
- 27. 14" x 16" Post
- 28. 14" x 18" Post
- 29. 14" x 20" Post
- 30. 14" x 24" Post
- 31. 16" x 16" Post
- 32. 16" x 18" Post
- 33. 16" x 20" Post
- 34. 16" x 24" Post
- 35. 18" x 18" Post
- 36. 18" x 20" Post
- 37. 18" x 24" Post
- 38. 20" x 20" Post
- 39. 20" x 24" Post
- 40. 24" x 24" Post

Material Schedule:

Item	Description	Quantity	Unit
1	2" x 4" Stud	1200	LF
2	2" x 6" Stud	800	LF
3	2" x 8" Stud	600	LF
4	2" x 10" Stud	400	LF
5	2" x 12" Stud	200	LF
6	4" x 4" Post	10	EA
7	4" x 6" Post	10	EA
8	4" x 8" Post	10	EA
9	4" x 10" Post	10	EA
10	4" x 12" Post	10	EA
11	6" x 6" Post	10	EA
12	6" x 8" Post	10	EA
13	6" x 10" Post	10	EA
14	6" x 12" Post	10	EA
15	8" x 8" Post	10	EA
16	8" x 10" Post	10	EA
17	8" x 12" Post	10	EA
18	10" x 10" Post	10	EA
19	10" x 12" Post	10	EA
20	12" x 12" Post	10	EA
21	12" x 14" Post	10	EA
22	12" x 16" Post	10	EA
23	12" x 18" Post	10	EA
24	12" x 20" Post	10	EA
25	12" x 24" Post	10	EA
26	14" x 14" Post	10	EA
27	14" x 16" Post	10	EA
28	14" x 18" Post	10	EA
29	14" x 20" Post	10	EA
30	14" x 24" Post	10	EA
31	16" x 16" Post	10	EA
32	16" x 18" Post	10	EA
33	16" x 20" Post	10	EA
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35	18" x 18" Post	10	EA
36	18" x 20" Post	10	EA
37	18" x 24" Post	10	EA
38	20" x 20" Post	10	EA
39	20" x 24" Post	10	EA
40	24" x 24" Post	10	EA

Notes:

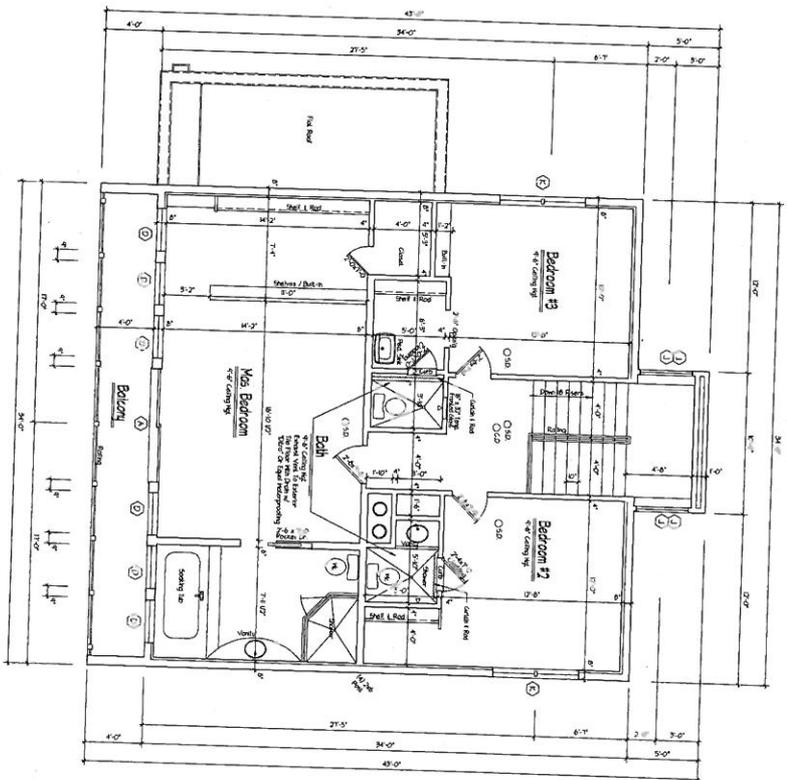
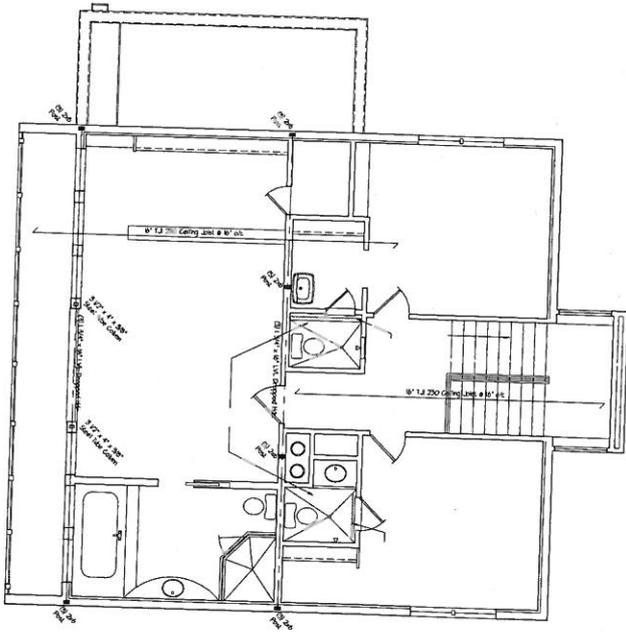
These plans are the property of the Architect. Any use or reproduction in whole or part without the written authorization of the Architect is prohibited. Any person or corporation using these plans without proper authorization shall be responsible in damages to the Architect.

These plans are not valid for obtaining permit unless properly signed and sealed by the Architect and are for the construction of the building only by the person whose name appears on the plans.

LUIGI DEMASI Architecture
16 Oakbrook Rd. Chesham, New York 12562 (914) 325-4688 Do Not Scale Print

Project Information:

Project: New Residence For Mr. John Kelly
 Lot #17 Deer Hill Subdivision, Kent, NY.
 Date: 10/15/2011
 Job No: 200-034
 Drawing: 4 OF 8

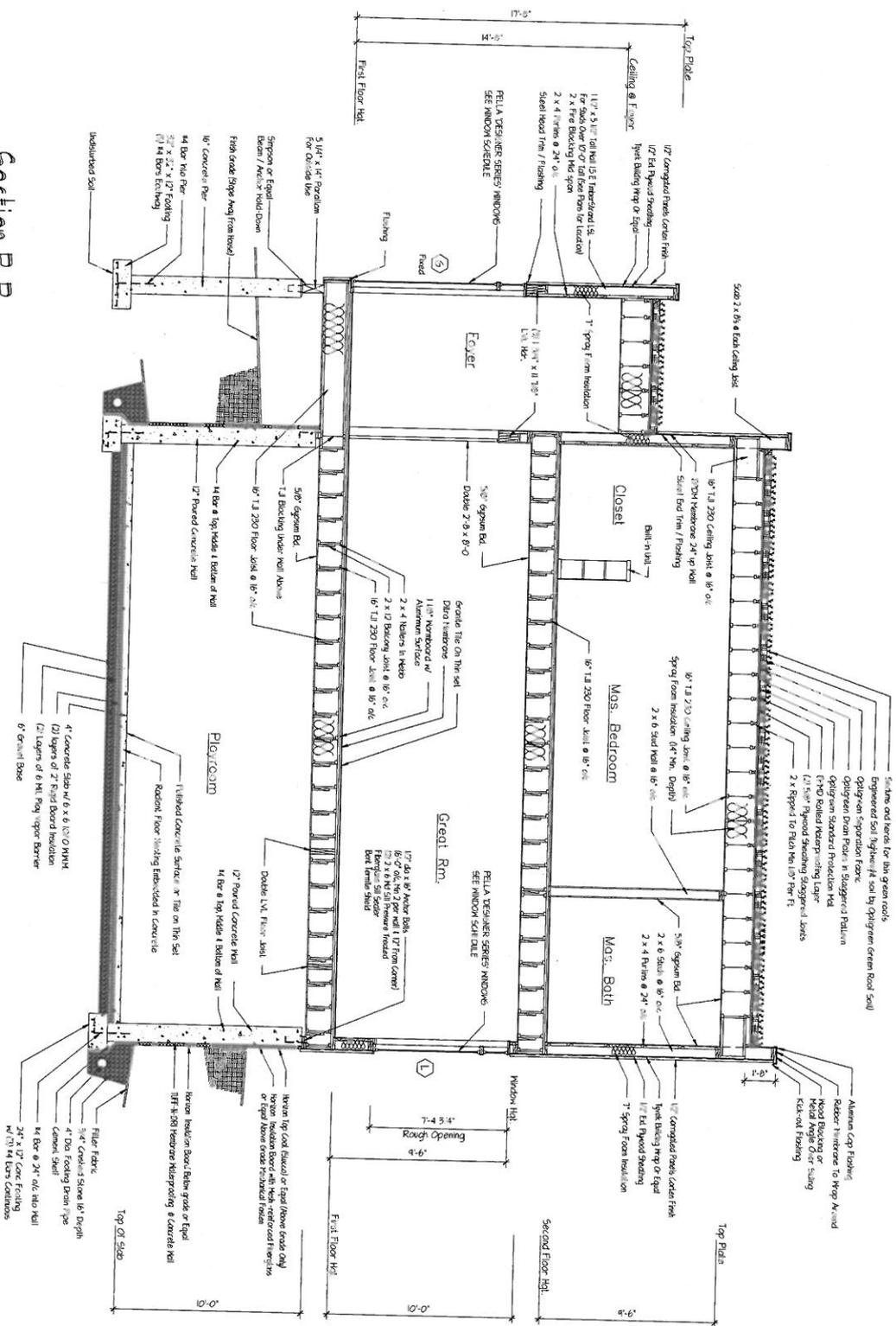


Notes	
1.	All framing members shall be 2x4 unless otherwise noted.
2.	Double top plates shall be provided for all exterior walls.
3.	Double top plates shall be provided for all interior walls.
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99.	Double top plates shall be provided for all interior walls.
100.	Double top plates shall be provided for all exterior walls.

Luigi Demasi Architecture 16 Oakbrook Rd., Goshen, New York 10922 (914) 265-8098	These plans are the property of the Architect. Any use or reproduction in whole or part without the written authorization of the Architect is prohibited. Any person or corporation using these plans without proper authorization shall be responsible to compensate the Architect.	These plans are not valid for a building permit unless they have been stamped and sealed by the Architect and are for the construction of one site only and are not to be used for any other purpose.	Date: February 27, 2011	Job No: 200-034	Drawing: 6 of 8
			L-1, 471 Deer Hill Subdivision, Kent, NY	New Residence For Mr. John Kelly	Division:

Section B-B

Scale: 3/8" = 1'-0"



These plans are not valid for a building permit unless they are stamped and signed by the architect and are accompanied by a certificate of insurance or a certificate of liability insurance. The architect and the contractor are responsible for the accuracy of the information on the plans.

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Revisions: _____

Date: February 25, 2011

Job No: 210-078

Drawn: _____

8 of 8

LUIGI DEMASI
Architecture

16 Childbrook Rd., Fishing, New York 10562 (914) 325-6086

Do Not Scale Prints



**Town of Kent
Fire Inspector Office
25 Sybil's Crossing
Kent Lake NY 10512**

Office (845) 306-5599

Fax (845) 225-5130

Email: fireinspector@townofkentny.gov

Date 10/18/12

RE: Deer Hill court – Kelly Driveway

Dear Planning Board Chairman and Board members,

After reviewing the current site plan which was revised (#2) 7/01/12, found all items that were discussed at the last meeting have been addressed.

I sent a letter to Chief Lewis from the Lake Carmel FD. The Fire Department submitted a letter on 7/2/12, reviewing the plans for the driveway on Deer hill Court for a proposed new 1 family 3 bedroom dwelling.

If you have any other question or concerns please contact me at any time.

Sincerely

William Walters
Town of Kent
Fire Inspector



**Town of Kent
Fire Inspector Office
25 Sybil's Crossing
Kent Lake NY 10512**

Office (845) 306-5599
Fax (845) 225-5130
Email: fireinspector@townofkentny.gov

Date 6/14/12

RE: Deer Hill court – Kelly Driveway

Dear Planning Board Chairman and Board members,

After reviewing the current site plan which was revised (#2) 5/30/12, found all items that were discussed at the meeting held at 5/25/12 appear to have been addressed.

I've sent a letter to Chief Lewis from the Lake Carmel FD. Asking him to review the plans for driveway off Deer hill Court for a proposed new 1 family 3 bedroom dwelling. When this sub division was setup in the late 1970's, 1980, the old Town of Kent code was 15% grade.

The driveway length is approx 800' ft. long. With a overall grade for this project is 14%. The required pull off area, grade has been reduced from 14 to 11%. The width of the required pull off, has also been increased to 32' ft. X 50'ft. length. This pull off is located in the middle of the driveway.

The circle at the bottom of the driveway needs to go from 32' ft. to at least 35'ft., and I would suggest the island be removed. The removal of the island would allow better turning radius without shrub or trees in the center island, to drive around. With the average length of a fire truck now 30' - 35' ft., doesn't leave much room for the driver to get around. In this case more is always better. One of the biggest factor in this project, is that the building will have a full wet sprinkler and alarm system.

If you have any other question or concerns please contact me at any time.

Sincerely

William Walters
Town of Kent
Fire Inspector

LRC PLANNING SERVICES, LLC

LAND USE/REAL ESTATE/ENVIRONMENTAL CONSULTING

8 MOREHOUSE ROAD
POUGHKEEPSIE, NEW YORK 12603-4010
TELE: 845-452-3822
FAX: 845-452-3346

MEMORANDUM

TO: Town of Kent Planning Board
From: Neil A. Wilson
Date: April 9, 2015
Re: Sunoco Gas Station & Convenience Store
Route 52, Ludingtonville
Amended Site Plan

With reference to the above matter, we have reviewed the latest set of plans and materials submitted by the owner by application dated March 17, 2015 and offer the following for the Board's consideration:

Summary

1. The application is for approval of an amendment to the original site plan approval granted on August 10, 2006 to allow the installation of a 10 x 20 prefabricated shed and an emergency diesel generator.

SEQRA

1. The requested modifications are a Type II Action under SEQRA and no additional environmental review is required.

Site Plan

1. The shed would be located near the existing dumpster enclosure and would be used to store equipment used on the site. The generator would be located at the rear of the store near the existing electrical panels. Both the shed and generator would be located so as to not impede vehicular or pedestrian travel on the site.
2. We defer to Bruce Barber with respect to wetland, stream, and steep slope impact issues.
3. We defer to Julie Mangarillo with respect to site engineering, sewer, water supply, and storm water management impact issues.

Recommendation

1. We recommend that the Board waive a public hearing on the site plan changes as *de minimus* and consider granting amended site plan approval.



April 9, 2015

To: Planning Board
From: Bruce Barber
Town of Kent Environmental Consultant
Re: **Sunoco Property**
1320 Route 52
Section 12 Block 1 Lot 43

I have reviewed the following pertinent documents relative to the above referenced project:

- Town of Kent Planning Board Combined Application executed by Laurie Pettengill, dated 03/02/15.
- Plans entitled; "Sunoco Inc., Generator Installation" prepared by Cornerstone Consulting dated 11/21/14, 1 total sheet.

Summary:

The application is to construct a 10' x 20' storage shed on an existing paved area. There shall not be any site disturbance associated with the action.

Comments:

The Town of Kent Town Code Chapter 39A-5(C) indicates a wetland permit is required when: "Erecting or enlarging any building or structure of any kind, roads, the driving of piles, digging of wells or placing of any other obstructions, whether or not they change the ebb and flow of the water".

Based on review of prior maps, the action appears to be located within wetland buffer and as a result a wetland permit is required.

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

Sincerely,

Bruce Barber, PWS, Certified Ecologist
Town of Kent Environmental Consultant
1770 CENTRAL STREET YORKTOWN HEIGHTS, NY 10598
Telephone: 914.299.5293

TOWN OF KENT PLANNING BOARD
SITE PLAN CHECKLIST

APPLICANT NAME: Sunoco Inc (R+M)

ADDRESS: 1320 Rt 52 - Carmel, NY
TM: 12-1-43

CONTACT TELEPHONE NUMBER: Laurie Pettengill 732-259-0409
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. N/A The dimensions of all property lines
2. ✓ Identify scale used
3. N/A Name of all adjacent roads and driveway location
4. N/A Sight distances if new curb cut is requested
5. N/A Easements for utilities including overhead
6. N/A All existing structures (including pools) shown and labeled as to their use and the distance from proposed structure and property lines
7. N/A Distance from the proposed structure to ALL property lines
8. N/A Completed bulk zoning table
9. N/A Location of any wetland, stream, lake or body of water within 100 feet of the property line.
10. N/A Location of septic system (including 100% expansion area)
11. N/A Location of well head
12. N/A Pre and post-construction topography (grading plan)
13. N/A Total limit of disturbance line
14. N/A Area(s) of disturbance where slopes are greater than 15%
15. N/A Total area of disturbance calculation (in square feet)
16. N/A Erosion and sediment control plan (if area of disturbance is greater than 5,000 square feet)
17. N/A Cost estimate (breakdown) to implement erosion and sediment control plan
18. N/A KNOX box system (if commercial property)

Check list completed by:

Laurie Pettengill
(Print or type name here)

[Signature]
(Signature)

Sr Construction Engineer
(Print or type Title here)

3/2/2015
(Date)

DO NOT WRITE BELOW THIS LINE (OFFICIAL USE)

Plans Date Stamped: _____ Reviewer: _____ Date: _____

Notes: _____

Town of Kent Planning Board
25 Sybil's Crossing
Tel: 845-225-7802

email: planning@townofkentny.gov
Kent, NY 10512
Fax: 845-306-5283

Memorandum

DATE: March 17, 2015
TO: Accounting
CC:
FROM: Vera Patterson
RE: Sunoco - Amended Site Plan
TM # 12.-1-43

Please find attached Bank of America Check 46, dated February 20, 2015, which is the fee for an amended Site Plan.

CLAYTON L MCCANE
SUNOCO INC PCARD
10 INDUSTRIAL HWY BLDG G
LESTER PA 19029

Commercial Convenience Check 46

Feb 20 2015 68-1/510
Date

Pay to the order of Town of Kent

One hundred fifty dollars and 00/100 \$ 150.00
Dollars

Bank of America Bank of America, N.A.
Richmond, VA

TM: 12.-1-43

For Em 0257 - Amended Site Plan

0044-7986

05600001710005120652161210046

Void after 60 days

Clayton McCane for
SUNOCO, INC. (RAM)

RECEIPT DATE Mar. 17, 2015 No. 462193

RECEIVED FROM Sunoco - Clayton McCane \$

One Hundred fifty and 00/100 DOLLARS

FOR RENT
 FOR Amended Site Plan - TM: 12.-1-43

ACCOUNT		<input type="radio"/> CASH	<u>46</u>
PAYMENT		<input checked="" type="radio"/> CHECK	FROM <u>V. Patterson</u> TO <u>Laurie Patterson</u>
BAL. DUE		<input type="radio"/> MONEY ORDER	
		<input type="radio"/> CREDIT CARD	BY

Town of Kent Planning Board

25 Sybil's Crossing

Kent Lakes, NY 10512

Phone: 845-225-7802 Fax: 845-306-5283

Email: planning@townofkentny.gov

APPROVAL REQUESTED FOR: (Check all that apply)

Pre-Application Review	<input type="checkbox"/>	Preliminary Subdivision	<input type="checkbox"/>
Final Subdivision	<input type="checkbox"/>	Revised Lot Line	<input type="checkbox"/>
Site Plan/Amended	<input checked="" type="checkbox"/>	Conditional Use Permit	<input type="checkbox"/>
Freshwater Wetland	<input type="checkbox"/>	Steep Slope & Erosion Ctrl	<input type="checkbox"/>

Name of Project: Sunoco Inc - Proposed storage shed

Description of Proposed Activity:

Install new 10' x 20' pre-fab storage shed on the existing paved area next to trash dumpster

Name of Applicant(s): Sunoco Inc (R+M)

Address: 242 Old New Brunswick Road - #115 - Piscataway NJ

Telephone: 732-259-0409

Name and Address of Record Owner(s): Sunoco Inc (R+M)

Tax Map Number of all parcels: Block 1 Lot 43

A) For All Applications:

- 1) Total acreage involved in application: 239,369 sq ft
2) Total contiguous acreage controlled by applicant/owner¹: 239,369 sq ft
3) Total number of existing structures: 3 total
4) Type of existing structures: 1 - Convenience store and 2 coops
5) Total square footage of all new construction: 200 sq ft
6) Estimated value of new construction or addition: \$ 6500
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: storage shed

- 8) Zoning District: C
9) Does applicant intend to request any information waivers? (See checklist)
No Yes . If yes, please list all waivers (attach separate pages if necessary):

wetland location, location of septic system, dimension of all property lines, name of adjacent road/driveways,

- 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 previously granted? Are any applications for area of use variance approval pending before the Town Zoning Board of Appeals?
No Yes . If yes, please list in detail (attach separate pages if necessary):

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.

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, deeds, covenants, or declarations affecting the property.

Name and Address of Professional Engineer: N/A

Telephone: _____

Name and Address of Licensed Land Surveyor: N/A

Telephone: _____

Name and Address of Attorney: N/A

Telephone: _____

Name and Address of Wetland Consultant: N/A

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 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: N/A

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: [Signature]

Print Name: Louise R. Hargill

Date: 4/30/15

Sumoco Inc. (R.M.)

Town of Kent - Planning Board Application Amendment for Freshwater Wetland Permit

Sunoco Inc (R&M)

1320 Route 52

Section 12 Block 1 Lot 43

Project Description – Install new 10' x 20' pre-fab storage shed on the existing pavement adjacent to the dumpster enclosure. This work will be performed w/out any site disturbance.

Statement of Compliance with 39A-8 – The proposed shed will have no negative impact to the environment since there is no site disturbance. As a result we are requesting that permit be granted.

Telephone: _____

B) For Subdivision and Revised Lot Line Applications: N/A

- 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: N/A

- 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 Permit² Applications: N/A

- 1) A map of the site, prepared using a recent boundary and topographic survey of the property showing conditions on the site as of the date of application, shall be submitted.
- 2) Does the project involve any of the following:
 - a) Any disturbance involving 5,000 square feet or more of land disturbance? 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 _____
 - c) Any disturbance within 100 feet of a wetland or watercourse as defined in Chapter 39A, "Freshwater Wetlands", of the Town of Kent. Yes _____ No _____
 - d) Excavating or filling which exceeds a total of 100 cubic yards of material within any parcel or any contiguous parcels. Yes _____ No _____
- 3) What is the date of the boundary and topographic survey used as the base map for the application?

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: L Pettigill

Date: 3/2/2015

Laurie Pettigill

2. Required for most site plan, subdivision, and special permit applications where land disturbance would meet or exceed 5,000 square feet.

DISCLOSURE OF BUSINESS INTEREST

State of Pennsylvania }

} ss:

County of Delaware }

Anthony M. Williams 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.)

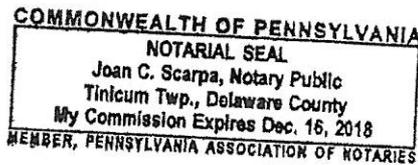
2. That the interest of said municipal officer(s) or employee(s) is: (Detail the nature and extent of the interest. Attach additional pages as necessary.)

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.

Anthony M. Williams
Director, Real Estate East

Agent/Owner

[Signature]
Agent/Owner
Notary Public



AFFIDAVIT TO BE COMPLETED BY OWNER

State of Pennsylvania }

} ss:

County of Delaware }

Anthony M. Williams

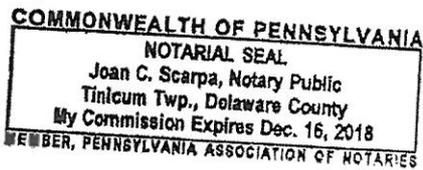
being duly sworn, deposes and says:

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.

Anthony M. Williams
Director, Real Estate East

Applicant/Owner Applicant/Owner

Joan C. Scarpa
Notary Public



AFFIDAVIT TO BE COMPLETED BY OWNER

State of Pennsylvania

County of Delaware

}
} ss
}

Anthony M. Williams

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 / Revised Lot Line / 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 ANTHONY WILLIAMS 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.

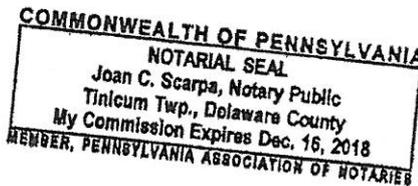
6. That I/we understand that the Town of Kent Planning Board intends to rely on the foregoing representations in making a determination to issue the requested applications and approvals and that under penalty of perjury I/we declare that I/we have examined this affidavit and that it is true and correct.

Anthony M. Williams
Director, Real Estate East

Applicant/Owner

Applicant/Owner

Notary Public



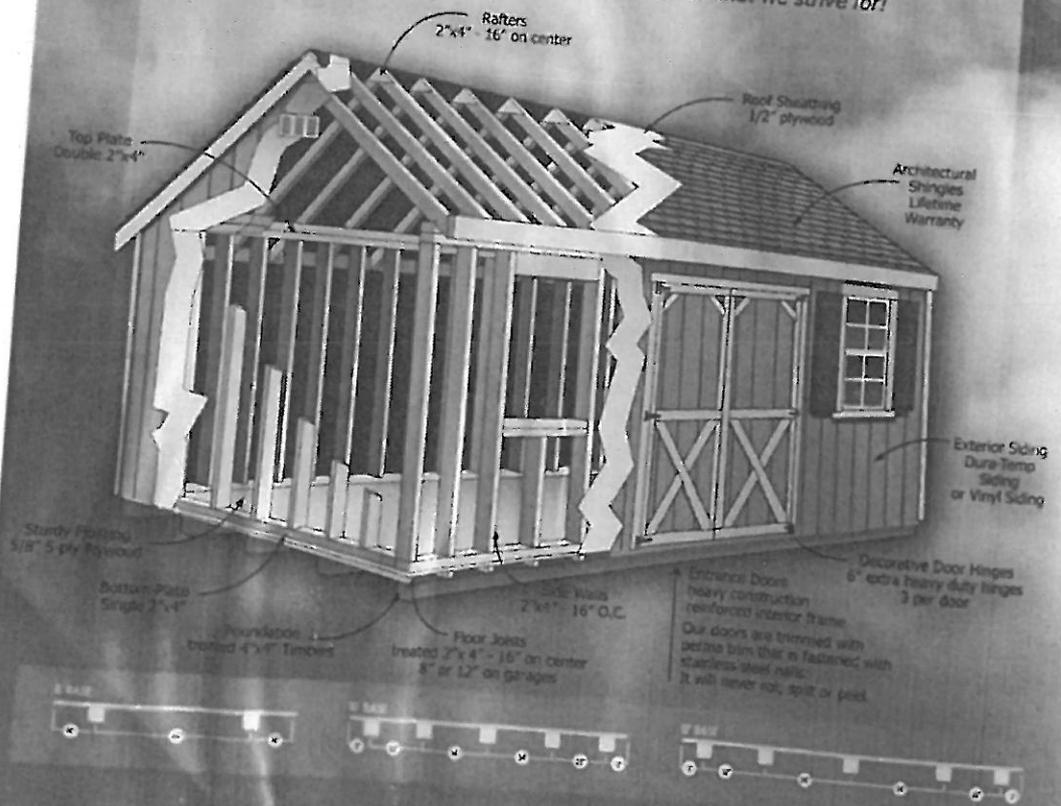
Quality Construction

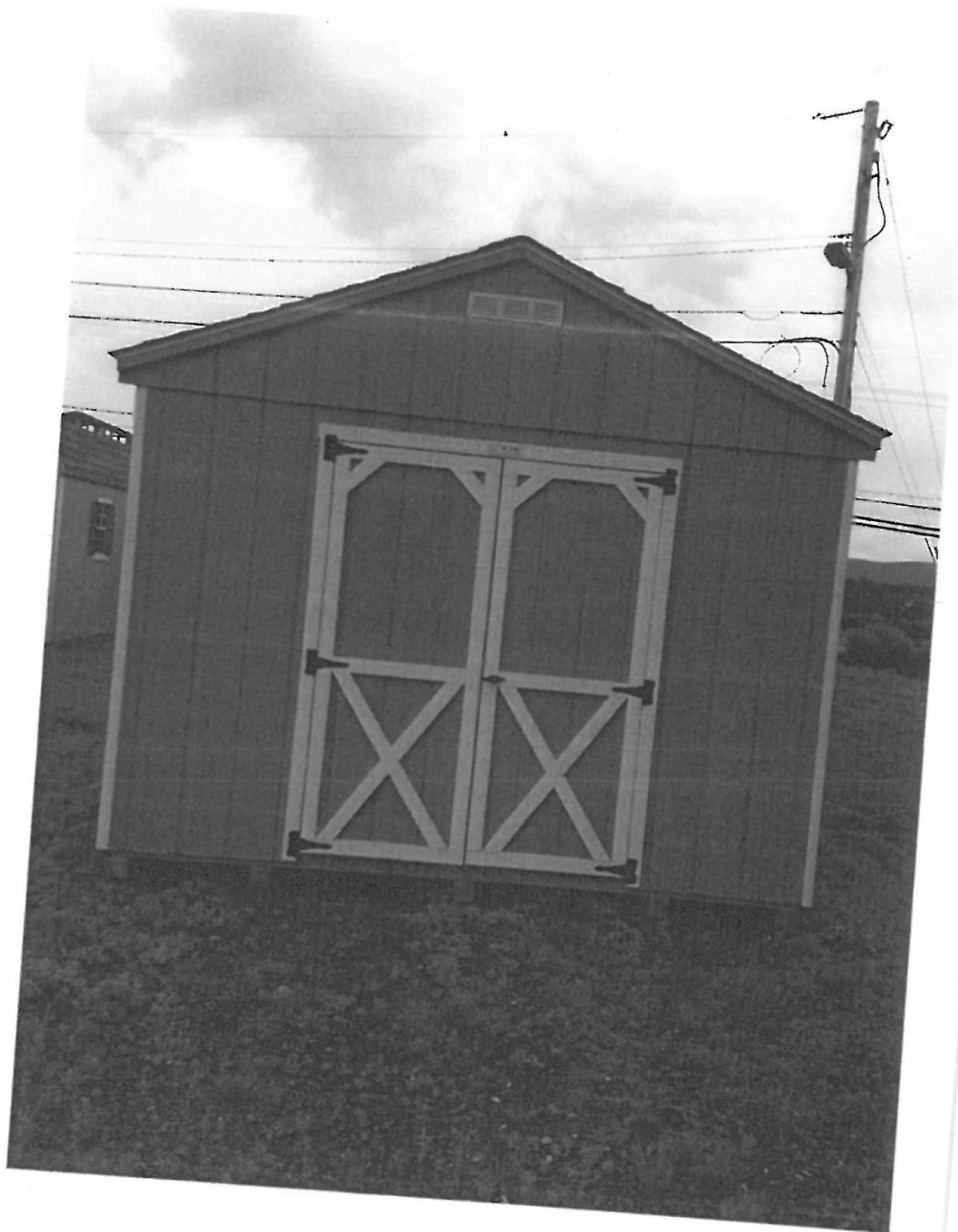
Welcome,

Do you need more space? Or are you tired of seeing all the grass your lawn mower drags into your garage? Maybe you need space for that additional car or motorcycle? Or maybe you are just looking for a cute playhouse for your children or grandchildren? We have a solution for all of your outbuilding needs.

It all starts with a good floor. We use all treated under frame and then top it off with a lifetime warranty shingle on all buildings! As you browse through our catalog, you will be sure to find something to fit your needs and enhance the value of your property. If your driveway is too small, or your property does not allow us to get a constructed shed installed, we can build your shed right on site. We look forward to meeting with you again and thank you for choosing our buildings.

- Customer Satisfaction is what we strive for!







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

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

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

Memorandum

To: Planning Board
Town of Kent

From: Julie S. Mangarillo, P.E., CPESC

Date: March 18, 2015

Attn: Michael McDermott
Chairman

Subject: Bond Review

Project: Patterson Crossing
TM # 22.-2-48

The following material was reviewed:

- Transmittal letter from Insite Engineering, Surveying & Landscape Architecture, P.C., dated 1/22/2015
- Phase 1 Erosion Control Bond Estimate, prepared by Insite Engineering, dated 1/22/2015
- Phase 1 Stormwater Bond Estimate, prepared by Insite Engineering, dated 1/22/2015
- Drawings, prepared by Insite Engineering, revised 8/21/2014

This project received conditional site plan approval October 9, 2014 from the Planning Board. The project sponsors are working to complete the conditions of approval to obtain Planning Board Chairman's signature on the plans.

At the February 12, 2015 Planning Board meeting, the Planning Board approved the erosion control and stormwater bond estimates subject to the review by the Planning Board's Consulting Engineer.

The following is offered for consideration by the Planning Board:

1. It is our understanding that the applicant is requesting phased bonds. This means the bond amount for one of the phases is provided at the time of Chairman's signature and that bond amount rolls over from one phase to the next.
For previous phased bonds for other projects, the Town has requested bond estimates for all phases. Typically the largest bond amount for each of the phases of the erosion control bond and the stormwater bond is chosen. This eliminates the added complication of requiring additional bond money as the project moves from phase to phase.
2. The erosion control and stormwater bond estimates provided are for Phase 1 only. Provide erosion control and stormwater bond estimates for all phases that take place within the Town of Kent.
3. The erosion control bond should include all temporary measures that are used during construction and are scheduled to be removed at the end of construction. The stormwater bond should include all long-term stormwater management facilities that will remain in operation for the life of the project. The Phase 1 stormwater bond estimate provided includes temporary measures that should be included in the erosion control bond estimate.

Memorandum
Patterson Crossing
TM # 22.-2-48
March 18, 2015
Page 2 of 2

4. In the erosion control bond estimate, include topsoil stockpiles and the temporary riprap velocity dissipater. Riprap at flared end sections should also be included in the bond estimate, either in the erosion control bond estimate if they are temporary during construction only, or in the stormwater bond estimate if they will be permanent.


Julie S. Mangarillo, P.E., CPESC

cc: Planning Board via email
Neil Wilson via email
Jeffrey Contelmo, PE, Insite Engineering, via email

Bill Walters via email
Bruce Barber via email
04-261-118