

Approved: April 14, 2016

Minutes
Town of Kent Planning Board Meeting
March 10, 2016

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
Janis Bolbrock
George Brunner

Dennis Lowes, Vice Chair
Charles Sisto
Philip Tolmach

Others in Attendance:

Bruce Barber, Environmental Consultant
Bill Walters, Kent Building Inspector

Julie Mangarillo, Engineering Consultant
Neil Wilson, Planner

Absent:

• **Executive Session**

The Planning Board held an executive session prior to opening the March meeting to interview a second candidate for the open seat on the Planning Board. The first interview was held on Thursday, March 3, 2016. After the interview the Planning Board discussed their choices and Mr. McDermott asked for a motion to recommend to the Town Board that Mr. Gary Lam be appointed to the Kent Planning Board. The motion was made by Mr. Tolmach and seconded by Mr. Brunner. The roll call vote was as follows:

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

The motion carried.

- **Approve Planning Board Minutes from February 14, 2016**

Mr. McDermott, Planning Board Chairman, asked for a motion to approve the February 14, 2016 Planning Board minutes. The motion was made by Mr. Tolmach and seconded by Mr. Lowes. The roll call vote was as follows:

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

The motion carried.

- **Von Rosenvinge Property, 451 Pudding Street, Kent, NY; TM: 31.17-1-7**

Erosion Control Plan was submitted by Rainbow Pools for the applicant for an in-ground swimming pool. The applicant requested that this matter be postponed until the April meeting.

Mr. Barber's Comments

Mr. Barber advised the Planning Board that the applicant began work on their property prior to getting approvals and the Building Inspector advised the property owners that they needed to apply for an Erosion Control Permit and meet with the Planning Board. The question before the Planning Board is access to the proposed pool construction was on a neighbor's property. The applicant's desire is that, once the pool construction is completed, they may be allowed to restore that area back to shrubs and trees. There is a violation to be corrected by restoring the access area on the neighbor's property and ensuring that the property is stabilized. The applicant will also need to apply for a building permit to construct the pool. The applicant submitted a sketch, but no formal erosion control plan has been submitted to date. Mr. McDermott noted that because the applicant has encroached on the neighboring property the Planning Board felt that a Public Hearing would be necessary for this project and Mr. Barber agreed. This matter was held over until the April meeting.

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

This matter involved an Amended Site Plan and Time Extension of approvals. Mr. Sisto recused himself for this discussion, but remained on the podium. Mr. Jeffrey Contelmo, of Insite Engineering represented the applicant. There were two changes to the site plan which are:

- The lessening of the road grade on the entry drive from 8% to 7% and related drainage and grading work associated with that; and
- Stormwater improvements along the western portion of the property, which are being undertaken by the East of Hudson Watershed Corporation in an effort to eliminate the stormwater runoff from the Lake Carmel development area through the subject property and has created a large eroded ditch and continues to discharge untreated runoff into the Middle Branch and Croton River as well as the northern cove of Lake Carmel.

Mr. Contelmo stated that his firm had supplemented the design drawings with information not submitted previously. A DEP approved Stormwater Pollution Prevention Plan (SWPPP) for the improvements associated with the East of Hudson project as well as an unexecuted copy of the Maintenance Agreement between the towns of Patterson, Kent and the applicant. Documentation followup from the East of Hudson Watershed Corporation confirming that the improvements that are being funded and undertaken in concert between East of Hudson and Patterson Crossing will be maintained by Patterson Crossing and be their responsibility. In addition, the 239ML referral from the Putnam County Planning Department was approved. Mr. Contelmo thanked Ms. Mangarillo for making him aware that there was a drainage oversight and had corrected it. Mr. Tolmach asked about the lengthening of the road by 100' and how it had been misjudged by 100'. Mr. Contelmo said he had not misjudged it and that the design included several design elements based on consultations with the property owner and as the project progressed the applicant decided they and the greater public would be better served by reducing the grade.

Ms. Mangarillo's Comments (memo attached)

Ms. Bolbrock also thanked Ms. Mangarillo for pointing out the problem with the water and rip-rap and not having the final location. The only comment she had pertained to her observation that the swale did not have an end structure. She said Jeff Contelmo had sent an email that it had been added back in. She also said that, in her opinion, the revision to the phasing plans to address on-going erosion was a benefit to the Town of Kent and Mr. McDermott said that the Planning Board agreed.

Mr. Barber's Comments (memo attached)

Mr. Barber said that at the Planning Board workshop held on March 3, 2016 he had expressed some questions about the maintenance after the retrofits are installed on the drainage area on the property. In response to Mr. Barber's questions, Mr. Contelmo sent the Maintenance Agreement between the towns of Patterson, Kent and the East of Hudson that details how the maintenance will be handled by the owner and it has been incorporated into a Resolution prepared by Mr. Wilson as a condition of approval. On March 9, 2016 the DEP approved this retrofit as part of the East of Hudson program. There were some modifications to the Stormwater Pollution Prevention Plan (SWPPP) as well as the phosphorous calculations. He said that he had been emphatic that the improvements were executed and that the result will be less polluting into Lake Carmel and other watercourses.

Mr. Wilson's Comments (memo attached)

Mr. Wilson circulated a draft resolution prior to the meeting granting approvals for Steep Slope/Erosion Control, Amended Site Plan and Freshwater/Wetland permits. The recitation is to the proposed plan changes which includes improvements and reduction in grade of the driveway and incorporates the East of Hudson work on the eroded gully on the property. As a result of the East of Hudson involvement, the work on the gully is being moved forward and the work has been put out to bid. The East of Hudson won't begin work until all of the approvals for the plans have been finalized. Mr. Contelmo pointed out that on the first page of the Resolution (the fourth "Whereas") it stated that the grade was going to be 6% and that needed to be changed to 7%.

Mr. Wilson discussed waivers pertaining to this project – particularly a waiver of the Public Hearing (middle of Page 2 the fifth “Whereas”) on the basis that the project has not changed and does not cause any environmental issues. Mr. Wilson also pointed out that on page 5 the Planning Board affirms the September 9, 2010 “Findings Statement” and are not re-opening the Board’s SEQR review. Mr. Wilson recommended that the Planning Board vote on the Resolution as presented and that four votes would be needed and a roll call vote was necessary.

Mr. McDermott asked for a motion to adopt the Town of Kent Planning Board Resolution for an Amended Site Plan, Steep Slope/Erosion Control and Freshwater/Wetland Permit approvals in the matter of Patterson Crossing Retail Development in the towns of Kent and Patterson. The motion was made by Mr. Brunner and seconded by Ms. Bolbrock. The roll call vote was as follows:

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

The motion carried.

- **Bottlegate Farm, Route 52 & Horsepound Road, Kent, NY; TM: 22.-1-13**

Insite Engineering, at the request of the applicant, sent a letter requesting that the Planning Board agree to reduce the Erosion Control bond. Mr. Jeffrey Contelmo, of Insite Engineering, represented the applicant at the meeting. When the plans for Bottlegate Farm were approved a bond in the amount of \$19,700.00 was posted. Mr. Adams, the owner of the property, has affected most of the work associated with the site plan. The largest part of the project was the construction of a storm-water basin was completed and the property has been stabilized and is fully vegetated. Therefore, the applicant is requesting that the bond be reduced from \$19,000.00 to \$5,775.00 and that \$14, 405.00 be returned to the applicant. Mr. Contelmo said that he felt that this amount was adequate surety for erosion control purposes.

Mr. Barber’s Comments (memo attached)

The most recent approval for this project was January 10, 2013 and in that approval was a condition that prior to completion of all of the work and issuance of a Certificate of Occupancy both an engineering certification and an as-built survey must be provided to the Planning Board in order to document that the work was done in accordance with the approved plans. Mr. Barber spoke to Mr. Watson and Mr. Rohde and confirmed that the certification and as-built survey (Condition #8) had not been fulfilled and recommended that the Planning Board that they not make a decision regarding this request until it can be documented that the improvements completed were done in compliance with the approved plans. Messrs. Barber and Walters inspected the site on March 10, 2016 prior to the meeting and found that the stormwater basin was in place, but there was evidence in the concrete structure area of some rills and some rip-rap had fallen in. However, Mr. Barber stated that everything on the site appeared to be stable, but documentation still needs to be provided to the Planning Board verifying that everything has been done in accordance with the approved plans and reiterated that, until the documents are submitted, the Planning Board should not make a decision regarding this matter. Mr. Contelmo said that both Mr. Watson and Mr. Adams had no problem with the as-built and has commissioned In-site Engineering to complete the work as soon as possible. Mr. Contelmo asked the Planning Board to consider approving the reduction of the erosion control bond with the

condition of the survey and certification that the work was completed so that there is no need to return to the Planning Board again. Mr. Barber said that the Certificate of Occupancy was expected at the completion of the build-out of the project, which may not ever occur. He noted that the construction of the building on the foundation of the old barn had not been done and the grading behind the building has not been completed. Mr. Barber said that neither the septic system or access on Horsepound Road had not been constructed and may never be done. Mr. Barber said that he had no problem with granting a conditional approval and said that Mr. Contelmo's request to reduce the bond was reasonable.

Mr. McDermott asked for a motion to recommend to the Town Board that the erosion control bond in the amount of \$19,700.00 be reduced to \$5,775.00 and that \$14,405.00 be returned to the applicant with the condition on the reception of the requested documentation by Mr. Barber and that Ms. Mangarillo agreed with them. The motion was made by Mr. Tolmach and seconded by Ms. Bolbrock. The roll call vote was as follows:

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

The motion carried.

- **Putnam Stone/Kent Investors, 301 Route 52, Kent, NY; TM: 44.6-1-7**

Mr. Donald Flood submitted an application for an Erosion Control Plan to grind wood products and crush stone on his property. Mr. Flood presented the Planning Board with a letter from Charles Martovano (attached) which explained the grinding of the organic material and stated that the DEC had nothing to do with the grinding and pertained to insects in the wood. Mr. McDermott advised the audience that Mr. Flood and his partners had recently purchased this property, which had been a problem to the Town of Kent for several years and that the previous owner did not have an approved site plan, had many violations. The Town Board, Planning Board, Zoning Board and Building Department had tried to help the previous owner resolve them to no avail. The Planning Board met with Mr. Flood at their review meeting and were optimistic about Mr. Flood's proposed plans.

Ms. Mangarillo's Comments (memo attached)

Ms. Mangarillo prepared a memo and went through the erosion control requirements and drawings submitted and approved of them. She requested a Maintenance Schedule for the erosion control measures and information about the stockpiling and the rock crushing and that the DEC needed to approve it. Additional notes should be placed on the drawings to make it clear that the notations were made by the owner of the property and not the original surveyor. Any sediment tracks made on the paved surfaces should be cleared. Ms. Mangarillo reminded the applicant that after installation of the erosion control measures a note needed to be sent to the Building Inspector. The bond estimate Ms. Mangarillo prepared (including 500 feet of silt fencing) in the amount of \$2,000.00. She suggested, if the Planning Board approved it, that it be forwarded to the Town Board for their approval.

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

Erosion Control

Status Report

Nothing new submitted.

Mr. McDermott asked for a motion to adjourn the meeting at 9:00 PM. The motion was made by Mr. Tolmach and seconded by Ms. Bolbrock. The roll call vote was as follows:

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

The motion carried.

Respectfully Submitted,



Vera Patterson
Planning Board Secretary

cc: Planning Board Members
Building Inspector
Town Clerk

Workshop: March 03, 2016 (Thursday, 7:30 PM) MARCH 2016
Meeting: March 10, 2016 (Thursday, 7:30 PM)

- Executive Session Discussion
 - Approve Planning Board Minutes from February 2016
 - Von Rosenvinge Property Erosion Control Plan Review
451 Pudding St., Kent, NY for In-Ground Swimming Pool
TM: 31.17-1-7
 - Patterson Crossing Amended Site Plan Review
Route 311, Kent, NY Bond Pending
TM: 22.-2-48
 - Bottlegate Farm Request for Reduction of Review
Route 52 & Horsepound Road, Kent, NY Erosion Control Bond
TM: 22.-1-13
 - Putnam Stone Erosion Control Review
301 Route 52, Kent, NY
TM: 44.6-1-7
- Permit Applications Review (Applicants attendance not required/Workshop Discussion):
- Chamber of Commerce Kent Sewer District Discussion (Workshop)
Bill Nulk & Kathy Doherty
 - Basharat/Mann Property Sub Division Application Status Report
105 Towners Road, Kent, NY
TM: 11.-15-1-35
 - Center for Physical Therapy Site Plan Status Report
264 Route 52, Kent, NY
TM: 46.6-1-4
 - Licari Limitone Property Erosion Control/SWPPP Plan Status Report
14 Lorne Court, Kent, NY
TM: 22.-2-5
 - Patrick O'Mara Property Erosion Control/Site Plan Status Report
Woodland Road/Nimham Circle NOI Submitted
TM: 20.20-1-3
-
- Bene Property Erosion Control Status Report
Tibet Drive, Kent, NY
TM: 30.20-1-16
 - Hilltop Estates (Kent Development Corp) Subdivision/Erosion Control Bond Status Report
Peckslip Road, Kent, NY Bond Pending
TM: 12.-1-38 & 42
 - Timber Harvest Project/NYSDEP Status Report
Barrett Circle Paper Court, Kent, NY
TM: 43.-2-1-7 & 81
 - Goldfine/Rynn Project Erosion Control Plan Status Report
Daffodil Lane, Kent, NY
TM: 11.12-1-21
 - Towners Road Mart (Sclafani Property) Amended Site Plan/ Status Report
2 Towners Road, Carmel, NY Change of Use
TM: 33.64-1-6

- | | | |
|--|--|---------------|
| <ul style="list-style-type: none">• Lema/Rte 52 Corp
Route 52, Kent, NY
TM: 33.18-1-6, 7, 8, 9 | Site Plan/Wetland Permit | Status Report |
| <ul style="list-style-type: none">• Biben Property
146 South Knapp Court, Kent Lakes, NY
TM: 10.-1-1 | Erosion Control/Site Plan/
Wetland permit | Status Report |
| <ul style="list-style-type: none">• Schulhof-Kravits
8 Cat Briar Road/Gipsy Trail, Kent, NY
TM: 21.19-1-10 | Erosion Control | Status Report |

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

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

Memorandum

DATE: February 19, 2016
TO: Finance Department
CC: Donna & Tycho Von Rosenvinge
451 Pudding Street
Kent, NY 10512
FROM: Vera Patterson
RE: Von Rosenvinge Property - TM # 31.17-1-7

Please find enclosed the following checks for a new project for an in-ground pool to be constructed at the property noted above:

JPMorgan Chase Bank Check 24277, dated February 18, 2016 in the amount of \$1,000.00 to open a review/escrow fund for the above mentioned property.

JPMorgan Chase Bank Check 24276, dated February 18, 2016 in the amount of \$500.00 for an erosion control permit.

RECEIPT

DATE Feb. 16, 2016

No. 373671

RECEIVED FROM Rainbow Pools Tom Rabe

\$ 1,000.⁰⁰/₁₀₀

One Thousand and ⁰⁰/₁₀₀ - DOLLARS

FOR RENT
 FOR

Rev. Fees - T.M. 31.17 - 7 Von Rosen Vinge
451 Pudding St

ACCOUNT	
PAYMENT	
BAL. DUE	

- CASH
- CHECK
- MONEY ORDER
- CREDIT CARD

24277
FROM V. Patten to T. Rabe
BY _____

RAINBOW POOLS

No Diving Allowed DBA Rainbow Pools
1807 Route 52
Fishkill, NY 12524
845-896-8320

JPMORGAN CHASE BANK
1-2/210

24277

Pay to the Order of Town of Kent
One thousand dollars + ⁰⁰/₁₀₀

2/16/16
\$ 1000.⁰⁰/₁₀₀
Dollars

r/Kent review

[Signature]

⑈024277⑈ ⑈02100002⑈ 4050019158⑈

Details on Back, © 2010 JPMorgan Chase Bank, N.A. Infill® CheckLock™ Secure Check

RECEIPT DATE Feb 18, 2016 No. 373672

RECEIVED FROM Rainbow Pools / Tom Rabe \$ 500
Five Hundred DOLLARS

FOR RENT Erosion Control Plan - TM 31.17-1-7
 FOR

ACCOUNT		<input type="radio"/> CASH	<u>24276</u>
PAYMENT		<input checked="" type="radio"/> CHECK	FROM <u>V. Patten</u> TO <u>T. Rabe</u>
BAL. DUE		<input type="radio"/> MONEY ORDER	
		<input type="radio"/> CREDIT CARD	BY _____

CASH ONLY IF ALL Check One™ SECURITY FEATURES LISTED ON BACK INDICATE NO TAMPERING OR COPYING

RAINBOW POOLS No Diving Allowed DBA Rainbow Pools
1807 Route 52
Fishkill, NY 12524
845-896-8320

JPMORGAN CHASE BANK
1-2/210

24276

2-18-2016

Pay to the Order of TOWN OF KENT \$ 500⁰⁰
FIVE HUNDRED Dollars

Michael J. Rabe

⑈024276⑈ ⑆021000021⑆ 4050019158⑈

TOWN OF KENT PLANNING BOARD

SITE PLAN CHECKLIST

APPLICANT NAME: Rainbow Pools + Spas for Donna + Tycho Van Rosenvinge

ADDRESS: 451 Pudeeling ST
Carmel NY 10512

CONTACT TELEPHONE NUMBER: 845-896-8320

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:

Tom Rabe
(Print or type name here)
[Signature]
(Signature)

V.P. Rainbow Pools
(Print or type Title here)
2/10/16
(Date)

DO NOT WRITE BELOW THIS LINE (OFFICIAL USE)

Plans Date Stamped: _____ Reviewer: _____ Date: _____

Notes: _____

Description of proposed activity

We are installing a swimming pool on the property. The only access to the pool location is through the woods on the right side of the property. We are creating temporary access in which will be utilized solely for construction of said pool. The access will be used only by construction equipment as needed. We are expecting to have the job completed by May 1, 2016. Upon completion we plan on planting native specimens at the entry point to prevent further use. Silt fence has been placed along the line of disturbance.

Town of Kent Planning Board

25 Sybil's Crossing

Kent Lakes, NY 10512

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

Email: planning@townofkentny.gov

APPROVAL REQUESTED FOR: (Check all that apply)

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

Name of Project: Van Rosenvinge pool replacement

Description of Proposed Activity:

Name of Applicant(s): Rainbow Pools + SPAs

Address: 1807 Route 52 Fishkill NY 12524

Telephone: 845-896-8320

Name and Address of Record Owner(s): Van Rosenvinge, Donna + Tycho

Tax Map Number of all parcels: 31 17-1-7

A) For All Applications:

- 1) Total acreage involved in application: ± 0.11 Acres
- 2) Total contiguous acreage controlled by applicant/owner: ± 5.9 Acres
- 3) Total number of existing structures: 4
- 4) Type of existing structures: House, garage, shed, pergola
- 5) Total square footage of all new construction: 2000 sq ft for Pool
- 6) Estimated value of new construction or addition: \$8,000

7) Type of construction or activity proposed: (Check all that apply)

New Construction:	Residential	<input checked="" 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 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: _____
- 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? _____
- 4) Proposed activity is located in:
 - a) Lake/pond Control area of lake/pond
 - b) Stream/River/Brook Control area of stream/river/brook

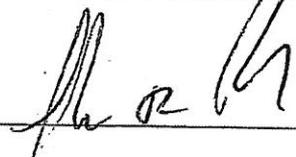
- c) Wetland Control area of wetland
- d) Not located in wetland/wetland buffer

- 5) Attach a description of the proposed activity in the controlled area including the following: i.e. maintenance, construction of dwelling, addition, driveway, culverts, including size and location.
- 6) Attach a statement of compliance with §39A-8 of the Town Code.

D) For Steep Slopes and Erosion Control Permit² Applications:

- 1) A map of the site, prepared using a recent boundary and topographic survey of the property showing conditions on the site as of the date of application, shall be submitted.
- 2) Does the project involve any of the following:
 - a) Any disturbance involving 5,000 square feet or more of land disturbance? Yes No
 - b) Any disturbance on ground areas having a topographical gradient equal to or greater than fifteen percent (15%) measured by utilizing two (2) foot contours? Yes No
 - c) Any disturbance within 100 feet of a wetland or watercourse as defined in Chapter 39A, "Freshwater Wetlands", of the Town of Kent. Yes No
 - d) Excavating or filling which exceeds a total of 100 cubic yards of material within any parcel or any contiguous parcels. Yes No
- 3) What is the date of the boundary and topographic survey used as the base map for the application?

By His/Her signature the Applicant avows that: 1) He/She has read this application and is familiar with its content; and 2) He/She has read, is familiar with, and understands the requirements of the Town Kent Code provision(s) affecting or regulating the project for which this application is made; and 3) He/She agrees to comply with the requirements of the Town Kent Code provision(s) affecting or regulating the project for which this application is made including any general or special conditions of any permits or approvals granted by any board, agency, or department of the Town of Kent; and 4) He/She has read this statement and understands its meaning and its terms.

Applicant Signature:  Date: 2-11-16

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

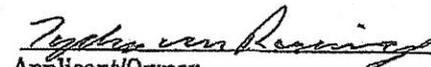
AFFIDAVIT TO BE COMPLETED BY OWNER

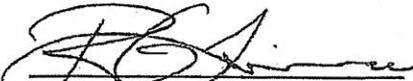
State of New York }
County of New York } ss

Tycho VANROSEVINGE being duly sworn, deposes and says:

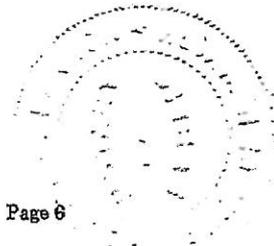
1. That I/we are the Owner(s) of the within property as described in the foregoing application for Subdivision / Revised Lot Line / Site Plan / Conditional Use Permit / Change in Use / Freshwater Wetland / Steep Slope and Erosion Control approval(s) and that the statements contained therein are true to the best of my/our knowledge and belief.
2. That I/we hereby authorize Rainbow Pools to act as my/our representative in all matters regarding said application(s), and that I/we have the legal right to make or authorize the making of said application.
3. That I/we understand that by submitting this application for Planning Board approval that I/we expressly grant permission to the Planning Board and its authorized representatives to enter upon the property, at all reasonable times, for the purpose of conducting inspections and becoming familiar with site conditions. I/we acknowledge that this grant of permission may only be revoked by the full withdrawal of said application from further Planning Board action.
4. That I/we understand that by submitting this application that I/we shall be responsible for the payment of all application fees, review fees, and inspection fees incurred by the Town related to this application.
5. That I/we understand that I/we, and our contractors shall be jointly and severally liable for all costs incurred, including environmental restoration costs, resulting from noncompliance with the approved application. I/we acknowledge that approval of the site plan and commencement of any work related to the approved application shall constitute express permission to the Planning Board, the Building Inspector, and their authorized representatives and designees, to enter the property for the purposes of inspection for compliance with the approved application, whether or not any other permits have been applied for or issued for the project. I/we acknowledge that approval of the application and the commencement of work related to the approved plan is an express waiver of any objection to authorized Town official(s) entering the property for the purpose of conducting inspections.
6. That I/we understand that the Town of Kent Planning Board intends to rely on the foregoing representations in making a determination to issue the requested applications and approvals and that under penalty of perjury I/we declare that I/we have examined this affidavit and that it is true and correct.


Applicant/Owner


Applicant/Owner


Notary Public

ROBERT G. LENNON
Notary Public, State Of New York
No. 02LE6070557
Qualified in King County
Commission Expires 03/04/20 12



AFFIDAVIT TO BE COMPLETED BY AGENT OF OWNER

State of New York }
County of Dutchess } ss:

Thomas Rabe of Rainbow Pool 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 451 Pudding St Carmel NY 10512 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.

[Signature]
Applicant/Agent

Applicant/Agent

[Signature]
Notary Public

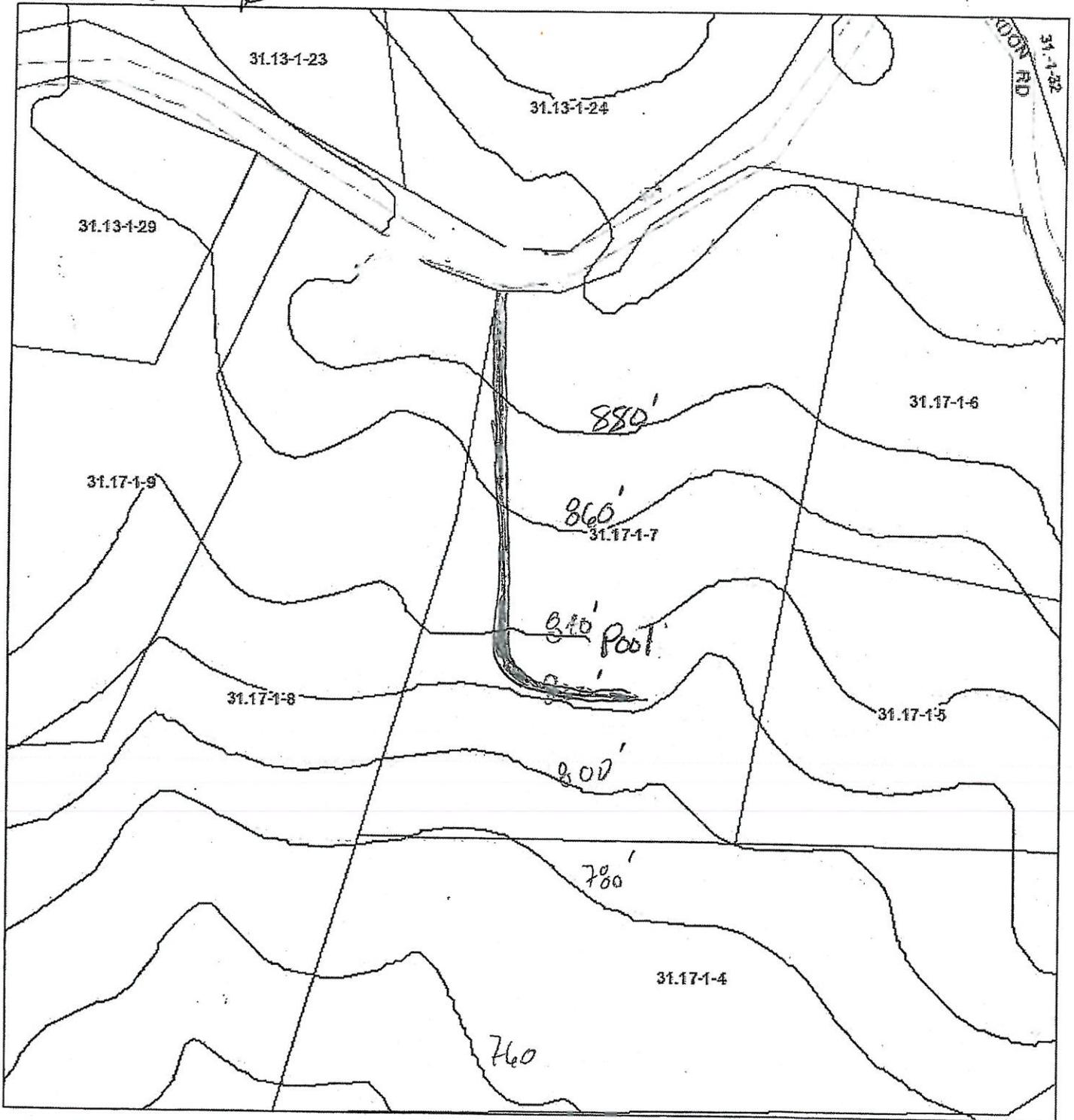
STERLING C. GASTON
Notary Public, State of New York
No. 01GA4510061
Residing in Dutchess County
Term Expires March 30, 2017

Steep Slope and Erosion Control Notes

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

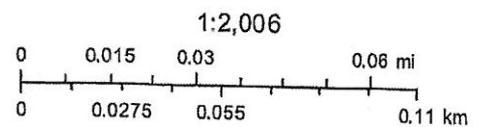
- A) *Any individual or entity proposing to develop land within the Town of Kent or to conduct construction activities on land within the Town of Kent shall prepare an application pursuant to §66-6 of the Town of Kent Code for a steep slope and erosion control permit when one or more the following criteria are met:*
- 1) *Any disturbance involving 5,000 square feet or more of land disturbance;*
 - 2) *Any disturbance on ground areas having a topographical gradient equal to or greater than fifteen percent (15%) measured by utilizing two (2) foot contours, except for:*
 - a) *Any planting of landscape materials or gardening which does not disturb the existing terrain in excess of a two-foot depth in two thousand (2,000) square feet;*
 - b) *Emergency situations as determined by the Town Engineer, where the disturbance of steep slopes is required to protect persons, animals or property from imminent danger;*
 - c) *Any routine road, highway or street maintenance; or*
 - d) *Ordinary maintenance and repair of existing structures or facilities.*
 - 3) *Disturbance within one hundred (100) feet of a wetland or watercourse as defined in Chapter 39A, "Wetlands and Watercourses", of the Town of Kent;*
 - 4) *Excavating or filling which exceeds a total of one hundred (100) cubic yards of material within any parcel or any contiguous parcels.*
- B) *Agricultural activities including household gardening shall be exempt from applying for a steep slope and erosion control permit.*
- C) *The discharger, owner or operator shall at all times comply with the requirements of New York State SPDES General Permit (GP 0-15-002) or as amended. A copy of any completed Notice of Intent submitted to the New York State Department of Environmental Conservation pursuant to GP 0-15-002 shall be submitted to the Planning Board.*

VAN ROSEN VINGE



February 10, 2016

-  Parcels
-  121; 123
-  10ft Contours (Watershed Area Only)



Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community
Putnam County IT/GIS



Memorandum

To: Planning Board, Town of Kent **Attn:** Michael McDermott, Chairman

From: Wilfred A. Rohde, P.E. **Subject:** Von Rosenvinge In-Ground Pool
451 Pudding Street; TM: 31.17-1-7

Date: March 1, 2016 **Project:** Steep Slopes and Erosion &
Sediment Control Plan Review

The following submitted documents were reviewed:

1. Description of Proposed Activity
2. Site Plan Check List
3. Site Plan Application
4. Two (2) Sketches of Proposed Activity
5. Steep Slope & Erosion Control Notes

The following comments are offered on the above:

1. Introduction: According to the sketches submitted for this application, this property and is located on the south side of Pudding Street. The property has an existing house with two patios in the back yard and a circular driveway off Pudding Street in front. The land drops off from Pudding Street down towards Peekskill Hollow Creek, which is about 1,100± ft. downhill from the pool. The average ground slope appears to be about 15-percent. The proposed in-ground pool will be located in the back yard. The back yard has some retaining walls.
2. Proposed Action: The Applicant is proposing to install an in-ground swimming pool, and they have constructed a temporary access road from Pudding Street along the west side of their property to the pool area. They are expecting the project to be completed by May 1, 2016.
3. Septic System: The location of the subsurface sanitary treatment system (SSTS, septic and tile field) is not indicated on the submitted sketches. It is recommended that the SSTS be shown and that a proper separation be made with the pool per Putnam County Health Department regulations. If the SSTS is near the pool construction area, an orange fence should be installed around the existing SSTS to keep heavy equipment from running over the tile field.

4. Erosion and Sediment Control Plan:

- a. Even though a check for \$500.00 for the erosion and control permit was submitted by the contractor, Rainbow Pools, no cost estimate was made to implement the erosion and sediment control plan as required on the Site Plan Check List.
- b. The total disturbance of land is estimated as follows:
 - Temporary Access Road (assumed width by scaling the sketch is 20 ft±) = 5,200 ± sq. ft.
 - Pool work area = 6,500 ± sq. ft.
 - Total estimated disturbed area = 11,700 ± sq. ft. = 0.26 ± acres
- c. It is noted that the area appears to be heavily wood per the Putnam County web site.
- d. Being that the project appears to be in an area having 15-percent slopes, it is requested that a better survey with existing and proposed topographical data around the pool site and disturbed areas be submitted.
- e. The Applicant has stated that a silt fence has already been installed along the line of disturbance. A detail and location plan of the silt fence around the pool should be shown as well.

It is hereby requested that the above concerns be addressed as required by the Town Code.

Bill Rohde

Wilfred A. Rohde, P.E.

Copy to:

Planning Board via email
Bill Walters via email
Bruce Barber via email
Neil Wilson via email
Tom Rabe via tomrabe@rainbowpools.com
File: 15-261-999-146

S:\261-Kent\999-Erosion Control\TM 31.17-1-7 Von Roseninge Pool\3-1-2016 RSA Memo to PB.doc



Cornerstone Associates

Environmental Consultants
1770 Central Street
Yorktown Heights, NY 10598
Phone: (914)-299-5293

March 10, 2016

To: Planning Board

From: Bruce Barber
Town of Kent Environmental Consultant

Re: VanRosenvinge
451 Pudding Street
Section 31.17 Block 1 Lot 7

Please be advised the following pertinent documents have been reviewed relative to the above referenced application:

- Hand drawn sketch labeled; "451 Pudding Street-VanRosenvinge" undated,

A site inspection was conducted on March 3, 2016

Review Comments:

Town of Kent jurisdictional wetlands and wetland buffer are not located with the observed disturbance or the disturbance indicated on the above referenced sketch. As a result, a wetland permit will not be required.

A substantial amount of work has already been accomplished at the site and this office defers to the Building Inspector and Planning Board Engineer for further review. This office will evaluate the temporary access driveway restoration/planting plan when provided by the applicant (as indicated in the note included in the application materials).

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

Sincerely,

Bruce Barber
Town of Kent Environmental Consultant



Memorandum

To: Planning Board
Town of Kent

Attn: Michael McDermott
Chairman

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

Subject: Erosion Control Plan

Date: March 9, 2016

Project: Von Rosenvinge Pool
TM # 31.17-1-7
451 Pudding Street

The following materials were reviewed:

- Combined Application Form, including affidavits
- A sketch of the property showing the construction access

The project proposes construction of a new in-ground pool. A permit was issued by the Building Department for the pool. However, a construction access drive was constructed without an Erosion Control Permit. The submittal documents indicate the construction access is to be temporary. It is also our understanding that the construction access drive encroaches on the adjoining property.

This memo is supplementary to the memo issued by Bill Rohde, dated March 1, 2016.

The subject Erosion and Sediment Control Plan is not approved. The following comments are provided for the Planning Board's consideration:

1. The project disturbs more than 5,000 SF of land and includes more than 100 cubic yards of fill. A Town of Kent Erosion & Sediment Control Permit is required in accordance with Town of Kent Town Code Chapter 66.

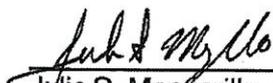
The project is outside the NYCDEP East of Hudson watershed and will disturb less than 1 acre of land. Therefore coverage under NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity, GP-0-15-002 is not required.

2. Provide the following information as required by Town Code Chapter 66-6.B.2:
 - a. §66-6.B.2.a – Provide “the location of the proposed area of disturbance and its relationship to property lines, easements, buildings, roads, walls and wetlands, if any, within 50 feet of the boundaries of said area.”
 - b. §66-6.B.2.b – Provide “existing topography of the proposed area of disturbance at a contour interval of not more than two feet. Contours shall be shown for a distance of 50 feet beyond the limits of the proposed area of disturbance, or greater than 50 feet if determined necessary by the Planning Board Engineer...”

- c. §66-6.B.2.c – Provide “proposed final contours at a maximum contour interval of two feet, locations of proposed structures, underground improvements, proposed surface materials or treatment, and dimensional details of proposed erosion and sediment facilities, as well as calculations used in the siting and sizing of sediment basins, swales, grassed waterways, diversion and other similar structures.”
 - d. §66-6.B.2.e – Provide “a soils and slopes map indicating existing soils on the property, based on the most recent United States Department of Agriculture (USDA) Soil Conservation Service soil survey for Putnam County. Generalized slope areas for slopes 0% to 15%; 15% to 25%; and greater than 25% shall be delineated. This map shall be drawn on a topographic base map with the date and source of the soils and steep slope data noted on said map.”
 - e. §66-6.B.2.g – Provide “a soil erosion and sedimentation control plan designed utilizing the standards and specifications contained in the most recent version of New York State Standards and Specifications for Erosion and Sediment Control. The design, testing, installation, maintenance and removal of erosion control measures shall adhere to these standards and any conditions of this chapter and the erosion control permit. This plan shall:
 - i. [1] Describe or depict the temporary and/or permanent structural and vegetative measures that will be used to control erosion and sedimentation for each stage of the project, from land clearing to the finished stage.
 - ii. [2] Delineate the area of the site that will be disturbed and shall include a calculation of the acreage or square footage so disturbed.
 - iii. [3] Include a map drawn at a scale of not less than one inch equals 40 feet showing the location of erosion and sediment control measures, swales, grassed waterways, diversions and other similar structures.
 - iv. [4] Provide dimensional details of proposed erosion and sedimentation facilities as well as calculations used in the siting and sizing of sediment basins, swales, grassed waterways, diversions and other similar structures.
 - v. [5] Include a timetable and schedule for completion and installation of all elements of the erosion control plan, together with a schedule for completion of the construction and disturbance proposed by the applicant.
 - vi. [6] Provide an estimate for the cost of implementing all elements of the erosion control plan. (This will be the basis of the erosion control bond estimate.)
 - vii. [7] Provide a maintenance schedule for erosion control measures.
 - f. §66-6.B.2.h – Provide “the details of any surface or subsurface drainage systems proposed to be installed, including special erosion control measures designed to provide for proper surface or subsurface drainage, both during the performance of the work and after its completion.”
3. Provide a note on the drawing stating “Per §66-6.K (1): Within 10 days after installation of all erosion control plan measures, the applicant shall submit to the Building Inspector

a letter from the qualified professional who designed the plan for the applicant/landowner stating that all erosion control measures have been constructed and installed in compliance with the approved plan(s)."

4. Refer to the Drawing:
 - a. For the temporary construction access, a stabilized construction entrance in accordance with New York Standards and Specifications for Erosion and Sediment Control is to be specified. Details for the stabilized construction entrance and silt fence are to be in accordance with New York Standards and Specifications for Erosion and Sediment Control.
 - b. A note should be added to the drawing regarding the removal of the temporary construction access and restoration of the wooded/ lawn areas when the construction access is no longer needed.
 - c. Any sediment tracked onto the road is to be removed as soon as possible. Provide a note on the drawing stating this.
5. The applicant is responsible for full payment of actual costs of erosion control inspections. An initial inspection fee deposit of \$1000 is to be paid to the Town in accordance with the Town of Kent Fee Schedule.
6. Per §66-6.F, we recommend the public hearing be held as the project disturbed land on an adjacent property.



Julie S. Mangarillo, P.E., CPESC

cc: Planning Board via email
Bill Walters via email
16-261-999-148

Bruce Barber via email
Neil Wilson via email

4. Erosion and Sediment Control Plan:

- a. Even though a check for \$500.00 for the erosion and control permit was submitted by the contractor, Rainbow Pools, no cost estimate was made to implement the erosion and sediment control plan as required on the Site Plan Check List.
- b. The total disturbance of land is estimated as follows:
 - Temporary Access Road (assumed width by scaling the sketch is 20 ft±) = 5,200 ± sq. ft.
 - Pool work area = 6,500 ± sq. ft.
 - Total estimated disturbed area = 11,700 ± sq. ft. = 0.26 ± acres
- c. It is noted that the area appears to be heavily wood per the Putnam County web site.
- d. Being that the project appears to be in an area having 15-percent slopes, it is requested that a better survey with existing and proposed topographical data around the pool site and disturbed areas be submitted.
- e. The Applicant has stated that a silt fence has already been installed along the line of disturbance. A detail and location plan of the silt fence around the pool should be shown as well.

It is hereby requested that the above concerns be addressed as required by the Town Code.

Bill Rohde

Wilfred A. Rohde, P.E.

Copy to:

Planning Board via email
Bill Walters via email
Bruce Barber via email
Neil Wilson via email
Tom Rabe via tomrabe@rainbowpools.com
File: 15-261-999-146

S:\261-Kent\999-Erosion Control\TM 31.17-1-7 Von Rosenvinge Pool\3-1-2016 RSA Memo to PB.doc

N/A

Town of Kent Planning Board
Resolution Of Time Extension Pertaining To
Site Plan
Steep Slope and Erosion Control Permit
and
Freshwater Wetland Permit Approvals

Matter of Patterson Crossing Retail Development
Town of Kent / Town of Patterson

Whereas, on October 9, 2014 the Town of Kent Planning Board conditionally reapproved Site Plan, Steep Slope and Erosion Control Permit, and Freshwater Wetland Permit approvals to allow the development of a ±382,560 square-foot retail center for a project known as Patterson Crossing Retail Development ("Project"); and

Whereas, said approvals are valid for one year from the date of approval, and may be extended by the Planning Board; and

Whereas, on September 17, 2015 the Board granted two ninety (90) day extensions, for a total of 180 days, forward from October 9, 2015 to April 5, 2016; and

Whereas, the Board has been advised that the applicant has made substantial progress in completing the conditions of the approvals, including obtaining other agency permits and approvals, although some work has yet to be completed including finalization of certain agreements between the Town and the applicant and posting of performance securities in accordance with said agreements; and

Whereas, the Board has also received for review and approval, an application for amended site plan approval that depicts changes to the proposed access driveway, site grading, and storm water management plan;

Now Therefore Be It Resolved, pursuant to §77-61(C) of the Town Code the Planning Board hereby grants two ninety (90) day extensions, for a total of 180 days, forward from April 5, 2016 to October 2, 2016 for the Site Plan, Steep Slope and Erosion Control Permit, and Freshwater Wetland Permit approvals for the Patterson Crossing Retail Development; and

Be It Further Resolved, that this resolution is an extension of time only to allow completion of the conditions of the approvals as set forth in the Board's resolution of October 9, 2014, said conditions remaining unchanged and in force and effect.

Motion: _____

Second: _____

Michael McDermott, Chairman _____

Janis Bolbrock, Vice Chair _____

George Brunner _____

Phil Tolmach _____

Charles Sisto Recused

Dennis Lowes _____

Date: _____

I certify that the above resolution was adopted by the Town of Kent Planning Board at a meeting of the Board held on March 10, 2016.

Vera Patterson, Clerk
Town of Kent Planning Board

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

Matter of Patterson Crossing Retail Development
Town of Kent / Town of Patterson

Whereas, the Town of Kent Planning Board has received an application from Patterson Crossing Realty, LLC, 1699 Route 6, Suite 1, Patterson, New York 10512 for Amended Site Plan, Amended Steep Slope and Erosion Control Permit, and Amended Freshwater Wetland Permit approvals to allow the development of a 382,560 square-foot retail center for a project known as Patterson Crossing Retail Development ("Project"); and

Whereas, the Planning Board originally granted Site Plan, Steep Slope and Erosion Control Permit, and Freshwater Wetland Permit approvals for the Project on September 9, 2010; and

Whereas, due to the complexity of the project and the number of other agency approvals that are necessary for work to commence, including poor economic conditions that have prevailed since 2008, the Planning Board re-issued all of the project approvals on May 10, 2012, May 9, 2013, and October 9, 2014 along with several time extensions including a 180 day extension granted on September 17, 2015 that extended all of the approvals forward from October 9, 2015 to April 5, 2016; and

Whereas, the proposed Amended Site Plan would reduce the grade of the access driveway from approximately 8% slope to approximately 7% slope thereby necessitating a lengthening of the driveway approximately 100 feet, and would incorporate the erosion control work to be performed by the East of Hudson Corporation on the "gully" located near Brentwood Road and Greenridge Court into the first phases of project construction rather than as part of future work; and

Whereas, the Amended Site Plan would result in some additional land disturbance for the additional driveway length and cut into the slope but would not alter the project so as to increase traffic or cause additional uncontrolled storm water runoff and erosion, while ensuring that the slope stabilization and mitigation work that would be performed by the East of Hudson Corporation on the eroded gully along the westerly side of the site would occur during the first phase of the work instead of at a later phase of site development; and

Whereas, although the proposed change to the driveway would result in some additional land disturbance, the Board considers such disturbance to be minor while taking note that a reduction in the overall slope of the driveway would improve emergency, delivery, and passenger vehicle access to the site; and

Whereas, the Board is aware that the excessive erosion along the "gully" has resulted in a deep ravine that carries uncontrolled storm water runoff during storm events into Lake Carmel and is a major contributor of phosphorus to the Lake and local waterways, and that having this work incorporated into the design plans for the project under which the work would be performed during the early phases of site development is an important and valued element of the overall project; and

Whereas, the Board is required to consider whether the proposed amended project plans raise new or previously unanticipated planning impacts or concerns and whether such impacts or concerns necessitate reconsideration of the Board's prior SEQRA determinations; and

Whereas, the Board's consideration of potentially significant environmental issues also takes into account any changes to the project site or to the neighborhood surrounding the project site such that the Board might otherwise be compelled to re-open and re-consider the Findings Statement that was adopted on September 9, 2010; and

Whereas, after such re-consideration the Board finds that there has been no substantive or material change to the proposed project design from the plans that were originally approved on September 9, 2010 that raise new or previously unanticipated environmental concerns that might warrant re-opening the Board's previous environmental review; and

Whereas, the Board has examined the project site and the character and nature of the neighborhood adjacent to the project site and finds that, with the exception of storm water improvements installed by the New York State Department of Transportation along the adjacent state highway, there has been no material change to the project site or to the neighborhood that might warrant a full site plan review; and

Whereas, because the Project has not materially changed from the one originally approved the Planning Board hereby waives a public hearing on the proposed Amended Site Plan, Amended Steep Slope and Erosion Control Permit, and Amended Freshwater Wetland Permit applications; and

Whereas, the Board referred the proposed Amended Site Plan application to the Putnam County Department of Planning for review and recommendation pursuant to GML 239-m; and

Whereas, by letter dated March 7, 2016 said Planning Department did not comment on the proposed project plans and recommended approval without change; and

Whereas, the Planning Board has reviewed the information and data supplied by the applicant for the proposed Amended Site Plan approval and has determined that the requirements of §77-60 and §77-61 of the Town Zoning Law have been met; and

Whereas, pursuant to §77-61(B) and §66-6 of the Town Code the Planning Board finds that the proposed Amended Site Plan meets the requirements of the Zoning Law, specifically:

1. The layout of the proposed driveway access and storm water management facilities of the Project in Kent will have a harmonious relationship with the existing and planned development of contiguous lands and adjacent neighborhoods. As noted in the adopted Findings Statement 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. In addition, the project plans include landscaping of the access driveway and in certain areas of the storm water management facilities to reduce

the visual impact of the improvements to adjacent and nearby properties.

2. The proposed access driveway and storm water management facilities would have no material adverse effect upon the desirability of such neighborhoods for the uses contemplated by this Chapter. As noted in the adopted Findings Statement the Project must, as a condition of those findings and of this resolution of approval, comply with Chapter 66 of the Town Code in regard to the construction, operation and maintenance of storm water management facilities, including the posting of securities sufficient to ensure the completion of any required improvements, and the providing of such agreements, remedies and security as the Town shall require for the continued maintenance and repair of such facilities. In addition, any required blasting would be subject to the permit requirements of Chapter 38 of the Town Code, and construction activities 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 as set forth in Chapter 48 of the Town Code.
3. The proposed access driveway and storm water management facilities would be properly related to the uses, goals and policies for land development as expressed in the Town Comprehensive Plan.
4. Pedestrian and vehicular access, traffic circulation and the general layout of the site would be properly planned with regard to the safety of vehicles and pedestrians using the site, as well as those on neighboring properties and streets.
5. The improvements proposed for the Kent portion of the project are properly oriented so as to take advantage of solar access 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.
6. The location of the access driveway and storm water management facilities reflects an awareness of and sensitivity to the views, terrain, soils, plant life and other unique qualities of the site and shall, to the maximum extent practical, preserve and enlarge upon these assets for recreation, scenic or conservation purposes.
7. The proposed use and improvements conform to the requirements of the Chapter 77 of the Town of Kent Code.

Whereas, pursuant to §39A-7(D)(1) of the Town Code the Planning Board has reviewed the proposed Amended Site Plan and has determined that the requirements of Chapter §39A, "Freshwater Wetlands" of the Town Code have been met as noted in the Findings Statement adopted by the Involved Agency:

"Under Chapter 39A of the Town Code the Town of Kent regulates certain discharges and other activities into wetlands, water bodies, and water courses and their "controlled areas". For purposes of wetlands the "controlled area" extends 100 feet outward from the edge of the wetland boundary, and for water bodies and water courses the "controlled area" extends 100 feet outward from the bank of the watercourse an elevation of less than three feet above the normal waterline,

whichever is greater. Chapter 39A prohibits the draining, dredging, excavation, and removal of material, the depositing or storing of any material, and the erection of buildings, roads and structures within regulated wetlands, water bodies, and water courses, and their controlled areas without a permit."

"As previously noted, the applicant proposes to undertake the repair and replacement of an aged and deteriorated section of 30 inch pipe along the south side of NYS Route 311 that is corroded through and is causing sink holes above the pipe and erosion under the pipe, resulting in the deposition of sediment and material (including phosphorus) into the Middle Branch that eventually finds its way to Lake Carmel. This work would also include the placement of certain road improvements within the Route 311 right of way that extends into the "controlled area" of the Middle Branch, which is a regulated water body under Chapter 39A of the Town Code. This work will therefore require a permit from the Planning Board and may also require permits or approvals from the NYCDEP and/or the USACOE. The amount of land area within the controlled area that would be disturbed is ± 2850 square feet, or ± 0.065 acres." The proposed storm water retrofits and improvements would serve as mitigation for disturbance to the Town's jurisdictional watercourse controlled area.

"The work proposed would result in the elimination of a condition under which the corroded pipe is allowing erosion and sediment to enter the Middle Branch and Lake Carmel. This work would therefore correct a latent and adverse environmental condition, meaning that the work to be performed under the Chapter 39A permit from the Town would be a repair of a condition not caused by or otherwise contributed to by the Project. The work is therefore not a mitigation measure as such, but is a repair that the applicant has agreed to perform as part of the installation of the storm water management facilities for the Project. In return the Town would realize an important benefit in the water quality of the Middle Branch and Lake Carmel."

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

1. The proposed disturbance to the controlled area of the Middle Branch surface waters is consistent with the policy of this chapter.
2. The proposed disturbance to the controlled area of the Middle Branch surface waters is consistent with the land use regulations governing wetlands, water bodies and watercourses applicable in the Town of Kent.
3. The proposed disturbance to the controlled area of the Middle Branch surface waters is 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).

Now Therefore Be It Resolved, the Planning Board hereby affirms its September 9, 2010 Findings Statement for the Patterson Crossing Retail Development in its entirety; and

Be It Further Resolved, pursuant to §77-60 and §77-61 of the Town Code the Planning Board grants Amended Site Plan Approval for the Patterson Crossing Retail Development as described herein; and

Be It Further Resolved, pursuant to §66-6 of the Town Code the Planning Board waives the maximum slope requirements of Chapter 66 to allow maximum slopes of 50% as may be approved by the Planning Board's Professional Engineer, and grants Steep Slope and Erosion Control approval for the 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, the Amended Site Plan, Steep Slope and Erosion Control Permit, and Freshwater Wetland Permit approvals granted herein are expressly conditioned completion of, and compliance with, the following:

- 1) *The Project shall be developed in accordance with the plans and specifications that have been reviewed by the Planning Board, specifically:*
 - a) *Site plan map set prepared by Insite Engineering, Surveying & Landscape Architecture, P.C, consisting of the following drawings:*
 - i) *VM-1K, Vicinity Map, dated January 21, 2016.*
 - ii) *EX-1K, Existing Conditions Plan, dated January 21, 2016.*
 - iii) *SS-1K, Soils & Slopes Map, dated January 21, 2016.*
 - iv) *SP-1K, Overall Site Plan, dated January 21, 2016.*
 - v) *SP-2K, Layout & Landscape Plan, dated January 21, 2016.*
 - vi) *SP-3K, Grading & Utilities Plan, dated January 21, 2016, revised February 18, 2016.*
 - vii) *SP-4.1K, Overall Phasing Plan, dated January 21, 2016.*
 - viii) *SP-4.2K, Sediment & Erosion Control Plan, dated January 21, 2016, revised February 18, 2016.*
 - ix) *SP-4.3K, Sediment & Erosion Control Plan, dated January 21, 2016, revised February 18, 2016.*
 - x) *SP-5K, Kent Watercourse Controlled Area Improvement Plan, dated January 21, 2016.*

- xi) PR-1K, Profiles, dated January 21, 2016.*
 - xii) PR-2K, Drainage Profiles, dated January 21, 2016, revised February 18, 2016.*
 - xiii) L-1K, Lighting Plan, dated January 21, 2016, revised February 18, 2016.*
 - xiv) DA-1K, Site Drainage Areas Contributing to the Middle Branch of the Croton River, dated January 21, 2016.*
 - xv) D-1K, Site Details, dated January 21, 2016.*
 - xvi) D-2K, Site Details, dated January 21, 2016.*
 - xvii) D-3K, Site Details, dated January 21, 2016.*
 - xviii) D-4K, Site Details, dated January 21, 2016.*
- 2) 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 and Wetland Consultant approval of the Storm Water Pollution Prevention Plan and Steep Slope Permit (Chapter 66 of the Town Code).*
 - b) Planning Board Professional Engineer, Attorney, and Wetland Consultant approval of any agreements required under Chapter 66 of the Town Code to ensure the performance of the Project obligations regarding that Chapter, and any Storm Water Pollution Prevention Plan and Steep Slope Permit issued thereunder.*
 - c) Town Board approval of the agreement(s), as set forth in §E(1) of the Involved Agency's Findings Statement, to address the establishment of tax liens by either host municipality upon the portion of the project in its jurisdiction to remedy default by the Project in future maintenance of storm water facilities situated in either of the two municipalities, and acceptance and execution of said agreement(s) by the Town Board of the Town of Kent, the Town Board of the Town of Patterson, and the applicant/owner, unless the Town Board elects to pursue other or alternative forms of security.*
 - d) NYS Department of Transportation approval for the specific traffic mitigation improvements within county highway rights-of-way and payment of funds related to monitoring of traffic as set forth in section E(4) of the Involved Agency's Findings Statement.*
 - e) Putnam County DPW approval for the specific traffic mitigation improvements within county highway rights-of-way and payment of funds related to monitoring of traffic as set forth in section E(4) of the Involved Agency's Findings Statement.*
 - f) Town of Kent Highway Department approval for the specific traffic mitigation improvements within town highway rights-of-way and payment of funds related to monitoring of traffic as set forth in section E(4) of the Involved Agency's Findings Statement.*

- g) Any required approvals from the NYC Department of Environmental Protection.
 - h) Any required approvals from the Putnam County Department of Health.
 - i) Any required U.S. Army Corps of Engineers (ACOE) permit(s).
- 3) Implementation, maintenance, and/or completion, as may be the case, of any mitigation and conditions set forth in sections "C", "D", and "E" of the Involved Agency's Findings Statement adopted September 9, 2010 is an express condition of the Site Plan Approval, the Steep Slope and Erosion Control Permit Approval, and the Freshwater Wetland Permit Approval granted herein.
 - 4) During and after construction the applicant shall adhere to, and the site shall be maintained in accordance with, any required mitigation as set forth in the Lead Agency's Findings Statement and the Involved Agency's Findings Statement.
 - 5) During and after construction the applicant shall adhere to, and the site shall be maintained in accordance with, any required conditions of this approval and the Town of Patterson Planning Board's Site Plan Approval.
 - 6) At all times the applicant shall maintain the site in accordance with the approved Site Plan and any on-going conditions of Site Plan Approval as set forth herein or as required by any other permitting or approving agency, including the MS4 approved SWPPP.
 - 7) There shall be no vehicles parked and offered for sale on the site.
 - 8) At the completion of construction, and prior to issuance of a Certificate of Occupancy, the applicant shall provide a certification sealed and signed 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 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 improvements.
 - 9) 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 and the Town 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.

- 10) *Address to the satisfaction of the Planning Board the comments of the Planning Board Professional Engineer as set forth in a memorandum dated September 9, 2010 and March 9, 2016.*
- 11) *Address to the satisfaction of the Planning Board the comments of the Planning Board Wetland Consultant as set forth in a memorandum dated August 2010 and February 11, 2016.*
- 12) *It is the responsibility of the owner/applicant to submit to the Planning Board proof that the conditions of this Site Plan Approval have been completed, and the signature of the Planning Board Chairman shall be withheld pending receipt of a written memorandum from the Planning Board Planning Consultant verifying that the conditions of this approval have been completed.*
- 13) *Prior to commencement of site work all required erosion control measures shall be implemented as shown on the approved plans for the development and shall be maintained in a good and functional condition during the course of site work and construction.*
- 14) *Except for "field changes" as may be approved by the Planning Board Professional Engineer or Wetland Consultant, the project shall be constructed in accordance with the project plans as set forth above. Any changes to the Site Plan and any changes to the Freshwater Wetland Permit shall be subject to the prior approval of the Planning Board before any such changes are implemented.*
- 15) *Pursuant to Chapter 38, Article II of the Town of Kent Code any blasting activity within the Town of Kent will require a permit from the Town Fire Inspector. In accordance with Section 38-13.3 of the Town Code blasting may be conducted when authorized by permit Monday through Friday between the hours of 8:30 a.m. and 4:00 p.m., and shall be prohibited Saturdays, Sundays and legal holidays. For blasting operations in the Town of Patterson the Applicant shall adhere to the requirements set forth in the Lead Agency's Findings Statement subject to the review and approval of the Town of Patterson.*
- 16) *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.*
- 17) *The Site Plan and Freshwater Wetland Permit approvals granted herein shall expire 1 year from the date of this approval. Prior to the expiration of these approvals, and in accordance with §77-61(C) of the Town Code, the applicant may request up to two additional 90 day extensions.*
- 18) *Approvals are conditioned upon arrangements acceptable to the Town Board concerning responsibility for future maintenance and repair of the storm water management facilities located in the Town of Kent portion of the Project.*
- 19) *Approvals are conditioned upon arrangements acceptable to the Town Board concerning responsibility for future maintenance, repair, and replacement of water and wastewater facilities situated within the Town of Kent portion of the Project.*

20) The applicant will prepare and submit for approval of the Planning Board a handout for nearby residents which addresses the process of blasting, scheduling, monitoring and all significant pre-blast and post-blast matters, and including a municipal contact name and telephone number in both the Town of Kent and Town of Patterson. The applicant will distribute the approved handout to all residents within a 1,000 foot radius of the point of blasting.

Motion: <u>George Brunner</u>	Second: <u>Janis Bolbrock</u>
Michael McDermott, Chairman	<u>Aye</u>
Janis Bolbrock, Vice Chair	<u>Aye</u>
George Brunner	<u>Aye</u>
Phil Tolmach	<u>Aye</u>
Charles Sisto	<u>Recused</u>
Dennis Lowes	<u>Aye</u>
	<u>Aye</u>

I certify that the above resolution was adopted by the Town of Kent Planning Board on March 10, 2016 at a regular meeting of the Board.

Vera Patterson
Vera Patterson, Clerk
Town of Kent Planning Board



Emily Lloyd
Commissioner

Paul V. Rush, P.E.
Deputy Commissioner
Bureau of Water Supply
prush@dep.nyc.gov

465 Columbus Avenue
Valhalla, NY 10595
T: (914) 742-2001
F: (914) 742-2027

March 9, 2016

Jeffrey Contelmo, P.E.
Insite Engineering, Surveying & Landscape Architecture, P.C.
3 Garrett Place
Carmel, NY 10512

Re: Kent-MB-311B Stormwater Retrofit
(T) Kent & Patterson; NYS Route 311
Middle Branch Reservoir Drainage Basin
DEP Log # 2014-MB-0704-SP.1

Dear Mr. Contelmo:

This letter is to inform you that your application to engage in the above referenced regulated activity pursuant to the "Rules and Regulations for the Protection from Contamination, Degradation, and Pollution of the New York City Water Supply and its Sources" (Watershed Regulations) was approved on March 9, 2016. Enclosed please find the New York City Department of Environmental Protection's (DEP) STORMWATER POLLUTION PREVENTION PLAN and CROSSING, PIPING OR DIVERSION PERMIT DETERMINATION for the property located on NYS Route 311 in the Towns of Kent and Patterson, New York.

The Department reserves the right to modify, suspend, or revoke this approval based on the grounds set forth in Section 18-26 of the Regulations. The activity proposed in your application applies only to the terms of this approval and is subject to the Regulations cited above. Failure to comply with the conditions of the approval may be the cause for suspension of this approval and initiation of an enforcement action. Should modification, suspension or revocation of an approval be necessary, NYCDEP will notify the regulated party, via certified mail or personal service, prior to modifying, suspending or revoking the approval. The notice will state the alleged facts or conduct which appear to warrant the intended action and explain the procedures to be followed.

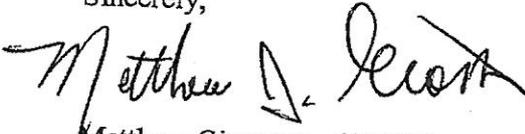
The Regulations provide that an applicant may appeal the imposition of a substantial condition in an approval by filing a petition, in writing, with NYCDEP and the New York City Office of Administrative Trials and Hearings ("OATH") within thirty days of the date this determination was mailed.

Please contact Matthew Giannetta at (914) 742-2028 at least 2 days prior to the start of construction so that NYCDEP may inspect and monitor the erosion control practices. A copy of this determination must be available at the project site during construction.

Mr. Contelmo, P.E.
March 9, 2016
Pg. 2

One set of plans bearing our conditioned stamp of approval is enclosed.

Sincerely,

A handwritten signature in black ink that reads "Matthew D. Giannetta". The signature is written in a cursive style with a large initial "M" and a stylized "D".

Matthew Giannetta, CPSWQ
Program Manager
Regulatory & Engineering Programs Section

xc w/ enclosures: Town of Patterson Planning Board
 Town of Kent Planning Board

xc: EOH Watershed Corporation
 Patterson Crossing Realty Company
 Armand DeAngelis, NYSDEC Region 3
 Mary Galasso, DEP



New York City Department of Environmental Protection

DETERMINATION STORMWATER POLLUTION PREVENTION PLAN CROSSING, PIPING, OR DIVERSION PERMIT

Pursuant to the authority granted under:
Article 11 of the New York State Public Health Law;
Rules and Regulations For The Protection From Contamination, Degradation and Pollution Of The New
York City Water Supply and Its Sources, 15 RCNY Chapter 18, 10 NYCRR Part 128.

New York City Department of Environmental Protection (DEP) makes the following determinations with respect to the stormwater pollution prevention plan (SWPPP) and crossing, piping, diversion permit (CPDP) described below:

Name of Project: Kent-MB-311B Stormwater Retrofit (on Patterson Crossing property)

Location: NYS Route 311; (T) Kent & Patterson; Putnam County, NY
Tax Map No.: Sheet 22; Block 22; Lot 48

Owner/Applicant: East of Hudson Watershed Corporation

Address: PO Box 176
Patterson, NY 12563

Drainage Basin: Middle Branch Reservoir

General Description:

The Applicant proposes a stormwater retrofit in the vicinity of the intersection of NYS Route 311 and Interstate I-84. The retrofit, which will be installed by the East of Hudson Watershed Corporation, is comprised of two components: the piping and redirection of eroded channel flow to a new micropool extended detention pond; and, the elimination of severely eroded channel. The drainage improvements are primarily located on private property owned by the Patterson Crossing Realty Company.

DETERMINATION ~ SWPPP & CPDP

The SWPPP and CPDP shall be implemented in accordance with the engineering report dated February 24, 2016 and the drawings titled "*Kent-MB-311B Stormwater Retrofit*" prepared by Insite Engineering, Surveying & Landscaping Architecture, P.C. and last revised on February 24, 2016 (see appendix A).

Date(s) of site inspection: December 2014

Approved

Denied

Conditions of Approval:

This approval is granted with the following conditions:

- The regulated activity must be conducted in compliance with the plans as approved, listed in Appendix A, all applicable accepted standards, and all applicable laws, rules and regulations. Any alteration of the plans must be approved by DEP prior to construction.
- The applicant is required to submit as-built drawings for all stormwater management and water quality facilities.
- Alteration or modification shall require DEP review and approval of an amended SWPPP.
- All erosion and sediment controls must be properly installed and maintained until the site has been stabilized and the risk of erosion eliminated. Final stabilization is defined in the General Permit as all soil disturbing activities at the site have been completed, and that a uniform perennial vegetative cover with a density of 80% cover for the area has been established or equivalent stabilization measures (such as the use of mulches or geotextiles) have been employed.
- The applicant must schedule a pre-construction conference prior to the start of construction. Present at the meeting should be the applicant, the engineer, the contractor, and DEP staff.
- The applicant must notify DEP at least forty-eight (48) hours prior to the commencement of construction activity so that inspections can be scheduled by DEP.

- A copy of the approved plans must be maintained for record and a copy must be available for inspection at the construction site.
- This approval shall expire and thereafter be null and void unless construction is completed within five (5) years of the date of issuance or within any extended period of time approved by DEP upon good cause shown.
- In the event that the material submitted is inaccurate or misleading, this approval is not valid and construction of this project is in violation of DEP Regulations.
- Failure to comply with any of the conditions of this approval is a violation of this approval and the Rules and Regulations for the Protection from Contamination, Degradation and Pollution of the New York City Water Supply and Its Sources.
- The stormwater management facilities must be maintained in accordance with the maintenance schedule included in the SWPPP and approved by DEP.
- This approval and all conditions of the approval are binding on the owner of the property where the facility is to be located. Any references to the "applicant" in this approval or in any conditions of this approval shall be deemed to refer to the owner of such property.
- If the applicant sells or otherwise transfers title of **Kent-MB-311B Stormwater Retrofit** before all construction planned for the property is complete and the site is stabilized, the applicant shall require the new owner ("Buyer") to comply with the SWPPP approved by the New York City Department of Environmental Protection on **March 9, 2016**, including, but not limited to, all provisions relating to erosion and sediment control during construction and to all maintenance of the stormwater management facilities once construction is complete. In particular, the applicant shall provide the Buyer with a copy of the SWPPP and shall cause the following real covenants and restrictions to be recorded with the deed for **Kent-MB-311B Stormwater Retrofit** with the following provisions:
 - (1) Buyer hereby acknowledges covenants, warrants, and represents that he/she shall install and maintain any and all erosion controls and stormwater management facilities on the premises in accordance with the SWPPP/CPDP, such SWPPP/CPDP being attached hereto as Exhibit 1.
 - (2) Buyer's installation and maintenance of the erosion control and stormwater management facilities shall be for the benefit of the consumers of the New York

City drinking water supply system as well as for the owners of **Kent-MB-311B Stormwater Retrofit**.

- (3) Buyer's obligation to install and maintain any and all erosion controls and stormwater management facilities on the premises in accordance with the attached SWPPP/CPDP shall be perpetual, shall run with the land, and shall be binding on Buyer's heirs, successors, and assigns.
 - (4) Buyer hereby covenants, warrants and represents that any lease, mortgage, subdivision, or other transfer of **Kent-MB-311B Stormwater Retrofit**, or any interest therein, shall be subject to the restrictive covenants contained herein pertaining to the installation and maintenance of erosion control and stormwater management facilities, and any deed, mortgage, or other instrument of conveyance shall specifically refer to the attached SWPPP and shall specifically state that the interest thereby conveyed is subject to covenants and restrictions contained herein.
- Prior to conveying title to **Kent-MB-311B Stormwater Retrofit**, the applicant shall submit to DEP a proposed deed containing the aforementioned real covenants and restrictions.

Date: March 9, 2016

Determination made by:



Matthew Giannetta, CPSWQ
Stormwater Program Manager
Regulatory & Engineering Programs

This determination letter must be maintained by the applicant and be readily available for inspection at the construction site.

APPENDIX A

1. Stormwater Pollution Prevention Plan (engineering report) dated February 24, 2016.
2. "Existing Conditions & Removals Plan," drawing number SP-1 dated 06/03/13, latest revision dated 02/24/16.
3. "Layout & Landscape Plan," drawing number SP-2 dated 06/03/13, latest revision dated 02/24/16.
4. "Grading & Drainage Plan," drawing number SP-3 dated 06/03/13, latest revision dated 02/24/16.
5. "Erosion & Sediment Control Plan," drawing number SP-4 dated 06/03/13, latest revision dated 02/24/16.
6. "Details," drawing number D-1 dated 06/03/13, latest revision dated 02/24/16.
7. "Details," drawing number D-2 dated 06/03/13, latest revision dated 02/24/16.



**Putnam County
Department of Planning, Development,
and Public Transportation**

www.putnamcountyny.com

**Sandra M. Fusco
Deputy Commissioner**

**841 Fair Street
Carmel, NY 10512**

**Phone: (845) 878-3480
Fax: (845) 808-1948**

SECTION 239 CASE REFERRAL

Case Received:

Report Required:

Completed:

Application Name:

Referral #:

TOWN: Carmel: Philipstown: VILLAGE: Brewster:
 Kent: Putnam Valley: Cold Spring:
 Patterson: Southeast: Nelsonville:

Referred by: PB: ZBA: Town Board: Historic District Review Board:

Location of Project:

Present Zone:

Tax Map #:

Type of action: Variance: Zoning Ordinance: Master Plan:
 Subdivision: Special Use Permit: Subdivision Regulations:
 Site Plan: Rezoning: Certificate of Appropriateness:
 Zoning Amendment:

DECISION BY COUNTY:

Approved as Submitted: Modification: Disapproved:

Basis for Decision Other than Approval:

Reviewed by Barbara Barosa
 (Signature)

Barbara Barosa, Planner
 (Title)

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

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

Memorandum

DATE: March 7, 2016
FROM: The Kent Planning Board
TO: Putnam County Department of Planning
841 Fair Street
Carmel, NY 10512
Attn: Ms. Barosa
RE: Patterson Crossing
Route 311
Kent, NY 10512
TM: 22-2-48

RECEIVED
MAR - 7 2016
PLANNING DEPT.
PUTNAM COUNTY, NY

Dear Ms. Barosa:

Please find attached a site plan and backup documents for the property noted above prepared by Insite Engineering, which is for a proposed retail shopping center on Route 311.

The Kent Planning Board discussed this project and the applicant's request for a time extension at their meeting held on March 3, 2016.

The Planning Board respectfully requests a review by your office under GML 239M. If you have any questions, please feel free to call me at 845-225-7802.

Thank you very much.

Sincerely,



Vera Patterson
Planning Board Secretary
25 Sybil's Crossing
Kent, NY 10512
845-225-2779 (T)
845-306-5283 (F)
planningkent@townofkentny.gov



RECEIVED
MAR - 7 2016

January 21, 2016

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

RE: Patterson Crossing Retail Center
NYS Route 311
Tax Map No. 22-2-48

Dear Chairman McDermott and Members of the Board:

With regard to the above-referenced project, enclosed are the following:

- Fourteen (14) copies of the Combined Application Form for Site Plan, Freshwater Wetland, and Steep Slope & Erosion Control dated January 21, 2016.
- Fourteen (14) copies of the Summary of Approvals dated January 21, 2016.
- Fourteen (14) copies of Figure A, "Proposed Improvements within Regulated Areas," January 21, 2016.
- Five (5) full-size sets of Amended Site Plans (14 sheets) dated January 21, 2016.
- Nine (9) reduced-size sets of Amended Site Plans (14 sheets) dated January 21, 2016.
- Application Fee in the amount of \$2,150.00.

The changes to the site plan include the following:

1. Update of the stormwater treatment system for the runoff from the Lake Carmel Community located along the western side of the property. The Amended Site Plans are now consistent with the East of Hudson Watershed Corporation's project, which is being rebid next month for construction in the spring of this year.
2. The road grade has been lessened from approximately 8%, to approximately 7%, based on input from the applicant's consultants.

The Amended Site Plans have been updated to reflect all of the improvements discussed above with the exception of the following detailed items, which are currently being developed and will be available for the next meeting with the Board.

1. The stormwater collection system pipe sizing and detailed invert information (to be provided on Drawing SP-3K).
2. The detailed snapshots of each phase included within the Town of Kent (to be provided on Drawings SP-4.2K and SP-4.3K).

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

3. The drainage profiles (to be provided on Drawing PR-2K).
4. The Lighting Plan with photometric data (to be provided on Drawing L-1K).

We respectfully request that this project be placed on the February 11, 2016 Planning Board agenda to discuss the Amended Site Plan documents. Should you have any questions or comments regarding the above information, please do not hesitate to contact me.

Very truly yours,

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

By:


Jeffrey J. Contelmo, P.E.
Principal Engineer

JJC/amh

Enclosures

cc: Fred Koelsch, CRI

Insite File No. 01124.100



Cornerstone Associates

Environmental Consultants
1770 Central Street
Yorktown Heights, NY 10598
Phone: (914)-299-5293

March 10, 2016

To: Planning Board

From: Bruce Barber
Town of Kent Environmental Consultant

Re: Patterson Crossing
Route 311
Section 22 Block 2 Lot 48

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

Letter executed by Jeffrey Contelmo, PE of Insite Engineering dated 02/18/16, 2 pages.

Letter executed by Matt Giannetta, CPSWQ of NYCDEP dated 03/09/16, 2 pages. Plans entitled: "Patterson Crossing Retail Center" prepared by Insite Engineering dated 01/21/16, 18 total sheets: Figure A, VM-1K, EX-1K, SS-1K, SP-1K, SP-2K, SP-3K, SP-4.1K, SP-4.2K, SP-4.3K, SP-5K, PR-1K, L-1K, DA-1K, D-1K, D-2K, D-3K, D-4K.

Review Comments:

The applicant has provided satisfactory responses to the review comments prepared by this office on February 11, 2016. The following are remaining comments

1. As a condition of approval, a fully executed maintenance agreement indicating that the stormwater structures will be maintained by the applicant in compliance with EOH and NYSDEC requirements should be provided.
2. NYCDEP approval was obtained for the proposed retrofit (Kent-MB-311B) on March 9, 2016.
3. This office defers to the Planning Board Engineer regarding amended SWPPP review including construction phasing and phosphorous reduction calculations.

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

Sincerely,

Bruce Barber, Town of Kent Environmental Consultant



Memorandum

To: Planning Board
Town of Kent

Attn: Michael McDermott
Chairman

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

Subject: Amended Site Plan Review

Date: March 9, 2016

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

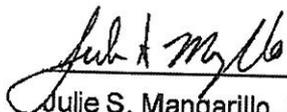
The following material was reviewed:

- Submittal letter prepared by Insite Engineering, Surveying & Landscape Architecture, P.C., dated 2/18/2016
- Drawings, prepared by Insite Engineering, revised 2/18/2016, including SP-3K, SP-4.2K, SP-4.3K, PR-2K, and L-1K

The project sponsors are requesting amended site plan approval for changes to the entrance drive and stormwater management facilities in the Town of Kent.

The following is offered for consideration by the Planning Board:

1. Revisions to the phasing plan to address the on-going erosion problem on the slope in the Town of Kent earlier in the project is a benefit for Kent.
2. Refer to drawing SP-3K: The "proposed rip rap swale/slope bench" on the westerly side of the entrance drive, between the entrance drive and "proposed stormwater basin 3.1" ends abruptly, near drainage structure DMH-11. In the previous design, drainage structure DI-308A was located at the end of the rip rap swale to collect the runoff and direct it to "proposed stormwater basin 3.2". Please provide additional detail as to how the runoff in the rip rap swale will be handled.


Julie S. Mangarillo, P.E., CPESC

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

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



Cornerstone Associates

Environmental Consultants
1770 Central Street
Yorktown Heights, NY 10598
Phone: (914)-299-5293

March 10, 2016

To: Planning Board

From: Bruce Barber
Town of Kent Environmental Consultant

Re: Bottlegate Farm
Route 52 and Horsepound Road
Section 22 Block 1 Lot 13

Please be advised the following pertinent documents have been reviewed relative to the above referenced application:

Letter executed by John Watson P.E., of Insite Engineering dated 02/11/16, 1 page.
Erosion and Sediment Control Bond Estimate dated 07/20/06 revised 02/11/16.

A site inspection was conducted on March 10, 2016

Summary:

The applicant is requesting a reduction in the erosion and sediment control bond currently being held on the above referenced project. The request is to reduce the current bond of \$19,700 to \$5,775 (\$14,405 reduction). The applicant has indicated that the project is substantially complete with the exception of the redevelopment of the rear barn with associated grading, installation of the septic system and construction of the driveway entrance from Horsepound Road.

Review Comments:

It is recommended that the Planning Board require the applicant to provide the engineer's certification and as-built survey of the completed improvements as required in the Planning Board Site Plan Approval Resolution (condition #8) dated January 10, 2013 prior to consideration by the Board of the bond reduction request.

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

Sincerely,

Bruce Barber, Town of Kent Environmental Consultant



Memorandum

To: Planning Board
Town of Kent

Attn: Michael McDermott
Chairman

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

Subject: Erosion Control Plan

Date: March 7, 2016

Project: Putnam Stone/Kent Investors
TM # 44.6-1-7

The following materials were reviewed:

- Town of Kent Combined Application Form, signed 2/19/2016
 - Affidavit by agent of owner
- Drawing – “Survey of Property prepared for Putnam Stone & Mason Supply, Inc.,” prepared by Badey & Watson Surveying & Engineering, P.C., dated March 17, 2006, last revised July 23, 2013 with hand written notations.

The property has recently been purchased by new owners. The project proposes grinding/processing of existing organic/vegetative stockpiles and rock crushing/processing of existing rock and commingled stockpiles. The property has violations from the building department for the aforementioned stockpiles. The processing of the stockpiles is being proposed to remedy the open violation.

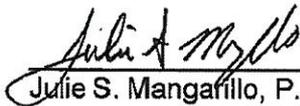
The stockpiles contain more than 100 cubic yards of fill. Per Town of Kent Town Code Chapter 66, §66-5.A(4) a Town of Kent Erosion Control Permit is required.

The subject Erosion and Sediment Control Plan is not approved. The following comments are provided for the Planning Board’s consideration:

1. As the proposed work is to remedy an open violation and based on the information included in the drawing provided, we recommend the following requirements for information be waived as required by Town Code Chapter 66-6.B.2:
 - a. §66-6.B.2. with the exception of:
 - i. §66-6.B.2.g [7] Provide a maintenance schedule for erosion control measures.
2. §66-6.B.6 – Provide “copies of all applications, permits and approvals required by any other local, state or federal agency associated with the construction and site work/disturbance proposed by the applicant.”
 - a. The applicant has provided email correspondence to NYSDEC regarding processing of the stockpiles. NYSDEC approved procedures will need to be

followed for processing. The procedures are to be incorporated into the application. A copy of the NYSDEC permit is to be provided.

3. Provide a note on the drawing stating "Per §66-6.K (1): Within 10 days after installation of all erosion control plan measures, the applicant shall submit to the Building Inspector a letter from the qualified professional who designed the plan for the applicant/landowner stating that all erosion control measures have been constructed and installed in compliance with the approved plan(s)."
4. Refer to the Drawings:
 - a. Include additional notation to indicate the hand written notes are by the property owner. This is to make clear that the drawing has not been revised by the original surveyor.
 - b. Provide a note on the drawing stating any sediment tracked onto paved surfaces will be cleared.
5. Refer to the Application:
 - a. Provide an "Affidavit to be completed by owner" or "Affidavit to be completed by agent of owner" to prove that the applicant is the owner of the property, not just the contractor.
6. A bond estimate of \$2000.00 was prepared by this office. We recommend this bond estimate be accepted for the bond amount and recommended for approval by the Town Board.
7. The applicant is responsible for full payment of actual costs of erosion control inspections. An initial inspection fee deposit of \$1000 is to be paid to the Town in accordance with the Town of Kent Fee Schedule.
8. We recommend the remaining project review be referred to the Planning Board consultants to be handled administratively.
9. We defer to the Planning Board's environmental consultant regarding wetland issues.



Julie S. Mangaffillo, P.E., CPESC

cc: Planning Board via email
Bill Walters via email
16-261-168-02

Bruce Barber via email
Neil Wilson via email



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

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

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

To: Planning Board Town of Kent
From: Julie S. Mangarillo, P.E., CPESC
Date: March 7, 2016

Attn: Michael McDermott, Chairman
Subject: Erosion Control Bond Amount
Project: Putnam Stone/ Kent Investors
Tax Map: 44.6-1-7

The erosion control bond is as follows:

ITEM	QUANTITY	UNIT	UNIT COST	TOTAL COST
Silt Fence	500	LF	\$ 4.00	\$ 2,000.00
			TOTAL:	\$ 2,000.00

*Silt Fence length estimated from drawing provided by applicant.

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

email: 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.

RECEIPT		DATE <u>Feb 25, 2016</u>	No. <u>373673</u>
RECEIVED FROM <u>Kent Investors LLC/Put. Stone</u>		\$ <u>500.⁰⁰/₁₀₀</u>	
<u>Five Hundred and ⁰⁰/₁₀₀</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 _____

RECEIPT		DATE <u>Feb 25, 2016</u>	No. <u>373674</u>
RECEIVED FROM <u>Kent Investors/Putnam Stone</u>		\$ <u>1,000.⁰⁰/₁₀₀</u>	
<u>One Thousand and ⁰⁰/₁₀₀</u>		DOLLARS	
<input type="radio"/> FOR RENT		<u>Review/Escrow Account - TM: 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

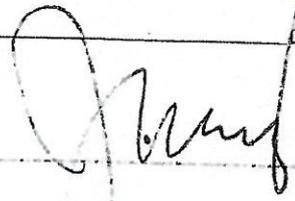
\$ 500.⁰⁰/₁₀₀
DOLLARS

Five Hundred and ⁰⁰/₁₀₀

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

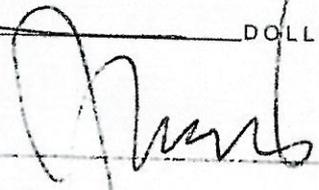
\$ 1,000.00
DOLLARS

One Thousand and ⁰⁰/₁₀₀

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

APPLICANT NAME: KECT CONST CORP. / Putnam Street

ADDRESS: P.O. Box 201 Putnam Street N.Y. 12563
Rte. 52, Kent, NY
TM: 46.6-1-7

Planning Department
Town of Kent

CONTACT TELEPHONE NUMBER: 914-525-7487

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)

Manager
(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

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: PUTNAM 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[±] ACRES
- 2) Total contiguous acreage controlled by applicant/owner¹: 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 Permit² 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: *Budd 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 1 LOT 7
Property Size: 7.4 ACRES
Name of Wetland Consultant: N.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) 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.
February 2015

AFFIDAVIT TO BE COMPLETED BY AGENT OF OWNER

State of NY

County of DUTCHESS

}
} ss:
}

DONALD FLUDD II

being duly sworn, deposes and says:

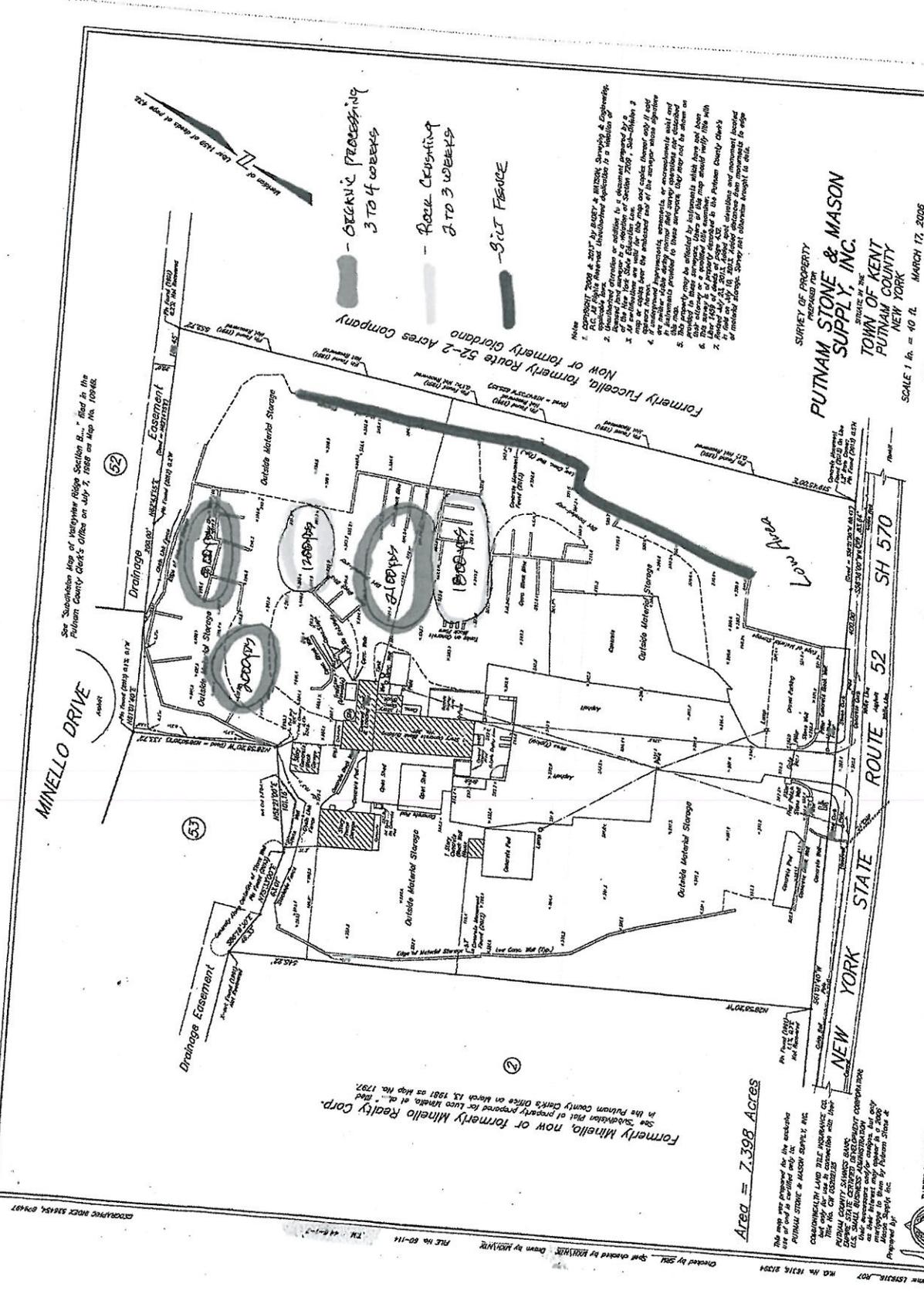
1. That I/we are the CONTRACTOR named in the foregoing application for Planning Board for Subdivision / Revised Lot Line / Site Plan / Conditional Use Permit / Change in Use / Freshwater Wetland / Steep Slope and Erosion Control approval(s) and that the statements contained therein are true to the best of my/our knowledge and belief.
2. That he/she resides at 41 BESSON RD. WASSIC in the County of JUTCHESS 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 Fludd 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



See "Subdivision Map of Interstate Highways Section B..." filed in the Putnam County Clerk's Office on July 14, 1988 as Map No. 109462.

MINELLO DRIVE

Drainage

Drainage Easement

Formerly Fuccilla, formerly Route 52-2 Acres Company

NEW YORK STATE ROUTE 52 SH 570

Formerly Minello, now or formerly Minello Realty Corp.
 See Subdivision Plat of property prepared for Lucco Minello, et al., filed in the Putnam County Clerk's Office on March 15, 1981 as Map No. 1797.

Area = 7.398 Acres

This map was prepared for the undersigned by the undersigned and is not a warranty of title or of any other matter.
 PUTNAM STONE & MASON SUPPLY, INC.
 3000 Route 9, Cold Spring, NY 10516
 (914) 261-8887
 (914) 261-1000 (fax)
 www.putnamstone.com

BAILEY & WATSON, Surveyors & Planners, P.C.
 3000 Route 9, Cold Spring, NY 10516
 (914) 261-8887
 (914) 261-1000 (fax)
 www.baileyandwatson.com

- GRAVEL PROCESSING
 3 TO 4 WEEKS

- ROCK CRUSHING
 2 TO 3 WEEKS

- SILT FENCE

NOTES:
 1. CONTRACT 2008 & 2017, by PUTN & MAS, a PUTN, Surveying & Engineering, Inc., dated 10/15/08, as amended, for the preparation of a Subdivision Plat of the above property.
 2. Unsubstantiated allegations or additional allegations of fraud, perjury or other illegal acts, or any other act, in connection with the preparation of this map, shall constitute a violation of the laws of the State of New York.
 3. The undersigned is not responsible for the accuracy of the information provided in this map, and the undersigned is not responsible for the accuracy of the information provided in any other map or document.
 4. The undersigned is not responsible for the accuracy of the information provided in any other map or document.
 5. The undersigned is not responsible for the accuracy of the information provided in any other map or document.
 6. The undersigned is not responsible for the accuracy of the information provided in any other map or document.
 7. The undersigned is not responsible for the accuracy of the information provided in any other map or document.
 8. The undersigned is not responsible for the accuracy of the information provided in any other map or document.
 9. The undersigned is not responsible for the accuracy of the information provided in any other map or document.
 10. The undersigned is not responsible for the accuracy of the information provided in any other map or document.

SURVEY OF PROPERTY
 PREPARED BY
**PUTNAM STONE & MASON
 SUPPLY, INC.**
 3000 ROUTE 9, INC.
 TOWN OF KENT
 PUTNAM COUNTY
 NEW YORK

SCALE 1 in. = 40 ft. MARCH 17, 2008
 This map was prepared for the undersigned by the undersigned and is not a warranty of title or of any other matter.
 PUTNAM STONE & MASON SUPPLY, INC.
 3000 Route 9, Cold Spring, NY 10516
 (914) 261-8887
 (914) 261-1000 (fax)
 www.putnamstone.com

BAILEY & WATSON,
 SURVEYING & PLANNING, P.C.
 3000 ROUTE 9, COLD SPRING, NY 10516
 (914) 261-8887
 (914) 261-1000 (fax)
 www.baileyandwatson.com



Cornerstone Associates

Environmental Consultants
1770 Central Street
Yorktown Heights, NY 10598
Phone: (914)-299-5293

March 10, 2016

To: Planning Board

From: Bruce Barber
Town of Kent Environmental Consultant

Re: Putnam Stone
301 Route 52
Section 22-2-48

Please be advised the following pertinent documents have been reviewed relative to the above referenced application:

- Hand drawn sketch of proposed removal of stockpiled materials.

A site inspection was conducted on March 9, 2016

Summary:

The applicant is proposing to remove existing stockpiles of organic materials (predominately wood products), rock/stone and mixed construction debris in order to address existing violations on the site.

Review Comments:

The applicant has indicated that NYSDEC has provided information indicating testing of the construction debris is not required. This should be provided in writing to the Board.

A current NYSDEC wetland permit should be provided.

Processing and transport of the on-site wood materials must be accomplished in compliance with NYSDEC-Forest Health requirements to prevent the spread of the Emerald Ash Borer.

The location of the rock crushing equipment and potential stock piles should be located on the plans. The applicant should indicate compliance with the Town of Kent noise ordinance and all requirements of the Planning Board.

This office defers to the Planning Board Engineer regarding review of the erosion and sediment control plan.

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

Sincerely,

Bruce Barber
Town of Kent Environmental Consultant

Planning Kent

From: WRohde@rsaengrs.com
Sent: Monday, March 07, 2016 11:58 AM
To: 'Mike Calabrese'
Cc: 'Bruce Barber'; Building Inspector; Rich Othmer; Planning Kent; 'Neil Wilson'; 'Edituhmike'; 'Julie Mangarillo'
Subject: RE: Bene project Tibet drive Kent

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Michael

Just to follow up on our telephone conversation and so that everyone is on the same page, the following was discussed:

- 1) Drainage work along the town road right-of-way should be a required by the Town Highway Supt.
- 2) Access to the tile field should be along the route of the 2-inch force main and along the path of least resistance.
- 3) Provide durable vegetation along with water bars or interceptor dykes to prevent erosion and to reduce flow lengths on the sloping cleared path through the woodland up to the tile field.
- 4) Be sure to get updated approval from the County Health Department.
- 5) Revise your plans per my recent comments and the requirement of the Highway Dept.

Thanks,

Bill Rohde

Wilfred A. Rohde, PE
Rohde Soyka & Andrews
Consulting Engineers PC
40 Garden Street
Poughkeepsie NY 12601
845-452-7515 (Office)
914-474-0029 (Cell)

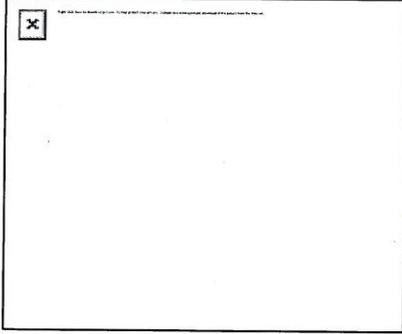
From: Mike Calabrese [<mailto:mcalabrese@badey-watson.com>]
Sent: Monday, March 07, 2016 7:47 AM
To: wrohde@rsaengrs.com
Subject: Bene project Tibet drive Kent

Hi Mr. Rohde

I'm working on you're comments for Mr. Bene project in Kent.
I wanted to discuss you're comments with you. So I can address them and send the project back into Kent, so we can get back on for the meeting for next month.

thank you,

--
Michael Calabrese (Engineer Department)
Badey & Watson, Surveying & Engineering, P.C.
3063 Route 9, Cold Spring, NY 10516
845-265-9217 x25
845-265-4428 (Fax)
info@badey-watson.com
<http://badey-watson.com>



Planning Kent

From: WRohde@rsaengrs.com
Sent: Thursday, February 18, 2016 4:48 PM
To: 'Bruce Barber'
Cc: Planning Kent; bartlansky@gmail.com
Subject: RE: Bene TM 30.20-1-16
Attachments: DOC021816 BENE SDS PHD Application-02182016162945.pdf

Hi Bruce,

Yes, we have the Approved Permit Application & the Engineer's as-built drawing septic tile field (attached).

Attached also is the well permit. These documents are all dated Oct-12-2012.

Does this constitute acceptance of the septic tile field system as constructed?

What about the Water Well, the 2" Force Main and the Septic/Pump Tanks; are they constructed as well?

This whole thing is very confusing and chopped up.

Thanks

Bill Rohde

Wilfred A. Rohde, PE
Rohde Soyka & Andrews
Consulting Engineers PC
40 Garden Street
Poughkeepsie NY 12601
845-452-7515 (Office)
914-474-0029 (Cell)

From: Bruce Barber [<mailto:barberbruce@yahoo.com>]
Sent: Thursday, February 18, 2016 2:27 PM
To: <WRohde@rsaengrs.com>
Subject: Re: Bene TM 30.20-1-16

Hi Bill,

Just thinking on what might help this along...have you seen the PCDOH executed permit and the engineer septic design drawing signed by the PCDOH for the existing system? I don't recall seeing them, maybe Mr. Lansky has them? Best, Bruce

Sent from my iPhone

ED WELL
 Cop Saf
 1 OF PROPOSED WELL

IMPERVIOUS SOIL
 SIDES)

03/04/08	ORIGINAL DRAWING
04/01/08	PCDH COMMENTS DATED 03/26/08
04/07/08	ALTERNATE HOUSE PLANS
04/30/08	ALTERNATE HOUSE PLANS
07/20/10	AS-BUILT OF LATERALS
09/12/12	PERMIT RENEWAL

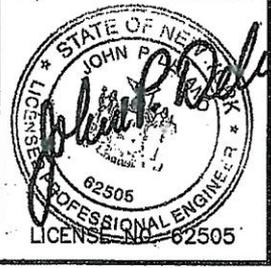
PROJECT LOCATION
 TIBET DRIVE
 TOWN OF KENT
 COUNTY OF PUTNAM
 STATE OF NEW YORK

PROJECT DESCRIPTION
 SEPARATE SEWAGE TREATMENT FACILITY
 TO SERVICE NEW SINGLE-FAMILY DWELLING
 WITH INDIVIDUAL PRIVATE WATER SUPPLY

PREPARED FOR
 JOE BENE
 10 MOUNT HOPE ROAD
 MAHOPAC, NY 10541

**SUBSURFACE SEWAGE
 TREATMENT SYSTEM**

SCALE: AS NOTED



PRINTED
 SEP 12 2012
BADEY & WATSON
 Surveying & Engineering, P.C.

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BADEY & WATSON, Surveying & Engineering, P.C.
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PUTNAM COUNTY DEPARTMENT OF HEALTH
 DIVISION OF ENVIRONMENTAL HEALTH SERVICES.
Renewal K-02-08/SW-05-08
 APPROVED AS NOTED FOR CONFORMANCE WITH
 APPLICABLE RULES AND REGULATIONS OF THE
 PUTNAM COUNTY HEALTH DEPARTMENT.
John P. Badey
 SIGNATURE & TITLE APPROVE DATE

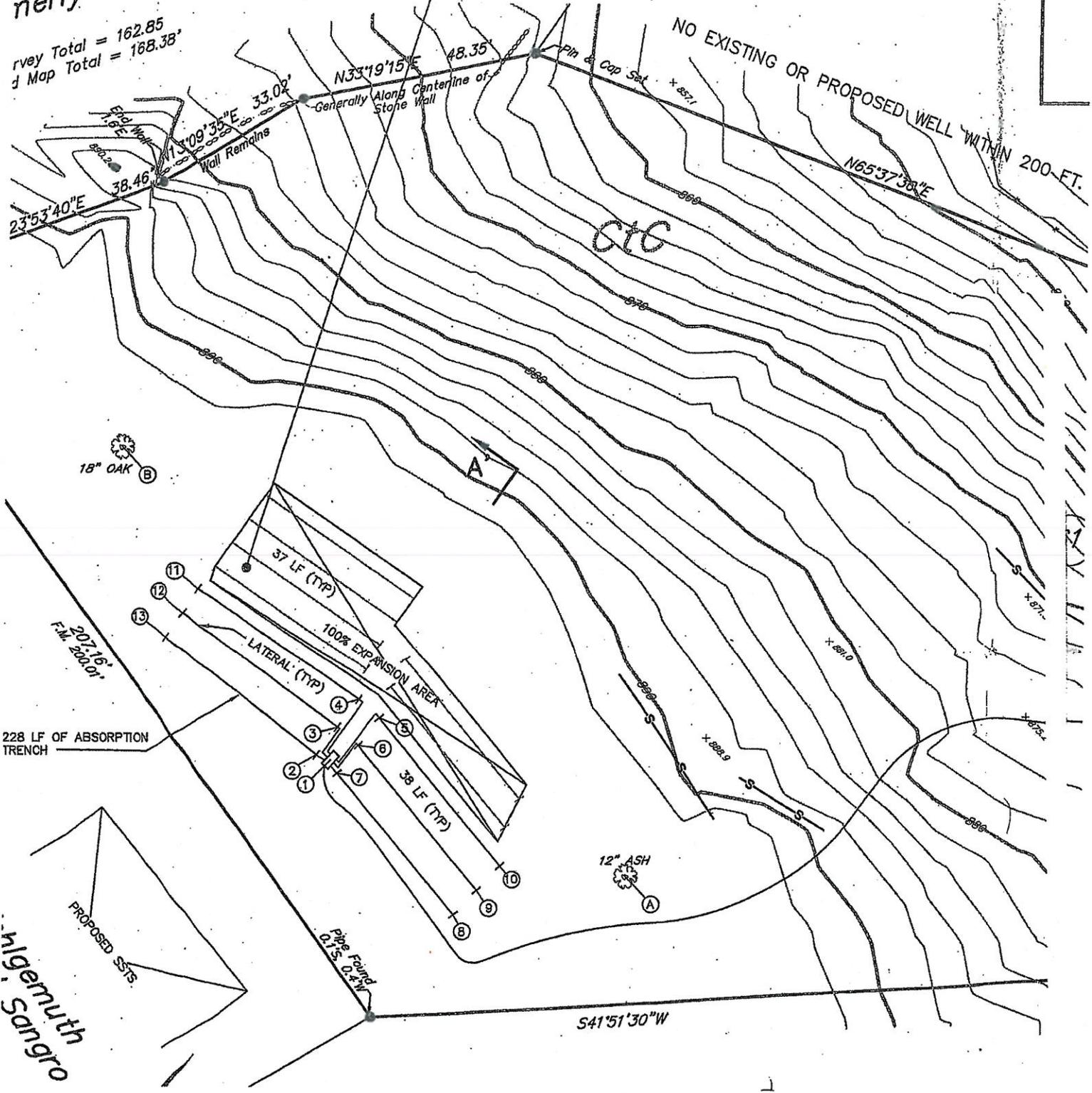
PUTNAM COUNTY HEALTH DEPARTMENT APPROVAL STAMP

SHEET 1 OF 1

THIS IS TO CERTIFY THAT THE SEWAGE TREATMENT SYSTEM WAS CONSTRUCTED AS INDICATED ON THIS PLAN AND THAT THE SYSTEM WAS INSPECTED BY US BEFORE IT WAS COVERED OVER. THE SYSTEM WAS CONSTRUCTED IN ACCORDANCE WITH ALL STANDARD RULES AND REGULATIONS OF THE PUTNAM COUNTY DEPARTMENT OF HEALTH AND THE NEW YORK STATE DEPARTMENT OF HEALTH. ALSO SEE NOTE 1 ABOVE.

or Wohlgemuth
nerly Weston

urvey Total = 162.85
d Map Total = 168.38'

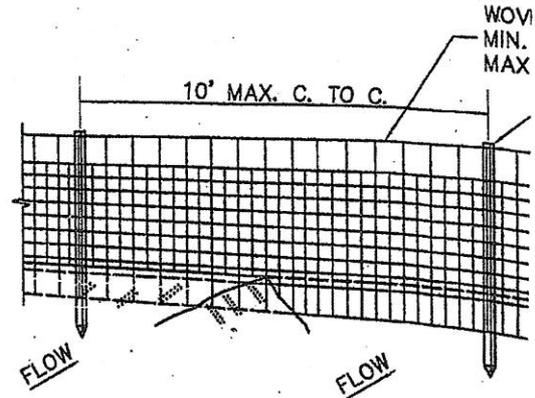


Wohlgemuth
Sangro

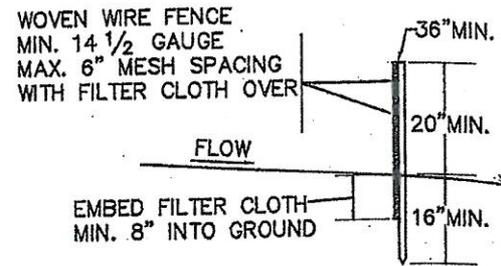
AS-BUILT
RELOCATION-DIMENSIONS

1A	64.8'	DISTRIBUTION BOX
1B	78.0'	DISTRIBUTION BOX
2A	67.8'	BEGIN LATERAL
2B	75.6'	BEGIN LATERAL
3A	66.3'	BEGIN LATERAL
3B	73.3'	BEGIN LATERAL
4A	65.5'	BEGIN LATERAL
4B	71.7'	BEGIN LATERAL
5A	59.9'	BEGIN LATERAL
5B	77.3'	BEGIN LATERAL
6A	60.9'	BEGIN LATERAL
6B	78.9'	BEGIN LATERAL
7A	62.6'	BEGIN LATERAL
7B	81.0'	BEGIN LATERAL
8A	36.0'	END LATERAL
8B	118.5'	END LATERAL
9A	30.5'	END LATERAL
9B	117.3'	END LATERAL
10A	25.7'	END LATERAL
10B	116.5'	END LATERAL
11A	105.7'	END LATERAL
11B	33.4'	END LATERAL
12A	105.7'	END LATERAL
12B	36.7'	END LATERAL
13A	106.1'	END LATERAL
13B	40.6'	END LATERAL

SILT FENCE DET
(NOT TO SCALE)



PERSPECTIVE VIEW



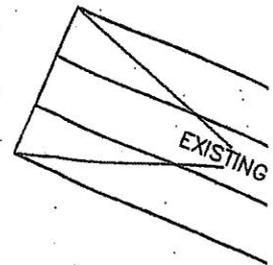
SECTION

CONSTRUCTION NOTES FOR FABRICATION

1. WOVEN WIRE FENCE TO BE FASTENED SECURELY TO FENCE POSTS WITH WIRE TIES OR STAPLES. P
2. FILTER CLOTH TO BE FASTENED SECURELY TO WOVEN WIRE FENCE WITH TIES SPACED EVERY 24" AT TOP AND MID SECTION. F
3. WHEN TWO SECTIONS OF FILTER CLOTH ADJOIN EACH OTHER THEY SHALL BE OVERLAPPED BY SIX INCHES AND FOLDED. P
4. MAINTENANCE SHALL BE PERFORMED AS NEEDED AND MATERIAL REMOVED WHEN "BULGES" DEVELOP IN THE SILT FENCE.
5. EROSION CONTROL MEASURES ARE TO BE IN PLACE PRIOR TO THE START OF CONSTRUCTION.

THIN 200-FT. OF PROPOSED SSTS

Plan & Crop Set



NO EXISTING

**PUTNAM COUNTY DEPARTMENT OF HEALTH
DIVISION OF ENVIRONMENTAL HEALTH SERVICES**

APPLICATION TO CONSTRUCT A WATER WELL

PCHD Permit # K-03-08

please print or type

Well Location	Street Address: <u>TIBET DRIVE</u>	Town/Village: <u>KENT</u>	Tax Map # Map <u>30.20</u> Block <u>01</u> Lot(s) <u>16</u>
Well Owner:	Name: <u>JOE BENE</u>	Address: <u>10 MOUNT HOPE ROAD MANTON NY</u>	Phone #:
Use of Well:	<input checked="" type="checkbox"/> Residential <input type="checkbox"/> Business <input type="checkbox"/> Industrial	<input type="checkbox"/> Public Supply <input type="checkbox"/> Farm <input type="checkbox"/> Institutional	<input type="checkbox"/> Air/cond/heat pump <input type="checkbox"/> Irrigation <input type="checkbox"/> Test/monitoring <input type="checkbox"/> Standby <input type="checkbox"/> Other(specify)
1-Primary			
2-Secondary			
Amount of Use	Yield Sought <u>5</u> gpm	# People Served <u>4</u>	Est. of Daily usage <u>400</u> gal.
Reason for Drilling	<input checked="" type="checkbox"/> New Supply (new dwelling)	<input type="checkbox"/> Replace Existing Supply	<input type="checkbox"/> Test/Observation <input type="checkbox"/> Additional Supply
Detailed Reason for Drilling	<u>TO PROVIDE A POTABLE WATER SUPPLY TO A NEW RESIDENCE</u>		
Well Type	<input checked="" type="checkbox"/> Drilled	<input type="checkbox"/> Driven	<input type="checkbox"/> Gravel <input type="checkbox"/> Other
Is well site subject to flooding?.....			Yes ___ No <input checked="" type="checkbox"/>
Is well located in a realty subdivision?.....			Yes <input checked="" type="checkbox"/> No ___
Name of subdivision	<u>TIBET LAKE DETACHES</u>		Lot No. <u>61</u>
Water Well Contractor:	<u>NORMAN ANDERSON</u>	Address:	<u>PUTNAM VALLEY NY</u>
Is Public Water Supply available on site?.....			Yes ___ No <input checked="" type="checkbox"/>
Name of Public Water Supply:	<u>N/A</u>	Town/Village	<u>N/A</u>
Distance to property from nearest water main:	<u>> 1 MILE</u>		
Proposed well location & sources of contamination to be provided on separate sheet/plan.			
Date: <u>09/12/12</u>	Applicant Signature: <u>[Signature]</u>		

PERMIT TO CONSTRUCT A WATER WELL

This permit to construct one water well as set forth above, is granted under provisions of Article 10 of the Putnam County Sanitary Code and Subpart 5-2 of Part 5 of the New York State Sanitary Code and provided that within thirty (30) days of the completion of water well construction, the applicant or their designated representative shall: 1) Pump the well until the water is clear. 2) Disinfect the well in accordance with the requirements of the Putnam County Health Department. 3) Submit a Well Completion Report on a form provided by the Putnam County Health Department. 4) The well driller shall abide by all conditions of the permit. 5) During all well drilling operations the well driller shall take appropriate action to assure that any and all water and waste products from such well drilling operations be contained on this property and in such a manner as not to degrade or otherwise contaminate surface or groundwater.

APPROVED FOR CONSTRUCTION: This approval expires two years from the date issued unless construction of the well has been completed and inspected by the PCHD and is revocable for cause or may be amended or modified when considered necessary by the Commissioner of Health. Any revision or alteration of the approved plan requires a new permit. Well to be constructed by a water well driller certified by Putnam County.

Date of Issue 10/12/12
Date of Expiration 10/12/14
Permit is Non-Transferable

Permit Issuing Official: [Signature]
Title: Assistant Public Health Engineer

White copy - HD file; Yellow copy - Building Inspector; Pink copy - Owner; Orange copy - Well driller

9/10/12

130

PUTNAM COUNTY DEPARTMENT OF HEALTH
DIVISION OF ENVIRONMENTAL HEALTH SERVICES

CONSTRUCTION PERMIT FOR SEWAGE TREATMENT SYSTEM

PERMIT # K-02-08/EN-05-08

Located at TIBET DRIVE Town or Village KENT

Subdivision name TIBET LAKE ESTATES Subd. Lot # 61 Tax Map 30-20 Block 01 Lot 16

Date Subdivision Approved SEPTEMBER 28, 1960 Renewal X Revision _____

Owner/Applicant Name JOE BENE Date of Previous Approval 6/02/08

Mailing Address 10 MOUNT HOPE ROAD MAHOYAC, NY Zip 10541

Amount of Fee Enclosed \$ 500.00

Building Type RESIDENTIAL Lot Area 1.4 AC No. of Bedrooms 2 Design Flow GPD 400

Fill Section Only _____ Depth _____ Volume _____
PCHD NOTIFICATION IS REQUIRED WHEN FILL IS COMPLETED

Separate Sewerage System to consist of 1,000 gallon septic tank and 750 GALLON PUMP TANK W/AUDIO VISUAL ALARM & 2" PLASTIC FORCE MAIN

Other Requirements: (R.O.B. FILL @ 228 LF 24" FIELDS ALREADY IN-PLACE)

To be constructed by HAROLD LYONS & SONS Address COLD SPRING, NY

Water Supply: _____ Public Supply From _____ Address _____

or: X Private Supply Drilled by NORMAN ANDERSON Address PUTNAM VALLEY, NY

I represent that I am wholly and completely responsible for the design and location of the proposed system(s) and that the separate sewage treatment system described above will be constructed as shown on the approved amendment thereto and in accordance with the standards, rules and regulations of the Putnam County Department of Health, and that on completion thereof a "Certificate of Construction Compliance" satisfactory to the Director/Commissioner will be submitted to the Department, and a written guarantee will be furnished the owner, his successors, heirs or assigns by the builder, that said builder will place in good operating condition any part of said sewage treatment system during the period of two (2) years immediately following the date of the issuance of the approval of the Certificate of Construction Compliance of the original system or any repairs thereto.

Signed: [Signature] P.E. X R.A. _____ Date 09/12/12
Address BADET J WATSON DR. COLD SPRING NY License # 062505

APPROVED FOR CONSTRUCTION: This approval expires two years from the date issued unless construction of the sewage treatment system has been completed and inspected by the PCHD and is revocable for cause or may be amended or modified when considered necessary by the Director/Commissioner. Any revision or alteration of the approved plan requires a new permit. Approved for discharge of domestic sanitary sewage only.

By: [Signature] Title: APHE Date: 10/12/12

White copy - HD File; Yellow copy - Building Inspector; Pink copy - Owner; Orange copy - Design Professional
Form CP-97

Planning Kent

From: Jamie LoGiudice [jlogiudice@insite-eng.com]
Sent: Tuesday, February 16, 2016 12:51 PM
To: Building Inspector; Edituhmike; 'Neil Wilson'
Cc: Planning Kent; 'Julie Mangarillo'; 'Bruce Barber'; John Watson; Jeff Contelmo
Subject: RE: Hilltop Estates Subdivision
Attachments: Hilltop Estate Ltr.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Thank you all for the clarifications. Attached is a letter we received from the Fire Department. I don't believe there was another one, but Bill, if you could check.

Thanks all,
Jamie

From: Building Inspector [mailto:buildinginspector@townofkentny.gov]
Sent: Tuesday, February 16, 2016 12:04 PM
To: Edituhmike <edituhmike@verizon.net>; 'Neil Wilson' <nwilson.Ircplanning@gmail.com>; Jamie LoGiudice <jlogiudice@insite-eng.com>
Cc: Planning Kent <planningkent@townofkentny.gov>; 'Julie Mangarillo' <JMangarillo@rsaengrs.com>; 'Bruce Barber' <barberbruce@yahoo.com>; John Watson <JWatson@insite-eng.com>; Jeff Contelmo <JContelmo@insite-eng.com>
Subject: RE: Hilltop Estates Subdivision

Thanks to everyone for the update regarding the fire protection on this project. I remember the Fire Department agreeing with a tank location or sprinkler installation to the dwelling. I think I submitted a letter but will check our records at the firehouse. I see from the last E-mail from Jamie that it's on the plat in general notes # 11 and will verify. Thank you all again.

From: Edituhmike [mailto:edituhmike@verizon.net]
Sent: Tuesday, February 16, 2016 10:52 AM
To: 'Neil Wilson'; 'Jamie LoGiudice'
Cc: Planning Kent; Building Inspector; 'Julie Mangarillo'; 'Bruce Barber'; 'John Watson'; 'Jeff Contelmo'
Subject: RE: Hilltop Estates Subdivision

Thanks, Neil. I agree it is important the note about the sprinklers be included on the plat, again, pending confirmation from Bill Walters that the fire department has agreed to the sprinklers in lieu of the tank. Is there anything in writing about that? A letter from the fire department perhaps?

Michael J. McDermott
Phone: 845.225.9426
Mobile: 845.235.5390
<http://mjmedit.com/>



From: Neil Wilson [<mailto:nwilson.lrcplanning@gmail.com>]
Sent: Tuesday, February 16, 2016 10:00 AM
To: 'Jamie LoGiudice'; 'Edituhmike'
Cc: 'Vera Patterson'; 'Bill Walters 'Building Inspector''; 'Julie Mangarillo'; 'Bruce Barber'; 'John Watson'; 'Jeff Contelmo'
Subject: RE: Hilltop Estates Subdivision

Jamie, thank you. I understand that the mylars were delivered for signature but the note about the sprinklers in lieu of the storage tank will get lost unless it is on the plat.

Neil A. Wilson, Esq.
LRC Planning Services, LLC
8 Morehouse Road
Poughkeepsie, New York 12603-4010
Tele: 845-452-3822
Fax: 845-452-3346

From: Jamie LoGiudice [<mailto:jlogiudice@insite-eng.com>]
Sent: Tuesday, February 16, 2016 8:34 AM
To: Neil Wilson; 'Edituhmike'
Cc: 'Vera Patterson'; 'Bill Walters 'Building Inspector''; 'Julie Mangarillo'; 'Bruce Barber'; John Watson; Jeff Contelmo
Subject: RE: Hilltop Estates Subdivision

Neil,

Based on my recollection of the how the tank/sprinkler systems were left, the Fire Department had acknowledged that because of the length of the proposed road a tank would need to be installed. Because of the cost of the tank, it was determined that the sprinklers could be an alternative to the tank so that in the event of a fire, the Fire Department would have a little extra time to get to the house to start the fight. I believe the Fire Department liked the sprinklers better than the tank. Bill can confirm that.

The Declaration prepared for Lots 1 through 9 states the homeowners for those lots are responsible for maintaining and filling the tank if it were installed rather than the sprinkler systems.

With regard to the note on the plat, I'd like to remind everyone that the mylars are prepared, signed, and at the Planning Board office waiting the chairman's signature (after the bonds are posted). Could the above mentioned note about the sprinkler systems be added to the Resolution rather than on the Plat? Let me know what you think.

Thank you,
Jamie

From: Neil Wilson [<mailto:nwilson.lrcplanning@gmail.com>]
Sent: Monday, February 15, 2016 11:53 AM
To: 'Edituhmike' <edituhmike@verizon.net>
Cc: Jamie LoGiudice <jlogiudice@insite-eng.com>; 'Vera Patterson' <Planningkent@townofkentny.gov>; 'Bill Walters 'Building Inspector'' <buildinginspector@townofkentny.gov>; 'Julie Mangarillo' <JMangarillo@rsaengrs.com>; 'Bruce

Barber' <barberbruce@yahoo.com>; John Watson <JWatson@insite-eng.com>; Jeff Contelmo <JContelmo@insite-eng.com>

Subject: RE: Hilltop Estates Subdivision

Mike, I guess I would seek guidance from the Fire Department as to the trade-off between the storage tank and individual unit sprinklers. I like the idea of the sprinklers since the storage tank would be part of the plumbing for each unit and would need to be maintained by the homeowner.

With regard to the storage tank we would need to create a process to ensure that the tank is always full and functional, not to mention who would be responsible for maintaining it. HOA? Town?

With regard to the individual unit sprinklers we would need to add a note to the plat stating that the building plans would need to include sprinklers as a condition of a Building Permit. (Conditioning it at the Certificate of Occupancy stage is too late and is an invitation for an argument since the unit would already be constructed). We would also need to add a tickler to Bill Walter's file since it could be some years before all the lots would be sold.

Neil A. Wilson, Esq.
LRC Planning Services, LLC
8 Morehouse Road
Poughkeepsie, New York 12603-4010
Tele: 845-452-3822
Fax: 845-452-3346

From: Edituhmike [<mailto:edituhmike@verizon.net>]

Sent: Friday, February 12, 2016 3:06 PM

To: 'Neil Wilson'

Cc: 'Jamie LoGiudice'; 'Vera Patterson'; 'Bill Walters 'Building Inspector''; 'Julie Mangarillo'; 'Bruce Barber'; 'John Watson'; 'Jeff Contelmo'

Subject: RE: Hilltop Estates Subdivision

Thanks, Neil. I did not remember that. So as far as you recall, did we still require a tank or not? If we are opting for requiring sprinklers instead, how do we guarantee that they are installed if Hilltop begins selling off lots to individual owners/builders? Do we need to get some kind of legislation passed?

Michael J. McDermott
Phone: 845.225.9426
Mobile: 845.235.5390
<http://mjmedit.com/>



From: Neil Wilson [<mailto:nwilson.lrcplanning@gmail.com>]

Sent: Friday, February 12, 2016 2:11 PM

To: Edituhmike

Cc: Jamie LoGiudice; Vera Patterson; Bill Walters 'Building Inspector'; Julie Mangarillo; Bruce Barber; John Watson; Jeff Contelmo

Subject: Re: Hilltop Estates Subdivision

Individual residential sprinklers is a great idea. There was a proposal about a year ago in front of the International Code Council to add that sprinklers be required for new single family residential construction but failed due to realtor and builder lobbying complaints over costs. The residential sprinklers only add about \$5,000 to the overall cost but insurance companies love them. They are not the commercial sprinklers everyone is used to but more of a dumbed-down version and are designed to give occupants additional time to exit the structure but are not designed to save the structure.

You may recall that the water tank was originally required as a trade-off to allow a longer cul-de-sac length.

Neil A. Wilson, Esq.
LRC Planning Services, LLC
8 Morehouse Road
Poughkeepsie, New York 12603
Tele: 845-452-3822
Fax: 845-452-3346

On Fri, Feb 12, 2016 at 11:53 AM, Edituhmike <edituhmike@verizon.net> wrote:

Okay, let's just confirm that with Bill Walters. See what happens when an application hangs around for so long? We all lose our collective memories! ☺

Michael J. McDermott

Phone: [845.225.9426](tel:845.225.9426)

Mobile: [845.235.5390](tel:845.235.5390)

<http://mjmedit.com/>



From: Jamie LoGiudice [<mailto:jlogiudice@insite-eng.com>]

Sent: Friday, February 12, 2016 11:52 AM

To: Vera Patterson (Planningkent@townofkentny.gov)

Cc: Michael McDermott; Bill Walters 'Building Inspector'; Julie Mangarillo; Bruce Barber; Neil Wilson (nwilson.lrcplanning@gmail.com); John Watson; Jeff Contelmo

Subject: Hilltop Estates Subdivision

Vera,

At last night's meeting, questions were asked about the project's 30,000 gallon underground fire protection tank. The following is a summary of the history of the project's 30,000 gallon underground fire protection tank. The Fire Department requested a 30,000 gallon underground fire protection tank to be installed. Said tank was discussed and included within earlier submitted plans. Due to the cost of the storage tank, our office discussed alternative options with the Lake Carmel Fire Department. It was decided by the applicant and the Fire Department, and discussed at several Board meetings that sprinklers could be provided within each house in lieu of the tank. General Note #11 was added to the Final Plat stating, "Per the request of the Lake Carmel Fire Department, a water storage tank for fire protection shall be installed in the location shown on the plan or sprinkler systems shall be installed in the individual dwellings in lieu of the water storage tank." The water storage tank is still shown on the plans in the event the applicant wishes to install it rather than install sprinkler systems in each dwelling.

I hope this clarifies the misunderstanding from last night. If there are any other questions or concerns, please feel free to call to discuss.

Thank you,

Jamie



Jamie L. LoGiudice, RLA

Project Landscape Architect

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

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

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Lake Carmel Fire Department

851 Route 52
Carmel, NY 10512

Phone: (845) 225-3730 – Fax: (845)225-0460



Chief
Wm. Walters

1st Asst. Chief
Jack Kehler

2nd Asst. Chief
David Churchill

President
Ed Schaeffler Jr

Vice President
Eric Ment

2/3/14

To Kent Planning board;

The Lake Carmel Fire Department reviewed your plans for the Hilltop Estate project which will be located on Peckslip Rd... We understand that the applicant has applied for a waiver for several items.

The Chief Officers met with Engr. Jamie Kieper from Insite Engineering on Thursday January 30th in the building inspectors' office. We reviewed the plans, and she stated that several items had been addressed after the Fire inspector's review, dealing with driveway parking spaces and the landscape design in the cul-de-sac has already been corrected. Ms. Kieper stated that three items were still pending:

1. Distance of the of the cul-de-sac increase from 800' ft. to 1380' ft.
2. Reserve area at the end of the Cul-de-sac for a driveway
3. Width of the roadway from 24' ft. reduced to 20' ft. with 2' ft. shoulders.

The fire department would agree with the request, for a waiver for items 2 & 3.
The department has a concern about the change of length in request # 1.

Due to the water requirements needed for this new 9 residential sub-subdivision, and the length of the proposed roadway, will make it difficult for the fire department to supply the adequately amount of water in the event of a emergency. Each apparatus carries 1500' ft. of 3" supply line. A double lay of hose would be required, reducing the amount of hose to working length to 700'ft. to deliver a minimum amount of water needed in the event of a fire.

We suggest one method that has been used before, and approved in the past for other sub-divisions that have this same problem. To provide a water supply tank (approx. 30k gallons) that is well fed and dry hydrant in the middle of the complex. Another suggestion would be to install a sprinkler system with its own water supply in each structure. We understand the financial impact for installation of these systems, but the shortage of water is always there. Recent fatal fires in the area have only driven home, the importance of water supply and /or sprinkler system in residential fires.

Respectfully

William Walters
Chief
Lake Carmel Fire Department

Planning Kent

From: Robert Cameron [rcameron@putnameng.com]
Sent: Wednesday, February 17, 2016 1:02 PM
To: Planning Kent
Cc: Neil Wilson; 'Edituhmike'; WRohde@rsaengrs.com; Bruce Barber; orchrd38@yahoo.com
Subject: Towners Road Mart - Pump Signs
Attachments: FULL SERVICE ONLY.docx

Follow Up Flag: Follow up
Flag Status: Completed

To All,

Attached is pump sign graphic I made. I went to site yesterday and took photo of pump face. I've shown sign and location superimposed on pump faces (Typical for the 8 pump faces). On the pump face this stands out. We can put one on the end of each pump island if you want but I think the pump face locations will give the message.

Robert Cameron, R.A.
Putnam Engineering PLLC
4 Old Route 6
Brewster, NY 10509
Phone (845) 279-6789x16
Fax (845) 279-6769
rcameron@putnameng.com

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FULL SERVICE ONLY

TOWNERS ROAD MART PUMP SIGNS:

SIGN TO BE 12" LONG, 2-1/2" HEIGHT WITH 1-3/4" WHITE LETTERS ON CARMINE RED BACKGROUND.

FULL SERVICE ONLY SIGN TO BE PLACED AT EACH PUMP FACE, FACING ACCESS LANE.



PUTNAM ENGINEERING PLLC

4 OLD RT 6, BREWSTER NY 10509

845-279-6789

FEB 17, 2016