

ADOPTED RESOLUTION
December 9, 2021
Town of Kent Planning Board Resolution of Re-Affirmation of
SEQRA Determination of Non-Significance (Negative Declaration)
and
Extension of Re-Approvals with Conditions for: Site Plan; and
Steep Slope and Erosion Control Permit for
Viebrock / Kent Self Storage Route 311
TM: 22.-2-17

Whereas, the Town of Kent Planning Board had previously received an application from Richard Viebrock, Kent Self-Storage of Putnam, Inc., for approval of a site plan for the construction of a self-storage facility and truck rental services and other uses, including two self-storage buildings with office (management) and retail spaces, parking areas, driveway, utilities, electric and stormwater management systems on a 2.7-acre site in the IOC (Industrial Office Commercial) zoning district located at 164 Route 311, Carmel, in the Town of Kent, Putnam County, New York (tax parcel identification number 22.-2-17); and

Whereas, the Town of Kent Planning Board had conducted a review of the previous application in beginning in April 2019, which involved site development of vacant land for the proposed storage facility, which is a principal permitted use in the IOC zoning district; and

Whereas, the project was depicted on a detailed set of site plans, including erosion and sediment control plans, prepared by Site Design Consultants, Civil Engineers & Land Planners, dated May 14, 2019, last revised October 16, 2019; and a Full EAF, dated January 22, 2019 was submitted, which was revised in May 2019; and

Whereas, the proposal also involved a Steep Slopes and Erosion Control Permit approval; and

Whereas, in accordance with the New York State Environmental Quality Review Act ("SEQRA"), the Planning Board took the following actions to initiate review on September 12, 2019:

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

Whereas, the Town of Kent Planning Board, as lead agency under SEQRA, concluded its SEQRA review and determined on November 14, 2019, that the proposed action described in the plans, Full EAF and other application materials would not have any significant adverse environmental impacts and an Environmental Impact Statement would not be required; and

Whereas, the Town of Kent Planning Board, had originally held a public hearing on October 10, 2019, which was adjourned and continued to November 14, 2019, and was then closed; and

Whereas, on November 14, 2019, the Town of Kent Planning Board pursuant to Kent Code Chapter 66, Article III the Planning Board granted Steep Slope and Erosion Control Permit approval; and pursuant to Kent Chapter 77, Zoning, granted final approval with conditions to the proposed site plan and steep slope and erosion control plan approvals based on the plans and materials described herein; and

Whereas, the Town of Kent Planning Board conditional site plan approval of November 14, 2019 expired 12 months from the date of approval as set forth in the Code of the Town of Kent section 77-61 C., which would be November 13, 2020; and

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Whereas, the Town of Kent Planning Board had received a letter dated December 4, 2020, requesting re-approval from Joseph C. Riina, P.E., Site Design Consultants, an updated application form and other materials on behalf of the Applicant, Richard Viebrock, Kent Self-Storage of Putnam, Inc., for re-approval of a Site Plan, which also involves a Steep Slope and Erosion Control Permit; and

Whereas, the submitted re-approval request letter stated that there had been no change to the project; that progress was made in pursuing other required approvals; and that the proposed project and plans remain the same as those granted a SEQRA Determination of Non-Significance (Negative Declaration) and conditional site plan and steep slope and erosion control plan approvals;

Whereas, on December 10, 2020, the Town of Kent Planning Board adopted a resolution reaffirming its prior determination that the proposed action described therein would not have any significant adverse environmental impacts and an Environmental Impact Statement would not be required; and granted renewed final approval with conditions to the proposed Site Plan and Steep Slope and Erosion Control plan approvals (Re-Approvals); and

Whereas, a letter was submitted requesting two 90-day extensions of the prior re-approval, which request letter stated that responses have been made to prior comments, but that some items remain to be address; and review by the Planning Board and its consultants confirms that the proposed project and plans remain the same as those granted a SEQRA Determination of Non-Significance (Negative Declaration) and conditional site plan and steep slope and erosion control plan approvals;

Now Therefore Be It Resolved, the Town of Kent Planning Board, as lead agency under SEQRA, and given there has been no change to the proposed action, hereby reaffirms its prior determination that the proposed action described herein will not have any significant adverse environmental impacts and an Environmental Impact Statement will not be required; and

Be It Further Resolved, that the Planning Board relies on the following supporting reasons in reaffirming this determination of non-significance (Negative Declaration):

1. The proposal will involve land disturbance on a vacant, vegetated site. Impervious coverage of developed site would be about thirty-five percent (34.8%). Land disturbance and construction activities will occur on just under 2 acres of the 2.7-acre site. Proposed grading, stormwater management practices and erosion and sedimentation control measures will be implemented to manage runoff and potential erosion effects. The site development includes extensive landscaping, which would serve to stabilize the site after construction.
2. The proposed action also involves an application for a Town Erosion Control Permit. The proposed limits of disturbance are defined on the site plans with corresponding erosion and sedimentation control measures.
3. The proposed site plan is consistent with the IOC zoning district's principal uses; lot and bulk requirements and design standards. The commercial use would be visible from Route 311, which is both a rural and suburban road leading to nearby recreational uses (Powerline Trail and Wonder Lake State Park); and nearby residences. Any effects on aesthetic resources or community character would be

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mitigated by the proposed architecture, including decorative veneer on retaining walls; and landscaping. Additionally, a proposed sidewalk easement provides for future potential development of pedestrian facilities; and

Be It Further Resolved, as per the waiver request from the Applicant and in accordance with zoning provisions for site plan procedures, the public hearing for this project is hereby waived; and

Be It Further Resolved, that pursuant to Kent Code Chapter 66, Article III the Planning Board hereby grants extensions of the Steep Slope and Erosion Control Permit re-approval; and

Be It Further Resolved, that the Planning Board hereby grants two 90-day extensions of the prior re-approval of final approval with conditions to the proposed Site Plan and Steep Slope and Erosion Control plan approvals, as depicted on the following maps:

- 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; and

Be It Further Resolved, that the Planning Board grants the two 90-day extensions of the prior re-approval of final approval with conditions to the proposed Site Plan and Steep Slope and Erosion Control plan approvals, subject to the following procedural conditions:

1. Prior to the expiration date of the first 90-day extension, the Applicant and/or their Representatives shall return to the Planning Board at a regularly scheduled meeting and by means of written documentation demonstrate and substantiate good faith progress in satisfying any remaining conditions of approval; and
2. The Planning Board, in its discretion, retains the right to rescind the second 90-day extension in the event the Applicant has made unsuitable progress or fails to demonstrate, in the opinion of the Planning Board, a good faith effort to advance the project; and

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Be It Further Resolved, that these site plan and steep slope and erosion control plan approvals, including the two 90-day extensions of the prior re-approval, are expressly conditioned on the completion of the compliance with the following:


1. Address the comments of the Planning Board's Professional Engineer as set forth in a memorandum dated November 30, 2021, or any later review memorandum.
2. Address the comments of the Planning Board's Environmental Consultant as set forth in a memorandum dated December 9, 2021, or any later review memorandum.
3. Address the comments of the Planning Board's Planning Consultant as set forth in a memorandum dated December 7, 2021, or any later review memorandum.
4. Obtain the approval of the Planning Board's Consulting Professional Engineer in regard to the final Steep Slope and Erosion Control Permit plan.
5. Obtain the approval of the Putnam County Department of Health for the individual sewage disposal and water supply system.
6. Obtain all required approvals from the New York City Department of Environmental Protection.
7. Obtain all required approvals from the New York State Department of Transportation.
8. Certification by the Planning Board's Attorney that the forthcoming easements and agreements, noted in the above review memorandums, are acceptable as to form and sufficiency, including but not limited to:
 - a. Stormwater maintenance and access agreements with the Town; and
 - b. 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.
9. Approval of the amount of the performance bond or security for the Steep Slope and Erosion Control Permit required per Kent Code section 66-6 D.(4) by the Planning Board's Consulting Professional Engineer; approval of the form of the bond or security by the Planning Board Attorney; and acceptance of the bond or security by the Town Board.
10. Payment of an inspection fee for the Steep Slope and Erosion Control Permit.
11. Payment of all consultant fees accrued by the Planning Board to review the project plans and the application.

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12. The extensions of the prior re-approval granted in this resolution shall be subject to the procedural conditions stated herein above. From last day of the second 90-day extension, the conditional site plan approval shall expire 12 months from the date of the extended approval as set forth in the Code of the Town of Kent section 77-61 C., which states that the approval would be "... void if construction is not started within one year of the date of Planning Board approval, and completed within two years of the date of such approval."; and unless otherwise extended by the Planning Board upon the express written request of the applicant prior to the date of expiration.
13. It is the responsibility of the application/project sponsor to submit to the Town Planning Board proof that each of the conditions of this Site Plan Approval; and Steep Slope and Erosion Control permit approvals have been completed; and the signature of the Planning Board Chairman shall be withheld pending receipt of a written memorandum from the Planning Board's Planning Consultant verifying that each of the conditions of this approval have been completed. The final drawings shall not be accepted by the Planning Board without submission of proof of completion.

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

I certify that the above resolution was adopted by the Town of Kent Planning Board at a meeting of the Board held on December 9, 2021.


Vera Patterson, Clerk
Town of Kent Planning Board

Site Design Consultants

Civil Engineers • Land Planners

December 20, 2021

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

Via email

Re: JPE Auto Repair Corp.
333 Route 52
SBL 33.-1-58.2

Dear Chairman Tolmach and Members of the Planning Board:

With regard to the above reference property/project, the mitigation work to restore the wetland that was a Condition of the Approval has been completed to our satisfaction. We therefore request final sign-off from the Planning Board so that a Building Permit can be obtained.

We will submit an electronic copy via email to the Planning Office. Thank you.

Yours Truly,


Joseph C. Riina, P.E.

Cc: Vera Patterson
Liz Axelson
John Andrews
Bruce Barber
JPE Auto Repair Corp.

JCR / cm / sdc 21-46

251-F Underhill Avenue • Yorktown Heights, New York 10598

60 Walnut Grove Road • Ridgefield, Connecticut 06877

(914) 962-4488

(203) 431-9504

Fax (914) 962-7386





**Department of
Environmental
Conservation**

**NYS Department of Environmental Conservation
Division of Water
625 Broadway, 4th Floor
Albany, New York 12233-3505**

**MS4 Stormwater Pollution Prevention Plan (SWPPP) Acceptance
Form
for**

**Construction Activities Seeking Authorization Under SPDES General Permit
*(NOTE: Attach Completed Form to Notice Of Intent and Submit to Address Above)**

I. Project Owner/Operator Information

1. Owner/Operator Name: Peter Freidland
2. Contact Person: Peter Freidland
3. Street Address: 8 Cat Briar Road
4. City/State/Zip: Kent Cliffs, NY 10023

II. Project Site Information

5. Project/Site Name: Freidland Residence
6. Street Address: 8 Cat Briar Road
7. City/State/Zip: Carmel, New York 10512

III. Stormwater Pollution Prevention Plan (SWPPP) Review and Acceptance Information

8. SWPPP Reviewed by:
9. Title/Position:
10. Date Final SWPPP Reviewed and Accepted:

IV. Regulated MS4 Information

11. Name of MS4:
12. MS4 SPDES Permit Identification Number: NYR20A
13. Contact Person:
14. Street Address:
15. City/State/Zip:
16. Telephone Number:

MS4 SWPPP Acceptance Form - continued

V. Certification Statement - MS4 Official (principal executive officer or ranking elected official) or Duly Authorized Representative

I hereby certify that the final Stormwater Pollution Prevention Plan (SWPPP) for the construction project identified in question 5 has been reviewed and meets the substantive requirements in the SPDES General Permit For Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4s).
Note: The MS4, through the acceptance of the SWPPP, assumes no responsibility for the accuracy and adequacy of the design included in the SWPPP. In addition, review and acceptance of the SWPPP by the MS4 does not relieve the owner/operator or their SWPPP preparer of responsibility or liability for errors or omissions in the plan.

Printed Name:

Title/Position:

Signature:

Date:

VI. Additional Information



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 have 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, 1page.
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

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

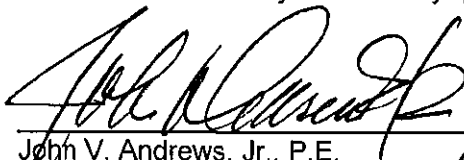
An erosion control bond in the amount of \$7730.00 was authorized by the Planning Board and subsequently accepted by the Town Board.

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).

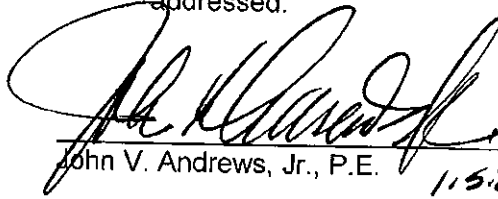
The subject Erosion and Sediment Control Plan is not approved. The following comments are provided for the Planning Board's consideration based on our October 21, 2021, memorandum. Comments from that memorandum not included herein have been satisfactorily resolved. New or supplementary comments are shown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

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
			TOTAL:	\$ 17,115.00

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 SEQR Determination of Non-Significance (Negative Declaration) on November 14, 2019. The Planning Board's SEQR 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.

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.

ADOPTED RESOLUTION
December 9, 2021
Town of Kent Planning Board Resolution of Re-Affirmation of
SEQRA Determination of Non-Significance (Negative Declaration)
and
Extension of Re-Approvals with Conditions for: Site Plan; and
Steep Slope and Erosion Control Permit for
Viebrock / Kent Self Storage Route 311
TM: 22.-2-17

Whereas, the Town of Kent Planning Board had previously received an application from Richard Viebrock, Kent Self-Storage of Putnam, Inc., for approval of a site plan for the construction of a self-storage facility and truck rental services and other uses, including two self-storage buildings with office (management) and retail spaces, parking areas, driveway, utilities, electric and stormwater management systems on a 2.7-acre site in the IOC (Industrial Office Commercial) zoning district located at 164 Route 311, Carmel, in the Town of Kent, Putnam County, New York (tax parcel identification number 22.-2-17); and

Whereas, the Town of Kent Planning Board had conducted a review of the previous application in beginning in April 2019, which involved site development of vacant land for the proposed storage facility, which is a principal permitted use in the IOC zoning district; and

Whereas, the project was depicted on a detailed set of site plans, including erosion and sediment control plans, prepared by Site Design Consultants, Civil Engineers & Land Planners, dated May 14, 2019, last revised October 16, 2019; and a Full EAF, dated January 22, 2019 was submitted, which was revised in May 2019; and

Whereas, the proposal also involved a Steep Slopes and Erosion Control Permit approval; and

Whereas, in accordance with the New York State Environmental Quality Review Act ("SEQRA"), the Planning Board took the following actions to initiate review on September 12, 2019:

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

Whereas, the Town of Kent Planning Board, as lead agency under SEQRA, concluded its SEQRA review and determined on November 14, 2019, that the proposed action described in the plans, Full EAF and other application materials would not have any significant adverse environmental impacts and an Environmental Impact Statement would not be required; and

Whereas, the Town of Kent Planning Board, had originally held a public hearing on October 10, 2019, which was adjourned and continued to November 14, 2019, and was then closed; and

Whereas, on November 14, 2019, the Town of Kent Planning Board pursuant to Kent Code Chapter 66, Article III the Planning Board granted Steep Slope and Erosion Control Permit approval; and pursuant to Kent Chapter 77, Zoning, granted final approval with conditions to the proposed site plan and steep slope and erosion control plan approvals based on the plans and materials described herein; and

Whereas, the Town of Kent Planning Board conditional site plan approval of November 14, 2019 expired 12 months from the date of approval as set forth in the Code of the Town of Kent section 77-61 C., which would be November 13, 2020; and

***Town of Kent Planning Board Resolution of
Re-affirmation of SEQRA Negative Declaration; and
Extension of Re-Approvals with Conditions for Site Plan; and Erosion Control
for Kent Self Storage Route 311
December 9, 2021***

Whereas, the Town of Kent Planning Board had received a letter dated December 4, 2020, requesting re-approval from Joseph C. Riina, P.E., Site Design Consultants, an updated application form and other materials on behalf of the Applicant, Richard Viebrock, Kent Self-Storage of Putnam, Inc., for re-approval of a Site Plan, which also involves a Steep Slope and Erosion Control Permit; and

Whereas, the submitted re-approval request letter stated that there had been no change to the project; that progress was made in pursuing other required approvals; and that the proposed project and plans remain the same as those granted a SEQRA Determination of Non-Significance (Negative Declaration) and conditional site plan and steep slope and erosion control plan approvals;

Whereas, on December 10, 2020, the Town of Kent Planning Board adopted a resolution reaffirming its prior determination that the proposed action described therein would not have any significant adverse environmental impacts and an Environmental Impact Statement would not be required; and granted renewed final approval with conditions to the proposed Site Plan and Steep Slope and Erosion Control plan approvals (Re-Approvals); and

Whereas, a letter was submitted requesting two 90-day extensions of the prior re-approval, which request letter stated that responses have been made to prior comments, but that some items remain to be address; and review by the Planning Board and its consultants confirms that the proposed project and plans remain the same as those granted a SEQRA Determination of Non-Significance (Negative Declaration) and conditional site plan and steep slope and erosion control plan approvals;

Now Therefore Be It Resolved, the Town of Kent Planning Board, as lead agency under SEQRA, and given there has been no change to the proposed action, hereby reaffirms its prior determination that the proposed action described herein will not have any significant adverse environmental impacts and an Environmental Impact Statement will not be required; and

Be It Further Resolved, that the Planning Board relies on the following supporting reasons in reaffirming this determination of non-significance (Negative Declaration):

1. The proposal will involve land disturbance on a vacant, vegetated site. Impervious coverage of developed site would be about thirty-five percent (34.8%). Land disturbance and construction activities will occur on just under 2 acres of the 2.7-acre site. Proposed grading, stormwater management practices and erosion and sedimentation control measures will be implemented to manage runoff and potential erosion effects. The site development includes extensive landscaping, which would serve to stabilize the site after construction.
2. The proposed action also involves an application for a Town Erosion Control Permit. The proposed limits of disturbance are defined on the site plans with corresponding erosion and sedimentation control measures.
3. The proposed site plan is consistent with the IOC zoning district's principal uses; lot and bulk requirements and design standards. The commercial use would be visible from Route 311, which is both a rural and suburban road leading to nearby recreational uses (Powerline Trail and Wonder Lake State Park); and nearby residences. Any effects on aesthetic resources or community character would be

***Town of Kent Planning Board Resolution of
Re-affirmation of SEQRA Negative Declaration; and
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for Kent Self Storage Route 311
December 9, 2021***

mitigated by the proposed architecture, including decorative veneer on retaining walls; and landscaping. Additionally, a proposed sidewalk easement provides for future potential development of pedestrian facilities; and

Be It Further Resolved, as per the waiver request from the Applicant and in accordance with zoning provisions for site plan procedures, the public hearing for this project is hereby waived; and

Be It Further Resolved, that pursuant to Kent Code Chapter 66, Article III the Planning Board hereby grants extensions of the Steep Slope and Erosion Control Permit re-approval; and

Be It Further Resolved, that the Planning Board hereby grants two 90-day extensions of the prior re-approval of final approval with conditions to the proposed Site Plan and Steep Slope and Erosion Control plan approvals, as depicted on the following maps:

- 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; and

Be It Further Resolved, that the Planning Board grants the two 90-day extensions of the prior re-approval of final approval with conditions to the proposed Site Plan and Steep Slope and Erosion Control plan approvals, subject to the following procedural conditions:

1. Prior to the expiration date of the first 90-day extension, the Applicant and/or their Representatives shall return to the Planning Board at a regularly scheduled meeting and by means of written documentation demonstrate and substantiate good faith progress in satisfying any remaining conditions of approval; and
2. The Planning Board, in its discretion, retains the right to rescind the second 90-day extension in the event the Applicant has made unsuitable progress or fails to demonstrate, in the opinion of the Planning Board, a good faith effort to advance the project; and

***Town of Kent Planning Board Resolution of
Re-affirmation of SEQRA Negative Declaration; and
Extension of Re-Approvals with Conditions for Site Plan; and Erosion Control
for Kent Self Storage Route 311
December 9, 2021***

Be It Further Resolved, that these site plan and steep slope and erosion control plan approvals, including the two 90-day extensions of the prior re-approval, are expressly conditioned on the completion of the compliance with the following:

1. Address the comments of the Planning Board's Professional Engineer as set forth in a memorandum dated November 30, 2021, or any later review memorandum.
2. Address the comments of the Planning Board's Environmental Consultant as set forth in a memorandum dated December 9, 2021, or any later review memorandum.
3. Address the comments of the Planning Board's Planning Consultant as set forth in a memorandum dated December 7, 2021, or any later review memorandum.
4. Obtain the approval of the Planning Board's Consulting Professional Engineer in regard to the final Steep Slope and Erosion Control Permit plan.
5. Obtain the approval of the Putnam County Department of Health for the individual sewage disposal and water supply system.
6. Obtain all required approvals from the New York City Department of Environmental Protection.
7. Obtain all required approvals from the New York State Department of Transportation.
8. Certification by the Planning Board's Attorney that the forthcoming easements and agreements, noted in the above review memorandums, are acceptable as to form and sufficiency, including but not limited to:
 - a. Stormwater maintenance and access agreements with the Town; and
 - b. 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.
9. Approval of the amount of the performance bond or security for the Steep Slope and Erosion Control Permit required per Kent Code section 66-6 D.(4) by the Planning Board's Consulting Professional Engineer; approval of the form of the bond or security by the Planning Board Attorney; and acceptance of the bond or security by the Town Board.
10. Payment of an inspection fee for the Steep Slope and Erosion Control Permit.
11. Payment of all consultant fees accrued by the Planning Board to review the project plans and the application.

*Town of Kent Planning Board Resolution of
Re-affirmation of SEQRA Negative Declaration; and
Extension of Re-Approvals with Conditions for Site Plan; and Erosion Control
for Kent Self Storage Route 311
December 9, 2021*

12. The extensions of the prior re-approval granted in this resolution shall be subject to the procedural conditions stated herein above. From last day of the second 90-day extension, the conditional site plan approval shall expire 12 months from the date of the extended approval as set forth in the Code of the Town of Kent section 77-61 C., which states that the approval would be "... void if construction is not started within one year of the date of Planning Board approval, and completed within two years of the date of such approval."; and unless otherwise extended by the Planning Board upon the express written request of the applicant prior to the date of expiration.
13. It is the responsibility of the application/project sponsor to submit to the Town Planning Board proof that each of the conditions of this Site Plan Approval; and Steep Slope and Erosion Control permit approvals have been completed; and the signature of the Planning Board Chairman shall be withheld pending receipt of a written memorandum from the Planning Board's Planning Consultant verifying that each of the conditions of this approval have been completed. The final drawings shall not be accepted by the Planning Board without submission of proof of completion.

Motion: Stephen Wilhelm

Second: Hugo German

Phil Tolmach, Chairman Aye

Dennis Lowes, Vice Chairman Aye

Simon Carey Aye


Giancarlo Gattucci Aye

Hugo German Aye

Sabrina Cruz Aye

Stephen Wilhelm Aye

I certify that the above resolution was adopted by the Town of Kent Planning Board at a meeting of the Board held on December 9, 2021.


Vera Patterson, Clerk
Town of Kent Planning Board



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

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

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

Memorandum

To:	Planning Board Town of Kent	Attn:	Philip Tolmach Chairman
From:	John V. Andrews, Jr., P.E.	Subject:	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

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
			TOTAL:	\$ 3,703.44

SAY \$ 3,700.00

ADOPTED RESOLUTION

December 9, 2021

Town of Kent Planning Board Resolution of Re-Affirmation of SEQRA Determination of Non-Significance (Negative Declaration) and

Extension of Re-Approvals with Conditions for: Site Plan; and Steep Slope and Erosion Control Permit for Viebrock / Kent Self Storage Route 311

TM: 22.-2-17

Whereas, the Town of Kent Planning Board had previously received an application from Richard Viebrock, Kent Self-Storage of Putnam, Inc., for approval of a site plan for the construction of a self-storage facility and truck rental services and other uses, including two self-storage buildings with office (management) and retail spaces, parking areas, driveway, utilities, electric and stormwater management systems on a 2.7-acre site in the IOC (Industrial Office Commercial) zoning district located at 164 Route 311, Carmel, in the Town of Kent, Putnam County, New York (tax parcel identification number 22.-2-17); and

Whereas, the Town of Kent Planning Board had conducted a review of the previous application in beginning in April 2019, which involved site development of vacant land for the proposed storage facility, which is a principal permitted use in the IOC zoning district; and

Whereas, the project was depicted on a detailed set of site plans, including erosion and sediment control plans, prepared by Site Design Consultants, Civil Engineers & Land Planners, dated May 14, 2019, last revised October 16, 2019; and a Full EAF, dated January 22, 2019 was submitted, which was revised in May 2019; and

Whereas, the proposal also involved a Steep Slopes and Erosion Control Permit approval; and

Whereas, in accordance with the New York State Environmental Quality Review Act ("SEQRA"), the Planning Board took the following actions to initiate review on September 12, 2019:

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

Whereas, the Town of Kent Planning Board, as lead agency under SEQRA, concluded its SEQRA review and determined on November 14, 2019, that the proposed action described in the plans, Full EAF and other application materials would not have any significant adverse environmental impacts and an Environmental Impact Statement would not be required; and

Whereas, the Town of Kent Planning Board, had originally held a public hearing on October 10, 2019, which was adjourned and continued to November 14, 2019, and was then closed; and

Whereas, on November 14, 2019, the Town of Kent Planning Board pursuant to Kent Code Chapter 66, Article III the Planning Board granted Steep Slope and Erosion Control Permit approval; and pursuant to Kent Chapter 77, Zoning, granted final approval with conditions to the proposed site plan and steep slope and erosion control plan approvals based on the plans and materials described herein; and

Whereas, the Town of Kent Planning Board conditional site plan approval of November 14, 2019 expired 12 months from the date of approval as set forth in the Code of the Town of Kent section 77-61 C., which would be November 13, 2020; and

***Town of Kent Planning Board Resolution of
Re-affirmation of SEQRA Negative Declaration; and
Extension of Re-Approvals with Conditions for Site Plan; and Erosion Control
for Kent Self Storage Route 311
December 9, 2021***

Whereas, the Town of Kent Planning Board had received a letter dated December 4, 2020, requesting re-approval from Joseph C. Riina, P.E., Site Design Consultants, an updated application form and other materials on behalf of the Applicant, Richard Viebrock, Kent Self-Storage of Putnam, Inc., for re-approval of a Site Plan, which also involves a Steep Slope and Erosion Control Permit; and

Whereas, the submitted re-approval request letter stated that there had been no change to the project; that progress was made in pursuing other required approvals; and that the proposed project and plans remain the same as those granted a SEQRA Determination of Non-Significance (Negative Declaration) and conditional site plan and steep slope and erosion control plan approvals;

Whereas, on December 10, 2020, the Town of Kent Planning Board adopted a resolution reaffirming its prior determination that the proposed action described therein would not have any significant adverse environmental impacts and an Environmental Impact Statement would not be required; and granted renewed final approval with conditions to the proposed Site Plan and Steep Slope and Erosion Control plan approvals (Re-Approvals); and

Whereas, a letter was submitted requesting two 90-day extensions of the prior re-approval, which request letter stated that responses have been made to prior comments, but that some items remain to be address; and review by the Planning Board and its consultants confirms that the proposed project and plans remain the same as those granted a SEQRA Determination of Non-Significance (Negative Declaration) and conditional site plan and steep slope and erosion control plan approvals;

Now Therefore Be It Resolved, the Town of Kent Planning Board, as lead agency under SEQRA, and given there has been no change to the proposed action, hereby reaffirms its prior determination that the proposed action described herein will not have any significant adverse environmental impacts and an Environmental Impact Statement will not be required; and

Be It Further Resolved, that the Planning Board relies on the following supporting reasons in reaffirming this determination of non-significance (Negative Declaration):

1. The proposal will involve land disturbance on a vacant, vegetated site. Impervious coverage of developed site would be about thirty-five percent (34.8%). Land disturbance and construction activities will occur on just under 2 acres of the 2.7-acre site. Proposed grading, stormwater management practices and erosion and sedimentation control measures will be implemented to manage runoff and potential erosion effects. The site development includes extensive landscaping, which would serve to stabilize the site after construction.
2. The proposed action also involves an application for a Town Erosion Control Permit. The proposed limits of disturbance are defined on the site plans with corresponding erosion and sedimentation control measures.
3. The proposed site plan is consistent with the IOC zoning district's principal uses; lot and bulk requirements and design standards. The commercial use would be visible from Route 311, which is both a rural and suburban road leading to nearby recreational uses (Powerline Trail and Wonder Lake State Park); and nearby residences. Any effects on aesthetic resources or community character would be

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mitigated by the proposed architecture, including decorative veneer on retaining walls; and landscaping. Additionally, a proposed sidewalk easement provides for future potential development of pedestrian facilities; and

Be It Further Resolved, as per the waiver request from the Applicant and in accordance with zoning provisions for site plan procedures, the public hearing for this project is hereby waived; and

Be It Further Resolved, that pursuant to Kent Code Chapter 66, Article III the Planning Board hereby grants extensions of the Steep Slope and Erosion Control Permit re-approval; and

Be It Further Resolved, that the Planning Board hereby grants two 90-day extensions of the prior re-approval of final approval with conditions to the proposed Site Plan and Steep Slope and Erosion Control plan approvals, as depicted on the following maps:

- 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:
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 - o Site Plan;
 - o Existing Conditions and Slope Map;
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 - 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;
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 - 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; and

Be It Further Resolved, that the Planning Board grants the two 90-day extensions of the prior re-approval of final approval with conditions to the proposed Site Plan and Steep Slope and Erosion Control plan approvals, subject to the following procedural conditions:

1. Prior to the expiration date of the first 90-day extension, the Applicant and/or their Representatives shall return to the Planning Board at a regularly scheduled meeting and by means of written documentation demonstrate and substantiate good faith progress in satisfying any remaining conditions of approval; and
2. The Planning Board, in its discretion, retains the right to rescind the second 90-day extension in the event the Applicant has made unsuitable progress or fails to demonstrate, in the opinion of the Planning Board, a good faith effort to advance the project; and

***Town of Kent Planning Board Resolution of
Re-affirmation of SEQRA Negative Declaration; and
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for Kent Self Storage Route 311
December 9, 2021***

Be It Further Resolved, that these site plan and steep slope and erosion control plan approvals, including the two 90-day extensions of the prior re-approval, are expressly conditioned on the completion of the compliance with the following:

1. Address the comments of the Planning Board's Professional Engineer as set forth in a memorandum dated November 30, 2021, or any later review memorandum.
2. Address the comments of the Planning Board's Environmental Consultant as set forth in a memorandum dated December 9, 2021, or any later review memorandum.
3. Address the comments of the Planning Board's Planning Consultant as set forth in a memorandum dated December 7, 2021, or any later review memorandum.
4. Obtain the approval of the Planning Board's Consulting Professional Engineer in regard to the final Steep Slope and Erosion Control Permit plan.
5. Obtain the approval of the Putnam County Department of Health for the individual sewage disposal and water supply system.
6. Obtain all required approvals from the New York City Department of Environmental Protection.
7. Obtain all required approvals from the New York State Department of Transportation.
8. Certification by the Planning Board's Attorney that the forthcoming easements and agreements, noted in the above review memorandums, are acceptable as to form and sufficiency, including but not limited to:
 - a. Stormwater maintenance and access agreements with the Town; and
 - b. 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.
9. Approval of the amount of the performance bond or security for the Steep Slope and Erosion Control Permit required per Kent Code section 66-6 D.(4) by the Planning Board's Consulting Professional Engineer; approval of the form of the bond or security by the Planning Board Attorney; and acceptance of the bond or security by the Town Board.
10. Payment of an inspection fee for the Steep Slope and Erosion Control Permit.
11. Payment of all consultant fees accrued by the Planning Board to review the project plans and the application.

*Town of Kent Planning Board Resolution of
Re-affirmation of SEQRA Negative Declaration; and
Extension of Re-Approvals with Conditions for Site Plan; and Erosion Control
for Kent Self Storage Route 311
December 9, 2021*

12. The extensions of the prior re-approval granted in this resolution shall be subject to the procedural conditions stated herein above. From last day of the second 90-day extension, the conditional site plan approval shall expire 12 months from the date of the extended approval as set forth in the Code of the Town of Kent section 77-61 C., which states that the approval would be "... void if construction is not started within one year of the date of Planning Board approval, and completed within two years of the date of such approval."; and unless otherwise extended by the Planning Board upon the express written request of the applicant prior to the date of expiration.
13. It is the responsibility of the application/project sponsor to submit to the Town Planning Board proof that each of the conditions of this Site Plan Approval; and Steep Slope and Erosion Control permit approvals have been completed; and the signature of the Planning Board Chairman shall be withheld pending receipt of a written memorandum from the Planning Board's Planning Consultant verifying that each of the conditions of this approval have been completed. The final drawings shall not be accepted by the Planning Board without submission of proof of completion.

Motion: Stephen Wilhelm

Second: Hugo German

Phil Tolmach, Chairman Aye

Dennis Lowes, Vice Chairman Aye

Simon Carey Aye

Giancarlo Gattucci Aye

Hugo German Aye

Sabrina Cruz Aye

Stephen Wilhelm Aye

I certify that the above resolution was adopted by the Town of Kent Planning Board at a meeting of the Board held on December 9, 2021.

Vera Patterson, Clerk
Town of Kent Planning Board

Site Design Consultants

Civil Engineers • Land Planners

December 20, 2021

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

Via email

Re: JPE Auto Repair Corp.
333 Route 52
SBL 33.-1-58.2

Dear Chairman Tolmach and Members of the Planning Board:

With regard to the above reference property/project, the mitigation work to restore the wetland that was a Condition of the Approval has been completed to our satisfaction. We therefore request final sign-off from the Planning Board so that a Building Permit can be obtained.

We will submit an electronic copy via email to the Planning Office. Thank you.

Yours Truly,


Joseph C. Riina, P.E.

Cc: Vera Patterson
Liz Axelson
John Andrews
Bruce Barber
JPE Auto Repair Corp.

JCR / cm / sdc 21-46

251-F Underhill Avenue • Yorktown Heights, New York 10598

60 Walnut Grove Road • Ridgefield, Connecticut 06877

(914) 962-4488

(203) 431-9504

Fax (914) 962-7386





**Department of
Environmental
Conservation**

**NYS Department of Environmental Conservation
Division of Water
625 Broadway, 4th Floor
Albany, New York 12233-3505**

**MS4 Stormwater Pollution Prevention Plan (SWPPP) Acceptance
Form**

**for
Construction Activities Seeking Authorization Under SPDES General Permit
*(NOTE: Attach Completed Form to Notice Of Intent and Submit to Address Above)**

I. Project Owner/Operator Information

1. Owner/Operator Name: Peter Freidland
2. Contact Person: Peter Freidland
3. Street Address: 8 Cat Briar Road
4. City/State/Zip: Kent Cliffs, NY 10023

II. Project Site Information

5. Project/Site Name: Freidland Residence
6. Street Address: 8 Cat Briar Road
7. City/State/Zip: Carmel, New York 10512

III. Stormwater Pollution Prevention Plan (SWPPP) Review and Acceptance Information

8. SWPPP Reviewed by:
9. Title/Position:
10. Date Final SWPPP Reviewed and Accepted:

IV. Regulated MS4 Information

11. Name of MS4:
12. MS4 SPDES Permit Identification Number: NYR20A
13. Contact Person:
14. Street Address:
15. City/State/Zip:
16. Telephone Number:

MS4 SWPPP Acceptance Form - continued

V. Certification Statement - MS4 Official (principal executive officer or ranking elected official) or Duly Authorized Representative

I hereby certify that the final Stormwater Pollution Prevention Plan (SWPPP) for the construction project identified in question 5 has been reviewed and meets the substantive requirements in the SPDES General Permit For Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4s).
Note: The MS4, through the acceptance of the SWPPP, assumes no responsibility for the accuracy and adequacy of the design included in the SWPPP. In addition, review and acceptance of the SWPPP by the MS4 does not relieve the owner/operator or their SWPPP preparer of responsibility or liability for errors or omissions in the plan.

Printed Name:

Title/Position:

Signature:

Date:

VI. Additional Information

WINKLER FARM PROJECT 2021

UNITS ALLOWED UNDER STATE SUPREME COURT DECISION, COUNTY OF PUTNAM

INDEX NUMBER 1127/79 :

27 NEW DWELLINGS PLUS THE EXISTING 6 FOR A TOTAL OF 33 DWELLINGS

NUMBER OF UNITS PROPOSED UNDER THIS PROJECT:

12 NEW DWELLINGS (2 br)

PLUS THE EXISTING 7 UNITS FOR A TOTAL OF 19 UNITS

THIS NUMBER WILL COMPLETE THE PROJECT.

IN THE COURT ORDER IT REFERS TO THE NUMBER OF BEDROOMS THAT WOULD BE ALLOWED UNDER A DISCUSSION BY THE THEN PLANNING BOARD. THAT NUMBER IS 55. THIS WAS BROKEN DOWN INTO 22 (2) BR UNITS AND 11 (1) BR UNITS

THE CURRENT PROJECT PROPOSED - THE BEDROOM COUNT IS TO BE 36 BEDROOMS IN TOTAL. 17 (2) BR UNITS AND 2 (1) BR UNITS.

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF PUTNAM

-----X
SAM WINKLER and RITA WINKLER,

Petitioners

-against-

Index No. 1127/79

THE TOWN OF KENT, a municipal corpora-
tion of the State of New York, THE
PLANNING BOARD OF THE TOWN OF KENT,
DOUGLAS KOBERGER, Chairman, GERTRUDE
BELVEDERE, WILLIAM BRETT, FRANCIS
REBUELTA, ED PLUMEAU, DANIEL GLUM,
HENRY SCHMIDT, RICHARD LEWISOHN, con-
stituting the PLANNING BOARD OF THE
TOWN OF KENT,

JUDGMENT

Respondents.

-----X
The issues in the above-entitled action having duly
come on for trial before Mr. Justice Hickman at a Trial Term of
this Court held at the Courthouse thereof, located at Main Street,
Carmel, New York, on the 19th day of January, 1982, and the
petitioners having appeared by their attorney, RICHARD L. MAHER,
ESQ., and the defendants having appeared by their attorney, JOHN
A. PORCO, ESQ., and the parties and their attorneys having enter-
ed into a Stipulation in open court, and upon the approval of
the court,

NOW, on motion of RICHARD L. MAHER, ESQ., attorney
for the petitioners, it is

ORDERED, ADJUDGED AND DECREED, that the petitioners
shall have the right to construct upon the subject property

twenty-seven (27) dwelling units, in addition to the six (6) dwelling units existing thereon, and it is further

ORDERED, ADJUDGED AND DECREED that the number of bedrooms per unit shall be in accordance with the plan previously set in the minutes of the said Planning Board of the Town of Kent, the respondent herein, and it is further

ORDERED, ADJUDGED AND DECREED that the petitioners shall submit to the Planning Board the necessary site plan for the approval in accordance with the Rules & Regulations of the said Planning Board.

JUDGMENT SIGNED THIS 30th DAY OF JANUARY, 1985.

s/ S. BARRETT HENMAN
Acting J.S.C.

APPROVED & CONSENTED TO:

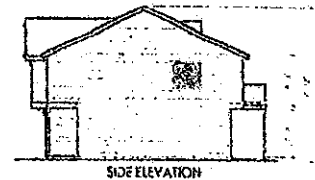
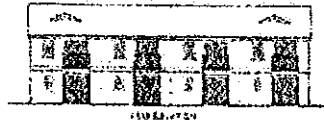
Elliot Fixler
ELLIOT FIXLER, attorney for
respondents

Search

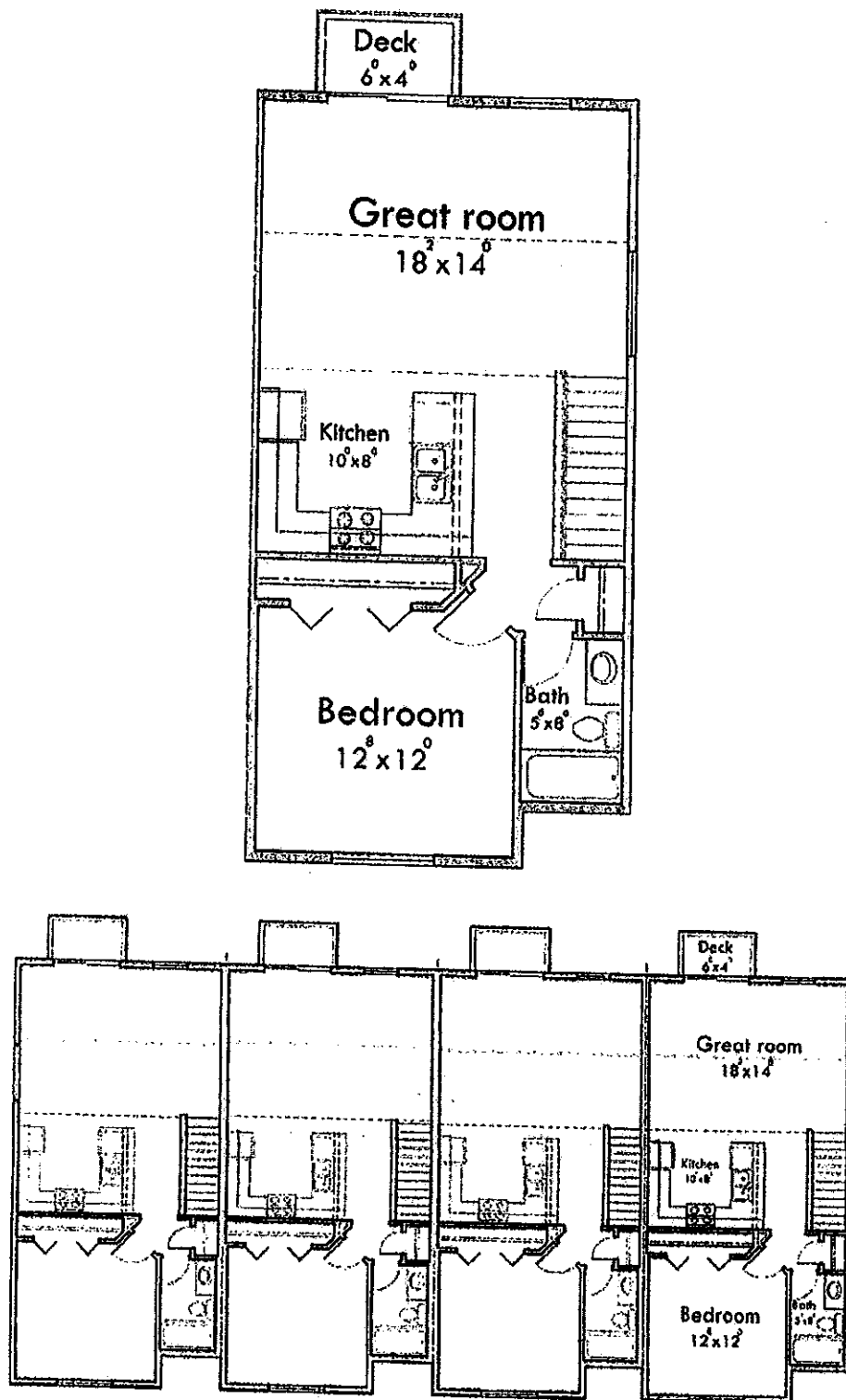
60

[Duplex Plans \(\(plans/type/3\)\)](#)[3 & 4 Plex \(\(plans/type/12\)\)](#)[5+ Units \(\(plans/type/13\)\)](#)[House Plans \(\(plans/type/1\)\)](#)[Garage Plans \(\(plans/type/5\)\)](#)[About Us \(\(company\)\)](#)[Sample Plan \(\(plans/plan/bid\)\)](#)

Florida vernacular architectural style, row house plan with pastel colors, Bahama shutters F-576



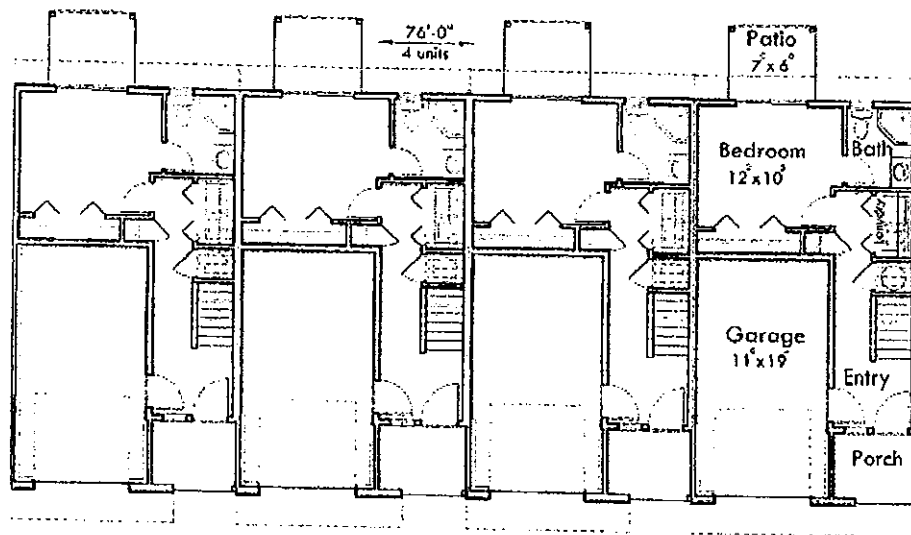
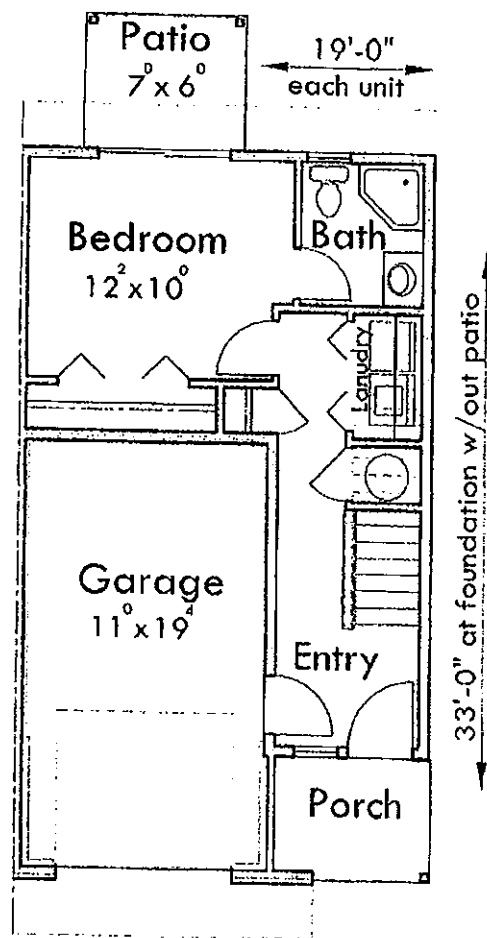
Main Floor Plan



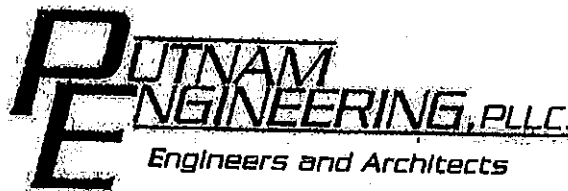
Plan F-576

[Printable Flyer](#) ([./assets/plans/691/florida-vernacular-architectural-style-rowhouse-plan-pg-f-576.pdf](#))

Total sq. ft.: 1,032
 Upper Floor sq. ft.: 670
 Main Floor sq. ft.: 362
 Bedrooms: 2
 Bathrooms: 2



Upper Floor Plan



December 20, 2021

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

Re: Brigman Erosion Control and Wetland Permit
Laurel Mountain Court
T.M. 19-1-31

Dear Chairman Tolmach and Members of the Board,

We have received an approval from the Putnam County Health Department for the revised subsurface sanitary treatment system and have enclosed a copy for the Planning Board file.

We have also prepared an erosion control and restoration cost for establishing a bond amount.

I have included five additional prints of Sheets E-1 and E-2 (Erosion Control Plan and Steep Slopes Map) since in our last submittal the original septic field trench lines were not removed from the drawings.

Sincerely,

PUTNAM ENGINEERING, PLLC

A handwritten signature in black ink, appearing to read 'P. Lynch', written over a horizontal line.

Paul M. Lynch, P.E.
PML/rmm

Enclosures

L2033

PUTNAM ENGINEERING, PLLC. Engineers and Architects

4 OLD ROUTE 6, BREWSTER, NEW YORK 10509 • (845) 279-6789 • FAX (845) 279-6769

Brigman Residence
Erosion Control and Restoration
Construction Costs
Lot 3 Woods At Hortontown
(T) Kent
19.-1-31

Item No.	Item	Unit Cost	Unit	Quantity	Total
1	Silt Fence	5.00	L.F.	701	3,505.00
2	Stabilized Construction Entrance	1,250.0	Each	1	1,250.00
3	Erosion Control Matting	1.0	S.Y.	660	660.00
4	Spread Topsoil	0.74	S.Y.	3,600	2,664.00
5	Hydroseed	0.58	S.Y.	3,600	2,088.00

Total: \$10,167.00

**PUTNAM COUNTY DEPARTMENT OF HEALTH
DIVISION OF ENVIRONMENTAL HEALTH SERVICES**

APPLICATION TO CONSTRUCT A WATER WELL

Please print or type

PCHD Permit # **K-7-87**

Well Location	Street Address: LAUREL MOUNTAIN COURT	Town/Village: KENT	Tax Map # Map 19 Block 1 Lot(s) 31
Well Owner:	Name: MICHELLE WILLIAM BEIGMAN	Address: 833 TERRACE PLACE CORTLANDT MANOR NY	Phone # 914-462-0636
Use of Well 1- Primary 2- Secondary	<input checked="" type="checkbox"/> Residential <input type="checkbox"/> Business <input type="checkbox"/> Industrial	<input type="checkbox"/> Public Supply <input type="checkbox"/> Farm <input type="checkbox"/> Institutional	<input type="checkbox"/> Irrigation <input type="checkbox"/> Test/Monitoring
Amount of Use	Yield Sought 5 gpm	# People Served 5	Est. of Daily Usage 730 gal.
Reason for Drilling	<input checked="" type="checkbox"/> Replace Existing Supply <input checked="" type="checkbox"/> New Supply (new dwelling)	<input type="checkbox"/> Test/Observation <input type="checkbox"/> Deepen Existing Well	<input type="checkbox"/> Additional Supply
Detailed Reason for Drilling	NEW RESIDENCE - POTABLE DRINKING WATER SUPPLY		
Well Type	<input checked="" type="checkbox"/> Drilled	<input type="checkbox"/> Driven	<input type="checkbox"/> Gravel <input type="checkbox"/> Other

Is well site subject to flooding?.....Yes ☐ No ☒

Is well located in a realty subdivision?.....Yes ☒ No ☐

Name of subdivision **THE WOODS AT HORTONTOWN** Lot No. **3**


Water Well Contractor: **T.B.D.** Address: _____

Is Public Water Supply available on site?.....Yes ☐ No ☒

Name of Public Water Supply: _____ Town/Village _____

Distance to property from nearest water main: _____

Proposed well location & sources of contamination to be provided on separate sheet/plan.

Date: **12/7/21** Applicant Signature: 


PERMIT TO CONSTRUCT A WATER WELL

This permit to construct one water well as set forth above, is granted under provisions of Article 10 of the Putnam County Sanitary Code and Subpart 5-2 of Part 5 of the New York State Sanitary Code and provided that within thirty (30) days of the completion of water well construction, the applicant or their designated representative shall: 1) Pump the well until the water is clear. 2) Disinfect the well in accordance with the requirements of the Putnam County Health Department. 3) Submit a Well Completion Report on a form provided by the Putnam County Health Department. 4) The well driller shall abide by all conditions of the permit. 5) During all well drilling operations the well driller shall take appropriate action to assure that any and all water and waste products from such well drilling operations be contained on this property and in such a manner as not to degrade or otherwise contaminate surface or groundwater.

Additional Permit Requirements: _____

APPROVED FOR CONSTRUCTION: This approval expires two years from the date issued unless construction of the well has been completed and inspected by the PCDOH and is revocable for cause or may be amended or modified when considered necessary by the Commissioner of Health. Any revision or alteration of the approved plan requires a new permit. Well to be constructed by a water well driller licensed by Putnam County.

Date of Issue: **12/16/21**
Date of Expiration: **12/16/23**
Permit is Non-Transferable

Permit Issuing Official: 
Title: **APHE**

White copy - HD file; Yellow copy - Building Inspector; Pink copy - Owner; Orange copy - Well Driller

11/8/21

PUTNAM COUNTY DEPARTMENT OF HEALTH
DIVISION OF ENVIRONMENTAL HEALTH SERVICES

CONSTRUCTION PERMIT FOR SEWAGE TREATMENT SYSTEM

PERMIT # K-9-87

Located at LAUREL MOUNTAIN COURT Town or Village KENT
Subdivision name THE WOODS AT HORTONSVILLE Subd. Lot # 3 Tax Map 19 Block 1 Lot 31
Date Subdivision Approved 11/8/06 Renewal _____ Revision X
Owner/Applicant Name MICHELLE & WILLIAM BRIGHAN Date of Previous Approval 4/12/21
Mailing Address 835 TERRACE PLACE CORTLANDT MANOR N.Y. Zip 10567
Amount of Fee Enclosed \$250
Building Type RESIDENTIAL Lot Area 6,349 No. of Bedrooms 5 Design Flow GPD 750

Fill Section Only ☒ Depth 3.5 Volume 1500 CY
PCHD NOTIFICATION IS REQUIRED WHEN FILL IS COMPLETED

Separate Sewerage System to consist of 1500 gallon septic tank and 1250 GAL

PUMP CHAMBER, 469 L.F. OF 24" WIDE TRENCHES

Other Requirements: 3.5' R.O.B. FILL

To be constructed by TO BE DETERMINED Address _____

Water Supply: _____ Public Supply From _____ Address _____

or: ☒ Private Supply Drilled by TO BE DETERMINED Address _____

I represent that I am wholly and completely responsible for the design and location of the proposed system(s) and that the separate sewage treatment system described above will be constructed as shown on the approved amendment thereto and in accordance with the standards, rules and regulations of the Putnam County Department of Health, and that on completion thereof a "Certificate of Construction Compliance" satisfactory to the Public Health Director will be submitted to the Department, and a written guarantee will be furnished the owner, his successors, heirs or assigns by the builder, that said builder will place in good operating condition any part of said sewage treatment system during the period of two (2) years immediately following the date of the issuance of the approval of the Certificate of Construction Compliance of the original system or any repairs thereto.

Signed: [Signature] P.E. X S.A. _____ Date 11/8/21

Address 4010 ROUTE 6 BREWSTER NY 10509 License # 067446

APPROVED FOR CONSTRUCTION: This approval expires two years from the date issued unless construction of the sewage treatment system has been completed and inspected by the PCHD and is revocable for cause or may be amended or modified when considered necessary by the Public Health Director. Any revision or alteration of the approved plan requires a new permit. Approved for discharge of domestic sanitary sewage only.

By: [Signature] Title: APAE Date: 11/10/21

White copy - HD File; Yellow copy - Building Inspector; Pink copy - Owner; Orange copy - Design Professional

⏮ 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

THIS EMAIL IS FROM AN EXTERNAL SENDER!

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

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.

Phone (845) 225-7500

Frank J. Smith III

**Also Admitted in CT*

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

Site Design Consultants

Civil Engineers • Land Planners

December 20, 2021

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

Via email

Re: JPE Auto Repair Corp.
333 Route 52
SBL 33.-1-58.2

Dear Chairman Tolmach and Members of the Planning Board:

With regard to the above reference property/project, the mitigation work to restore the wetland that was a Condition of the Approval has been completed to our satisfaction. We therefore request final sign-off from the Planning Board so that a Building Permit can be obtained.

We will submit an electronic copy via email to the Planning Office. Thank you.

Yours Truly,


Joseph C. Riina, P.E.

Cc: Vera Patterson
Liz Axelson
John Andrews
Bruce Barber
JPE Auto Repair Corp.

JCR / cm / sdc 21-46

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