

Approved: February 10, 2022

**TOWN OF KENT PLANNING BOARD**  
**January 13, 2022**  
**FINAL ADOPTED MINUTES**

The Planning Board held their January 13, 2022 meeting virtually via Zoom.

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

The following Planning Board members and Planning Board consultants participated in the meeting via Zoom:

**Members:**

Phil Tolmach, Chairman  
Sabrina Cruz

Dennis Lowes, Vice Chairman  
Hugo German  
Stephen Wilhelm

**Absent:**

Simon Carey  
Giancarlo Gattucci  
Julie Mangarillo, Rohde, Soyka & Andrews/Consultant  
Bill Walters, Kent Building Inspector

**Others in Attendance:**

John Andrews, Rohde, Soyka & Andrews  
Liz Axelson, Clark, Patterson & Lee, Planner  
Bruce Barber, Environmental Consultant  
Chris Ruthven, Liaison  
Bill Walters, Building Inspector

Mr. Tolmach asked the people participating on the call to identify themselves and to state whether they were alone in their respective rooms and they all did so.

- **Approve Planning Board Minutes from December 09, 2021 Meeting**

Mr. Tolmach asked for a motion to approve the Planning Board minutes from the December 9, 2021 meeting. The motion was made by Mr. Lowes and seconded by Mr. German. Following were the roll call votes.

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

The motion carried.

- **Brigman Property, Hortontown Rd., Kent, NY; TM: 19.-1-31**

Mr. Paul Lynch, of Putnam Engineering, represented the applicant, Mr. William Brigman who also participated on the call. This was a continuation of a Public Hearing regarding construction of a single-family residence in an R-80 zones and an Erosion Control Permit and possibly a Wetland Permit is required. The property is a “flag lot” and is 6 acres; however, the area where the construction will occur is approximately 3.5 acres. The consultants have visited the site and recommended the best location for the house and driveway. Mitigation measures were also worked out because part of the construction is within 100’ of the wetland buffer. The septic system was relocated so that it is completely out of the wetland buffer and was approved by the Putnam County Board of Health. Mr. Lynch said that he felt the majority of comments from the consultants had been addressed and that he hoped that the Public Hearing could be closed and that the project could move forward.

Mr. Tolmach asked for a motion to re-open this Public Hearing. The motion was made by Mr. Lowes and seconded by Mr. German. Following were the roll call votes.

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

The motion carried.

Mr. Andrews' Comments (memo attached)

Mr. Andrews distributed a memo dated December 27, 2021 and new material was submitted pertaining to this project in response to comments made by the consultants in a memo dated October 21, 2021. Mr. Andrews pointed out that this project is **not** in the NYS DEP East of Hudson Watershed; therefore, the only thing required is a town of Kent Erosion Control and Sediment Control Permit. More than one acre of soil will be disturbed so a New York SPDES General Permit for Stormwater discharge. Mr. Andrews agreed with Mr. Lynch's statement that most concerns had been addressed and that Putnam County Board of Health had approved the well and the on-site wastewater treatment system and copies of the approvals were submitted to the Planning Board on December 23, 2021. Some notes needed to be added to the plan along with some additional details. The bond estimate still needs to be agreed upon and will be submitted shortly. Mr. Andrews said that, as long as there are no concerns raised by the public, it would be appropriate to close the Public Hearing and to move this project to an administrative track.

Mr. Barber's Comments (memo attached)

Mr. Barber said that a site visit was conducted in the fall and that there are some Kent Jurisdictional Wetlands involved in this application and a robust mitigation plan has been submitted which will improve the existing wetland and buffer functions post-construction and the entire septic system has been relocated outside of the wetland buffer. The house will only be partially in the wetland buffer and the location selected is the only practical location for its construction. The applicant has addressed post-construction stormwater management by installing a rain garden, which will address impervious surface and purify discharge water before it goes into the wetland buffer and wetlands system proper. Mr. Barber agreed with Mr. Andrews that the bond estimate for the Erosion Control plan as well as a Planting Plan still needs to be worked out. Mr. Barber also felt that, if the Planning Board felt it appropriate and if there were no substantive public comments, he would recommend that the Public Hearing be closed and that this project be moved to an administrative track.

Ms. Axelson's Comments

Ms. Axelson had no comments pertaining to this project.

Mr. Tolmach asked if the Public had any comments and there were none.

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

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

The motion carried.

Mr. Tolmach asked for a motion to move this project to an administrative track. The motion was made by Mr. German and seconded by Mr. Lowes. Following were the roll call votes.

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

The motion carried.

Mr. Andrews advised the Planning Board that, when the bond estimate was finalized, this project would be placed back on the agenda for discussion and approval from the Planning Board.

• **Freidland, 8 Cat Brier Rd., Carmel, NY; TM: 21.19-1-10**

Ms. Anne Manning, of Manning Silverstein Architects, represented the applicants. Ms. Manning said that this project regarded construction of a single-family residence. This property is in Gypsy Trail and the Review Board at Gypsy Trail is reviewing the project, but it usually takes 3-6 weeks for it to be completed so the Public Hearing is pending at this time. A letter from Gypsy Trail (copy attached) attesting to this was submitted to the Planning Board and Consultants prior to the meeting. Ms. Manning also said that she felt the majority of outstanding issues had been addressed. A Vicinity Map was submitted which showed that the limits of disturbance were approximately 230' away from the edge of the adjacent pond. Soil notes have been added with details pertaining to riprap associated with the pool spreader discharge, drainage coming off the roof drains and a concrete wash, which is shown, on the drawings with notes as to how it will work. Ms. Manning also said that all the comments made by the Consultants had been addressed and that she hoped the project would be ready for administrative review in the near future.

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

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

The motion carried.

Mr. Tolmach asked if anyone in the audience wished to be heard and there were no comments from the public.

**Mr. Andrews' Comments (memo attached)**

Mr. Andrews said that a re-submission in response to comments from November 30, 2021 was delivered and that the applicant had received updated Putnam County Board of Health approvals. There were a few technical issues, which needed to be resolved, an EAF needed to be done; a page needed to be added to the SWPPP and the bond estimate is being worked out. Since Gypsy Trail is conducting their own review, Mr. Andrews recommended adjourning the Public Hearing until Gypsy Trail completes their review as long as there are no issues raised by the public.

Mr. Barber's Comments (memo attached)

Mr. Barber agreed with Mr. Andrews that it would be appropriate to adjourn the Public Hearing for this project until the February 10, 2022 meeting.

Mr. Lowes had a question about the pool infiltration system, which looks like it is closer to the property line than the sideline setback and asked if a variance would be required because it should be inside the setback line. Ms. Manning said it will be in a bunker and nestled into the ground, but that it could be moved to a site near the retaining wall if necessary. Mr. Lowes asked Mr. Walters if it would be alright to put the infiltration system under ground and Mr. Walters said it should not be an issue. A grass roof will also go over it. Ms. Manning said that a pool consultant had not been hired yet, so she thought it would be easier to move the infiltration system.

Mr. Tolmach asked for a motion to adjourn this Public Hearing to the next Planning Board meeting, which is to be held on February 10, 2022. The motion was made by Mr. Wilhelm and seconded by Mr. Lowes. Following were the roll call votes.

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

The motion carried.

- **Holly Property, Winkler's Farm Ct., Kent, NY; TM: 33.16-1-8**

The applicant is still working on a re-submission for this project and did not participate on the call.

Ms. Axelson's Comments

Ms. Axelson said that she, Messrs. Andrews, and Barbers had some comments and had discussed them with the applicants and they were working on a full submittal for the February 10, 2022 meeting.

- **NYCDEP Church Hill Rd., Forest Mgmt. Project, Church Hill Rd., Kent, NY; TM: 12.-1-6, 12 & 29.2**

Mr. Bart Caterino, Forester for NYCDEP, participated on the call. Mr. Caterino explained that this property was a 55 acre site and that he had met with Messrs. Andrews and Barber on January 11, 2022 at the site. Comments pertaining wetlands material had been submitted prior to the meeting and Mr. Caterino responded to them earlier in the day.

Mr. Barber's Comments (memo attached)

Mr. Barber said this proposed program, there were two aspects to the operation due to a 2018 tornado damage, and not much activity had been done on the property, therefore it needed to be thinned out. The haul road coming from Church Hill Road is approximately 200' long, flat and goes into a landing area. The area of disturbance will be 6,000 square feet so an Erosion Control Permit will be required. Mr. Barber confirmed that a site visit had been done, but he would like to go out again to inspect a vernal pool, which has some amphibian population. There are some haul roads that will go near the vernal pool. According to the Code, any tillage within 60' of a wetland area requires a wetland permit. Mr. Barber also said there are some wetlands in the rear of the property which he needed to check out. Mr. Caterino said that there would be temporary skid trails and not permanent haul roads on the property. When the harvest was completed, a native grass seed would be planted. Mr. Barber said a good job was done in the Spring by the NYCDEP limiting the activity during the typical migratory time for the amphibian population, but that marbled salamander were discovered in the fall in the vernal pool and that he would like to do something to make it more conducive to respecting the wildlife population.

Mr. Andrews' Comments (memo attached)

Mr. Andrews said that this property is situated in the East of Hudson Watershed and that more than 5,000 square feet of land will be disturbed. The DEC exempts silver culture activities such as haul roads, access roads and landing areas and access roads and therefore there would be no Stormwater regulations and permitting so no SPDES coverage is required. A Town of Kent Erosion and Sediment Control Permit is required only for the access road and landing areas, which is why there are only concerns about 6,220 square feet being disturbed. Mr. Andrews said that he felt the haul road and landing area were flat, open and very suitable for the intended use and there were no issues with them. The line of sight as you exit the property is a little less than satisfactory looking to the West. Mr. Andrews said that he would recommend a note be placed on the plans that a flagger would be necessary when trucks are exiting the property. Mr. Andrews said that this operation would cover two tracts of land totaling 84.4 acres, but that only 55 acres would be logged. Mr. Andrews requested an overall tax map showing the parcels and modifications to the maps. Mr. Caterino did submit new maps earlier in the day, which addressed some concerns, but not all of them so some still needed to be resolved. NYCDEP prepared a nice Project and Forestry Management Plan and Environmental Assessment Re-

port but some information does not show up properly so improvements need to be made. Some affidavits need to be submitted and a Waiver of an Erosion Control Bond was requested. Previously a Letter of Assurance in lieu of a cash bond was accepted for other NYCDEP forestry projects and Mr. Andrews said that it would be appropriate to do the same with this project. Mr. Andrews said that the Kent Highway Superintendent had also been contacted, but he could not participate on the Zoom call, and he asked that trucks only make right turns out of the site in order for the trucks to take the most direct route to Route 52. He also asked for a \$25,000 surety or cash bond. Mr. Andrews said that he wasn't sure if this bond could be handled in the same way as the Erosion Control Bond. Mr. Andrews recommended that a Public Hearing be handled for this project, as was done previously, when the wetland issues were resolved and Mr. Barber agreed with him. Mr. Barber said that, since the logging, operation was not to start until the fall; this matter could be held over to the February meeting. The NYCDEP has declared themselves to be Lead Agency under SEQRA, but the Kent Planning Board is an Involved Agency because an Erosion and Sediment and a Wetland Permit is required.

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

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|--|-----------------|---------------|
| • Maniatis Property<br>250 East Boyd's Lake Road, Kent, NY<br>TM: 31.-2-51 | Erosion Control | Status Report |
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The bond agreement and fees have been submitted and forwarded to the Kent Town Board for them to accept.

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|---|-----------------|---------------|
| • Annunziata/Smalley Corners<br>Smalley Corners Rd., Kent, NY<br>TM: 21.-1-11 | Erosion Control | Status Report |
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A re-submittal is pending.

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|---|-----------------|---------------|
| • White _ Vernon Property<br>Horsepound Rd., Kent, NY<br>TM: 33.-1-58.2 | Erosion Control | Status Report |
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Messrs. Andrews and Barber visited the site, Mr. Barber issued a memo to the applicant's representative regarding the request for a tree waiver, and we are waiting for a response.

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| • Friel & Pure<br>Gipsy Trail Rd., Carmel, NY<br>TM: 21.-1-27 | Erosion Control | Status Report |
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A response to comments is pending and the applicant is working on relocating the house on this property.



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| <ul style="list-style-type: none"> <li>Kent Self Storage<br/>Route 311, Kent, NY<br/>TM: 22.-2-17</li> </ul> | Site Plan | Status Report |
|--|-----------|---------------|

Ms. Axelson said that an easement was submitted as part of their conditions of approval and it was forwarded to the Planning Board's counsel, Mr. Jeff Battistoni of Van DeWater & Van DeWater. The Board will need a report back in 90 days regarding the progress made on this project.

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| <ul style="list-style-type: none"> <li>JPE Auto Repair<br/>333 Route 52, Kent, NY<br/>TM: 33-18-1-11</li> </ul> | Site Plan/ | Status Report |
|---|------------|---------------|

Submittals have been made and Ms. Axelson said this project is close to being finished and that she needs to check on the escrow account. Mr. Andrew said that all his concerns have been resolved. Mr. Barber said he is also finished with this project. Ms. Axelson said that they are ready for sign-off. Mr. Tolmach will go in to the office on Tuesday to sign the drawings.

- |   | Erosion Control Plan/ | Status Report |
|---|-----------------------|---------------|
| <ul style="list-style-type: none"> <li>Friedman &amp; Crossman Property<br/>5 China Circle Ct., Kent, NY<br/>TM: 42.7-1-27</li> </ul> |                       |               |

Mr. Andrews said he is finished with this project and that the drawings were ready for signature. The bond was submitted in December to the Town Board, however, it was not placed on the agenda so will be on the January 18, 2022 Town Board agenda.

- Fregosi Marinelli  
48 Miller Hill Rd., Carmel, NY  
TM: 10.-1-7

Waiting for BOH approval and a resubmittal of the erosion control plan.

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| <ul style="list-style-type: none"> <li>Clearpool Maintenance Bldg.<br/>33 Clearpool Rd., Kent, NY<br/>TM: 32.-1-9.1</li> </ul> | Erosion Control Plan | Status Report |
|--|----------------------|---------------|

Working on final comments and revised plans will be submitted in the near future.

- Raneri Property  
Hillside Paper Rd., Kent,, NY  
TM: 44.24-1-3

Waiting for a re-submittal. Mr. Wilhelm took pictures of the site because there is an open debris pit on the property on the top of the hill. Mr. Wilhelm will resend the picture so the Planning Board can look into the matter.

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|---|---------------------------------------|---------------|
| • Vitiello<br>75 Pudding Street, Kent, NY<br>TM: 32.-1-32 | Erosion Control Plan/<br>Field Change | Status Report |
|---|---------------------------------------|---------------|

This project has been completed, but someone applied for a blasting permit recently, but the Fire Inspector has not acted on it yet. The applicant does not need to return to the Planning Board.

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| • Route 52 Development/<br>Kent Country Square<br>Route 52, Kent, NY<br>TM: 12.-1-52 | SEQRA | Status Report |
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A submittal came in too late to review for this meeting. Ms. Axelson said that she will submit a review in February for this project. The grading looks to be just as deep and mining may be involved. There is a moratorium that may affect the project and Ms. Axelson advised the applicant of this moratorium. Depending on how the consultants assess the new submittal, a SEQRA determination may need to be re-done. A Positive Declaration was done and an Environmental Impact Statement may need to be required. The Scoping Outline also may need to be re-done.

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| • Town of Kent Mining Law | Status Report |
|---------------------------|---------------|

Mr. Andrews said the Consultants are waiting for a response from the Town Board. Mr. Ruthven said he wants to discuss the material with the new Town Board before he returns the material submitted previously. Mr. Andrews, Mr. Barber and Ms. Axelson offered to attend a meeting with the new Town Board. Mr. Ruthven said he thought that would be a good idea.

Mr. Ruthven congratulated Mr. Tolmach and Mr. Lowes for their reappointment to the Planning Board as Chairman and Vice Chairman and said he looked forward to working with them this next year. Mr. Ruthven said that the changes to the code pertaining to the Approval of Site Plan 77-0 were very good and asked if the Board was ready to have the Town Board make the appropriate changes and the Board said that he could discuss the matter with the Town Board.

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Mr. Tolmach asked for a motion to close the meeting at 9:00 PM and for the Planning Board to go into Executive Session. The motion was made by Mr. Wilhelm and seconded by Mr. Lowes. Following were the roll call votes.

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

The motion carried.

Respectfully Submitted,



Vera Patterson  
Planning Board Secretary

cc: Planning Board Members  
Building Inspector  
Town Clerk



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• Kent Self Storage Route 311, Kent, NY TM: 22.-2-17	Site Plan	Status Report
• JPE Auto Repair 333 Route 52, Kent, NY TM: 33.-18-1-11	Site Plan/	Status Report
• Friedman & Crossman Property 5 China Circle Ct., Kent, NY TM: 42.7-1-27	Erosion Control Plan	Status Report
• Fregosi Marinelli 48 Miller Hill Rd., Carmel, NY TM: 10.-1-7	Stop Work Order	Status Report
• Clearpool Maintenance Bldg. 33 Clearpool Rd., Kent, NY TM: 32.-1-9.1	Erosion Control Plan	Status Report
• Raneri Property Hillside Paper Rd., Kent,, NY TM: 44.24-1-3	Erosion Control Plan	Status Report
• Vitiello 475 Pudding Street, Kent, NY TM: 32.-1-32	Erosion Control Plan/ Field Change	Status Report
• Route 52 Development/ Kent Country Square Route 52, Kent, NY TM: 12.-1-52	SEQRA	Status Report
• Town of Kent Mining Law		Status Report



January 13, 2022

To: Town of Kent, NY – Planning Board

*Vincent Sapienza, P.E.*  
*Commissioner*

**Re: NYCDEP-Church Hill Road Management Project**  
Church Hill Road  
Section 12 Block 1 Lots 6 and 29.2  
Town of Kent, New York

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

71 Smith Avenue  
Kingston, NY 12401  
T: (845) 340-7800  
F: (845) 334-7175

Dear Chairman Tolmach and Members of the Planning Board:

Please accept the included responses to comments issued by Bruce Barber (Cornerstone Associates) in review of the subject project for the Planning Board meeting to be held on January 13, 2022. Thank you for your consideration of the responses and attached documentation. Should you require further information in advance of the meeting, I can be reached at (917) 763-2779 or [bcaterino@dep.nyc.gov](mailto:bcaterino@dep.nyc.gov).

Sincerely,

Bart Caterino  
Watershed Forester  
DEP Bureau of Water Supply

c: Vera Patterson, Planning Board, Town of Kent  
Bruce Barber, Cornerstone Associates  
Amanda Locke, NYCDEP

### Responses to Environmental Review:

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

The project will not engage in farming or tillage of soil as cited in Chapter 39A-6(C). The applicable regulated activity appears to be selective cutting of living trees within the regulated area as cited in Chapter 39A-5(F).

It is unclear if a New York State Department of Environmental Conservation Article 24 (wetland) permit is required for the proposed action.

A NYSDEC Article 24 permit is not required. There will be no clearcutting of trees and no depositing of materials within a wetland or its regulated area.

### Responses to Comments:

1. Please indicate if NYCDEP is conducting SEQRA review as lead agency. Has the action been identified (e.g., Unlisted, Type II, etc.)?  
Yes. NYCDEP has conducted a coordinated review of the project under SEQRA as lead agency. See attached Lead Agency Letter and Negative Declaration that were sent to the Town of Kent. The type of action was identified as Unlisted.
2. The applicant has indicated that they will meet with the Town Highway Superintendent to discuss truck traffic and establishing baseline road and drainage conditions. Please provide status. Had previously talked to Highway Superintendent during project development. Reached out to on 1/12/22 to re-initiate discussion. Waiting for response.

3. Please provide documentation that noise from the proposed action will be in compliance with the Town of Kent noise ordinance.

Stated on page 12 of *Project Plan and Environmental Assessment*:

"To minimize potential impacts from noise, harvest activities would be limited to the hours of 7:00 AM to 6:00 PM Monday through Saturday, and 8:00 AM to 6:00 PM Sunday. Work outside these hours would be authorized by DEP only in emergency situations, such as for installing temporary soil stabilization measures in anticipation of a storm event."

The stated hours are in compliance with the Town of Kent noise ordinance set forth in Chapter 48-5(D) of the Town Code.

4. Visual impacts to adjoining neighboring residential properties is indicated. Please provide additional information

Described on page 12 of the *Project Plan and Environmental Assessment* under "Visual Character."

Immediate visual changes will be thinned forest density with scattered coarse woody debris on the forest floor. In the years after the timber harvest, visual changes will be ameliorated by the breakdown of woody debris, accelerated growth of remaining forest trees, and ingrowth of young

forest trees. The project area will remain forested, and the visual effects of the harvest will be temporary.

5. Review indicates that potential haul roads will be constructed within wetland-controlled areas and possibly span Town of Kent jurisdictional watercourses. It is recommended that haul roads not be constructed or utilized in the area of the vernal pool or the large wetland systems located at the southern section of the property to reduce the potential for fragmentation of habitats and loss of migratory abilities.

The project plan does not propose haul roads within the controlled buffers of any wetland or water course. Only temporary skid trails are proposed within controlled buffers. Use of skidders and forwarders will cease during rain fall events and straw wattles will be placed along trails within controlled buffers to minimize width and the likelihood of sedimentation. No ruts deeper than 6" are allowed in controlled buffers. Should any such rutting occur, equipment use in those areas will be prohibited for the remainder of the project, and ruts will be graded to a flat profile, seeded, and mulched to ensure no loss of migratory capacity.

6. The presence of amphibian populations (especially those of special concern) utilizing the vernal pool and the adequacy of the proposed EZ and SMZ should be evaluated. The timing of the work around the vernal pool does not consider potential presence and migration of the marbled salamander.

The woodland pool exclusion zone, special management zone, and proposed actions therein were evaluated by DEP Professional Wetland Scientists after spring sampling of amphibians. Egg masses of wood frogs (*Lithobates sylvaticus*) and spotted salamanders (*Ambystoma maculatum*) were observed in the early spring of 2018. Marbled salamander (*Ambystoma opacum*) larvae were also seen in the woodland pool. A single breeding amphibian trapping effort (under state permit) occurred in 2019. The trapping produced no adult wood frogs or salamanders, but a few green frog (*Lithobates clamitans*) larvae and some diving beetles (*Dytiscidae*) were captured and released. Marbled salamander larvae were witnessed but no survey or trapping for their abundance and life stage has been conducted.

Due to the topography, the skid trails in the SMZ are not expected to influence the ingress and egress of amphibians. No harvesting or activity will occur between March 15 and June 30 in the woodland pool SMZ to protect emigrating juvenile amphibians. Additionally, no harvesting or activity will occur between August 15 and September 30 in the woodland pool SMZ to protect migrating marbled salamander.

7. Please provide plan details of any/all wetland/water course crossings.

There will be no wetland crossings. There is one watercourse crossing at the south end of the project. The watercourse is intermittent and therefore not regulated by DEC and will be crossed with a skidder bridge to prevent negative impacts to the downstream wetland. There is an existing skid trail that passes through an area with some surface drainage. This trail was hardened with gravel prior to DEP acquisition of the property and will be further protected by installing log corduroy during work. Corduroy will be removed when trail use is completed.

8. Use of strawbales as stabilization measures is discouraged due to the potential introduction of invasive plant species.

The straw-based BMP materials that we will utilize will be certified free of seed. Materials utilized will be straw wattles, 10" diameter flexible 'sausages' of straw, rather than bales, or



wood chip filled filter socks. The Project Plan will be updated to reflect the use of these materials instead of straw bales.

9. Please indicate if there are any transport concerns of the cut logs due to ash borer or other insects/diseases.

All wood hauling from the project will be in strict compliance with all applicable Federal and State quarantine and permit requirements.

10. Information from NYSDEC Natural Heritage as well as US Fish and Wildlife is greater than two years old. Please provide updates.

Updated USFWS Species list is attached. Changes to Threatened/Endangered Species list include removal of northern long eared bat (*Myotis septentrionalis*). NLEB restrictions will be left in the Project Plan to ensure adequate protection should bats be present on site.

DEP's consultation process with NYNHP has changed. NYNHP provides DEP with the GIS shapefiles it uses in the consultation process and has therefore requested DEP not submit for official consultation letters. The latest NYNHP data sets (dated 12/30/2021) for Significant Natural Communities, Potential Rare Species, Mobile Species Buffers, and Rare Species, show no occurrences within or adjacent to, the project area.

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

Noted.



**LEAD AGENCY DECLARATION AND NOTICE OF INTENT  
TO CONDUCT AN ENVIRONMENTAL REVIEW**

November 4, 2021

**Vincent Sapienza, P.E.**  
*Commissioner*

**Church Hill Road Forest Management Project, Town of Kent,  
Putnam County, New York**

**CEQR No. 22DEP025U**

**Angela Licata**  
*Deputy Commissioner of  
Sustainability*

59-17 Junction Blvd.  
Flushing, NY 11373

The New York City Department of Environmental Protection (DEP) is proposing the Church Hill Road Forest Management Project in the Town of Kent, Putnam County, New York. The project area is approximately 55 acres on NYC-owned forestlands. The project would include salvage of downed timber and crown thinning and regeneration release patch thinning. The proposed action requires approval from the Town of Kent.

The DEP Bureau of Environmental Planning and Analysis has concluded that the proposed action is classified as an Unlisted Action and subject to a coordinated environmental review. In accordance with the State Environmental Quality Review Act as set forth in 6NYCRR Part 617 authorized by Article 8 of the Environmental Conservation Law, and the City Environmental Quality Review process, as set forth in 62 Rules of the City of New York (RCNY) Chapter 5 and Executive Order 91 of 1977 and its amendments, DEP believes that it is the appropriate lead agency and wishes to conduct a coordinated review for the above referenced action. We request that involved agencies contact this office within 30 days from this notification should there be any objection to the Department assuming lead agency for this environmental review. If you have any comments or questions, please contact Susan Darling at (718) 595-4614 or [sdarling@dep.nyc.gov](mailto:sdarling@dep.nyc.gov).

Sincerely,

  
**Mark Page Jr.**  
**Managing Director**

Enclosure

cc: Hon. Maureen Fleming, Town Supervisor, Town of Kent  
John Petronella, NYSDEC Region 3  
David Warne, NYCDEP  
Laurie Machung, NYCDEP

Charlie Laing, NYCDEP  
Amanda Locke, NYCDEP  
Bart Caterino, NYCDEP  
Adam Bosch, NYCDEP  
Sangamithra Iyer, NYCDEP  
Susan Darling, NYCDEP



Vincent Sapienza, P.E.  
*Commissioner*

Angela Licata  
*Deputy Commissioner of  
Sustainability*

59-17 Junction Blvd.  
Flushing, New York 11373

## **NEGATIVE DECLARATION Determination of Non-Significance**

December 8, 2021

### **Church Hill Road Forest Management Project**

#### **CEQR No. 22DEP025U**

This Negative Declaration has been prepared in compliance with the requirements of the City Environmental Quality Review (CEQR) process as set forth in 62 RCNY Chapter 5 and Executive Order 91 of 1977 and amendments, and Article 8 of the Environmental Conservation Law establishing the State Environmental Quality Review Act (SEQRA) and its regulations as set forth in 6NYCRR Part 617. The New York City Department of Environmental Protection (DEP), as lead agency, has determined that the proposed action described below would not have a significant effect on the environment and is herein publishing a Negative Declaration.

---

#### **Project Description**

The proposed Church Hill Road Forest Management Project includes salvage of downed timber, crown thinning and regeneration release patch thinning on 55 acres of New York City-owned forest land in the Town of Kent in Putnam County, New York. The proposed action requires approval from the Town of Kent.

The Bureau of Environmental Planning and Analysis has concluded that the proposed action is classified as an Unlisted Action.

#### **STATEMENT OF NO SIGNIFICANT EFFECT**

DEP has determined that the proposed action would not result in any significant adverse impacts on the environment. The proposed project does not involve any new land uses, new construction, or increase of activity following harvesting so it is not expected to result in any potentially significant adverse impacts to natural resources, open space, historic or archaeological resources, noise, visual character or other impact categories.

**Supporting Statements**

The above determination is based on the environmental assessment issued on November 4, 2021 which finds that the project, as proposed, would not result in significant effects on the environment which would require the preparation of an Environmental Impact Statement (EIS).

**For further information, please contact:**

Susan Darling  
Office of Water Supply Infrastructure and Watershed Assessment  
NYC Department of Environmental Protection  
Bureau of Environmental Planning and Analysis  
59-17 Junction Boulevard, 11<sup>th</sup> Floor  
Flushing, New York 11373  
Phone (718) 595-4614

Sincerely,

  
**Mark Page Jr.**  
**Managing Director**

cc: Hon. Maureen Fleming, Town Supervisor, Town of Kent  
John Petronella, NYSDEC Region 3  
David Warne, NYCDEP  
Laurie Machung, NYCDEP  
Charlie Laing, NYCDEP  
Amanda Locke, NYCDEP  
Bart Caterino, NYCDEP  
Adam Bosch, NYCDEP  
Sangamithra Iyer, NYCDEP  
Susan Darling, NYCDEP



## United States Department of the Interior



FISH AND WILDLIFE SERVICE  
New York Ecological Services Field Office  
3817 Luker Road  
Cortland, NY 13045-9385  
Phone: (607) 753-9334 Fax: (607) 753-9699  
<http://www.fws.gov/northeast/nyfo/es/section7.htm>

In Reply Refer To:

January 11, 2022

Consultation Code: 05E1NY00-2018-SLI-2855

Event Code: 05E1NY00-2022-E-03406

Project Name: Church Hill Road Forest Management Project

Subject: Updated list of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (ESA) of 1973, as amended (16 U.S.C. 1531 *et seq.*). This list can also be used to determine whether listed species may be present for projects without federal agency involvement. New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list.

Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the ESA, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC site at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list. If listed, proposed, or candidate species were identified as potentially occurring in the project area, coordination with our office is encouraged. Information on the steps involved with assessing potential impacts from projects can be found at: <http://www.fws.gov/northeast/nyfo/es/section7.htm>

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan ([http://www.fws.gov/windenergy/eagle\\_guidance.html](http://www.fws.gov/windenergy/eagle_guidance.html)). Additionally, wind energy projects should follow the Services wind

energy guidelines (<http://www.fws.gov/windenergy/>) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>; <http://www.towerkill.com>; and <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the ESA. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List

## Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

**New York Ecological Services Field Office**

3817 Luker Road

Cortland, NY 13045-9385

(607) 753-9334

---



## Project Summary

Consultation Code: 05E1NY00-2018-SLI-2855

Event Code: Some(05E1NY00-2022-E-03406)

Project Name: Church Hill Road Forest Management Project

Project Type: FORESTRY

Project Description: Timber harvesting to include the salvage of trees damaged during tornado events in May 2018 as well as silvicultural treatment to thin mature, diseased, and unhealthy trees from the overstory.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@41.49997440986337,-73.68921391844253,14z>



Counties: Putnam County, New York

---

## Endangered Species Act Species

There is a total of 3 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries<sup>1</sup>, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

- 
1. NOAA Fisheries, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

## Mammals

NAME	STATUS
Indiana Bat <i>Myotis sodalis</i>	Endangered
There is <b>final</b> critical habitat for this species. The location of the critical habitat is not available. Species profile: <a href="https://ecos.fws.gov/ecp/species/5949">https://ecos.fws.gov/ecp/species/5949</a>	

## Reptiles

NAME	STATUS
Bog Turtle <i>Clemmys muhlenbergii</i>	Threatened
Population: Wherever found, except GA, NC, SC, TN, VA No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/6962">https://ecos.fws.gov/ecp/species/6962</a>	

## Insects

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i>	Candidate
No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/9743">https://ecos.fws.gov/ecp/species/9743</a>	

## Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

---

⏮ Reply all ⌵ 🗑 Delete 🚫 Junk Block ...

## Annunziata & White

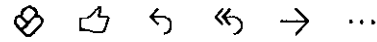
W

William A. Shilling, Jr. <waslaw@shillinglegal.com>

Mon 12/20/2021 3:27 PM

To: jbattistoni@vandewaterlaw.com

Cc: Planning Kent; Building Inspector; John Karell <jack4911@yahoo.com>



Annunziata White letter t...

55 KB



### TOWN OF KENT NOTICE

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See attached letter

Reply | Reply all | Forward

*Shilling & Smith, P.C.*

*Attorneys at Law*

*122 Old Route 6*

*Carmel, New York 10512*

*Email: waslaw@shillinglegal.com*

*William A. Shilling, Jr.*

*Frank J. Smith III*

*\*Also Admitted in CT*

*Phone (845) 225-7500*

*Fax (845) 225-5692*

December 20, 2021

VanDeWater & VanDeWater, LLP  
85 Civic Center Plaza, Suite 101  
P.O. Box 112  
Poughkeepsie, New York 12601

Attn: Jeffrey S. Battistoni, Esq.

Re: Annunziata – Smalley Corners Road  
White – Horsepound Road

Dear Jeff:

I am contacting you in your capacity as Planning Board attorney for the Town of Kent.

John Karell P.E. has petitioned the Building Department for Building Permits for two properties which have complete approval from the Town of Kent (and Putnam County Board of Health). The properties are "White" on Horsepound Road, which received approvals in 2001, and "Annunziata" on Smalleys Corners Road, which received full approvals in 1987.

The Building Inspector and Planning Board have opined that because the sites currently are non-compliant with regard to certain dimensional shortcomings, they must be referred to the Zoning Board to obtain area variances.

The Planning Board's position is supported by Town Law 277(3) which provides that "lots shown on a subdivision plat 'at least' comply with requirements of a town's zoning law if one has been adopted. In approving a subdivision plat, a planning board must disapprove a plat which fails to comply with a town zoning law..."

However, 277(7) does authorize "planning boards to waive 'requirements or improvements' when reasonable..."

The purpose of this letter is to request the Planning Board to consider its waiver ability given the fact that both lots have received full approvals from the Town of Kent.

Of course, if the waiver is not issued, the property owners will proceed to the Zoning Board.

Very truly yours,

*William A. Shilling, Jr. /mb*

William A. Shilling, Jr.

WAS: mb

Cc: Kent Planning Board

Bill Walters

John Karell

⏮ Reply all ▼ 🗑 Delete 🚫 Junk 🛑 Block ...

## Maniatis Residence - NYSDEC Acknowledgement Letter

JL

Jamie LoGiudice &lt;jlogiudice@insite-eng.com&gt;



Tue 12/28/2021 4:24 PM

To: Planning Kent; jandrews@rsaengrs.com; barberbruce@yahoo.com

Cc: Thomas Julliard Zoli &lt;tjz@workshopapd.com&gt;; Colin Murtaugh &lt;cpm@workshopapd.com&gt;; jwa

NYR11J177 (3)-Maniatis ...

124 KB



### 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!

Vera,

For your records, please see the NYSDEC Letter of Acknowledgement for the Maniatis Residence for your records. We understand that no work can commence until after the bond has been posted with the town (to follow shortly). Let me now if you have any questions or concerns.

Thank you,  
Jamie



Jamie L.

LoGiudice, RLA, Associate  
Project Landscape Architect

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

3 Garrett Place  
Carmel, New York 10512  
(845) 225-9690 x124  
(845) 225-9717 Fax  
www.insite-eng.com

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**NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

**Division of Water, Bureau of Water Permits**

625 Broadway, Albany, New York 12233-3505

P: (518) 402-8111 F: (518) 402-9029

www.dec.ny.gov

12/28/2021

Workshop APD  
Thomas Zoli  
39 W 38th Street, 7th Floor  
New York, New York 10018

**RE: ACKNOWLEDGMENT of NOTICE OF INTENT for  
Coverage Under SPDES General Permit for  
Storm Water Discharges from CONSTRUCTION  
ACTIVITY – General Permit No. GP-0-20-001**

Dear Prospective Permittee:

This is to acknowledge that the New York State Department of Environmental Conservation (Department) has received a complete Notice of Intent (NOI) for coverage under General Permit No. GP-0-20-001 for the construction activities located at:

**Maniatis Residence  
250 East Boyd's Road  
Kent, NY 10512**

County: **ALBANY**

Pursuant to Environmental Conservation Law (ECL) Article 17, Titles 7 and 8, and ECL Article 70, discharges in accordance with GP-0-20-001 from the above construction site will be authorized **5** business days from **12/23/2021**, which is the date we received your final NOI, unless notified differently by the Department.

The permit identification number for this site is: **NYR11J177**. Be sure to include this permit identification number on any forms or correspondence you send us. When coverage under the permit is no longer needed, you must submit a Notice of Termination to the Department.

This authorization is conditioned upon the following:

1. The information submitted in the NOI received by the Department on **12/23/2021** is accurate and complete.
2. You have developed a Stormwater Pollution Prevention Plan (SWPPP) that complies with GP-0-20-001 which must be implemented as the first element of construction at the above-noted construction site.
3. Activities related to the above construction site comply with all other requirements of GP-0-20-001.



**Department of  
Environmental  
Conservation**

4. Payment of the annual \$110 regulatory fee, which is billed separately by the Department in the late fall. The regulatory fee covers a period of one calendar year. In addition, since September 1, 2004, construction stormwater permittees have been assessed an initial authorization fee which is now \$110 per acre of land disturbed and \$675 per acre of future impervious area. The initial authorization fee covers the duration of the authorized disturbance.

5. Your SWPPP has been reviewed by the regulated, traditional land use control MS4 where your project is located and has been determined to be in substantive conformance with the requirements in the SPDES General Permit for Stormwater Discharges from MS4s.

6. When applicable, project review pursuant to the State Environmental Quality Review Act (SEQRA) has been satisfied.

7. You have obtained all necessary Department permits subject to the Uniform Procedures Act (UPA). You should check with your Regional Permit Administrator for further information.

**\*Note: Construction activities cannot commence until project review pursuant to SEQRA has been satisfied, when SEQRA is applicable; and, where required, all necessary Department permits subject to the UPA have been obtained.**

Please be advised that the Department may request a copy of your SWPPP for review.

Should you have any questions regarding any aspect of the requirements specified in GP-0-20-001, please contact Dave Gasper at (518) 402-8114.

Sincerely,



David Gasper  
Environmental Engineer

cc: RWE -4  
SWPPP Preparer  
Insite Engineering  
Watson, John M.  
3 Garrett Place  
Carmel, New York 10512





## Cornerstone Associates

---

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

January 13, 2022

To: Planning Board

From: Bruce Barber  
Town of Kent Environmental Consultant

**Re: NYCDEP-Church Hill Road Management Project**  
Church Hill Road  
Section 12 Block 1 Lots 6 and 29.2  
Town of Kent, New York

Dear Chairman Tolmach and Members of the Planning Board:

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

Town of Kent Planning Board Combined Application dated 12/01/21 executed by Bart Caterino of NYCDEP.

Short-form EAF (Part I) executed by Charles Lang of NYCDEP dated 4/21/20.

Letter executed by Heidi Krahling of NYSDEC dated 9/18/18, 1 page.

Letter from US Fish and Wildlife dated 7/27/18, 6 pages

Bog Turtle Study report prepared by Frank Parisio dated 6/25/19.

Report entitled; "Church Hill Road Forest Management Project -Project Plan and Environmental Assessment."

Report entitled; "Appendix, NYCDEP Church Hill Road Forest Management Project Biological Assessment."

Report entitled; "NYCDEP Church Hill Road Forest Management Project-Erosion Control Plan" dated 12/7/21.

### **Summary of Application:**

The subject application is to remove trees which were blown down in the May 2018 tornado (approximately 6 acres of area) as well as to conduct a moderate-intensity silvicultural crown thinning timber harvest of approximately 55.5 acres on a subject property consisting of a total of 84.4 contiguous acres owned by the New York City Department of Environmental Protection (NYCDEP). Access to the property is from Church Hill Road. The project will be managed by a NYCDEP forester.

In addition to removing down trees, the goal of the timber harvest is selective thinning. approximately 25-30% of the existing tree basal area. Thinning of 50% of the existing basal tree area will occur in two one-acre areas to promote the growth of existing hardwood seedlings.

The total duration of the harvest is estimated to be 2-3 months and may occur intermittently over two harvest windows depending on weather conditions.

**A: Environmental Review:**

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

It is important to note that the applicant has conducted the wetland delineation in accordance ACOE standards. Review of the wetland, watercourse, and waterbody determinations in accordance with Chapter 39A of the Town of Kent Town Code is required.

It is unclear if a New York State Department of Environmental Conservation Article 24 (wetland) permit is required for the proposed action.

Soils and Steep Slopes:

The site is moderately to steeply sloping. Soils consist predominately of Charlton-Chatfield and Chatfield Hollis-Rock Outcrop and Sun Loam. Approximately 65% of the harvest will be conducted on slopes less than 15% and 35% on slopes greater than 15%.

Access from Church Hill Road would be from an existing access point and the access road will be approximately 12' wide by 200' long. The road will require minor grading and will then be covered with geotextile fabric and a 6" layer of crushed stone.

The landing is proposed to be 3,820 square feet in size. Skid trails cover 9,490' of which 7,596' are existing trails. The total land disturbance is indicated to be 6,220 square feet.

The applicant proposes to follow: "Conservation Practices and Process for DEP Forest Management Projects."

Threatened and Endangered Species:

The applicant has conducted on site surveys and has determined the likely presence of the Indiana bat and suitable habitat for the Northern long-eared bat and the bog turtle on the site. Conservation measures including limited work to the time between November 1 and March 31 of the following year and the creation of protection and limited cutting areas (please see additional comments below).

A bog turtle study was conducted, and evidence of suitable habitat was found within the site.

Cultural Resources:

The applicant has indicated that the New York State Office of Parks, Recreation and Historic Preservation was consulted, and it has been determined that the project will not any impact to historic/cultural resources. .

Traffic and Noise:

Applicant has indicated that truck traffic is estimated to be four trips per day including 3 tri-axle trucks to transport logs and 1 pick-up truck. Trucks will access from I-84 to Route 52 and North Horsepound Road. Truck trips will be limited to normal business days and hours.

Harvest activities will create noise and also visual impacts.

**B: Review Comments:**

Please indicate if NYCDEP is conducting SEQRA review as lead agency. Has the action been identified (e.g., Unlisted, Type II, etc.)?

The applicant has indicated that they will meet with the Town Highway Superintendent to discuss truck traffic and establishing baseline road and drainage conditions. Please provide status.

Please provide documentation that noise from the proposed action will be in compliance with the Town of Kent noise ordinance.

Visual impacts to adjoining neighboring residential properties is indicated. Please provide additional information

Review indicates that potential haul roads will be constructed within wetland-controlled areas and possibly span Town of Kent jurisdictional watercourses. It is recommended that haul roads not be constructed or utilized in the area of the vernal pool or the large wetland systems located at the southern section of the property to reduce the potential for fragmentation of habitats and loss of migratory abilities.

The presence of amphibian populations (especially those of special concern) utilizing the vernal pool and the adequacy of the proposed EZ and SMZ should be evaluated. The timing of the work around the vernal pool does not consider potential presence and migration of the marbled salamander.

Please provide plan details of any/all wetland/water course crossings.

Use of strawbales as stabilization measures is discouraged due to the potential introduction of invasive plant species.

Please indicate if there are any transport concerns of the cut logs due to ash borer or other insects/diseases.

Information from NYSDEC Natural Heritage as well as US Fish and Wildlife is greater than two years old. Please provide updates.

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

Additional comments will be provided following completion of the site inspection and review of additional materials submitted by the applicant.

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

Sincerely,

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

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



## Cornerstone Associates

---

*Environmental Planning Consultants*

*1770 Central Street*

*Yorktown Heights, NY 10598*

*Phone: (914)-299-5293*

January 13, 2022

To: Planning Board

From: Bruce Barber

Town of Kent Environmental Consultant

**Re: Freidland Application (formerly Schulhof-Kravits)**

8 Cat Briar Road

Section 21 Block 1 Lot 10

Town of Kent, New York

Dear Chairman Tolmach and Members of the Planning Board:

As per your request, I have reviewed the following pertinent documents submitted relative to the above referenced application:

1. Comment response memo executed by John Karell, Jr, dated 12/15/21, 1 page.
2. Topographic Survey dated 07/02/07, 1 sheet.
3. Copy of the deed (Gipsy Trail Club to Freidland) dated 07/07/21.
4. NYSDEC Notice of Intent dated 12/08/21 (unsigned).
5. Short-form EAF (Part I) prepared by Peter Freidland dated 12/16/21 (unsigned).
6. Bond estimate prepared by John Karell, Jr. dated 3/12/15 (rev.).
7. Plans entitled; "Freidland Residence" prepared by Manning-Silverstein Architects dated 12/15/21 (rev.) 4 sheets: A-000.00, A001.00, A010.00, and A-030.00.

### **A: Project Summary:**

The applicant proposes a construction of an addition (1.935 square feet) a pool, retaining walls and associated grading.

### **B: Planning Board Permits Required:**

Steep slope/erosion and sediment control permit  
Wetland permit-TBD,

### **C: Zoning:**

A bulk zoning table has been provided. The applicant proposes to construct a retaining wall within the zoning set back and a corner of the proposed pool is located on a zoning set back. Confirmation from the town building inspector that zoning variances are not required in necessary.

### **D: SEQRA:**

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

**E: Environmental Review:**

Wetlands:

The property has frontage on Pine Lake. The lake and the 100' set back line (wetland buffer) should be shown on the plans and a clear limit of disturbance indicated in order to determine if a wetland permit is required. Based on site inspection, the edge of water as shown on Plan Sheet A000.00, as the wetland boundary is possibly not accurate. The plan should indicate the soils between the subject property line and the lake to determine if hydric soils, as defined by Chapter 38A of the Town of Kent Town Code, are in this area which will require mapping as jurisdictional wetlands with an associated 100' wetland-controlled area.

Trees:

The applicant proposes to remove two trees and relocate one additional tree. A tree plan waiver has been requested.

Soils, Steep Slopes and Rock Outcrop:

The applicant has indicated that blasting will not occur. Please indicate if rock hammering will be required.

Land Disturbance:

An erosion and sediment control plan is required. This office defers to the Planning Board engineer regarding review of the erosion and sediment control plan.

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

**F: Other:**

- Provide detail and overflow of pool backwash (discharge) structure. The structure should be sized properly and be designed not to discharge directly to the wetland buffer.
- Please indicate how increased runoff from impervious surfaces will be addressed. There should not be any post-construction increases to adjoining properties.
- Please indicate that temporary construction access will be restored and seeded prior to the issuance of a certificate of occupancy.
- Missing responses in the EAF should be completed.
- All documents should be signed and dated.
- Please see comment above regarding wetlands.

The Gipsy Trail Club has provided written information that this application is being reviewed by their Board with input from the neighbors regarding this project. The Club indicated that the approval process could take 3-8 weeks.

This office defers to the Planning Board engineer regarding review of the erosion and sediment control plan. The applicant is requested to provide annotated responses to the above questions. This office will conduct further review upon receipt of additional information provided by the applicant.

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

Sincerely,

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

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



## Cornerstone Associates

---

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

January 13, 2022

To: Planning Board

From: Bruce Barber  
Town of Kent Environmental Consultant

**Re: Brigman Application**  
Hortontown Road  
Section 19 Block 1 Lot 31  
Town of Kent, New York 10512

Dear Chairman Tolmach and Members of the Planning Board:

As per your request, I have reviewed the following pertinent documents submitted relative to the above referenced application:

1. Comment response memo executed by Paul Lynch PE of Putnam Engineering dated 11/30/21, 4 pages.
2. Hydrological analysis prepared by Putnam Engineering dated 11/20/21.
3. Bond estimate prepared by Putnam Engineering dated 12/20/21.
4. Well and septic system approvals from the Putnam County Department of Health dated 12/16/21.
5. Plans entitled "Site Plan prepared for Michelle and William Brigman" prepared by Putnam Engineering originally dated 09/16/21, most recent revision date, 11/29/21, 2 sheets: D-1, D-2, EC-1.
6. Plans entitled "Site Plan prepared for Michelle and William Brigman" prepared by Putnam Engineering originally dated 09/16/21, most recent revision date, 12/15/21, 2 sheets: EC-1, EC-2.

### **A: Project Summary:**

The applicant proposes construct a detached single-home, driveway, well and septic systems as well as a stormwater structure, pipe replacement and wetland mitigation

The subject property is a flag lot, 6.349+/- acres in size and is located on the northerly side of Hortontown Road in an R-80 zoning district.

### **B: Planning Board Permits Required:**

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

### **C: Zoning:**



The applicant has provided a bulk zoning table. Variances are not required for the proposed action.

**D: SEQRA:**

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

**E: Environmental Review:**

Wetlands:

There are Town of Kent jurisdictional wetlands and wetland buffer areas on the subject site as per a site inspection and review of soils information. The applicant proposes to replace an existing culvert as well as to disturb wetland and wetland buffer area to construct the proposed driveway and house. The septic system is located entirely outside of the wetland and wetland buffer area.

The applicant has provided a wetland mitigation plan consisting of the installation of a rain garden as well as live vegetative stakes. In addition, the applicant proposes to replace the existing pipe under the road/driveway and has provided a hydrological analysis in order to size the pipe correctly.

Trees:

The applicant has provided information regarding tree cutting requirements. The EAF indicates the subject site is located within a possible location of Northern Long-Eared bats. As a result, tree restrictions limiting cutting to the months of November 1 through March 31 of the following year may apply. A plan note should be included confirming this requirement.

Soils, Steep Slopes and Rock Outcrop:

Soils are indicated as Charlton Chatfield (HSG B), Charlton-Hollis Rock complex (HSG B) and Leicester Loam (HSG C). The applicant has indicated that the total site disturbance will be 1.26. The applicant has submitted the required NYSDEC Notice of Intent.

The applicant has indicated that blasting will not be required. Rock chipping may be necessary in order to install the septic tank.

Cultural Resources:

None as per EAF.

Threatened or Endangered Species:

Northern Long-Eared Bat as per EAF. .

Well and Septic System: Well and septic system approvals from the Putnam County Department of Health have been obtained dated 12/16/21.

**F: Other:**

- A Combined Town of Kent Planning Board Application was not included in the packet provided to this office.
- A copy of a property survey has not been provided.
- Architectural elevations/floor plans of the proposed building(s) have not been provided.
- Please provide installation details of the live vegetative stakes. Provide a maintenance schedule on the plans indicating that all stakes which are not viable shall be replaced and all invasive species shall be removed in wetland mitigation area.
- Provide site specific soils information in the area of the proposed rain garden.
- Please install erosion controls along at the edge of disturbance adjacent to the watercourse and on either side of the anti-tracking pad. Please indicate that pipe replacement will be accomplished when there is no or minimal flow in the watercourse.

This office defers to the Town Engineer regarding review of the SWPPP/erosion and sediment control plan.

This office concurs with the bond estimate for this project prepared by the Planning Board Engineer dated December 27, 2021.

The application has been found to be substantially complete and the Planning Board may choose, pending public comment, to close the public hearing and refer this application to administrative track to be reviewed by the Planning Board consultants.

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

Sincerely,

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

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



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

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

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

# Memorandum

To:	Planning Board Town of Kent	Attn:	Phillip Tolmach Chairman
From:	John V. Andrews, Jr., P.E.	Subject:	Erosion Control – Permit close-out
Date:	December 14, 2021	Project:	Roncallo – Tiber Dr TM # 30.20-1-15

The following is offered for consideration by the Planning Board:

A stabilization inspection was conducted for this project on December 9, 2021, with Bruce Barber, Planning Board environmental consultant. The inspection was conducted in response to various requests from both the Project Owner and the Engineer as well as the receipt of an updated as built plan dated August 25, 2021, bearing a sign-off from the Putnam County Health Department dated September 14, 2021. Our review and field visit were delayed by the Town pending a satisfactory resolution to an escrow issue. Final authorization was issued by the Planning Department on December 6, 2021.

The project is for a single-family home with driveway, well and septic. This property received a Steep Slope and Erosion Control Permit in 2001 under the name "Cavallo". Construction on the project began and was suspended at some point. The property was left with a roughed-in driveway and a foundation. A new application was filed after the prior approvals expired. A new Erosion and Steep Slope permit was issued by the ultimately issued by the Town in January 2019.

The project is not within the NYCDEP East of Hudson watershed and disturbs less than 1 acre of land. Coverage under NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity GP-0-20-001 was not required. Only a Town of Kent Steep Slope & Erosion & Sediment Control Permit was.

A site inspection for this project was conducted by Julie Mangarillo, P.E., CPESC on November 20, 2020, as a follow-up to the July 23, 2020, inspection also conducted by her. The memo regarding the July 23, 2020, site inspection was dated August 20, 2020. The memo covering the November 20, 2020, inspection was dated January 13, 2021.

We received the following via email on May 7, 2021, from John Karell, P.E.:

- Survey of Property, prepared for Paul Roncallo, prepared by Badey & Watson Surveying & Engineering P.C. dated January 14, 2021, last revised May 5, 2021.

The plan was submitted to confirm the centerline profile prior to paving. Following a review by us, we issued a memo dated May 5, 2021, which also contained reminders concerning open issues from the prior memos written by Julie.

We then received the following via email dated September 22, 2021, from Jack Karell, P.E.:

- Sheet S-1, "As-Built" SSTS prepared by John Karell, Jr., P.E. with Driveway Profile Survey prepared by David Odell, L.S. dated August 25, 2021.

1. Stabilization Inspection:

Site and house construction are complete. The driveway has been paved. All previously disturbed areas are stabilized with vegetation growing. Silt fence remains scattered along the edge of the previously disturbed area.

There appear to be several changes/differences between the as built condition and the approved plan.

- The ground was heavily covered with leaves; however, it does not appear that the permanent siltation basin was constructed. Further, it does not appear that the riprap overflow channel was installed. Neither of these features is shown or noted on the as built plan.
- Stone retaining walls were installed around the house, and along the downhill side of the driveway for its entire length. Additionally, there are now two stonewalls along the driveway at its intersection with Tibet Drive, one on either side and a peculiar gravel area adjacent to the end of the driveway on the north(downhill) side. We could not make a turn into the driveway on approach from the north. The Highway Superintendent had signed off on the downhill wall only, although the wall appears to have been extended since that sign off, the uphill side and the gravel adjacent area not having been constructed at that time.
- Several flights of stairs and a front walk have been constructed connecting the driveway to the front porch.
- The previously approved road right-of-way improvements, including the driveway culvert were eliminated by the Highway Superintendent.
- The driveway grades appear to have been adjusted between the initial submittal and final paving. The driveway now appears to generally comply with the approved plan set.

Changes of the magnitude identified at the time of this visit generally require a field change approval from the Town and all involved prior to the changes being implemented. . Since the site is now substantially complete, that is no longer possible. Prior to close out we require the certification of the project engineer addressing all the changes, specifically addressing, and demonstrating that the implemented changes do not interfere with or otherwise compromise proper stormwater management and design. The certification shall further establish, with the implementation of these changes, the plan still generally complies with the issued permit standards. See also the requirement below.

The previously disturbed areas are now considered fully stabilized in accordance with the Town of Kent Town Code Chapter 66. The remaining silt fence should be fully removed.

2. Permit close-out:

This project was not subject to the requirements of NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity Permit because disturbance was less than 1 acre. In accordance with the requirements of Town Code §66-6.K(5), a certification from the project engineer, Jack Karell, P.E. that the completed work meets the requirements of the

Memorandum  
Roncallo – Tibet Dr.  
TM # 30.20-1-15  
December 14, 2021  
Page 3 of 3

issued permit must be submitted. The certification of the engineer with an updated as built plan, when received, will serve as the permit close-out letter since a NYSDEC Notice of Termination is not required for this project.

Final sign off and acceptance of the driveway is required from the Highway Superintendent. Per Town Code Chapter 57 "Roads and Driveways" §57-26 "No certificate of occupancy shall be issued by the Building Inspector or any department or agency of the Town of Kent until final approval of the driveway construction has been duly given by the Highway Superintendent..."

The as built plan identifies the property as 288 Tibet Drive. The property is otherwise shown and identified as 228 Tibet Drive. This should be corrected.

### 3. Erosion Control Bonds

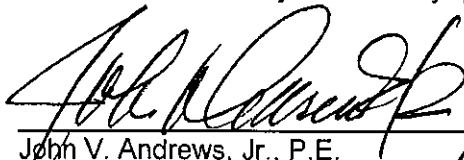
An erosion control bond in the amount of \$7730.00 was authorized by the Planning Board and subsequently accepted by the Town Board.

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 the site achieves final stabilization. The receipt of the engineer's certification and as built plan will serve to establish that date. The condition of the site has been verified by us in our capacity as the Planning Board Engineer.

For other single-family home projects, the Planning Board has reduced the two-year waiting period for bond return so long as the vegetation survives at least one winter. Based on the site inspection conducted on November 18, 2020, by Julie Mangarillo, P.E., CPESC, and our field observations on December 9, 2021, it appears that most of the vegetation has now survived one (1) full winter. Once we receive the final engineer's certification and an updated as built, the Planning Board may consider the full release of the erosion control bond held for this project.

Please let us know if you have any questions. Thank you.

  
John V. Andrews, Jr., P.E. 12.14.2021

cc: Planning Board via email  
William Walters, Building Inspector, via email  
Bruce Barber via email  
Richard Othmer, Highway Superintendent, via email  
**01-261-999-002**

*Gipsy Trail Club  
Carmel, New York 10512  
Tel. 845 225-3666  
Fax 845 225-0200*



## GIPSY TRAIL CLUB

January 5, 2022

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

To whom it may concern,

The Gipsy Trail Club Buildings and Grounds Committee has received the drawings for the Friedland Residence renovation at 8 Cat Briar Road, Kent, New York. The Committee is currently reviewing the submission. The review process includes neighbor feedback. Our process generally takes 3-8 weeks, after which the project goes to the Club's Board of Governors for approval.

Please contact us if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Cory Henkel".

Cory Henkel

Chair



# Memorandum

To: Planning Board  
Town of Kent

Attn: Philip Tolmach  
Chairman

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

Subject: Erosion Control Plan – Revised  
Submittal

Date: December 27, 2021

Project: Brigman  
TM # 19.-1-31

The following materials were reviewed:

- Letter to Town of Kent Planning Board- Brigman Erosion Control and Wetland Permit from Putnam Engineering, PLLC dated December 20, 2021.
- Brigman Residence-Erosion Control and Restoration Construction Costs.
- Putnam County Department of Health -Application to Construct a Water Well -Brigman Property dated December 16, 2021.
- Putnam County Department of Health Construction Permit for Sewage Treatment System -Brigman Property dated December 16, 2021.
- Drawing EC-1-Erosion Control Plan-Lot 3 of the Woods at Hortontown, Town of Kent, prepared by Putnam Engineering PLLC, dated December 15, 2021, scale As Noted.
- Drawing EC-2-Steep Slopes Map & Tree Identification-Lot 3 of the Woods at Hortontown, Town of Kent, prepared by Putnam Engineering PLLC, dated December 15, 2021, scale As Noted.
- Letter to Kent Planning Board-Brigman Erosion Control and Wetland Permit from Putnam Engineering, PLLC dated November 10, 2021.
- Stormwater Pollution Prevention Plan-Lot 3 of the Woods at Hortontown Subdivision dated November 2021.
- Drawing EC-1-Erosion Control Plan-Lot 3 of the Woods at Hortontown, Town of Kent, prepared by Putnam Engineering PLLC, dated November 30, 2021, last revised November 29, 2021, scale As Noted.
- Drawing EC-2-Steep Slopes Map & Tree Identification-Lot 3 of the Woods at Hortontown, Town of Kent, prepared by Putnam Engineering PLLC, dated November 30, 2021, last revised November 29, 2021, scale As Noted.
- Drawing D-1-Details -Lot 3 of the Woods at Hortontown, Town of Kent, prepared by Putnam Engineering PLLC, dated November 30, 2021, last revised November 29, 2021, scale As Noted.
- Drawing D-2-Details -Lot 3 of the Woods at Hortontown, Town of Kent, prepared by Putnam Engineering PLLC, dated November 30, 2021, last revised November 29, 2021, scale As Noted.

The project proposes construction of new single-family residence on an existing lot of record including an extension of an existing drive, new individual well and onsite wastewater disposal system. Information provided indicates the lot has Putnam County Health Department (PCHD)

approval for well and septic, issued April 12, 2021. Modifications to the project required an adjustment to the location of the septic system and may require an amended PCHD approval. Portions of the proposed house and driveway fall within a wetland buffer as established by soil types. The total proposed land disturbance associated with the proposed action is 42,400 square feet (SF).

The subject Erosion and Sediment Control Plan is not approved. The following comments are provided for the Planning Board's consideration based on our October 21, 2021, memorandum. Comments from that memorandum not included herein have been satisfactorily resolved. New or supplementary comments are shown in **bold**

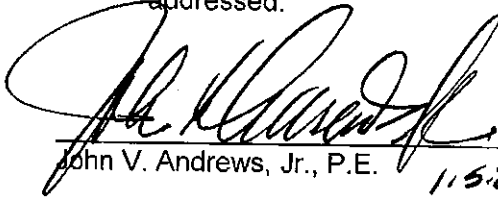
1. The proposed project is **not** within the NYCDEP East of Hudson watershed. The project will disturb 1.26 acres. A Town of Kent Erosion & Sediment Control Permit is required as well as coverage under NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity, GP-0-20-001.
2. We defer to the Planning Board's environmental consultant regarding wetland issues. The project will require a Wetland Permit for the conduct of a regulated activity in the wetland or wetland buffer
3. Provide the following information as required by Town Code Chapter 66-6.B.2:
  - e. §66-6.B.2.g – Provide "a soil erosion and sedimentation control plan designed utilizing the standards and specifications contained in the most recent version of New York State Standards and Specifications for Erosion and Sediment Control. The design, testing, installation, maintenance, and removal of erosion control measures shall adhere to these standards and any conditions of this chapter and the erosion control permit. This plan shall:"
    - iv. [6] Provide an estimate for the cost of implementing all elements of the erosion control plan. **Estimate received 12.23.2021. See comment below.**
4. §66-6.B.6 – Provide "copies of all applications, permits and approvals required by any other local, state or federal agency associated with the construction and site work/disturbance proposed by the applicant." It appears that an amended Putnam County Health Department (PCHD) approval is required to the relocation of the OWTS to avoid wetland impacts. **Putnam County Health Department Approval for the well and OWTS has been received. Submitted on 12.23.2021. Comment resolved.**
5. Provide an erosion and sediment control only SWPPP in accordance with GP-0-20-001. Provide required information from Part III.B.1 including:
  - d. In accordance with Part III.A.6, provide copies of the Contractor Certifications and copies of training certificates prior to the start of earth-disturbing activities. **Add requirement as note on the plan.**
  - e. Please note – With issuance of NYSDEC General Permit GP-0-15-002 and continuing in GP-0-20-001, per Part I.B.1.b 'Soil Stabilization' "In areas where soil disturbance activity has temporarily or permanently ceased..." and "...is located in one of the watersheds listed in Appendix C [Entire New York City Watershed located east of the Hudson River] the *application of soil stabilization measures must be initiated by the end of the next business day and completed*



*within seven (7) days* from the date the current soil disturbance activity ceased..." (emphasis added). **Reputedly added as a note on the plan. Could not be located. Add as note.**

6. SWPPP – GP-0-20-001 Part 1.F.8 - Provide documentation that the project complies with the requirements for historic or archeological sensitive locations. **Acceptable language addressing this item was added to the written SWPPP. No exception taken. Considered resolved**
7. We received a draft Notice of Intent (NOI) and an MS4 Acceptance Form, partially completed, with this submittal. We take no exception to the material as submitted. Revisions to the NOI are possible until the SWPPP is accepted. Once the SWPPP is accepted we will complete and return the MS4 Acceptance Form to the Project Sponsor for filing. **Updated draft eNOI included in SWPPP. Comment remains valid.**
8. Refer to the Drawings:
  - a. Silt fence should be added commencing at the driveway and extending along the southerly side of the wetland boundary in a westerly direction terminating at the end of the live stake installation. **Location of silt fence has improved. The Engineer should consider installing the silt fence between the edge of the drainage channel and the live cutting installation**
  - b. The detail sheet includes an erosion control blanket installation detail. It is not clear where this installation is proposed. **Proposed location for use not defined on the plan set.**
  - c. **A level spreader is identified on the plan set. A detail should be provided with elevations as appropriate tied to the plan.**
  - d. **Provide a location and detail for a concrete washout station.**
9. Provide a centerline profile of the driveway prior to paving and prior to issuance of building permit as required per Town Code Chapter 57, §57-26.A(5)(c). Provide a note on the drawing.
10. A bond estimate in amount of \$10,167.00 undated, was prepared by Putnam Engineering, PLLC. and included in the submittal dated 12.23.2021. We prepared our own bond estimate in the amount of \$17,115.00 based on our review of the information and notes in this submittal. A copy is attached hereto for your consideration. We do not have a recommendation on the bond amount at this time as additional information is required.
11. **We recommend the Planning Board close the public hearing. We further recommend that the remaining project review be referred to the Planning Board consultants to be handled administratively.**
12. 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.
13. The following note should be added to the plan set, " **Retaining walls over 3 feet in height require a building permit per Town Code Chapter 27, §27-8.B(5).**"

14. Provide a written response with future submittals stating how the comments have been addressed.



John V. Andrews, Jr., P.E. 1/5/2022

Attachment

cc: Planning Board via email  
Bill Walters via email  
**21-261-999-175**

Bruce Barber via email  
Liz Axelson via email



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

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

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

To: Planning Board Town of Kent

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

Date: December 27, 2021

Attn: Phillip Tolmach, Chairman

Subject: Erosion Control Bond Amount

Project: Brigman

Tax Map: 19.-1-31

The erosion control bond is as follows:

ITEM	QUANTITY	UNIT	UNIT COST	TOTAL COST
Grass swale	250	LF	\$ 5.00	\$ 1,250.00
Concrete truck washout pit	1	EA	\$ 500.00	\$ 500.00
Erosion blanket	660	SY	\$ 2.00	\$ 1,320.00
Soil stockpiles	1	EA	\$ 500.00	\$ 500.00
End sections	2	EA	\$ 250.00	\$ 500.00
End sections w/ riprap pads - 8"	1	EA	\$ 250.00	\$ 250.00
15" dia drainage pipe	30	LF	\$ 25.00	\$ 750.00
8" dia drainage pipe	40	LF	\$ 13.50	\$ 540.00
Roof drain pipe	40	LF	\$ 7.50	\$ 300.00
Seed and mulch	3,600	SY	\$ 1.25	\$ 4,500.00
Rain garden	1	EA	\$ 750.00	\$ 750.00
Stabilized construction entrance	1	EA	\$ 750.00	\$ 750.00
Live Cuttings	140	EA	\$ 5.00	\$ 700.00
Level Spreader	2	EA	\$ 500.00	\$ 1,000.00
Silt Fence	701	LF	\$ 5.00	\$ 3,505.00
			<b>TOTAL:</b>	<b>\$ 17,115.00</b>

## MEMORANDUM

**TO:** Town of Kent Planning Board  
**CC:** Bill Walters  
John Andrews  
Bruce Barber  
**FROM:** Liz Axelson, AICP  
**DATE:** December 7, 2021  
**RE:** Kent Self Storage, Site and Erosion Control Plan, Route 311, Tax Parcels No. 22.-2-17 /  
CPL# 60248.00

I reviewed the materials listed at the end of this memorandum; and the Code of the Town of Kent, Chapter 77, Zoning; and per the corresponding conditions of Re-Approval of December 10, 2020. Based on my review I offer the following comments for the Board's consideration:

### Summary

1. The proposal involves site plan; erosion control; and steep slope permit approvals for the construction of a self-storage facility and other uses. The plan shows two self-storage buildings with office (management) and retail spaces, parking areas, drive, utilities, electric and stormwater management systems on a 2.7-acre site in the IOC (Industrial Office Commercial) zoning district.
2. My review is limited to the Zoning comments below. My prior comments of November 11, 2019 are updated to reflect what remains to be addressed, items that have been addressed are deleted. I defer to the Planning Board's Consulting Engineer and Environmental Consultant review for all other aspects of the project.

### SEQRA

3. The Planning Board made a SEQRA Determination of Non-Significance (Negative Declaration) on November 14, 2019. The Planning Board's SEQRA Negative Declaration was re-affirmed in their Re-Approval of December 10, 2020.

### Zoning & Site Plan

4. As per prior comments, clarify all aspects of the proposed business by revising the site plan to clearly delineate and label floor areas in square feet (SF) for office and retail areas; and truck rental in the 2-story building.
5. As per Chapter 77-25.5, the code requires sidewalks with a four-foot (4') tree lawn be installed on every public street. The Planning Board expressed support for the sidewalk and tree lawn at



their June 13, 2019 meeting, yet agreed that a sidewalk easement would suffice to provide for future sidewalk development. Prior site plans showed a "Proposed Future Sidewalk Easement Reserved For the Town of Kent". Address the following:

- a. In response to prior comments, the label stating: "Proposed Future Sidewalk Easement Reserved for the Town of Kent" was added back, yet it overlaps other text (metes and bounds) on the plan sheet. Please revise so all plan text is readable and center the easement label within the easement area.
  - b. As per prior comments, reference was added to an easement referring to an "easement agreement". Revise the notation to specifically refer to the legal instrument that will govern the use of this area and prohibiting other improvements in this area that would prevent future sidewalk development;
  - c. In response to prior comments, a metes and bounds description of the sidewalk easement was provided. Address the following:
    - i. Revise "Ludingtonville Court" in 2 lines of the description to read "Ludington Court"; and
    - ii. Correct the adjoining owners name to include Harold.
  - d. Revise the metes and bounds labelling on site plan sheet C-101 as follows:
    - i. Add metes and bounds description to the north and south ends of the easement to be 10.07' and 11.45', respectively; and
    - ii. Correct the length of the line along Route 311 from 24.16' to 244.16'.
  - e. As per prior comments, provide draft legal instruments for review by the Planning Board's Attorney describing the use of the easement for future sidewalk development, including any necessary agreements and a metes and bounds description.
6. Extensive lengths of retaining walls are proposed (~210' and 80'+), which will be visible from the site's frontage; and from the adjoining residential property to the northeast (N/F Schaefer). Revise the plans regarding retaining walls as follows:
- a. As per prior comments, revise the Wall Profiles sheet, Wall D, to note that the more decorative stone/brick veneer will be provided for the portion of the wall facing the adjoining residential property to the northeast (N/F Schaefer).
  - b. As per prior comments, provide samples and colors of the stone or brick veneer for consideration by the Planning Board. After review, the plan notation should specify the colors; and stone or brick veneer selections.
  - c. As per prior comments regarding the detail for the type of fence that will be on top of the wall, provide samples of color and finish; and add notation specifying same.
  - d. I defer to the Planning Board's consulting engineer regarding the potential for failure of the walls close to adjoining properties.
7. As per prior comments regarding the architectural plans, which should be part of the next submittal, address the following:
- a. Label areas in square feet (SF) for all uses, including storage spaces.
  - b. Clarify whether the office and retail space will have a counter area.



8. In response to prior comments requesting that the plans show all aspects of proposed signs, a freestanding sign is shown in the plan view and with a detail. Refer to the supplementary sign regulations, Zoning, Article X generally; and specifically, the requirements in section 77-37., Signs in nonresidential districts. Address the following comments:
  - a. Revise the note in the plan view about the freestanding sign to delete the word “sandwich” as the sign depicted in the sign detail is not a “sandwich” sign as set forth in Kent’s zoning.
  - b. Revise the freestanding sign detail to show the sign mounted on a “landscaped monument of stone, brick or other natural material” as per zoning section 77-37. A. (2).
  - c. Relocate the sentence “There shall be no wall mounted sign.” from the freestanding sign location callout to another area on this sheet.
  - d. Alternatively, delete this note entirely, since the applicant may wish to come back at a later date, after the plans are finalized and signed, as one wall sign is permitted per tenant in addition to the proposed freestanding sign. Any future wall sign should be consistent with the proposed freestanding sign and comply with the supplementary sign regulations, Zoning, Article X generally; and specifically, the requirements in section 77-37., Signs in nonresidential districts.
9. As per prior comments, provide a tabular summary of permitted and proposed sign areas per section 77-37 A. (2) and (3) requirements. Signage will be reviewed in detail later.
10. Revise the plan set so that all plan sheets have the same revision date.

#### Recommendation

11. The Planning Board may consider taking the actions described below, which are set forth in a draft resolution:
  - a. Re-affirm the prior SEQRA Determination of Non-significance; and
  - b. Adopt a resolution of two 90-day extensions of re-approval with conditions on the Site Plan; Steep Slope; and Erosion Control Plan Applications, including demonstration of progress before the end of the first 90 days as will be spelled out in a draft resolution.

If you have any questions, please do not hesitate to contact me at 845-454-3411 ext. 21, or e-mail at [eaxelson@CPLteam.com](mailto:eaxelson@CPLteam.com).

#### Materials Reviewed

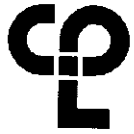
- Letter requesting two 90-day extensions, prepared by Joseph C. Riina, P.E., Site Design Consultants, dated December 2, 2021;
- Email with attached submittal items from Site Design Consultants, dated November 23, 2021;
- Response letter prepared by Joseph C. Riina, P.E., Site Design Consultants, dated November 11, 2021;



- Survey of Property Prepared For Kent Self Storage, prepared by Jeffrey DeRosa, LS, Insite Engineering, Surveying & Landscape Architecture, PC, dated October 16, 2020;
- Attachments to submittal including
  - o NYSDEC Acknowledgment of Notice of Intent (NOI), dated October 20, 2020;
  - o Putnam County Recording pages to Linda Viebrock, recorded August 14, 2002, with quit claim deed;
  - o NYSDOT Highway Work Permit issued 3/15/21, expired 11/15/21, with attachments;
  - o 10' Wide Sidewalk Easement (metes and bounds description) Prepared for Kent Self Storage, dated February 9, 2021;
  - o Putnam County Department of Health Construction Permit for Sewage Treatment System approval, signed 10/6/20; and
  - o Town of Kent Disclosure of Business Interest, signed, undated; and
- Plans prepared by Joseph C. Riina, P.E., entitled Kent Self Storage of Putnam, Inc., dated November 27, 2018, revised November 10, 2021, except as noted below, including the following:
  - o Title Sheet, dated January 2019, revised November 2021;
  - o Vicinity Plan and Topographic Map;
  - o Site Plan;
  - o Existing Conditions and Slope Map;
  - o Grading and Utility Plan;
  - o Septic Plan, Profile and Notes, revised July 12, 2020;
  - o Erosion and Sediment Control Plan and Notes;
  - o Landscape Plan, by Frank Guiliano, Landscape Architect, revised October 16, 2019;
  - o Site Lighting Plan, Photometrics and Specification;
  - o Intersection Site Distance Plan and Road Profiles;
  - o Storm Sewer Profiles;
  - o Development Area Profiles, dated 5/16/19, revised November 10, 2021;
  - o Wall Profiles, dated 5/16/19, revised November 10, 2021;
  - o Site Improvement Details;
  - o Stormwater Management Details;
  - o Septic Details, revised 7/21/20; and
  - o Erosion and Sediment Control Details.

Materials Previously Reviewed

- Response letter prepared by Joseph C. Riina, P.E., dated October 16, 2019;
- Renderings of views from Route 311, the site's frontage, preparer not indicated, undated;
- Plans prepared by Joseph C. Riina, P.E., entitled Kent Self Storage of Putnam, Inc., dated November 27, 2018, revised October 16, 2019, except as noted below, including the following:
  - o Title Sheet, dated January 2019, revised October 2019;
  - o Vicinity Plan and Topographic Map;
  - o Site Plan;



- Existing Conditions and Slope Map;
- Grading and Utility Plan;
- Septic Plan, Profile and Notes;
- Erosion and Sediment Control Plan and Notes;
- Landscape Plan;
- Site Lighting Plan, Photometrics and Specification;
- Intersection Site Distance Plan and Road Profiles;
- Storm Sewer Profiles;
- Development Area Profiles;
- Wall Profiles;
- Site Improvement Details;
- Stormwater Management Details;
- Septic Details; and
- Erosion and Sediment Control Details.



### **10' WIDE SIDEWALK EASEMENT IN FAVOR OF TOWN OF KENT**

FOR AND IN CONSIDERATION of the mutual covenants and agreements herein contained, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, RICHARD VIEBROCK (hereinafter, collectively, the "Grantor"), having an address of 164 Route 311, Carmel, New York 10512 hereby grants and conveys to TOWN OF KENT (hereinafter, collectively, the "Grantee"), having an address of 25 Sybil's Crossing, Kent Lakes, New York 10512, its successors and assigns, a perpetual, non-exclusive right of way and easement ("Easement") , upon, about, over and through the property described on the attached Exhibit "A", hereto and incorporated herein by reference ("Property"), also on a survey annexed hereto and made a part of this agreement which was prepared October 16, 2020 by Insite Engineering, Surveying & Landscape Architecture, P.C. attached as Exhibit "B", hereto and incorporated herein by reference ("Survey").

1. THE EASEMENT granted hereby shall be for ingress and egress to, from, upon and over the Property described to provide **only sidewalk** for public use.
2. THIS EASEMENT shall be terminated at any time by an instrument executed for such purpose and signed by the parties. If sidewalk is destroyed, Easement only provides for rebuilding on same encroaching footprint as shown on said annexed survey.
3. THIS EASEMENT shall be amended only by a written and recorded instrument signed by the parties or the then current owner of the Property and the Easement.
4. TOWN OF KENT AGREES to indemnify and to hold harmless RICHARD VIEBROCK or his assigns from any damage to person or property of Town of Kent, their agents, or servants, heirs, successors or assigns while utilizing this easement.
5. Grantee, its successors and/or assigns, shall and does hereby indemnify, defend, and hold harmless the Grantor (including its successors and/or assigns), from and against any and all loss, cost, liability, or expense (i) for damage to property on Grantee's property, or otherwise, and/or related to the above mentioned encroachments and (ii) their construction, existence, use, maintenance, or removal, or otherwise. Grantee's (its successors and/or assigns) indemnity obligations under this Agreement "run with the land" and the indemnity herein shall be the obligation of Grantee's successors, and/or assigns. The successful party in a litigation regarding this Agreement shall be entitled to have its reasonable attorney's fees and expenses reimbursed.
6. GOVERNING LAW- Each party agrees that it shall perform its obligations hereunder in accordance with all applicable laws, rules and regulations now or hereafter in effect. The laws of the State of New York shall govern this Agreement.
7. MODIFICATION- Any modification of this Agreement must be made in writing and must be executed by the parties hereto or their successors and/or assigns.

8. RECORDATION- This Agreement shall be recorded in the Putnam County Clerk's Office, Putnam County, New York and is intended to and shall run with the land.

9. ENTIRE AGREEMENT- This Agreement incorporates all the agreements, covenants, promises, and understandings between the parties concerning the subject matter hereof, and all such agreements, covenants, promises, and understandings have been merged into this Agreement. No prior agreement, covenant, promise, or understanding of the parties, verbal or otherwise, shall be valid or enforceable unless embodied in this Agreement.

10. FOLLOWING EXECUTION of this agreement, it shall be delivered to Richard Viebrock's Attorney, The Law Office of Rick S. Cowle, P.C., for the purpose of having it recorded. The charges of The Law Office of Rick S. Cowle, P.C., and the cost of the recording shall be borne equally by all parties. However, each of the parties hereto shall pay his/her own counsel fees in connection with this agreement.

11. THIS EASEMENT shall be binding upon and inure to the benefit of the parties successors and assigns, heirs, beneficiaries and personal representatives.

In Witness Whereof I have hereunto signed my name this \_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
RICHARD VIEBROCK

STATE OF NEW YORK            ) ss.:  
  )  
COUNTY OF PUTNAM         )

On the \_\_\_\_ day of \_\_\_\_\_, 2021 before me, the undersigned, personally appeared RICHARD VIEBROCK, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual executed the instrument.

\_\_\_\_\_  
Notary Public

In Witness Whereof I have hereunto signed my name this \_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Town of Kent,

STATE OF NEW YORK        ) ss.:  
                                      )  
COUNTY OF PUTNAM        )

On the \_\_\_\_ day of \_\_\_\_\_, in the year 2021 before me, the undersigned, personally appeared \_\_\_\_\_, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual executed the instrument.

\_\_\_\_\_  
Notary Public

**EXHIBIT "A"**



20221.200

February 9, 2021

10' Wide Sidewalk Easement  
Prepared for Kent Self Storage

All that certain piece or parcel of land lying and situate in the Town of Kent, County of Putnam, and State of New York, bounded and described as follows:

Beginning on the westerly line of Ludingtonville Court at a point dividing the premises of Richard Viebrook on the south and the lands now or formerly belonging to Harol & Joyce Schaeffer to the north,

thence along said westerly line of Ludingtonville Court and also along the northerly line of New York State Route 311, S29°34'51"W 236.88 feet and S54°35'00"W 244.16 feet to lands now or formerly belonging to Hudson Ventures, Inc.;

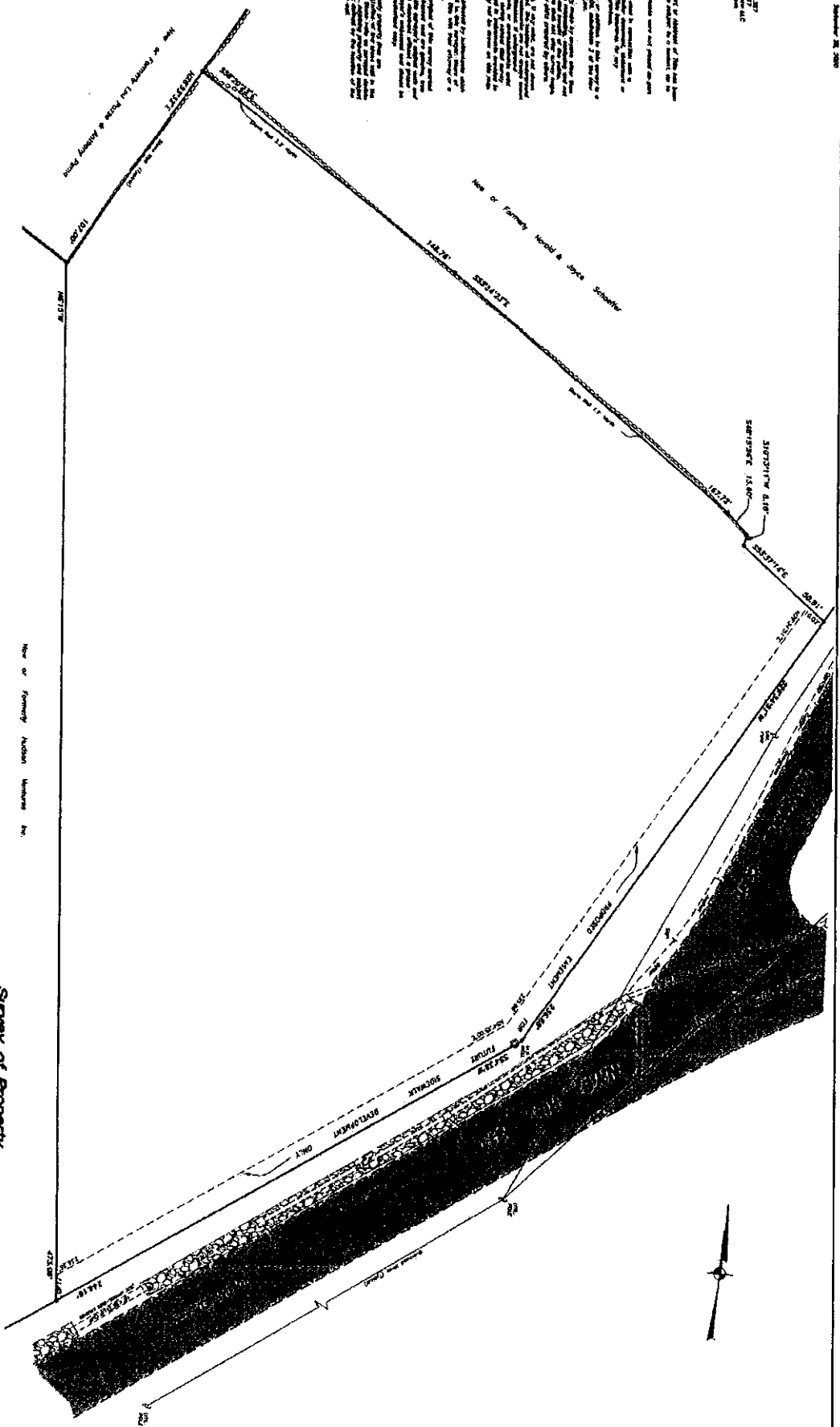
thence along said lands, N 06°15'00" W 11.45 feet to a point;

thence through the lands of Viebrook, N54°35'00"E 236.36 feet and N29°34'51"E 235.86 to the aforementioned lands of Schaefer;

thence along said lands, S53°37'14"E 10.07 feet to the point or place of Beginning.

**EXHIBIT "B"**

**ALCO, BOSTON:**  
 Casing About 3,000 Pumps, 357  
 Announced About 14, 2017  
 Driveline Parts, 87 Pumps LLC  
 Driveline Parts, 87 Pumps LLC

[illegible][illegible]

AREA = 2.705 Acres

**Survey of Property**  
**Required for**  
**Kent Self Storage**  
 Situated in the  
**Town of Kent**  
**Putnam County, New York**  
 March 1 - 20      Date October 25, 2020



**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](mailto:jandrews@rsaengrs.com)

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

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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 – Revised Submittal
Date:	January 3, 2022	Project:	Freidland Residence (Formerly Schulhof-Kravitz) TM 21.19-1-10

The following materials were reviewed:

1. Response to Comments-Freidland Residence-from John Karell Jr., P.E. dated December 15, 2021.
2. Town of Kent Planning Board- Site Plan Checklist-Freidland Residence.
3. Town of Kent Planning Board-Combined Application Form- Freidland Residence, dated November 10, 2021.
4. Affidavit by Owner-Manning Silverstein Architects P.C. dated November 11, 2021.
5. Affidavit by Agent of Owner-Manning Silverstein Architects P.C. dated November 11, 2021.
6. Certification of Professional Engineer/Licensed Land Surveyor/Architect-Architect-Manning Silverstein P.C. dated November 11, 2021.
7. Disclosure of Business Interest-Anne Manning dated November 11, 2021.
8. Town of Kent Planning Board Agricultural Data Statement -dated November 10, 2021.
9. Town on Kent Planning Board-Request for Wetland Delineation Confirmation.
10. Letter from Putnam County Department of Health- Freidland, dated December 20, 2021.
11. Construction Cost Estimate-Freidland prepared by John Karell Jr., P.E., dated March 12, 2015.



12. Short Environmental Assessment Form-Freidland Residence dated December 16, 2021.
13. MS4 Stormwater Pollution Prevention Plan (SWPPP)-Freidland Residence.
14. Notice of Intent- NYS Department of Environmental Conservation-Freidland Residence, date December 10, 2021.
15. Putnam County Deed.
16. Freidland Stormwater Pollution Prevention Plan Sequence of Construction.
17. Stormwater Pollution Prevention Plan-Freidland Residence prepared by John Karell Jr., P.E., dated December 15, 2021.
18. Drawing A-000.00 Site & Erosion Control Notes & Plans - Freidland Residence prepared by Manning Silverstein Architects P.C., dated November 16, 2021, last revised December 16, 2021.
19. Drawing A-001.00 Proposed Site Plan & Details- Freidland Residence prepared by Manning Silverstein Architects P.C., dated November 16, 2021, last revised December 16, 2021.
20. Drawing A-010.00 Ground & Main Floor Demo & Proposed Plans- Freidland Residence prepared by Manning Silverstein Architects P.C., dated November 16, 2021, last revised December 16, 2021.
21. Drawing A-030.00 Exterior Elevations- Freidland Residence prepared by Manning Silverstein Architects P.C., dated November 16, 2021, last revised December 16, 2021.
22. Topographic Survey-prepared by Steven J. Shaver, Land Surveyor, dated July 2, 2007.

The project proposes construction of an addition and new pool for an existing single-family house. The project was the subject of a prior application and review by the Planning Board which was never completed. The current application proposes to pick up where the previous application left off and complete the same project. A new application has been submitted and the drawings reissued.

The subject Erosion and Sediment Control Plan is not approved. The following comments are provided for the Planning Board's consideration based on our November 30, 2021 memorandum. Comments from that memorandum not included herein have been satisfactorily resolved. New or supplementary comments are shown in **bold**.

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

1. The proposed project is within the NYCDEP East of Hudson watershed and will disturb more than 5,000 SF of land. A Town of Kent Erosion & Sediment Control Permit is required as well as coverage under NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity, GP-0-20-001.
2. **Updated Putnam County Department of Health approval dated December 20, 2021 has been received and a copy submitted to the Planning Board.**
3. **The "Affidavit to be Completed by Owner" appears to have been completed and signed by the Architect and not the Owner. The Owner should sign the form.**
4. **The SEAF submitted as part of this current submittal is unsigned and contains blanks that need to be filled in.**
5. Provide the following information as required by Town Code Chapter 66-6.B.2:
  - c. §66-6.B.2.g – Provide "a soil erosion and sedimentation control plan designed utilizing the standards and specifications contained in the most recent version of New York State Standards and Specifications for Erosion and Sediment Control. The design, testing, installation, maintenance, and removal of erosion control measures shall adhere to these standards and any conditions of this chapter and the erosion control permit. This plan shall:"
    - i. [5] Include a timetable and schedule for completion and installation of all elements of the erosion control plan, together with a schedule for completion of the construction and disturbance proposed by the applicant.
    - ii. [7] Provide a maintenance schedule for erosion control measures.

**The timetable/sequence of construction are indicated on a separate sheet, not incorporated into the written SWPPP. We strongly suggest that timetable/sequence of construction be added to the written SWPPP. The maintenance information and schedule appear in a generic form in the written SWPPP. We recommend that the maintenance information and schedule be incorporated into the plan set with improved specificity regarding time frames. We prefer this information on the plan set as most Contractors do not refer to the written SWPPP and are more inclined to follow a plan set.**

6. Provide an erosion and sediment control only SWPPP in accordance with GP-0-20-001. A SWPPP was previously provided. The document will need to be updated and revised to reflect the current project and permit requirements as well as provide required information from Part III.B including:
  - g. Part III.B.1.i – "A maintenance inspection schedule for the contractor(s) identified in Part III.A.6. of this permit, to ensure continuous and effective operation of the erosion and sediment control practices. The maintenance inspection schedule shall be in accordance with the requirements in the technical standard, New York State Standards and Specifications for Erosion and Sediment Control, dated August 2005;" **See comment above**
  - j. In accordance with Part III.A.6, provide copies of the Contractor Certifications and copies of training certificates prior to the start of earth-disturbing activities. **Provide note on the Plan.**

7. Provide a current/updated eNotice of Intent (eNOI) for review. **Copy included with this submittal. No exception taken at this time. May require final adjustment once all matters have been concluded.**
8. Provide a current/updated MS4 SWPPP Acceptance Form with Sections I and II completed. **Copy provided with this submittal. Once all matters have been resolved and the Permit is approved, the MS4 Acceptance Form will be completed, and a signed version submitted to the Applicant for filing.**
9. Refer to the Drawings:
  - a. A note should be added to the construction entrance detail requiring the removal and restoration of the lawn when the construction entrance is no longer needed. **Comment remains valid.**
  - b. **Provide a location and detail for a concrete washout station.**
10. **A bond estimate in amount of \$2860.00 dated February 113, 2015, last revised March 12, 2015, was prepared by John Karell, Jr., P.E. and included in the submittal dated 12.15.2021. We prepared our own bond estimate in the amount of \$3700.00 based on our review of the information and notes in this submittal. A copy is attached hereto for your consideration. We do not have a recommendation on the bond amount at this time as additional information is required.**
11. 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.
12. **We recommend the Planning Board close the public hearing when appropriate to do so depending upon public comment. Provided there are no substantive issues raised at the public hearing and once the public hearing has been closed, we further recommend that the remaining project review be referred to the Planning Board consultants to be handled administratively.**



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

1.4.2022

Attachment

cc: Planning Board via email  
Bruce Barber via email  
21-261-999-144-01

Bill Walters via email  
Liz Axelson via email



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

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

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

To: Planning Board Town of Kent

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

Date: January 3, 2022

Attn: Philip Tolmach, Chairman

Subject: Erosion Control Bond Amount

Project: Freidland Residence (formerly Schulhof-Kravitz)

Tax Map: 21.19-1-10

The erosion control bond is as follows:

ITEM	QUANTITY	UNIT	UNIT COST	TOTAL COST
Concrete Washout Station	1	EA	\$ 500.00	\$ 500.00
Soil stockpiles	1	EA	\$ 500.00	\$ 500.00
Seed and mulch	15,224	SF	\$ 0.06	\$ 913.44
Stabilized construction entrance	1	EA	\$ 750.00	\$ 750.00
Silt Fence	260	LF	\$ 4.00	\$ 1,040.00
			<b>TOTAL:</b>	\$ 3,703.44

SAY \$ 3,700.00