

Approved: June 10, 2021

**TOWN OF KENT PLANNING BOARD
May 13, 2021
FINAL ADOPTED MINUTES**

Due to the Corona virus the Planning Board held their May 13, 2021 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.

The following Board members participated from their respective homes, as did the Planning Board consultants, for the May 2021 monthly meeting via Zoom:

Planning Board Members

Philip Tolmach, Chairman
Simon Carey
Giancarlo Gattucci

Dennis Lowes, Vice Chairman
Hugo German
Stephen Wilhelm

Absent:

Jamie McGlasson, Liaison
Julie Mangarillo

Chris Ruthven, Liaison
Charles Sisto

Others in Attendance:

John Andrews, Rohde, Soyka & Andrews
Liz Axelson, Planner
Bruce Barber, Environmental Consultant
Bill Walters, Building Inspector

- Mr. Tolmach opened the meeting with the Pledge of Allegiance.
- 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.
- Mr. Tolmach recognized Mr. Stephen Wilhelm for his work for the US Army at West Point during the pandemic. Mr. Wilhelm received the Civilian Humanitarian Service Award for his support during this difficult time. The Planning Board members also congratulated Mr. Wilhelm.
- Mr. Tolmach asked the Planning Board members to confirm that they were alone in their respective homes during this meeting.

Town of Kent Planning Board Minutes
May 13, 2021

Mr. Tolmach asked the Planning Board to approve the March and April Minutes. The motion was made by Mr. Carey and seconded by Mr. Gattucci. Following were the roll call votes.

Mr. Tolmach	<u>Aye</u>
Dennis Lowes	<u>Aye</u>
Simon Carey	<u>Aye</u>
Giancarlo Gattucci	<u>Aye</u>
Hugo German	<u>Aye</u>
Charles Sisto	<u>Absent</u>
Stephen Wilhelm	<u>Aye</u>

The motion carried.

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

Mr. Jeffrey Contelmo, of Insite Engineering, represented the applicant Mr. Paul Camarda at the meeting. Mr. Contelmo said due to the Corona virus and the bank delayed the construction of this project. Therefore another extension was requested.

Ms. Axelson's Comments (draft Resolution attached)

Ms. Axelson advised the Board she had created and distributed a Draft Resolution for this project. Ms. Axelson said that two 90 days extensions had been granted in November. This Resolution is for re-approval and the history was updated in the Resolution. Ms. Axelson recommended granting re-approval with conditions for this project, which will be effective 7/08/21 and construction must begin by 7/08/22 and be completed by 7/08/23. Attachments were included with the Resolution.

Mr. Tolmach asked for a motion to adopt the Resolution prepared by Ms. Axelson. The motion was made by Mr. Wilhelm and seconded by Mr. Gattucci. Following were the roll call votes:

Mr. Tolmach	<u>Aye</u>
Dennis Lowes	<u>Aye</u>
Simon Carey	<u>Aye</u>
Giancarlo Gattucci	<u>Aye</u>
Hugo German	<u>Aye</u>
Charles Sisto	<u>Absent</u>
Stephen Wilhelm	<u>Aye</u>

The motion carried.

- **Kent Elementary School, Route 52, Kent, NY; TM: 12.17-1-1**

Mr. John Wiese represented the Kent Elementary School for this request for approval of a digital sign to be installed in front of the school. The previous sign was destroyed by a storm two years ago. There will be a digital sign installed at the Kent Elementary School and another one at the Kent Primary School.

Ms. Axelson's Comments (memo attached)

Ms. Axelson advised the Board that she was not aware that there were two signs and asked if the Planning Board approved the two signs. Mr. Carey said that he and the other Board members said that they also thought there was only one sign. Mr. Wiese said the ZBA had granted variance for two signs.

Ms. Axelson confirmed that an area variance was granted by the Zoning Board of Appeals. Ms. Axelson recommended approval of this request. Another map showing both signs was requested.

Mr. Tolmach asked for a motion to approve the signs. The motion was made by Mr. Wilhelm to approve the signs and to waive a Public Hearing and it was seconded by Mr. Gattucci. Following were the roll call votes.

Mr. Tolmach	<u>Aye</u>
Dennis Lowes	<u>Aye</u>
Simon Carey	<u>Aye</u>
Giancarlo Gattucci	<u>Aye</u>
Hugo German	<u>Aye</u>
Charles Sisto	<u>Absent</u>
Stephen Wilhelm	<u>Aye</u>

The motion carried.

- **Patel Laundrymat, 270 Route 52, Kent, NY; TM: 33.56-1-5**

There was no one present representing the owner of this property.

Ms. Axelson's Comments

Ms. Axelson advised the Planning Board that Jack Karell notified the Planning Board that the owner of this property has decided to withdraw his application for this property as well as the one for the Best Discount Depot and will not be proceeding with these projects. The owner has been notified that they must send letters withdrawing the applications. No escrow will be returned until all invoices have been processed.

- | | | |
|--------------------------|-------------------------|---------------|
| • Best Discount Depot | Sign Approval/Site Plan | Status Report |
| 86 Towners Rd., Kent, NY | | |
| TM: 33.73-1-60 | | |

Application being withdrawn per Jack Karell.

• **Benitez Property, 12 Barrett Hill Rd., Kent, NY; TM: 33.24-1-64**

Mr. James Faure, of Orange County Pools, and Ms. Benitez participated on this call pertaining to the construction of an in-ground 20' x 40' swimming pool in a fenced in area of the property.

Mr. Andrews Comments (memo dated 5/12/21 attached)

180 cubic yards of soil will be removed the disturbance is under the 5,000 threshold and an erosion control permit is required. A site visit was made by Messrs. Barber and Andrews and there were no issues found which would pose significant impacts. Mr. Andrews said the area is level and accessible and made the recommendation to waive the requirements of 66-6(d) town code and requested a true-scale hand-drawn dimension site plan using the previously submitted survey. The plan should include the location and dimensions of the pool which must comply with the necessary set-backs; the location/size of any patio surrounding the pool; the size, location and component of any pool equipment; details pertaining to heating equipment if any and type with storage; final fence location, material & height; type and location of any erosion control measures. A silt fence along the northern property line as well as a stabilized construction entrance within the existing gravel area were recommended. Mr. Andrews also requested a note on the plans pertaining to the method of restoration. A bond estimate of \$1,200 was prepared and accepted. A recommendation to move this project to an Administrative track and waive a Public Hearing was suggested. Mr. Andrews asked that comments to the consultants' be submitted in writing as well as a sketch as noted above.

Mr. Barber's Comments (memo attached)

Mr. Barber asked that the location of the septic system be noted on the plans. The location of the well and any utilities should also be shown on the plans. Mr. Barber said some rock crushing may be necessary and that Mr. Walters should be contacted regarding this matter.

Mr. Lowes asked what the distance from the property line to the edge of pool would be so that it does not impact property setbacks. Mr. Walters said the distance was 15'. Mr. Barber said that the survey would address the concerns and Mr. Andrews said he believed there was no problem.

Mr. Tolmach asked for a motion to waive the requirements of 66-6(d) (erosion control law) of the Town Code; accept the bond estimate of \$1,200.00 and refer it to the Kent Town Board when the bond and agreement is submitted to the Planning Board, waive the public hearing and allow this to be handled administratively. The motion was made by Mr. Carey and seconded by Mr. Gattucci. Following were the roll call votes.

Mr. Tolmach	<u>Aye</u>
Dennis Lowes	<u>Aye</u>
Simon Carey	<u>Aye</u>
Giancarlo Gattucci	<u>Aye</u>
Hugo German	<u>Aye</u>
Charles Sisto	<u>Absent</u>
Stephen Wilhelm	<u>Aye</u>

The motion carried.

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Mr. Barber advised Mr. Faure to take Mr. Andrew's memo and comments from the meeting and to send responses to the Planning Board Department in order to expedite this project and said that he should contact Mr. Walters at the Building Department about rock removal requirements and the building permit.

- **Putnam Nursing & Rehabilitation Center Addition, 404 Ludingtonville Rd., Kent, NY; TM: 12.-3-40 & 41**

Ms. Axelson's Comments (memo attached)

A resolution was prepared and distributed earlier in the day regarding this project. A request or re-approval was submitted 4/16/21. Due to the pandemic this project has not progressed as anticipated. Two 90-day extensions was recommended. The current approval was due to expire 6/8/21. The new re-approval will expire 6/8/22. Construction must begin 6/8/22 and be completed 6/8/23.

Mr. Tolmach asked for a motion to adopt this Resolution. The motion was made by Mr. Lowes and seconded by Mr. Carey. Following were the roll call votes.

Mr. Tolmach	<u>Aye</u>
Dennis Lowes	<u>Aye</u>
Simon Carey	<u>Aye</u>
Giancarlo Gattucci	<u>Aye</u>
Hugo German	<u>Aye</u>
Charles Sisto	<u>Absent</u>
Stephen Wilhelm	<u>Aye</u>

The motion carried.

- **Delfin Studio, 531 Route 52, Kent, NY; TM: 33.48-1-6**

Ms. Axelson's Comments

The only action for this project was to return the escrow to the applicant after all invoices have been processed.

Mr. Tolmach asked for a motion to return the escrow to the applicant. The motion was made by Mr. Wilhelm and seconded by Mr. German. Following were the roll call votes.

Mr. Tolmach	<u>Aye</u>
Dennis Lowes	<u>Aye</u>
Simon Carey	<u>Aye</u>
Giancarlo Gattucci	<u>Aye</u>
Hugo German	<u>Aye</u>
Charles Sisto	<u>Absent</u>
Stephen Wilhelm	<u>Aye</u>

The motion carried.

• **NYS Parks, Recreation & Historic Preservation project, Fahnestock State Park**

Ms. Axelson's Comments

A SEQRA Lead Agency circulation was sent to the Putnam County Planning Board and was due back by 5/13/21. The Board authorized Ms. Axelson to respond and she emailed the response to NYS Parks, Recreation & Historic Preservation saying that the Planning Board was authorized to be Lead Agency.

Permit Applications Updates (Applicants attendance not required/Workshop Discussion): **Comments to be updated

- | | | |
|---|----------------------|---------------|
| • Holly Property
Winkler Farm Court, Kent, NY
TM: 31.16-1-8 | Erosion Control Plan | Status Report |
|---|----------------------|---------------|

Mr. Andrews said he had submitted comments to the Stipulation prepared by Mr. Battistoni. Ms. Axelson said that she had also discussed this matter with Mr. Battistoni and clarifying comments. Mr. Barber said that he would be sending his comments on 5/14/21 to Mr. Battistoni. No actions were recommended at this meeting. Mr. Tolmach said when he received the finished document he would forward it to everyone.

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| • 52 Kent Corp. (Mazzotta)
1100 Rte 52, Kent, NY
TM: 12.-1-54 & 55 | Change of Use | Status Report |
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Ms. Axelson spoke to Adam at Insite regarding status.

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| • GADF LLC (Mazzotta)
1088 Rte. 52, Kent, NY
TM: 12.17-1-9 | Public Hearing/
Site Plan | Status Report |
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Ms. Axelson spoke to Adam at Insite regarding status. Waiting for a revised site plan.

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

Nothing new

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|---|--|---------------|
| • Kent Development – Commercial Lot
& Timber Harvest
N. Horsepound & Peck slip Rds, Kent, NY
TM: 12.-1-38 & 42 | Site Plan/Steep Slopes/
Freshwater Wetlands Permit
& Lot Line Adjustment | Status Report |
|---|--|---------------|

Mr. Andrews said that all executed bonds were received and Vera Patterson confirmed it had been forwarded to the Town Board for them to accept the bonds. Mr. Andrews said he had prepared the MS4 acceptance so that the applicant could file for the DEC Stormwater Permit.

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| • Kent Self Storage
Route 311, Kent, NY
TM: 22.-2-17 | Re-Approval | Status Report |
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Awaiting a new submittal.

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| • Rodriguez
104 Smalley Corners Rd., Kent, NY
TM: 21.-1-10 | Sub-Division | Status Report |
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Nothing New. Rodriguez responded to note sent that they want to stay on the agenda.

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

Raneri responded to letter regarding status of project and said that he does want to proceed with it, but is away and when he returns at the end of the month will submit review fees.

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| • Vitiello Property
475 Pudding Street, Kent, NY
TM: 31.-1-32 | Field Change | Status Report |
|---|--------------|---------------|

Updated drawings are pending and Mr. Andrews said he was under the impression that the applicant may make additional changes.

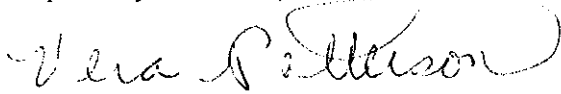
Mr. Andrews said that proposals had been sent to the Town Board, but no response had been sent to date. Mr. Andrews was sending a memo asking about the status and how the consultants should proceed.

Mr. Tolmach asked for a motion to adjourn the May 13, 2021 meeting at 09:30 PM. The motion was made by Mr. Carey and seconded by Mr. German. Following were the roll call votes.

Mr. Tolmach		<u>Aye</u>
Dennis Lowes		<u>Aye</u>
Simon Carey		<u>Aye</u>
Giancarlo Gattucci		<u>Aye</u>
Hugo German		<u>Aye</u>
Charles Sisto		<u>Absent</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 2021

KENT PLANNING BOARD AGENDA

Workshop: May 06, 2021 (Thursday, 7:30 PM) VIA ZOOM

Meeting: May 13, 2021 (Thursday, 7:30 PM) VIA ZOOM

THIS MEETING WILL BE CONDUCTED VIRTUALLY The Town of Kent Planning Board will be holding its regularly scheduled monthly workshop on Thursday, May 06, 2021 at 7:30 P.M. and the monthly meeting on Thursday, May 13, 2021 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.

Town of Kent, N.Y. is inviting you to a scheduled Zoom meeting.

Topic: Town of Kent, N.Y. PLANNING BOARD WORKSHOP

Time: May 06, 2021 at 07:30 PM Eastern Time (US and Canada)

Topic: Town of Kent, N.Y. PLANNING BOARD MEETING

Time: May 13, 2021 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)

Dial by your location

+1 929 205 6099 US (New York)

Meeting ID: 587 708 3251

Find your local number: <https://us02web.zoom.us/u/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://www.youtube.com/watch?v=L2mrLNH3I2Q&feature=youtu.be>

MAY 2021 AGENDA

- | | | |
|---|----------------|--------|
| • Approve Planning Board Minutes from March 11, 2021 and April 08, 2021 | | |
| • Patterson Crossing
Route 311, Kent, NY
TM: 22.-2-48 | Time Extension | Review |
| • Kent Elementary School
Route 52, Kent, NY
TM: 12.17-1-1 | Sign Approval | Review |
| • Patel Laundrymatt
270 Route 52, Kent, NY
TM: 33.56-1-5 | Change of Use | Review |

Town of Kent Planning Board Minutes
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- | | | |
|--|--|-----------------------|
| • Benitez Property
12 Barrett Hill Rd., Kent, NY
TM: 33.24-1-64 | Erosion Control Plan
Construction of Swimming Pool | Review |
| • Putnam Nursing &
Rehabilitation Center Addition
404 Ludingtonville Road, Holmes, NY
TM: 12.-3-40 & 41 | Erosion Control/Site Plan/
Wetland Permit/Bond Estimate
Time Extension | Review |
| • Delfin Studio
531 Route 52, Kent, NY
TM: 33.48-1-6 | Request for escrow refund
for Sign Approval | Review |
| • NYS Parks, Recreation & Historic Preservation
Fahnestock State Park | SEQR Lead Agency Designation | Review/
Discussion |

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

- | | | |
|--|--|---------------|
| • Holly Property
Winkler's Farm Court Property, Kent, NY
TM: 33.16-1-8 | Erosion Control Plan | Status report |
| • Best Discount Depot
86 Towners Rd., Kent, NY
TM: 33.73-1-60 | Sign Approval/Site Plan | Status Report |
| • 52 Kent Corp./Mazzotta
1100 Rte 52, Kent, NY
TM: 12.-1-54 & 55 | Change of Use | Status Report |
| • GADF LLC
1088 Rte. 52, Kent, NY
TM: 12.17-1-9 | Site Plan | Status Report |
| • Route 52 Development/
Kent Country Square
Route 52, Kent, NY
TM: 12.-1-52 | SEQRA | Status Report |
| • Kent Development – Commercial Lot
& Timber Harvest
N. Horsepound & Pecksip Rds., Kent, NY
TM: 12.-1-38 & 42 | Site Plan/Steep Slopes/
Freshwater Wetlands Permit
& Lot Line Adjustment | Status Report |
| • Kent Self Storage
Route 311, Kent, NY
TM: 22.-2-17 | Re-Approval | 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 |

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- Vitiello
475 Pudding Street, Kent, NY
TM: 31.-1-32
- Town of Kent Mining Law

Erosion Control Plan/
Field Change

Status Report

Status Report

APR 15 2021

Planning Department
Town of Kent

April 15, 2021

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

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

Dear Chairman Tolmach and Members of the Board:

The applicant had best intentions to try to break ground on the project this year when the Planning Board granted the previous extension in November of 2020. Unfortunately, COVID-19 is still very tenuous with alarming spikes and continued uncertainty. The devastating effects of COVID could be felt until this time next year. The banks and financial institutions are not willing to fund large construction projects until there is a clear path ahead regarding the virus and the fragile economy.

The applicant has indicated his willingness to move forward once the virus is fully under control and the financial / retail worlds are back to some level of normalcy. Based on the applicant's tremendous investment, it is critical to maintain all of the project's approvals. Therefore, we are requesting a one-year extension/reapproval from the Board due to the continuing devastating widespread effects of COVID-19.

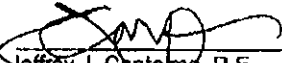
We look forward to meeting with the Board at their May meeting for consideration of our request. Please let us know if any fees are involved, and the applicant will bring checks to the Planning office.

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

Very truly yours,

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

By:


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

JJC/jll

Enclosures

cc: Paul Camarda, CRI

Insite File No. 01124.100

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

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Town of Kent Planning Board
Resolution of Re-Approval of An Amended Site Plan
Amended Steep Slope and Erosion Control Permit
and Amended Freshwater Wetland Permit
FINAL ADOPTED
RESOLUTION OF EXTENSION OF APPROVAL –
MAY 13, 2021

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

Whereas, the Town of Kent Planning Board had received an application from Patterson Crossing Realty, LLC, 1699 Route 6, Suite 1, Patterson, New York 10512 for re-approval of an Amended Site Plan, Amended Steep Slope and Erosion Control Permit, and Amended Freshwater Wetland Permit approvals that were approved on January 12, 2017 to allow the development of a 382,560 square-foot retail center for a project known as Patterson Crossing Retail Development (“Project”); and

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

Whereas, due to the complexity of the project and the number of other agency approvals that were necessary for work to commence, including poor economic conditions that have prevailed since 2008, the Planning Board re-approved all of the project permits and approvals on May 10, 2012, May 9, 2013, and October 9, 2014, along with several time extensions, including a re-approval granted on March 10, 2016 that extended all of the approvals forward to March 10, 2017, and re-approval of amended plans and permits for the Project that were granted on January 12, 2017 forward to July 8, 2018; and

Whereas, on November 9, 2017, pursuant to §77-60 and §77-61 of the Town Code, the Planning Board granted re-approval of the Amended Site Plan Approval for the Patterson Crossing Retail Development, forward from July 9, 2018 including, pursuant to §77-61(C) of the Town Code, two additional 90-day extensions to the re-approvals so that all approvals granted on that date would expire on January 5, 2020; and

Whereas, the adopted November 9, 2017 re-approval resolution also included the following decisions:

1. Pursuant to §66-6 of the Town Code, the Planning Board waived the maximum slope requirements of Chapter 66 to allow maximum slopes of 50% as may be approved by the Planning Board’s Professional Engineer, and granted re-approval of the Steep Slope and Erosion Control Permit for the project as described herein;

2. Pursuant to §39A-7(D)(1) of the Town Code, the Planning Board granted re-approval of the Freshwater Wetland Permit for the regulated herein; and
3. The Amended Site Plan, Steep Slope and Erosion Control Permit and Freshwater Wetland Permit re-approvals granted were expressly conditioned completion of, and compliance with, 19 conditions as set forth in the adopted resolution as attached hereto;

Whereas, the Town of Kent Planning Board had received a letter from Jeffrey Contelmo, PE, Insite Engineering, dated December 19, 2019 and application fees on behalf of Patterson Realty Company,, LLC, 1699 Route 6, Suite 1, Carmel, New York 10512 for extension of an Amended Site Plan, Amended Steep Slope and Erosion Control Permit, and Amended Freshwater Wetland Permit approvals that were re-approved on November 9, 2017, which were to expire on January 5, 2020 to allow the Project to move forward; and

Whereas, the Applicant and his Representatives have provided information to address the 19 conditions of approval, which materials are on file at the Planning Board office and engaged in off-line consultation with the Planning Board's Consulting Engineer, Environmental Engineer and Planner since the November 8, 2017 approval, in the end of 2018 and throughout 2019;

Whereas, the Board is required to consider whether re-approval of the previously granted permits and approvals raise new or previously unanticipated planning impacts or concerns and whether such impacts or concerns necessitate reconsideration of the Board's prior SEQRA Determination; and

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

Whereas, after such re-consideration the Board finds that there has been no substantive or material change to the proposed project design from the plans that were originally approved on September 9, 2010, as amended, and approved on January 12, 2017, and re-approved on November 9, 2017 that raise new or previously unanticipated environmental concerns that might warrant re-opening the Board's previous environmental review; and

Whereas, the Board has examined the project site and the character of the neighborhood adjacent to the project site and finds that, with the exception of storm water improvements installed by the New York State Department of Transportation along the adjacent state highway, and the work performed on the site by the East of Hudson Corporation to remediate a large gulley near Brentwood Road and Greenridge Court which had been a significant source of erosion and degradation of surface water quality including landscaping and a new gate at the entrance at Brentwood Road and Greenridge Court used by East of Hudson Corporation to access the gulley work site, there have been no material change to the project site or to the neighborhood that might warrant a full site plan review; and

Whereas, because the Project has not materially changed from the one approved on January 12, 2017 when the Planning Board considered re-approval in November 2017, the Planning Board waived a public hearing on the application for re-approval of the Amended Site Plan, Amended Steep Slope and Erosion Control Permit, and Amended Freshwater Wetland Permit applications; and

Whereas, the Board had previously referred the applications to the Putnam County Department of Planning for review and recommendation pursuant to GML 239-m, and said Department has previously recommended approval of the project without change; and

Whereas, the Planning Board has reviewed the application for re-approval of the Amended Site Plan approval and has determined that the requirements of §77-60 and §77-61 of the Town Zoning Law have been met; and

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

1. The layout of the proposed driveway access and storm water management facilities of the Project in Kent would have a harmonious relationship with the existing and planned development of contiguous lands and adjacent neighborhoods. As noted in the adopted Findings Statement, the Board's review of the project plans indicates that proper provisions have been made for the capture and treatment of storm water runoff so that flooding of adjacent properties would be avoided. In addition, the project plans include landscaping of the access driveway and in certain areas of the storm water management facilities to reduce the visual impact of the improvements to adjacent and nearby properties.

2. The proposed access driveway and storm water management facilities would have no material adverse effect upon the desirability of such neighborhoods for the uses contemplated by this Chapter. As noted in the adopted Findings Statement, the Project must, as a condition of those findings and of this resolution of approval, comply with Chapter 66 of the Town Code in regard to the construction, operation and maintenance of storm water management facilities, including the posting of securities sufficient to ensure the completion of any required improvements, and the providing of such agreements, remedies and security as the Town shall require for the continued maintenance and repair of such facilities. In addition, any required blasting would be subject to the permit requirements of Chapter 38 of the Town Code, and construction activities shall be limited to Monday through Friday from 7:00 AM to 9:00 PM, and Saturday and Sunday from 8:00 AM to 9:00 PM as set forth in Chapter 48 of the Town Code.
3. The proposed access driveway and storm water management facilities would be properly related to the uses, goals and policies for land development as expressed in the Town Comprehensive Plan.
4. Pedestrian and vehicular access, traffic circulation and the general layout of the site would be properly planned with regard to the safety of vehicles and pedestrians using the site, as well as those on neighboring properties and streets.
5. The improvements proposed for the Kent portion of the project are properly oriented so as to take advantage of solar access with respect to sun angles, the shading and windscreen potential of existing and proposed vegetation on and off the site, and the impact of solar access to adjacent uses and properties.
6. The location of the access driveway and storm water management facilities reflects an awareness of and sensitivity to the views, terrain, soils, plant life and other unique qualities of the site and shall, to the maximum extent practical, preserve and enlarge upon these assets for recreation, scenic or conservation purposes.
7. The proposed use and improvements conform to the requirements of the Chapter 77 of the Town of Kent Code.

Whereas, pursuant to §39A-7(D)(1) of the Town Code the Planning Board has reviewed the application for re-approval of the Freshwater Wetland Permit and has determined that the requirements of Chapter §39A, “Freshwater Wetlands” of the Town Code have been met as noted in the Findings Statement adopted by the Involved Agency:

“Under Chapter 39A of the Town Code the Town of Kent regulates certain discharges and other activities into wetlands, water bodies, and water courses and their “controlled areas”. For purposes of wetlands the “controlled area” extends 100 feet outward from the edge of the wetland boundary, and for water bodies and water courses the “controlled area” extends 100 feet outward from the bank of the watercourse an elevation of less than three feet above the normal waterline, whichever is greater. Chapter 39A prohibits the draining, dredging, excavation, and removal of material, the depositing or storing of any material, and the erection of buildings, roads and structures within regulated wetlands, water bodies, and water courses, and their controlled areas without a permit.”

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

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

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

1. The proposed disturbance to the controlled area of the Middle Branch surface waters is consistent with the policy of this chapter.
2. The proposed disturbance to the controlled area of the Middle Branch surface waters is consistent with the land use regulations governing wetlands, water bodies and watercourses applicable in the Town of Kent.
3. The proposed disturbance to the controlled area of the Middle Branch surface waters is compatible with the public health and welfare.
4. There is no practicable alternative to the loss of the controlled area function.
5. The proposed disturbance would minimize the degradation to the Towns surface water bodies and adverse impacts on the functions and benefits that the surface waters provide.
6. The proposed disturbance would be in compliance with the standards set forth in the New York State Freshwater Wetland Regulations, 6 NYCRR 665.7(e) and (g).

Whereas, pursuant to condition number 19 of the November 9, 2017 Planning Board approval, at the regular meeting on March 14, 2019 the Planning Board reviewed and approved the International Blasting Pamphlet, which is attached to a Resolution of Re-Approval adopted on January 9, 2020; and

Whereas, on January 9, 2020, pursuant to §77-60 and §77-61 of the Town Code the Planning Board granted re-approval of the Amended Site Plan Approval for the Patterson Crossing Retail Development as described in that resolution and pursuant to §77-61(C) of the Town Code, the “site plan approval shall be void if construction is not started within one year of the date of Planning Board approval, and completed within two years of the date of such approval. Prior to its expiration, the site plan approval may be renewed by written request of the applicant for up to two additional ninety-day periods.”; and all approvals granted January 9, 2020 would accordingly expire unless construction was started no later than January 8, 2021 and completed no later than January 8, 2022; and

Whereas, on January 9, 2020, the Planning Board granted Steep Slope and Erosion Control Permit, and Freshwater Wetland Permit re-approvals as set forth in the adopted resolution; and

Whereas, a letter from the Applicant's Engineer, Jeffrey Contelmo, PE, Insite Engineering, Surveying & Landscape Architecture, PC, dated October 15, 2020, was submitted on behalf of the Applicant, Paul Camarda, CRI, requesting extension of the January 9, 2020 Re-Approvals; and

Whereas, pursuant to §77-60 and §77-61 of the Town Code, on November 12, 2020, the Planning Board granted two 90-day extensions of the January 9, 2020 re-approval of the Amended Site Plan Approval for the Patterson Crossing Retail Development as described herein and pursuant to §77-61(C) of the Town Code, the "site plan approval shall be void if construction is not started within one year of the date of Planning Board approval, and completed within two years of the date of such approval. Prior to its expiration, the site plan approval may be renewed by written request of the applicant for up to two additional ninety-day periods."; noting that for the expiration date of January 8, 2021, the subsequent 180-day period would end Wednesday, July 7, 2021; the next regular Planning Board meeting date of July 8, 2021, 1 day later; and the extensions granted herein shall accordingly expire unless construction is started no later than July 8, 2021 and completed no later than July 8, 2022; and

Whereas, a letter from the Applicant's Engineer, Jeffrey Contelmo, PE, Insite Engineering, Surveying & Landscape Architecture, PC, dated April 15, 2021, was submitted on behalf of the Applicant, Paul Camarda, CRI, requesting reapproval of the Amended Site Plan Approval that was extended on November 12, 2020 citing the continuing effect of uncertainties related to COVID-19 on financial investments and funding for large construction projects; and

Whereas, the request was submitted well in advance of the expiration of the prior extensions on July 8, 2021; and the Planning Board is mindful of the considerable investment made by the applicant, the corresponding time and energy spent by the Town in its review of the project, and the need to maintain the project's approvals, so the Planning Board is considering the reapproval in advance of the pending expiration of prior extensions;

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

Be it Further Resolved, because the project has not materially changed from the one approved on January 12, 2017 and re-approved on November 9, 2017 and January 9, 2020, extended on November 12, 2020, the Planning Board hereby waives a Public Hearing on the application for re-approval of the Amended Site Plan, Amended Steep Slope and Erosion Control Permit, and Amended Freshwater Wetland Permit applications; and

Be it Further Resolved, that the Planning Board hereby reaffirms the assertions of the November 9, 2017 re-approval that the application meets the requirements of Chapter 39A, "Freshwater Wetlands"; Chapter 66 "Steep Slope Protection and Stormwater Management" and Chapter 77 "Zoning";

Be It Further Resolved, the Planning Board hereby grants re-approval with conditions of the Amended Site Plan Approval for the Patterson Crossing Retail Development as described herein and pursuant to the Code of the Town of Kent Chapter 77 Zoning, Article XVII, Sections 77-60 and 77-61;

Be It Further Resolved, pursuant to §66-6 of the Town Code the Planning Board waives the maximum slope requirements of Chapter 66 to allow maximum slopes of 50% as may be approved by the Planning Board's Professional Engineer, and grants re-approval with conditions of the Steep Slope and Erosion Control Permit for the project as described herein; and

Be It Further Resolved, pursuant to §39A-7(D)(1) of the Town Code the Planning Board re-approval with conditions of the Freshwater Wetland Permit for the regulated activities as described herein; and

Be It Further Resolved, that the Planning Board grants the above-described Amended Site Plan, Steep Slope and Erosion Control Permit, and Freshwater Wetland Permit re-approvals with conditions, effective and running forward from July 8, 2021, so that any future expiration would occur one year from July 8, 2021, noting the previous two 90-day extensions granted on November 12, 2020;

Be It Further Resolved, that pursuant to §77-60 and §77-61 of the Town Code, the "site plan approval shall be void if construction is not started within one year of the date of Planning Board approval and completed within two years of the date of such approval. Prior to its expiration, the site plan approval may be renewed by written request of the applicant for up to two additional ninety-day periods."; and accordingly, the reapprovals with conditions granted herein shall expire unless construction is started no later than July 8, 2022 and completed no later than July 8, 2023; and

Be It Further Resolved, the Amended Site Plan, Steep Slope and Erosion Control Permit, and Freshwater Wetland Permit re-approvals granted herein are expressly conditioned completion of, and compliance with, the following:

- 1) The Project shall be developed in accordance with the plans and specifications that have been reviewed by the Planning Board, specifically:*
 - a) Site plan map set prepared by Insite Engineering, Surveying & Landscape Architecture, P.C, consisting of the following drawings:*
 - i) VM-1K, Vicinity Map, dated January 21, 2016 and bearing a latest revision date of December 15, 2016.*
 - ii) EX-1K, Existing Conditions Plan, dated January 21, 2016 and bearing a latest revision date of December 15, 2016.*

- iii) *SS-1K, Soils & Slopes Map, dated January 21, 2016 and bearing a latest revision date of December 15, 2016.*
- iv) *SP-1K, Overall Site Plan, dated January 21, 2016 and bearing a latest revision date of December 15, 2016.*
- v) *SP-2K, Layout & Landscape Plan, dated January 21, 2016 and bearing a latest revision date of December 15, 2016.*
- vi) *SP-3K, Grading & Utilities Plan, dated January 21, 2016 and bearing a latest revision date of December 15, 2016.*
- vii) *SP-4.1K, Overall Phasing Plan, dated January 21, 2016 and bearing a latest revision date of December 15, 2016.*
- viii) *SP-4.2K, Sediment & Erosion Control Plan, dated January 21, 2016 and bearing a latest revision date of December 15, 2016.*
- ix) *SP-4.3K, Sediment & Erosion Control Plan, dated January 21, 2016, revised February 18, 2016 and bearing a latest revision date of December 15, 2016.*
- x) *SP-5K, Kent Watercourse Controlled Area Improvement Plan, dated January 21, 2016 and bearing a latest revision date of December 15, 2016.*
- xi) *PR-1K, Profiles, dated January 21, 2016 and bearing a latest revision date of December 15, 2016.*
- xii) *PR-2K, Drainage Profiles, dated January 21, 2016 and bearing a latest revision date of December 15, 2016.*
- xiii) *L-1K, Lighting Plan, dated January 21, 2016 and bearing a latest revision date of December 15, 2016.*
- xiv) *DA-1K, Site Drainage Areas Contributing to the Middle Branch of the Croton River, dated January 21, 2016 and bearing a latest revision date of December 15, 2016.*
- xv) *D-1K, Site Details, dated January 21, 2016 and bearing a latest revision date of December 15, 2016.*
- xvi) *D-2K, Site Details, dated January 21, 2016 and bearing a latest revision date of December 15, 2016.*
- xvii) *D-3K, Site Details, dated January 21, 2016 and bearing a latest revision date of December 15, 2016.*

xviii) D-4K, Site Details, dated January 21, 2016 and bearing a latest revision date of December 15, 2016.

Prior to obtaining the Chairman's signature on the project plans the following additional approvals and permits shall be obtained and any conditions following, or otherwise stated in this resolution, shall be complied with:

- a) The site plan set shall be amended to include the location and a design detail for the security gate to be installed at the Brentwood Road and Greenridge Court entrance as previously described herein. **This gate has been installed. This condition has been addressed.**
- b) Planning Board Professional Engineer and Wetland Consultant approval of the Storm Water Pollution Prevention Plan and Steep Slope Permit (Chapter 66 of the Town Code). **This condition has been addressed.**
- c) Planning Board Professional Engineer, Attorney, and Wetland Consultant approval of any agreements required under Chapter 66 of the Town Code to ensure the performance of the Project obligations regarding that Chapter, and any Storm Water Pollution Prevention Plan and Steep Slope Permit issued thereunder. **This condition is nearly addressed, yet proof of collateral must be provided, in a form acceptable to the Town Attorney, before the plans are signed.**
- d) Town Board approval of the agreement(s), as set forth in §E(1) of the Involved Agency's Findings Statement, to address the establishment of tax liens by either host municipality upon the portion of the project in its jurisdiction to remedy default by the Project in future maintenance of storm water facilities situated in either of the two municipalities, and acceptance and execution of said agreement(s) by the Town Board of the Town of Kent, the Town Board of the Town of Patterson, and the applicant/owner, unless the Town Board elects to pursue other or alternative forms of security. **This condition is nearly addressed, yet proof of collateral must be provided, in a form acceptable to the Town Attorney, before the plans are signed.**
- e) NYS Department of Transportation approval for the specific traffic mitigation improvements within county highway rights-of-way and payment of funds related to monitoring of traffic as set forth in section E(4) of the Involved Agency's Findings Statement. **This condition has been addressed.**
- f) Putnam County DPW approval for the specific traffic mitigation improvements within county highway rights-of-way and payment of funds related to monitoring of traffic as set forth in section E(4) of the Involved Agency's Findings Statement. **This condition has been addressed.**

- g) *Town of Kent Highway Department approval for the specific traffic mitigation improvements within town highway rights-of-way and payment of funds related to monitoring of traffic as set forth in section E(4) of the Involved Agency's Findings Statement. **This condition has been addressed.***
 - h) *Any required approvals from the NYC Department of Environmental Protection. **This condition has been addressed.***
 - i) *Any required approvals from the Putnam County Department of Health. **This condition has been addressed.***
 - j) *Any required U.S. Army Corps of Engineers (ACOE) permit(s). **This condition has been addressed.***
- 2) *Implementation, maintenance, and/or completion, as may be the case, of any mitigation and conditions set forth in sections "C", "D", and "E" of the Involved Agency's Findings Statement adopted September 9, 2010 is an express condition of the Site Plan Approval, the Steep Slope and Erosion Control Permit Approval, and the Freshwater Wetland Permit Approval granted herein. **This is an ongoing compliance requirement.***
 - 3) *During and after construction the applicant shall adhere to, and the site shall be maintained in accordance with, any required mitigation as set forth in the Lead Agency's Findings Statement and the Involved Agency's Findings Statement. **This is an ongoing compliance requirement.***
 - 4) *During and after construction the applicant shall adhere to, and the site shall be maintained in accordance with, any required conditions of this approval and the Town of Patterson Planning Board's Site Plan Approval. **This is an ongoing compliance requirement.***
 - 5) *At all times the applicant shall maintain the site in accordance with the approved Site Plan and any on-going conditions of Site Plan Approval as set forth herein or as required by any other permitting or approving agency, including the MS4 approved SWPPP. **This is an ongoing compliance requirement.***
 - 6) *There shall be no vehicles parked and offered for sale on the site. **This is an ongoing compliance requirement.***

- 7) *At the completion of construction, and prior to issuance of a Certificate of Occupancy, the applicant shall provide a certification sealed and signed by a New York State Licensed Professional Engineer to the Town Building Inspector and the Planning Board that all site work has been carried out and completed in compliance with the approved Site Plan for the project, and shall also provide to the Planning Board and the Town Building Inspector an "as built" survey of the completed improvements. **This is an ongoing compliance requirement.***
- 8) *Payment to the Town of Kent the following fees:*
 - a) *Any unpaid or outstanding application fees. **This condition has been addressed.***
 - b) *Any review fees accrued by the Planning Board and the Town Board during the review of the application. **The status of review fees shall be provided by the Planning Board Secretary.***
 - c) *An inspection fee, in an amount to be established by the Planning Board, to cover the cost of construction and post-construction inspections by the Board's Professional Engineer, Wetland Consultant, and Planning Consultant. **The applicant must deposit \$2,000 into an escrow account with the Town to be replenished when the account balance is reduced to \$500.***
- 9) *Address to the satisfaction of the Planning Board the comments of the Planning Board Professional Engineer as set forth in a memorandum dated September 9, 2010 and March 10, 2016. **This condition has been addressed.***
- 10) *Address to the satisfaction of the Planning Board the comments of the Planning Board Wetland Consultant as set forth in a memorandum dated August 2010 and February 11, 2016. **This condition has been addressed.***
- 11) *It is the responsibility of the owner/applicant to submit to the Planning Board proof that the conditions of this Site Plan Approval have been completed, and the signature of the Planning Board Chairman shall be withheld pending receipt of a written memorandum from the Planning Board Planning Consultant verifying that the conditions of this approval have been completed. **This is an ongoing compliance requirement.***
- 12) *Prior to commencement of site work all required erosion control measures shall be implemented as shown on the approved plans for the development and shall be maintained in a good and functional condition during the course of site work and construction. **This is an ongoing compliance requirement.***

- 13) Except for "field changes" as may be approved by the Planning Board Professional Engineer or Wetland Consultant, the project shall be constructed in accordance with the project plans as set forth above. Any changes to the Site Plan and any changes to the Freshwater Wetland Permit shall be subject to the prior approval of the Planning Board before any such changes are implemented. **This is an ongoing compliance requirement, except for "field changes" as per the Code of the Town of Kent, Chapter 66A, Subdivision of Land; and Chapter 77, Zoning definitions of "field change" and related procedures for approval of "field changes".**
- 14) Pursuant to Chapter 38, Article II of the Town of Kent Code any blasting activity within the Town of Kent will require a permit from the Town Fire Inspector. In accordance with Section 38-13.3 of the Town Code blasting may be conducted when authorized by permit Monday through Friday between the hours of 8:30 a.m. and 4:00 p.m., and shall be prohibited Saturdays, Sundays and legal holidays. For blasting operations in the Town of Patterson the Applicant shall adhere to the requirements set forth in the Lead Agency's Findings Statement subject to the review and approval of the Town of Patterson. **This is an ongoing compliance requirement.**
- 15) Pursuant to Chapter 48 of the Town of Kent Code construction activity within the Town of Kent shall be limited to Monday through Friday from 7:00 AM to 9:00 PM, and Saturday and Sunday from 8:00 AM to 9:00 PM. **This is an ongoing compliance requirement.**
- 16) Approvals are conditioned upon arrangements acceptable to the Town Board concerning responsibility for future maintenance and repair of the storm water management facilities located in the Town of Kent portion of the Project. **These arrangements are subject to Attorney review and approval and require provision of bonds and execution by the Town Supervisor, and any necessary updates to any bonds. This is an ongoing compliance requirement.**
- 17) Approvals are conditioned upon arrangements acceptable to the Town Board concerning responsibility for future maintenance, repair, and replacement of water and wastewater facilities situated within the Town of Kent portion of the Project. **This condition has been addressed.**

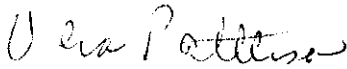
18) *The applicant will prepare and submit for approval of the Planning Board a handout for nearby residents which addresses the process of blasting, scheduling, monitoring and all significant pre-blast and post-blast matters, and including a municipal contact name and telephone number in both the Town of Kent and Town of Patterson. The applicant will distribute the approved handout to all residents within a 1,000 foot radius of the point of blasting. An Informational Blasting Pamphlet was approved by simple resolution of the Planning Board on March 14, 2019. This is an ongoing compliance requirement.*

Motion: Stephen Wilhelm

Second: Giancarlo Gattucci

Phil Tolmach, Chairman	<u>Aye</u>
Dennis Lowes, Vice Chairman	<u>Aye</u>
Simon Carey	<u>Aye</u>
Giancarlo Gattucci	<u>Aye</u>
Hugo German	<u>Aye</u>
Charles Sisto	<u>Absent</u>
Stephen Wilhelm	<u>Aye</u>

I certify that the above resolution was adopted by the Town of Kent Planning Board on **May 13, 2021** at a regular meeting of the Board.



Vera Patterson, Clerk
Town of Kent Planning Board

ATTACHMENTS:

Adopted Certified November 12, 2020 Planning Board Extension of Re-Approval

Adopted Certified January 9, 2020 Planning Board Re-Approval

Adopted, certified November 9, 2017 Planning Board Approval

Information Blasting Pamphlet approved by simple resolution of the Planning Board on March 14, 2019.

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

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

**Town of Kent Planning Board
Sign Approval**


**Kent Elementary School
1091 Route 52
Kent, NY 10512
TM: 12.17-1-1**

Whereas, the Town of Kent Planning Board has received an application from the Kent Elementary School, Route 52, Kent, NY for approval of two digital signs.

Whereas, after review of the application the Kent Planning Board and their Consultants recommended that this application be approved at the May 13, 2021 meeting.

Motion:	<u>Stephen Wilhelm</u>
Second:	<u>Giancarlo Gattucci</u>
Phil Tolmach, Chairman	<u>Aye</u>
Dennis Lowes, Vice Chairman	<u>Aye</u>
Simon Carey	<u>Aye</u>
Giancarlo Gattucci	<u>Aye</u>
Hugo German	<u>Aye</u>
Charles Sisto	<u>Absent</u>
Stephen Wilhelm	<u>Aye</u>

I certify that the above resolution was adopted by the Town of Kent Planning Board at a meeting of the Board held on May 13, 2021.


Vera Patterson, Clerk
Town of Kent Planning Board

**ZONING BOARD OF APPEALS
TOWN OF KENT
25 Sybil's Crossing
Carmel NY 10512**

ZONING BOARD USE ONLY

Z.B.A. No. ZBA-21-09
Meeting 4/19/21

**REQUEST FOR HEARING
APPLICATION FOR VARIANCE**

REQUIREMENTS

1. Application must be clearly printed or typed.
2. Application fee of \$ 300 must accompany completed form
3. Seven copies of survey must be submitted with application
4. Applicant or representative must be present at Hearing
5. Application should be submitted the first day of the month in order to review the same month.
6. It is the applicant responsibility to notify all property owners within 500 feet be certified, returned receipt requested, letter of their intent to submit an Application of Variance.

TO BE COMPLETED BY APPLICANT

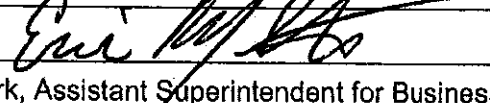
Name:	Kent Elementary School	Date of Application:	03/25/2021
Address	1091 Rt 52	Property Location	Residential, R-40
City, Town, State, Zip	Carmel, NY 10512	Tax Map#:	12.17-1-1
Phone:	845-878-2094	Email:	jweise@carmelschools.org

State actual requested:

To replace existing two-sided, back-lighted, messaging sign with a two-sided digital sign of the same dimensions. The Existing sign measures 32 sqft. per side, is approx. 30 years old and is presently non-functioning due to damage sustained from several wind storm events. We are seeking a variance to 77-36A(2) which limits the size of a new freestanding sign to 8 sqft. per side.

Does the property meet the requirements of Municipal Law 239-m? (Is the property located within 500 ft. of any state, county highway, town boundary, or county, town, city or state properties, etc.)? ☒ Yes ☐ No

Signature & Address of Owner

Signature:	
Print Name of Owner:	Eric Stark, Assistant Superintendent for Business, Carmel Central School District
Street	81 South Street
City, Town, State, Zip	Patterson, NY 12563

ZONING BOARD USE ONLY (Decision of Board on above application):

Chairman's Signature: _____

ID Flat Surface
Active

 **KENT** ELEMENTARY
SCHOOL

Knowledge
IS POWER

Stewart Signs
ONE SIGN. ONE COMPANY
1-800-237-3928 stewartsigns.com

TekStar Color 20mm 32x112

Cabinet size: 4'x8'

Sk. 946623-4 Cust. 1666345

1/26/2021 F/Ricciardi PROPOSAL

Scale: 5/8"=1' Color: Royal Blue

Signature _____

Date _____



This custom artwork is not intended to provide an exact match for ink, vinyl, paint, or LED color. Signs are designed for an illuminated graphic and art is based off of this premise. Non-illumination during daylight hours may result in graphics of varying appearance. Brickwork and masonry are not included in the proposal with the exception of Cornerstone products. Measurements shown are approximations; final product dimensions may vary. LED images shown are simulated to replicate optimum viewing distance. Original design, do not duplicate.



KENT ELEMENTARY SCHOOL
1091 ROUTE 52
CARMEL, NY 10512 4735



Consultant:
Ric Ricciardi, x248
RRicciardi@stewartsigns.com
Direct Fax: (888) 416-1454
Customer ID: 1666345
Quote #: 948623 / 4
Quoted: 1/26/2021

Attn: Meaghan Platania
845-282-3221

DESCRIPTION

~~4'x8' Double Sided TekStar with 32x12 Full Color LED Display~~ Thermoformed Makrolon SL Faces Decorated on Inside Surface with 3M Vinyl Graphics. 12" Deep Extruded Aluminum Hinged Cabinet.

FACE / CABINET COLOR

Internal TekStar Cabinet with Complete LED Display Assembly, 20mm 32x12 Color

ELECTRICAL INFORMATION

Horizontal LED Illumination Package for a 2' x 8' Cabinet
On/Off Toggle Disconnect Switch

~~One 20 Amp Circuit / 120 Volts / Max Draw 9.6 Amps~~

LED Communication Method: Wireless Data Modem with no restrictions on distance.

~~Lifetime Wireless Data Plan Provided by StewartSigns~~
By signing you, the customer, affirm and agree to the terms and conditions listed at
<https://www.signcommand.com/data-plan>

SignCommand.com Cloud-Based Software Included FREE for Lifetime of Product. Please visit www.signcommand.com for more information**.

STRUCTURAL DETAILS

Mount Style: Dual Leg Mount

Cowling (Creates Pedestal Appearance)

Mount Size:

Leg Height: 3 Ft 6 In

Leg Width: 2 Ft 8 In

Overall Sign Height: 7 Ft 6 In

Minimum Wind Load Rating: 120mph, Exposure B

MISCELLANEOUS

Estimated Freight Included

*** Review Custom Artwork for Text, Graphic and Layout Details ***

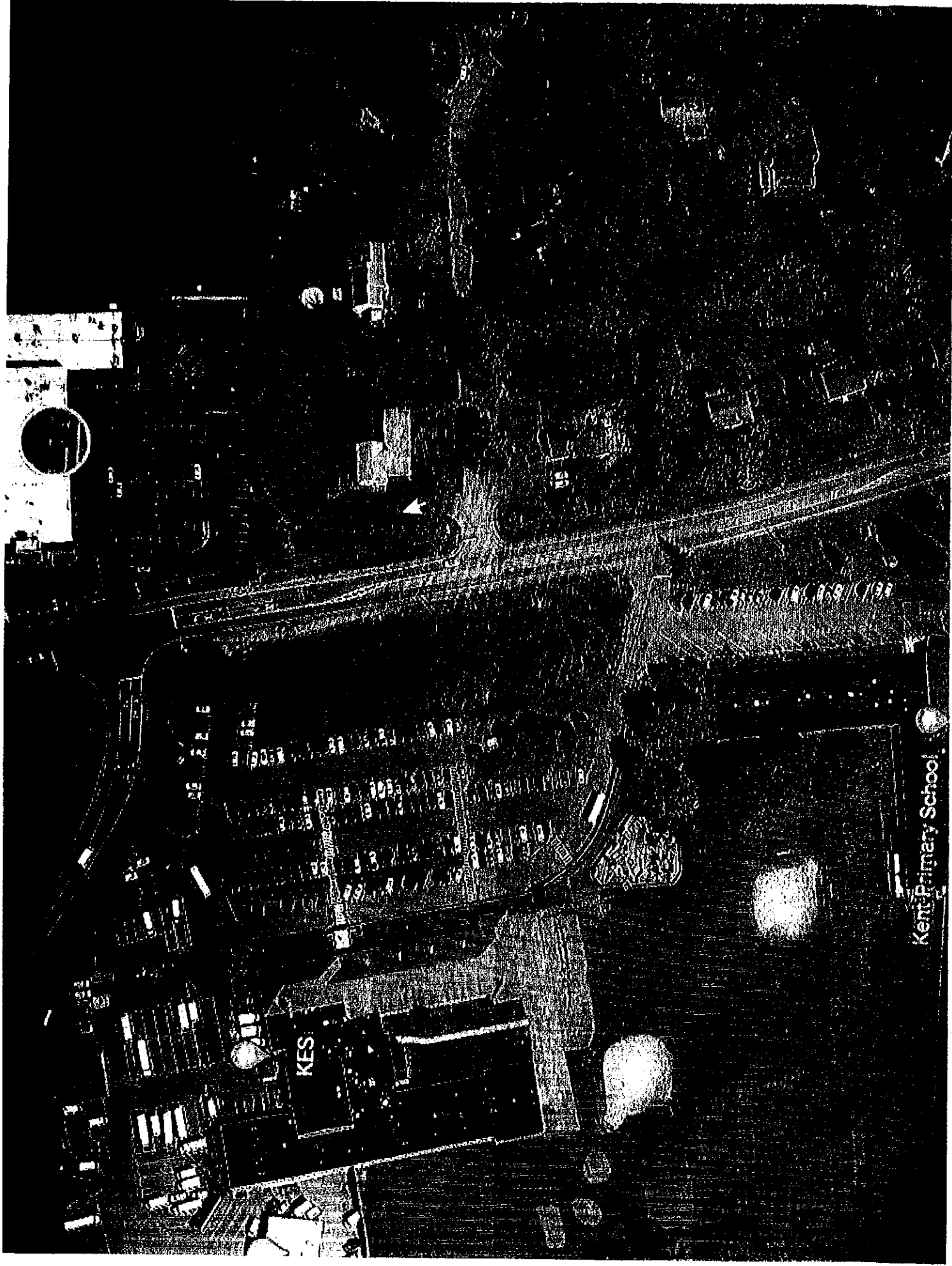
I.D. Cabinet: Royal Blue

Draft: White

Header Copy: White

Mount: Royal Blue

Stewart Signs • 2201 Canlu Court • Suite 215 • Sarasota, FL 34232-6255
Phone: (800) 237-3928 Fax: (800) 485-4280 Web: www.stewartsigns.com



Kent Primary School

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

March 24, 2021

RESPONSE TO COMMENTS ABFP REALTY, LLC
LAUNDRYMATT
CHANGE OF USE
ZOOM MEETING 3/4/2021
474 ROUTE 52; KENT (T); TM # 33.56-1-5

1. John Andrews questioned the water usage per washing machine. Attached please find information relative to water usage provided by the manufacturer. Based upon that information we have reduced the number of machines to 27. This reduction results in a total proposed water usage of 1499 gallons per day. Proposed staffing will be two workers at 15 gallons per staff worker per day. Usage of bathrooms by the public will be minimal, but we are allotting 30 gallons per day.
2. The entrance has an existing ADA compliant entrance.
3. The electrical service is 400 amps. The owner's electrician has indicated that this will provide sufficient capacity to handle the washers and dryers.
4. The wetland across the street and the 100 foot setback has been added to the plans.
5. NYCDEP has been contacted relative to the "Main Street Designation" This property is in that Main Street Area. Plans were submitted to Jason Copolla of the DEP who indicated that no permitting on behalf of the DEP is required since no new impervious surfaces are being proposed and in fact the amount of impervious surfaces will be reduced significantly by the elimination of the existing drive thru in the front of the building.


John Karell, Jr., P.E.

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

March 24, 2021

ENGINEERING REPORT - ABFP REALTY, LLC
CHANGE OF USE
RESTAURANT TO LAUNDRYMATT
474 ROUTE 52; KENT (T); TM # 33.56-1-5

HISTORY

The building on this property was formerly an 80 seat restaurant at the intersection of State Route 52 and Dunwoodie Road. The present owner wishes to change the use to a laundrymatt. The restaurant was previously served by a well and septic system. The well will continue to be utilized however recently the building was connected to the public sewer in Route 52. The Town has allotted a sewage flow of 1547 gallons per day to the building. It is noted that the design flow for a 80 seat restaurant at 35 gallons per day per seat is 2,800 gallons per day. This property should have been allotted the 2,800 gallons per day.

PROPOSAL

- **HOURS OF OPERATION**

The hours of operation will be from 6 AM to 9 PM seven days a week.

- **WATER USAGE LAUNDRY MACHINES**

The laundry machines will be supplied by Alliance Laundry Systems of Ripon Wisconsin. Attached is their specification sheets for the washing machine models. Twenty-eight (28) washing machines are proposed. Below are the manufacturers water usage for each of the three models proposed. The manufacturer indicates that the machines will be utilized for three spins per day.

SCT 20	14	13.4	562.8
SCT 30	6	19	342
SCT 40	7	28.3	594.3

Total water usage washing machines 1499.1 gallons per day

- **WATER USAGE BATHROOM**

Two employees will be provided to assist patrons. Water usage at 15 gallons per employee per day results in a water usage of 30 gallons.

Usage of the bathrooms by patrons will be minimal. With low flow toilets at 1 gallon per flush assuming a very conservative 30 uses, water usage by patrons will be 30 gallons per day.


TOTAL PROPOSED WATER USAGE IS 1,559 GALLONS PER DAY.

- **DRYERS**

16 dryers are proposed

- **ELECTRICAL SERVICE**

The electrical service is 400 amps which the owner's electrician and the equipment supplier indicates is satisfactory for the proposed use.


John Karell, Jr., P.E.





Leading performance

Alliance Laundry Systems LLC
221 Shepard Street, P.O. Box 990
Ripon, WI 54971-0990
Tel 920.748.3121
Fax 920.748.4429
www.comlaundry.com

Date: 1/26/2021

Subject: Water Usage on WX machines

Dear Valued Customer,

The following water consumption chart is for the current hard mount machines. The highlighted areas are the factory defaults water level for low, medium and high. The default is a low fill for the wash and two rinses.

Water Chart - Estimated Consumption per Bath													
Design 4 (13th Model Digi) - production start April 2018													
	Cabinet 20# ACA		Cabinet 30# ACA		Cabinet 40# ACA		Cabinet 60# ACA		Cabinet 80# ACA		Cabinet 100# ACA		
Level	First Fill	Other Fills	First Fill	Other Fills	First Fill	Other Fills	First Fill	Other Fills	First Fill	Other Fills	First Fill	Other Fills	
Low	1	1.70	1.40	2.10	2.00	2.70	2.40	6.20	3.80	8.90	8.80	4.20	4.60
	2	2.05	1.55	2.75	2.25	3.88	2.73	7.50	4.98	10.73	9.20	7.30	8.18
	3	2.40	1.70	3.40	2.50	5.05	3.05	8.80	6.15	12.55	9.80	10.40	7.75
	4	2.75	1.85	4.05	2.75	6.23	3.38	10.10	7.33	14.38	10.40	13.50	9.33
	5	3.10	2.00	4.70	3.00	7.40	3.70	11.40	8.50	16.20	11.00	16.80	10.90
	6	3.50	2.08	5.16	3.22	8.40	4.10	12.42	8.08	17.72	10.50	18.68	10.82
	7	3.90	2.16	5.62	3.44	9.40	4.50	13.44	7.62	19.24	10.00	20.72	10.74
	8	4.30	2.24	6.08	3.66	10.40	4.90	14.46	7.18	20.76	9.50	22.78	10.66
	9	4.70	2.32	6.54	3.88	11.40	5.30	15.48	6.74	22.28	9.00	24.84	10.58
	10	5.10	2.40	7.00	4.10	12.40	5.70	16.50	6.30	23.80	8.50	26.90	10.50
	11	5.44	2.68	7.64	4.36	12.96	5.84	17.74	7.02	25.28	9.16	28.72	11.38
	12	5.78	2.92	8.28	4.62	13.52	5.98	18.98	7.74	26.72	9.82	30.54	12.22
	13	6.12	3.18	8.92	4.88	14.08	6.12	20.22	8.46	28.18	10.48	32.36	13.08
	14	6.46	3.44	9.56	5.14	14.64	6.26	21.46	9.18	29.64	11.14	34.18	13.94
Med	15	6.80	3.70	10.20	5.40	15.20	6.40	22.70	9.90	31.10	11.80	36.00	14.60
	16	7.18	3.90	10.72	5.56	16.04	6.90	23.24	10.50	31.72	12.38	37.52	15.68
	17	7.56	4.10	11.24	5.72	16.88	7.40	23.78	11.10	32.34	12.92	39.04	16.52
	18	7.94	4.30	11.76	5.88	17.72	7.90	24.32	11.70	32.96	13.48	40.56	17.38
	19	8.32	4.50	12.28	6.04	18.56	8.40	24.86	12.30	33.58	14.04	42.08	18.24
	20	8.70	4.70	12.80	6.20	19.40	8.90	25.40	12.90	34.20	14.60	43.60	19.10
	21	9.04	4.94	13.14	6.66	19.84	9.48	26.18	13.32	35.60	15.82	44.30	20.24
	22	9.38	5.18	13.48	7.12	20.28	10.06	26.96	13.74	37.00	17.04	45.00	21.38
	23	9.72	5.42	13.82	7.58	20.72	10.64	27.74	14.16	38.40	18.26	45.70	22.52
	24	10.06	5.66	14.16	8.04	21.16	11.22	28.52	14.58	39.80	19.48	46.40	23.66
High	25	10.40	5.80	14.50	8.50	21.60	11.80	29.30	15.00	41.20	20.70	47.10	24.80
	26	10.56	6.16	16.38	10.30	23.28	14.50	29.60	17.32	41.84	21.20	48.34	25.60
	27	10.72	6.42	18.28	12.10	24.96	17.20	29.90	19.64	42.08	21.70	49.58	26.40
	28	10.88	6.68	20.14	13.90	26.64	19.90	30.20	21.96	42.52	22.20	50.82	27.20
	29	11.04	6.94	22.02	15.70	28.32	22.60	30.50	24.28	42.96	22.70	52.06	28.00
	30	11.20	7.20	23.90	17.50	30.00	25.30	30.80	26.60	43.40	23.20	53.30	28.80

If you have any further questions, please feel free to contact me.

Sincerely,

Joe Stone
Alliance Laundry Systems
Field Service Manager

MEMORANDUM

TO: Town of Kent Planning Board
CC: Bill Walters
John Andrews
Julie Mangarillo
Bruce Barber
FROM: Liz Axelson, AICP
DATE: May 12, 2021
RE: Patel Laundrymatt Site Plan, 474 Route 52, Tax Parcel No. 33.56-1-5 / CPL#15998.00-00003

I reviewed the materials listed at the end of this memorandum. I also reviewed online mapping resources; and the Code of the Town of Kent, Chapters 77, Zoning. Based on my review I offer the following comments for the Board's consideration:

Summary

1. The proposal is to change the use of the existing building, driveway, and parking area from a vacant restaurant to a laundromat. Specifically, the existing building appears to be one story with a vacant restaurant, and a possible second story, with the first or ground floor proposed for use as a laundromat with two (2) entrances at street level. The site is an 27,504 square foot (SF), or approximately 0.63-acre parcel in the Commercial (C) Zoning District. According to Putnam County parcel access records, the existing building has approximately 3,225 SF of gross floor area on 2 levels.
2. The project will require physical site changes and disturbance.

SEQRA

3. The proposal is a Type 2 Action as per the SEQRA regulations, section 617.5 (c)(18), so no SEQRA review is required.

Zoning Requirements

4. The project will involve some physical changes and site disturbance to convert the existing structure, driveways, parking, and pedestrian pathways from a vacant restaurant to a laundromat. The proposed laundromat use on the first (ground) floor, is a change from prior use, so a site plan is required as per Chapter 77 Zoning, section 77-60. C. A laundromat is a principal permitted use in the C Zoning District. The combined application form indicates that site plan approval is requested for a change of use. Please clarify whether **sign** approval will be requested and revise the application form accordingly.
5. Prior concerns were expressed by the Planning Board's Consulting Engineer about the increase in water usage from a former restaurant to the proposed laundromat. The Applicant's Engineer's response memorandum indicates a reduction in the number of laundry machines to 27. Revise the plans, which floor plan shows 30 machines are proposed.
6. The site has 3 existing points of access, including 2 along the Route 52 frontage and a 3rd on Dunwoodie Road. Two driveways would suffice for the proposed use. The 2 driveways along



Route 52 create the potential for conflicts with vehicular and pedestrian traffic. Revise the plans to address the following comments:

- a. Eliminate the western driveway along the site's Route 52 frontage by showing and labelling areas of asphalt removal.
- b. Retain some of the asphalt from the driveway to be removed to create a pedestrian pathway with a minimum width of five feet (5') and replace the rest of the area of the removed pavement with landscaping.
7. Add a paved apron to the end of the driveway entering onto Dunwoodie Road.
8. The tax parcel report for this property notes a 2-story building. The GoogleEarth Streetview and other online street views of the site appear to show a possible second floor area with skylights on the roof. Please describe any second-floor area, including existing or proposed use; or confirm there is either no habitable second floor or any proposed use of any second-floor area. Plan notation may be needed.
9. Indicate whether the existing building would be expanded as part of the proposed site development.
10. Provide photographs of the existing building exterior. Discuss any proposed changes to the building exterior.
11. Regarding the existing structure and other accessory structures and areas, revise the plans as follows:
 - a. Label the square footage of the existing building in the plan view.
 - b. Label the square footage and use of the concrete slab at the back of the principal structure.
 - c. Label the square footage of the shed between the building and rear parking area.
12. The site plan shows 2 parking areas: one with 5 spaces including an accessible parking space near the road frontage (North); and a second area with 10 spaces off of Dunwoodie Road to the South. Revise the plans to address the following comments:
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 - b. The requirement for 1 space for each 200 SF of gross floor area, corresponding to retail sales and personal service, seems to be the parking requirement closest to the laundromat use. Recalculate the required parking based on 3,225 SF of gross floor area.
 - c. It is possible that a trip to the laundromat may take longer than a visit to a retail store or personal service establishment. Given less turnover between visits, it is possible that less parking may be needed than what would be required (16 spaces) for a 3,225 SF area. Accordingly, subsection 77-38. N. (3) may be applicable to allow 15 spaces instead of 16. Once the calculation is revised with the full SF, then a reduced number of parking spaces may be considered.
 - d. However, spaces are required to be 9' wide and 20' long. Yet the proposed spaces are labeled as 10' wide. So, for example, 11 spaces could fit in the Dunwoodie parking area instead of only 10 spaces.
 - e. Show and label how the parking spaces will be marked in both parking areas. And refer to and provide corresponding details.
 - f. The location of parking spaces 7 and 8 would likely result in some cars backing into Dunwoodie Road. Add a warning sign along Dunwoodie Road north of the access to the parking area to warn southbound drivers.
 - g. Refer to and provide curb details.
 - h. Create curb ramps where needed to create accessible entrances.
 - i. Label, refer to and provide curb ramp details.



13. Show the grading, existing and proposed contours, necessary for the expansion of the Dunwoodie Road parking area.
14. Label the width of the driveway from Route 52 and the aisle in the front, northern parking area.
15. Identify a loading area on the plans.
16. The Zoning table on sheet S-1, Site Plan, is based on the C (Commercial) zoning district. Revise the zoning table on sheet S-1 to address the following:
 - a. Revie the proposed minimum lot width value, which since it is supposed to be measured along a line parallel to the street line would appear to be similar to the lot frontage value of 138'.
 - b. Revise the row labeled "Max. Lot Coverage" to be "Max. Lot/Building Coverage", corresponding to 77-22. D.
 - c. Revise the proposed Max. Lot/Building Coverage to be twelve percent (12%) corresponding to 3,225 SF. Add the square footage value to the table.
 - d. Since the 11.5' side yard conforms to the 10' requirement, delete the asterisk (*) regarding "pre-existing non-conforming".
 - e. Provide an actual building height value.
 - f. Add a line at the bottom of the table to address the requirement in section 77-22. G., indicating that the minimum distance for accessory buildings or uses, including parking to any property line shall not be less than 30' and address the following:
 - i. The setback for both existing parking areas should be indicated as 0' (spaces 1-5), with an asterisk (*) regarding this "pre-existing non-conforming" condition.
 - ii. The shed that is located on the western side lot line also appears to be a "pre-existing non-conforming" condition. Confer with the neighboring property owner, and the building department about how to address this structure. Add notation to the plans and zoning able accordingly.
17. Provide an explanation of the several (14) separate very small lots shown on the site, as the parcel access information indicates a single lot. Plan notation may be needed to acknowledge the former lots have been merged into one lot.
18. Provide proposed landscaping for the entire site to address C district design standards in section 77-23. A., and include:
 - a. Landscaping along the road frontage and also at the southern, rear property boundary to provide a buffer between the parking area and residential uses to the south;
 - b. A planting schedule indicating species, number, and size of plantings;
 - c. Planting details; and
 - d. Notation indicating the landscaping will be maintained for the life of the site.
19. Revise the plans to address the C district design standards in section 77-23. A. the next submittal will be reviewed in more detail per these standards.
20. Demonstrate compliance with the requirement about no obstruction to vision at street intersections, as set forth in 77-27. A., since the site is a corner lot.
21. Show any proposed signs consistent with the general requirements for signs in section 77-35; and signs in nonresidential districts in section 77-37.
22. The plans will be reviewed in more detail per the site plan approval requirements listed in zoning section 77-60. F.
23. Revise the plan to address the following:
 - a. Label all existing and proposed surfaces (asphalt, concrete, gravel, ,lawn, landscaping, etc.).
 - b. Show grading, existing, and proposed contours in any areas where earthmoving may occur with limits of disturbance.



- c. Show and label existing and proposed site drainage improvements and corresponding erosion and sedimentation control measures.
- d. Provide a lighting plan to show and label existing and proposed lighting.
- e. Add the names and addresses of the Applicant and Owner. Putnam County parcel information indicates the same Owner's name yet with a different address (270 Route 52). Please clarify both Applicant and Owner. The site address is 474 Route 52.
- f. Add signature blocks for Applicant and Owner.
- g. Add a signature block for Planning Board endorsement of approval.

Recommendation

- 24. The Planning Board should direct the applicant to address the comments above.
- 25. The application is for a change of use to an existing developed site yet is incomplete and information is needed for further review. Accordingly, no Planning Board action is recommended at this time.

If you have any questions, please do not hesitate to contact me at 845-686-2309, or e-mail at eaxelson@CPLteam.com.

Materials Reviewed

- Response to comments memorandum, prepared by John Karell, PE, dated March 24, 2021;
- Plan sheet S-1 entitled Site Plan, prepared by John Karell, PE, dated February 18, 2021, revised March 23, 2021;
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- Survey of Property, prepared by Erik Link LLS, dated October 19, 2020.



Cornerstone Associates

Environmental Planning Consultants

1770 Central Street

Yorktown Heights, NY 10598

Phone: (914)-299-5293

May 13, 2021

To: Planning Board

From: Bruce Barber

Town of Kent Environmental Consultant

Re: Patel Laundrymat Application

474 Route 52

Section 33.56 Block 1 Lot 5

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

- Comment response memo prepared by John Karell, Jr. dated 03/24/21, 1 page
- Report prepared by John Karell, Jr., dated 03/24/21, 3 pages including attachment.
- Plan entitled; "ABFP Realty" prepared by John Karell, Jr., dated 03/23/21, 1 sheet: S-1
- Town of Kent Planning Board Application executed by Amit Patel dated 02/17/21.
- Short-form EAF (Part I) executed by Amit Patel dated 02/17/21.
- Property survey prepared by Erik Link dated 10/19/20.

Summary of Application:

Application is to convert and existing vacant restaurant building into a laundromat which is situated on a 0.63+/- acre parcel located in a C (Commercial) Zoning District. The parcel is situated on a common driveway on the southwest corner of Dunwoodie Road and Route 52.

A: Environmental Review Comments:

Wetlands:

The applicant has represented on the above referenced site plan that a wetland buffer reflects onto the subject property from wetland located across Route 52 (northwest of the subject property). This wetland is also a NYSDEC jurisdictional wetland. A site inspection will be conducted to confirm the accuracy of the wetland boundary in accordance with Chapter 39A (Freshwater Wetlands) of the Town of Kent Town Code. The applicant proposes disturbance in the wetland buffer and as a result a Town of Kent wetland permit and a NYSDEC wetland permit is required.

The applicant should indicate the total area of wetland buffer disturbance and provide a functionally appropriate mitigation plan.

Trees:

The applicant has not indicated if tree removal will be required. Further information is required.

Well and Septic System:

The town sewer line is available at the front of the property. The sewer coordinator should verify that the proposed water usage is permitted within the sewer allocation to this property. Information regarding the existing well on the property was not provided.

B: Other:

- The property is apparently located in a NYCDEP Designated Main Street Area. The applicant is requested to provide written documentation on NYCDEP letterhead that post-construction stormwater practices are not required.
- Please provide a copy of the deed.
- Provide grading plan and limits of disturbance line.
- Indicate apparent shed encroachment.
- Provide details of existing stormwater infrastructure/flow and discharge location(s).

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 Consultant

MEMORANDUM

TO: Town of Kent Planning Board
CC: Bill Walters
John Andrews
Julie Mangarillo
Bruce Barber
FROM: Liz Axelson, AICP
DATE: May 12, 2021
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Recommendation

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Memorandum

To: Planning Board
Town of Kent

Attn: Philip Tolmach
Chairman

From: John V. Andrews, Jr., P.E.

Subject: Erosion Control Plan

Date: May 12, 2021

Project: Benitez
TM # 33.24-1-64

The following materials were reviewed:

- Town of Kent Combined Application Form – Pages 12, 13, 14, & 15 – signed dated 4-19-2021.
- Affidavit to Be Completed by Owner, signed
- Hand Notated Survey showing future pool, not dated.
- Town of Kent Planning Board – Site Plan checklist - incomplete

The project proposes construction of an in-ground 20'X40' pool within an already fenced portion of the west (side) yard. The plan reflects soil removal in the amount of 180 cubic yards CY.

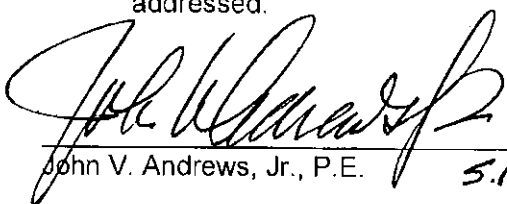
The proposed site disturbance appears to be under 5000 square feet (SF). The project proposes soil removal more than 100 CY. Pursuant to Town Code § 66-5.A(4), a Town of Kent Erosion and Sediment Control Permit is required.

A field observation visit was made to the project site with Bruce Barber, PWS, Certified Ecologist on Wednesday, May 12, 2021 to observe existing conditions and determine the suitability of the site for the installation of the proposed pool. The location for the pool is open, lawn with no trees and is generally level with a minor slope down to the north and up to the east. The area is open and accessible from Barrett Hill Road. Bedrock or boulders were observed in the fenced area. There also appears to be a below grade fuel oil tank fill several feet south of the patio. No environmental or engineering issues were identified which would materially impact the pool installation. Please refer to the attached photographs of the proposed pool area.

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

1. The proposed project is relatively minor in scope. The likely site disturbance associated with the action is well below the 5000 SF threshold, even though the estimated soil removal is above the threshold for a permit. The area of disturbance occurs within an already fenced area, relatively close to the existing structure. There are no trees to be removed. The area is level and accessible. The existing gravel drive is situated to provide reasonable access for construction.
2. We recommend that the Planning Board waive the requirements of § 66-6.B. of the Kent Town Code and in lieu thereof require the applicant to provide a "to scale" hand dimensioned site plan using the previously submitted property survey as the base map. (Note: This can be a legible handwritten/hand drawn sketch with notes) This plan shall indicate the following information:

- The exact location and size of the proposed pool with dimensioned offsets complying with the necessary setback.
 - The location size, material, and dimensions of any patio surrounding the pool.
 - The location, size, and component listing for the pool equipment (pumps, filters, etc.), heater if any and fuel type and method of storage.
 - The final fence location material and height.
 - The location and type of any erosion and sediment control measures. Based on the site visit, all that seems to be required is silt fence along the northerly fence line and a simple stabilized construction entrance within the existing gravel area.
 - The limits of proposed disturbance encompassing the entire area to be disturbed by the installation of the pool and the method of restoration (topsoil seed & mulch).
3. We recommend the bond estimate of \$1200.00 dated May 13, 2021, prepared by this office be accepted for the bond amount and recommended for approval by the Town Board. (A copy of our estimate is attached hereto for your convenience)
4. Please note, per Town Code §66-7.A(2) "The security shall remain in full force until the applicant and/or developer is released from liability by the Town, provided that such period shall not be less than two years from the date of final acceptance or such other certification that the work permitted by the steep slope and erosion control permit has been constructed and completed in accordance with the approved permit and all plans and specifications forming the basis of the approved permit."
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. The proposed activities qualify for review pursuant to § 66-6.B. of the Kent Town Code. As such, the public hearing may be waived by the Planning Board in accordance with § 66-6.F. It is recommended that the public hearing be waived.
7. We recommend the remaining project review be referred to the Planning Board consultants to be handled administratively.
8. Provide a written response with future submittals stating how the comments have been addressed.

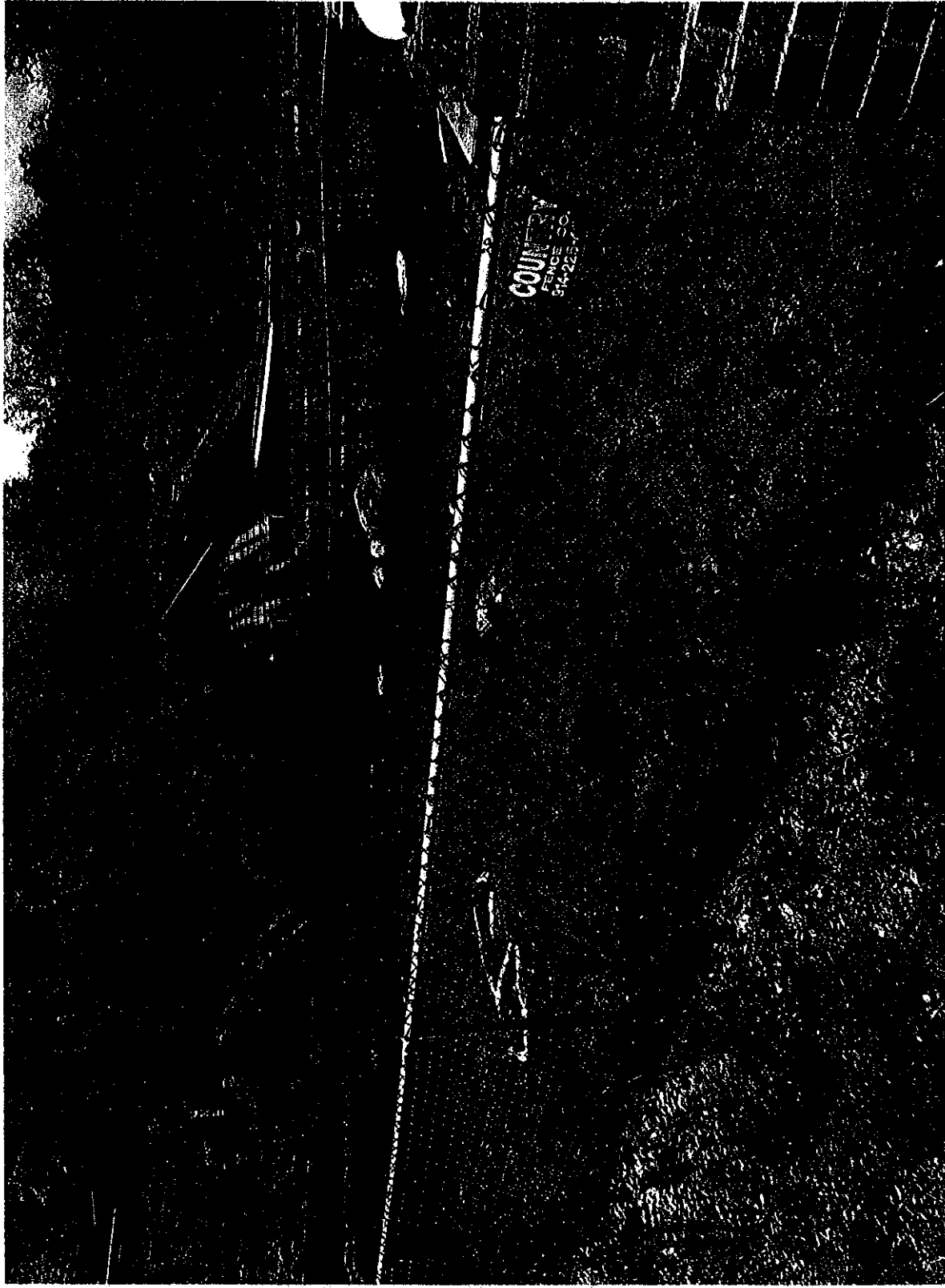

John V. Andrews, Jr., P.E. 5.13.2021

Attachments

cc: Planning Board via email
Bill Walters via email
20-261-999-172

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

Attn: Phillip Tolmach, Chairman

From: John v. Andrews, Jr., P.E.

Subject: Erosion Control Bond Amount

Date: May 13, 2010

Project: Benitez

Tax Map: 33.24-1-64

The erosion control bond is as follows:

ITEM	QUANTITY	UNIT	UNIT COST	TOTAL COST
Seed and mulch	2,500	SF	\$ 0.06	\$ 150.00
Stabilized construction entrance	1	EA	\$ 750.00	\$ 750.00
Silt Fence	75	LF	\$ 4.00	\$ 300.00
			TOTAL:	\$ 1,200.00

**FINAL ADOPTED RESOLUTION FOR REAPPROVAL WITH CONDITIONS
PUTNAM NURSING & REHABILITATION CENTER**

May 13, 2021

**Town of Kent Planning Board Resolution of Re-Approvals with Conditions for: Site Plan;
Wetland Permit; and Steep Slope and Erosion Control Permit for Putnam Nursing &
Rehabilitation Center, TM: 12.-3-40 & 41**

Whereas, the Town of Kent Planning Board had received an application from David Schlosser of Schopfer Architects, LLP, for approval of a site plan; erosion control; and wetland permits for the renovation of and addition to an existing nursing home and other improvements to be made on an approximately 10.9-acre developed and partially wooded lot (see tax parcels listed above) as a principal permitted use in the R-80 (One Family Residence) zoning district located at 404 Ludingtonville Road, Holmes, in the Town of Kent, Putnam County, New York; and

Whereas, the project was depicted on a detailed set of site plans, including erosion and sediment control plans, prepared by David Schlosser, RA, Schopfer Architects, LLP, entitled Renovations and Additions, Putnam Nursing and Rehabilitation Center, dated August 23, 2019, last revised November 21, 2019; and prepared by David A. Getz, P.E., Lehman & Getz, PC, entitled Renovations and Additions Putnam Nursing and Rehabilitation Center, dated February 21, 2018, revised October 22, 2019; and a Full EAF, dated October 22, 2019 was submitted; and

Whereas, the proposal also involves Wetland; and Steep Slopes and Erosion Control Permit approvals; and

Whereas, in accordance with the New York State Environmental Quality Review Act ("SEQRA"), the Planning Board took the following actions to initiate review on October 10, 2019:

- classified the proposed action as an Unlisted Action under SEQRA as per 6 NYCRR part 617, sections 617.4 and 617.5;
- declared its intent to serve as Lead Agency in a coordinated review of the Project and circulated a notice of its intent to all other involved and interested agencies; and
- referred the application to the Putnam County Department of Planning, Development and Public Transportation pursuant to Section 239-l, m, and n of the General Municipal Law; and

Whereas, on December 12, 2019, the Town of Kent Planning Board, as lead agency under SEQRA, determined that the proposed action described herein would not have any significant adverse environmental impacts (Determination of Non-significance, or Negative Declaration) and an Environmental Impact Statement would not be required, relying on the following supporting reasons:

1. The proposal will involve land disturbance on a previously developed site. The resulting impervious coverage of the redeveloped site would be about twenty-three percent (22.7%), which complies with the zoning requirement of 30%. Land disturbance and construction activities will occur on just under 2 acres of the 10.9-acre site. Proposed grading, stormwater management practices and erosion and sedimentation control measures will be implemented to manage runoff and potential erosion effects. The site development includes extensive landscaping, which would serve to stabilize the site after construction.
2. The proposed action involves an application for a Wetland Permit from the Town of Kent for disturbance within the adjacent area (buffer) of a wetland. However, no disturbance is proposed within the wetland itself. The proposal includes wetland buffer plantings and preservation of existing meadows as mitigation for disturbance within portions of the adjacent area. Additionally, the limits of disturbance are defined on the site plans with corresponding erosion and sedimentation control measures. An article 24 permit from the New York State Department of Environmental Conservation (NYSDEC) will also be required.

3. The proposed action also involves an application for a Town Erosion Control Permit. The proposed limits of disturbance are defined on the site plans with corresponding erosion and sedimentation control measures.
4. The proposed site plan is consistent with the R-80 zoning district's principal uses; lot and bulk requirements and design standards. The continued institutional use and site redevelopment includes additional landscaping to enhance views of the site from Ludingtonville Road; and

Whereas, that the public hearing for this project, which was originally held on November 14, 2019; and was adjourned and continued to December 12, 2019; and was then closed; and

Whereas, on December 12, 2019, the Town of Kent Planning Board, took the following actions in its approval of the project:

1. Pursuant to Kent Code Chapter 39A, Freshwater Wetlands, granted Wetland Permit approval;
2. Pursuant to Code Chapter 66, Article III, granted Steep Slope and Erosion Control Permit approval;
3. Granted final approval with conditions to the proposed Site plan; wetland permit; and steep slope and erosion control plan approvals, as depicted on the following plans and maps:
 - Partial plan set prepared by David Schlosser, RA, Schopfer Architects, LLP, entitled Renovations and Additions, Putnam Nursing and Rehabilitation Center, dated August 23, 2019, last revised as noted below, including the following:
 - o Sheet T1.0 Title Sheet, revised November 20, 2019; and
 - o Sheet L1.6 Proposed Landscape Plan and Details, revised November 21, 2019; and
 - Partial plan submittal prepared by David A. Getz, P.E., Lehman & Getz, PC, entitled Renovations and Additions Putnam Nursing and Rehabilitation Center, dated February 21, 2018, Erosion and Sediment Control Plan sheet, revised October 22, 2019; and
 - Plans prepared by David Schlosser, RA, Schopfer Architects, LLP, entitled Renovations and Additions, Putnam Nursing and Rehabilitation Center, dated August 23, 2019, last revised October 22, 2019, including the following:
 - o Title Sheet;
 - o Proposed Landscape Plan and Details;
 - o Photometrics Plan; and
 - o Miscellaneous Details.
 - Topographic Survey of Property Situate in the Town of Kent, Putnam County, New York, prepared by Eric J. Link, LS, Link Land Surveyors, P.C., dated July 11, 2013, revised October 15, 2019;
 - Plans prepared by David A. Getz, P.E., Lehman & Getz, PC, entitled Renovations and Additions Putnam Nursing and Rehabilitation Center, dated February 21, 2018, revised October 22, 2019, except as noted below, including the following:
 - o Layout Plan;
 - o Grading and Utility Plan; and
 - o Erosion and Sediment Control Plan; and

Whereas, on December 12, 2019, the Planning Board's site plan; wetland permit; and steep slope and erosion control plan approvals were expressly conditioned on the completion of and the compliance with the conditions numbered 1 through 13 set forth in that resolution; and

Whereas, several submittals were made to address a number of the conditions of the December 12, 2019 approvals and some conditions remain to be addressed; and

Whereas, on December 10, 2020, in response to a written request, the Planning Board granted two 90-day extensions of the December 12, 2019 final approval with conditions to the proposed Site plan; wetland permit; and steep slope and erosion control plan approvals, as depicted on the plans and maps listed above, which extensions would have expired on June 8, 2021; and

Whereas, the Applicant's Architect, David Schlosser of Schopfer Architects, sent an email on April 16, 2021, with an attached letter dated April 15, 2021 requesting a re-approval of the previously extended December 12, 2019 approvals noting difficulties in proceeding "... Due to the pandemic, NYS Department of Health has placed an unofficial moratorium on nursing home expansions until all COVID transmission and resident occupancy issues get back to normal. ... "; and

Whereas, the Planning Board is considering the requested reapproval now since the previously granted two 90-day extensions of the December 12, 2019 final approval with conditions would have expired on June 8, 2021, 2 days before the Planning Board's regular meeting on June 10, 2021;

Now Therefore Be It Resolved, that the Planning Board is mindful of the stated reasons for delays in fulfilling the conditions; and understands that there have not been any project changes since the December 12, 2019 approvals with conditions were granted; or since the December 10, 2020 extensions were granted; and

Be It Further Resolved, that the December 12, 2019 approvals indicated that the site plan approval may be renewed by written request of the applicant for up to two additional ninety-day periods, two 90-day extensions (180 days), which extensions were granted on December 10, 2020; and a condition of the extensions in 2020 indicated that an application may be submitted to the Planning Board for renewed approvals;

Be It Further Resolved, that pursuant to Kent Code Chapter 39A, Freshwater Wetlands the Planning Board hereby grants re-approval, noting the previously granted two 90-day extensions of the December 12, 2019 Wetland Permit approval, granted on December 10, 2020, would have expired on June 8, 2021; and

Be It Further Resolved, that pursuant to Kent Code Chapter 66, Article III the Planning Board hereby grants re-approval, noting the previously granted two 90-day extensions of the December 12, 2019 Steep Slope and Erosion Control Permit approval, granted on December 10, 2020, would have expired on June 8, 2021; and

Be It Further Resolved, that the Planning Board hereby grants re-approval with conditions, to the proposed Site plan; wetland permit; and steep slope and erosion control plan approvals, as depicted on the plans and maps listed above, noting the previously granted two 90-day extensions of the December 12, 2019 final approval with conditions, granted on December 10, 2020, would have expired on June 8, 2021; and

Be It Further Resolved, that the Planning Board grants the above-described re-approvals with conditions, effective and running forward from June 8, 2021, so that any future expiration would occur one year from June 8, 2021, noting the previously granted two 90-day extensions of the December 12, 2019 final approval with conditions, granted on December 10, 2020, would have expired on June 8, 2021; and

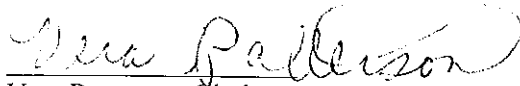
Be It Further Resolved, that these extended site plan; wetland permit; and steep slope and erosion control plan approvals are expressly conditioned on the completion of and the compliance with the following:

1. Address the comments of the Planning Board's Professional Engineer as set forth in a memorandum dated December 11, 2019.
2. Address the comments of the Planning Board's Environmental Consultant as set forth in a memorandum dated December 9, 2019.
3. Address the comments of the Planning Board's Planning Consultant as set forth in a memorandum dated December 5, 2019.
4. Obtain the approval of the Planning Board's Consulting Professional Engineer in regard to the final Steep Slope and Erosion Control Permit plan.
5. Obtain all required approvals from the New York City Department of Environmental Protection.
6. Obtain any and all required approvals from the Putnam County Highways and Facilities.
7. Obtain the approval of the Article 24 permit from the NYSDEC.
8. Certification by the Planning Board's Attorney that the forthcoming easements and agreements, noted in the above review memorandums, are acceptable as to form and sufficiency, including but not limited to:
 - a. Stormwater management facility maintenance agreements; access easements and agreements; and bond documents with the Town; and
 - b. Deed amendments to include reciprocal cross easements and access rights of way for the two separate parcels that make up the project site, including the Applicant's submitted draft declaration of easement, which describes an easement for use for construction; maintenance; and access, which would address certain aspects of the combined use of 2 lots as a single land development.
9. Approval of the amount of the performance bond or security for the Steep Slope and Erosion Control Permit required per Kent Code section 66-6 D.(4) by the Planning Board's Consulting Professional Engineer; approval of the form of the bond or security by the Planning Board Attorney; and acceptance of the bond or security by the Town Board.
10. Payment of an inspection fee for the Steep Slope and Erosion Control Permit.

11. Payment of all consultant fees accrued by the Planning Board to review the project plans and the application.
12. The conditional site plan reapproval shall be void if construction is not started within one year of the date of Planning Board approval; and completed within two years of the date of such approval. Said conditional approval shall thereafter expire unless otherwise extended by the Planning Board after receipt of a written request of the applicant prior to the date of expiration. The site plan approval may be renewed by written request of the applicant for up to two additional ninety-day periods.
13. It is the responsibility of the application/project sponsor to submit to the Town Planning Board proof that each of the conditions of this Site Plan Approval; Wetland Permit; and Steep Slope and Erosion Control permit approvals have been completed; and the signature of the Planning Board Chairman shall be withheld pending receipt of a written memorandum from the Planning Board's Planning Consultant verifying that each of the conditions of this approval have been completed. The final drawings shall not be accepted by the Planning Board without submission of proof of completion.

Motion:	<u>Dennis Lowes</u>
Second:	<u>Simon Carey</u>
Phil Tolmach, Chairman	<u>Aye</u>
Dennis Lowes, Vice Chairman	<u>Aye</u>
Simon Carey	<u>Aye</u>
Giancarlo Gattucci	<u>Aye</u>
Hugo German	<u>Aye</u>
Charles Sisto	<u>Absent</u>
Stephen Wilhelm	<u>Aye</u>

I certify that the above resolution was adopted by the Town of Kent Planning Board at a meeting of the Board held on May 13, 2021.



Vera Patterson, Clerk
Town of Kent Planning Board

FINAL ADOPTED RESOLUTION
PUTNAM NURSING & REHABILITATION CENTER

May 13, 2021

**Town of Kent Planning Board Resolution of Re-Approvals with Conditions for:
Site Plan; Wetland Permit; and Steep Slope and Erosion Control Permit for
Putnam Nursing & Rehabilitation Center
TM: 12.-3-40 & 41**

Whereas, the Town of Kent Planning Board had received an application from David Schlosser of Schopfer Architects, LLP, for approval of a site plan; erosion control; and wetland permits for the renovation of and addition to an existing nursing home and other improvements to be made on an approximately 10.9-acre developed and partially wooded lot (see tax parcels listed above) as a principal permitted use in the R-80 (One Family Residence) zoning district located at 404 Ludingtonville Road, Holmes, in the Town of Kent, Putnam County, New York; and

Whereas, the project was depicted on a detailed set of site plans, including erosion and sediment control plans, prepared by David Schlosser, RA, Schopfer Architects, LLP, entitled Renovations and Additions, Putnam Nursing and Rehabilitation Center, dated August 23, 2019, last revised November 21, 2019; and prepared by David A. Getz, P.E., Lehman & Getz, PC, entitled Renovations and Additions Putnam Nursing and Rehabilitation Center, dated February 21, 2018, revised October 22, 2019; and a Full EAF, dated October 22, 2019 was submitted; and

Whereas, the proposal also involves Wetland; and Steep Slopes and Erosion Control Permit approvals; and

Whereas, in accordance with the New York State Environmental Quality Review Act ("SEQRA"), the Planning Board took the following actions to initiate review on October 10, 2019:

- classified the proposed action as an Unlisted Action under SEQRA as per 6 NYCRR part 617, sections 617.4 and 617.5;
- declared its intent to serve as Lead Agency in a coordinated review of the Project and circulated a notice of its intent to all other involved and interested agencies; and
- referred the application to the Putnam County Department of Planning, Development and Public Transportation pursuant to Section 239-l, m, and n of the General Municipal Law; and

Whereas, on December 12, 2019, the Town of Kent Planning Board, as lead agency under SEQRA, determined that the proposed action described herein would not have any significant adverse environmental impacts (Determination of Non-significance, or Negative Declaration) and an Environmental Impact Statement would not be required, relying on the following supporting reasons:

1. The proposal will involve land disturbance on a previously developed site. The resulting impervious coverage of the redeveloped site would be about twenty-three percent (22.7%), which complies with the zoning requirement of 30%. Land disturbance and construction activities will occur on just under 2 acres of the 10.9-acre site. Proposed grading, stormwater management practices and erosion and sedimentation control measures will be implemented to manage runoff and potential erosion effects. The site development includes extensive landscaping, which would serve to stabilize the site after construction.

2. The proposed action involves an application for a Wetland Permit from the Town of Kent for disturbance within the adjacent area (buffer) of a wetland. However, no disturbance is proposed within the wetland itself. The proposal includes wetland buffer plantings and preservation of existing meadows as mitigation for disturbance within portions of the adjacent area. Additionally, the limits of disturbance are defined on the site plans with corresponding erosion and sedimentation control measures. An article 24 permit from the New York State Department of Environmental Conservation (NYSDEC) will also be required.
3. The proposed action also involves an application for a Town Erosion Control Permit. The proposed limits of disturbance are defined on the site plans with corresponding erosion and sedimentation control measures.
4. The proposed site plan is consistent with the R-80 zoning district's principal uses; lot and bulk requirements and design standards. The continued institutional use and site redevelopment includes additional landscaping to enhance views of the site from Ludingtonville Road; and

Whereas, that the public hearing for this project, which was originally held on November 14, 2019; and was adjourned and continued to December 12, 2019; and was then closed; and

Whereas, on December 12, 2019, the Town of Kent Planning Board, took the following actions in its approval of the project:

1. Pursuant to Kent Code Chapter 39A, Freshwater Wetlands, granted Wetland Permit approval;
2. Pursuant to Code Chapter 66, Article III, granted Steep Slope and Erosion Control Permit approval;
3. Granted final approval with conditions to the proposed Site plan; wetland permit; and steep slope and erosion control plan approvals, as depicted on the following plans and maps:
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 - o Layout Plan;
 - o Grading and Utility Plan; and
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Whereas, on December 12, 2019, the Planning Board's site plan; wetland permit; and steep slope and erosion control plan approvals were expressly conditioned on the completion of and the compliance with the conditions numbered 1 through 13 set forth in that resolution; and

Whereas, several submittals were made to address a number of the conditions of the December 12, 2019 approvals and some conditions remain to be addressed; and

Whereas, on December 10, 2020, in response to a written request, the Planning Board granted two 90-day extensions of the December 12, 2019 final approval with conditions to the proposed Site plan; wetland permit; and steep slope and erosion control plan approvals, as depicted on the plans and maps listed above, which extensions would have expired on June 8, 2021; and

Whereas, the Applicant's Architect, David Schlosser of Schopfer Architects, sent an email on April 16, 2021, with an attached letter dated April 15, 2021 requesting a re-approval of the previously extended December 12, 2019 approvals noting difficulties in proceeding "... Due to the pandemic, NYS Department of Health has placed an unofficial moratorium on nursing home expansions until all COVID transmission and resident occupancy issues get back to normal. ... "; and

Whereas, the Planning Board is considering the requested reapproval now since the previously granted two 90-day extensions of the December 12, 2019 final approval with conditions would have expired on June 8, 2021, 2 days before the Planning Board's regular meeting on June 10, 2021;

Now Therefore **Be It Resolved**, that the Planning Board is mindful of the stated reasons for delays in fulfilling the conditions; and understands that there have not been any project changes since the December 12, 2019 approvals with conditions were granted; or since the December 10, 2020 extensions were granted; and

Be It Further Resolved, that the December 12, 2019 approvals indicated that the site plan approval may be renewed by written request of the applicant for up to two additional ninety-day periods, two 90-day extensions (180 days), which extensions were granted on December 10, 2020; and a condition of the extensions in 2020 indicated that an application may be submitted to the Planning Board for renewed approvals;

Be It Further Resolved, that pursuant to Kent Code Chapter 39A, Freshwater Wetlands the Planning Board hereby grants re-approval, noting the previously granted two 90-day extensions of the December 12, 2019 Wetland Permit approval, granted on December 10, 2020, would have expired on June 8, 2021; and

Be It Further Resolved, that pursuant to Kent Code Chapter 66, Article III the Planning Board hereby grants re-approval, noting the previously granted two 90-day extensions of the December 12, 2019 Steep Slope and Erosion Control Permit approval, granted on December 10, 2020, would have expired on June 8, 2021; and

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1. Address the comments of the Planning Board's Professional Engineer as set forth in a memorandum dated December 11, 2019.
2. Address the comments of the Planning Board's Environmental Consultant as set forth in a memorandum dated December 9, 2019.

3. Address the comments of the Planning Board's Planning Consultant as set forth in a memorandum dated December 5, 2019.
4. Obtain the approval of the Planning Board's Consulting Professional Engineer in regard to the final Steep Slope and Erosion Control Permit plan.
5. Obtain all required approvals from the New York City Department of Environmental Protection.
6. Obtain any and all required approvals from the Putnam County Highways and Facilities.
7. Obtain the approval of the Article 24 permit from the NYSDEC.
8. Certification by the Planning Board's Attorney that the forthcoming easements and agreements, noted in the above review memorandums, are acceptable as to form and sufficiency, including but not limited to:
 - a. Stormwater management facility maintenance agreements; access easements and agreements; and bond documents with the Town; and
 - b. Deed amendments to include reciprocal cross easements and access rights of way for the two separate parcels that make up the project site, including the Applicant's submitted draft declaration of easement, which describes an easement for use for construction; maintenance; and access, which would address certain aspects of the combined use of 2 lots as a single land development.
9. Approval of the amount of the performance bond or security for the Steep Slope and Erosion Control Permit required per Kent Code section 66-6 D.(4) by the Planning Board's Consulting Professional Engineer; approval of the form of the bond or security by the Planning Board Attorney; and acceptance of the bond or security by the Town Board.
10. Payment of an inspection fee for the Steep Slope and Erosion Control Permit.
11. Payment of all consultant fees accrued by the Planning Board to review the project plans and the application.
12. The conditional site plan reapproval shall be void if construction is not started within one year of the date of Planning Board approval; and completed within two years of the date of such approval. Said conditional approval shall thereafter expire unless otherwise extended by the Planning Board after receipt of a written request of the applicant prior to the date of expiration. The site plan approval may be renewed by written request of the applicant for up to two additional ninety-day periods.

13. It is the responsibility of the application/project sponsor to submit to the Town Planning Board proof that each of the conditions of this Site Plan Approval; Wetland Permit; and Steep Slope and Erosion Control permit approvals have been completed; and the signature of the Planning Board Chairman shall be withheld pending receipt of a written memorandum from the Planning Board's Planning Consultant verifying that each of the conditions of this approval have been completed. The final drawings shall not be accepted by the Planning Board without submission of proof of completion.

Motion:	<u>Dennis Lowes</u>
Second:	<u>Simon Carey</u>
Phil Tolmach, Chairman	<u>Aye</u>
Dennis Lowes, Vice Chairman	<u>Aye</u>
Simon Carey	<u>Aye</u>
Giancarlo Gattucci	<u>Aye</u>
Hugo German	<u>Aye</u>
Charles Sisto	<u>Absent</u>
Stephen Wilhelm	<u>Aye</u>

I certify that the above resolution was adopted by the Town of Kent Planning Board at a meeting of the Board held on May 13, 2021.







Vera Patterson, Clerk
Town of Kent Planning Board

« Reply all ▾  Delete  Junk Block ...

Re: Town of Kent Planning Board Agenda with Zoom information

TD Tahra Delfin <tahradelfin@gmail.com>
Tue 4/20/2021 12:28 PM
To: Planning Kent
Cc: Daniel Delfin <delfindaniel2001@gmail.com>

    ...

TOWN OF KENT NOTICE

THIS EMAIL IS FROM AN EXTERNAL SENDER!

DO NOT click links, DO NOT open attachments, DO NOT forward if you were not expecting this email or if it seems suspicious in any way! REMEMBER: NEVER provide your user ID or password to anyone for any reason!

Hi Vera,

This is follow up to our call this morning (4/20/21). Please let me know if there is any money to be refunded from the Board Approval Process. We provided a \$500 check. Also, this confirms that we can go ahead and print the storefront sign. Thank you so much!

With gratitude,

Tahra

Tahra Delfin

DELFIN STUDIOS LLC

531 Route 52, Suite 3
Carmel, NY 10512

M: 646-361-8047

E: tahradelfin@gmail.com

[Website](#)

On Fri, Mar 19, 2021 at 10:06 AM Tahra Delfin <tahradelfin@gmail.com> wrote:

This is excellent news. Please let me know the next steps and when we are able to send our sign to the printer. Also you asked me to remind you about a potential refund on a percentage of the \$500.

With gratitude,

Tahra

On Tue, Mar 16, 2021 at 11:38 AM Planning Kent <planningkent@townofkentny.gov> wrote:

The sign was approved at the March meeting.

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

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

Resolution #6
Year 2021

Date: March 11, 2021
From: The Kent Planning Board
To: Tahra Delfin
CC:

Re: **Delfin Studios LLC, 531 Route 52, Kent, NY; TM: 33.48-1-6**
Approval of sign pertaining to the business

This application was for approval of a sign for this project. The dimensions of the sign were in compliance with the code.

Ms. Axelson recommended that the Planning Board approve this application.

Mr. Tolmach asked for a motion to approve this request for approval of the sign for this project. 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	<u>Aye</u>
Simon Carey	<u>Aye</u>
Giancarlo Gattucci	<u>Aye</u>
Hugo German	<u>Aye</u>
Charles Sisto	<u>Absent</u>
Stephen Wilhelm	<u>Absent</u>

The motion carried.

Resolved: On March 11, 2021 Kent Planning Board reviewed material pertaining to the recommendation noted above (attached) and agreed that it was appropriate to approve the sign as requested by the applicant.

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 March 11, 2021.



Vera Patterson
Planning Board Secretary

Dated: March 12, 2021

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

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

Memorandum

DATE: April 15, 2021
TO: Finance Dept.
CC: tahradelfin@gmail.com
FROM: Vera Patterson
RE: Delfin Studios LLC
TM: 33.48-1-6

Please process the attached invoices from the review account for the property noted above.

Attached is a summary of the review account.

Date	INVOICE #	VOUCHER NAME	AMOUNT	COMMENTS
03/24/21	Billing Period: 02/01-21 – 02/28/21	CPL Invoice: 74297	\$ 58.75	See attached bill for breakdown \$ 58.75 Total Labor: \$ 58.75 Total Reimbursables: \$ 0.00 Total Amount Due: \$ 58.75

Delfin Studios LLLC

TM: 33.48-1-6

Date		Deposits	Fees	Balance
02/25/21	Bk of America #008 change of use app	150.00		
02/25/21	Bk of America #009 Review/Escrow	500.00		500.00
04/15/21	CPL 74297		(58.75)	441.25

25 Sybil's Crossing
Kent Lakes, NY 10512

DO NOT WRITE IN THIS BOX

Claimant's
Name And
Address

Tax I.D. # 16-1283651

AUDITING BOARD



CPL
ARCHITECTURE
ENGINEERING
PLANNING
CPLteam.com

Invoice

March 24, 2021

Project No: 15998.00

Invoice No: 74297

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

2021 Planning Board Services

Professional Services for the period ending March 12, 2021

Phase 00004 Delfin Studios Sign

Tax ID # 33.48-1-6

Professional Personnel

	Hours	Rate	Amount
Axelsson, Elizabeth 3/12/2021	.50	117.50	58.75
3/4/21 Prep fr/Attend Plang Bd Wkshp Zoom mtg;			
Totals	.50		58.75
Total Labor			58.75

Total this Invoice \$58.75

Peter Setaro, PE

9 Elks Lane | Poughkeepsie, NY 12601 | 845.454.3411 | cplteam.com

Please remit payment to our corporate office at 205 St. Paul St. Suite 500, Rochester, NY 14604

*** PLEASE REFERENCE INVOICE NUMBER ON PAYMENT ***