

Approved: May 16, 2016

**Minutes**  
**Town of Kent Planning Board Meeting**  
**April 14, 2016**  
**FINAL**

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

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

Michael McDermott, Chair	Dennis Lowes, Vice Chair
Janis Bolbrock	Charles Sisto
George Brunner	Philip Tolmach
Gary Lam	

**Others in Attendance:**

Bruce Barber, Environmental Consultant	Julie Mangarillo, Engineering Consultant
Bill Walters, Kent Building Inspector	

**Absent:**

Neil Wilson, Planner

- Mr. McDermott opened the meeting by asking that anyone wishing to be heard at the Public Hearing for Putnam Stone come forward and put their names on the sign-up sheet. When the Hearing is opened Mr. McDermott will ask the people to come forward one at a time.
- **Approve Planning Board Minutes from March 10, 2016**

Mr. McDermott asked for a motion to approve the Planning Board minutes from the March meeting. Mr. Lowes said that there needed to be a correction made to the the third line of the last paragraph on page 2 "and" should be "that". The motion was made by Ms. Bolbrock and seconded by Mr. Tolmach to accept the minutes as amended. The roll call vote was as follows:

Michael McDermott, Chairman	<u>Aye</u>
Dennis Lowes, Vice Chairman	<u>Aye</u>
Janis Bolbrock	<u>Aye</u>
George Brunner	<u>Aye</u>
Gary Lam	<u>Aye</u>
Charles Sisto	<u>Aye</u>
Philip Tolmach	<u>Aye</u>

The motion carried.

• Putnam Stone, 301 Route 52, Kent, NY; TM: 44.6-1-7

This was a Public Hearing of an erosion control plan for Putnam Stone. Mr. Donald Flood, one of the owners of Putnam Stone, was present for the meeting.

Mr. McDermott asked for a motion to open the Public Hearing. The motion to open the Public Hearing was made by Mr. Brunner and seconded by Ms. Bolbrock. The roll call vote was as follows:

Michael McDermott, Chairman	<u>Aye</u>
Dennis Lowes, Vice Chairman	<u>Aye</u>
Janis Bolbrock	<u>Aye</u>
George Brunner	<u>Aye</u>
Gary Lam	<u>Aye</u>
Charles Sisto	<u>Aye</u>
Philip Tolmach	<u>Aye</u>

The motion carried.

Mr. McDermott asked the applicant, Mr. Donald Flood, one of the owners of Kent Investors and Kect Construction (spelled wrong on the Public Hearing notice) to come forward and explain what the proposed plans for this property was. Mr. Flood stated that the plans are to grind approximately 2,500 yards of organics to make mulch and crush rock which were left on the site by the previous owner. Most of the dirt fill has already been removed from the site. If permission is given to conduct these operations, most of the material will be removed. However, some of the rock may be used on the stormwater management plans.

Mr. Barber's Comments (memo attached)

Mr. Barber said that Mr. Flood is working to correct existing violations on the property and has expressed interest in exploring other interests with the property. Removal involves stumps and large logs as well as large stones and boulders at the rear of the property. A bin containing mixed material has been removed from the site in order to clean it up. He mentioned that some conditions could be imposed if the Planning Board decided to allow the applicant to move forward. Mr. Barber recommended that the legality of allowing the grinding of the organics and crushing of the stone be investigated and are permitted under the current Town Code.

Mr. Walters Comments

Mr. Walters, the Town of Kent Building Inspector, noted that this property had been problematic for many years. The violations which he had addresses began September 11, 2014 were:

- Construction debris storage being processed and transfer facility in a commercial district without an approved site plan;
- Altered site plan for stored material;
- Disturbances within 100' of wetlands and/or watercourses;
- Disturbance on steep slopes without a permit or an approved erosion plan from the Planning Board. There were extremely large piles of dirt approximately 30' high. Our code states that if 100 cubic yards or 5,000 square feet an erosion control plan was required.

Mr. Walters advised the Planning Board that, after the violations were issued to the previous owner, the DEC became involved and none of the violations were addressed.

On September 16, 2014 additional violations were issued for tenants in the front of the property for:

- Removal and relocation of storage containers without an approved site plan and has been corrected;
- Change of use on the property. The tenant was selling cars on the site, renting U-Haul trucks.
- The sign on the front was too large, but has since been modified.

Mr. Walters said that Mr. Flood met with him when he purchased the property in October of 2015 and has been working with him to correct the existing violations and has installed silt fences to reduce water issues.

Mr. McDermott asked if the ultimate remediation would be part of a new or amended site plan application and Mr. Walters said that he would recommend that.

Mr. McDermott asked Mr. Addonisio, of 42 Minello Drive, to speak at the meeting. Mr. Addonisio said he had lived on Minello Drive for 45 years. He said the material was brought on to the property and asked why it could not be removed. He mentioned that it was very noisy and that the odor of decomposing material was and had been very offensive for many years. He asked that the Planning Board consider the safety, health and quality of life of the neighbors.

Mr. John Veteri, of 46 Minello Drive, had lived there for 26 years and was the closest neighbor to Putnam Stone property asked to be heard. He asked about the length of the permit and what the guidelines would be. Mr. Veteri said that he had spoke to the new owners and said that he hoped things would improve, but the previous owner also had said he'd correct the violations and had not followed through. Mr. Veteri said that a river in the back of the property had been eliminated, the buffer zone was non-existent, the woods had been cleared and wetlands had been filled in. He asked for some type of assurance from the Planning Board that he and his neighbors would be satisfied with the results of this operation, otherwise they would seek legal action.

Mr. McDermott told the audience that he and the Planning Board agreed that the previous owner had not complied with what was allowed on the original site plan. They had not ignored this fact and had tried to enforce it but had not received support from the legal system. Mr. McDermott said that the Planning Board was unsure as to whether or not they had the authority to grant permission for a use not allowed on the site and needed time to get a legal opinion from counsel. If the Planning Board was allowed to grant permission, they would ask for specific time periods, days of the week and times of the day during which the activities would be conducted. The schedule would be publicized prior to granting the approval so the neighboring property owners could agree or disagree. Mr. McDermott noted that the applicant had met with the Planning Board on several occasions and felt that he was sincere and was working closely with them to clean up the property. Mr. Veteri asked if there would be two separate permits for the grinding of organics and rock crushing and whether it would be possible to remove the rock from the property. Mr. McDermott said that the Planning Board would still have to wait for the opinion of counsel before any permits were issued.

Mr. Flood said that it would be less expensive to grind the organics and crush the rock on site, but if he had to do so he would remove it. Mr. McDermott asked Mr. Flood how long it would take to grind the organics and Mr. Flood said it would take 3-4 weeks, 8-5:00 Monday through Friday. He said he would be happy to take the rock off the property. Mr. Veteri said that he thought that his neighbors and he would not have a problem if this was a one-time operation for 3-4 weeks. He said that if the operation were done on the commercial side of the property rather than the residential it would also not be a problem. Mr. McDermott asked Mr. Addonisio if he would have any objection to the applicants' proposal and he said he would not object to it. Mr. McDermott read a letter from Ms. Maureen Guido, a neighbor to the site, who could not attend the meeting with her concerns (attached).

Mr. Barber stated that it would be wise to adjourn the meeting in order to get legal counsel's advice and to get input from Neil Wilson regarding his Resolution pertaining to this property.

Mr. McDermott asked for a motion to adjourn the Public Hearing until May 12, 2016. The motion was made by Mr. Brunner and seconded by Mr. Tolmach. The roll call vote was as follows:

Michael McDermott, Chairman	<u>Aye</u>
Dennis Lowes, Vice Chairman	<u>Aye</u>
Janis Bolbrock	<u>Aye</u>
George Brunner	<u>Aye</u>
Gary Lam	<u>Aye</u>
Charles Sisto	<u>Aye</u>
Philip Tolmach	<u>Aye</u>

The motion carried.

• **NYSEG Substation, 1397 Peekskill Hollow Road, Kent, NY; TM: 31.-1-16**

Mr. Steve Bly represented NYSEG at the meeting. This was a site plan application for upgrades to NYSEG's substation on Pe3ekskill Hollow Road, nwhich was before the Planning Board in 2013 and has since expired. The plan involved a new control house, a 20' x 20' base structure and an expansion of the fence line to accommodate the upgrades.

Comments from Neil Wilson (memo attached)

Comments from Ms. Mangarillo (memo attached)

Ms. Mangarillo said that the drawings and project appeared to be the same as previously submitted and the bond had been submitted in 2013 and remained in effect. She recommended a Public Hearing be waived because one was held previously and nothing has changed.

Mr. Barber's Comments (memo attached)

Mr. Barber read the Resolution prepared by Mr. Wilson and said it was approved in 2013 and there have been no changes since that time, with the exception of some notes added to two sheets addressing some conditions of approval. Mr. Wilson asked that the Board consider approving the Resolution. Similar conditions to the last Resolution are included in this one.

Mr. McDermott asked for a motion to waive the Public Hearing for this project. Mr. Tolmach made the motion and it was seconded by Mr. Lowes. The roll call vote was as follows:

Michael McDermott, Chairman	<u>Aye</u>
Dennis Lowes, Vice Chairman	<u>Aye</u>
Janis Bolbrock	<u>Aye</u>
George Brunner	<u>Aye</u>
Gary Lam	<u>Aye</u>
Charles Sisto	<u>Aye</u>
Philip Tolmach	<u>Aye</u>

The motion carried.

Mr. McDermott asked for a motion to approve the Site Plan/Steep Slope Erosion Control application. The motion was made by Ms. Bolbrock and seconded by Mr. Tolmach. The roll call vote was as follows:

Michael McDermott, Chairman	<u>Aye</u>
Dennis Lowes, Vice Chairman	<u>Aye</u>
Janis Bolbrock	<u>Aye</u>
George Brunner	<u>Aye</u>
Gary Lam	<u>Aye</u>
Charles Sisto	<u>Aye</u>
Philip Tolmach	<u>Aye</u>

The motion carried.

- **Patrick O'Mara Property, Woodland Road, Nimham Circle, Kent, NY; TM: 20.20-1-3**

Ms. Mangarillo's Comments (Memo attached)

Ms. Mangarillo suggested that the Planning Board ask the Town Board to approve the Erosion Control Bond of \$6,765.00 posted by the applicant on March 28, 2016.

Mr. McDermott asked for a motion to forward the request to the Kent Town Board that they approve the bond for this application. The motion was made by Mr. Sisto and seconded by Mr. Lowes. The roll call vote was as follows:

Michael McDermott, Chairman	<u>Aye</u>
Dennis Lowes, Vice Chairman	<u>Aye</u>
Janis Bolbrock	<u>Aye</u>
George Brunner	<u>Aye</u>
Gary Lam	<u>Aye</u>
Charles Sisto	<u>Aye</u>
Philip Tolmach	<u>Aye</u>

The motion carried.

**Katherine's, 38 Chauncey Road, Kent, NY; TM: 33.48-1-18**

This application was for a "Change of Use" on the above mentioned property.

Ms. Katherine Doherty, the owner of the business, was at the meeting and stated that this will be a gift shop. She will be working with local artisans when stocking her store. The email address for this shop is:

katherinesretail@yahoo.com for anyone interested in selling their wares at her store. The opening date is July.

Mr. Wilson's Comments (attached)

Mr. Barber read Mr. Wilson's Resolution for the record. This is a Type II SEQRA action and no environmental review is required. Only part of the building will be used for retail, the remainder will be used by an electrical contractor. No expansion or changes to the exterior will be made or the site. Retail use is allowed in the commercial district. The only condition will be that any fees incurred during the application process will be required.

Mr. McDermott asked for a motion to grant the "Change of Use" approval. The motion was made by Mr. Brunner and seconded by Mr. Tolmach. The roll call vote was as follows:

Michael McDermott, Chairman	<u>Aye</u>
Dennis Lowes, Vice Chairman	<u>Aye</u>
Janis Bolbrock	<u>Aye</u>
George Brunner	<u>Aye</u>
Gary Lam	<u>Aye</u>
Charles Sisto	<u>Aye</u>
Philip Tolmach	<u>Aye</u>

The motion carried.

- **Staley Company, 5 Bowen Court, Kent, NY; TM: 12.-1-69**

This was a request for a time extension pertaining to approvals granted in May of 2015 for an addition to Staley Company's existing building. Mr. Chris Staley, one of the owners of the property, was present. The applicant had to find a new contractor to work on the addition.

Ms. Mangarillo and Mr. Barber said there were no changes to the plans. Mr. Barber read Mr. Wilson's memo regarding two ninety (90) day extensions requested by the applicant. The permits expire May 14, 2016 and, by granting the two extensions, the new expiration date will be November 10, 2016. Mr. McDermott asked for a motion to grant the two ninety (90) day extensions. The motion was made by Mr. Tolmach and seconded by Mr. Lowes. The roll call vote was as follows:

Michael McDermott, Chairman	<u>Aye</u>
Dennis Lowes, Vice Chairman	<u>Aye</u>
Janis Bolbrock	<u>Aye</u>
George Brunner	<u>Aye</u>
Gary Lam	<u>Aye</u>
Charles Sisto	<u>Aye</u>
Philip Tolmach	<u>Aye</u>

The motion carried.

- **Putnam County Savings Bank, 256 Route 52, Kent, NY; TM: 44.-5-2-26**

This was a request for a release of an erosion control bond in the amount of \$2,450.00 submitted in 1999. Mr. McDermott asked for a motion to forward a request to the Kent Town Board to release this bond. The motion was made by Ms. Bolbrock and seconded by Mr. Sisto. The roll call vote was as follows:

Michael McDermott, Chairman	<u>Aye</u>
Dennis Lowes, Vice Chairman	<u>Aye</u>
Janis Bolbrock	<u>Aye</u>
George Brunner	<u>Aye</u>
Gary Lam	<u>Aye</u>
Charles Sisto	<u>Aye</u>
Philip Tolmach	<u>Aye</u>

The motion carried.

- **Wagner Millwork LLC/Timber Harvest, Long Mountain Road, Kent, NY; TM: 8.-1-2**

Mr. Jordan Heller, a forester employed by Wagner Millwork, LLC, represented the Anavil family who are the owners of this property. Mr. Heller stated that his company is asking for permission and is submitting an erosion control plan in order to conduct a timber harvest on the subject property. New plans, incorporating comments from the Planning Board's consultants, will be submitted for the next meeting.

Mr. Tolmach asked what percentage of trees would be removed from the property and what species they were. Mr. Heller said that the timber harvest will encompass 250 of 560 acres on this property. The trees to be removed would be tulip poplar, red and black oak and approximately 80% of the trees will be removed and they will regenerate. Mr. Lowes asked how long this property had been under tree management. Mr. Heller said that the owners have owned the property for 35 years and allowed a logger to work on the property, but were dissatisfied with his work and had not allowed the logger to continue. Mr. Lowes asked if the trees were being cut back to a basal area. Mr. Heller said that they were cutting back 20-30% of the basal area. Mr. Lowes asked if the owners would be able to take advantage of a forestry tax exemption. Mr. Heller said that the owners have no interest in doing this, but are thinking about selling the property. Mr. Lowes asked what type of machinery will be used to harvest the timber. Mr. Heller said that a Timberjack 450C, Timberjack 360 gravel skidder, a harvester with a bar saw and the contractor harvested timber predominantly by hand with a chain saw. The skidders would remove the trees from the property.

Ms. Mangarillo's Comments (memo attached)

Ms. Mangarillo advised the Planning Board that this property is outside of the DEC/DEP East of Hudson watershed and that there will be more than 5,000 square feet of land disturbed and less than one acre. A Town of Kent Erosion Control Permit will be required, but a DEC stormwater permit and Notice of Intent (NOI) will not be necessary. The items that Ms. Mangarillo recommended be waived were:

- Existing Topography at 2' contours: The contours will not be changed and Mr. Heller provided USGS maps with 20' contours, which Ms. Mangarillo said were sufficient for this project.
- Providing topography for the entire watershed: Since no changes will be made to the watershed it is not necessary to provide topography for the watershed.
- Soils and slope maps: Soil information was provided and the USGS maps submitted show the slopes and is sufficient.
- Depth to Bedrock and Watertable to be identified in the area of disturbance: This is not valuable information.

Ms. Mangarillo mentioned a series of required information, which she discussed with the applicant prior to the meeting, could be addressed in the forestry management plan with an additional description as to how the erosion control plan would be managed on the haul road, landing area and where the skid trails meet them to ensure nothing is tracked onto the road. A DEC letter, dated 11/16/15, stated that, in order to avoid impacts and the need for a tick permit, all tree removal of trees over 4" dbh should be done from October 31, 2016 through March 31, 2017 and plans modified during this period must be submitted to the DEC before work may proceed. The submitted forest management plan states they will respect that condition and Ms. Mangarillo asked if the applicant has resubmitted plans to the DEC and if they had responded. Ms. Mangarillo said the USGS base map was dated 1956 and she had requested an updated base map. She also requested that the Disclosure of Business Interest be amended. This property abuts Fahnestock State Park and borders the Dutchess County line, therefore Ms. Mangarillo suggested that the plans be submitted to Putnam and Dutchess County as well as the Town of East Fishkill. Ms. Bolbrock asked if an Erosion Control Bond would be required and Ms. Mangarillo said that a cost estimate needed to be submitted before the Erosion Control Bond could be drawn.

Mr. Barber's Comments (memo attached)

Mr. Barber said he visited the property on March 3, 2016 along with Mr. Heller and his manager to identify wetlands which may be in Kent's jurisdiction. The applicant does not intend to remove any trees within the Town of Kent's wetlands or wetland buffers, so a Wetland Permit for the Town of Kent is not required. There are no DEC wetlands; however, there is a trout spawning stream (a branch of Wiccopee Creek) that runs through the property. The applicant does not plan to cut any trees in the area of the trout spawning stream, so a NYS wetland permit is not required. Under the town of Kent's stormwater regulations the majority of the silver culture tract such as this was exempted with the exception of the landing areas and haul roads. As Ms. Mangarillo mentioned, since 5,000 square feet of soil is to be disturbed so a Steep Slope and Sediment and Erosion Control Permit is required. The DEC provided correspondence, which was attached to the forestry management plan, indicating that there are no archaeological resources on this site or project area. There was a report from the NYS Natural Heritage Program that stated that there is a potential threat, by state and federal requirements, that a species of the northern long-eared bat may be on the site and the DEC is allowing harvesting from October 31, 2016 and March 31, 2017, which is the hibernation period of the northern long-eared bats. Mr. Barber said that the property is within 500' of the Dutchess County line and the Town of East Fishkill, a section of the Delaware Aqueduct, Fahnestock State Park and the Appalachian Trail. He recommended that the plans be referred to these agencies. Mr. Barber noted that this forestry management plan is in excess of 10 acres and is an unlisted action under SEQRA and therefore a Short Form EAF would be required. When a response from the agencies is received the determination will be made as to whether or not East Fishkill, Dutchess and Putnam County Planning Departments need to be contacted. Mr. Barber said that the Planning Board may declare their intention to become Lead Agency on this project at the meeting pursuant to the receipt of the EAF and that the letter will be circulated when the EAF has been reviewed by the Planning Board as well as the revised drawing. Mr. McDermott asked for a motion to become Lead Agency on this application. The motion was made by Mr. Tolmach and seconded by Mr. Lowes. The roll call vote was as follows:

Michael McDermott, Chairman	<u>Aye</u>
Dennis Lowes, Vice Chairman	<u>Aye</u>
Janis Bolbrock	<u>Aye</u>
George Brunner	<u>Aye</u>
Gary Lam	<u>Aye</u>
Charles Sisto	<u>Aye</u>
Philip Tolmach	<u>Aye</u>

The motion carried.

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

- Solar Development Project Discussion  
Mooney Hill Road, Kent, NY  
TM: 12.-3-9

Representatives for the owners of the property attended the workshop and explained what they proposed to do.

- Kent Manor Discussion  
Nichols St., Kent, NY  
TM: 33.79.-1.-71

Representatives for the owners of the property attended the workshop and asked for information about the current status of the site.

- Frangel Realty  
P. O. Box 1200, 1875 Rte. 6, Carmel, NY  
TM: 33.48-1-6

Request for release of  
Erosion Control Bond

Discussion

Ms. Mangarillo said that the applicant had previously needed coverage under the DEC stormwater permit for construction activities which required them to submit a Notice of Intent, therefore a Notice of Termination would be required before the Planning Board could consider returning the erosion control bond and that she had sent a note to the applicant advising them of that. The bond may not be released until the NOT is provided to the Planning Board. The \$10,500.00 bond the applicant is requesting covered putting in sewer pipes to connect to the sewer and the removal of an existing sand filter. Ms. Mangarillo said that there was another Erosion Control bond which pertained to the beginning of construction of the wastewater treatment plant and its restoration, which was never posted and that site has been restored. There was some question as to whether or not the bond which was posted should be returned to the applicant or the Town of Kent should keep it. The Town of Kent Supervisor's office is having that matter investigated.

- Von Rosenvinge Property  
451 Pudding St., Kent, NY  
TM: 31.17-1-7

Erosion Control Plan  
for In-Ground Swimming Pool  
(will submit new material for May mtg.)

Status Report

A surveyor needs to confirm where the property line is on this project.

- Center for Physical Therapy  
264 Route 52, Kent, NY  
TM: 46.6-1-4

Site Plan

Review

Additional information is needed. Mr. Wilson requested a revised Short EAF form. Mr. Campillo was at the meeting and asked to be heard. There was some mis-communication and Mr. Campillo said that he had thought he had everything was in order. This matter was held over until the May meeting in order to verify that everything was submitted, especially with Mr. Wilson.

- Basharat/Mann Property  
105 Towners Road, Kent, NY  
TM: 11.-15-1-35

Sub Division Application

Status Report

New material was submitted, which will be reviewed at the May meeting.

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

Amended Site Plan  
Bond Pending

Review

The bond is still pending.

- Licari\_Limitone Property  
14 Lorne Court, Kent, NY  
TM: 22.-2-5

Erosion Control/  
SWPPP Plan

Status Report

The owners of this property had some excavation done without permits and were given a violation by the Town of Kent Building Inspector. Upon further investigation it was discovered that some contaminated soil had been delivered to the site. Additional testing on-site had been done and the results were that the levels registered between restricted and unrestricted. Mr. Barber discussed this matter with the DEC, who suggested that the laboratory results be sent to them, to determine whether or not remediation would be necessary. He would be sending the samples to the DEC within the week. He stated that occasionally a residential waiver would permit the applicant to not have to clean up the property.

- Unger Property  
89 Ressique Street, Carmel, NY  
TM: 11.-1-29 Request for release of  
Erosion Control Bond Status Report

Waiting for letter from Applicant asking to have the Erosion Control Bond released.

- Bene Property  
Tibet Drive, Kent, NY  
TM: 30.20-1-16 Erosion Control Status Report

Additional data is pending.

- Hilltop Estates (Kent Development Corp)  
Peckslip Road, Kent, NY  
TM: 12.-1-38 & 42 Subdivision/  
Erosion Control/Bond Pending Status Report

Nothing new has been submitted.

- Timber Harvest Project/NYSDEP  
Barrett Circle Paper Court, Kent, NY  
TM: 43.-2-1-7 & 81 Status Report

Nothing new has been submitted.

- Goldfine/Rynn Project  
Daffodil Lane, Kent, NY  
TM: 11.12-1-21 Erosion Control Plan/  
Status Report

The bond is pending. .

- Towners Road Mart (Sclafani Property)  
2 Towners Road, Carmel, NY  
TM: 33.64-1-6 Amended Site Plan/  
Change of Use Status Report

The matter of the sign is still to be resolved.

- Lema/Rte 52 Corp  
Route 52, Kent, NY  
TM: 33.18-1-6, 7, 8, 9 Site Plan/Wetland Permit Status Report

Nothing new has been submitted.

- Biben Property  
146 South Knapp Court, Kent Lakes, NY  
TM: 10.-1-1 Erosion Control/Site Plan/  
Wetland permit Status Report

Nothing new has been submitted.

- Schulhof-Kravits  
8 Cat Briar Road/Gipsy Trail, Kent, NY  
TM: 21.19-1-10 Erosion Control Status Report

Nothing new has been submitted.

Mr. McDermott welcomed Mr. Gary Lam to the Planning Board and asked for a motion to adjourn the meeting at 9:00 PM. The motion was made by Mr. Tolmach and seconded by Mr. Sisto. The roll call vote was as follows:

Michael McDermott, Chairman	<u>Aye</u>
Dennis Lowes, Vice Chairman	<u>Aye</u>
Janis Bolbrock	<u>Aye</u>
George Brunner	<u>Aye</u>
Gary Lam	<u>Aye</u>
Charles Sisto	<u>Aye</u>
Philip Tolmach	<u>Aye</u>

The motion carried.

Respectfully Submitted,



Vera Patterson  
Planning Board Secretary

cc: Planning Board Members  
Building Inspector  
Town Clerk

Workshop: April 7, 2016 (Thursday, 7:30 PM)

APRIL 2016

Meeting: April 14, 2016 (Thursday, 7:30 PM)

- Approve Planning Board Minutes from March 2016
- Putnam Stone  
301 Route 52, Kent, NY  
TM: 44.6-1-7  
Erosion Control/Public Hearing  
Review
- NYSEG Substation  
1397 Peekskill Hollow Road, Kent, NY  
TM: 31.-1-16  
Site Plan/Erosion Control Plan  
Review
- Patrick O'Mara Property  
Woodland Road/Nimham Circle  
TM: 20.20-1-3  
Erosion Control/Site Plan  
Erosion Control Bond Posted  
NOI Submitted  
Review
- Katherine's  
38 Chauncey Rd., Kent, NY  
TM: 33.48-1-18  
Change of Use  
Review
- Staley Company  
5 Bowen Ct., Kent, NY  
TM: 12.-1-69  
Request for Time Extension  
Review
- Putnam County Savings Bank  
256 Route 52, Kent, NY  
TM: 44.5-2-26  
Request for Release of  
Erosion Control Bond  
Review

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

- Wagner Millwork LLC/Timber Harvest  
Anavil Property, Long Mountain Rd, Kent, NY  
TM: 8.-1-2  
Erosion Control Plan  
Review
- Solar Development Project  
Mooney Hill Road, Kent, NY  
TM: 12.-3-9  
Discussion
- Kent Manor  
Nichols St., Kent, NY  
TM: 33.79.-1.-71  
Discussion
- Frangel Realty  
P. O. Box 1200, 1875 Rte. 6, Carmel, NY  
TM: 33.48-1-6  
Request for release of  
Erosion Control Bond  
Discussion
- Von Rosenvinge Property  
451 Pudding St., Kent, NY  
TM: 31.17-1-7  
Erosion Control Plan  
for In-Ground Swimming Pool  
(will submit new material for May mtg.)  
Review

(Continued)

<ul style="list-style-type: none"> <li>Center for Physical Therapy 264 Route 52, Kent, NY TM: 46.6-1-4</li> </ul>	Site Plan	Review
<ul style="list-style-type: none"> <li>Basharat/Mann Property 105 Towners Road, Kent, NY TM: 11.-15-1-35</li> </ul>	Sub Division Application	Status Report
<ul style="list-style-type: none"> <li>Patterson Crossing Route 311, Kent, NY TM: 22.-2-48</li> </ul>	Amended Site Plan Bond Pending	Review
<ul style="list-style-type: none"> <li>Licari_Limitone Property 14 Lorne Court, Kent, NY TM: 22.-2-5</li> </ul>	Erosion Control/SWPPP Plan	Status Report
<ul style="list-style-type: none"> <li>Unger Property 89 Ressique Street, Carmel, NY TM: 11.-1-29</li> </ul>	Request for release of Erosion Control Bond Waiting for letter from Applicant	Status Report
<ul style="list-style-type: none"> <li>Bene Property Tibet Drive, Kent, NY TM: 30.20-1-16</li> </ul>	Erosion Control	Status Report
<ul style="list-style-type: none"> <li>Hilltop Estates (Kent Development Corp) Peckslip Road, Kent, NY TM: 12.-1-38 &amp; 42</li> </ul>	Subdivision/Erosion Control Bond Bond Pending	Status Report
<ul style="list-style-type: none"> <li>Timber Harvest Project/NYSDEP Barrett Circle Paper Court, Kent, NY TM: 43.-2-1-7 &amp; 81</li> </ul>		Status Report
<ul style="list-style-type: none"> <li>Goldfine/Rynn Project Daffodil Lane, Kent, NY TM: 11.12-1-21</li> </ul>	Erosion Control Plan	Status Report
<ul style="list-style-type: none"> <li>Towners Road Mart (Sclafani Property) 2 Towners Road, Carmel, NY TM: 33.64-1-6</li> </ul>	Amended Site Plan/Change of Use	Status Report
<ul style="list-style-type: none"> <li>Lema/Rte 52 Corp Route 52, Kent, NY TM: 33.18-1-6, 7, 8, 9</li> </ul>	Site Plan/Wetland Permit	Status Report
<ul style="list-style-type: none"> <li>Biben Property 146 South Knapp Court, Kent Lakes, NY TM: 10.-1-1</li> </ul>	Erosion Control/Site Plan/ Wetland permit	Status Report
<ul style="list-style-type: none"> <li>Schulhof-Kravits 8 Cat Briar Road/Gipsy Trail, Kent, NY TM: 21.19-1-10</li> </ul>	Erosion Control	Status Report

**Town of Kent Planning Board**  
**Steep Slope and Erosion Control Permit Approval**  

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**Matter of Kent Construction Corp. (d/b/a Putnam Stone)**

**Whereas**, the Town of Kent Planning Board has received an application from Kent Construction Corp. d/b/a Putnam Stone for Steep Slope and Erosion Control Permit approval to allow the grinding, crushing and removal of organic, stone, and construction debris materials that were improperly stockpiled on the Putnam Stone site located at 301 Route 52, tax parcel 46.6-1-7; and

**Whereas**, the site is located in the Commercial District; and

**Whereas**, the Planning Board has determined that proposed project is a Type II Action under 6 NYCRR 617.5(c)(29); and

**Whereas**, the Planning Board has determined that a public hearing will not be required; and

**Whereas**, pursuant to §66-6(G) of the Town Code the Planning Board hereby finds that the proposed activity meets the standards for issuance of a Steep Slope and Erosion Control Permit, specifically:

1. The proposed activity is in accordance with the legislative findings listed in §66-2 of the Town Code; and
2. The proposed activity would involve the short-term grinding, crushing and removal of improperly stockpiled organic, stone, and construction debris materials; and
3. The proposed activity would not result in creep, sudden slope failure or additional erosion; and
4. The proposed activity would preserve and protect existing watercourses, floodplains and wetlands; and
5. The proposed activity would not adversely affect existing or proposed water supplies or sewage disposal systems; and
6. The proposed activity would stabilize any earth cut and fill slopes by vegetative or structural means; and

**Therefore Be It Resolved**, pursuant to Chapter 66-6 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.

**Be It Further Resolved**, that this Erosion Control Permit and Wetland Permit approvals are expressly conditioned on the completion and/or adherence to following:

- 1) *Address to the satisfaction of the Planning Board the comments of the Planning Board Professional Engineer as set forth in a memorandum dated March 7, 2016.*
- 2) *Address to the satisfaction of the Planning Board the comments of the Planning Board's Environmental Consultant as set forth in a memorandum dated March 10, 2016.*
- 3) *Prior to the obtaining Chairman's signature on the project plans the following additional approvals and permits shall be obtained and any conditions following, or otherwise stated in this resolution, shall be complied with:*
  - a) *Planning Board Engineer approval of the plans to implement the Steep Slope and Erosion Control Permit.*
  - b) *Any required approvals from the NYC Department of Environmental Protection.*
  - c) *Any required approvals from the New York State Department of Environmental Conservation.*
  - d) *Any required U.S. Army Corps of Engineers (ACOE) permit(s).*
- 4) *Prior to commencement of site work all required erosion control measures shall be implemented as shown on the approved plans. The erosion control may be changed or modified by order of the Planning Board Engineer or the Town Building Inspector based on field conditions.*
- 5) *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.*
- 6) *Payment to the Town of Kent the following fees:*
  - a) *Any unpaid or outstanding application fees.*
  - b) *Any review fees accrued by the Planning Board during the review of the application.*

- c) *Posting of a performance security in an amount established by the Planning Board based on the recommendation of the Planning Board's consulting Professional Engineer.*
  - d) *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.*
- 7) *This approval shall expire 12 months from the date of approval unless otherwise extended by the Planning Board upon the express written request of the applicant prior to the date of expiration.*

Motion: George Brunner

Second: Phil Tolmach

Michael McDermott, Chairman

Aye

Janis Bolbrock, Vice Chairwoman

Aye

Philip Tolmach

Aye

Charles Sisto

Aye

George Brunner

Aye

Dennis Lowes

Aye

Gary Lam

\_\_\_\_\_

Date: April 14, 2016

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

Vera Patterson, Clerk  
Town of Kent Planning Board



April 14, 2016

To: Planning Board

From: Bruce Barber  
Town of Kent Environmental Consultant

Re: **NYSEG Kent Cliffs Substation**  
1397 Peekskill Hollow Road  
Section 31 Block 1 Lot 16

Dear Chairman McDermott and Members of the Planning Board:

Please be advised that I have conducted a review of the following pertinent documents relative to the above referenced project:

- Transmittal letter executed by Stephen M. Bly, PLS of NYSEG dated 02/21/16, 3 pages.
- Combined Town of Kent Planning Board Application executed by Stephen M. Bly dated 01/27/16.
- Town of Kent Planning Board Site Plan Checklist executed by Gary Palumbo dated 01/27/16.
- Survey of Property prepared by Terry Bergendorff Collins dated 03/06/12, 1 sheet.
- Plans entitled; "Site Plan-Kent Cliffs Substation Control House" prepared by URS Energy and Construction, Inc. dated 01/04/16 (rev.), 2 sheets: DWG. No 1, DWG. No 3.
- Plan entitled; "Site Plan-Kent Cliffs Substation Control House" prepared by URS Energy and Construction, Inc. dated 11/27/12 (rev.), 1 sheet: DWG. No 2.
- Plan entitled; "Site Plan-Kent Cliffs Substation Control House" prepared by URS Energy and Construction, Inc. dated 08/16/12 (rev.), 1 sheet: DWG. No 4.
- Plan entitled; "Site Plan-Kent Cliffs Substation Control House" prepared by URS Energy and Construction, Inc. dated 10/25/12 (rev.), 1 sheets: DWG. No 5.

**Application Summary:**

This is an application to upgrade the existing Kent Cliffs Substation with a new 12' x 18' control house as well as a 20' x 20' bay structure. The existing fence will be relocated (expanded).

Town of Kent jurisdictional wetlands and wetland buffer encompass the entire site. The applicant proposes to fill 1,145 +/- square feet of wetlands with the remainder of the work to be located within wetland buffer.

The project approval originally granted by the Planning Board in 2013 has expired. The current site plan is unchanged.

**Comments:**

A site inspection was conducted on March 30, 2016. The wetland boundaries were found to be unchanged from the date of the prior approval and accurately depicted on the above referenced plans.

This office has the following recommendations to be included as plan notes as indicated in the prior review memo dated November 8, 2012:

1. Prior to the commencement of construction, the applicant shall contact the Town Planning Department to schedule a pre-construction meeting with the applicant, the Town Engineer and this office. At that time, the most beneficial location of the agreed plantings may be determined in the field (including Limits of Disturbance-Area 3 as indicated on Plan Sheet DWG. No. 1).
2. Upon completion of the plant installation, the applicant shall contact the Town Planning Department to schedule a site inspection so that this office may provide certification to the Planning Board that all plant materials have been installed in accordance with approvals.
3. The applicant shall guarantee survival of all planted materials for a three year period as measured from the date of the certification. Any plants which are found to be dead or diseased shall be replaced with like kind and size.

This office has no further comments on this application.

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

Sincerely,



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

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

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**NYSEG Kent Cliffs Substation**

**Whereas**, the Town of Kent Planning Board has received an application from New York State Electric & Gas (hereinafter "NYSEG") for Site Plan, Freshwater Wetland Permit, and Steep Slope and Erosion Control Permit approvals to allow the expansion of an existing substation with the construction of a 20' x 20' addition, an 18' x 12' control building, access gate, and storm water and landscape improvements involving tax parcel number 31.-1-16 located on Peekskill Hollow Road; and

**Whereas**, the site is located in the R-80 District that, among other things, allows public utility facilities subject to Planning Board approval; and

**Whereas**, the proposed project was originally approved by the Planning Board on September 6, 2012; and

**Whereas**, the project plans and specifications are essentially identical to the ones previously approved by the Planning Board with the exception of technical corrections and updates to address Planning Board and Planning Board consultant comments; and

**Whereas**, the NYSEG project is a Type II Action under 6 NYCRR 617.5(c)(4) for which no further environmental review is required; and

**Whereas**, because the project plans are essentially unchanged the Planning Board has determined that a public hearing is not required; and

**Whereas**, after review of the application and consideration of the criteria set forth in §77-60 and §77-61 of the Town Code for site plan approval, the Planning Board hereby finds:

- 1) The Planning Board is satisfied that the proposed site improvements are consistent with the amount of land available, and that the improvements would not impede or adversely affect the use and enjoyment of neighboring lands.
- 2) The layout of the proposed improvements would be consistent with existing and planned development of contiguous lands and nearby neighborhoods. The Board's review of the project plans indicates that proper provisions have been made for the capture and treatment of storm water runoff so that flooding of adjacent properties would be avoided.
- 3) The proposed activity is a permitted use in the R-80 District.
- 4) That the plans for the development of the site are consistent with, and meet the requirements of, §77-60 subparagraphs "F", and "I" through "T" thereof of the Town Code.

- 5) The proposed project would have no material adverse effect upon the desirability of adjacent and nearby property for development of other uses allowed within the district.
- 6) The proposed project is properly related to the uses, goals and policies for land development as expressed in the Town Master Plan.
- 7) Pedestrian and vehicular access, traffic circulation would not be adversely affected.
- 8) The 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.
- 9) The proposed improvements would conform to the requirements of the Town Zoning Law and all other applicable local laws.

**Whereas**, pursuant to §39A-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. There is no practicable alternative to the loss of the controlled area function.
5. The proposed disturbance would minimize the degradation to the Towns 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, 6 NYCRR 665.7(e) and (g).

**Whereas**, pursuant to §66-6(G) of the Town Code the Planning Board hereby finds that the proposed activity meets the standards for issuance of a Steep Slope and Erosion Control Permit, specifically:

1. The proposed activity is in accordance with the legislative findings listed in §66-2 of the Town Code; and
2. The proposed activity is in accordance with the principles and recommendations of the Town of Kent Master Plan; and
3. The proposed activity will not result in creep, sudden slope failure or additional erosion; and

4. The proposed activity will preserve and protect existing watercourses, floodplains and wetlands; and
5. The proposed activity will not adversely affect existing or proposed water supplies or sewage disposal systems; and
6. The proposed activity will stabilize all earth cut and fill slopes by vegetative or structural means; and

**Therefore Be It Resolved**, the Planning Board waives a public hearing on the application; and

**Be It Further Resolved**, pursuant to §77-60 and §77-61 of the Town Code the Planning Board grants Site Plan Approval for the NYSEG project as described herein; 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; and

**Be It Further Resolved**, pursuant to Chapter 66-6 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**, the approvals granted herein are expressly conditioned on development of the project in accordance with the plans and details as depicted on a site plan map set entitled "Kent Cliffs Substation Control House 1397 Peekskill Hollow Road" prepared by URS dated July 10, 2012 and bearing a latest revision date of January 4, 2016 consisting of the following drawings:

1. *DWG. 1, "Site Plan".*
2. *DWG. 1, "Site Plan".*
3. *DWG. 3, "Landscape Plan".*
4. *DWG. 4, "Landscape Details".*
5. *DWG. 5, "Steep Slope Area Plan".*

**Be It Further Resolved**, that this Site Plan Approval is expressly conditioned on the completion and/or adherence to the following:

- 1) *Address to the satisfaction of the Planning Board the comments of the Planning Board Professional Engineer as set forth in a memorandum dated April 13, 2016.*

- 2) *Address to the satisfaction of the Planning Board the comments of the Planning Board Environmental Consultant as set forth in a memorandum dated April 14, 2016.*
- 3) *Prior to the obtaining Chairman's signature on the project plans the following additional approvals and permits shall be obtained and any conditions following, or otherwise stated in this resolution, shall be complied with:*
  - a) *Planning Board Professional Engineer approval of the plans to implement the Steep Slope and Erosion Control Permit.*
  - b) *Planning Board Professional Engineer, Attorney, and Environmental Consultant approval of a storm water management facility inspection and maintenance easement and a storm water management facility inspection and maintenance agreement pursuant to Chapter 66 of the Town Code to ensure the performance of the Project obligations regarding that Chapter, and the steep slope and erosion control permit plan for the project, including the approval of a surety by the Town Board in an amount set by the Planning Board Engineer as set forth in §66-7 of the Town Code, and posting by the applicant of any bond or surety amounts established by the Planning Board Engineer.*
  - c) *Approval of the Town Highway Superintendent of the access plan for the site.*
  - d) *Any required approvals from the NYC Department of Environmental Protection.*
  - e) *Any required U.S. Army Corps of Engineers (ACOE) permit(s).*
- 4) *The site plan and all building improvements shall be developed in accordance with the plans and specifications reviewed by the Planning Board as prepared by URS as set forth herein.*
- 5) *Prior to commencement of site work all required erosion control measures shall be implemented as shown on the approved plans. The erosion control may be changed or modified by order of the Planning Board Engineer or the Town Building Inspector based on field conditions.*
- 6) *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.*
- 7) *At the completion of construction the applicant shall provide a certification prepared and sealed by a New York State Licensed Professional Engineer to the Town Building Inspector and the Planning Board that all site work has been carried out and completed in substantial compliance with the approved Site Plan for the project, and shall also provide to the Planning Board and the Town Building Inspector an "as built" survey of the completed development prepared and sealed by a New York State Licensed Land Surveyor.*

- 8) *Payment to the Town of Kent the following fees:*
- a) *Any unpaid or 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 Boards 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 has been completed. The proposed final drawings shall not be accepted by the Planning Board without submission of proof of completion.*
- 10) *This site plan approval shall expire 12 months from the date of approval unless otherwise extended by the Planning Board upon the express written request of the applicant prior to the date of expiration.*
- 11) *The applicant shall provide visual screening to the satisfaction of the Planning Board Environmental Consultant to address neighboring landowner concerns, the failure of which shall result in a return to the Planning Board for resolution of the final landscaping plan.*

Motion: Janis Bolbrock

Second: Phil Tolmach

Michael McDermott, Chairman Aye

Janis Bolbrock, Vice Chairwoman Aye

Philip Tolmach Aye

Charles Sisto Aye

Dennis Lowes Aye

George Brunner Aye

Gary Lam Aye

Date: April 14, 2016

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*

\_\_\_\_\_  
Vera Patterson, Clerk  
Town of Kent Planning Board

**Town of Kent Planning Board  
Change of Use Approval**

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**Matter of 38 Chauncey Road**

**Whereas**, the Town of Kent Planning Board has received an application from Katherine M. Doherty for Change of Use Approval to allow the conversion of an existing first floor office space to retail use on a site located at 38 Chauncey Road, tax parcels 33.48-1-18 and 33.48-1-19; and

**Whereas**, the proposed change of use qualifies the proposed activity as a Type II Action under 6 NYCRR 617.5 for which no further environmental review is required; and

**Whereas**, the continued use of the remainder of the building space and the site as a contractor business would remain unchanged; and

**Whereas**, after review of the application and consideration of the criteria set forth in §77-60 of the Town Zoning Law, the Planning Board hereby finds:

- 1) The project is the re-use of a previously approved office space as a retail shop with no expansion of the building footprint or changes to the exterior of the building or the site. The proposed use would be 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.
- 2) The retail use is an allowed use in the Commercial District.
- 3) The proposed use would be in harmony with the existing and planned development of contiguous lands and adjacent neighborhoods.
- 4) The proposed change of use would have no material adverse effect upon the desirability of adjacent and nearby property for development of other uses allowed within the district.
- 5) The proposed change of use would be properly related to the uses, goals and policies for land development as expressed in the Town Comprehensive Plan.
- 6) The proposed use would conform to the requirements of the Town Zoning Law and all other applicable local laws.

**Whereas**, the Planning Board has waived a public hearing on the application;

**Therefore Be It Resolved**, the Planning Board grants Change of Use Approval for conversion of the first floor office space to retail use for the premises located at 38 Chauncey Road;

**Be It Further Resolved**, that this Site Plan Approval is expressly conditioned on the completion and/or adherence to following:

- 1) The applicant shall pay all Planning Board costs and fees including professional review fees incurred during the review and approval of the application.

Motion: George Brunner

Second: Phil Tolmach

Michael McDermott, Chairman Aye

Janis Bolbrock, Vice Chairwoman Aye

George Brunner Aye

Phil Tolmach Aye

Charles Sisto Aye

Dennis Lowes Aye

Gary Lam Aye

Date: April 14, 2016

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  
Vera Patterson, Clerk  
Town of Kent Planning Board

**Town of Kent Planning Board  
Amended Site Plan Approval  
And  
Steep Slope & Erosion Control Approval**

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**Matter of Staley Company**

**Whereas**, the Town of Kent Planning Board (“Planning Board”) has received an application from **James A. Staley Company** for Amended Site Plan Approval to allow the installation of a  $\pm 4,800$  square foot utility building as an addition to an existing  $\pm 20,670$  square foot warehouse and manufacturing building on property located at 8 Bowen Court, tax parcel number 12-1-69; and

**Whereas**, the site of the proposed building addition would occur in an area already developed as an asphalt parking area; and

**Whereas**, the size of the proposed expansion qualifies the proposed activity as an Unlisted Action; and

**Whereas**, based on the information provided the Board determined that the project would be subject to an uncoordinated environmental review under SEQRA, and thereafter on May 14, 2015 issued a “Negative Declaration – Determination of No Significance”; and

**Whereas**, by memorandum dated April 14, 2015 the Putnam County Department of Planning has recommended approval of the site plan under GML 239-m; and

**Whereas**, on April 9, 2015 the Board granted information waivers as follows: 1) §77-60(F)(c) of the zoning law from showing topographic conditions within 50 feet of the property boundaries, and all structures within 200 feet of the property boundaries, and 2) §77-60(F)(e) the location of trees 8 inches dbh or greater on the site; and

**Whereas**, on May 14, 2015 the Board granted a waiver from §77-60(M) of the zoning law as to building elevations, materials and colors; and

**Whereas**, after review of the application and consideration of the criteria set forth in §77-60 of the Town Zoning Law, the Planning Board hereby finds:

- 1) The project is an application for Amended Site Plan Approval to allow the installation of a  $\pm 4,800$  square foot utility building as an addition to an existing  $\pm 20,670$  square foot warehouse and manufacturing building. The use is a permitted use within the IOC District. The Planning Board is satisfied that the proposed site improvements and the proposed use of the building addition would be 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.
- 2) Information provided by the applicant indicates that the overall appearance, size, and dimension of the site improvements would be appropriate to the site and that the building addition would be “tucked in” to the side of the existing manufacturing/warehouse structure so as to be largely unnoticeable from surrounding properties and public roads.
- 3) That the project design is consistent with, and meets the requirements of §77-60 subparagraphs “F”, “G”, and “I”-“T” of the zoning law.
- 4) The project design of the proposed expansion would be in harmony with the existing and planned development of contiguous lands and adjacent neighborhoods.
- 5) The project design would have no material adverse effect upon the desirability of adjacent and nearby property for development of other uses allowed within the district.

- 6) The project design is properly related to the uses, goals and policies for land development as expressed in the Town Comprehensive Plan.
- 7) The project design would have no effect on existing pedestrian and vehicular access, traffic circulation or layout of the site.
- 8) The project design is sited to take advantage of solar access insofar as practical, including the orientation of the proposed building 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.
- 9) The project design 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.
- 10) The project design conforms to the requirements of the Town Zoning Law and all other applicable laws.

**Whereas**, on May 14, 2015 the Planning Board convened a public hearing on the application and closed the Public Hearing on May 14, 2015; and

**Therefore Be It Resolved**, the Planning Board grants Amended Site Plan Approval for the Staley Company project as depicted on a Site Plan Map entitled "Amended Site Plan James A. Staley Co. Facility Addition" prepared by Insite Engineering, dated March 19, 2015 and bearing a latest revision date of April 16, 2015 consisting of Sheet SP-1 and Sheet D-1, subject to revision to respond to the conditions of approval as required herein; and

**Be It Further Resolved**, that this Site Plan Approval is expressly conditioned on the completion and/or adherence to the following:

- 1) *Respond to the comments of the Town Environmental Consultant dated May 14, 2015.*
- 2) *Respond to the comments of the Planning Board's Professional Engineer dated May 14, 2015.*
- 3) *The project shall be developed in accordance with the plans and specifications reviewed by the Planning Board as set forth above.*
- 4) *Obtain approval(s) as may be required from the following agencies:*
  - a) *Putnam County Department of Health*
  - b) *New York City Department of Environmental Protection.*
- 5) *The architectural appearance of the new building addition shall match the appearance of the existing building to which it will be attached as to color and materials so as to blend in with the existing structure.*

- 6) Prior to commencement of site work all required erosion control measures shall be implemented as shown on the approved 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.
- 7) At the completion of construction, and prior to issuance of a Certificate of Occupancy, the applicant shall provide a certification prepared and sealed by a New York State Licensed Professional Engineer to the Town Building Inspector and the Planning Board that all site work has been carried out and completed in substantial compliance with the approved Site Plan for the project, and shall also provide to the Planning Board and the Town Building Inspector an "as built" survey of the completed development.
- 8) This Site Plan Approval shall expire 12 months from the date of approval unless otherwise extended by the Planning Board upon the express written request of the applicant.
- 9) Payment of all Planning Board costs and fees including professional review fees incurred during the review and approval of the application.
- 10) It is the responsibility of the applicant/project sponsor to submit to the Town Planning Board proof that each of the conditions of this Approval have been completed, and the signature of the Planning Board Chairman shall be withheld pending receipt of a written memoranda from the Planning Board's Professional Engineer 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.

Motion: George Brunner

Second: Phil Tolmach

Michael McDermott, Chairman	<u>Aye</u>
Janis Bolbrock	<u>Aye</u>
George Brunner	<u>Aye</u>
Dennis Lowes	<u>Aye</u>
Phil Tolmach	<u>Aye</u>
Charles Sisto	<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 May 14, 2015.

Vera Patterson  
Vera Patterson, Clerk  
Town of Kent Planning Board



March 24, 2016

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

RE: PCSB / Kent Branch – Erosion Control Bond Release  
256 NYS Route 52  
Town of Kent, New York  
Tax Map No. 44.5-2-26

Dear Chairman McDermott and Members of the Board:

It has recently come to our attention that the Town of Kent is still holding an erosion control bond in the amount \$2,450.00 for the Putnam County Savings Bank Kent Branch for a project that has been completed from 1999.

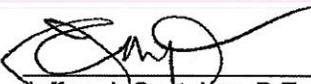
Please place the project on the agenda for the Board's April 14<sup>th</sup>, 2016 meeting to discuss a recommendation from the Board for the release of the bond.

Please feel free to contact our office with any questions or comments..

Very truly yours,

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

By:



Jeffrey J. Contorno, P.E.  
Senior Principal Engineer

JJC/dlm

Enclosure

cc: Robert Farrier (via email)

Insite File No. 15315.100



April 11, 2016

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

RE: PCSB / Kent Branch – Generator  
256 NYS Route 52  
Town of Kent, New York  
Tax Map No. 44.5-2-26

Dear Chairman McDermott and Members of the Board:

Enclosed please find six (6) copies of the following items submitted in support of an application for Amended Site Plan Approval for the above reference project:

- 2 sheet site plan set, last revised March 7, 2016;
- Copy of specification sheet for 1,000 kW Kohler generator, relative to sound rating.

In response to specific comments from the Board and its consultants at the December 10, 2015 meeting, we offer the following responses:

1. Additional bollards have been added at the request of the Board and the bollards have been sized and spaces based on the requirements of the NYS Fire Code.
2. A copy of the specification sheet noting the sound rating for the generator in decibals has been included in this submission.
3. The size of the propane tank will be 1,000 gallons. This has been labelled on the site plan.

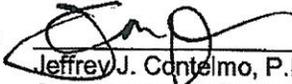
The site plan has been reconfigured to accommodate the approximately 17 feet long tank. Both the generator and the tank will be sited at the base of the existing slope behind the Bank, and spaced to meet the minimum required setbacks per the NYS Fire Code and to respect the property line setbacks. The refuse enclosure will be shifted to the west to make room for the tank and the bollards.

It is our understanding that there are no other outstanding items to meet the conditions of Amended Site Plan Approval. Should there be no other questions or comments, we respectfully request final sign off of Amended Site Plan Approval.

If 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.

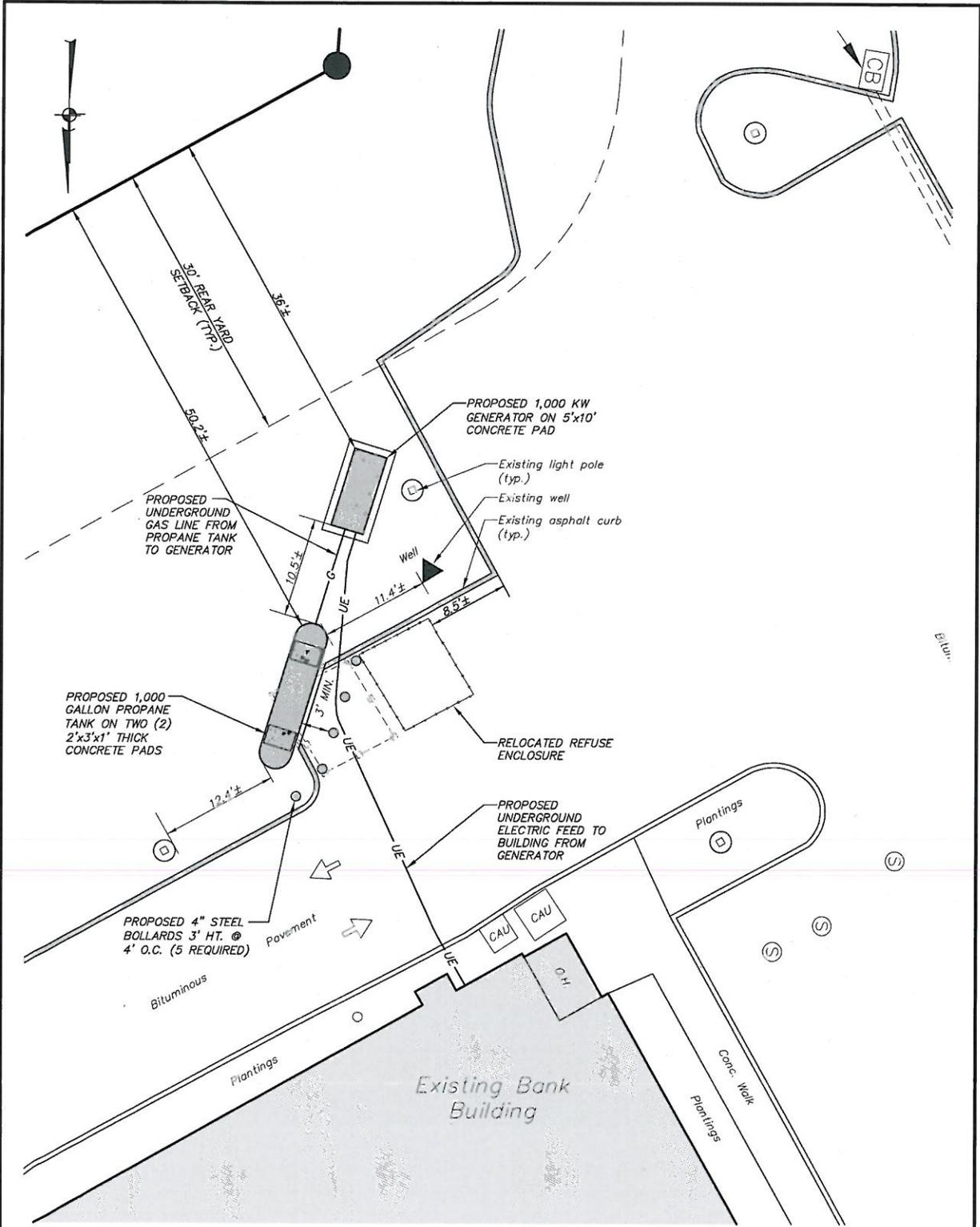
By:   
Jeffrey J. Contelmo, P.E.  
Senior Principal Engineer

JJC/dlm  
Enclosures  
cc: Robert Farrier, w/enclosures (via email).  
Insite File No. 15315.100

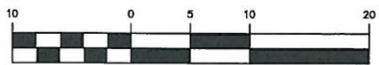
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3 Garrett Place, Carmel, New York 10512 (845) 225-9690 Fax (845) 225-9717  
[www.insite-eng.com](http://www.insite-eng.com)





GRAPHIC SCALE



( IN FEET )  
1 inch = 10 ft.

PROJECT: **PCSB / KENT BRANCH**  
256 ROUTE 52, TOWN OF KENT, PUTNAM COUNTY  
DRAWING: **GENERATOR AND PROPANE TANK PLAN**

PREPARED BY: **INSITE**  
ENGINEERING, SURVEYING & LANDSCAPE ARCHITECTURE, P.C.  
3 Garrett Place • Carmel, New York 10512  
Phone (845) 225-9690 • Fax (845) 225-9717  
www.insite-eng.com

REVISED: 3-7-16  
DATE: 11-19-15  
SCALE: 1"=10'  
PROJECT NO.: 15315.100  
FIGURE: S-1

MODEL SPECIFICATIONS	25REZG	30REZG	40REZG	45REZG	50REZG	60REZG	80REZG	100REZG	125REZG	150REZG
NG Standby Rating @ 480V (kW/kVA)	25/31	30/38	39/49	42/53	50/63	60/75	81/101	100/125	125/156	150/188
LP Standby Rating @ 480V (kW/kVA)	25/31	31/39	40/50	45/56	52/65	64/80	81/101	100/125	105/131	N/A
Motor Starting @ 35% V Dip (kVA)	121	194			270			515		620
Sound Level Full Load dBA @ 23 feet	74	74	69	69	68	69	70	71	71	74
Auto-Changeover Dual Fuel	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
NG FUEL CONSUMPTION (STANDBY)										
Full Load (cf/h)	366	430	584	584	744	790	1012	1184	1651	1930
75% Load (cf/h)	297	340	486	486	631	685	831	893	1372	1512
50% Load (cf/h)	194	255	360	360	483	520	667	745	984	1112
25% Load (cf/h)	115	179	272	272	333	350	437	466	650	707
LP FUEL CONSUMPTION (STANDBY)										
Full Load (cf/h)	-156	175	242	246	295	330	425	511	582	N/A
75% Load (cf/h)	127	144	191	202	230	250	345	403	469	
50% Load (cf/h)	83	108	141	147	178	190	261	306	354	
25% Load (cf/h)	50	74	101	104	129	135	177	195	226	

MODEL SPECIFICATIONS	180REZX	200REZX	250REZX	300REZX	350REZX	400REZX
NG Standby Rating @ 480V (kW/kVA)	180/225	200/250	260/325	300/375	355/444	400/500
LP Standby Rating @ 480V (kW/kVA)	180/163	130/163	170/213	210/263	240/300	260/325
NG Prime Rating @ 480V (kW/kVA)	164/205	175/219	235/294	270/338	300/375	360/450
Motor Starting @ 35% V Dip (kVA)	790	990		1350	1550	
Sound Level Full Load dBA @ 23 feet	71	71	70	70	70	71
Auto-Changeover Dual Fuel	✓	✓	✓	✓	✓	✓
NG FUEL CONSUMPTION (STANDBY)						
Full Load (cf/h)	1928	2115	2782	3462	3984	4231
75% Load (cf/h)	1501	1649	2168	2665	3053	3298
50% Load (cf/h)	1067	1158	1521	1875	2109	2317
25% Load (cf/h)	636	706	928	1152	1253	1413
LP FUEL CONSUMPTION (STANDBY)						
Full Load (cf/h)	703	703	926	1196	1289	1409
75% Load (cf/h)	600	600	789	861	979	1201
50% Load (cf/h)	406	406	532	640	701	809
25% Load (cf/h)	254	254	335	427	446	512
NG FUEL CONSUMPTION (PRIME)						
Full Load (cf/h)	1776	1893	2536	3161	3635	3856
75% Load (cf/h)	1388	1473	1974	2435	2784	3005
50% Load (cf/h)	992	1049	1402	1736	1949	2137
25% Load (cf/h)	579	622	876	1091	1182	1331

For more information on KOHLER GAS GENERATORS, call 800-544-2444 or visit [KohlerPower.com/Industrial](http://KohlerPower.com/Industrial).

**KOHLER**

Call toll-free in the U.S. and Canada  
**KOHLER POWER**  
 KOHLER, WISCONSIN 53044

**ISO 9001**  
 KOHLER

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 ISO 9001 is a registered trademark of International Organization for Standardization (ISO).  
 Kohler Power is a registered trademark of Kohler Co. in the U.S. and other countries.

# Gas Generators

Natural Gas

LP

**KOHLER**

## **KOHLER. Natural Gas/LP Generators** A Smart Solution You Can Really Count On.

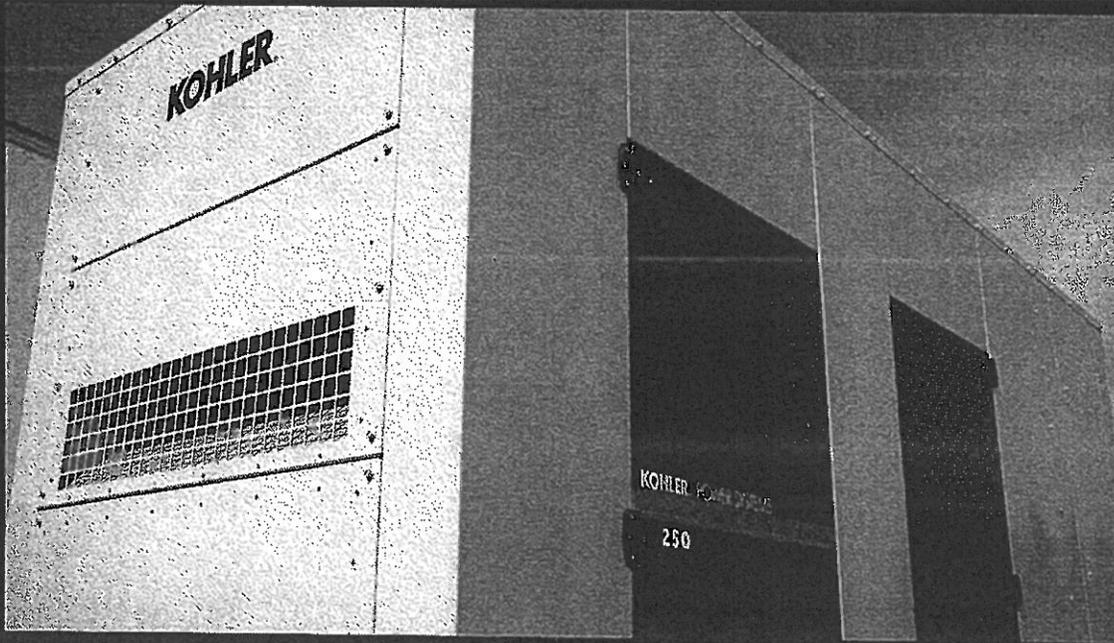
Choosing a generator doesn't need to be a complicated, time-consuming process. With Kohler, it's really pretty simple. That's because Kohler offers EPA emissions-certified LP and natural gas generators in the 25 to 400 kW range, delivering an installation-ready product. And you won't need to worry about onsite testing

because with Kohler, we take care of all the details. With over 90 years of experience in the generator industry, Kohler offers consistent, reliable backup power. Our 100% skilled, trained and qualified distributors will help you choose the right generator for your project.

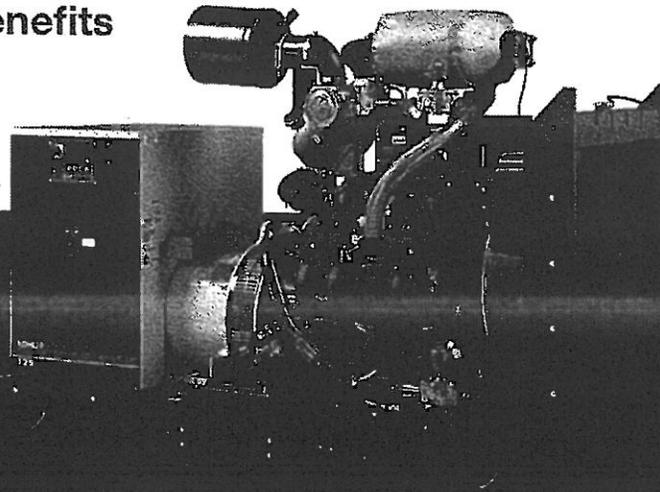
### **AN ALTOGETHER DIFFERENT LEVEL OF SERVICE**

Anybody can claim to offer an unrivaled level of support, but it is another thing to deliver on this promise. Kohler requires all of its certified distributors and dealers to be available 24 hours a day, 7 days a week. No exceptions. And for a distributor/dealer to be registered as a KOHLER service point, a rigorous training program must first be completed, as well as routinely updated.

Unlike other generator manufacturers, Kohler-certified service sites, available across a complete coverage area, specialize in power. This means our service network can be called on for anything related to your generator and its components. Because an exceptional generator deserves an exceptional service plan.



## Features & Benefits



### STANDARD FEATURES

#### Full Line of EPA Factory-Certified Natural Gas and LP Ratings

Kohler was the first generator manufacturer to offer EPA factory-certified LP ratings in the 180-400 kW power range. Unlike other generators, the end user won't spend additional dollars to site-certify the generator's engine.

#### Lower Emissions

Compared to diesel-fueled generators, gas generators significantly reduce carbon monoxide and particulate emissions.

#### One-Step Full-Load Acceptance

With power on demand and no restrictions, you'll be up and running in mere seconds.

#### Available for Prime Applications

Kohler was the first to offer EPA factory-certified natural gas prime ratings (180-400 kW only).

#### Patented Control Software Logic

Manages sophisticated functions such as voltage regulation and alternator thermal overload protection, normally requiring additional hardware.

#### Low-Speed 1800 RPM Engines

Electronic engine with air fuel ratio controller, closed-loop fuel system, electronic governor and three-way catalysts for quiet operation and durability.

#### 50°C (122°F) Cooling Packages

Enable generators to run in high ambient regions of the country without having to make special provisions.

### CERTIFICATIONS

#### IBC Seismic Certification

Heavy-duty construction meets seismic requirements, ensuring reliable starting after a seismic event.

#### UL 2200, CSA, NPFA 110

Factory-tested to meet industry requirements for a durable and safe product.

### OPTIONS

#### DEC 3000, 550, 6000 Controls

Choose from Kohler-designed and manufactured Decision-Maker 3000, 550, 6000 controllers.

#### Enclosures

Provide weather protection and sound attenuation. Redesigned models allow for a quieter, smaller footprint and are available with corrosion-resistant steel or aluminum enclosures that provide weather protection and sound attenuation.

#### Accessories

Block heaters, battery chargers, alternators with multiple starting capabilities, and multiple circuit breakers.

#### Dual Fuel

When equipped, KOHLER generators can run on either natural gas or LP fuel, and can be automatically switched to propane fuel for applications that require onsite fuel storage.

KohlerPower.com



April 14, 2016

To: Planning Board

From: Bruce Barber  
Town of Kent Environmental Consultant

Re: **Wagner Millwork Timber Harvest Project (Property Owner: Anavil)**  
Long Mountain Road  
Section 8. Block 1 Lot 2

Dear Chairman McDermott and Members of the Planning Board:

Please be advised that I have conducted a review of the following pertinent documents relative to the above referenced project:

- Combined Town of Kent Planning Board Application executed Wagner Millwork dated 02/18/16.
- Forest Management Report prepared by Jordan Heller of Wagner Millwork (undated).
- Report executed by Andrea Chaloux of NYSDEC dated 10/19/15, 5 pages.
- Report executed by Katherine Coffin of NYSDEC dated 11/16/15, 3 pages

---

**Application Summary:**

The applicant proposes a selective timber harvest (indicated as thinning) on 250 acres (northern area) of the above referenced parcel which is 536 acres in size.

**Comments:**

Wetlands:

The area of the site proposed to be harvested was walked on March 3, 2016. The purpose of the site inspection was to identify any activity within Town of Kent jurisdictional wetland or wetland buffer areas that would require a Town of Kent wetland permit. Based on upon the site inspection and review of the above referenced materials a Town of Kent wetland permit is not required.

There are no jurisdictional NYSDEC wetlands or wetland buffers located within the proposed work area. The Wiccopee Creek which is a NYSDEC protected watercourse C (Ts) passes through the property but is not located within the proposed harvest area. No NYSDEC wetland or watercourse disturbance permits are required.

Stormwater:

With respect to the Town of Kent Steep Slope and Stormwater Protection Ordinance (Chapter 66) the action is exempt with the following exception as per Section 66-11 (B):

*“Silvicultural activity pursuant to an approved management plan pursuant to regulation of the Department of Environmental Conservation, except that landing areas and log haul roads are subject to this chapter”.*

Based on site inspection and review of the above referenced materials the indicated land disturbance in the proposed haul road(s) and landing area(s) exceeds the regulatory threshold of 5,000 square feet and a Town of Kent Steep Slope and Stormwater Protection Permit is required.

The NYSDEC via correspondence referenced above has indicated that there are no archeological resources within the project area.

This office defers to the Planning Board Engineer regarding review of the steep slope and erosion control permit application.

Ecological:

NYSDEC Natural Heritage Program has indicated that the following species listed (by NYS and Federal) as “Threatened” is located within 3.5 miles of the subject site:

*Myotis septentrionalis* (Northern Long-eared Bat)

The NYSDEC requires that the timber harvest of greater than 4” DBH trees be restricted to the bat hibernation period of October 31 through March 31. If the timber harvest is to occur outside of that time period than a “take permit” (following additional field studies) may be required to be obtained from NYSDEC. The applicant has indicated in their forest management report that the timber harvest will occur between October 31 and March 31.

The NYSDEC also lists the following “natural communities” located on or near the site:

Highbush Blueberry Bog Thicket  
Chestnut Oak Forest  
Hemlock-Northern Hardwood Forest  
Pitch Pine-Oak-Heath Rocky Summit  
Oak-Tulip Forest

The applicant is required to address potential on-site and off-site impacts to these communities.

The applicant is requested to indicate an approximate density or number of trees proposed to be cut per acre.

Other:

The property is located adjacent to Fahnestock State Park and a section of the Appalachian Trail is adjacent to the eastern boundary.

The property is located adjacent to the Town of East Fishkill/Dutchess County to the north.

A section of the Delaware Aqueduct is located within the harvest area.

This office defers to the Planning Board Planning Consultant regarding SEQRA review requirements.

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

Sincerely,

A handwritten signature in black ink, appearing to be 'B. Barber', written in a cursive style.

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

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

email: [planningkent@townofkentny.gov](mailto:planningkent@townofkentny.gov)  
Kent, NY 10512  
Fax: 845-306-5283

# Memorandum

DATE: February 25, 2016  
TO: Finance Department  
CC:  
FROM: Vera Patterson  
RE: Putnam Stone/Kent Investors - TM # 46.6-1-7

Please find enclosed the following checks and documentation for Putnam Stone.

Bank of America Check 1007 dated February 25, 2016 - \$ 500.00 for erosion control permit

Bank of America Check 1008 dated February 25, 2016 - \$1,000.00 for review/Escrow account

Although we already have accounts set up for Putnam Stone, there are new owners and to differentiate from that it would be great if we could start fresh and call this project Putnam Stone/Kent Investors.

<b>RECEIPT</b>		DATE <u>Feb. 25, 2016</u>	No. <u>373673</u>
RECEIVED FROM <u>Kent Investors LLC/Put. Stone</u>		\$ <u>500.<sup>00</sup>/<sub>100</sub></u>	
<u>Five Hundred and <sup>00</sup>/<sub>100</sub></u>		DOLLARS	
<input type="radio"/> FOR RENT		<u>Erosion Control Permit - T M: 46.6-1-7</u>	
<input checked="" type="radio"/> FOR			
ACCOUNT		<input type="radio"/> CASH	<u>1007</u>
PAYMENT		<input checked="" type="radio"/> CHECK	FROM <u>V. Patterson</u> TO <u>W. Flood</u>
BAL. DUE		<input type="radio"/> MONEY ORDER	
		<input type="radio"/> CREDIT CARD	BY _____

<b>RECEIPT</b>		DATE <u>Feb 25, 2016</u>	No. <u>373674</u>
RECEIVED FROM <u>Kent Investors/Putnam Stone</u>		\$ <u>1,000.<sup>00</sup>/<sub>100</sub></u>	
<u>One Thousand and <sup>00</sup>/<sub>100</sub></u>		DOLLARS	
<input type="radio"/> FOR RENT		<u>Review/Escrow Account - T M: 46.6-1-7</u>	
<input checked="" type="radio"/> FOR			
ACCOUNT		<input type="radio"/> CASH	<u>1008</u>
PAYMENT		<input checked="" type="radio"/> CHECK	FROM <u>V. Patterson</u> TO <u>W. Flood</u>
BAL. DUE		<input type="radio"/> MONEY ORDER	
		<input type="radio"/> CREDIT CARD	BY _____

**KENT INVESTORS LLC**

PO BOX 177  
SOMERS NY 10589-0177

1007

1-32/210 NY  
94372

DATE Feb 25, 2016

PAY TO THE ORDER OF Town of Kent

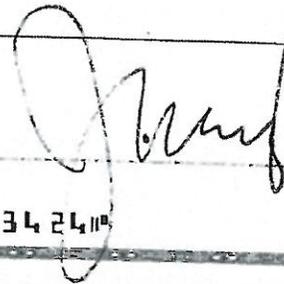
\$ 500.<sup>00</sup>/<sub>100</sub>  
DOLLARS

Five Hundred and <sup>00</sup>/<sub>100</sub>

**Bank of America**

ACH R/T 021000322

FOR Excess Control - TM: 46.6-1-7



⑈001007⑈ ⑆021000322⑆ 483054783424⑈

**KENT INVESTORS LLC**

PO BOX 177  
SOMERS NY 10589-0177

1008

1-32/210 NY  
94372

DATE Feb 25, 2016

PAY TO THE ORDER OF Town of Kent

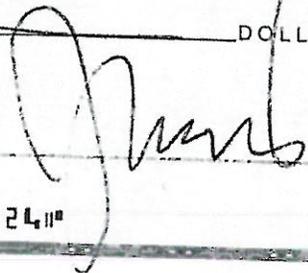
\$ 1,000.00  
DOLLARS

One Thousand and <sup>00</sup>/<sub>100</sub>

**Bank of America**

ACH R/T 021000322

FOR Review Fund TM: 46.6-1-7



⑈001008⑈ ⑆021000322⑆ 483054783424⑈

Received  
mo/date/year

FEB 25 2016

TOWN OF KENT PLANNING BOARD

SITE PLAN CHECKLIST

Planning Department  
Town of Kent

APPLICANT NAME: KENT CONST CORP. / Putnam Stair

ADDRESS: P.O. Box 201 Putnam Stair N.Y. 12563

Rte. 52, Kent, NY

TM: 46.6-1-7

CONTACT TELEPHONE NUMBER: 914-525-7407

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

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

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

Check list completed by:

DONALD A. FLOOD II  
(Print or type name here)

PLANNING  
(Print or type Title here)

[Signature]  
(Signature)

2-19-16  
(Date)

DO NOT WRITE BELOW THIS LINE (OFFICIAL USE)

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

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

\_\_\_\_\_

\_\_\_\_\_

# 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](mailto:planning@townofkentny.gov)

APPROVAL REQUESTED FOR: (Check all that apply)

Pre-Application Review

Preliminary Subdivision

Final Subdivision

Revised Lot Line

Site Plan

Conditional Use Permit

Freshwater Wetland

Steep Slope & Erosion Ctrl

Name of Project: PITNAM STONE

Description of Proposed Activity:

ORGANIC PROCESSING + ROCK CRUSHING

Name of Applicant(s): KENT CONST CORP.

Address: P.O. Box 201 PATTERSON N.Y. 12563

Telephone: 845.878.3419

Name and Address of Record Owner(s): KENT INVESTORS LLC

P.O. Box 177 SOMERS N.Y. 10589

Tax Map Number of all parcels: 46.6 BLOCK 1 LOT 7

A) For All Applications:

- 1) Total acreage involved in application: 7.40<sup>±</sup> ACRES
- 2) Total contiguous acreage controlled by applicant/owner<sup>1</sup>: ALL
- 3) Total number of existing structures: SEVEN
- 4) Type of existing structures: CONC. BLOCKS.
- 5) Total square footage of all new construction: \_\_\_\_\_
- 6) Estimated value of new construction or addition: \_\_\_\_\_
- 7) Type of construction or activity proposed: (Check all that apply)

New Construction:	Residential	<input type="checkbox"/>	Commercial	<input type="checkbox"/>	Institutional	<input type="checkbox"/>
Expansion:	Residential	<input type="checkbox"/>	Commercial	<input type="checkbox"/>	Institutional	<input type="checkbox"/>
Home Occupation:	<input type="checkbox"/>	Change in use:	<input type="checkbox"/>	Other:	<input checked="" type="checkbox"/>	

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

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

10) Are there agricultural and/or forestry exemptions affecting the property?  
No  Yes . If yes, please list in detail (attach separate pages if necessary):  
\_\_\_\_\_  
\_\_\_\_\_

11) Have any area or use variances affecting the property been 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: \_\_\_\_\_

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

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

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

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

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

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

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

**B) For Subdivision and Revised Lot Line Applications:**

- 1) Total number of lots proposed:                     KL/A
- 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:**

- 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?                     3-17-06
- 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<sup>2</sup> Applications:

- 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?

March 17, 2006

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: David McLeod

Date: 2-19-16

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

REQUEST FOR WETLAND DELINEATION CONFIRMATION

PLANNING DEPARTMENT  
TOWN OF KENT, NEW YORK

Date: 2-19-16

Property Address: 301 RT 52

Property Tax Identification: 46.6 BLOCK | LOT 7

Property Size: 7.4 ACRES

Name of Wetland Consultant: A.A.

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

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

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

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

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

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

Request:

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

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

Signed:

Owner/Authorized Representative

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

AFFIDAVIT TO BE COMPLETED BY AGENT OF OWNER

State of NY }  
County of DUTCHESS } ss:

DONALD FLOYD II being duly sworn, deposes and says:

1. That I/we are the CONTRACTOR named in the foregoing application for Planning Board 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 he/she resides at 41 BESSON RD. WASSIC in the County of DUTCHESS and the State of NEW YORK.
3. That I/we understand that by submitting this application for Planning Board approval that I/we expressly grant permission to the Planning Board and its authorized representatives to enter upon the property, at all reasonable times, for the purpose of conducting inspections and becoming familiar with site conditions. I/we acknowledge that this grant of permission may only be revoked by the full withdrawal of said application from further Planning Board action. That I/we understand that by submitting this application that I/we shall be responsible for the payment of all application fees, review fees, and inspection fees incurred by the Town related to this application.
4. That I/we understand that I/we, and our contractors shall be jointly and severally liable for all costs incurred, including environmental restoration costs, resulting from noncompliance with the approved application. I/we acknowledge that approval of the site plan and commencement of any work related to the approved application shall constitute express permission to the Planning Board, the Building Inspector, and their authorized representatives and designees, to enter the property for the purposes of inspection for compliance with the approved application, whether or not any other permits have been applied for or issued for the project. I/we acknowledge that approval of the application and the commencement of work related to the approved plan is an express waiver of any objection to authorized Town official(s) entering the property for the purpose of conducting inspections.
5. That I/we understand that the Town of Kent Planning Board intends to rely on the foregoing representations in making a determination to issue the requested applications and approvals and that under penalty of perjury I/we declare that I/we has examined this affidavit and that it is true and correct.

Donald Floyd II  
Applicant/Agent

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

Melissa Palumbo  
Notary Public

MELISSA PALUMBO  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 01PA6258850  
Qualified in Dutchess County  
My Commission Expires April 02, 2016

**TOWN OF KENT**

**Planning Board**

Tel: (845) 225-7802

25 Sybil's Crossing  
Kent Lakes, New York 10512  
planning@townofkentny.gov

Fax (845) 306-5283



**LEGAL NOTICE #1**

**PUTNAM STONE/KENT INVESTORS**

**301 ROUTE 52**

**KENT, NY 10512**

**TAX MAP: 44.6-1-7**

**YEAR 2016**

**NOTICE OF PUBLIC HEARING**

**THE PLANNING BOARD OF THE TOWN OF KENT, NEW YORK**

**NOTICE IS HEREBY GIVEN** that a Public Hearing will be held before **The Town of Kent Planning Board** on **Thursday, April 14, 2016** at **7:30 PM**, or as soon thereafter as the matter may come to be heard, located at:

**KENT TOWN HALL**  
**25 Sybil's Crossing**  
**Kent Lakes, NY 10512**

This Public Hearing pertains to an application for approval of an Erosion Control Plan for Putnam Stone/Kent Investors, whose premises are located at 301 NYS Route 52, Kent New York 10512; Tax Map Numbers 44.6-1-7 (The Owner is Kent Investors, P. O. Box 177, Somers, NY 10589 ). This application was submitted by Mr. Donald Flood on behalf of Putnam Stone/Kent Investors. The proposed activity involves processing of organic material and rock crushing. The processing and crushing would occur over several weeks in order to facilitate the removal of improperly disposed material on-site.

At this hearing all persons appearing in favor or in opposition shall be heard.

Files on the subject may be inspected at the Planning Board office Mondays, Tuesdays and Thursdays from 9:00 - 4:00 PM prior to the meeting. The telephone number for the Kent Planning Board is: 845-225-7802.

Date: March 10, 2016

By order of:

Vera Patterson, Secretary for  
The Town of Kent Planning Board  
County of Putnam  
State of New York  
25 Sybil's Crossing  
Kent, NY 10512  
planningkent@townofkentny.gov

P. 03/23, 03/30, 4/06, 4/13

Kent Planning Board Public Hearing Notice #1\_2016



- Patterson Crossing Route 311, Kent, NY TM: 22.-2-48	Amended Site Plan	Review Bond Pending
- Licari_Limitone Property 14 Lorne Court, Kent, NY TM: 22.-2-5	Erosion Control/SWPPP Plan	Status Report
- Unger Property 89 Ressique Street, Carmel, NY TM: 11.-1-29	Request for release of Erosion Control Bond Waiting for letter from Applicant	Status Report
- Bene Property Tibet Drive, Kent, NY TM: 30.20-1-16	Erosion Control	Status Report
- Hilltop Estates (Kent Development Corp) Peckslip Road, Kent, NY TM: 12.-1-38 & 42	Subdivision/Erosion Control Bond	Status Report Bond Pending
- Timber Harvest Project/NYSDEP Barrett Circle Paper Court, Kent, NY TM: 43.-2-1-7 & 81		Status Report
- Goldfine/Rynn Project Daffodil Lane, Kent, NY TM: 11.12-1-21	Erosion Control Plan	Status Report
- Towners Road Mart (Sclafani Property) 2 Towners Road, Carmel, NY TM: 33.64-1-6	Amended Site Plan/Change of Use	Status Report
- Lema/Rte 52 Corp Route 52, Kent, NY TM: 33.18-1-6, 7, 8, 9	Site Plan /Wetland Permit	Status Report
- Biben Property 146 South Knapp Court, Kent Lakes, NY TM: 10.-1-1	Erosion Control/Site Plan/ Wetland permit	Status Report
- Schulhof-Kravits 8 Cat Briar Road/Gipsy Trail, Kent, NY TM: 21.19-1-10	Erosion Control	Status Report