



## Cornerstone Associates

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

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April 14, 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:

1. Comment response memo executed by Bart Caterino dated 01/13/22
2. NYCDEP Intent of Lead Agency and Notice of Intent executed by Mark Page, Jr. dated 11/04/21.
3. Negative Declaration executed by Mark Page Jr. dated 12/08/21.
4. Correspondence from US Fish and Wildlife Service dated 01/11/22.

### **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:**

**Wetlands:** The applicant will not directly impact Town of Kent jurisdictional wetlands. A site inspection was conducted to examine conditions at the vernal pool located on the site.

The applicant has agreed to add plan notes which will provide greater protection to migrating and breeding amphibians in the Spring and Fall that may be utilizing the pool.

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.

Cultural Resources:

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

Traffic and Noise:

Applicant has indicated that truck traffic is estimated to be two trips per day. Trucks will be routed pursuant to requirements of the Town Highway Superintendent.

The applicant has indicated that work will comply the Town of Kent noise ordinance.

**B: Review Comments:**

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

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

Sincerely,

A handwritten signature in black ink, appearing to be 'B. Barber', written in a cursive style.

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



# 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:	April 11, 2022	Project:	DEP Church Hill Road Forest Mgmt. TM # 12.-1-6 & 12.-1-29.2

The following materials were reviewed:

- Letter of Response to Town of Kent Planning Board-NYCDEP-Church Hill Road Management Project- from NYC Environmental Protection dated March 14, 2022.
- Letter to Town of Kent Planning Board-Church Hill Road Forest Management Project Performance Bond-from NYC Environmental dated March 28, 2022.
- NYC Map-Church Hill Road FMP-Project Map, dated January 25, 2022.
- NYC Map-Church Hill Road FMP-Landing Map, dated January 26, 2022.
- NYC Map-Church Hill Road FMP- Stand Map, dated January 25, 2022.
- NYC Map-Church Hill Road FMP- Tax Parcel Map, dated January 24, 2022.

The project proposes to remove and salvage downed timber resulting from a blowdown in May 2018, perform a crown thinning and remove overstory in limited areas. The harvest area is approximately 55 acres on two contiguous parcels totaling 84 acres. Access to the harvest area is via an existing access point on Church Hill Road. A New York City Department of Environmental Protection (NYCDEP) forester will manage the project. The area of disturbance associated with the access road and the landing area is approximately 6,220 square feet.

The subject Erosion and Sediment Control Plan is not approved. The following comments are provided for the Planning Board's consideration based on our January 13, 2022 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. NYSDEC exempts all silviculture activities, including access roads and landing areas from stormwater regulations and permitting, therefore coverage under GP-0-20-001 is not required. A Town of Kent Erosion & Sediment Control Permit is required for access road and landing area.
2. We defer to the Planning Board's environmental consultant regarding wetland issues.

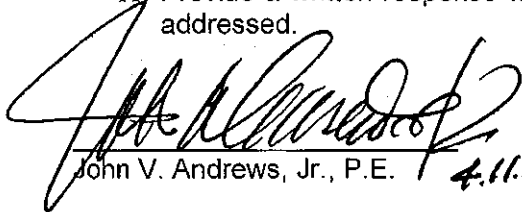
3. A field observation visit was made to the project site with Bruce Barber, the Town environmental consultant and Bart Caterino, Watershed Forester. Observations were limited due to snow cover, but the haul road and the landing area are generally suitable for the intended use. The areas are considered generally flat, reasonably open and present no issues with respect to their preparation for and intended use as part of this timber harvest operation. It was noted that the line of sight exiting the site is somewhat less than satisfactory looking left or to the west. We recommend that the Planning Board require a flagger for traffic control during truck exits. A note to that effect should be placed on the project plan. **[The response to comments provided indicates that for several reasons, the project sponsor believes that with posted signs and the slow speeds through this section of road flaggers are not necessary. We take no exception to that position and recommend that the Planning Board not impose the condition. The project sponsor should be prepared to provide flaggers at the direction of the Town Highway Superintendent or the Engineer if required.]**
4. Provide a map or drawing that shows all the involved parcels and their tax map numbers. **[Resolved]**
5. The set of drawings for the erosion control permit is to include:
  - a. Watershed Protection Programs Natural Resources Division – Forestry, Church Hill Road Forest Management Project (FMP) – Project Map
  - b. Watershed Protection Programs Natural Resources Division – Forestry, Church Hill Road FMP – Landing Map
  - c. **Watershed Protection Programs Natural Resources Division – Forestry, Church Hill Road FMP – Stand Map**
  - d. **Watershed Protection Programs Natural Resources Division – Forestry, Church Hill Road FMP – Tax Parcel Map**

**When it comes time for signature by the Chairman, all four (4) identified maps should be submitted as a set.**

6. Refer to the Combined Application Form:
  - a. Provide required affidavits. **[Vera Patterson, Planning Board Secretary should provide confirmation of receipt]**
  - b. 2<sup>nd</sup> Page, #9 includes the waiver request "Because this is a timber harvest rather than a development project, request waiver to provide GIS maps rather than survey maps at 8.5" x 11" or 11" x 17" and to eliminate dimensions of property lines."
    - i. We have no objection to this waiver request. This is similar to what was done for the previous DEP forest management projects. **[The Planning Board should be verbal Resolution grant and confirm the waiver request.]**
7. An erosion control bond is required. For other projects by NYCDEP in Kent, the Town of Kent has accepted a letter of assurance from NYCDEP in lieu of a cash bond. This was done for the Seven Hills Lake Dam Repair, Horsepound Ridge Forest Management, and the more recent Baily Brook Forest Management project. Please have NYCDEP provide

a similar letter for the Planning Board to consider. **[Letter provided. We forwarded the letter to Jeff Battistoni, Esq. for his review and acceptance.]**

8. Richard Othmer, Jr, Highway Superintendent should also be consulted regarding road condition and truck routes. Provide a summary of conversations with Highway Superintendent. The Highway Superintendent has been copied on various emails and his responses indicate that he will accept right turns only for trucks exiting the site with use of the most direct route from the site to Route 52 via Horsepound Road. He is looking for a \$25,000.00 bond as well. It is unclear whether that bond can be handled in a similar matter as the Erosion Control Bond, by means of a letter of assurance from the NYCDEP as noted above. **[The Highway Superintendent has reputedly been contacted by the Forester. He should be contacted by the Planning Board to provide has approval prior to signature by the Chairman]**
9. We recommend the public hearing be held, as has been done for other forestry projects **[The record is sufficient to permit scheduling of the public hearing should the Planning Board chose to do so. Once the public hearing has been satisfactorily resolved, provided there are no substantive issues raised, we recommend the remaining project review be referred to the Planning Board consultants to be handled administratively.]**
10. The applicant is responsible for full payment of actual costs of erosion control inspections. An initial inspection fee deposit of \$1000 is to be paid to the Town in accordance with the Town of Kent Fee Schedule. **[Response noted – We defer to Vera Patterson, Planning Board Secretary with respect to the handling of fees]**
11. Provide a written response with future submittals stating how the comments have been addressed.



John V. Andrews, Jr., P.E. 4.11.2022

cc: Planning Board via email  
Bruce Barber via email  
Liz Axelson via email  
21-261-260

Richard Othmer, Highway Superintendent  
Bill Walters via email



**Environmental  
Protection**

**Rohit Aggarwala  
Commissioner**

**Joseph P. Murin  
Chief Financial Officer**

59-17 Junction Boulevard  
Flushing NY 11373  
Tel: (718) 595-6936  
Fax: (718) 595-3525  
jmurin@dep.nyc.gov

**Received  
mo/date/year**

**APR - 5 2022**

March 28, 2022

Chairman  
Town of Kent Planning Board  
25 Sybil's Crossing  
Kent Lakes, NY 10512  
**Planning Department  
Town of Kent**

**Re: Church Hill Road Forest Management Project Performance Bond**

The New York City Department of Environmental Protection ("DEP") appreciates the Town of Kent Planning Board's willingness to consider this letter in lieu of an erosion control bond to assure the completion of the Church Hill Road Forest Management Project in accordance with the attached Erosion Control Plan (the "Erosion Control Plan").

Please accept this letter in lieu of the aforementioned bond as the City of New York's (the "City") guarantee that all of the work described in the Erosion Control Plan will be strictly adhered to and satisfied. When the contractor is awarded the project, the City requires that it provide a performance deposit in the amount of three thousand dollars (\$3,000.00) or 10% of the bid price, whichever is greater, as a guarantee to the City that all work will be completed, including all best management practices associated with the project. This requirement can be found in *The City of New York Department of Environmental Protection Bid Package for the Sale of Timber and Firewood at the Church Hill Road Forest Management Project (Project # 5097)*, Attachment D, Section 3, paragraph b.

In the event there is a dispute between the City and the Town of Kent, and it is resolved in the Town of Kent's favor, the City will reimburse the Town's reasonable attorney fees, said fees to be at the same rate as are then charged to the Town by the attorney then serving. The City recognizes that despite the waiver of the Erosion Control Bond, the City remains responsible for the inspection fee, which covers the costs for Town representatives to perform site inspections.

Additionally, the City has committed to paying the cost of the stone aggregate necessary to make the improvements specified in the Erosion Control Plan, as made evident in the attached purchase order with Thalle Materials Inc.

The City hereby warrants, represents and guarantees that it will perform and satisfy all of the work described in the Erosion Control Plan. This guarantee is made in lieu of placing a bond with the Town of Kent, as required by the Town pursuant to Section 66-7 of the Town Code. It is the intent of this document that the City shall be fully responsible for completing said work satisfactorily. This guarantee shall be valid through and until the expiration of two years from the date on which the Town provides written confirmation of final acceptance

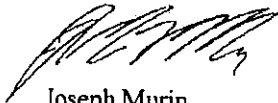
of the work in accordance with the approved permit and all plans and specifications forming the basis of the approved permit.

Site improvements the City is performing include but are not limited to: access road and landing improvements, the implementation of best management practices for these areas, final stabilization and restoration of disturbed areas, and the removal of temporary erosion and sediment control measures. All site improvements and erosion control measures have been developed in accordance with the *2018 New York State Forestry Voluntary Best Management Practices for Water Quality Field Guide*.

Please contact Bart Caterino at 917-763-2779 should you have any questions or concerns regarding this project.

Thank you for your consideration in this matter.

Sincerely,



Joseph Murin  
Chief Financial Officer

Approved as to form

Isabel Galis-Menendez CD  
Acting Corporation Counsel, City of New York  
Date: 3/21/2022

c: Bart Caterino, Amanda Locke, Charles Laing

*\*Example of a standard NYCDEP Bid Package*

Bailey Brook Forest Management Project #5083

Page 15 of 37

Final payment comprised of the remaining balance, FIFTY PERCENT (50%) of the Purchase Price, is to be paid upon completion of one-half of Project work as determined by the DEP Forester assigned to manage the Project or by [December 31, 2022], whichever is sooner.

- b. The Parties acknowledge that the Harvester has supplied a performance deposit (the "Performance Deposit") in the amount of {10% OF BID AMOUNT OR \$3000, WHICHEVER IS HIGHER}, to guarantee the Harvester's faithful performance of the terms of this Contract. The City shall deposit and maintain the Performance Deposit in a non-interest bearing account at a financial institution selected by the City in the name of the City. The Performance Deposit will not be credited towards the Purchase Price.
- c. All Purchase Price payments will be in the form of a cashier's check, certified check, or money order and made payable to the City of New York and hand-delivered or mailed to the DEP Forester at 1286 U.S. 6, Carmel, NY 10512.
- d. If the City terminates the Contract early pursuant to Section 2, the City shall return the Performance Deposit previously paid by the Harvester to the City to the Harvester.
- e. If the Harvester fails to remove all of the Wood Products from the Project Area within the Term of the Contract, it shall not be entitled to a refund of any amount of the Purchase Price already paid and shall pay the City any costs incurred by the City to remove the remainder of the Wood Products, which shall remain property of the City, in excess of the Performance Deposit, upon the City's written demand.
- f. Upon a determination by the DEP Forester pursuant to Section 9c, that the Project has been completed, the balance of the Performance Deposit, less any amounts deducted by the City to cure any noncompliance with the Contract, shall be returned to the Harvester.
4. **Title.** The City will retain title to Wood Products remaining on City land until they are removed.
5. **Access.**
- a. The Harvester, along any of the Harvester's employees or subcontractors working on the Project ("Project Workers") approved by the DEP Forester, are hereby granted permission to access the Project Area in accordance with the terms and conditions of this Contract.
- b. Prior to entering the Project Area, the Harvester shall provide proof of insurance as required by Section 11.



DEP Church Hill Road Forest Management Project  
Church Hill Rd. Kent, Putnam County

\*Current NYCDEP Forestry Program purchase order for crushed stone aggregate.

THE CITY OF NEW YORK  
FINANCIAL MANAGEMENT SYSTEM  
NOTICE OF AWARD

DATE: 10/07/2021

PAGE: 1

TAXPAYER ID: \*\*\*\*\*7028  
VENDOR: V900048874  
THALLE INDUSTRIES INC  
CONTACT NAME: Tina Nolan  
CONTACT PHONE #: 914-762-3415  
ADDRESS: 61 Route 100  
Briarcliff Manor  
NY  
10510-1441

BATCH ID: POD 828  
CONTRACT NUMBER: POD 828 20222009087  
REFERENCED AGREEMENT:  
AMENDMENT NUM:  
VENDOR ADDR IND: 004  
VERSION NUM: 1  
OCA NUMBER:

SOLICITATION NUMBER

CONTRACT TITLE: 2019324X CRUSHED STONE

PIN: 2019324X

DESCRIPTION: 2019324X CRUSHED STONE

ORIGINAL AMT:	\$ 15,000.00	ORIGINAL START:	10/06/2021	END:	08/30/2022
REVISED AMT:	\$ 15,000.00	REVISED START:	10/06/2021	END:	08/30/2022
ACTUAL AMT:	\$ 15,000.00	RESP AGENCY:	828		
		SUBMITTING AGCY:	828		

CONTRACT OFFICER:

PHONE:

COMMENTS:

THIS IS NON MWBE VENDOR. APPROVED 10/8/21  
ACCTG USERS FOR RR/INVOICE PLEASE CONTACT D.PETRAMALE  
AUTHORIZED USERS D. LAWRENCE

DELIVERY DATE:

DELIVER TO: DEPT ENVIRONMENTAL PROTECTION

INVOICE TO: DEPT ENVIRONMENTAL PROTECTION

EAST DIV MECH CARMEL HDQ

PROCUREMENT ACCOUNTING

ROUTE 6 & BELDEN ROAD

59-17 JUNCTION BLVD.

17TH FLOOR

CARMEL

FLUSHING

NY 10512

NY 113735108

DEPT: 828

SHIP CODE: 826147

DEPT: 828

BILL CODE: 826466

DEP Church Hill Road Forest Management Project  
Church Hill Rd. Kent, Putnam County

THE CITY OF NEW YORK  
FINANCIAL MANAGEMENT SYSTEM  
NOTICE OF AWARD

DATE: 10/07/2021

PAGE: 2

TAXPAYER ID: \*\*\*\*\*7028 FINAL BATCH ID: POD 826  
CONTRACT NUMBER: POD 826 20222008087  
REFERENCED AGREEMENT:  
AMENDMENT NUM:  
VENDOR: VS00048874 VERSION NUM: 1  
THALLE INDUSTRIES INC VENDOR ADDR IND: 004 OCA NUMBER:

CONTACT NAME: Tina Nolan  
CONTACT PHONE #: 914-782-3415

LINE #	COMMODITY	COMMODITY INFORMATION		UNIT COST	TOTAL COST
		QTY	UNIT		
1	74605000000	16000.00000	NTE	\$1.00	\$15,000.00

COMMODITY LINE DESCRIPTION: Asphalt, Aggregates

COMMODITY SPECS:

DESCRIPTION:

PURCHASE ORDER NEEDED TO ACQUIRE CRUSHED STONE TO SUPPORT THE FORESTRY PROGRAM AND ITS PROJECTS. STONE IS NEEDED FOR IMPROVEMENT OF ACCESS ROADS, STABILIZING DITCHES, HARDENING LANDINGS AND ROAD ENTRANCES.  
PLEASE NOTE SAMPLE QUOTE ATTACHED FOR STONE AND PRICING OF EACH STONE AUTHORIZED FOR THIS PURCHASE ORDER. STONE ONLY TO BE SHIPPED WHEN REQUESTED BY DEP AUTHORIZED USER.  
AUTHORIZED USERS: D. LAWRENCE; ORDER TO BE CLOSED JUNE 30, 2022.  
DEP CREATED A NEW ONLINE PROCESS TO HANDLE CURRENT MANDATED TELEWORKING CONDITIONS, A PLATFORM CALLED "DEP INVOICING PLATFORM" (DIP). IT ENSURES AVOIDANCE OF DISRUPTION OF THE INVOICING PROCESS BY SUPPORTING ELECTRONIC PAPERLESS PAYMENT; VENDORS WILL NOW NEED TO SUBMIT INVOICES ELECTRONICALLY.  
PLEASE SEE LINK BELOW TO SUBMIT FINAL INVOICES:  
<https://a828-forms.dep.nyc.gov:8443/webclient/Login.xhtml>  
\*ORDER NUMBER (POD 826 20222008087) IS TO APPEAR ON ALL INVOICES, TICKETS, PACKING SLIPS, BILL OF LADING, ETC.\*  
\*\*\*DO NOT SHIP ALL ITEMS ON SAMPLE QUOTE - AUTHORIZED USERS WILL PLACE ORDERS AS NEEDED  
\*\*\*ALL INQUIRIES REGARDING INVOICES SHOULD BE MADE DIRECTLY TO VENDOR PAYMENTS @ 718-395-3184\*\*\*  
ATTENTION VENDOR: IN ORDER TO EXPEDITE PAYMENT - PLEASE UPLOAD ORIGINAL INVOICES DIRECTLY INTO "DEP INVOICING PLATFORM" (DIP)\*\*\*\*\*

FOB DESTINATION DELIVERY:

DELIVER TO:

INVOICE TO:

DEP Church Hill Road Forest Management Project  
Church Hill Rd. Kent, Putnam County

THE CITY OF NEW YORK  
FINANCIAL MANAGEMENT SYSTEM  
NOTICE OF AWARD

DATE: 10/07/2021

PAGE: 3

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BATCH ID: POD 826

CONTRACT NUMBER: POD 826 20222009087

REFERENCED AGREEMENT:

AMENDMENT NUM:

VERSION NUM: 1

VENDOR ADDR IND: 004

OCA NUMBER:

VENDOR: VS00046874  
THALLE INDUSTRIES INC

CONTACT NAME: Tina Nolan

CONTACT PHONE #: 814-782-3416

ACCOUNTING INFORMATION

COMM LINE	ACTG LINE	EVENT TYPE	FUND	DEPT	APPR UNIT	BUDGET CD	DTL OBJ/ CD	REPT CAT/ QUICK	UNIT/ SUNIT	TASK	CAP PROJ	LINE AMT
1	1	PR05	001	826	004	6224	1000	401011				\$15,000.00

J. GUIDUCCI

PA

PREPARED BY

TITLE

J. FIGUEROA

PA

AUTHORIZED BY

TITLE



# Memorandum

<b>To:</b>	Planning Board Town of Kent	<b>Attn:</b>	Philip Tolmach Chairman
<b>From:</b>	John V. Andrews, Jr., P.E.	<b>Subject:</b>	Erosion Control Plan -Revised Submittal - <b>DRAFT</b>
<b>Date:</b>	March 31, 2022	<b>Project:</b>	DEP Church Hill Road Forest Mgmt. TM # 12.-1-6 & 12.-1-29.2

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**When it comes time for signature by the Chairman, all four (4) identified maps should be submitted as a set.**

6. Refer to the Combined Application Form:
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**DRAFT**

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

cc: Planning Board via email  
Bruce Barber via email  
Liz Axelson via email  
**21-261-260**

Richard Othmer, Highway Superintendent  
Bill Walters via email

## MEMORANDUM

**TO:** Town of Kent Planning Board  
**CC:** Bill Walters  
John Andrews  
Julie Mangarillo  
Bruce Barber  
**FROM:** Liz Axelson, AICP  
**DATE:** April 14, 2022  
**RE:** Flintlock Storage Special Use Permit & Site Plan, 1030 Route 52, Tax Parcel No. 12.18-1-14 / CPL#16570.04

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

### Summary

1. The proposal is to convert a vacant site into an indoor storage establishment, including five (5) proposed buildings, access, driveway, and parking areas. The site is a 72,606 square foot (SF), or 1.67-acre parcel in the Commercial (C) Zoning District. The proposed structures include: a 760 SF an apparently 2-story office building, with 2 overhead doors; and 4 storage-unit buildings, including 66 units and an outdoor storage area as follows:
  - a. a 1,200 SF building with 6 storage units;
  - b. a 3,000 SF building with 20 storage units;
  - c. a 2,000 SF building with 20 storage units; and
  - d. another 2,000 SF building with 20 storage units; and
  - e. a fenced in, paved, storage area, which area is not specified.
2. The project will require physical site changes and disturbance.

### SEQRA

3. The proposal may be an Unlisted Action as per the SEQRA regulations.
4. I defer to the Planning Board's Environmental Consultant, yet it is noted there are wetlands on the site.

### Zoning Requirements

5. A primary concern on this site is the right-of-way (ROW) labeled on the Layout plan sheet as "Existing Gravel Drive to Remain", which ROW is located on an adjoining property and abuts the project site's southern property line. The ROW and existing gravel driveway providing access to the subject site's proposed driveways is located on the adjacent tax parcel, ID 12.-1-56. Specific concerns are as follows:
  - a. The site plan shows apparent improvements such as curbing, planted median areas and two asphalt driveway entrances within the bounds of the ROW, that is a portion of proposed site improvements would be located off of the subject parcel. Provide narrative and



- documentation demonstrating whether the ROW provides the proposed project the right to make such improvements.
- b. The proposed access from the subject parcel appropriately includes asphalt driveways and related curbing, entering onto an “Existing Gravel Drive to Remain”, which is not acceptable. The entire entrance into the site should be fully paved for durability and to prevent gravel spillage onto Route 52 given the increased traffic from the proposed development. Accordingly, a length of the “Existing Gravel Drive” would have to be paved. This would necessitate a ROW that provides the proposed project the right to make such improvements
  - c. Revised the plans to clearly illustrate how the right of way serves 3 lots, including an existing residence.
  - d. Please refer to Kent Code chapter 57 article II. Driveway Specifications. Also, refer to zoning section 77-34.3 Buildable lot., regarding access.
6. The proposed indoor storage establishment requires a special use permit, in addition to site plan approval, as per zoning section 77-21. C. (13). Please define the proposed use and development and provide required information by addressing the following:
- a. Revise the combined application form to indicate the requirement for Special Use approval by the Planning Board.
  - b. Add a floor plan layout to the plan set to show the area in square feet of the first and second floors of the office building, and the floor area of the garages.
  - c. Clarify whether any apartment is intended on the second floor of the office building.
  - d. There are a number of storage spaces that are ten feet (10') by 20', or 200 SF. Please indicate whether these are intended for any type of vehicle storage.
  - e. Similarly, the submitted illustration of “Automotive storage building” indicates that the 10' by 10' units are intended for vehicle storage.
  - f. I defer to the Planning Board’s Environmental Consultant and Consulting Engineer about any permitting requirements for vehicle storage.
  - g. Add plan notation specifying the proposed days and hours of operation, including use of storage units and outdoor storage. Notation prohibiting 24-hour operation is recommended given nearby residences.
  - h. Label the area in SF of the outdoor storage area.
  - i. Provide narrative about what type of storage is intended for the outdoor storage area including any limitations or prohibitions for materials that may or may not be allowed in this area.
  - j. Revise the architectural illustrations to indicate title, prepare and date.
7. Regarding zoning section 77-22. Lot and bulk requirements, a Commercial Zoning Requirements Table is provided on the plans.
- a. Regarding subsection 77-22. E., provide a table on the plans with a breakdown of all impervious surface areas including the outdoor storage area, all parking and loading areas, and all accessways.
  - b. Explain how parking will be handled for customers visiting their storage units.
  - c. Add a row or rows to the zoning table to address subsection G., regarding the 30' setback for accessory uses such as the outdoor storage area, and the proposed access driveway.
  - d. While a stockade fence is proposed, which may have a more natural look, there is a concern about its durability over time. Provide plan notation about maintenance and replacement of the fence due to wear and tear from outdoor storage use.





- e. There appears to be an existing driveway to the rear, or southeast of the outdoor storage area, close to the adjacent residence. What is the proposed use of this driveway? If it is an existing feature and not part of the proposed use, it is recommended that any paved area be removed, or gravel modified so the area appears as natural ground cover to discourage parking in this area.
- f. Provide actual proposed building height in the table.
- g. As per subsection I regarding whether the lot is buildable, the extent of wetlands must be clearly delineated. Refer to zoning section 77-34.3.
- 8. Regarding 77-23. A. Design standards, address the following:
  - a. As per 77-23. A. (1) (a) through (c), screening and landscaping must be a height of not less than 6' to screen through all seasons of the year. Address the following:
    - i. A planting schedule must be added to the plans including species type, varieties, and size of each plant species proposed of not less than 6', specifying planting height, with native varieties, and including deciduous trees.
    - ii. Expand the side yard planting to be 15' wide and to include plantings of not less than 6' in height.
    - iii. Provide a more natural blend of trees and placement in the landscaping proposed at the rear of the site, behind the outdoor storage area.
    - iv. The front yard must be landscaped to a depth of 10' per 77-23. A. (1) (b). It is suggested that lower landscaping be proposed directly in front of the proposed office building, which must have windows facing the street. Then denser, taller landscaping would be provided in front of the storage building near the frontage.
    - v. The 3 parking spaces near the frontage must be screened per 77-23. A. (25).
    - vi. Show and label any vegetation to be retained with notation or specifications for its protection, particularly along the northern side of the site. Refer to 77-23. A. (7)
  - b. As per 77-23. A. (5), "Sidewalks shall be provided along any existing or proposed public street. The sidewalks shall be separated from the street by a tree lawn at least four feet wide."
  - c. Provide an architectural illustration and rendering of the street frontage elevation to demonstrate compatibility with the character of both buildings along the frontage per 77-23. A. (6) and to prevent windowless facades per 77-23. A. (9).
  - d. Provide an architectural plans, illustrations and renderings of the proposed storage buildings to address the need for pitched roofs per 77-23. A. (11); and for design considerations for buildings along the site's frontage per 77-23. A. (13).
  - e. Show and label a proposed refuse enclosure. Add reference to and a detail for the refuse enclosure.
  - f. The site design appears to include major modifications to the site. address the following:
    - i. Provide an existing conditions sheet in the plan set, including wetlands, buffer areas, any streams, wooded areas, individual large trees, meadow or grassed areas, rock outcrops or ledges, existing topography, etc.
    - ii. Please refer to per 77-23. A. (14), and revise the project layout accordingly. For example, eliminate all vehicular access around the north ends of each proposed storage building. Two or three turnaround spaces, strategically located near the north ends of the buildings, would suffice to serve the 4 proposed storage buildings.
  - g. Revise the plans to indicate the installation of underground utilities as per 77-23. A. (15).



- h. As per 77-23. A. (18), a primary entrance should be oriented to the lot frontage. However, given that 3 lots have access to a partially improved ROW, it is recommended that the existing and proposed uses continue using the shared access. Yet as noted above, narrative and documentation are needed to demonstrate whether the ROW provides the proposed project is entitled to use the ROW and to make the proposed improvements.
  - i. Show proposed gates for access to the indoor storage establishment.
  - j. Add notation about hours when the gates would be closed or locked.
9. The application and plans are incomplete. Following submittal of an application for a Special Use Permit and more detailed plans, review will be conducted in accordance with the Special use and Site Plan requirements and standards in zoning sections 77-59 through 77-61, and related supplementary zoning requirements and standards. The Applicant's representatives should review pertinent requirements, and standards, and revise the plans accordingly.
10. The next submittal and plans will be reviewed in more detail regarding the design standards in zoning section 77-23; and special use and site plan requirements and standards.
11. Please provide written responses to the above comments.

#### Recommendation

12. The Planning Board should direct the applicant to address the comments above.
13. The application is for the development and use of a vacant site, yet is incomplete and information is needed for further review. Accordingly, no Planning Board action is recommended at this time.

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

#### Materials Reviewed

- Cover letter from John M. Watson, PE, Insite Engineering, Surveying & Landscape Architecture, PC, dated March 17, 2022;
- Plan set entitled Flintlock Storage, prepared by John M. Watson, PE, Insite Engineering, Surveying & Landscape Architecture, PC, dated March 17, 2022, including the following sheets:
  - o Layout & Landscape Plan;
  - o Grading Drainage and Utilities Plan;
  - o Erosion & Sediment Control Plan;
  - o Steep Slopes & Soils Plan;
  - o Details (2 sheets);
- Survey of Property, prepared for Frank & Christine Vasi, by Stephen Miller, LS, Badey & Watson Surveying & Engineering, PC, dated November 16, 2021 used July 24, 2009;
- Combined Application, for Site Plan, Freshwater Wetland and Steep Slope & Erosion Control, signed by Frank Vasi March 14, 2022;
- Short EAF signed by John M. Watson, PE, March 17, 2022;
- Architectural illustrations, UNTITLED, PREPARER NOT INDICATED, UNDATED;
- Illustration of Automotive Storage Building, with storage unit layout, prepared by LTH Steel Structures, dated 2/24/14;
- Copy of Putnam County Clerk's Recording Page, for Deed for Frank Vasi, tax ID 12.18-1-14, dated 8/19/21; and
- Memorandum from Vera Patterson, Planning Board Secretary, regarding checks for fees and escrow, dated March 17, 2022, with attachments.



## Cornerstone Associates

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

April 14, 2022

To: Planning Board

From: Bruce Barber  
Town of Kent Environmental Consultant

**Re: Flintlock Storage Application**  
1030 NYS Route 22  
Section 12.18 Block 1 Lot 14  
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:

1. Transmittal letter executed by John Watson of Insite Engineering dated 03/17/22, 2 pages.
2. Town of Kent Planning Board Combined Application dated 12/01/21 executed by Frank Vasi dated 03/14/22.
3. Short-form EAF (Part I) executed by John Watson dated 03/17/22.
4. Copy of deed dated 08/05/21.
5. Property Survey prepared by Badey and Watson dated 11/16/21, q sheet.
6. Architectural floor plans and elevations prepared by LTH Steel Structures (updated and unsigned), 5 pages.
7. Plans entitled; "Flintlock Storage" prepared by Insite Engineering dated 03/17/22, 6 sheets: SP-1, SP-2, SP-3, SS-1, D-1, D-2.

### **Summary of Application:**

The subject application is to construct four, two-story self-storage buildings (8,200 SF total foot print) and one, two-story office/maintenance building (760 SF foot print), a subsurface sewage treatment and water well systems, stormwater management practices, detention basin, conveyance treatment measures, lighting and landscaping on a 1.67 +/- acre site located on the easterly side of Route 52 in a C (Commercial) zone.

### **A: Environmental Review:**

**Wetlands:** The applicant has delineated a Town of Kent and USACE jurisdictional wetland on and adjacent to the northern border of the site. The applicant proposes to construct a stormwater management structure, grading, and a portion of the gravel access areas around the building in which the majority of the indicated wetland buffer will be impacted.

The applicant has not quantified the wetland buffer disturbance and provided a mitigation plan. Additionally, there is no hydrological analysis to determine if there will be post-construction impacts to adjoining, connected wetlands and watercourses.

In addition, the application (EAF) indicates that there is a Town and NYCDEP jurisdictional watercourse that runs through the north of the property in which there is no proposed impervious surfaces within 100'. The location of the indicated watercourse could not be located on the plans. Please provide this information.

Review of the soils map indicates (Sheet SS-1) indicates the presence of a large area of Leicester Loam soils (LcB) in a center area of the property in the location of three of the proposed storage buildings. The Town of Kent Town Code Chapter 39A (Freshwater Wetlands) includes these soils as wetland soils (39A-4(6) (Series 1251 and 1252) and as such must be included and shown on the plans as Town of Kent jurisdictional wetlands with an associated 100' wetland buffer. It is important to note that the soils maps are not site specific, and the applicant may choose to engage the services of a Registered or Certified Professional Soil Scientist to verify accuracy.

**Trees:** the applicant has not provided a tree plan. A generic planting is shown on the eastern border of the site. There is no proposed landscaping plan.

**Soils and Steep Slopes:** The applicant proposes to disturb 1.4 acres of the site. See comments above regarding soils. Applicant should indicate any flood plain flood way areas as applicable.

**Threatened and Endangered Species:** The site is in the US Fish and Wildlife Bat Recovery zone and therefore restrictions in which tree cutting restrictions to between November 1 and March 31 of the following year may apply.

**Cultural Resources:** None as per EAF.

**B: Review Comments:**

Please see comments above regarding wetland delineation and mitigation.

Please provide correspondence from NYCDEP regarding the regulated watercourse.

Please provide correspondence from NYS Natural Heritage.

The project apparently requires a Special Use Permit. Please review Article XVII (Special Use and Site Plan requirements) to ensure compliance.

Please see comments above regarding tree survey, and landscaping.

The septic system appears to be only a holding tank (lack of leaching area). Consultation with the PCDOH and the Town Building Inspector is required to verify feasibility.

The EAF indicates connection to an existing water supply however the plans (Sheet SP-2) show a "proposed well service". Please clarify.

The applicant has not provided a SWPPP for review. It should be determined if the site is located in a NYCDEP Designated Main Street Area.

Please indicate if there will be any rock blasting or chipping required.

Please consider an alternative to the use of millings on the site.

Please indicate how/where solid waste will be addressed.

Provide lighting plan and indicate if there will be any light pollution.

Provide details of access easement to the site.

Please indicate what materials are proposed to be stored on the site and in what quantities. What is the proposed business plan?

Please indicate visual impacts to adjoining properties. Please provide detail of the proposed sign.

This office defers to the Town Planning Consultant regarding planning issues.

This office defers to the Planning Board Engineer regarding stormwater and engineering issues.

The applicant is encouraged to provide annotated responses to this review memo. Upon receipt of additional information further review will be conducted. 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, S-PWS, Certified Ecologist  
Town of Kent Environmental 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: [jandrews@rsaengrs.com](mailto:jandrews@rsaengrs.com)

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

**Received**  
**mo/date/year**

**APR 14 2022**

# Memorandum

**Planning Department**  
**Town of Kent**

To:	Planning Board Town of Kent	Attn:	Philip Tolmach Chairman
From:	John V. Andrews, Jr., P.E.	Subject:	Special Use Permit/Site Plan/ECP/ Wetland Review Memorandum
Date:	April 11, 2022	Project:	Flintlock Storage. TM # 12.18-1-14

The following materials were reviewed:

- Letter to Town of Kent Planning Board-Flintlock Storage from Insite Engineering, Surveying & Landscape Architecture, P.C., dated March 17, 2022.
- Town of Kent Planning Board Site Plan Checklist-Frank & Christine Vasi. dated March 14, 2022.
- Short Environmental Assessment Form-Superior Self Storage, dated March 17, 2022
- Certification of Professional Engineer/Licensed Land Surveyor/Architect.
- Putnam County- County Clerk's Recording Page, Book/Page 2228/242.
- Drawings 1-5 Unmarked-Automotive Storage Building-LTH Steel Structures.
- Survey of Property-Frank & Christine Vasi, prepared by Badey & Watson Surveying & engineering, P.C. dated November 16, 2021, scale 1" = 30'.
- Drawing Sheet SP- 1-Layout & Landscape Plan-Flintlock Storage prepared by Insite Engineering, Surveying & Landscape Architecture, P.C., dated March 17, 2022, scale 1" =20'.
- Drawing Sheet SP- 2-Grading, drainage & Utilities Plan-Flintlock Storage prepared by Insite Engineering, Surveying & Landscape Architecture, P.C., dated March 17, 2022, scale 1" =20'.
- Drawing Sheet SP- 3-Erosion & Sediment Control Plan-Flintlock Storage prepared by Insite Engineering, Surveying & Landscape Architecture, P.C., dated March 17, 2022, scale 1" =20'.
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- Drawing Sheet D-1-Details -Flintlock Storage prepared by Insite Engineering, Surveying & Landscape Architecture, P.C., dated March 17, 2022, scale As Noted.
- Drawing Sheet D-2-Details -Flintlock Storage prepared by Insite Engineering, Surveying & Landscape Architecture, P.C., dated March 17, 2022 scale As Noted.

The proposed project involves construction of a self-storage facility with a small office /maintenance building, subsurface sewage treatment system, stormwater management practices, lighting, and landscaping. The project is located in the Commercial Zoning District. The use is a use permitted by special permit requiring site plan approval. Further, the project

includes work within a Town of Kent regulated wetland buffer, requiring issuance of a Town Wetland Permit.

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

1. The proposed project is within the NYCDEP East of Hudson watershed. The project will disturb 1.36 acres of land. Additionally, since the project requires a wetland permit, a Town of Kent Erosion & Sediment Control Permit as well as coverage under NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity, GP-0-20-001 is required. Post construction stormwater management practices will be required.
2. The subject Erosion and Sediment Control Plan is not approved
3. We defer to the Planning Board's environmental consultant regarding wetland issues.
4. We defer to the Planning Board's planning consultant regarding planning and zoning matters.
5. The Combined application form and the SEAF will need to be amended to reflect the requirement for a Special Use Permit.
6. Provide a SWPPP with post-construction stormwater management practice component in accordance with GP-0-20-001. Provide required information from Part III.B.2 including:
  - a. Part III.B.2.a – "Identification of all post-construction stormwater management practices to be constructed as part of the project. Include the dimensions, material specifications and installation details for each post-construction stormwater management practice;"
  - c. Part III.B.2.c – "A Stormwater Modeling and Analysis Report that includes:
    - i. Map(s) showing pre-development conditions, including watershed/sub-catchments boundaries, flow paths/routing, and design points.
    - ii. Map(s) showing post-development conditions, including watershed/sub-catchments boundaries, flow paths/routing, design points and post-construction stormwater management practices.
    - iii. Results of stormwater modeling (i.e., hydrology and hydraulic analysis) for the required storm events. Include supporting calculations (model runs), methodology, and a summary table that compares pre and post development runoff rates and volumes for the different storm events.
    - iv. Summary table, with supporting calculations, which demonstrates that each post-construction stormwater management practice has been designed in conformance with the sizing criteria included in the Design Manual.
    - v. Identification of any sizing criteria that is not required based on the requirements included in Part I.C. of this permit; and
    - vi. Identification of any elements of the design that are not in conformance with the performance criteria in the Design Manual. Include the reason(s) for the deviation or alternative design and provide information which

demonstrates that the deviation or alternative design is equivalent to the Design Manual;"

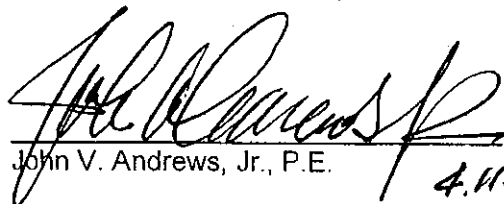
- d. Part III.B.2.d – "Soil testing results and locations (test pits, borings);"
  - f. Part III.B.2.f – "An operations and maintenance plan that includes inspection and maintenance schedules and actions to ensure continuous and effective operation of each post-construction stormwater management practice. The plan shall identify the entity that will be responsible for the long-term operation and maintenance of each practice."
7. Provide a note on the drawing stating "Per §66-6.K (1): Within 10 days after installation of all erosion control plan measures, the applicant shall submit to the Building Inspector a letter from the qualified professional who designed the plan for the applicant/landowner stating that all erosion control measures have been constructed and installed in compliance with the approved plan(s)."
  8. Provide a cost estimate for the erosion control and stormwater management measures for the purposes of bonding. (Town Code § 66-7 and § 66-24)
  9. The following note should be added to the plans: "Special additional sediment and erosion control measures, as warranted by field conditions, and as specified by the site engineer, the Town of Kent Building Inspector or the Town Engineer shall be installed by the contractor when so directed."
  10. Provide a Notice of Intent (NOI) for review.
  11. Provide an MS4 SWPPP Acceptance Form with Sections I and II completed.
  12. The project site is located on Route 52. Access to the project site is by means of two (2) driveway connections to an existing 50-foot right-of-way that runs along the southerly property line. No details are provided concerning the rights, obligations, or responsibilities of the project sponsor with respect to this right-of-way. A cursory review of available data at the County Clerk suggests that this lot has the right of ingress and egress only. We could not locate any documentation addressing maintenance or improvement of this right-of way. The right-of-way access drive appears to have a 24' wide curbed and paved full motion driveway connection to Route 52. Once beyond the entrance, the access drive is of variable width and is labelled as gravel. We recommend that the Planning Board require that the access drive be widened to a uniform 24'foot width and paved to a point 5 foot beyond the radius for the second access drive into the project site. The existing driveway at the southeast corner should be removed and replaced with grass.
  13. The survey contains several items that are unexplained and have the potential to impact the proposed development plan. These items need to be addressed in some fashion as the project moves forward. These items are a culvert crossing Route 52 for which no outlet could be located, a concrete pad/cover on the southerly property frontage, a 24inch vertical CMP and a concrete pad with sump in the eastern portion of the center of the property.
  14. Putnam County Health Department approval is required for the water supply and wastewater disposal system serving the project. The application and SEAF reference a subsurface sewage treatment system. The plan set reflects a holding tank. We question



whether a holding tank is acceptable for the proposed office use. Additionally, the Building Inspector should be consulted. The holding tank may not be acceptable.

15. There are no provisions for refuse handling indicated on the plan.
16. The office square footage used in the parking calculation appears to be at variance with the square footage reflected on the plan view and in the provided architectural floor plan. Further explanation is required.
17. The applicant is proposing the use of millings within the wetland buffer and elsewhere as an option. We recommend that the millings be eliminated as an optional surface within the wetland buffer, utilizing either compacted Item 4 or gravel. Given the close proximity of the area outside the buffer to the buffer and the direction of run-off, we recommend that the use of millings not be allowed in this area as well.
18. Additional spot elevations should be provided along the top of each proposed berm.
19. Provide a lighting plan and details of any proposed site lighting.
20. Provide information and details concerning the use of the outdoor storage area. What will be stored in this area?
21. Provide a written response with future submittals stating how the comments have been addressed.

The comments contained herein should not be considered all inclusive. As additional information is provided, further comments may be offered. We trust the comments are useful in your review. Please let us know if we can be of additional assistance.



John V. Andrews, Jr., P.E. 4.11.2022

cc: Planning Board via email  
Bill Walters via email  
22-261-262

Bruce Barber via email  
Liz Axelson via email



# Memorandum

To:	Planning Board Town of Kent	Attn:	Philip Tolmach Chairman
From:	John V. Andrews, Jr., P.E.	Subject:	Special Use Permit/Site Plan/ECP/ Wetland Review Memorandum <b>DRAFT</b>
Date:	March 30, 2022	Project:	Flintlock Storage. TM # 12.18-1-14

The following materials were reviewed:

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The proposed project involves construction of a self-storage facility with a small office /maintenance building, subsurface sewage treatment system, stormwater management practices, lighting, and landscaping. The project is located in the Commercial Zoning District. The use is a use permitted by special permit requiring site plan approval. Further, the project

includes work within a Town of Kent regulated wetland buffer, requiring issuance of a Town Wetland Permit.

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

1. The proposed project is within the NYCDEP East of Hudson watershed. The project will disturb 1.36 acres of land. Additionally, since the project requires a wetland permit, a Town of Kent Erosion & Sediment Control Permit as well as coverage under NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity, GP-0-20-001 is required. Post construction stormwater management practices will be required.
2. The subject Erosion and Sediment Control Plan is not approved
3. We defer to the Planning Board's environmental consultant regarding wetland issues.
4. We defer to the Planning Board's planning consultant regarding planning and zoning matters.
5. The Combined application form and the SEAF will need to be amended to reflect the requirement for a Special Use Permit.
6. Provide a SWPPP with post-construction stormwater management practice component in accordance with GP-0-20-001. Provide required information from Part III.B.2 including:
  - a. Part III.B.2.a – "Identification of all post-construction stormwater management practices to be constructed as part of the project. Include the dimensions, material specifications and installation details for each post-construction stormwater management practice;"
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    - i. Map(s) showing pre-development conditions, including watershed/sub catchments boundaries, flow paths/routing, and design points.
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    - vi. Identification of any elements of the design that are not in conformance with the performance criteria in the Design Manual. Include the reason(s) for the deviation or alternative design and provide information which

demonstrates that the deviation or alternative design is equivalent to the Design Manual;"

- d. Part III.B.2.d – "Soil testing results and locations (test pits, borings);"
  - f. Part III.B.2.f – "An operations and maintenance plan that includes inspection and maintenance schedules and actions to ensure continuous and effective operation of each post-construction stormwater management practice. The plan shall identify the entity that will be responsible for the long-term operation and maintenance of each practice."
7. Provide a note on the drawing stating "Per §66-6.K (1): Within 10 days after installation of all erosion control plan measures, the applicant shall submit to the Building Inspector a letter from the qualified professional who designed the plan for the applicant/landowner stating that all erosion control measures have been constructed and installed in compliance with the approved plan(s)."
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15. There are no provisions for refuse handling indicated on the plan.
16. The office square footage used in the parking calculation appears to be at variance with the square footage reflected on the plan view and in the provided architectural floor plan. Further explanation is required.
17. The applicant is proposing the use of millings within the wetland buffer and elsewhere as an option. We recommend that the millings be eliminated as an optional surface within the wetland buffer, utilizing either compacted Item 4 or gravel. Given the close proximity of the area outside the buffer to the buffer and the direction of run-off, we recommend that the use of millings not be allowed in this area as well.
18. Additional spot elevations should be provided along the top of each proposed berm.
19. Provide a lighting plan and details of any proposed site lighting.
20. Provide information and details concerning the use of the outdoor storage area. What will be stored in this area?
21. Provide a written response with future submittals stating how the comments have been addressed.

The comments contained herein should not be considered all inclusive. As additional information is provided, further comments may be offered. We trust the comments are useful in your review. Please let us know if we can be of additional assistance.

**DRAFT**

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

cc: Planning Board via email  
Bill Walters via email  
22-261-262

Bruce Barber via email  
Liz Axelson via email



# 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: April 11, 2022

Project: White-Vernon Residence  
TM # 33.-1-58.2

The following materials were reviewed:

- Response to Comments-White, Horsepound Road from John Karell, Jr., P.E., dated March 4, 2022
- Affidavit by Owner.
- Putnam County Application for Water Well-Horsepound Road dated February 23, 2022.
- Putnam County Application for Sewer Treatment System-Horsepound Road dated February 23, 2022.
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- Drawing EC-1 – Erosion Control & Steep Slope Details/Notes, Madeline White & Tristan Vernon, prepared by John Karell, Jr. P.E. dated October 27, 2021, last revised March 12, 2022, scale - As Shown.

The following information was provided via email on April 4, 2022 as well as a question/comment email on April 6, 2022.

- Stormwater Pollution Prevention Plan – Erosion and Sediment Control, Madeline White & Tristan Vernon, prepared by John Karell, Jr., P.E. dated December 1, 2021
- Madeline White & Tristan Vernon Stormwater Pollution Prevention Plan – Sequence of Construction – undated- apparently prepared by John Karell, Jr., P.E. although not noted

- **Updated NOI**

The project proposes the construction of single-family residence including a driveway, individual well and onsite wastewater disposal system.

The subject Erosion and Sediment Control Plan is not approved. The following comments are provided for the Planning Board's consideration based on our December 1, 2021, memorandum. New or supplementary comments are shown in **[Bold]**.

**NOTE: We reviewed the updated information. In addition, we have added responses to the Karell inquiry email and identified the responses accordingly when appropriate to do so.**

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. The Combined Application lists Tristan Vernon and Madeline White as the applicants. The Application identifies John Valerio as the record Owner. The Putnam County Tax records also identify John Valerio as the parcel Owner. The Affidavit to be Completed by Owner is completed by Tristan Vernon. This inconsistency needs to be cleared up before the application can properly processed. **[Resolved – Fully Executed Affidavit To Be Completed By Owner provided]**
3. The Combined Application indicates that a tree plan waiver is sought. No details and or justification for this waiver is provided. The matter should be addressed in future submittals. **[ Reviewed during the course of a field observation visit. No exception taken. We recommend the Planning Board grant the requested waiver]**
4. A Short Environmental Assessment Form (SEAF) was provided as part of the Application. The following items need to be expanded or corrected to provide a complete record: **[All items satisfactorily resolved]**
  - Item 2- Putnam County Health Department Approval should be noted. NYSDEC SPDES General Permit coverage as well.
  - Item 13 – The YES response should be explained.
  - Item 13 – The YES response should be expanded and/or clarified.
  - Item 17 – The YES response should be described.
5. We defer to the Planning Board's environmental consultant regarding wetland issues
6. Provide the following information as required by Town Code Chapter 66-6.B.2:
  - a. §66-6.B.2.e – Provide "a soils and slopes map indicating existing soils on the property, based on the most recent United States Department of Agriculture (USDA) Soil Conservation Service soil survey for Putnam County. Generalized slope areas for slopes 0% to 15%; 15% to 25%; and greater than 25% shall be delineated. This map shall be drawn on a topographic base map with the date and source of the soils and steep slope data noted on said map." ( We note that

the soil type is included within the Notes on Sheet D-1 but the origin of the information and the extent of the soil types on site is not provided.)**[Note added on Sheet S-1 concerning soils – Slope Table provided – Information provided is inconsistent and not clearly indicated. RESPONSE – The slope information provided on our plan set is illegible- both the 0-15 & 15-25 ranges are shown the same. The slope mapping does not address the access drive. ]**

- b. §66-6.B.2.f – Provide “the depth to bedrock and depth to water table shall be identified in all areas of disturbance” (Except for applications involving one single-family dwelling). **[ Deep test info sufficient for this purpose]**
- 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.**[General schedule provided does not provide sufficient information (defined time frames) RESPONSE – The Construction Sequence submitted as part of the most recent submission is sufficient. We respectfully request that this sequence be incorporated into the SWPPP and specifically added as complete note on Sheet EC-1 ]**
  - ii. [6] Provide an estimate for the cost of implementing all elements of the erosion control plan.**[ Cost estimate provided. We have not evaluated the information submitted as the plans remain somewhat unclear.]**
- d. §66-6.B.2.h – Provide “the details of any surface or subsurface drainage systems proposed to be installed, including special erosion control measures designed to provide for proper surface or subsurface drainage, both during the performance of the work and after its completion.”**[limited facilities proposed – considered resolved]**
- e. §66-6.B.2.i – Provide “Any special reports deemed necessary by the Planning Board Engineer to evaluate the application, including but not limited to detailed soils, geologic or hydrologic studies.”**[ No such reports appear required at this time – It should be noted that no written SWPPP was provided. SWPPP provided as part of this most recent submittal. See comment above regrading modification]**
- 7. §66-6.B.3 – Provide “a written narrative explaining the nature of the proposal, including any future development anticipated for the property and whether alternative locations exist for the proposed activity” (except for single-family dwellings).**[No written SWPPP provided - SWPPP provided as part of this most recent submittal. Comment resolved]**

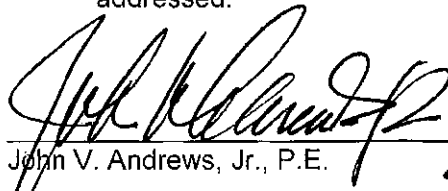


8. §66-6.B.4 – “Provide for compliance with the State Pollutant Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4s).”
9. §66-6.B.5 – “Provide for compliance with the New York City Department of Environmental Protection regulations for stormwater discharges.” **[Response noted]**
10. §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.” **[Putnam County Department of Health Approval for the well and onsite wastewater disposal system provided]**
11. Provide an erosion and sediment control only SWPPP in accordance with GP-0-20-001. Provide required information from Part III.B.1 including: **[No written SWPPP provided. SWPPP provided as part of this most recent submittal. Considered resolved]**
  - a. Part III.B.1.a – “Background information about the scope of the project, including the location, type and size of project;”
  - b. Part III.B.1.b – “A site map/construction drawing(s) for the project, including a general location map. At a minimum, the site map shall show the total site area; all improvements; areas of disturbance; areas that will not be disturbed; existing vegetation; on-site and adjacent off-site surface water(s), floodplain/floodway boundaries; wetlands and drainage patterns that could be affected by the construction activity; existing and final contours; locations of different soil types with boundaries; material, waste, borrow or equipment storage areas located on adjacent properties; and location(s) of the stormwater discharge(s);”
  - c. Part III.B.1.c – “A description of the soil(s) present at the site, including an identification of the Hydrologic Soil Group (HSG);”
  - d. Part III.B.1.d – “A construction phasing plan and sequence of operations describing the intended order of construction activities, including clearing and grubbing, excavation and grading, utility and infrastructure installation and any other activity at the site that results in soil disturbance;”
  - e. Part III.B.1.e – “A description of the minimum erosion and sediment control practices to be installed or implemented for each construction activity that will result in soil disturbance. Include a schedule that identifies the timing of initial placement or implementation of each erosion and sediment control practice and the minimum time frames that each practice should remain in place or be implemented;”
  - f. Part III.B.1.f – “A temporary and permanent soil stabilization plan that meets the requirements of this general permit and the technical standard, New York State Standards and Specifications for Erosion and Sediment Control, dated November 2016, for each stage of the project, including initial land clearing and grubbing to project completion and achievement of final stabilization;”
  - g. Part III.B.1.h – “The dimensions, material specifications, installation details, and operation and maintenance requirements for all erosion and sediment control practices. Include the location and sizing of any temporary sediment basins and structural practices that will be used to divert flows from exposed soils;”

- h. 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 November 2016;”(Note: **On Plan set should be in written SWPPP as well**)
  - i. Part III.B.1.j – “A description of the pollution prevention measures that will be used to control litter, construction chemicals and construction debris from becoming a pollutant source in the stormwater discharges;”
  - j. Part III.B.1.l – “Identification of any elements of the design that are not in conformance with the requirements in the technical standard, New York State Standards and Specifications for Erosion and Sediment Control, dated November 2016. Include the reason for the deviation or alternative design and provide information which demonstrates that the deviation or alternative design is equivalent to the technical standards.”
  - k. The Applicant and Applicant's design professional are expected to be familiar with the provisions of NYSDEC GP-0-20-001, particularly the sections regarding the maintenance of documentation on-site (Part II.D.2), provisions for modifying the SWPPP (Part III.A.4), trained contractor requirements (Part III.A.6), inspection and maintenance requirements (Part IV) and the procedure for termination of coverage in an MS4 community (Part V.A.4). These requirements are to be referenced in the SWPPP.
  - l. 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.
  - m. Please note, per GP-0-20-001, a SWPPP must be prepared by qualified professional, including a licensed Professional Engineer, Registered Landscape Architect or other NYSDEC endorsed individual(s).
  - n. 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).**[Add as note to plan set]**
12. SWPPP – GP-0-20-001 Part 1.F.8 - Provide documentation that the project complies with the requirements for historic or archeological sensitive locations. **[ SEAF indicates that the project is located in an are designated as sensitive for archeological sites. Further documentation is required]**
13. Provide a draft eNotice of Intent (eNOI) for review. **[ Old style NOI provided – No exception taken Note: Updated NOI provided – It is not the currently required eNOI but we take no exception as previously noted. When submittal to the NYSDEC is appropriate an eNOI is required]**

14. Provide an MS4 SWPPP Acceptance Form with Sections I and II completed. **[MS4 SWPPP Acceptance form provided. The form will be completed and signed when appropriate]**
15. Refer to the Drawings:
  - a. Sheet S-1- The proposed driveway runs outside the access easement. Per Filed Map 2886, Parcel 2 appears to have no rights outside the indicated Access Easement. The Applicant must demonstrate the ability to construct the driveway as shown. **[ Sketch provided which demonstrates that the driveway can be constructed within the existing access agreement]**
  - b. The construction required to render the driveway usable is unclear. Does the driveway need to be improved from Horse Pound Road to the house site or just the limited section into the property? There are two (2) stabilized construction entrances indicated. Are both to be constructed for this project? The extent of work associated with this proposal should be clearly indicated on both the plan and profile. A note should be added regarding the removal and restoration of driveway when the construction entrance is no longer needed. A note should be added regarding removal of any sediment that is tracked onto the road. A note should be added covering the installation of the paved apron connecting to Horse Pound Road. **[The driveway needs to be reviewed and comply with Chapter 57, §57-26. The driveway is to be paved for a distance of 30 feet from the road intersection. Regardless of who owns the property it is a shared driveway and must meet all width requirements. The driveway is in excess of 500. Pull offs are required. See also Item a above.**
  - c. Per Filed Map 2886, the driveway appears to be a common driveway shared by this Parcel and the adjoining parcel. If one does not already exist, it would appear that a cross access and maintenance agreement suitable in form and content to the Planning Board Attorney should be prepared and filed in the office of the county Clerk as part of this action. **[Engineer's response noted. The response does not address the issue. The right of way is for ingress and egress only. A Cross Access and Maintenance easement between this property owner and the adjacent property owner, which address all construction and operation of the driveway, is required. The easement will need to be suitable in form and content to the Planning Board Attorney]**
  - d. Sheet EC-1 - Overall the notes are difficult to read. Certain of the notes are not consistent with current standards. A large portion of the notes on the left side of the page appear to be folded or otherwise compressed rendering sections incomplete/illegible. **[Improved – Considered resolved]**
  - e. All time frames set forth in the notes should be checked for consistency with current standards and conditions of the General Stormwater Permit.
  - f. The Special Notes refer to a written SWPPP. No written SWPPP has been provided **[ Same – No written SWPPP provided]**
  - g. Under the "Town of Kent Planning Board - Steep Slope and Erosion Control Notes," Note A should read 5000 SF not one (1) acre **[Note appears to have been omitted rather than corrected]**

- h. Under the "Town of Kent Planning Board - Steep Slope and Erosion Control Notes," under C, replace "GP-02-01" with the current "GP-0-20-001." **[Note appears to have been omitted rather than corrected]**
  - i. The notes under Standards for Private and Common Driveways are at variance with Town Code Section 57-26 and should be revised accordingly **[Comment remains valid. Notes are still at variance with the applicable code section. RESPONSE - We printed out § 57-26 Driveway Access from the Town Code and attach it hereto. We leave it to the engineer to review the material and adjust the notes as appropriate. ]**
16. 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.
17. Per §66-6.F, the public hearing can be waived as this is a minor project for an addition to a single-family house. We defer to the pleasure of the Planning Board in this regard. The Application in its current form is not ready for the scheduling of a public hearing should the Board chose to conduct a public hearing. **[The Application is ready for a public hearing should the Planning Board determine that a public hearing is required. The Engineer for the Applicant has requested in writing that the Planning Board waive the public hearing]**
18. Provide a written response with future submittals stating how the comments have been addressed.

  
John V. Andrews, Jr., P.E. 4.11.2022

Attachment – Town Code Section 57-26

cc: Planning Board via email  
Bill Walters via email  
21-261-999-177

Bruce Barber via email  
Liz Axelson via email

Town of Kent, NY  
Wednesday, March 30, 2022

## Chapter 57. Roads and Driveways

### Article II. Driveway Specifications

#### § 57-26. Driveway access.

A. The following regulations shall apply to development of private and common driveways in the Town of Kent. The following standards are deemed to be the minimum necessary to assure the orderly development of driveways in the Town to provide for safe all-weather access for passenger, emergency and general-use vehicles. In areas where topography is such as to make it impractical to conform to the following specifications on driveway grades, the Planning Board may, upon the written recommendation of the Planning Board Engineer, set aside these specifications and have the Planning Board Engineer establish acceptable grade percentages for the area under development.

(1) The driveway for any lot shall provide vehicular access to within 150 feet of the exterior wall of each habitable structure.

(2) For lots legally in existence as of the date of adoption of this chapter, for which no driveway permit has been issued, driveways proposed to serve three or fewer single-family residential lots shall meet the following standards:

(a) Finished grades for all parts of any proposed driveway shall not exceed 10% and shall not be less than 1 1/2% nor exceed 5% within 30 feet of the intersection of the driveway with the Town road or private road and shall be paved for a distance of 30 feet from said intersection. The driveway shall slope down and away from the Town road or private road in this thirty-foot-long segment, except in the case of a driveway with a culvert (Figures 15 and 25<sup>[1]</sup>). The slope shall not exceed 3% within 30 feet of a garage or parking pad. The Planning Board may grant a waiver for a driveway slope of up to 15% upon a showing by the applicant of practical difficulty in meeting these standards. The Board shall seek the input of the Town Highway Superintendent and Fire Department in such cases.

[1] *Editor's Note: Figures 15 and 25 are included at the end of this chapter.*

(b) Any section of a proposed driveway that exceeds 10% finished grade shall be paved, except that driveways intersecting unpaved roads of any type shall not be paved within 30 feet of the intersection with the road as shown in Figure 25. The following apron shall be installed:

[1] Filter cloth shall be placed over the eight-inch gravel base.

[2] A six-inch layer of one-inch to four-inch stone shall be placed over the filter cloth.

[3] The dimensions of this apron shall be the width of the driveway (12 feet minimum) plus an additional five feet on each side of the driveway.

[4] The edges of this apron shall be flush with the edges of the driveway and the road.

(3) For lots created after the date of adoption of this chapter, driveways proposed to serve three or fewer single-family residential lots shall meet the following standards:

- (a) Finished grades for the first 200 feet of any proposed driveway shall not exceed 10% and shall not be less than 1 1/2% nor exceed 5% within 30 feet of the intersection of the driveway with the Town road or private road and shall be paved for a distance of 30 feet from said intersection. The driveway shall slope down and away from the Town road or private road in this thirty-foot-long segment, except in the case of a driveway with a culvert (Figures 15 and 25<sup>[2]</sup>). The slope shall not exceed 3% within 30 feet of a garage or parking pad. Finished grades for the remainder of the driveway shall not exceed 10%, except that the Planning Board may grant a waiver for a driveway slope of up to 15% upon a showing by the applicant of practical difficulty in meeting these standards. The Board shall seek the input of the Town Highway Superintendent and Fire Department in such cases.

[2] *Editor's Note: Figures 15 and 25 are included at the end of this chapter.*

- (b) Any section of a proposed driveway that exceeds 10% finished grade shall be paved, except that driveways intersecting unpaved roads of any type shall not be paved within 30 feet of the intersection with the road as shown in Figure 25. The following apron shall be installed:

[1] Filter cloth shall be placed over the eight-inch gravel base.

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[3] The dimensions of this apron shall be the width of the driveway (12 feet minimum) plus an additional five feet on each side of the driveway.

[4] The edges of this apron shall be flush with the edges of the driveway and the road.

- (4) For all driveways:

- (a) See Figure 25 for driveway intersections with a Town road.<sup>[3]</sup>

[3] *Editor's Note: Figure 25 is included at the end of this chapter.*

- (b) The minimum driveway width shall not be less than 16 feet with a travel-way width of not less than 12 feet and a shoulder width of not less than two feet on each side. For driveways in excess of 500 feet, the Planning Board shall require pull-offs to provide safe passage for users of the driveway and shall require designation of areas along the driveway for snow storage. Passing turnouts shall be placed at not more than five-hundred-foot intervals along the length of the driveway. The passing turnouts shall have an additional four feet of shoulder width. The minimum dimension of a turnout shall be 20 feet in width and 50 feet in length.
- (c) Shoulders shall be topsoiled, seeded with an appropriate grass or grass blend, and mulched.
- (d) All roots and stumps shall be grubbed, excavated and removed from the travel way and shoulders.
- (e) All unsuitable and unstable materials shall be completely excavated and removed, and all rocks or boulders larger than six inches across shall be excavated to at least eight inches below finished grade.
- (f) The foundation course of the driveway shall be a minimum of eight inches of clean, run-of-bank gravel.
- (g) The final course of the driveway shall be a minimum of four inches of Item 4 or processed gravel. Pavement, where required, shall be a minimum of three inches compacted thickness.
- (h) The paved and unpaved travel way, passing turnouts, shoulders and flow line of drainage ditches and swales shall be maintained in satisfactory condition to assure safe and continuous year-round access for all vehicles.

- (i) Trees and shrubs shall be trimmed and maintained so as not to hang into or obstruct the travel way, passing turnouts and shoulders. Overhead branches shall be trimmed and maintained to a height of not less than 13 feet six inches.
  - (j) Common driveways. Private multiple-use driveways shall be classified as common driveways and shall be constructed in accordance with the standards as specified herein. All lots and properties served by a common driveway shall have easements and cross-easements for ingress and egress and a maintenance agreement, signed and recorded in the Putnam County Clerk's office, defining the rights and responsibilities of the lot and property owners and approved by the Planning Board, prohibiting parking on the common driveway easement and incorporating other standards acceptable to the Planning Board, its attorneys and the Fire Department. A maximum of three single-family residential lots can be served by a common driveway.
- (5) Procedure:
- (a) A development plan for the driveway, together with driveway profiles and other information as may be required by the Town Building Inspector or Town Highway Superintendent to show compliance with this chapter, shall accompany an application for a steep slope and erosion control permit, and/or a highway work permit, prior to an application for a building permit being made.
  - (b) The development plan shall use as a base map an accurate boundary and topographic survey of the property depicting all existing improvements and grades prepared by a New York State licensed land surveyor. The plan shall depict all proposed improvements and shall be prepared by one of the following professionals licensed by the State of New York: a professional engineer, a landscape architect, or an architect. The development plan and profiles shall show conformity of the proposed driveway construction with these standards unless otherwise waived by the Planning Board.
  - (c) Upon completion of grading and placement of subbase material, and prior to final paving, the applicant's New York State licensed land surveyor shall provide to the Town an as-built survey depicting the actual grades and dimensions to which the driveway has been constructed. Such as-built survey shall accompany the application for issuance of a building permit for construction of on-site improvements. Upon completion of construction, the applicant's professional engineer shall certify to the Town that the driveway has been constructed in accordance with the approved plans and with these specifications.
- B. Driveway access from private roads. Access from private roads shall be deemed acceptable only if such roads are designed and improved in accordance with these regulations.



# Memorandum

To: Planning Board  
Town of Kent

Attn: Philip Tolmach  
Chairman

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

Subject: Erosion Control Plan – Revised  
Submittal **DRAFT**

Date: March 30, 2022

Project: White-Vernon Residence  
TM # 33.-1-58.2

The following materials were reviewed:

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The project proposes the construction of single-family residence including a driveway, individual well and onsite wastewater disposal system .

The subject Erosion and Sediment Control Plan is not approved. The following comments are provided for the Planning Board's consideration based on our December 1, 2021, memorandum. New or supplementary comments are shown in **[Bold]**.



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.
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3. The Combined Application indicates that a tree plan waiver is sought. No details and or justification for this waiver is provided. The matter should be addressed in future submittals. **[ Reviewed during the course of a field observation visit. No exception taken. We recommend the Planning Board grant the requested waiver]**
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  - Item 13 – The YES response should be explained.
  - Item 13 – The YES response should be expanded and/or clarified.
  - Item 17 – The YES response should be described.
5. We defer to the Planning Board's environmental consultant regarding wetland issues
6. Provide the following information as required by Town Code Chapter 66-6.B.2:
  - a. §66-6.B.2.e – Provide "a soils and slopes map indicating existing soils on the property, based on the most recent United States Department of Agriculture (USDA) Soil Conservation Service soil survey for Putnam County. Generalized slope areas for slopes 0% to 15%; 15% to 25%; and greater than 25% shall be delineated. This map shall be drawn on a topographic base map with the date and source of the soils and steep slope data noted on said map." ( We note that the soil type is included within the Notes on Sheet D-1 but the origin of the information and the extent of the soil types on site is not provided.) **[Note added on Sheet S-1 concerning soils – Slope Table provided – Information provided is inconsistent and not clearly indicated]**
  - b. §66-6.B.2.f – Provide "the depth to bedrock and depth to water table shall be identified in all areas of disturbance" (Except for applications involving one single-family dwelling). **[ Deep test info sufficient for this purpose]**
  - 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. **[General schedule provided does not provide sufficient information (defined time frames)]**
  - ii. [6] Provide an estimate for the cost of implementing all elements of the erosion control plan. **[ Cost estimate provided. We have not evaluated the information submitted as the plans remain somewhat unclear.]**
- d. §66-6.B.2.h – Provide "the details of any surface or subsurface drainage systems proposed to be installed, including special erosion control measures designed to provide for proper surface or subsurface drainage, both during the performance of the work and after its completion." **[limited facilities proposed – considered resolved]**
- e. §66-6.B.2.i – Provide "Any special reports deemed necessary by the Planning Board Engineer to evaluate the application, including but not limited to detailed soils, geologic or hydrologic studies." **[ No such reports appear required at this time – It should be noted that no written SWPPP was provided]**
7. §66-6.B.3 – Provide "a written narrative explaining the nature of the proposal, including any future development anticipated for the property and whether alternative locations exist for the proposed activity" (except for single-family dwellings). **[No written SWPPP provided]**
8. §66-6.B.4 – "Provide for compliance with the State Pollutant Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4s)."
9. §66-6.B.5 – "Provide for compliance with the New York City Department of Environmental Protection regulations for stormwater discharges. **[Response noted]**
10. §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." **[Putnam County Department of Health Approval for the well and onsite wastewater disposal system provided]**
11. Provide an erosion and sediment control only SWPPP in accordance with GP-0-20-001. Provide required information from Part III.B.1 including: **[ No written SWPPP provided]**
  - a. Part III.B.1.a – "Background information about the scope of the project, including the location, type and size of project,"
  - b. Part III.B.1.b – "A site map/construction drawing(s) for the project, including a general location map. At a minimum, the site map shall show the total site area; all improvements; areas of disturbance; areas that will not be disturbed; existing vegetation; on-site and adjacent off-site surface water(s), floodplain/floodway boundaries; wetlands and drainage patterns that could be affected by the construction activity; existing and final contours; locations of different soil types with boundaries; material, waste, borrow or equipment storage areas located on adjacent properties; and location(s) of the stormwater discharge(s);"

- c. Part III.B.1.c – “A description of the soil(s) present at the site, including an identification of the Hydrologic Soil Group (HSG);”
- d. Part III.B.1.d – “A construction phasing plan and sequence of operations describing the intended order of construction activities, including clearing and grubbing, excavation and grading, utility and infrastructure installation and any other activity at the site that results in soil disturbance;”
- e. Part III.B.1.e – “A description of the minimum erosion and sediment control practices to be installed or implemented for each construction activity that will result in soil disturbance. Include a schedule that identifies the timing of initial placement or implementation of each erosion and sediment control practice and the minimum time frames that each practice should remain in place or be implemented;”
- f. Part III.B.1.f – “A temporary and permanent soil stabilization plan that meets the requirements of this general permit and the technical standard, New York State Standards and Specifications for Erosion and Sediment Control, dated November 2016, for each stage of the project, including initial land clearing and grubbing to project completion and achievement of final stabilization;”
- g. Part III.B.1.h – “The dimensions, material specifications, installation details, and operation and maintenance requirements for all erosion and sediment control practices. Include the location and sizing of any temporary sediment basins and structural practices that will be used to divert flows from exposed soils;”
- h. 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 November 2016;”(Note: On Plan set should be in written SWPPP as well)
- i. Part III.B.1.j – “A description of the pollution prevention measures that will be used to control litter, construction chemicals and construction debris from becoming a pollutant source in the stormwater discharges;”
- j. Part III.B.1.I – “Identification of any elements of the design that are not in conformance with the requirements in the technical standard, New York State Standards and Specifications for Erosion and Sediment Control, dated November 2016. Include the reason for the deviation or alternative design and provide information which demonstrates that the deviation or alternative design is equivalent to the technical standards.”
- k. The Applicant and Applicant's design professional are expected to be familiar with the provisions of NYSDEC GP-0-20-001, particularly the sections regarding the maintenance of documentation on-site (Part II.D.2), provisions for modifying the SWPPP (Part III.A.4), trained contractor requirements (Part III.A.6), inspection and maintenance requirements (Part IV) and the procedure for termination of coverage in an MS4 community (Part V.A.4). These requirements are to be referenced in the SWPPP.
- l. 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.

- m. Please note, per GP-0-20-001, a SWPPP must be prepared by qualified professional, including a licensed Professional Engineer, Registered Landscape Architect or other NYSDEC endorsed individual(s).
  - n. 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). **[Add as note to plan set]**
12. SWPPP – GP-0-20-001 Part 1.F.8 - Provide documentation that the project complies with the requirements for historic or archeological sensitive locations. **[ SEAF indicates that the project is located in an are designated as sensitive for archeological sites. Further documentation is required]**
13. Provide a draft eNotice of Intent (eNOI) for review. **[ Old style NOI provided – No exception taken]**
14. Provide an MS4 SWPPP Acceptance Form with Sections I and II completed. **[MS4 SWPPP Acceptance form provided. The form will be completed and signed when appropriate]**
15. Refer to the Drawings:
- a. Sheet S-1- The proposed driveway runs outside the access easement. Per Filed Map 2886, Parcel 2 appears to have no rights outside the indicated Access Easement. The Applicant must demonstrate the ability to construct the driveway as shown. **[ Sketch provided which demonstrates that the driveway can be constructed within the existing access agreement]**
  - b. The construction required to render the driveway usable is unclear. Does the driveway need to be improved from Horse Pound Road to the house site or just the limited section into the property? There are two (2) stabilized construction entrances indicated. Are both to be constructed for this project? The extent of work associated with this proposal should be clearly indicated on both the plan and profile. A note should be added regarding the removal and restoration of driveway when the construction entrance is no longer needed. A note should be added regarding removal of any sediment that is tracked onto the road. A note should be added covering the installation of the paved apron connecting to Horse Pound Road. **[The driveway needs to be reviewed and comply with Chapter 57,§57-26. The driveway is to be paved for a distance of 30 feet from the road intersection. Regardless of who owns the property it is a shared driveway and must meet all width requirements. The driveway is in excess of 500. Pull offs are required. See also Item a above.**
  - c. Per Filed Map 2886, the driveway appears to be a common driveway shared by this Parcel and the adjoining parcel. If one does not already exist, it would appear that a cross access and maintenance agreement suitable in form and content to the Planning Board Attorney should be prepared and filed in the office of the county Clerk as part of this action. **[Engineer's response noted. The**

**response does not address the issue. The right of way is for ingress and egress only.]**

- d. Sheet EC-1 - Overall the notes are difficult to read. Certain of the notes are not consistent with current standards. A large portion of the notes on the left side of the page appear to be folded or otherwise compressed rendering sections incomplete/illegible. **[Improved – Considered resolved]**
  - e. All time frames set forth in the notes should be checked for consistency with current standards and conditions of the General Stormwater Permit.
  - f. The Special Notes refer to a written SWPPP. No written SWPPP has been provided **[ Same – No written SWPPP provided]**
  - g. Under the "Town of Kent Planning Board - Steep Slope and Erosion Control Notes," Note A should read 5000 SF not one (1) acre **[Note appears to have been omitted rather than corrected]**
  - h. Under the "Town of Kent Planning Board - Steep Slope and Erosion Control Notes," under C, replace "GP-02-01" with the current "GP-0-20-001." **[Note appears to have been omitted rather than corrected]**
  - i. The notes under Standards for Private and Common Driveways are at variance with Town Code Section 57-26 and should be revised accordingly **[Comment remains valid. Notes are still at variance with the applicable code section]**
16. 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.
17. Per §66-6.F, the public hearing can be waived as this is a minor project for an addition to a single-family house. We defer to the pleasure of the Planning Board in this regard. The Application in its current form is not ready for the scheduling of a public hearing should the Board chose to conduct a public hearing. **[The Application is ready for a public hearing should the Planning Board determine that a public hearing is required. The Engineer for the Applicant has requested in writing that the Planning Board waive the public hearing]**
18. Provide a written response with future submittals stating how the comments have been addressed.

**DRAFT**

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

cc: Planning Board via email  
Bill Walters via email  
**21-261-999-177**

Bruce Barber via email  
Liz Axelson via email



## Cornerstone Associates

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

April 14, 2022

To: Planning Board

From: Bruce Barber - Town of Kent Environmental Consultant

**Re: Heritage CDL Training Facility**  
Route 52  
Section 33.56 Block 1 Lot 14  
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:

1. Town of Kent Planning Board Combined Application dated 03/15/22.
2. 480 Route 52 Narrative
3. Short-form EAF (Part I) dated 01/18/22.
4. Topographic Survey prepared by Link Land Surveyors dated 02/17/22 (rev).
5. Plans entitled; "Heritage Auto School" prepared by Theodore G. Rieper RA dated 03/05/22, 3 sheets.

### Summary of Application:

The subject application is to create a CDL driving training facility. The subject site is 40,800 square feet in size (0.94+/- acres) and is located on the corner of Route 52 and Dunwoodie Road in the Commercial Zoning District. The applicant proposes removing an existing foundation and utility pole on the site, grading, and the installation of a presently undetermined surface covering.

### A: Environmental Review:

The above application materials were found to be incomplete. Review indicated the following wetland issue:

Review of the NRCS soil maps indicates that virtually the entire site and adjacent areas of Route 52 consist of Udorthent Wet Substratum soils. The Town of Kent Town Code Chapter 39A (Freshwater Wetlands) includes these soils as wetland soils (39A-4(6) (Series 108) and as such must be included and shown on the plans as Town of Kent jurisdictional wetlands with an associated 100' wetland buffer. It is important to note that the soils maps are not site specific, and the applicant may choose to engage the services of a Registered or Certified Professional Soil Scientist to verify accuracy.

Pursuant to discussion of this application at the Planning Board workshop on April 7, 2022, this office will not continue to review this application until the feasibility of the proposed use of the site and the wetland boundaries are first determined. Upon receipt of further information additional review will be conducted.

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

Sincerely,

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



# Memorandum

**To:** Planning Board  
Town of Kent

**Attn:** Philip Tolmach  
Chairman

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

**Subject:** Site Plan Review Memorandum -  
**DRAFT**

**Date:** April 1, 2022

**Project:** Heritage CDL Training Facility.  
TM # 33.56-1-14

The following materials were reviewed:

- Town of Kent Planning Board Site Plan Checklist-Theodore Rieper.
- Town of Kent Planning Board Combined Application Form-Heritage CDL Training Facility, date March 15, 2022.
- Affidavit by Agent of Owner dated March 16, 2022.
- Certification of Professional Engineer/Licensed Land Surveyor/Architect dated March 16, 2022.
- Disclosure of Business Interest dated March 16, 2022.
- Putnam County Property Description Report.
- 480 Route 52-Narrative CDL Training Range.
- Short Environmental Assessment Form-Heritage CDL Training School dated January 18, 2022.
- Drawing Sheet 1-Site Survey and Location Plan- Heritage Auto School prepared by Theodore G. Rieper Architects PC, dated March 5, 2022, scale As Shown.
- Drawing Sheet 2-Demolition Plan & Legend- Heritage Auto School prepared by Theodore G. Rieper Architects PC, dated March 5, 2022, scale As Shown.
- Drawing Sheet 5-Grade Repairs- Heritage Auto School prepared by Theodore G. Rieper Architects PC, dated March 5, 2022, scale As Shown.
- Topographic Survey of Property-480 Route 52 prepared by Link Land surveyors PC dated October 19, 2020, last revised February 17, 2022 scale 1" = 20'.

The proposed project involves the establishment of and outdoor CDL driver training facility. The project is located in the Commercial Zoning District. The use appears to be a permitted use subject to Site Plan approval by the Planning Board. No building or structure is proposed.

An existing onsite foundation and utility pole are to be removed, the area graded and stabilized. Access to the site will be by means of driveway connection to Dunwoodie Road.

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

1. No construction is proposed as part of this action. The area is to be left vacant and used as a training area for truck maneuvering and parking. Trucks will further enter and exit the site for additional training on the local road network.
2. The Code Enforcement Officer should be asked for an interpretation, as to whether or not use of the property for a practice area, absent any building or permanent structure with no utilities (water and/or sewer) can be considered proper establishment of a use.
3. The proposed project is within the NYCDEP East of Hudson watershed. It is not clear as to what the final land disturbance total will be. In the event the disturbance exceeds 5,000 sq. ft., a Town of Kent Erosion & Sediment Control Permit as well as coverage under NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity, GP-0-20-001 will be required.
4. We defer to the Planning Board's environmental consultant regarding wetland issues.
5. We defer to the Planning Board's planning consultant regarding planning and zoning matters.
6. The plans submitted with the Application package are considered incomplete. Information indicated to be present is not present. Future submittals shall include a truck maneuvering plan which includes how the site is proposed to be used and ingress and egress to Dunwoodie Road
7. Provide a written response with future submittals stating how the comments have been addressed.

The comments contained herein should not be considered all inclusive. As additional information is provided, further comments may be offered. We trust the comments are useful in your review. Please let us know if we can be of additional assistance.

**DRAFT**

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

cc: Planning Board via email  
Bill Walters via email  
22-261-262

Bruce Barber via email  
Liz Axelson via email



## 480 Route 52 – NARRATIVE CDL TRAINING RANGE

As Presented by  
Heritage Auto School  
21 Anderson St  
New Rochelle NY 10801

### A Brief History:

The Heritage Auto School is a family owned and operated business since 1974. The School started out training individuals to operate cars both automatic and standard shift in preparation for their NYS Dept. of Motor Vehicle required test in order to receive a NYS Driver's License.

Starting in the mid 80's, the Heritage School introduced CDL Training (Commercial Driver's License) for individuals with NYS Drivers Licenses. The CDL license is for Tractor Trailers, Buses and Box Trucks.

Our instructors have been instructing individuals for CDL Training since then.

### Purpose:

Last year, the Federal Motor Carrier Safety Administration placed a Mandate, taking effect February 7, 2022, requiring all Driving Schools that are conducting CDL Training must have a controlled area ("known as a Range") to practice maneuvers on site and not on the street or road. The Federal Government also mandated special Theory Classes for prospective CDL driver's, for which Heritage CDL Training School offers at our office in New Rochelle.

### Training

To help understand how the Range on 480 Rte. 52 will be used, please note the following:

1. A student will arrive at the Range at 7:00 or 8:00 A.M. The Instructor will sit with the Student in the Cab of the Trailer explaining and demonstrating vehicle startup & operation. He is then instructed on checking brakes, tires, exterior vehicle inspections, etc. This process takes approximately 45 minutes. The next phase would be 1 hour of Range maneuvers, with cones set-up, i.e., parallel parking, backing up, and turns, etc. See Attachments. Keep in mind, all

CDL Students are already licensed Class D drivers with a CDL A learner's permit. The student will then leave the Range with the instructor for street & road training.

2. The next student will arrive, for example, at 9:00 or 10:00 AM for their individual training. There will only be one Student and one Instructor at a time on the Range, for Maneuvering Training
3. CDL training sessions will be from Monday thru Saturday until 6:00 PM and occasionally a 1/2 day on Sunday.

The Range:

After considering the positive aspects of the Range we feel that entering and exiting the Range would best be served from Dunwoodie Rd. allowing access to continue training on highway &/or major roads. Drawing A-004 updated shows an existing driveway which we intend to use, a small commercial building and our maneuvering range.

Range Preparation:

We will remove the existing concrete foundation, level the site and cover this area with 6" of Item 4 over a compacted base.

We will level any & all areas with item 4 as required.

We will also remove and relocate the utility pole and power box located by the foundation to another location shown on drawing A-002.00

We do anticipate building a small commercial structure at this time.

We will maintain green areas around the site to separate and protect the residential areas to the east.

Parking:

During the day, Instructors and Students, will park their vehicles as shown on Drawing A-003.00.

There will be one Instructor and Student at a time practicing maneuvering on site, while other students and instructors are on the road off the range practicing.

At the end of the day, when not in use & overnight, the CDL Vehicles (Bus, Box Truck & Tractor Trailer) will be parked as shown A-003.00 along the setback adjacent to the commercial parking area to the north.

The attached drawings show our intended teaching, use and where vehicles will be parked.

All maneuvers are confined within the Range and cone paths i.e. parallel parking, backing up parking and turning are set up.

Range maneuvering is a slow and informative session. Range speed rarely exceeds 10 miles per hour. We do not anticipate any dust created from our maneuvering or disturbance from our training surface. The entry/exit unto Dunwoodie is safe and secure. It allows the students to safely exit and enter the range, our slow speed and turning in and out of the range will not disturb the driveway.

The Heritage Auto School is proud of its past CDL Training History and would love to continue that legacy at the 480 Rte 52 Range.

#### Drawing List

A-001.00 – Site Survey

A-002.00 – Demolition Plan

A-003.00 – Proposed Plan & Legend

A-004.00 - Maneuvering Area

A-005.00 – Grade Repairs

A-006.00 – Aerial View