

Approved: June 11, 2020

**TOWN OF KENT PLANNING BOARD
MAY 14, 2020
MINUTES
FINAL ADOPTED**

Due to the Corona virus the Planning Board held their May 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
Nisim Sachakov	Charles Sisto
Stephen Wilhelm	

Others in Attendance:

Liz Axelson, Planner
Bruce Barber, Environmental Consultant
Julie Mangarillo, Engineer Consultant
Jamie McGlasson, Liason
Chris Ruthven, Liason
Bill Walters, Building Inspector

Mr. Tolmach asked each of the Board members to identify themselves to the audience and state that they are alone in their residences, which they did. Mr. Tolmach and the other Board members expressed their appreciation to all of the health care workers and first responders, Fire and Police personnel for their work during the pandemic.

- Approve Planning Board Minutes from March 2020

Mr. Tolmach asked for a motion to approve the Planning Board meetings from the March 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>Aye</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**

Mr. John Kalin represented Mr. Othmer, who also participated on the call. The submittal for this project was submitted before the April meeting, but due to the Corona virus there was no meeting in April.

Mr. Othmer participated on the call along with his engineer, Mr. John Kalin of DC Engineering. The applicant submitted plans for construction of a single family residence with well and septic system and a driveway. There are some wetlands on the property and some steep slopes. The driveway has been redesigned to comply with the Town Code.

Ms. Axelson's Comments

Ms. Axelson deferred to the Town Engineer and Environmental Consultant.

Ms. Mangarillo's Comments (memo attached)

Ms. Mangarillo said that previously two waiver requests had been submitted – one for the topography survey and the other for a driveway waiver. However, it had been decided to redesign the driveway slightly so a waiver would not be necessary. The driveway has been regraded, therefore the waiver is not necessary because it does comply with the Town Code now. The applicant and his engineer provided additional topo so they now meet the 50' of topography needed beyond limits of disturbance throughout the whole site, but Ms. Mangarillo said to be safe to go ahead with the waiver request for topography. Comments were issued last night and most of them have been addressed and the rest should be addressed by next month. Ms. Mangarillo recommended holding a Public Hearing in June for this project.

Mr. Barber's Comments (memo attached)

Mr. Barber said this project is to construct a 1,300 square foot residence with a front porch, deck, patio, well, septic system and driveway on a 3.22 acre parcel in an R-40 zone situated on the southerly side of the intersection of Horsepound and Churchill Road. Previously there was a house and barn on this property which were demolished. At the present time the only permit required is a Steep Slope and Erosion Control permit. The property is compliant with Town Code setback and area coverage. This is a Type II action with SEQRA. Mr. Barber conducted a site inspection of the property on April 22, 2020 along with Mr. Othmer. The applicant does not plan on disturbing any wetlands so a Wetland Permit will not be required by the Town of Kent. However, there are some NY State or DEC wetlands across from the property, but the applicant does not propose to disturb any of their wetlands so a state Wetland Permit is also not required. There will not be any trees cut, therefore the applicant requested a waiver of a tree plan. There is a small section of steep slopes between the proposed house and septic system that will be graded out, but it is minimal and an Erosion and Sediment Control Plan has been provided. There is no evidence of rock outcropping. There were several piles of soil at the end of the driveway which the applicant stated was topsoil stripped from the property when test holes were done and stockpiled there in order to not waste it. A waiver of the Topographic Map was requested on the site the disturbance is 0.43 acres and the applicant received well and septic system approvals as well as a BOH well abandonment approval. The applicant provided a letter from Alexander Othmer authorizing Richard Othmer to act on his behalf. Most of Mr. Barber's comments have been satisfied. Mr. Barber asked for a complete survey with a stamp could be provided. Mr. Othmer said that that was on the way and would be submitted within a week. Mr. Barber agreed that a Public Hearing should be scheduled for the June meeting.

Town of Kent Planning Board Minutes
May 14, 2020

Mr. Tolmach asked for a motion to schedule a Public Hearing for this project for June 11, 2020. The motion was made by Mr. Sisto and seconded by Mr. Sachakov. . 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>Aye</u> _____
Charles Sisto	<u>Aye</u> _____
Stephen Wilhelm	<u>Aye</u> _____

The motion carried.

Mr. Tolmach asked for a motion granting waivers for a Tree Survey and a Topographic Map. The motion was made by Mr. Gattucci 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>Aye</u> _____
Charles Sisto	<u>Aye</u> _____
Stephen Wilhelm	<u>Aye</u> _____

The motion carried.

Mr. Lowes expressed the Planning Board's appreciation to Mr. Kalin for submitting such professional material to the Planning Board, which makes everything so much easier.

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

Mark and Brianna Marinelli and Mr. Fregosi participated on this call.

Ms. Axelson's Comments

Ms. Axelson had no comments on this application.

Ms. Mangarillo's Comments (memo attached)

Ms. Mangarillo said that this project had appeared before the Planning Board in January 2019. A site visit was conducted and it was noted that there were some structures of unknown origin. NYSOPRHP said that the structures were part of an estate and not eligible to be considered historic so there will be no adverse impact. A memo was issued April 3, 2020 and a response is requested to continue with the review.

Mr. Barber's Comments (memo attached)

Mr. Barber said that he has minor comments remaining and the project should move forward.

Mr. Marinelli said that he didn't understand what "Disclosure of Business Interest" meant. Ms. Mangarillo said that the application was submitted by Mr. Fregosi because he owned the property and since that time it has been transferred to Mr. & Mrs. Marinelli; so all paperwork needs to reflect the name of the current owner. Another form needs to reflect that no one is a Town of Kent employee. Both forms need to be notarized. Mr. Fregosi said that he is waiting for a site plan from Roy Frederiksen. Mr. Fregosi mentioned that when the subdivision was created the original survey had all driveways coming off of Miller Hill Road, which could not be done. A common private drive off of Miller Hill Road is now being used for all driveways. Another common driveway is on this property and a neighbor has an easement to use it, which was black topped years ago. Ms. Mangarillo said that any documentation pertaining to an agreement about the driveway should be noted on the plan or a separate agreement from the neighbor pertaining to this matter should be provided. Mr. Fregosi said he would provide the additional information by May 19, 2020. Ms. Mangarillo suggested that a Public Hearing should be scheduled for the June meeting. Mr. Lowes asked for a copy of the deed for this property. Mr. Barber asked for a copy of a Maintenance Agreement. Mr. Marinelli said that there is a HOA agreement which they'd send in. Ms. Axelson said that Dennis needed to acknowledge that he agreed to make a motion about setting the meeting. Mr. Lowes said he also agreed to scheduling the Public Hearing in June.

Mr. Tolmach asked for a motion to schedule a Public Hearing for this project on June 11, 2020. The motion was made by Mr. Gattucci and seconded by Mr. Sachakov.. 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>Aye</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**

There was no one at the meeting to represent Mr. Realbuto.

Ms. Mangarillo's Comments

Ms. Mangrillo submitted a review memo in March or April and since that time Mr. Walters had provided documentation from the Town Code that retaining walls could only be 3' high. Therefore, the plans needed to be revised to show that the retaining wall (currently proposed to be 4' high) needed to be revised and was just submitted to be reviewed at the June meeting. The bond should be set at the June meeting.

- **Alou Construction, Dean Rd., Kent, NY; TM: 10.-2 & 10.-3**

The bond for this project was \$7,764.50. Ninety percent (\$6,988.05) of this bond was returned previously and the applicant requested that the remaining 10% (\$776.45) be returned. Ms. Mangarillo said it has been two years since the bond was posted and that she had no objections to returning this money at this time and recommended that the Planning Board vote as to whether or not the remaining funds should be returned to the applicant.

Mr. Tolmach asked for a motion to return the funds remaining in this account. 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>Aye</u>
Charles Sisto	<u>Aye</u>
Stephen Wilhelm	<u>Aye</u>

The motion carried.

- **SSEL Corporation, Dean Rd., Kent, NY; TM: 10.-2 & 10.-2**

The bond for this project was \$8,936.60. Ninety percent (\$8,033.04) of this bond was returned previously and the applicant is now requesting that the remaining 10% (\$892.56) be returned. Ms. Mangarillo said she had no objections to returning this money at this time. Ms. Mangarillo recommended that the Planning Board vote as to whether or not the remaining funds should be returned to the applicant.

Mr. Tolmach asked for a motion to return the funds remaining in this account. The motion was made by Mr. Sachakov 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>Aye</u>
Charles Sisto	<u>Aye</u>
Stephen Wilhelm	<u>Aye</u>

The motion carried.

- **Sabina Boccia, 12 Euston Road, Garden City, NY 11530**
For Property located on Maynard Rd., Kent, NY; TM: 21.-1-16

Mr. Barber said the Boccias decided not to proceed with this project and he inspected the property and found it stabilized. He recommended that the escrow in the amount of \$3,209.06 should be returned to the applicants. Mr. Walters verified that the property is stabilized and in fact up for sale.

Mr. Tolmach asked for a motion to return the funds remaining in this account to the applicant. The motion was made by Mr. Wilhelm and seconded by Mr. Sachakov. 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>Aye</u>
Charles Sisto	<u>Aye</u>
Stephen Wilhelm	<u>Aye</u>

The motion carried.

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

- NYCDEP Bailey Brook Forest Mgmt Project Erosion Control/Timber Harvest Status Report
Nimham Rd. & Cole Shears Ct., Kent, NY
TM: 20.-1-57; 20.-1-48, 50, 57,73 thru 81

Ms. Mangarillo issued comments and recommended scheduling a Public Hearing for June 11, 2020. An updated submittal is expected. Mr. Barber will inspect the site to determine if there are wetlands and also recommended scheduling the Public Hearing for this project on June 11, 2020..

Mr. Tolmach asked for a motion to schedule a Public Hearing for June 11, 2020. The motion was made by Mr. Lowes 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>Aye</u>
Charles Sisto	<u>Aye</u>
Stephen Wilhelm	<u>Aye</u>

The motion carried.

Town of Kent Planning Board Minutes
May 14, 2020

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

Ms. Axelson said progress has been made on conditions of approval. The Stormwater Maintenance Agreement has been sent to the Town Supervisor by the Planning Board Attorney, Jeff Battistoni of Van DeWater & Van DeWater. A resolution was sent by the Town Clerk verifying that the Supervisor had signed them. A sign-off letter will be done by Ms. Axelson when other remaining outstanding items have been resolved, including fees and invoices. There has been a request from the Planning Board for an additional \$4,000. Most comments from Ms. Axelson, Mr. Barber and Ms. Mangarillo have been addressed.

- Route 52 Development/Kent Country Square SEQRA Status Report
Route 52, Kent, NY
TM: 12.-1-52

No new submittals have been received to date. Ms. Axelson said there have been some off-line consultation with the applicant and that she had prepared an update memo. There still is a question as to the status of the zoning amendment because of actions the Town Board has taken. Mr. Caruso issued an email and attached information which the Planning Board has.

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

An inspection fee has been provided, but the Erosion Control bond is pending. This property was previously owned. They are waiting for a CO from the Building Department. By Mr. Arrell and then Jennifer Baillargeon.

- Rodriguez Sub-Division Status Report
104 Smalley Corners Rd., Kent, NY
TM: 21.-1-10

Waiting for re-submittal.

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

The escrow account is in arrears and no action will be taken until this is resolved. Ms. Axelson received material but will not act on it until escrow has been provided.

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

Nothing new has been submitted. The tree cutting may not proceed now until November. We have contacted the applicant's representative to see what the status is.

**Town of Kent Planning Board Minutes
May 14, 2020**

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

Mr. Cargain stopped by the Planning Board office and submitted escrow to replenish the review account, which was in arrears. He said his parents own the property and haven't decided definitely to withdraw the application.

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|---|-------------------------|---------------|
| • Kent Materials
NYS Rte. 52, Kent, NY
TM: 12.-1-44 | Request to Release Bond | Status Report |
|---|-------------------------|---------------|

Nothing new has been submitted at this time.

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|---|---|---------------|
| • DiSanza Property
381 Ludingtonville Rd., Holmes, NY
TM: 12.-3-63 & 64 | Erosion Control Plan/
Wetland Permit | Status Report |
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Nothing new has been submitted. This matter is before the Town of Kent Justice Court, but there is no escrow in this account.

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

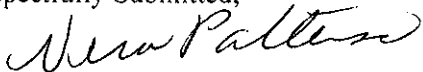
Nothing new has been submitted.

Mr. Tolmach asked for a motion to close the May 14, 2020 meeting at 08:45, The motion was made by Mr. Gattucci and seconded by Mr. Lowes. 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>Aye</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

MAY/APRIL 2020
(APRIL AGENDA ITEMS HELD OVER FOR MAY MEETING)
KENT PLANNING BOARD MEETING AGENDA – MAY 14, 2020

Workshop: May 07, 2020 (Thursday, 7:30 PM) ZOOM MEETING

Meeting: May 14, 2020 (Thursday, 7:30 PM) ZOOM MEETING

Maureen Fleming is inviting you to a scheduled Zoom meeting.

Topic: Town of Kent, N.Y. Planning Board Meeting

Time: May 14, 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>

You can view the meeting live on YouTube with the link below. If you would like to make a public comment, please sign into a Gmail account on YouTube, so we can identify you.

Town of Kent, N.Y. Planning Board Meeting May 14, 2020

AGENDA

- Approve Planning Board Minutes from March 2020
- Alexander Othmer Property Erosion Control Plan Review
1087 N. Horsepound Rd., Kent, NY
TM: 12.-1-28
- Fregosi/Marinelli Property Erosion Control Plan Review
Miller Hill Road, Kent, NY
TM: 10.-1-17

**Town of Kent Planning Board Minutes
May 14, 2020**

- | | | |
|--|--|--------|
| • Realbuto
49 Tiger Trail, Kent, NY
TM: 21.8-1-39 | Erosion Control Plan/Bond | Review |
| • Alou Construction
Dean Rd., Kent, NY
TM: 10.-2 & 10.-3 | Request to Release Remaining
Erosion Control Bond Funds | Review |
| • SSEL Corporation
Dean Rd., Kent, NY
TM: 10.-2 & 10.-2 | Request to Release Remaining
Erosion Control Bond Funds | Review |
| • Sabina Boxxia
12 Euston Road, Garden City, NY 11530
For Property located on
Maynard Rd., Kent, NY
TM: 21.-1-16 | Request to Return Escrow | Review |

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

- | | | |
|---|--|---------------|
| • NYCDEP Bailey Brook Forest
Management Project
Nimham Rd. & Cole Shears Ct., Kent, NY
TM: 20.-1-57; 20.-1-48, 50, 57,73 thru 81 | Erosion Control/Timber Harvest | Status Report |
| • Putnam Nursing &
Rehabilitation Center Addition
404 Ludingtonville Road, Holmes, NY
TM: 12.-3-40 & 41 | Erosion Control/Site Plan/
Wetland Permit/Bond Estimate | Status Report |
| • Route 52 Development/
Kent Country Square
Route 52, Kent, NY
TM: 12.-1-52 | SEQRA | Status Report |
| • Annunziata Property
(Former Baillargeon Site)
Kentview Dr., Kent, NY
TM: 10.20-1-71 | Erosion Control Plan/
Wetland Permit | Status Report |
| • Rodriguez
104 Smalley Corners Rd., Kent, NY
TM: 21.-1-10 | Sub-Division | Status Report |
| • Raneri Property
Hillside Paper Rd., Kent,, NY
TM: 44.24-1-3 | Erosion Control Plan/ | Status Report |

Town of Kent Planning Board Minutes
May 14, 2020

- | | | |
|---|--|---------------|
| <ul style="list-style-type: none">• Kent Development /Hilltop Estates
Timber Harvest
Peckslip Rd., Kent, NY
TM: 12.-1-38 & 42 | Erosion Control | Status Report |
| <ul style="list-style-type: none">• Gierer (Cargain) Property
43 Marie Road, Kent, NY 10512
TM: 22.-1-42 | Erosion Control Plan/
Bond Recommendation
Withdrawal pending | Status Report |
| <ul style="list-style-type: none">• Kent Materials
NYS Rte. 52, Kent, NY
TM: 12.-1-44 | Request to Release Bond | Status Report |
| <ul style="list-style-type: none">• DiSanza Property
381 Ludingtonville Rd., Holmes, NY
TM: 12.-3-63 & 64 | Erosion Control Plan/
Wetland Permit | Status Report |
| <ul style="list-style-type: none">• Cabrera Property
126 Hortontown Road, Kent, NY
TM: 19.-1-35 | Erosion Control Plan | Status Report |

DC ENGINEERING, PC

April 14, 2020

Chairman Tolmach & Kent Planning Board
Town of Kent
25 Sybil's Crossing
Kent Lakes, NY 10512

Re: Othmer Residence - SSTS
1 Church Hill Rd. (T) Kent
TM# 12.1-28

Dear Chairman Tolmach:

I have reviewed the comment letters dated regarding the above referenced project. As requested, I have modified and/ or provided additional information on the attached plans and in this letter. To facilitate your review, I have keyed the following responses to the original comments:

Engineers Review

1. Comment noted.
2. Alexander Othmer is the Owner of Record. Documents have been coordinated.
3. 1 Church Hill Rd will be the address, unless the Town indicates otherwise.
4. PCHD & NYCDEP approvals pending.
5. Combined Application
 - a. Description provided.
 - b. Names provided.
 - c. Area revised.
 - d. Zoning district provided.
 - e. PCHD & NYCDEP have been added.
 - f. Mr. Othmer has directly submitted a deed to you.
 - g. Additional professional information has been provided.
 - h. Response provided.
 - i. Dates provided.
 - j. Mr. Othmer has submitted the Owner Affidavit and Disclosure Statement directly to you. The Professional Engineer Certification is enclosed.

DESIGN CONCEPTS ENGINEERING, PC

3 MEMORIAL AVE. SUITE 301, PAWLING, NY 12564

PH: 845-855-2000 • FX: 845-855-2605

E: JKALIN.DC@COMCAST.NET

6.
 - a. Please find a waiver request enclosed regarding the extent of topography.
 - b. Slopes are indicated on the plan.
 - c. Construction timeframe has been provided in the construction sequence.
7. Note has been added.
8. SWPPP
 - a. Soil Group has been added to the plan.
 - b. Note has been added to the plan.
 - c. Note has been added to the plan and existing notes have been revised.
9. NOI is enclosed.
10. MS4 Acceptance Form is enclosed.
11. Drawings
 - a. E&SC General Notes
 - i. Reference and date have been revised.
 - ii. Note has been expanded.
 - b. Note has been revised.
 - c. Note has been revised.
 - d. Note has been revised.
 - e. A waiver request has been attached regarding the driveway intersection with Church Hill Road. It is not possible to lower the driveway to be below Church Hill Road. The driveway is nearly level on the property with a small elevation drop at the intersection with Church Hill. This is because of the slope of Church Hill Road. Sight line distances have been added to the plan. There is a 3 way stop intersection at North Horsepound and Church Hill. The stop bars have been shown on the plan.
 - f. Silt fence has been relocated.
 - g. Gravel pad detail has been added to the plan.
 - h. Tree line has been added to the plan.
 - i. The Engineering Report has been referenced on the plan.
 - j. Owner names and tax map numbers have been added to the plan.
 - k. The trees along N. Horsepound Road are all existing.
 - l. The swale is shown on the plan. It is above the septic
12. Notes have been added to the plan.
13. Concrete Washout and detail have been added to the plan.
14. Comment noted.
15. Comment noted.

16. Comment noted.

17. Comment noted.

18. Comment noted.

Environmental Review

A-E:

No responses required.

F: Other:

- A property survey has been submitted by the Owner.
- A deed has been submitted by the Owner.
- A steep slope map analysis has been added to the plan.
- Comment noted.
- It is our understanding that the Applicant will or has submitted this under separate cover.
- Current EAF form provided.
- Comment noted.
- Site line distances have been provided. There are no other improvements planned along the road frontage.
- Greater details have been provided on the EAF.
- A determinative response has been provided for Question 9 of the EAF.
- Additional wetland information has been provided.

If you have any questions regarding the revisions made, please feel free to call me at your convenience. I can be reached at (845) 855-2000.

Sincerely,

John A. Kalin, P.E.

DESIGN CONCEPTS ENGINEERING, PC

3 MEMORIAL AVE. SUITE 301, PAWLING, NY 12564

PH: 845-855-2000 • FX: 845-855-2605

E: JKALIN.DC@COMCAST.NET



Memorandum

To: Planning Board
Town of Kent

Attn: Philip Tolmach
Chairman

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

Subject: Erosion Control Plan

Date: May 13, 2020

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

The following materials were reviewed:

- Response letter prepared by DC Engineering, PC, dated 4/14/2020
- Waiver request for driveway, dated 4/14/2020
- Waiver request for reduction in extent of topography, dated 4/14/2020
- Combined Application Form, revised, signed 4/14/2020, including Site Plan Checklist, Owner's affidavit, Agent of Owner's affidavit, Engineer's Certification, Disclosure of Business Interest
- Short Environmental Assessment Form (EAF) signed 4/14/2020
- Notice of Intent, including SWPPP Preparer Certification Form and Owner/Operator Certification Form
- MS4 SWPPP Acceptance Form, with Sections I and II completed
- Topographical Survey prepared by Decker Surveying, dated August 15, 2008
- Boundary Survey, undated
- Wetland Delineation Report, prepared by Ted Kozlowski, dated July 27, 2009
- Deed, recorded March 9, 2020
- Putnam County Department of Health, Division of Environmental Health Services, Construction Permit for Sewage Treatment System, Permit to Abandon a Water Well, Permit to Construct a Water Well, all dated 4/29/2020, with Health Dept stamped drawing "Septic Site Plan" prepared by D.C. Engineering, PC, last revised 1/3/2020.
- Drawings prepared by Design Concepts Engineering, P.C., dated March 4, 2020 including:
 - Erosion & Sediment Control Plan, revised 4/24/2020
 - Erosion & Sediment Control Details, revised 4/24/2020
- Drawings prepared by Design Concepts Engineering, P.C., submitted via email on May 13, 2020, including:
 - Erosion & Sediment Control Plan, revised 5/11/2020
 - Erosion & Sediment Control Details, revised 5/11/2020

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**.

The subject Erosion and Sediment Control Plan is not approved. 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.**
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.**

14. A bond estimate of \$4,400 was included in the 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. However, at this time, we do not recommend any action for the bond until comments have been addressed and additional information has been provided.
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.**
16. We recommend the public hearing be held, as has been done for other projects for construction of new single family houses.
17. We defer to the Planning Board's environmental consultant regarding wetland issues.
18. Provide a written response with future submittals stating how the comments have been addressed.

New Comments:

1. A request for a waiver from the driveway requirements was submitted. However, after discussion at the Planning Board Workshop on May 7, the applicant's engineer has re-designed the driveway to meet the requirement for the first 30 feet of the driveway to slope down and away from the road. With the revised drawing and driveway profile, it appears a waiver is no longer required. The current driveway design conforms to the driveway code requirements.

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



Memorandum

To: Planning Board
Town of Kent

Attn: Philip Tolmach
Chairman

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

Subject: Erosion Control Plan

Date: April 3, 2020

Project: Othmer ESC Church Hill Rd &
North Horsepound Road
TM # 12.-1-28

The following materials were reviewed:

- Combined Application Form signed 3/19/2020, including Site Plan Checklist, Owner's affidavit
- Letter of Authorization, dated 3/19/2020
- Engineering Report, prepared by Design Concepts Engineering, P.C., dated March 2020
- Construction Estimate for Bond Calculation, prepared by Design Concepts Engineering, P.C., dated March 15, 2020
- Drawings prepared by Design Concepts Engineering, P.C., including:
 - Erosion & Sediment Control Plan, dated March 4, 2020
 - Erosion & Sediment Control Details, dated March 4, 2020

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

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

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.
2. Information on Putnam County Image Mate indicates this property is owned by Richard Othmer, Irene Othmer and Othmer Family Trust. Unless the process to sell/transfer ownership to Alexander Othmer has already begun, we recommend keeping the application documents in Richard and Irene Othmer's names. All submittal documents, including the Combined Application Form and drawings are to be coordinated with same owner name.
3. Confirm/coordinate the address of the parcel. Some documents indicate North Horsepound Road, while others indicate Church Hill Rd.

4. Provide copies of any other approvals from other agencies, such as Health Department or NYCDEP. Provide copies of any relevant reports, such as wetlands.
5. Refer to the Combined Application Form:
 - a. 1st Page – Provide description of proposed activity.
 - b. 1st Page – Provide names of all current, record owners.
 - c. 1st Page – A) 2) Revise contiguous acreage controlled by applicant/owner. See footnote 1 at bottom of application. It is our understanding that the adjacent property is owned by the family. That is to be reflected in the contiguous acreage.
 - d. A)8) Provide Zoning District
 - e. 2nd Page, # 12 or 13 – It is our understanding an application has been made to the Health Department. That should be included in either #12 or #13 depending on where it is in the review process.
 - f. 2nd Page, 14) Provide a copy of the current deed.
 - g. 2nd Page, Provide additional information for any other professionals, for example, if a wetland consultant has performed a site inspection and/or prepared a report.
 - h. 4th Page, D)2)b) provide response regarding disturbance on ground steeper than 15%.
 - i. 4th page, D)3) - Provide date of boundary and topographic survey.
 - j. Provide additional affidavits that are with the Combined Application Form. Provide the Certification of Professional Engineer. As the property owner is an employee of the Town, provide the Disclosure of Business Interest Form.
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.
 - b. §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."
 - i. **Indicate slope categories on the parcel, not just within the area of disturbance.**

- 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. A Construction Sequence has been provided. Provide estimated timeframes. These can be number of days, weeks or months, as appropriate.**
- 7. 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).”
- 8. Provide an erosion and sediment control only SWPPP in accordance with GP-0-20-001. Provide required information from Part III.B including:
 - a. Part III.B.1.c – “A description of the soil(s) present at the site, including an identification of the Hydrologic Soil Group (HSG);”
 - i. Provide HSG for the soils on the drawing.**
 - b. The Applicant and Applicant’s design professional are expected to be familiar with the provisions of the newly issued NYSDEC GP-0-20-001, particularly the sections regarding the maintenance of documentation on-site (Part II.D.2), provisions for modifying the SWPPP (Part II.D.6), trained contractor requirements (Part III.A.6), and the procedure for termination of coverage in an MS4 community (Part V.A.4). These requirements are to be referenced in the SWPPP or on the drawing.
 - c. Please note – NYSDEC General Permit GP-0-20-001, per Part I.B.1.b ‘Soil Stabilization’ “In areas where soil disturbance activity has temporarily or permanently ceased...” and “...is located in one of the watersheds listed in Appendix C [Entire New York City Watershed located east of the Hudson River] 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...” (emphasis added). Add a note to the drawing. Revise any other notes with longer time frames.
- 9. Provide a Notice of Intent (NOI) for review.
- 10. Provide an MS4 SWPPP Acceptance Form with Sections I and II completed.
- 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..."

- ii. #13 – Expand the note to require any sediment tracked onto public roads will be swept or removed by the end of the day.
- b. Under the "Town of Kent Planning Board - Steep Slope and EC Notes," under A.1, replace "one (1) or more acres" with the current "5,000 SF".
- c. Under "Town of Kent Driveway Notes" #2:
 - i. 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."
- d. Under "Town of Kent Driveway Notes" #7 & 8:
 - i. Updated Code reference: Per Town Code Chapter 57, §57-26.A(4), the minimum subbase thickness is 8 inches clean, run-of-bank gravel. Item 4 is also acceptable. The minimum top course is 4 inches Item 4 or processed gravel or 3 inches compacted asphalt.
- e. Refer to the driveway and driveway profile: We understand there is an existing driveway on the property. Provide a design analysis of the impacts of re-grading the driveway to come into conformance with current driveway code. In particular, to have the driveway slope down and away from Church Hill Rd. If the driveway cannot be brought into conformance with current code, a waiver can be requested from the Planning Board.
 - i. It is our understanding that the driveway intersection with Church Hill Rd is located between the intersection of North Horsepound Road to the east and a curve and/or steep section of Church Hill Rd to the west. Provide a sight distance analysis to show there is adequate sight distance at the current location or if the driveway should be shifted to improve sight distance.
- f. Silt fence is shown outside the limits of disturbance. Shift the silt fence to be within the limits of disturbance or expand the limits of disturbance.
- g. Provide detail for gravel pad at outlet of the foundation and roof drain.
- h. Identify the edge of tree line to remain.

- i. Provide a note on the drawing that references the Engineering Report, as it contains additional Erosion Control information.
 - j. Add owner names and tax map numbers for adjacent properties.
 - k. Label the individual trees shown in the setback along North Horsepound Rd. Are these existing or proposed trees?
 - l. The bond estimate and drawing "Erosion & Sediment Control Details" have reference to a grass swale. A location for the grass swale could not be located on the Erosion & Sediment Control Plan. Clarify where the grass swale will be located.
12. Please note: Per Town Code §66-6.G(6), "Maximum exposed soil slopes will be 33% unless otherwise recommended by the Planning Board Engineer and approved by the Planning Board." Indicate if there will be any exposed soil slopes steeper than 33%, such as side slopes of the grass swale. If so, these slopes will require more aggressive stabilization, such as with erosion control matting. Provide a note on the drawing that any slopes steeper than 33% will require more aggressive stabilization, such as erosion control matting or similar.
13. In accordance with "New York State Standards and Specifications for Erosion and Sediment Control, dated November 2016," provide a detail and proposed location for concrete truck washout.
14. A bond estimate of \$4,400 was included in the 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. However, at this time, we do not recommend any action for the bond until comments have been addressed and additional information has been provided.
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.
16. We recommend the public hearing be held, as has been done for other projects for construction of new single family houses.
17. We defer to the Planning Board's environmental consultant regarding wetland issues.
18. Provide a written response with future submittals stating how the comments have been addressed.

Julie S. Mangarillo, P.E., CPESC

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

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

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: April 3, 2020

Attn: Philip Tolmach, Chairman
Subject: Erosion Control Bond Amount
Project: Othmer ESC - Church Hill Rd/
North Horsepound 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
			TOTAL:	\$ 8,930.00

Comparison to "Construction Estimate for Bond Calculation" \$ 4,400.00
Prepared by Design Concepts Engineering, P.C., dated March 15, 2020

We do not recommend any action be taken on the bond at this time.



Cornerstone Associates

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

April 7, 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. Town of Kent Planning Board Application executed by Richard and Alexander Othmer dated 3/29/20.
2. Short-form EAF (Appendix B) executed by John Kalin dated 3/17/20.
3. Agency letter executed by Alexander Othmer dated 3/19/20, 1 page.
4. Engineering report prepared by Design Concepts Engineering, P.C. dated March 2020, 7 pages including erosion and sediment control estimate.
5. Plan entitled; "Erosion and Sediment Control Plan" prepared by DC Engineering, P.C. dated 03/04/20, 2 sheets.

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: Planning Board Permits Required:

Steep slope/erosion and sediment control permit
Wetland permit (to be determined).

C: Zoning:

The applicant has indicated that variances from the Zoning Board of Appeals are not required. Conformation from the Building Inspector is required.

D: SEQRA:

The applicant has provided a short-form Environmental Assessment form. The proposed action is a Type II action.

E: Environmental Review:Wetlands:

The applicant has indicated that the site contains wetlands or waterbodies (EAF page 2: Question 13a).

A site inspection will be conducted by this office to verify that there are no jurisdictional Town of Kent wetlands or wetland buffers located within the proposed limits of disturbance. A review of NYSDEC materials has revealed that jurisdictional wetlands/waterbodies adjoin the project site.

Trees:

The applicant has indicated that few if any trees are proposed to be cut. The site is located with the US Fish and Wildlife bat recovery zone which mandates that trees may only be cut between November 1 and March 31 of the following year unless a variance is first obtained.

Soils, Steep Slopes and Rock Outcrop:

Soils are indicated as Charlton Loam and Charlton-Chatfield complex (HSG B). The applicant has indicated that the average property slope is 10%. Specific information regarding disturbance to steep slopes (if any) and areas of rock cropping (if any) that are proposed to be disturbed has not been provided.

Land Disturbance:

The applicant proposes to disturb 0.18 acres (7,841 square feet) of land. Calculations regarding cut and fill have not been provided.

Flood Plain:

NYSDEC materials indicate that the subject property is not located in a floodway or flood plain.

Cultural Resources:

None indicated as per NYSDEC.

Threatened or Endangered Species:

None indicated as per NYSDEC.

NYSDEC materials indicate that there no historical or cultural resources on the site.

Well and Septic System: Well and septic system approvals from the Putnam County Department of Health are pending.

F: Other:

- A copy of a property survey has not been provided.
- A copy of the deed has not been provided.
- Steep slope map not provided.
- Plans which were reviewed were downloaded from an attachment. Additional review and clarification of information will be provided as necessary upon receipt of full size plans.
- Please provide soils scientist report (Ted Koslowski).
- Current EAF form (01/20) should be utilized.
- Plans should be signed and sealed by a NYS Licensed Design Professional.
- Please provide sight distances and provide details on any proposed improvements along the road frontage that are greater than 30" high.
- EAF: Page 1: Brief Description: Please provide greater details including all proposed improvements.
- EAF: Page 2: Question 9: Please provide a determinative response.
- EAF: Page 2: Question 13a: Please provide additional information regarding wetlands.

This office defers to the Town Engineer regarding review of the SWPPP/erosion and sediment control plan. Further comments will be provided based on the site inspection and applicant response to comments.

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

Sincerely,

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

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



Cornerstone Associates

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

April 25, 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" prepared by DC Engineering, P.C. dated 04/24/20 (rev.), 2 sheets.

Site Inspection and Review:

A site inspection was conducted at the above referenced property on April 22, 2020. The inspection revealed that the wetlands have been accurately delineated in accordance with Chapter 39A of the Town of Kent Town Code.

A review of the plans indicates that there is no proposed disturbance to the town jurisdictional wetland or wetland buffer area.

As a result, a Town of Kent wetland permit is not required for the proposed action.

The applicant is encouraged to provide annotated responses to the previous review memo dated April 7, 2020.

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

Sincerely,

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



Cornerstone Associates

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

May 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. Comment response memo executed by John A. Kalin, P.E., dated 04/14/20, 3 pages.
2. Short-form EAF (Part 1) executed by Alexander Othmer dated 4/14/20.
3. Correspondence from the Putnam County Department of Health dated 04/29/20, 2 pages.
4. Correspondence dated 04/14/20 executed by Lisa Schwartz and Kurt Swanson, 1 page
5. Correspondence dated 04/14/20 executed by James and Carolyn Schneider, 1 page.
6. Correspondence dated 04/14/20 executed by Irene and Richard Othmer, 1 page.
7. Deed dated 3/3/20 transferring ownership from Richard T. Othmer Jr., and Irene Othmer to Alexander R. Othmer.
8. Report executed by Ted Kozlowski dated 07/27/09, 2 pages.
9. Plan entitled; "Erosion and Sediment Control Plan" prepared by DC Engineering, P.C. dated 04/24/20 (rev.), 2 sheets.

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: Planning Board Permits Required:

Steep slope/erosion and sediment control permit

C: Zoning:

The applicant has indicated that variances from the Zoning Board of Appeals are not required. Conformation from the Building Inspector is required.

D: SEQRA:

The applicant has provided a short-form Environmental Assessment form. The proposed action is a Type II action.

E: Environmental Review:Wetlands:

A site inspection was conducted on April 22, 2020. The inspection confirmed the location of the Town of Kent jurisdictional wetland and wetland buffer as indicated on the above referenced plans. The applicant does not propose any site disturbance within the wetland or wetland buffer and therefore a wetland permit is not required for the proposed action.

Trees:

The applicant has indicated that there will not be any trees cut as part of the proposed action. The applicant has requested a waiver from preparation of a tree plan.

Soils, Steep Slopes and Rock Outcrop:

The applicant has provided a steep slope map. Approximately 0.02 Ac of slopes in excess of 25% are proposed to be disturbed. The applicant has indicated that there is no proposed disturbance to any area of rock outcropping.

Several small piles of soil were noted at the end of the existing driveway. The applicant has indicated that the material is topsoil that had been stripped from the site and had been stockpiled.

The applicant has requested a waiver from the preparation of a topographic plan of the areas of the site not included within the limits of disturbance.

Land Disturbance:

The applicant proposes to disturb 0.43 acres (18,731 square feet) of land. An erosion and sediment control permit is required. .

Well and Septic System: Septic system and existing well abandonment approvals have been obtained from the Putnam County Department of Health. Approval for a new water well system has not been provided.

F: Other:

- A copy of a property survey has been provided in several sheets. Please provide a single sheet copy which includes the entire subject site which is signed and sealed by a NYS Licensed Surveyor.
- Applicant should provide agency letter authorizing Richard Othmer to apply for PCDOH approvals.

This office defers to the Town Engineer regarding review of the SWPPP/erosion and sediment control plan. Further comments will be provided based on the applicant's response to comments.

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

Sincerely,

A handwritten signature in black ink, appearing to be 'B. Barber', with a stylized, cursive-like script.

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



Memorandum

To: Planning Board
Town of Kent

Attn: Philip Tolmach
Chairman

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

Subject: Erosion Control Plan – Timber
Harvest

Date: April 3, 2020

Project: Kent Development – Peckslip Rd
TM # 12.-1-38 & 42

The following materials were reviewed:

- Drawing "Kent Development Assoc. Inc. Harvest" Access Road and Landing Grade, created by Jordan Heller for Quality Forestry Managements, revised 2/13/2020
- Letter dated February 14, 2020, Highway Superintendent Richard Othmer, Jr.

The project proposes timber harvest of two parcels that had previously received subdivision conditional approval. It is our understanding those approvals have lapsed and the land owner is no longer pursuing the subdivision.

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

1. Previous comments from memos dated May 9, 2019 and August 7, 2019 have been addressed.
2. At the August 8, 2019 Planning Board meeting, the Planning Board accepted the bond estimate of \$2,000 and recommended it for approval by the Town Board. We do not know the status of this bond. Prior to final approval and Chairman's signature of the plans, confirm the Town Board has accepted the bond.
3. It is our understanding that Bruce Barber, environmental consultant, has conducted a site inspection. We defer to Bruce Barber regarding wetland issues.
4. Highway Superintendent, Richard Othmer, Jr., issued a letter dated February 14, 2020 regarding bonding the road in case of damage from trucking. Since that time, we have had discussions with him. It is our understanding that he has had subsequent conversations with the applicant and applicant's representative. We request Mr. Othmer provide an updated letter that reflects the outcome of those additional conversations.
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. If not already done so, prior to Planning Board Chairman's signature of plans, all Planning Board costs and fees including the erosion control bond, initial inspection fee deposit and

Memorandum
Kent Development Timber Harvest
TM # 12.-1-38 & 42
April 3, 2020
Page 2 of 2

professional review fees incurred during the review and approval of the application must be paid.

Julie S. Mangarillo, P.E., CPESC

cc: Planning Board via email
Bill Walters via email
19-261-209-01

Bruce Barber via email
Liz Axelson via email



Memorandum

To: Planning Board
Town of Kent

Attn: Philip Tolmach
Chairman

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

Subject: Erosion Control Plan

Date: April 3, 2020

Project: DEP Bailey Brook Forest Mgmt
TM # 20.-1-57, 20.-1-48, 50, 57, 73,
74, 76, 77, 78, 79, 80, 81

The following materials were reviewed:

- Combined Application Form, signed 1/16/2020 including Site Plan Checklist
- Forest Management Project Plan Summary, prepared by DEP
- Bailey Brook Forest Management Project #5083 Project Plan and Environmental Assessment, prepared by DEP, dated June 2019
- NYCDEP Bailey Brook Forest Management Project Biological Assessment, prepared by DEP, dated February 2019
- Drawing - Watershed Protection Programs Natural Resources – Forestry, Bailey Brook Forest Management Project, prepared by DEP
- NYCDEP Bailey Brook Forest Management Project – Erosion Control Plan, prepared by DEP dated 1/14/2020
- Drawing - Watershed Protection Programs Natural Resources – Forestry, Bailey Brook Forest Management Project – Eastern Landing, prepared by DEP
- Drawing - Watershed Protection Programs Natural Resources – Forestry, Bailey Brook Forest Management Project – Western Landing, prepared by DEP
- Short Environmental Assessment Form (EAF) dated 10/15/2019

The project proposes timber harvest of NYCDEP lands located along Nimham Road and Cole Shears Ct. There are 138 acres, of which tree removal will occur on 85 acres. Tree removal will only occur between November 1st and March 31 in accordance with bat habitat protection. There are two (2) proposed access roads with landing areas, one from Coles Shears Ct (Eastern Landing) and one from Nimham Road (Western Landing). The project will be managed by NYCDEP forester. Area of disturbance for

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

1. The proposed project is within the NYCDEP East of Hudson watershed and will disturb more than 5,000 SF of land. NYSDEC exempts all silviculture activities, including access roads and landing areas from stormwater regulations and permitting, therefore coverage

under GP-0-20-001 is not required. A Town of Kent Erosion & Sediment Control Permit is required for access roads and landing areas.

2. Provide a map or drawing that shows all the involved parcels and their tax map numbers.
3. The set of drawings for the erosion control permit is to include:
 - a. Watershed Protection Programs Natural Resources – Forestry, Bailey Brook Forest Management Project,
 - b. Watershed Protection Programs Natural Resources – Forestry, Bailey Brook Forest Management Project – Eastern Landing,
 - c. Watershed Protection Programs Natural Resources – Forestry, Bailey Brook Forest Management Project – Western Landing, and
 - d. Tax Map drawing from comment #2 above.
 - e. Please include these 4 drawings in all future submittals. Please add revision dates to the drawings.
4. On drawing "Watershed Protection Programs Natural Resources – Forestry, Bailey Brook Forest Management Project – Eastern Landing," label the approximate location of the pipe culvert near the intersection with Cole Shears Rd.
5. Refer to the "Bailey Brook Forest Management Project #5083 Project Plan and Environmental Assessment," in the "Introduction" - "...The first access point is an abandoned town road located off of Cole Shears Court. The road was previously known as Smalley Corners Rd and was abandoned by the town of Kent in 1936..." What entity currently owns this abandoned Town road? Has DEP acquired this property? If not, has DEP obtained permission to cross this property? This is to be discussed with Richard Othmer, Jr, Highway Superintendent.
6. Refer to the Combined Application Form:
 - a. Provide required affidavits.
 - b. 2nd Page, #9 includes the waiver request "Because this is a timber harvest rather than a development project, request waiver to provide GIS maps rather than survey maps at 8.5" x 11" or 11" x 17" and to eliminate dimensions of property lines."
 - i. We have no objection to this waiver request. This is similar to what was done for the previous DEP forest management project at Horsepound Ridge.
7. An erosion control bond is required. For other projects by NYCDEP in Kent, the Town of Kent has accepted a letter of assurance from NYCDEP in lieu of a cash bond. This was done for the Seven Hills Lake Dam Repair and more recent Horsepound Ridge Forest Management. Please have NYCDEP provide a similar letter for the Planning Board to consider.
8. Submittal materials indicate Richard Othmer, Jr, Highway Superintendent will be consulted regarding road condition and truck routes. Provide a summary of conversations with Highway Superintendent.

9. We recommend the public hearing be held, as has been done for other forestry projects.
10. 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.
11. We defer to the Planning Board's environmental consultant regarding wetland issues.
12. Provide a written response with future submittals stating how the comments have been addressed.

Julie S. Mangarillo, P.E., CPESC

cc: Planning Board via email
Bill Walters via email
20-261-252

Bruce Barber via email
Liz Axelson via email

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

email: planningkent@townofkentny.gov

Tel: 845-225-7802 (O)

Fax: 845-306-5283

Resolution #3

Year 2020

Date: June 11, 2020
From: The Kent Planning Board
To: The Kent Town Board:
Maureen Fleming, Supervisor - w/Att Paul Denbaum
Bill Huestis, Deputy Supervisor Jaimie McGlasson
Chris Ruthven
CC: W. Walters, Building Inspector - w/Att T. Harrison – w/Att.
L. Cappelli, Town Clerk – w/Att Finance Department – w/Att.
Re: **Accept Erosion Control, Wetland Mitigation &
Improvements MAINTENANCE (Landscaping) Bonds
Steve Realbuto Property
49 Tiger Trail
Kent, NY 10512
TM: 21.8-1-39**

Resolved: On June 11, 2020 Kent Planning Board reviewed material pertaining to the recommendation noted above and agreed that it was appropriate to forward it to the Town Board for their action.

Mr. Tolmach asked for a motion to forward this recommendation to the Kent Town Board to accept the attached surety bonds for the following bonds:

Erosion Control Bond	-	\$5,300
Landscaping Bond	-	\$3,300
Final Inspection Fee	-	\$1,000

Mr. Tolmach asked for a motion to accept the Erosion Control Bond in the amount of \$5,300.00. The motion was made by Mr. Giancarlo and seconded by Mr. Lowes. The roll call votes were as follows:

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

The motion carried.

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

email: planningkent@townofkentny.gov

Tel: 845-225-7802 (O)

Fax: 845-306-5283

Mr. Tolmach asked for a motion to accept the Improvements Maintenance (Landscaping) Bond in the amount of \$3,300.00. The motion was made by Mr. Carey and seconded by Mr. Lowes. The roll call votes were as follows:

Phillip Tolmach, Chairman	<u>Aye</u>
Simon Carey	<u>Aye</u>
Giancarlo Gattucci	<u>Aye</u>
Dennis Lowes	<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 check for the Final Inspection Fee in the amount of \$1,000.00. The motion was made by Mr. Carey and seconded by Mr. Lowes. The roll call votes were as follows:

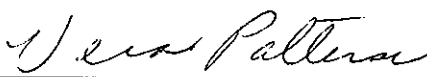
Phillip Tolmach, Chairman	<u>Aye</u>
Simon Carey	<u>Aye</u>
Giancarlo Gattucci	<u>Aye</u>
Dennis Lowes	<u>Aye</u>
Nisim Sachakov	<u>Absent</u>
Charles Sisto	<u>Aye</u>
Stephen Wilhelm	<u>Aye</u>

The motion carried.

The Planning Board respectfully asks that, if the Town Board is in agreement, they approve these recommendations.

I, Vera Patterson, Planning Board Secretary of the town of Kent, County of Putnam, State of New York, do hereby certify that the foregoing is a true excerpt from the minutes of a meeting of the Planning Board of the Town of Kent held on June 11, 2020.

Dated: June 11, 2020
~~March 12, 2020~~



Vera Patterson
Planning Board Secretary