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RE: Chen_Shin RSA memo for Mar mtg re Bond Release

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- ① Retention: Junk Email (30 days) Expires: Sat 3/26/2022 12:20 PM

J **jandrews@rsaengrs.com**
 Thu 2/24/2022 11:20 AM
 To: Planning Kent



TOWN OF KENT NOTICE

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 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!

Thanks

John

From: Planning Kent <planningkent@townofkentny.gov>
Sent: Thursday, February 24, 2022 11:10 AM
To: Kent Planning Board Consultants 2022
 <kentplanningboardconsultants2019@townofkentny.gov>; Building Inspector
 <buildinginspector@townofkentny.gov>; Planning Kent <planningkent@townofkentny.gov>;
 dinothecat@yahoo.com; gattucci76@gmail.com; spmcarey@gmail.com; spwilhelm@gmail.com;
 Sabrina Cruz <scruz1211@gmail.com>; dmlls@verizon.net; Jacky Beshar <jbeshar@gmail.com>; Phil
 Tolmach <bestscapes1@hotmail.com>
Cc: Christopher Ruthven <cruthven@townofkentny.gov>; Eileen Shin <eileenjshin@yahoo.com>;
 john karell <jack4911@yahoo.com>
Subject: Chen_Shin RSA memo for Mar mtg re Bond Release

Please find supporting documentation for releasing the bonds for this project, as noted in John Andrews' memo (attached).

This is on the March agenda.

Thanks very much.

Vera Patterson

Town of Kent

Planning Board Secretary

⏮ Reply all ▾ 🗑 Delete 🗑 Junk 🚫 Block sender ⋮

FYI

LC

Lana Cappelli

Wed 3/16/2022 10:06 AM

To: Planning Kent;Accountant



Resolution #149 - Accepting & Releasing Erosion Control Surety Bond & Escrow for Inspection Fee

On a motion by Councilwoman Campbell

Seconded by Councilman Ruthven

WHEREAS, the Planning Board, by Resolution #4 of the Year 2022, dated March 10, 2022, has recommended that the Town Board release: (i) an Erosion Control Bond in the amount of \$1,760; (ii) release a Wetland Mitigation bond in the amount of \$2,000; and (iii) release the final inspection fees in the amount of \$1,000 to the owner of the property located at Gipsy Trail Road, Carmel, New York 10512 as shown on the Town of Kent Tax Map as 32.06-1-1; and

WHEREAS, the Planning Board, by Resolution #6 of the Year 2022, dated February 15, 2022, has recommended that the Town Board release an Erosion Control Bond in the amount of \$7,730 to the owner of the property located at Tibet Drive, Kent, New York as shown on the Town of Kent Tax Map as 30.20-1-15; and

WHEREAS, the Planning Board, by Resolution #5 of the Year 2022, dated March 10, 2022, has recommended that the Town Board accept: (i) an Erosion Control Bond in the amount of \$3,700; and (ii) accept an escrow for inspection fees in the amount of \$1,000 from the owner of the property located at 8 Cat Brier Road, Carmel, New York 10512 as shown on the Town of Kent Tax Map as 21.19-1-10; and

WHEREAS, the Town Board wishes to accept the recommendations as set forth in Planning Board Resolution Nos. 4, 5 and 6 of the Year 2022.

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Kent hereby accepts the recommendations of the Planning Board as further detailed above.

Motion carried unanimously

Yolanda "Lana" Cappelli

Town Clerk

Town of Kent

25 Sybil's Crossing

Kent Lakes, New York 10512

845-225-2067 Telephone

845-306-5282 Fax

lcappelli@townofkentny.gov

Reply | Reply all | Forward

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 #4
Year 2022

Date: March 10, 2022
From: The Kent Planning Board
To: The Kent Town Board
CC: A. Brandihall
L. Cappelli
Y. Kelly
Re: **Recommendation to Release an Erosion Control Bond and Final Inspection Fee
Pertaining to:
The Chen Shin Property - TM: 22.06-1-1
Gipsy Trail Road
Kent, NY 10512**

Please find attached supporting documentation for an Erosion Control Bond Agreement in the amount of \$1,760.00 and a final Inspection Fee in the amount of \$1,000.00 and a Wetland Mitigation bond in the amount of \$2,000.00 for the above mentioned property submitted in October of 2019.

Resolved: On March 10, 2022 the Kent Planning Board reviewed material pertaining to the recommendation noted above and agreed that it was appropriate to Release the bonds noted above and to forward this recommendation to the Town Board for their action.

Mr. Tolmach asked for a motion to release the above mentioned Erosion Control Bond in the amount of \$1,760.00 and a Wetland Mitigation Bond in the amount of \$2,000.00 and return it to the applicants. The motion was made by Giancarlo Gattucci and seconded by Stephen Wilhelm. Following were the roll call votes:

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

The motion carried.

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 10, 2022.

Dated: March 10, 2022



Vera Patterson
Planning Board Secretary



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

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

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

Memorandum

To: Planning Board
Town of Kent

Attn: Philip Tolmach
Chairman

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

Subject: Final Closeout

Date: February 17, 2022

Project: Chen and Shin, Gipsy Trail
TM # 32.6-1-1

We received and reviewed the following materials:

- Construction Certification dated August 26, 2021, from John Karell, Jr., P.E. to the Town of Kent Planning Department
- As Built Survey of Property prepared for Eileen J. Shin dated August 10, 2021 prepared by David L. Odell, P.L.S.
- Notice of Termination (NOT) executed by the Engineer and the Owner, last dated August 26, 2021 reflecting a final stabilization date of August 10, 2021

Copies are attached hereto for your convenience.

This project required a Town of Kent Erosion & Sediment Control Permit, coverage under NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity, GP-0-15-002 and a Wetland Permit. The Building Inspector issued a Certificate of Occupancy for the project September 23, 2021. It appears, based on a review of the record, that this project has been completed for some time, but the Erosion Control Permit and the Wetland Permit have never been formally closed.

The following is offered for consideration by the Planning Board:

1. Stabilization Inspection:

A review of the record indicates that the last inspection by us together with Bruce Barber, the Town environmental consultant and Bill Walters the Building Inspector was conducted on November 24, 2020. At that time, construction of the new structure was well underway. The overall area was generally stabilized but for the area immediately adjacent to the house. No follow up inspection was requested or conducted by us prior to issuance of the Certificate of Occupancy(CO).

Based on issuance of the CO and the receipt of the fully executed NOT from the applicant, the previously disturbed areas are now considered fully stabilized in accordance with current NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity Permit No. GP-0-20-001.

2. Notice of Termination (NOT):

Submitting the completed NOT (including completed MS4 sign-off on Page 2) to NYSDEC will close-out coverage under NYSDEC GP-0-20-001 and the Town of Kent Erosion Control Permit. Having the 'Qualified Professional' sign the Notice of Termination fulfills the requirement per Town of Kent Town Code, Chapter 66, §66-6.K(5) for a certification of completion of work.

As noted above, a NYSDEC Notice of Termination (NOT) form was submitted by the applicant to the Town. The 'Qualified Professional' signed the NOT to fulfill the requirements of §66-6.K(5).

3. Erosion Control /Wetland Mitigation Bond:

A combined erosion control bond in the amount of \$1760.00 and a wetland mitigation bond in the amount of \$2000.00 was accepted by the Planning Board and subsequently accepted by the Town Board.

A properly completed Notice of Termination marks the date the project achieves final stabilization and serves as the final acceptance of the completed work under the Erosion Control Permit. A certificate of completion issued by the Town Engineer serves as the final closeout for the Wetland Permit.

Per Chapter 66, §66-7.A(2) regarding return of the erosion control bond: "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..."

The two-year period begins on the date that the site achieves final stabilization. A properly completed Notice of Termination marks that date and serves as the final acceptance of the completed work.

For other single-family home projects, the Planning Board has reduced the waiting period for bond return so long as the vegetation survives at least one winter. Based on site inspection conducted on November 24, 2020, and a CO issuance date of September 23, 2021, we recommend that the Planning Board consider the full release of the erosion control and wetland mitigation bond held for this project. All vegetation survived one (1) full winter.

4. Permit Close-out

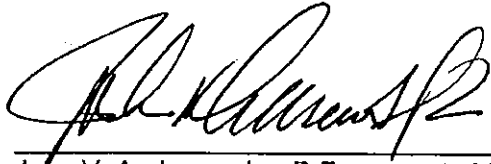
Based on the stabilization inspection conducted on May 18, 2021, attached hereto is the fully executed Notice of Termination. The Erosion Control permit is now considered closeout.

In reliance on the Construction Certification provided by the Project Engineer, written correspondence from Bruce Barber, the town environmental consultant, dated February 17,

Memorandum
Chen and Shin – Final Closeout
TM # 32.6-1-1
February 17, 2022
Page 3 of 3

2022 and on the receipt of a properly executed NOT signed by both the Owner and the Engineer, we hereby issue this Certification of Completion in the matter of the wetland permit for this project satisfying the requirements contained in Chapter 39A, §39A-9C, closing out the Wetland Permit issued for this project.

Please let us know if you have any questions.



John V. Andrews, Jr., P.E. 2.17.2022

Attachments:

- Construction Certification dated August 26, 2021, from John Karell, Jr., P.E. to the Town of Kent Planning Department
- As Built Survey of Property prepared for Eileen J. Shin dated August 10, 2021 prepared by David L. Odell, P.L.S.
- Notice of Termination (NOT) fully executed including MS4 Acceptance, February 17, 2022

cc: Planning Board via email
Bill Walters via email
19-261-999-167

Bruce Barber via email
Liz Axelson via email



New York State Department of Environmental Conservation
Division of Water

625 Broadway, 4th Floor

Albany, New York 12233-3505

(NOTE: Submit completed form to address above)

NOTICE OF TERMINATION for Storm Water Discharges Authorized
under the SPDES General Permit for Construction Activity

Please indicate your permit identification number: NYR 11H399

I. Owner or Operator Information

1. Owner/Operator Name: ROGER CHEN & EILEEN SHIN

2. Street Address: 31 FRIEND LANE

3. City/State/Zip: CARMEL, NY, 10512 (KENT CT)

4. Contact Person: ROGER CHEN & EILEEN SHIN 4a. Telephone: 917 570 5724

5. Contact Person E-Mail: EILEENJS@YAHOO.COM

II. Project Site Information

5. Project/Site Name: CHEN & SHIN HOUSE

6. Street Address: 31 FRIEND LANE

7. City/Zip: CARMEL, NY, 10512

8. County: PUTNAM

III. Reason for Termination

9a. ☒ All disturbed areas have achieved final stabilization in accordance with the general permit and SWPPP.
*Date final stabilization completed (month/year): 8/10/2021

9b. ☐ Permit coverage has been transferred to new owner/operator. Indicate new owner/operator's permit identification number: NYR _____
(Note: Permit coverage can not be terminated by owner identified in I.1. above until new owner/operator obtains coverage under the general permit)

9c. ☐ Other (Explain on Page 2)

IV. Final Site Information:

10a. Did this construction activity require the development of a SWPPP that includes post-construction stormwater management practices? yes ☒ no (If no, go to question 10c.)

10b. Have all post-construction stormwater management practices included in the final SWPPP been constructed? yes ☐ no (If no, explain on Page 2)

10c. Identify the entity responsible for long-term operation and maintenance of practice(s)?

2.17.2022

NOTICE OF TERMINATION for Storm Water Discharges Authorized under the
SPDFS General Permit for Construction Activity - continued

10d. Has the entity responsible for long-term operation and maintenance been given a copy of the operation and maintenance plan required by the general permit? ☒ yes ☐ no

10e. Indicate the method used to ensure long-term operation and maintenance of the post-construction stormwater management practice(s):

- ☐ Post-construction stormwater management practice(s) and any right-of-way(s) needed to maintain practice(s) have been deeded to the municipality.
- ☐ Executed maintenance agreement is in place with the municipality that will maintain the post-construction stormwater management practice(s).
- ☐ For post-construction stormwater management practices that are privately owned, the deed of record has been modified to include a deed covenant that requires operation and maintenance of the practice(s) in accordance with the operation and maintenance plan.
- ☐ For post-construction stormwater management practices that are owned by a public or private institution (e.g. school, college, university), or government agency or authority, policy and procedures are in place that ensures operation and maintenance of the practice(s) in accordance with the operation and maintenance plan.

10f. Provide the total area of impervious surface (i.e. roof, pavement, concrete, gravel, etc.) constructed within the disturbance area? _____ (acres)

11. Is this project subject to the requirements of a regulated, traditional land use control MS4? ☒ yes ☐ no
(If Yes, complete section VI - "MS4 Acceptance" statement)

V. Additional Information/Explanation:
(Use this section to answer questions 9c. and 10b., if applicable)

VI. MS4 Acceptance - MS4 Official (principal executive officer or ranking elected official) or Duty Authorized Representative (Note: Not required when 9b. is checked -transfer of coverage)

I have determined that it is acceptable for the owner or operator of the construction project identified in question 5 to submit the Notice of Termination at this time.

Printed Name: John W. Andrews, Jr., P.E.

Title/Position: ENGINEER TO THE PLANNING BOARD

Signature: [Signature]

Date: 2.17.2021

TAX MAP # 32.6-1-1

NOTICE OF TERMINATION for Storm Water Discharges Authorized under the
SPDES General Permit for Construction Activity - continued

VII. Qualified Inspector Certification - Final Stabilization:

I hereby certify that all disturbed areas have achieved final stabilization as defined in the current version of the general permit, and that all temporary, structural erosion and sediment control measures have been removed. Furthermore, I understand that certifying false, incorrect or inaccurate information is a violation of the referenced permit and the laws of the State of New York and could subject me to criminal, civil and/or administrative proceedings.

Printed Name: JOHN KARELL, JR., P.E.

Title/Position: ENGINEER

Signature: [Signature]

Date: 8/21/2021

VIII. Qualified Inspector Certification - Post-construction Stormwater Management Practice(s):

I hereby certify that all post-construction stormwater management practices have been constructed in conformance with the SWPPP. Furthermore, I understand that certifying false, incorrect or inaccurate information is a violation of the referenced permit and the laws of the State of New York and could subject me to criminal, civil and/or administrative proceedings.

Printed Name:

Title/Position:

Signature:

Date:

IX. Owner or Operator Certification

I hereby certify that this document was prepared by me or under my direction or supervision. My determination, based upon my inquiry of the person(s) who managed the construction activity, or those persons directly responsible for gathering the information, is that the information provided in this document is true, accurate and complete. Furthermore, I understand that certifying false, incorrect or inaccurate information is a violation of the referenced permit and the laws of the State of New York and could subject me to criminal, civil and/or administrative proceedings.

Printed Name: Eileen J. SHIN

Roger G. Chen

Title/Position: Co-Owner

Co-Owner

Signature: [Signature]

Date: 8-26-21

7.17.2022
[Signature]

© 2001 Copyright by
Land Surveying Company
275 Carleton Road
Pawnee, WY 82743
(406) 238-0044

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

August 26, 2021

Town of Kent Planning Board
Town Hall
Carmel, NY, 10512

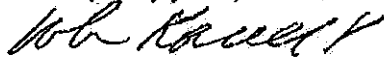
Re: Construction Compliance
SHIN, 31 FRIEND LANE
TM # 32.6-1-1; Kent (T)

Gentlemen:

Please be advised that I have inspected the completed works on the above captioned property and determined that the work was completed and stabilized in accordance with the approved plans.

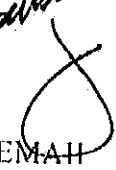
The attached plan prepared by David Odell, L.S., field survey performed July 20, 2021 map prepared August 10, 2021 accurately reflects the as built condition..

Very truly yours,



John Karell, Jr., P.E.



2.17.2022
CERTIFICATION OF
ENGINEER
Approved AS submitted

RECEIVED VIA EMAIL

FEB 17 2022

ROHDE, SOYKA & ANDREW
CONSULTING ENGINEERS

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 # 18
Year 2019

Date: October 18, 2019
From: The Kent Planning Board
To: The Kent Town Board:
Maureen Fleming, Supervisor - w/Att
Bill Huestis, Deputy Supervisor
Paul Denbaum
Jaimie McGlasson
Chris Ruthven
CC: W. Walters, Building Inspector - w/Att T. Harrison - w/Att.
L. Cappelli, Town Clerk - w/Att Finance Department - w/Att.
Re: **Accepting Erosion Control Bond & Wetland Mitigation Plan from:**
Roger Chen & Eileen Shin
220 Riverside Blvd. - Apt. 3H
New York, NY 10069
For Property located at:
31 Friend Lane
Kent, NY 10512
TM: 32.06-1-1

Resolved: On October 10, 2019 the Kent Planning Board reviewed material pertaining to the recommendation noted above and agreed that it was appropriate to forward it to the Town Board for their action.

Mr. Tolmach asked for a motion to forward this recommendation to the Kent Town Board to take the above action. The motion was made by Simon Carey and seconded by Stephen Wilhelm. The roll call vote was as follows:


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

The motion carried.

The Planning Board respectfully asks that, if the Town Board is in agreement, they accept this Wetland Mitigation Plan in the amount of \$2,000.00; Erosion Control Bond in the amount of \$1,760.00; and Inspection Fee in the amount of \$1,000.00.

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 October 10, 2019.

Dated: October 18, 2019


Vera Patterson
Planning Board Secretary

EILEEN J SHIN
220 RIVERSIDE BLVD. APT 3H
NEW YORK, NY 10069

1-2/210

683

DATE Oct. 17, 2019

PAY TO THE
ORDER OF

Town of Kent
One thousand and ^{no}100

\$ 1,000.00

DOLLARS

CHASE

JPMorgan Chase Bank, N.A.
www.Chase.com

MEMO

inspection fee

Eileen Jh

⑆021000021⑆

79396071710683

EILEEN J SHIN
220 RIVERSIDE BLVD. APT 3H
NEW YORK, NY 10069

1-2/210

684

DATE Oct. 17, 2019

PAY TO THE
ORDER OF

Town of Kent
One thousand Seven hundred and sixty and ^{no}100

\$ 1,760.00

DOLLARS

CHASE

JPMorgan Chase Bank, N.A.
www.Chase.com

MEMO

EC TM: 32.6-1-1
performance guarantee

Eileen Jh

⑆021000021⑆

79396071710684

EILEEN J SHIN
220 RIVERSIDE BLVD. APT 3H
NEW YORK, NY 10069

1-2/210

685

DATE Oct. 17, 2019

PAY TO THE
ORDER OF

Town of Kent
Two thousand and ^{no}100

\$ 2,000.00

DOLLARS

CHASE

JPMorgan Chase Bank, N.A.
www.Chase.com

MEMO

TM 32.6-1-1
landfill mitigation
in progress

Eileen Jh

⑆021000021⑆

79396071710685

RECEIPT

TOWN OF KENT-PLANNING BOARD
25 SYBILS CROSSING
KENT LAKES, NY 10512
(845) 225-7802

3272

DATE Oct. 18, 2019

RECEIVED FROM

Eileen Shin / Roger Chen\$ 1,000.00

DOLLARS

FOR

Final Inspection TM: 82.6-1-1

AMOUNT OF ACCOUNT

THIS PAYMENT

BALANCE DUE

☐ CASH☒ CHECK☐ M.O.

BY

Eileen Shin

THANK YOU

RECEIPT

TOWN OF KENT-PLANNING BOARD
25 SYBILS CROSSING
KENT LAKES, NY 10512
(845) 225-7802

3273

DATE Oct. 18, 2019

RECEIVED FROM

Eileen Shin / Roger Chen\$ 1,760.00

DOLLARS

FOR

ETC Bond TM: 32.6-1-1

AMOUNT OF ACCOUNT

THIS PAYMENT

BALANCE DUE

☐ CASH☒ CHECK☐ M.O.

BY

Eileen Shin

THANK YOU

RECEIPT

TOWN OF KENT-PLANNING BOARD
25 SYBILS CROSSING
KENT LAKES, NY 10512
(845) 225-7802

3274

DATE Oct. 18, 2019

RECEIVED FROM

Eileen Shin / Roger Chen\$ 2,000.00

DOLLARS

FOR

Wetland Mitigation Plan

AMOUNT OF ACCOUNT

THIS PAYMENT

BALANCE DUE

☐ CASH☒ CHECK☐ M.O.

BY

Eileen Chen

THANK YOU

PERFORMANCE BOND FOR EROSION AND SEDIMENT CONTROL

Roger Chen and Eileen Shin

220 Riverside Blvd, Apt 3H

New York, NY 10069

For Property located at:

31 Friend Lane

Kent, NY 10512

TM: 32.06-1-18-1-9

Bond given by Eileen Shin and David Chen, 220 Riverside Boulevard, Apartment 3H, New York, New York 10069, for property located at 31 Friend Lane, Carmel, NY 10512/Tax Map 32.06-1-1 ("Obligor") to the Town of Kent, a municipal corporation whose Town Hall is located at 25 Sybil's Crossing, Kent Lakes, New York, 10512 ("Obligee"), dated October 18, 2019.

KNOW ALL MEN BY THESE PRESENTS that the Obligor is held and firmly bound unto the Obligee in the sums of: 2,000.00 for Wetland Mitigation to be held for three (3) years; \$1,760.00 for an Erosion Control Bond to be held for two (2) years; and an initial inspection fee deposit of \$1,000.00 for the payment whereof to the Obligee the said Obligor binds itself, its successors and assigns.

WHEREAS, Obligor has obtained the approvals from the Obligee for land disturbance activity, as that term is defined in Town of Kent Town Code Chapter 66 (the "Code"), on certain real property located in the Town of Kent, in connection with which erosion and sedimentation controls ("Controls") are required and the Erosion and Sediment Control Plan documents shall be required in accordance with the Code in effect as of the date of this Bond; and

WHEREAS, in conjunction with such Steep Slope and Erosion Control Permit Applications, the Obligor has submitted to the Obligee, plans and specifications for the demolition of an existing house that was damaged by fire and construction of a single family residence known as the Chen/Shin Property ("Project Plans") and the Erosion and Sediment Control Plan, prepared by John Karell, Jr., P.E., 121 Cushman Road, Patterson, New York 12563. All these plans were reviewed on October 10, 2019 by the Obligee. A Resolution of Approval of land development activity in the nature of a Steep Slope and Erosion Control Permit of plans to construct a single family residence in an R-80 zoning district. The proposed project is within the NYCDEP East of Hudson watershed and will disturb more than 5,000 SF of land. A Town of Kent Erosion & Sediment Control Permit is required as well as coverage under NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity, GP-0-15-002.

WHEREAS, as condition to the issuance and approval of an Erosion Control Permit, the Code requires the owner or applicant, prior to construction, to provide the Obligee with a cash escrow, an irrevocable letter of credit or a certified check drawn upon a national or state bank or other cash equivalent, which guarantees satisfactory completion of the Erosion and Sediment Control Plan, which security shall remain in full force and effect until the Obligor is released from liability by the Town.

WHEREAS, the Planning Board of the Town of Kent has granted the Erosion Control Permit subject to the posting of three checks made out to the Town of Kent, one in the amount of \$1,760.00 as a performance guarantee, \$2,000.00 for wetland mitigation to be deposited into an escrow account pending the completion of the project for which the erosion control measures are necessary; and a third check in the amount of \$1,000.00 as the final inspection fee to be held in escrow and delivered to:

The Kent Planning Board
25 Sybil's Crossing
Kent, NY 10512

No funds may be withdrawn from the said escrow account until a resolution has been duly made by the **Town Board of The Town of Kent**, authorizing such surrender or cashing.

Upon full completion of the work allowed pursuant to the conditions and specifications heretofore imposed by the **Planning Board of The Town of Kent**, the said escrow monies shall be returned to **Roger Chen and Eileen Shin, 220 Riverside Blvd, Apt 3H, New York, NY 10069.**

In the event the erosion control work allowed shall not have been duly completed by **ROGER CHEN AND EILEEN SHIN**, as per the conditions and specifications of the **Planning Board of The Town of Kent**, the **Town Board** shall have the right to withdraw the aforesaid escrow monies and complete the required work for **ROGER CHEN AND EILEEN SHIN**; with full use of said sums as the Town requires;

When the work shall have been fully completed as required by the conditions and specifications of the **Planning Board** either by **ROGER CHEN AND EILEEN SHIN**, or by the **Town of Kent**, the aforesaid escrow monies (\$1,760.00 performance bond, \$2,000.00 wetland mitigation and remaining money left in the final inspection fee account of \$1,000.00) after the work has been completed shall be returned or refunded to **ROGER CHEN AND EILEEN SHIN**;

This bond may not be assigned or transferred without the prior written approval of the **Planning Board and Town Board of The Town of Kent.**

The applicant hereby expressly authorizes the Town of Kent, its agents, employees, engineer or planner to enter upon the Owner's/Applicant's property for the purpose of inspecting the erosion control system installed and the site work being performed in accordance with the approved plans, provided that the Town of Kent provides at least 24 hours notice to **ROGER CHEN AND EILEEN SHIN**;

Dated: Oct. 16, 2019

EILEEN SHIN

By: 

(signature)

(print/type signatory's name)

Eileen Shin

Owner/Obligee, Eileen Shin

(print/type signatory's title)

By: _____

(signature)

ROGER CHEN

(print/type signatory's name)

Roger Chen

Owner/Obligee, Roger Chen

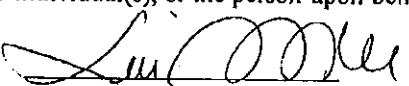
(print/type signatory's title)

STATE OF New York)

) ss.:

COUNTY OF New York)

On the 16th day of October, 2019, before me, the undersigned, a notary public in and for said state, personally appeared Eileen Shin, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is(are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.


NOTARY PUBLIC

LERAI MEEK
Notary Public - State of New York
NO. 01ME6202198
Qualified In Bronx County
My Commission Expires Mar 9, 2021

JOHN KARELL, JR., P.E.
121 CUSHMAN ROAD
PATTERSON, NEW YORK, 12563
845-878-7894 FAX 845 878 4939
jack4211@yahoo.com

October 3, 2019

WAIVER REQUESTS CHEN/ SHIN , 31 FRIEND LANE, KENT (T)
TM # 32.6-1-1

Please be advised that we are requesting the following waivers from the Code of the Town of Kent

1. **Tree plan** - We are not planning on removing any trees and have placed notes on the plan indicating that no trees will be removed beyond the limit of disturbance.
2. **Driveway slope** - Town requirement is 10% it is proposed at 15% and 3% for 30 feet at the house, it is proposed at 5% for 10 feet from the house.

The requests relative to the driveway slope is due the excessive disturbance to meet the required slope resulting from the existing driveway slope of 17% all the way to the house.

John Karell, Jr., P.E.

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121 CUSHMAN ROAD
PATTERSON, NEW YORK, 12563
845-878-7894 FAX 845 878 4939
jack4911@yahoo.com

Chen/Shin
31 Friend Lane
Kent (T)

COST ESTIMATES

ITEM	QUANTITY	COST/UNIT	TOTAL
EROSION CONTROL			
Silt Fence	300 LF	\$ 4.00	\$1,200.00
Seed and Mulch	1000 sf	\$0.06	60.00
Topsoil Stockpile	1	500.00	500.00
Total			\$1,760.00
WETLAND MITIGATION			
Infiltrators	4	500.00	2,000.00

John Karell, Jr., P.E.

July 19, 2019, revised September 17, 2019, revised October 3, 2019



Memorandum

To: Planning Board
Town of Kent

Attn: Philip Tolmach
Chairman

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

Subject: Erosion Control Plan

Date: October 10, 2019

Project: Chen and Shin, Gypsy Trail
TM # 32.6-1-1

The following materials were reviewed:

- Response letter prepared by John Karell, Jr., P.E., dated September 14, 2019
- Response letter prepared by John Karell, Jr., P.E., dated Oct 3, 2019, via email
- Letter of waiver requests, prepared by John Karell, Jr., P.E., dated Oct 3, 2019, via email
- Letter from Gypsy Trail Club, dated September 16, 2019
- Short Environmental Assessment Form (EAF) signed 7/17/2019
- Notice of Intent (NOI) signed 7/17/2019 but revised since then
- MS4 SWPPP Acceptance Form with Sections I and II completed
- Combined Application Form, signed July 16, 2019, but revised since then including:
 - Agricultural Data Statement, rev 9/15/2019, Owner's affidavit.
- Deed
- Putnam County Department of Health Design Data Sheet – Subsurface Sewage Treatment System, Soil Percolation Test Data, dated 7/19- 7/20/2019 (for stormwater)
- Erosion Control Cost Estimate, prepared by John Karell, Jr., P.E., revised Sept 17, 2019
- Letter of No Objection from Putnam County Department of Health signed 10/3/2019
- Drawings prepared by John Karell, Jr., P.E., including:
 - S-1 Site Plan, revised 9/15/2019 & 10/2/2019 via email
 - D-1 Details, revised 9/15/2019 & 10/2/2019 via email
 - E-1 Existing Conditions Plan, revised 9/15/2019
 - EC-1 Erosion Control & Steep Slope Details/Notes, revised 9/15/2019
 - SS-1 Steep Slope & Soil Plan, revised 9/15/2019 and 10/2/2019 via email

The project proposes demolition of an existing house that was damaged by fire and construction of new house in its place. New house will use existing septic system and existing connection to Gypsy Trail public water supply. Improvements to the existing driveway are also proposed.

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

The subject Erosion and Sediment Control Plan is not approved. The following comments are provided for the Planning Board's consideration from a memo dated September 12, 2019:

3. The proposed project is within the NYCDEP East of Hudson watershed and will disturb more than 5,000 SF of land. A Town of Kent Erosion & Sediment Control Permit is

required as well as coverage under NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity, GP-0-15-002. A Wetland Permit is also required.

10. Refer to the Drawings:

- a. Provide additional erosion control measures at the crossing of Indian Brook to reduce the likelihood that sediment flows or is tracked into the brook.

i. **10/10/2019 – Additional erosion control measures could not be located at the brook crossing. Provide additional measures.**

14. 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. - **Noted**

15. We defer to the Planning Board's environmental consultant regarding wetland issues.

New Comments:

1. A letter with driveway waiver requests has been submitted. We have no objections to the requested waivers due to the existing topography and site constraints. The proposed driveway will be an improvement compared to the existing driveway.
2. A revised bond estimate of \$3760 was included with the submission. We recommend \$2,000 of this estimate be used for wetland mitigation bond with the remaining \$1,760 be used for the erosion control bond. We recommend these bond amounts be accepted and recommended to the Town Board for approval.
3. A letter of approval has been provided by Gipsy Trail Club. As with other similar circumstances, we recommend the public hearing be waived.


Julie S. Mangarillo, P.E., CPESC

cc: Planning Board via email
Bill Walters via email
19-261-999-167

Bruce Barber via email
Liz Axelson via email

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

Shin
31 Friend Lane
Kent (T)

EROSION CONTROL COST ESTIMATE

ITEM	QUANTITY	COST/UNIT	TOTAL
Silt Fence	300 LF	\$ 4.00	\$1,200.00
Seed and Mulch	1000 sf	\$0.06	60.00
Wetland Mitigation (Infiltrators)	4	500.00	<u>2,000.00</u>
Topsoil Stockpile	1	500.00	500.00
TOTAL			\$3,760.00

John Karell, Jr., P.E.

July 19, 2019, revised September 17, 2019

10/10/2019

Recommend \$ 2000 for wetland Mitigation
\$ 1760 for erosion control band

forbid myllo
RSA



Town of Kent Planning Board

25 Sybil's Crossing

Kent Lakes, NY 10512

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

Email: planning@townofkentny.gov

APPROVAL REQUESTED FOR: (Check all that apply)

Pre-Application Review

☐

Preliminary Subdivision

☐

Final Subdivision

☐

Revised Lot Line

☐

Site Plan

☐

Conditional Use Permit

☐

Freshwater Wetland

☒

Steep Slope & Erosion Ctrl

☐

CHEN HOUSE RECONSTRUCTION

Name of Project:

Description of Proposed Activity:

DEMOLITION OF THE EXISTING HOUSE THAT WAS DAMAGED BY FIRE AND CONSTRUCTION OF A NEW HOUSE

UTILIZING THE EXISTING CONNECTION TO THE GYPSY TRAIL CLUB PUBLIC WATER SUPPLY AND THE EXISTING SEPTIC SYSTEM

Project address: 31 Friend Lane, Carmel Hamlet, NY 10512

ROGER CHEN AND EILEEN SHIN

Name of Applicant(s):

c/o GIPSY TRAIL CLUB, GIPSY TRAIL ROAD, CARMEL HAMLET, NY 10512

Address:

646-229-8745 or 917-570-5724

Telephone:

CHRISTINE LOVETT

Name and Address of Record Owner(s):

3210 ROUTE 301, CARMEL, NY 10512

Tax Map Number of all parcels: 32.06-1-1

A) For All Applications:

- 1) Total acreage involved in application: 1.109
- 2) Total contiguous acreage controlled by applicant/owner: 1.109
- 3) Total number of existing structures: ONE
- 4) Type of existing structures: WOOD FRAME
- 5) Total square footage of all new construction: 2600 sq feet
- 6) Estimated value of new construction or addition: \$550,000
- 7) Type of construction or activity proposed: (Check all that apply)
- | | | | | | | |
|-------------------|-------------------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| New Construction: | Residential | <input checked="" type="checkbox"/> | Commercial | <input type="checkbox"/> | Institutional | <input type="checkbox"/> |
| Expansion: | Residential | <input type="checkbox"/> | Commercial | <input type="checkbox"/> | Institutional | <input type="checkbox"/> |
| Home Occupation: | <input checked="" type="checkbox"/> | Change in use: | <input type="checkbox"/> | Other: | <input type="checkbox"/> | |
- 8) Zoning District: _____
- 9) Does applicant intend to request any information waivers? (See checklist)
- No ☐ Yes ☒ If yes, please list all waivers (attach separate pages if necessary):

TREE PLAN

- 10) Are there agricultural and/or forestry exemptions affecting the property?
- No ☒ Yes ☐ If yes, please list in detail (attach separate pages if necessary):
- 11) Have any area or use variances affecting the property been previously granted? Are any applications for area of use variance approval pending before the Town Zoning Board of Appeals?
- No ☒ Yes ☐ If yes, please list in detail (attach separate pages if necessary):
1. Shall include lands owned by family members of the applicant, and any corporation(s), partnership(s), limited liability company(ies) or other entities in which the applicant has an interest.

⏮ Reply all ⏭ Delete ⏹ Junk Block ...

FYI

LC

Lana Cappelli

Wed 10/23/2019 1:03 PM

To: Planning Kent; Accountant

📎 👍 ⏮ ⏭ → ...

Resolution # Accepting of NYCDEP Letter in Lieu of Erosion Control Bonds

On a motion by Councilwoman McGlasson
Seconded by Councilman Ruthven

WHEREAS, the Planning Board, by Resolution #15 of the Year 2019, dated October 10, 2019, has recommended that the Town Board accept a letter from NYCDEP in lieu of a Erosion Control Bond on the property identified as Tax Map No. 33.-1-44, 33.-1-45, and 33.6-1-71; and

WHEREAS, said letter of the NYCDEP provides that the City guarantees that all work described in the Erosion Control Plan will be "strictly adhered to"; and

WHEREAS, the Town Board of the Town of Kent wishes to follow the recommendations of the Planning Board;

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Kent hereby accepts the recommendation of the Planning Board and approves the acceptance of the letter from the NYCDEP in lieu of an erosion control bond.
Motion carried unanimously

Resolution # - Accepting Erosion Control Surety Bond, Mitigation Plan Bond & Escrow for Inspection Fee

On a motion by Councilwoman McGlasson
Seconded by Councilman Ruthven

WHEREAS, the Planning Board, by Resolution #18 of the Year 2019, dated October 18, 2019, has recommended that the Town Board accept: (i) an Erosion Control Bond in the amount of \$1,760; (ii) a Mitigation Plan Bond in the amount of \$2,000, and (iii) an escrow for the Final Inspection Fee in the amount of \$1,000 from the owner of the property located at 31 Friend Lane, Kent, New York, identified as Tax Map No. 32.06-1-1; and

WHEREAS, the Town Board of the Town of Kent wishes to follow the recommendations of the Planning Board;

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Kent hereby accepts the recommendation of the Planning Board and approves the posting of the above referenced bonds and escrow for inspection fees.
Motion carried unanimously

⏮ Reply all ▾ 🗑 Delete 🚫 Junk Block sender ⋮

Re: final Town Approval

RC

Roger G. Chen <rgc21@yahoo.com>

Wed 2/16/2022 6:32 PM

🔒 👍 ⏮ ⏪ ⏩ ⏭ ⋮

To: 'John Karell' <jack4911@yahoo.com>; Planning Kent; jandrews@rsaengrs.com

Cc: 'Eileen Shin' <eileenjshin@yahoo.com>



31 Friend Lane As Built Surve...
181 KB



NOT 31 Friend Ln signed.pdf
781 KB



2 attachments (962 KB) ☁ Save all to OneDrive - Town of Kent NY ⬇ Download all

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!

I have attached the As-Built Survey and NOT with our owner signatures that Jack had originally submitted.

Thanks,
Roger

On Wednesday, February 16, 2022, 05:54:46 PM EST, jandrews@rsaengrs.com <jandrews@rsaengrs.com> wrote:

Jack-

To be clear all I am saying is that whatever you submitted never reached me. I have no explanation other than to state the facts. Do you have an as-built as well? My review of the record suggest that is required as well. I will try to get this turned around as quickly as I can.

Thanks

John

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

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

Memorandum

DATE: February 24, 2022

TO: Finance Department

CC: pinksugarpastries@gmail.com

FROM: Vera Patterson

RE: Pink Sugar Pastries
1100 Route 52 – Ste 100
Kent, NY 10512
TM: 12.-1-55

This is a new project for a sign approval/site plan. Please find the following checks and supporting documentation:

JP Morgan Chase Bank Check 180, dated 2/16/22 – for a sign approval/site plan in the amount of \$150.00
JP Morgan Chase Bank Check 181, dated 2/16/22 – for review fees in the amount of \$500.00

Please open a new account for this project.

Thanks very much.

RECEIPT DATE Feb. 17, 2022 No. 426563

RECEIVED FROM Pink Sugar Pastries \$150.00

One Hundred fifty and 00/100 DOLLARS

☐ FOR RENT
☒ FOR Sign Approval T.M. 12-1-55

ACCOUNT		<input type="radio"/> CASH	<u>180</u>
PAYMENT		<input checked="" type="radio"/> CHECK	FROM <u>V. Patten</u> TO <u>M. Perez</u>
BAL. DUE		<input type="radio"/> MONEY ORDER	
		<input type="radio"/> CREDIT CARD	BY _____

3-11

RECEIPT DATE Feb. 17, 2022 No. 426564

RECEIVED FROM Pink Sugar Pastries \$500.00

Five Hundred and 00/100 DOLLARS

☐ FOR RENT
☒ FOR Sign T.M. 12-1-55

ACCOUNT		<input type="radio"/> CASH	<u>181</u>
PAYMENT		<input checked="" type="radio"/> CHECK	FROM <u>V. Patten</u> TO <u>M. Perez</u>
BAL. DUE		<input type="radio"/> MONEY ORDER	
		<input type="radio"/> CREDIT CARD	BY _____

3-11

1-2/210 180

Pink Sugar Pastries
 "Celebrating Life, One Dessert At A Time"
 1100 Rt. 52 Carmel, N.Y 10512

DATE 2/16/22

PAY TO THE ORDER OF Town of Kent Planning \$ 150.00

one hundred fifty DOLLARS

CHASE
 JPMorgan Chase Bank, N.A.
 www.Chase.com

MEMO Sign Permit

Thank You!

[Signature]

⑆021000021⑆ 50361381910180

Entrepreneur

1-2/210 181

Pink Sugar Pastries
 "Celebrating Life, One Dessert At A Time"
 1100 Rt. 52 Carmel, N.Y 10512

DATE 2/16/22

PAY TO THE ORDER OF Town of Kent Planning \$ 500.00

five hundred DOLLARS

CHASE
 JPMorgan Chase Bank, N.A.
 www.Chase.com

MEMO Sign Review

Thank You!

[Signature]

⑆021000021⑆ 50361381910181

Entrepreneur

Pink Sugar Pastries TM:

Date

02/17/22 Ck. Escrow

Deposits

1,000.00

Fees

Balance