

Approved: July 9, 2020

**MINUTES  
TOWN OF KENT PLANNING BOARD  
JUNE 11, 2020  
FINAL ADOPTED MINUTES**

Due to the Corona virus the Planning Board held their June monthly meeting via Zoom.

Following the Pledge of Allegiance, the meeting was called to order at 7:30 PM by Mr. Phil Tolmach, Chairman of the Town of Kent Planning Board.

In attendance the following Planning Board members participated from their respective homes as did the Planning Board consultants:

**Planning Board Members:**

Philip Tolmach, Chairman	Dennis Lowes, Vice Chairman
Simon Carey	Giancarlo Gattucci
Charles Sisto	Stephen Wilhelm

**Absent:**

Nisim Sachakov  
Jamie McGlasson, Liason  
Chris Ruthven, Liason  
Jamie McGlasson, Liason

**Others in Attendance:**

Liz Axelson, Planner  
Bruce Barber, Environmental Consultant  
Julie Mangarillo, Engineer Consultant  
Bill Walters, Building Inspector

- Mr. Tolmach asked each of the Board members to identify themselves to the audience and state that they were alone in their residences participating in the meeting, which they did. Approve Planning Board Minutes from May 2020

Mr. Tolmach asked for a motion to approve the Planning Board meetings from the May 14, 2020 meeting. The motion was made by Mr. Lowes and seconded by Mr. Sisto. Following were the roll call votes.

Philip Tolmach, Chairman	<u>Aye</u>
Dennis Lowes, Vice Chairman	<u>Aye</u>
Simon Carey	<u>Aye</u>
Giancarlo Gattucci	<u>Aye</u>
Nisim Sachakov	<u>Absent</u>
Charles Sisto	<u>Aye</u>
Stephen Wilhelm	<u>Aye</u>

The motion carried.

• **Alexander Othmer Property, 1087 N. Horsepound Rd., Kent, NY; TM: 12.-1-28**

This was a Public Hearing for this project. Mr. Tolmach asked for a motion to open the Public Hearing. The motion was made by Mr. Carey and seconded by Mr. Wilhelm. Following were the roll call votes.

Philip Tolmach, Chairman	<u>Aye</u>
Dennis Lowes, Vice Chairman	<u>Aye</u>
Simon Carey	<u>Aye</u>
Giancarlo Gattucci	<u>Aye</u>
Nisim Sachakov	<u>Absent</u>
Charles Sisto	<u>Aye</u>
Stephen Wilhelm	<u>Aye</u>

The motion carried.

Mr. Othmer advised the Planning Board that, after speaking to Ms. Mangarillo, he decided it was a good idea to let Mr. Kalin and Ms. Mangarillo handle this matter.

Ms. Axelson's Comments

Ms. Axelson said that her only comment pertaining to this matter was that, after the Planning Board discussed this project, they thought it was appropriate to have a need for a written comment period.

Ms. Mangarillo's Comments (memo attached)

Ms. Mangarillo mentioned that most of her comments were minor. She received a note from Mr. Jeffrey Battistoni, of Van DeWater & Van DeWater the Planning Board Counsel advising the Board that he had reviewed the Disclosure of Business Interest Form submitted and felt that it was adequate and suggested that it be noted that Richard Othmer, Highway Superintendent, no longer owned the property and that it had been sold to Alexander Othmer at the Public Hearing. Ms. Mangarillo suggested that a waiver of the topographic survey be granted. Ms. Mangarillo recommended that a bond estimate of \$8,930.00 be accepted and forwarded to the Town Board for approval and acceptance.

Mr. Barber's Comments (memo attached)

Mr. Barber asked Mr. Kalin to describe this project. Mr. Kalin, of DC Engineering, said this project consisted of construction of a single family residence approximately 1,400 square feet, a driveway, a new well and septic system on a 3.25 acre parcel in an R-40 zone. There will not be any additional trees cut down.

Mr. Barber said that most of his comments had been addressed. He asked Mr. Othmer to confirm that soil stockpiles on the property came from work done on the site. Mr. Othmer confirmed that this was true.

Mr. Wilhelm suggested that a one week period be granted in the event anyone wished to send in printed comments. Comments would be due by June 18, 2020 at 2:30.

**Town of Kent Planning Board Minutes**  
**June 11, 2020**

Mr. Tolmach asked for a motion to close the Public Hearing contingent upon submission of any written comments to the Kent Planning Board by June 18, 2020 at 2:30 P.M.

The motion was made by Mr. Sisto and seconded by Mr. Wilhelm. Following were the roll call votes.

Philip Tolmach, Chairman	<u>Aye</u>
Dennis Lowes, Vice Chairman	<u>Aye</u>
Simon Carey	<u>Aye</u>
Giancarlo Gattucci	<u>Aye</u>
Nisim Sachakov	<u>Absent</u>
Charles Sisto	<u>Aye</u>
Stephen Wilhelm	<u>Aye</u>

The motion carried.

Mr. Tolmach asked for a motion to accept the bond recommendation of \$8,930.00 and forward it to the Kent Town Board for their approval and acceptance and move this project to an administrative track. The motion was made by Mr. Wilhelm and seconded by Mr. Carey. Following were the roll call votes.

Philip Tolmach, Chairman	<u>Aye</u>
Dennis Lowes, Vice Chairman	<u>Aye</u>
Simon Carey	<u>Aye</u>
Giancarlo Gattucci	<u>Aye</u>
Nisim Sachakov	<u>Absent</u>
Charles Sisto	<u>Aye</u>
Stephen Wilhelm	<u>Aye</u>

The motion carried.

Mr. Tolmach asked for a motion to grant a waiver of topography from Chapter 66 for existing topography 50' beyond limits of disturbance. The motion was made by Mr. Wilhelm and seconded by Mr. Lowes. Following were the roll call votes.

Philip Tolmach, Chairman	<u>Aye</u>
Dennis Lowes, Vice Chairman	<u>Aye</u>
Simon Carey	<u>Aye</u>
Giancarlo Gattucci	<u>Aye</u>
Nisim Sachakov	<u>Absent</u>
Charles Sisto	<u>Aye</u>
Stephen Wilhelm	<u>Aye</u>

The motion carried.

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Mr. Lowes asked Ms. Mangarillo if anything needed to be done pertaining to MS4 and SPDES. Ms. Mangarillo said that the state would be issuing these permits. Revised drawings and an NOI needed to be submitted to the Planning Board.

Mr. Kalin advised the Board and Ms. Mangarillo that new material would be submitted the next day.

• **Fregosi/Marinelli Property, Miller Hill Road, Kent, NY; TM: 10.-1-17**

Mr. Joseph Fregosi participated on this call. This was a Public Hearing. This project was to construct a single family residence. Mr. Fregosi said he is waiting for Mr. Frederiksen to submit new plans for this property.

Ms. Mangarillo recommended that this Public Hearing be held over until the July meeting since no new material had been submitted.

Mr. Tolmach asked for a motion to open a Public Hearing for this project. The motion was made by Mr. Wilhelm and seconded by Mr. Sisto. Following were the roll call votes.

Philip Tolmach, Chairman	<u>Aye</u>
Dennis Lowes, Vice Chairman	<u>Aye</u>
Simon Carey	<u>Aye</u>
Giancarlo Gattucci	<u>Aye</u>
Nisim Sachakov	<u>Absent</u>
Charles Sisto	<u>Aye</u>
Stephen Wilhelm	<u>Aye</u>

Mr. Barber asked Mr. Fregosi to confirm that he had received notification from NYS that the structures had no historical value and would not be disturbed. Mr. Barber said that the septic system and house are shown in different locations than drawings submitted by Mr. Frederiksen and that there was some confusion as to where the driveway would be located. Ms. Mangarillo said a new survey was done but that the new plans did not coincide with the new survey. Mr. Fregosi said the Board of Health did not like the plans so a change was made and the house and driveway were moved more to the south. Ms. Mangarillo said that, based on the letter from NYS, there was no longer a need to protect old structures on the property. Mr. Barber also asked that documentation pertaining to easements and maintenance of the common road be submitted to the Planning Board. Mr. Fregosi said that he believed all this information was on a deed already submitted. Mr. Fregosi said all residents in this subdivision had to pay \$100 per month for maintenance of the road.

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Mr. Tolmach asked for a motion to adjourn this Public Hearing to July. The motion was made by Mr. Lowes and seconded by Mr. Carey. Following were the roll call votes.

Philip Tolmach, Chairman	<u>Aye</u>
Dennis Lowes, Vice Chairman	<u>Aye</u>
Simon Carey	<u>Aye</u>
Giancarlo Gattucci	<u>Aye</u>
Nisim Sachakov	<u>Absent</u>
Charles Sisto	<u>Aye</u>
Stephen Wilhelm	<u>Aye</u>

The motion carried.

• **NYCDEP Bailey Court Forest Management Project, Nimhan Rd. & Cole Shears Ct., Kent, NY; TM: 20.-1-57, 20.-1-48; 50, 57, 73 thru 81**

Mr. Dan Lawrence represented NYCDEP. This timber harvest project will encompass approximately 85 acres of NYCDEP watershed property. Approximately 25-30 % of basal area of the trees will be removed to promote early cessational habitat. It will take 3-5 months but may be done over two windows because harvesting may be done only between November 1<sup>st</sup> through March 31<sup>st</sup> due to the Indiana bats on the property. Mr. Lowes asked Mr. Lawrence if he had met with the Highway Superintendent to go over plans as to what route would be taken during the harvest. Mr. Lawrence said he had met with the Highway Superintendent, who asked that if any damage was done to the roads asphalt would be provided to repair the roads.

Mr. Tolmach asked for a motion to open the Public Hearing. The motion was made by Mr. Gattucci and seconded by Mr. Carey. Following were the roll call votes.

Philip Tolmach, Chairman	<u>Aye</u>
Dennis Lowes, Vice Chairman	<u>Aye</u>
Simon Carey	<u>Aye</u>
Giancarlo Gattucci	<u>Aye</u>
Nisim Sachakov	<u>Absent</u>
Charles Sisto	<u>Aye</u>
Stephen Wilhelm	<u>Aye</u>

The motion carried.

Mr. Barber asked Mr. Lawrence to discuss issues regarding a wetland permit for this project. Mr. Lawrence said that he was informed that a wetland permit would be required due to the fact that because stone was going to be put down on an abandoned section of Smalley Corners a wetland permit was recommended. Mr. Lawrence said that if one was needed he would like to have a wetland permit which was recommended and not necessary on the Horsepound Road project be applied to this project. The Planning Board Secretary said she would look into this matter.

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Mr. Barber said that he and Ms. Mangarillo recommended adjourning this Public Hearing to the July meeting. Ms. Axelson asked the Board to ask for any written comments prior to the July meeting.

Mr. Lawrence said that he was waiting for a letter requesting a waiver of the bond from the NYCDEP, as had been done on a previous project before responding to Ms. Managarillo's comments. Ms. Mangarillo suggested that if he had not received the letter prior to the meeting to submit anything he did have to her. Mr. Barber and Mr. Lawrence planned on meeting at the site before the July meeting.

Mr. Tolmach asked for a motion to adjourn the Public Hearing for this project to the July meeting. . The motion was made by Mr. Lowes and seconded by Mr. Carey. Following were the roll call votes.

Philip Tolmach, Chairman	<u>Aye</u>
Dennis Lowes, Vice Chairman	<u>Aye</u>
Simon Carey	<u>Aye</u>
Giancarlo Gattucci	<u>Aye</u>
Nisim Sachakov	<u>Absent</u>
Charles Sisto	<u>Aye</u>
Stephen Wilhelm	<u>Aye</u>

The motion carried.

• **Realbuto, 49 Tiger Trail, Kent, NY; TM: 21.8-1-39**

Mr. Jack Karell represented the applicant. Mr. Karell said that the bond needed to be approved and that he had responded to comments from Mr. Lento, a neighbor of the property, and that no additional fill would be brought in to the property.

Ms. Mangarillo's Comments (memo attached)

Ms. Mangarillo confirmed that an Erosion Control bond in the amount of \$5,300.00 and a Plantings Bond in the amount of \$3,300.00 needed to be submitted and that this project should be moved to the administrative track after that was done.

Mr. Tolmach asked for a motion to accept and forward the Erosion Control Bond of \$5,300.00 to the Town Board for approval and acceptance. The motion was made by Mr. Gattucci and seconded by Mr. Lowes. Following were the roll call votes.

Philip Tolmach, Chairman	<u>Aye</u>
Dennis Lowes, Vice Chairman	<u>Aye</u>
Simon Carey	<u>Aye</u>
Giancarlo Gattucci	<u>Aye</u>
Nisim Sachakov	<u>Absent</u>
Charles Sisto	<u>Aye</u>
Stephen Wilhelm	<u>Aye</u>

The motion carried.

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Mr. Tolmach asked for a motion to accept and forward the Plantings Bond of \$3,300.00 to the Town Board for approval and acceptance. The motion was made by Mr. Carey and seconded by Mr. Lowes. Following were the roll call votes.

Philip Tolmach, Chairman	<u>Aye</u>
Dennis Lowes, Vice Chairman	<u>Aye</u>
Simon Carey	<u>Aye</u>
Giancarlo Gattucci	<u>Aye</u>
Nisim Sachakov	<u>Absent</u>
Charles Sisto	<u>Aye</u>
Stephen Wilhelm	<u>Aye</u>

The motion carried.

Mr. Tolmach asked for a motion to accept the Plantings Bond

- **Goldfine/Rynn, Daffodil Lane, Kent, NY; TM: 11.12-1-21**

Mr. Michael Rynn participated on the call and requested a driveway waiver for this project which has been before the Planning Board for several years.

Ms. Mangarillo's Comments (memo attached)

Ms. Mangarillo advised the Board that the first 30' of the driveway on this property slopes to 10% toward a town road. It should be 5% and should slope down and away from a town road. Ms. Mangarillo said that while reviewing the plans she realized that the parking pad is steeper than the code required. A waiver to 5% instead of the 3% for the parking pad was requested, as recommended by Ms. Mangarillo. Ms. Mangarillo said that the Fire Department and the Kent Highway Superintendent had sent letters saying that they had no objections to granting the waivers.

Mr. Barber's Comments

Mr. Barber said he would be visiting the site to inspect plantings and stormwater basin and did not have any further comments

Ms. Axelson's Comments

Ms. Axelson had no comments pertaining to this matter.

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Mr. Tolmach asked for a motion to grant the highway waivers as requested. The motion was made by Mr. Carey and seconded by Mr. Gattucci. Following were the roll call votes.

Philip Tolmach, Chairman	<u>Aye</u>
Dennis Lowes, Vice Chairman	<u>Aye</u>
Simon Carey	<u>Aye</u>
Giancarlo Gattucci	<u>Aye</u>
Nisim Sachakov	<u>Absent</u>
Charles Sisto	<u>Aye</u>
Stephen Wilhelm	<u>Aye</u>

The motion carried.

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

- |   |  |               |
|---|--|---------------|
| • Putnam Nursing & Rehabilitation Center Addition<br>404 Ludingtonville Road, Holmes, NY<br>TM: 12.-3-40 & 41 | Erosion Control/Site Plan/<br>Wetland Permit/Bond Estimate | Status Report |
|---|--|---------------|

Ms. Axelson said the applicants are close to receiving approval, but all invoices need to be submitted prior to signing off on this application.

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|--|-------|---------------|
| • Route 52 Development/Kent Country Square<br>Route 52, Kent, NY<br>TM: 12.-1-52 | SEQRA | Status Report |
|--|-------|---------------|

Nothing new submitted and no action to be taken at this time.

- |   |   |               |
|---|---|---------------|
| • Annunziata Property (former Baillargeon Site)<br>Kentview Dr., Kent, NY<br>TM: 10.20-1-71 | Erosion Control Plan/<br>Wetland Permit | Status Report |
|---|---|---------------|

Waiting for Erosion Control bond to be submitted.

- |  |              |               |
|--|--------------|---------------|
| • Rodriguez<br>104 Smalley Corners Rd., Kent, NY<br>TM: 21.-1-10 | Sub-Division | Status Report |
|--|--------------|---------------|

Waiting for re-submittal.

- |  |                       |               |
|--|-----------------------|---------------|
| • Raneri Property<br>Hillside Paper Rd., Kent, NY<br>TM: 44.24-1-3 | Erosion Control Plan/ | Status Report |
|--|-----------------------|---------------|

Escrow needs to be replenished and awaiting full re-submittal.



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| • Kent Development /Hilltop Estates<br>Timber Harvest<br>Peckslip Rd., Kent, NY<br>TM: 12.-1-38 & 42 | Erosion Control | Status Report |
|--|-----------------|---------------|

Timber Harvest to be withdrawn. A new submittal on commercial property will be submitted by Insite Engineering.

- |  |  |               |
|--|--|---------------|
| • Gierer (Cargain) Property<br>43 Marie Road, Kent, NY 10512<br>TM: 22.-1-42 | Erosion Control Plan/<br>Bond Recommendation<br>Withdrawal pending | Status Report |
|--|--|---------------|

Waiting for letter of withdrawal

- |   |   |               |
|---|---|---------------|
| • DiSanza Property<br>381 Ludingtonville Rd., Holmes, NY<br>TM: 12.-3-63 & 64 | Erosion Control Plan/<br>Wetland Permit | Status Report |
|---|---|---------------|

This matter is pending in Kent Court and no decision has been made. Court recommended that Mr. DiSanza meet with the town to resolve this matter. There is no escrow in this account.

- |   |                      |               |
|---|----------------------|---------------|
| • Cabrera Property<br>126 Hortontown Road, Kent, NY<br>TM: 19.-1-35 | Erosion Control Plan | Status Report |
|---|----------------------|---------------|


Nothing new has been submitted.

Mr. Tolmach asked for a motion to close the June 11, 2020 meeting at 08:45. The motion was made by Mr. Carey and seconded by Mr. Gattucci. The roll call votes were as follows:

Philip Tolmach, Chairman	<u>Aye</u>
Dennis Lowes, Vice Chairman	<u>Aye</u>
Simon Carey	<u>Aye</u>
Giancarlo Gattucci	<u>Aye</u>
Nisim Sachakov	<u>Absent</u>
Charles Sisto	<u>Aye</u>
Stephen Wilhelm	<u>Aye</u>

The motion carried.

Respectfully Submitted,

  
Vera Patterson  
Planning Board Secretary

cc: Planning Board Members  
Building Inspector  
Town Clerk

JUNE 2020  
KENT PLANNING BOARD MEETING AGENDA

Workshop: June 04, 2020 (Thursday, 7:30 PM) ZOOM MEETING

Meeting: June 11, 2020 (Thursday, 7:30 PM) ZOOM MEETING

THIS MEETING WILL BE CONDUCTED VIRTUALLY The Town of Kent Planning Board will be holding its regularly scheduled monthly meeting on Thursday, June 11, 2020 at 7:30 p.m. via ZOOM. The meeting will be televised live on the Town of Kent cable channel as well as live-streamed on YouTube. The public can participate via ZOOM. Please identify yourself when participating just as you would if you came to the microphone during a regular meeting. Thank you for your cooperation.

Maureen Fleming is inviting you to a scheduled Zoom meeting. Topic: Town of Kent, N.Y. Planning Board Meeting June 11, 2020

Time: Jun 11, 2020 07:30 PM Eastern Time (US and Canada) Join Zoom Meeting

<https://us02web.zoom.us/j/5877083251> Meeting ID: 587 708 3251

One tap mobile

+19292056099,,5877083251# US (New York)

+13126266799,,5877083251# US (Chicago) Dial by your location

+1 929 205 6099 US (New York)

+1 312 626 6799 US (Chicago)

+1 301 715 8592 US (Germantown)

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

Meeting ID: 587 708 3251

Find your local number: <https://us02web.zoom.us/j/kH6X5CXoW>

To view the video live on YouTube click the link below. To make a public comment, please sign in to a Gmail account on YouTube.

<https://youtu.be/mYTjo25wnX0>

Town of Kent, N.Y. Planning Board Meeting June 11, 2020

## AGENDA

- |  |  |        |
|--|--|--------|
| • Approve Planning Board Minutes from May 2020   |  |        |
| • Alexander Othmer Property<br>1087 N. Horsepound Rd., Kent, NY<br>TM: 12.-1-28  | Erosion Control Plan<br>Public Hearing           | Review |
| • Fregosi/Marinelli Property<br>Miller Hill Road, Kent, NY<br>TM: 10.-1-17   | Erosion Control Plan<br>Public Hearing           | Review |
| • NYCDEP Bailey Brook Forest Mgmt Project<br>Nimham Rd. & Cole Shears Ct., Kent, NY<br>TM: 20.-1-57; 20.-1-48, 50, 57,73 thru 81 | Erosion Control/Timber Harvest<br>Public Hearing | Review |
| • Realbuto<br>49 Tiger Trail, Kent, NY<br>TM: 21.8-1-39  | Erosion Control Plan/Bond                        | Review |
| • Goldfine/Rynn<br>Daffodil Lane, Kent, NY<br>TM: 11.12-1-21   | Erosion Control Plan/<br>Driveway Waiver         | Review |

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

- |   |  |               |
|---|--|---------------|
| <ul style="list-style-type: none"> <li>Putnam Nursing &amp; Rehabilitation Center Addition<br/>404 Ludingtonville Road, Holmes, NY<br/>TM: 12.-3-40 &amp; 41</li> </ul> | Erosion Control/Site Plan/<br>Wetland Permit/Bond Estimate | Status Report |
| <ul style="list-style-type: none"> <li>Route 52 Development/Kent Country Square<br/>Route 52, Kent, NY<br/>TM: 12.-1-52</li> </ul>                                      | SEQRA  | Status Report |
| <ul style="list-style-type: none"> <li>Annunziata Property (former Baillargeon Site)<br/>Kentview Dr., Kent, NY<br/>TM: 10.20-1-71</li> </ul>                           | Erosion Control Plan/<br>Wetland Permit                    | Status Report |
| <ul style="list-style-type: none"> <li>Rodriguez<br/>104 Smalley Corners Rd., Kent, NY<br/>TM: 21.-1-10</li> </ul>  | Sub-Division   | Status Report |
| <ul style="list-style-type: none"> <li>Raneri Property<br/>Hillside Paper Rd., Kent,, NY<br/>TM: 44.24-1-3</li> </ul>   | Erosion Control Plan/                                      | Status Report |

**Town of Kent Planning Board Minutes  
June 11, 2020**

- |   |  |               |
|---|--|---------------|
| <ul style="list-style-type: none"><li>• Kent Development /Hilltop Estates<br/>Timber Harvest<br/>Peckslip Rd., Kent, NY<br/>TM: 12.-1-38 &amp; 42</li></ul> | Erosion Control  | Status Report |
| <ul style="list-style-type: none"><li>• Gierer (Cargain) Property<br/>43 Marie Road, Kent, NY 10512<br/>TM: 22.-1-42</li></ul>                              | Erosion Control Plan/<br>Bond Recommendation<br>Withdrawal pending | Status Report |
| <ul style="list-style-type: none"><li>• DiSanza Property<br/>381 Ludingtonville Rd., Holmes, NY<br/>TM: 12.-3-63 &amp; 64</li></ul>                         | Erosion Control Plan/<br>Wetland Permit                            | Status Report |
| <ul style="list-style-type: none"><li>• Cabrera Property<br/>126 Hortontown Road, Kent, NY<br/>TM: 19.-1-35</li></ul>                                       | Erosion Control Plan   | Status Report |



## Cornerstone Associates

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

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June 11, 2020

To: Planning Board

From: Bruce Barber  
Town of Kent Environmental Consultant

**Re: Fregosi Application**  
Miller Hill Road  
Section 10 Block 1 Lot 17

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

1. Plan entitled; "Proposed SSTS-Miller Hill Woods Subdivision" prepared by Harry Nichols P.E. dated 03/24/09), 1 sheet: SS-4.
2. Plan entitled; "Stormwater Pollution Prevention Plan-Joseph Fregosi" prepared by Roy Fredriksen, P.E. dated 01/20/20 1 sheet: 1 of 1.
3. Architectural Plan prepared by Roy Fredriksen, P.E. dated 04/13/20, 1 sheet.
4. Letter executed by Josalyn Ferguson, PhD of the New York State Office of Parks, Recreation and Historic Preservation dated 07/18/19, 1 page.

**Review:**

The applicant has provided documentation that there are no structures of historic significance on the property.

The septic system plan and the erosion and sediment control plan differ in the locations of the house and septic system as well as the common driveway. Please provide clarification.

**Additional:**

The applicant is requested to provide annotated responses to the remaining comments in the review memos prepared by this office dated January 6, 2019 and February 13, 2020. Please do not hesitate to contact me should you have any questions.

Sincerely,

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



## Cornerstone Associates

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

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June 11, 2020

To: Planning Board

From: Bruce Barber  
Town of Kent Environmental Consultant

**Re: NYCDEP-Bailey Brook Forest Management Project**  
Ninham Road and Cole Shears Court  
Section 20 Block 1 Lots 48,50,57,73,74,76,77,78,79,80 and 81  
Town of Kent, New York

Dear Chairman Tolmach and Members of the Planning Board:

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

**Summary of Application:**

The subject application is a moderate-intensity silvicultural crown thinning timber harvest of approximately 85 acres on a subject property consisting of a total of 138 contiguous acres in the Boyd Corners basin owned by the New York City Department of Environmental Protection (NYCDEP). Access to the property is from Cole Shears Road and Ninham Road and the site is bounded on all sides by private property. The project will be managed by a NYCDEP forester.

The goal of the timber harvest is to remove approximately 25-30% of the existing tree basal area (or approximately 73 of the existing 244 trees per acre) as well as create four (4) one acre woodland openings in order to promote early successional habitat. Within the woodland openings, all trees down to two inches in diameter will be harvested.

The total duration of the harvest is estimated to be 3 -5 months and may occur intermittently over an 18 – 24 month period depending on weather conditions. Harvesting will take place between November 1 and March 31 of the following year due to the potential presence of the Indiana bat.

**A: Wetland Permit Determination:**

Please be advised, that based upon materials submitted, a Town of Kent wetland permit is required as there shall be harvesting of crops and disturbance within 60' of the indicated wetland, watercourse or waterbody (Town of Kent Town Code Chapter 39A-6(C)). The applicant is requested to submit a wetland permit application and required materials to the Planning Board Clerk to be reviewed by the Planning Board

The applicant has indicated that a New York State Department of Environmental Conservation Article 24 (wetland) permit is required for the proposed action.

**B: Other:**

The applicant is encouraged to provide annotated responses to the previous review memo prepared by this office dated March 12, 2020.

Sincerely,

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





## Cornerstone Associates

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

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June 11, 2020

To: Planning Board

From: Bruce Barber  
Town of Kent Environmental Consultant

**Re: Alexander Othmer Application**  
1 Church Hill Road  
Section 12 Block 1 Lot 28

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

1. Plan entitled; "Erosion and Sediment Control Plan -- Othmer Residence" prepared by DC Engineering, P.C. dated 05/11/20 (rev.), 2 sheets.
2. Property Survey prepared by Decker Surveying dated 5/15/20.

**A: Summary of Application:**

Application is to construct a 1,300+/- square foot, single family residence with front porch, deck/patio, well and septic systems and a driveway grade on a 3.22+/- acre parcel in an R-40 zoning district. The parcel is situated on the southerly side of the intersection of North Horsepound Road and Church Hill Road and was formerly improved with a house and barn which were demolished due to fire damage.

**B: Summary of Review:**

Review complete. This applicant has provided satisfactory responses to the prior review memo prepared by this office dated May 11, 2020.

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

Sincerely,

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





# Memorandum

To: Planning Board  
Town of Kent

Attn: Phil Tolmach  
Chairman

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

Subject: Erosion Control Plan  
Bond Recommendation

Date: June 8, 2020

Project: Realbuto 49 Tiger Trail East  
TM # 21.8-1-39

The following materials were reviewed:

- Response letter prepared by John Karell, Jr., P.E., dated April 28, 2020
- Bond Estimate prepared by John Karell, Jr., P.E., revised March 12, 2020
- Drawings prepared by John Karell, Jr., P.E. dated December 13, 2017 including:
  - S-1 Site Plan & Erosion Control Plan, revised 5/4/2020
  - D-1 Details, revised 5/4/2020
  - EC-1 Existing Conditions Plan, revised 5/4/20
  - S-2 Steep Slope Plan, revised 5/4/20
- SWPPP, prepared by John Karell, Jr., P.E., revised April 10, 2020, received via email 6/4/2020

New or supplementary comments are shown in **bold**. Some earlier comments have been shortened and are designated by "...".

The project proposes re-construction of an existing single family house, which is in poor condition. The applicant proposes to demolish the house and build a larger house in its place. The applicant has also brought more than 100 cubic yards of fill and disturbed more than 5,000 SF without a permit. The project is subject to stop work order issued by the Building Department on November 21, 2016.

## New Comments:

1. The drawings have been revised to have a maximum retaining wall height of three (3) feet, in accordance with the Town Code. This does not appear to have an affect on the erosion control plan. We recommend the bond amounts below.

The following comments are provided for the Planning Board's consideration from a memo dated April 3, 2020:

1. The public hearing for the project was closed on May 9, 2019 and put on Administrative Track. A bond amount was not accepted at that time. A revised bond amount of \$5,300 for Erosion Control and \$3,300 for Planting has been provided. We recommend these bond amounts for acceptance and forward to the Town Board for approval.

Memorandum  
Realbuto ECP  
TM # 21.8-1-39  
June 8, 2020  
Page 2 of 2

The following comments are provided for the Planning Board's consideration from a memo dated November 16, 2017:

16. 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.

**a. This has been acknowledged.**

  
\_\_\_\_\_  
Julie S. Mangarillo, P.E., CPESC

cc: Planning Board via email  
Bill Walters via email

Bruce Barber via email  
17-261-999-154

**JOHN KARELL, JR., P.E.**  
**121 CUSHMAN ROAD**  
**PATTERSON, NEW YORK, 12563**  
845-878-7894 FAX 845 878 4939  
[jack4911@yahoo.com](mailto:jack4911@yahoo.com)

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**Realbuto**  
**49 Tiger Trail**  
**Kent (T)**

**EROSION CONTROL COST ESTIMATE\***

ITEM	QUANTITY	COST/UNIT	TOTAL
Silt Fence	250 LF	\$ 4.00	\$1,000.00
Topsoil Stockpile	one (1)	500.00	500.00
Seed and Mulch	30,000 sf	\$0.06	1,800.00
Grass Swale	L.S.		1000.00
Erosion Control Matting	L.S.		1000.00
<b>TOTAL</b>			<b>\$5,300.00</b>

**PLANTING COST ESTIMATE\***

Red Maples	5	\$100.00	\$ 500.00
Column Junipers	28	100.00	\$2,800.00
<b>TOTAL</b>			<b>\$3,300.00</b>

\*all costs include installation

John Karell, Jr., P.E.  
August 1, 2018, revised January 20, 2020, revised March 12, 2020



# Memorandum

**To:** Planning Board, Town of Kent      **Attn:** Philip Tolmach, Chairman

**From:** Julie S. Mangarillo, P.E., CPESC      **Subject:** Driveway Waiver Request

**Date:** June 8, 2020      **Project:** Goldfine/Rynn Single Family House  
TM # 11.12-1-21, Daffodil Lane

This project was initially approved by the Planning Board in 2006 for Chris Arcamone of Mahopac, NY for a single family house. No work was done on-site except for construction of the septic fill pad, and the driveway was rough graded. A new owner made changes to the design and received approval in 2017. The project is nearly complete except the driveway and some stabilization/landscaping. The rough graded driveway does not meet the Town driveway code nor does it adhere to the approved plans. The owner is seeking a driveway waiver.

The following documents were reviewed:

1. Waiver request letter, prepared by John Karell, Jr., P.E., dated May 26, 2020
2. Drawings prepared by John Karell, Jr., P.E. dated May 21, 2020 including:
  - a. As Built Driveway Plan
  - b. As Built Driveway Profile Plan
3. Letter from Lake Carmel Fire Department, dated May 28, 2020
4. Letter from Kent Highway Department, dated May 29, 2020

The following comments are provided for the Planning Board's consideration:

1. Per Town Code Chapter 57, §57-26.A(2)(a): "Finished grades for all parts of any proposed driveway shall not exceed 10% and shall not be less than 1 ½% nor exceed 5% within 30 feet of the intersection of the driveway with the Town road...and shall be paved for a distance of 30 feet from said intersection. The driveway shall slope down and away from the Town road... in this thirty-foot-long segment, except in the case of a driveway with a culvert (Figures 15 and 25). The slope shall not exceed 3% within 30 feet of a garage or parking pad. The Planning Board may grant a waiver for a driveway slope of up to 15% upon a showing by the applicant of practical difficulty in meeting these standards. The Board shall seek the input of the Town Highway Superintendent and Fire Department in such cases."
  - a. The current driveway has a 10% slope down and towards the road in the first thirty feet. This exceeds the Code maximum of 5% for the first 30 feet. The previously approved plan had 3% sloped down and towards the road. The owner/applicant is requesting a driveway waiver to allow the 10% slope to remain.

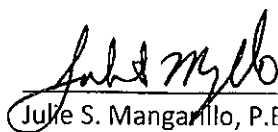
- b. The Lake Carmel Fire Department and Town of Kent Highway Department have submitted letters stating no objections to the driveway as is.
  - c. During last week's Planning Board Workshop, the owner/applicant stated that large delivery vehicles have used the driveway as is during construction of the house without incident.
  - d. Based upon the recommendation of the Fire Department and Highway Department, we have no objection to the granting of the waiver.
2. Based upon review of the driveway profile, a waiver should also be requested for the parking pad in front of the garage. Per the Code "The slope shall not exceed 3% within 30 feet of a garage or parking pad." The approved drawings show a slope of 3%. The current profile shows a slope of 5%. We have no objection to the granting of the waiver if it is requested by the owner/applicant.
  3. Please note: on the drawing "As Built Driveway Profile Plan" there is a profile shown and labeled as "approved grade". This "approved grade" profile does not match the profile on the approved drawing, last revised 4/15/2017 and signed by the Planning Board Chairman on 6/8/2017.

The following comments are offered as reminders for items that are to be completed based upon a site visit on November 22, 2019 and have previously been discussed with the owner/applicant:

1. Pave the driveway in accordance with the approved plan.
2. Construct the required driveway pull-offs.
3. Remove (topsoil, seed and mulch) the alternative driveway path.
4. Remove (topsoil, seed and mulch) the turn around at the top of the driveway. Be sure to grade the area to allow runoff from the top of the driveway to enter the driveway swale.
5. Re-seed any bare/thin areas of the swale.
6. The edges of the driveway and the swale along with driveway will need to "cleaned-up" after the driveway is paved.
7. Ensure vegetation in the Biofilter Basin is per approved plan. Consult with Bruce Barber if there are any questions.
8. Re-seed any bare/thin areas of lawn.

As a further reminder, this construction project is subject to a NYCDEP Individual Residential Stormwater Permit (IRSP), which has its own requirements for as-built drawings and specific language to be included in the deed. Provide a copy of the as-built to the Town.

Please note, if the property is sold prior to the Notice of Termination being completed and submitted to the NYSDEC, the future owner will have to take over responsibility for the open DEC permit by filing a new Notice of Intent for change of ownership.

  
Julie S. Mangarillo, P.E., CPESC

cc: Planning Board via email  
Bill Walters via email  
File: 15-261-999-100

Bruce Barber via email  
Jack Karell, PE, 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: [jmangarillo@rsaengrs.com](mailto:jmangarillo@rsaengrs.com)

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

# Memorandum

To: Planning Board  
Town of Kent

Attn: Philip Tolmach  
Chairman

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

Subject: Erosion Control Plan

Date: June 8, 2020

Project: Othmer ESC 189 Church Hill Rd  
TM # 12.-1-28

The following materials were reviewed:

- o Survey with proposed house location, prepared by Decker Surveying, dated May 15, 2020
- o Survey with proposed house location, proposed septic location and proposed well location, dated May 15, 2020
- o Construction sequence time frame, prepared by Alexander R. Othmer, dated May 17, 2020

The project proposes construction of a new single family house, with well and septic. There is an existing driveway that will be improved.

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

## New Comments:

1. **A bond estimate of \$4,400 was included in a previous submittal. We have prepared an erosion control bond estimate with unit costs used for other projects in the Town of Kent. This bond estimate is \$8,930. We recommend the bond amount of \$8,930 be accepted for the Erosion Control Bond and forwarded to the Town Board for approval.**
2. **Provide a written response letter with future submittals stating how the comments have been addressed.**

The following comments are provided for the Planning Board's consideration from a memo dated April 3, 2020:

1. The proposed project is within the NYCDEP East of Hudson watershed and will disturb more than 5,000 SF of land. A Town of Kent Erosion & Sediment Control Permit is required as well as coverage under NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity, GP-0-20-001.
6. Provide the following information as required by Town Code Chapter 66-6.B.2:
  - a. §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..."

- i. Topography is not shown consistently 50 feet beyond limits of disturbance. Topography is missing on the west side of the driveway and in area of proposed well. A waiver can be requested from the Planning Board to reduce extent of topography shown. At a minimum, indicate direction of slope between the west side of the driveway and the neighboring property to the west. An existing conditions survey, if available can also be submitted to fulfill this requirement.
  - ii. **5/13/2020 – Some additional contours have been provided. A request for waiver to reduce the extent of the topography has been submitted. The topography provided is sufficient for review of the application. We have no objection to the waiver being granted.**
- c. §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. [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.
    - 1. 4/3/2020 A Construction Sequence has been provided. Provide estimated timeframes. These can be number of days, weeks or months, as appropriate.
    - 2. **5/13/2020 An overall construction time period of June 1, 2020 to June 1, 2021 has been provided. Include the time periods for each of the individual tasks listed in the construction sequence. These can be number of days, weeks or months, as appropriate.**
    - 3. **6/8/2020 – Update the "Construction Sequence" on drawing "Erosion & Sediment Control Plan".**

11. Refer to the Drawings:

- a. Under Erosion & Sediment Control General Notes:
  - i. #8 refers to outdated "New York Guidelines for Urban Erosion and Sediment Control." Replace with reference to current "New York State Standards and Specifications for Erosion and Sediment Control, dated November 2016." Update timeframe for soil stabilization with GP-0-20-001 for "the application of soil stabilization measures must be initiated by the end of the next business day and completed within seven (7) days from the date the current soil disturbance activity ceased..."

1. **5/13/2020 – #8, specify that “stabilization measures must be initiated by the end of the next business day and completed within seven (7) days.”**

c. Under “Town of Kent Driveway Notes” #2:

- ii. Updated Code reference: Per Town Code Chapter 57, §57-26.A(2)(a):  
“Finished grades for all parts of any proposed driveway shall not exceed 10% and shall not be less than 1 ½% nor exceed 5% within 30 feet of the intersection of the driveway with the Town road... and shall be paved for a distance of 30 feet from said intersection. The driveway shall slope down and away from the Town road... in this thirty-foot-long segment, except in the case of a driveway with a culvert (Figures 15 and 25). The slope shall not exceed 3% within 30 feet of a garage or parking pad. The Planning Board may grant a waiver for a driveway slope of up to 15% upon a showing by the applicant of practical difficulty in meeting these standards. The Board shall seek the input of the Town Highway Superintendent and Fire Department in such cases.”

1. **5/13/2020 – Review and revise the wording in note #2.**

15. 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. – **Acknowledged.**

The following comments are provided for the Planning Board's consideration from a memo dated May 13, 2020:

**2. Refer to the Notice of Intent (NOI):**

- a. **Page 3, #3 Pre-development Existing Land use:** It is our understanding that it has been more than 5 years since there was a single family house on this lot. Another description should be selected for pre development existing land use. A description such as “vacant lot” would be more accurate.
- b. **Page 4, #16,** list Town of Kent as the municipality that owns the separate storm sewer system. Even though runoff from the project may not directly enter Kent's storm system, Kent is an MS4 community.
3. **Refer to drawing “Erosion & Sediment Control Plan” – “E&S.C. Maintenance Plan”** add maintenance information for concrete truck wash-out.
4. We recommend the Planning Board attorney review the Disclosure of Business Interest form. The property is now fully owned by Alexander Othmer, however Richard Othmer, Jr's name is on the Health Department permit and other documents. We want to be sure this application is being handled appropriately for everyone's benefit.

  
Julie S. Mangarillo, P.E., CPESC

cc: Planning Board via email  
Bill Walters via email  
20-261-999-168

Bruce Barber via email  
Liz Axelson 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](mailto: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:** June 8, 2020

**Attn:** Philip Tolmach, Chairman  
**Subject:** Erosion Control Bond Amount  
**Project:** Othmer ESC - 189 Church Hill Rd  
**Tax Map:** 12.-1-28

The erosion control bond is as follows:

ITEM	QUANTITY	UNIT	UNIT COST	TOTAL COST
Grass swale	50	LF	\$ 5.00	\$ 250.00
Sediment traps	3	EA	\$ 1,000.00	\$ 3,000.00
Concrete truck washout pit	1	EA	\$ 500.00	\$ 500.00
Soil stockpiles	2	EA	\$ 500.00	\$ 1,000.00
End sections w/ riprap pads	1	EA	\$ 500.00	\$ 500.00
Roof drain pipe	100	LF	\$ 7.50	\$ 750.00
Seed and mulch	15,000	SF	\$ 0.06	\$ 900.00
Stabilized construction entrance	1	EA	\$ 750.00	\$ 750.00
Silt Fence	320	LF	\$ 4.00	\$ 1,280.00
			<b>TOTAL:</b>	\$ 8,930.00

Comparison to "Construction Estimate for Bond Calculation"

\$ 4,400.00

Prepared by Design Concepts Engineering, P.C., dated March 15, 2020

**STEPHEN REALBUTO  
49 TIGER TRAIL EAST  
STORMWATER POLLUTION PREVENTION PLAN  
SEQUENCE OF CONSTRUCTION**

The following are sequence and methods of reconstruction of a single family house on property owned by Stephen Realbuto at 49 Tiger Trail East, Town of Kent, Putnam County, New York. Erosion and sediment control measures are incorporated into the construction program. Construction of this project will be in one phase.

Proposed erosion and sediment control methods are found on the Site Plan. The erosion controls are designed in accordance with the State of New York, "Guidelines for Urban Erosion and Sediment Control" and the NYS Standards & Specifications for Erosion & Sediment per Town Code, Section 66-6.B.2.g.

The project is expected to start in the fall of 2020 and continue over a one year period.

**A. General Construction Notes**

1. The site shall be disturbed only when and where necessary. Only the smallest practical area of land shall be exposed at any one time during development. When land is exposed, the exposure shall be kept to the shortest practical period of time by immediate stabilization per the stabilization notes, unless specified otherwise. All disturbed areas that are seeded with appropriate seed mixture and procedure are considered stabilized when 80% of the vegetation is achieved.
2. Where ever feasible, natural vegetation shall be retained and protected.
3. The contractor shall inspect all erosion and sediment control devices during all storm events, prior to weekends and prior to all forecasted storm events.
4. The Contractor shall grade and provide stabilization of newly graded and disturbed areas per item 9 of this sequence.

**B. Construction Sequence**

1. Install all erosion control measures, including construction fencing around the septic area. ( 2 days)
2. Install walls prior to rough grading the front and rear yard to final grades (4 days)
3. Topsoil, seed and mulch all disturbed areas (2 days)
4. Begin house reconstruction and septic system installation. . (9 months)
5. Install landscaping
6. Topsoil, seed and mulch all redisturbed areas in accordance with the stabilization notes. ( 2 days)
7. Remove all temporary erosion control measures. Restore/backfill to final grade and provide stabilization is necessary. (1 day)
8. Contractor to perform final site clean up and dispose of all debris properly.

**Total construction time one year**

**9.STABILIZATION NOTES**

- A. Grade to finished slopes
- B. Soils shall be scarified.
- C. Topsoil with not less than four inches of suitable topsoil material
- D. Seed as follows:

Spring/Fall Planting: Tall fescue	100	Kobe Gespedza	10
Bahi Grass	25	Rye Grass	40
Temporary Summer Planting:	German Millet	40	
All above units in lbs/sc			
- E. Mulch all disturbed areas.

**To: Town of Kent Planning Board**

**From Alexander Richard Othmer, 189 Churchill Road Kent Lakes, NY 10512**

**Subject: Construction sequence time frame as requested in memo dated May 13, 2020 from Planning Board Consulting Engineer Julie Mangarillo & required by Town Code Chapter 66-6. B.2.g – Specifically, page two of the memo.**

**Date: May 17, 2020**

**Construction Schedule June 21 – December 21, 2020**

- 1) 6/21 – 7/6; Foundation excavation, forming & pouring.**
- 2) 7/7 – 7/31; House framing & plywood sheathing.**
- 3) 8/1 – 8/31; Installation of roof, wood & stone siding, windows & exterior doors.**
- 4) 9/1 – 9/30; Electric & plumbing roughing, pouring of interior & exterior concrete slabs, installation of septic system & drilling of well, grading & re-seeding of disturbed septic & foundation areas.**
- 5) 10/1 – 10/31; Installation of Interior sheetrock, doors, trim, heating & HVAC systems.**
- 6) 11/1 – 11/30; Sheetrock taping & painting, installation of flooring, final hookup of plumbing & electric fixtures. Transfer of underground power from NYSEG Pole to house, activation of the drilled well water & septic systems, complete finished driveway.**
- 7) 12/1 – 12/21; Punch list, job complete.**

- All construction inspections & approvals to be coordinated with Town Building Inspector & the New York State Board of Electrical Inspectors.**
- Alexander Othmer & Richard Othmer will be General Contracting the job and all sub-contractors will be fully licensed & insured in Putnam County and New York State.**
- Any changes to the original plans will be first approved by the Town Building Inspector and signed off by either the Owner's Architect or Engineer.**
- All erosion control plan elements will be immediately installed at start of project and will be completed as soon as possible. Upon installation & approval of the septic system & well, they will be backfilled, raked, seeded & hay topped the following day. The house site will be treated equally as aggressive as to have all grasses planted during the favorable fall growing season.**

**Alexander R. Othmer**



**JOHN KARELL, JR., P.E.**  
**121 CUSHMAN ROAD**  
**PATTERSON, NEW YORK, 12563**  
845-878-7894 FAX 845 878 4939  
jack4911@yahoo.com

Received  
mo/date/year

**MAY 26 2020**

Planning Department  
Town of Kent

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May 26, 2020


To: Town of Kent Planning Board

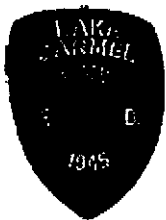
**REQUEST FOR WAIVER OF DRIVEWAY GRADE**  
**GOLDFINE/RYNN SINGLE FAMILY HOUSE, TM # 11.12-1-21**

Attached herewith are plans which reflect as built driveway grades which for the first 30 feet are 10% which does not comply with the Town required maximum grade of 3%. The reason for this requested waiver is shallow rock in the first 70 feet of the driveway.

Although the driveway in the first 30 feet does not comply with the required grade vehicles have accessed the property in this condition and did not encounter any safety concerns. The driveway provides a safe and proper access to the property.

It is requested that the Board consider this matter as soon as possible as the builder has a buyer ready to occupy the house.

  
John Karell, Jr., P.E.



# *Lake Carmel Fire Department*

851 Route 52

Carmel, NY 10512

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



Chief

*T.J Donohue*

1<sup>st</sup> Asst. Chief

*Justyn Lewis*

2<sup>nd</sup> Asst. Chief

*Ken Launzinger*

President

*Ryan Benson*

Vice President

*Ed Schaeffler Jr.*

May 28,, 2020

To whom it may concern;

This letter is to verify the driveway inspection at 91 Daffodil Ct. in the Town Of Kent NY. The homeowner Mike Rynn requested an inspection of the grade of the driveway at this address in regards to fire apparatus being able to access the residence. As a result of this inspection I have deemed this driveway to be readily accessible by the apparatus of The Lake Carmel Fire Dept. Feel free to contact me regarding this issue with any questions that may arise.

Be well and stay safe!!

Sincerely,

Chief T.J Donohue  
914-488-7928  
chief@lcfcd.com



# *Lake Carmel Fire Department*

851 Route 52  
Carmel, NY 10512

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



Chief

*T.J Donohue*

1<sup>st</sup> Asst. Chief

*Justyn Lewis*

2<sup>nd</sup> Asst. Chief

*Ken Launzinger*

President

*Ryan Benson*

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May 28,, 2020

To whom it may concern;

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Be well and stay safe!!

Sincerely,

Chief T.J Donohue  
914-488-7928  
chief@lcfcd.com



***Town of Kent Highway Department***  
*Richard T. Othmer, Jr., Highway Superintendent*  
*62 Ludington Court*  
*Kent Lakes, New York 10512*  
*(845) 225-7172 Fax (845) 225-9464*  
*Email: [highwaykent@townofkentny.gov](mailto:highwaykent@townofkentny.gov)*

May 29, 2020

Mr. Michael Rynn  
91 Daffodil Court  
Kent Lakes, NY 10512

Subject: Inspection of Driveway

Dear Mr. Rynn,

In response to your request that the Highway Department inspect your driveway for potential drainage issues that could result due to the slope of the driveway, myself and my General Foreman of 38+ years Lew Strickland have inspected your driveway.

We do not foresee any drainage issues and the driveway meets our approval.

Please do not hesitate to contact me with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Othmer", with a long horizontal flourish extending to the right.

Richard T. Othmer, Jr.  
Kent Highway Superintendent



**JOHN KARELL, JR., P.E.**  
**121 CUSHMAN ROAD**  
**PATTERSON, NEW YORK, 12563**  
**845-878-7894 FAX 845 878 4939**  
**jack4911@yahoo.com**

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April 28, 2020

**RESPONSE TO COMMENTS REALBUTO, 49 TIGER TRAIL EAST, TM # 21.8-1-39**

**BRUCE BARBER, DATED - NONE**  
**Plan Review**  
**Review**

**JULIE MANGARILLO, P.E. DATED APRIL 3, 2020**

**NEW COMMENTS**

1. Noted
2. Updated SWPPP narrative provided relative to cutoff swale and rip rap overflow. Note added to S-1 referencing the SWPPP.
3. Noted relative to elimination of pool.
4. Note on S-1 relative to erosion control note # 5, 7 day response.

**Memo November 16, 2017**


- 1.a.i Reference to the deed is provided on S-1 and the survey.
- a.ii Text added.
- 13.b. Bill Walters indicated fence not required. Wall revised to 3 feet high, max
- c. Dimension provided indicating wall minimum 2 feet to property line.

**Memo March 8, 2018**

4.a.b. . Note added regarding any additional fill material to be brought to the site. It is noted that it is not expected that any additional fill will be necessary. Existing material on site will be moved and graded in accordance with the Site Plan.

**Memo October 5, 2018**

- 2.c. Revised construction sequence provided relative to protection of septic system.



John Karell, Jr., P.E.