

Approved: December 10, 2020

**TOWN OF KENT PLANNING BOARD
November 12, 2020
FINAL ADOPTED MINUTES**

Due to the Corona virus the Planning Board held their November 12, 2020 meeting via Zoom.

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

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

Planning Board Members

Philip Tolmach, Chairman	Giancarlo Gattucci
Simon Carey	Stephen Wilhelm
Dennis Lowes, Vice Chairman	

Absent:

Jamie McGlasson, Liaison	Chris Ruthven, Liaison
Nisim Sachakov	Charles Sisto

Others in Attendance:

Liz Axelson, Planner	Julie Mangarillo, Engineer Consultant
Bruce Barber, Environmental Consultant	Bill Walters, Building Inspector

- Mr. Tolmach opened the meeting with the Pledge of Allegiance.
- Mr. Tolmach asked each of the Board members to identify themselves to the audience and state that they were alone in their residences participating in the meeting, which they did.
- Mr. Tolmach asked for a motion to approve the Planning Board minutes from the October 8, 2020 meeting. The motion was made by Stephen Wilhelm and seconded by Simon Carey. Following were the roll call votes.

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

The motion carried.

**Town of Kent Planning Board Minutes
November 12, 2020**

• **GADF LLC, 1088 Rte. 52, Kent, NY; TM: 12.17-1-9**

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

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

The motion carried.

Mr. Tolmach asked if anyone wished to be heard pertaining to this property.

Mr. Alex Mazzotta, the owner of the above mentioned property, asked to be heard. Mr. Mazzotta said in 2019 the Kent Planning Board suggested that an updated site plan should be submitted to the Kent Planning Board to allow for two new tenants to reside in this building. Although no changes had been made to the property, which had been rehabilitated to accommodate a new tenant (Coldwell Banker Real Estate) and a rental apartment in the rear. This building had previously been used by a chiropractor and had always had a rental apartment in it.

Ms. Axelson's Comments

Ms. Axelson said that there was no State environmental quality review required for this property because it was a Type II Action. A waiver letter request was submitted by Insite Engineering dated October 13, 2020 (attached). The applicant was seeking waivers for the following code requirements of Approval of Site Plans. §77-60(F-1) Applications.

- The....architectural design of all existing buildings and structures.
- The....structures within 200' of the property boundary, with topography extending 50' outward from the site property boundary and 200' along existing roads.
- e) Existing topography and proposed grade elevations at a contour interval of not more than two feet, unless waived by the Planning Board, soil types, wetlands and watercourses, one-hundred-year floodplains, bedrock outcrops, slopes in excess of 10%, and the location of trees with a diameter of eight inches dbh and greater.
- k) The location, design and description of stormwater management facilities, including proposed grading plan.
- m) The location, height, and species of landscape plantings on a landscape plan
- n) The location and design of lighting and communication facilities.
- s) Adequate provisions for the handling of stormwater runoff, including retention/detention, piping or channeling to existing or proposed drainage systems during and after construction.

Ms. Axelson said that there were no changes to be done to this site and she recommended that the waivers be granted.

There were no further comments from Mr. Barber, Ms. Mangarillo or the members of the Planning Board.

Town of Kent Planning Board Minutes
November 12, 2020

Mr. Tolmach asked for a motion to grant the requested waivers. The motion was made by Mr. Carey and seconded by Mr. Gattucci. Following were the roll call votes.

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

The motion carried.

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

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

The motion carried.

Ms. Axelson asked for approval of the Resolution she had prepared with conditions for site plan amendment of the GADF property.

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

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

The motion carried.

Town of Kent Planning Board Minutes
November 12, 2020

• **Kent Development – Commercial Lot & Timber Harvest & Lot Line Adjustment, N. Horsepound & Peckslip Rds, Kent, NYI TM: 12.-1-38 & 4**

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

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

The motion carried.

Ms. Jamie LoGuidice of Insite Engineering and Mr. Richard Esposito, the owner of this property, participated on this call. A new submittal was received prior to this meeting.

Ms. LoGuidice said that the majority of comments had been addressed and additional vegetation had been added to the eastern portion of the parking areas to provide screening to the neighboring properties and along the property line and near the entrance of the site to mitigate any wetland buffer disturbance and minimize asphalt millings going into the wetlands. The curve will extend to N. Horsepound Road and will include a 4' wide riprap trench to protect the wetlands. Additional notes were added to the plans pertaining to existing vegetation to remain on the site, a limits of disturbance legend and construction fencing to protect existing trees. A wooded area will be remaining in between any existing buildings. The architectural and renderings have been updated and the building will be gray rather than green. There was discussion about the neighboring property and what was owned by adjacent individuals and the surveyor confirmed that the survey submitted is accurate and current. There was circulation about a short EAF Part II and Part 3 dealing with traffic and the commercial lot is proposing 2-3 vehicle trips for peak hours. Small vehicles will be the types of vehicles which will be using the warehouse. Jordan Heller, who will be handling the timber harvest, said that there will probably 2-3 trucks per week taking the logs out of the site with 1-2 passenger vehicles. The logging operation will take approximately 3 months. There is a bond proposed to protect the integrity of Peckslip Road. The boulder across the road is about 300' away from the entrance on the other side of the road the applicant does not think its necessary for him to remove it. There also was concern about the speed on the road and the applicant cannot be held responsible for other peoples actions. A SEQRA determination was requested in order to move forward with the project. Health Department and DEP approvals have been submitted.

Mr. Tolmach asked if anyone wished to be heard. Ms. Sally Hoskins asked to be heard – she is a 20 year resident of Kent and asked what evidence was presented to protect the wetlands from the asphalt millings. Ms. LoGuidice said that the DEP does not permit an impervious surface and the millings were acceptable by DEP and DEC. There will be asphalt millings on the driveway and a flush curb at the edge of the road to hold the millings in place and a 4' wide riprap of rock strip to collect anything that would wash over the curb and would be maintained by the property owner. Ms. Hoskins said she strongly opposes this project due to environmental concerns. Ms. Jody Panny , a 37 year resident of 23 Peckslip Road asked to be heard. She stated that the road is very narrow and the road used to have swales, which have washed away and she strongly opposes the project. The road is the last one to be plowed or sanded during inclement weather.

**Town of Kent Planning Board Minutes
November 12, 2020**

Mr. Barber's Comments (memo attached)

Mr. Barber reminded the Board that there had been discussion about the applicant preparing a Part II EAF which was in response to public comments and outstanding issues identified and it was distributed the previous Friday. There were moderate to large impacts with respect to traffic and the environment and wetlands on this project. Mr. Barber said that he had been working with the applicant on issues with the wetlands and it is in part of a larger system across the road regulated by the NYSDEC. The applicant is required to demonstrate that there would be no pre or post-construction changes in pollutant loading to the wetland system. The applicant is also required to demonstrate that there would be no pre or post construction changes to the water regime. The post construction water should be the same as pre-construction. An analysis needs to be done pertaining to what the wetland buffer is doing at the present time so that if there is disturbance it is reviewed, identified and mitigation would need to be done. All is detailed in a memo and the Part III EAF. A field analysis of the functional assessment was submitted which does not provide a summary or analysis. A more detailed wetland analysis was requested and alternatives from the DEP pertaining to millings.

Ms. Axelson's Comments

Ms. Axelson said that a short EAF Part III prepared by Mr. Barber was provided to the Planning Board and the applicant and their representatives. The submittal dated November 11, 2020 was reviewed by the consultants, but there was not sufficient data to allow the project to move forward. It was recommended that the Board not allow any SEQRA action be taken at the meeting. Ms. Axelson asked if the Board had any comments on the Short EAF distributed. Ms. LoGuidice said that pre-post construction data was included in the SWPPP. The wetland functional narrative would be submitted shortly. Mr. Bates had prepared this report and stated that it was not necessarily the best review of the wetland. The number that came out of his worksheets were extremely low. The concern about the traffic was not significant. Ms. Axelson said that the short EAF part II indicated that there was a small impact to traffic. Mr. Barber said the methodologies in his memos were suggestions, but any other methodologies could be used if the applicant chose to do so. Mr. Gattucci asked how Mr. Barber felt about using recycled process rather than millings. Mr. Barber said that millings had opportunities, but that this site was a difficult site and his concern was that the millings could get into the wetlands and would pollute it. Broken up concrete and bricks/recycled process may be less of a pollutant, but would need to be approved by the DEC. Ms. Axelson said that she saw a mention of Mr. Bates report and felt that comments were not addressed and needed to be addressed. Ms. LoGuidice said that Mr. Bates' report was on its way. Mr. Barber recommended that the Planning Board accept the Part 2 EAF(attached) which was distributed the previous Friday. Ms. LoGuidice prepared a narrative in response to the Part 2 EAF. The Board did not recommend any changes to the Part 2 EAF distributed on Friday. A wetland hydrological report was requested and some sort of scientific study showing that millings do not result in polluting loading into a receiving water system. A report from the DEC and/or DEP allowing anything other than millings to be used on this site. Ms. LoGuidice will provide the requested information for the next meeting. Ms. Axelson recommended adjourning this Public Hearing until December 10, 2020.

Mr. Tolmach asked for a motion to adjourn this Public Hearing until December 10, 2020. The motion was made by Mr. Wilhelm and seconded by Mr. Lowes. Following were the roll call votes:

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

The motion carried.

**Town of Kent Planning Board Minutes
November 12, 2020**

- **Patterson Crossing, NYS Rte 311, Kent, NY; TM: 22.-2-48**

Mr. Contelmo, of Insite Engineering, represented the applicant and requested a time extension of approvals for this project. Due to the Covid 19 virus the applicant was unable to proceed with this project.

Ms. Axelson's Comments

Ms. Axelson recommended that the time extension be granted.

Mr. Tolmach asked for a motion to grant the time extension. The motion was made by Mr. Wilhelm and seconded by Mr. Lowes. Following were the roll call votes:

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

The motion carried.

- **Sunoco 7-22, Route 52, Kent, NY; TM: 12.-1-43**

Mr. Jim Polinski, of Signs,, Inc., represented the applicant. The applicant is proposing to replace an existing sign which will be a 7-11 store on the outside of the building and a 5 x 10' sign over the door.

Mr. Tolmach asked for a motion to approve the sign changes. The motion was made by Mr. Gattucci and seconded by Mr. Wilhelm. Following were the roll call votes:

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

The motion carried.

- **Sun Property, 3 Westwood Dr., Kent, NY; TM: 19.12-1-20**

Mr. Bart Lansky, attorney for the applicant, participated on the call as did Mr. Pisarri and Mr. Ferrazza. Mr. Lansky stated that the applicant's request to construct the house on the first lot stands and that he would send a copy of the deed and other material.

Ms. Mangarillo's Comments (memo attached)

Ms. Mangarillo asked for more details about lot 2 and requested a memo stating why the second lot would not be suitable to build the house on to justify building it on the first lot.

**Town of Kent Planning Board Minutes
November 12, 2020**

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

- | | | |
|---|--------------------------------|-------------------|
| <ul style="list-style-type: none"> • Best Discount Depot
86 Towners Rd., Kent, NY
TM: 33.73-1-60 | <p>Sign Approval/Site Plan</p> | <p>Discussion</p> |
|---|--------------------------------|-------------------|

Awaiting a site plan for this project.

- | | | |
|---|-----------------------------|----------------------|
| <ul style="list-style-type: none"> • Annunziata
Smalley Corners Rd., Kent, NY
TM: 21.-1-11 | <p>Erosion Control Plan</p> | <p>Status Report</p> |
|---|-----------------------------|----------------------|

Awaiting re-submittal and a bond estimate.

- | | | |
|--|-----------------------------|----------------------|
| <ul style="list-style-type: none"> • Fregosi/Marinelli Property
Miller Hill Road, Kent, NY
TM: 10.-1-17 | <p>Erosion Control Plan</p> | <p>Status Report</p> |
|--|-----------------------------|----------------------|

The surety bond and inspection fee was submitted and will be forwarded to the Town Board for them to approve. The plans are ready for Chairman's signature.

- | | | |
|---|--|----------------------|
| <ul style="list-style-type: none"> • NYCDEP/Bailey Brook Forest Mgmt. Project
Nimham Rd. & Cole Shears Ct., Kent, NY
TM: 20.-1-57; 20.-1-48, 50, 57,73 thru 81 | <p>Erosion Control/
Timber Harvest</p> | <p>Status Report</p> |
|---|--|----------------------|

The plans for this project are ready for Chairman's signature.

- | | | |
|---|--|----------------------|
| <ul style="list-style-type: none"> • Putnam Nursing &
Rehabilitation Center Addition
404 Ludingtonville Road, Holmes, NY
TM: 12.-3-40 & 41 | <p>Erosion Control/Site Plan/
Wetland Permit/Bond Estimate</p> | <p>Status Report</p> |
|---|--|----------------------|

KPB Counsel is awaiting tax forms.

- | | | |
|---|--------------|----------------------|
| <ul style="list-style-type: none"> • Route 52 Development/
Kent Country Square
Route 52, Kent, NY
TM: 12.-1-52 | <p>SEQRA</p> | <p>Status Report</p> |
|---|--------------|----------------------|

No new material has been submitted for this project.

- | | | |
|--|---------------------|----------------------|
| <ul style="list-style-type: none"> • Rodriguez
104 Smalley Corners Rd., Kent, NY
TM: 21.-1-10 | <p>Sub-Division</p> | <p>Status Report</p> |
|--|---------------------|----------------------|

No new material has been submitted.

- | | | |
|--|------------------------------|----------------------|
| <ul style="list-style-type: none"> • Raneri Property
Hillside Paper Rd., Kent,, NY
TM: 44.24-1-3n | <p>Erosion Control Plan/</p> | <p>Status Report</p> |
|--|------------------------------|----------------------|

No new material has been submitted. Escrow needs to be replenished

- | | | |
|--|--|----------------------|
| <ul style="list-style-type: none"> • Gierer (Cargain) Property
43 Marie Road, Kent, NY 10512
TM: 22.-1-42 | <p>Erosion Control Plan/
Bond Recommendation</p> | <p>Status Report</p> |
|--|--|----------------------|

Withdrawal pending

Town of Kent Planning Board Minutes

November 12, 2020

- | | | |
|---|---|---------------|
| <ul style="list-style-type: none"> DiSanza Property
381 Ludingtonville Rd., Holmes, NY
TM: 12.-3-63 & 64 | Erosion Control Plan/
Wetland Permit | Status Report |
|---|---|---------------|

This matter is still before the Kent Court. Mr. Barber will, at the Court's request, inspect the property when a fee of \$1,250.00 is submitted along with the Wetland Verification form. .

- | Cabrera Property
126 Hortontown Road, Kent, NY
TM: 19.-1-35 | Erosion Control Plan | Status Report |
|--|----------------------|---------------|
| <ul style="list-style-type: none"> The Planning Board met in Executive Session. The Planning Board met with Mr. Hugo German via Zoom to discuss his request to become an Alternate for the Planning Board. Mr. Tolmach asked for a motion to ask the Town Board to approve the Board's recommendation to grant this request. The motion was made by Mr. Lowes and seconded by Mr. Carrey. Following were the roll call votes: | | |

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

The motion carried.

Mr. Tolmach asked for a motion to adjourn the November 12, 2020 meeting at 09:30 P.M. The motion was made by Mr. _____ and seconded by _____. Following were the roll call votes:

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

The motion carried.

The motion carried.

Respectfully Submitted,

Vera Pallero

Vera Patterson
Planning Board Secretary

cc: Planning Board Members
Building Inspector
Town Clerk

**Town of Kent Planning Board Minutes
November 12, 2020**

**NOVEMBER 2020
KENT PLANNING BOARD AGENDA**

Workshop: November 05, 2020 (Thursday, 7:30 PM) VIA ZOOM

Meeting: November 12, 2020 (Thursday, 7:30 PM) VIA ZOOM

THIS MEETING WILL BE CONDUCTED VIRTUALLY The Town of Kent Planning Board will be holding its regularly scheduled monthly workshop on Thursday, November 5, 2020 and the monthly meeting on Thursday, November 12, 2020 at 7:30 p.m. via ZOOM. The meeting will be televised live on the Town of Kent cable channel as well as live-streamed on YouTube. The public can participate via ZOOM. Please identify yourself when participating just as you would if you came to the microphone during a regular meeting. Thank you for your cooperation.

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

Topic: Town of Kent, N.Y. Planning Board Work Session Meeting

Time: November 5, 2020 07:30 PM Eastern Time (US and Canada)

Topic: Town of Kent, N.Y. Planning Board Meeting

Time: November 12, 2020 07:30 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/5877083251>

Meeting ID: 587 708 3251

One tap mobile

+19292056099,,5877083251# US (New York)

Dial by your location

+1 929 205 6099 US (New York)

Meeting ID: 587 708 3251

Find your local number: <https://us02web.zoom.us/u/kH6X5CXoW>

To view the video live on YouTube click the link below. To make a public comment, please sign in to a Gmail account on YouTube.

<https://www.youtube.com/watch?v=L2mrLNH3l2Q&feature=youtu.be>

NOVEMBER 2020 AGENDA

- | | | |
|--|--|--------|
| • Approve Planning Board Minutes from October 2020 | | |
| • GADF LLC
1088 Rte. 52, Kent, NY
TM: 12.17-1-9 | Public Hearing/
Site Plan | Review |
| • Kent Development – Commercial Lot
& Timber Harvest
N. Horsepound & Pecksip Rds.
Kent, NY
TM: 12.-1-38 & 42 | Public Hearing (Cont'd)
Site Plan /Steep Slopes/
Freshwater Wetlands Permit
& Lot Line Adjustment | Review |
| • Patterson Crossing
NYS Rte 311, Kent, NY
TM: 22.-2-48 | Time Extension
For Site Plan, Freshwater Wetland
& Erosion Control Permits | Review |

**Town of Kent Planning Board Minutes
November 12, 2020**

• Sunoco/7-11 Route 52, Kent, NY TM: 12.-1-43	Sign Approval	Review
• Sun Property 3 Westwood Dr., Kent, NY TM: 19.12-1-20	Erosion Control Plan	Review
Permit Applications Updates (Applicants attendance not required/Workshop Discussion):		
• Best Discount Depot 86 Towners Rd., Kent, NY TM: 33.73-1-60	Sign Approval/Site Plan	Discussion
• Annunziata Smalley Corners Rd., Kent, NY TM: 21.-1-11	Erosion Control Plan	Status Report
• Fregosi/Marinelli Property Miller Hill Road, Kent, NY TM: 10.-1-17	Erosion Control Plan/	Status Report
• NYCDEP/ Bailey Brook Forest Mgmt. Project Nimham Rd. & Cole Shears Ct., Kent, NY TM: 20.-1-57; 20.-1-48, 50, 57,73 thru 81	Erosion Control/ Timber Harvest	Status Report
• Putnam Nursing & Rehabilitation Center Addition 404 Ludingtonville Road, Holmes, NY TM: 12.-3-40 & 41	Erosion Control/Site Plan/ Wetland Permit/Bond Estimate	Status Report
• Route 52 Development/ Kent Country Square Route 52, Kent, NY TM: 12.-1-52		Status Report
• Rodriguez 104 Smalley Corners Rd., Kent, NY TM: 21.-1-10	Sub-Division	Status Report
• Raneri Property Hillside Paper Rd., Kent,, NY TM: 44.24-1-3	Erosion Control Plan/	Status Report
• Gierer (Cargain) Property 43 Marie Road, Kent, NY 10512 TM: 22.-1-42	Erosion Control Plan/ Bond Recommendation Withdrawal pending	Status Report
• DiSanza Property 381 Ludingtonville Rd., Holmes, NY TM: 12.-3-63 & 64	Control Plan/ Wetland Permit	Status Report
• Cabrera Property 126 Hortontown Road, Kent, NY TM: 19.-1-35	Erosion Control Plan	Status Report

Approved: December 10, 2020

**TOWN OF KENT PLANNING BOARD
November 12, 2020
FINAL ADOPTED MINUTES**

Due to the Corona virus the Planning Board held their November 12, 2020 meeting via Zoom.

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

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

Planning Board Members

Philip Tolmach, Chairman	Giancarlo Gattucci
Simon Carey	Stephen Wilhelm
Dennis Lowes, Vice Chairman	

Absent:

Jamie McGlasson, Liaison	Chris Ruthven, Liaison
Nisim Sachakov	Charles Sisto

Others in Attendance:

Liz Axelson, Planner	Julie Mangarillo, Engineer Consultant
Bruce Barber, Environmental Consultant	Bill Walters, Building Inspector

- Mr. Tolmach opened the meeting with the Pledge of Allegiance.
- Mr. Tolmach asked each of the Board members to identify themselves to the audience and state that they were alone in their residences participating in the meeting, which they did.
- Mr. Tolmach asked for a motion to approve the Planning Board minutes from the October 8, 2020 meeting. The motion was made by Stephen Wilhelm and seconded by Simon Carey. Following were the roll call votes.

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

The motion carried.

Town of Kent Planning Board Minutes
November 12, 2020

• **GADF LLC, 1088 Rte. 52, Kent, NY; TM: 12.17-1-9**

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

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

The motion carried.

Mr. Tolmach asked if anyone wished to be heard pertaining to this property.

Mr. Alex Mazzotta, the owner of the above mentioned property, asked to be heard. Mr. Mazzotta said in 2019 the Kent Planning Board suggested that an updated site plan should be submitted to the Kent Planning Board to allow for two new tenants to reside in this building. Although no changes had been made to the property, which had been rehabilitated to accommodate a new tenant (Coldwell Banker Real Estate) and a rental apartment in the rear. This building had previously been used by a chiropractor and had always had a rental apartment in it.

Ms. Axelson's Comments

Ms. Axelson said that there was no State environmental quality review required for this property because it was a Type II Action. A waiver letter request was submitted by Insite Engineering dated October 13, 2020 (attached). The applicant was seeking waivers for the following code requirements of Approval of Site Plans. §77-60(F-1) Applications.

- The....architectural design of all existing buildings and structures.
- The....structures within 200' of the property boundary, with topography extending 50' outward from the site property boundary and 200' along existing roads.
- e) Existing topography and proposed grade elevations at a contour interval of not more than two feet, unless waived by the Planning Board, soil types, wetlands and watercourses, one-hundred-year floodplains, bedrock outcrops, slopes in excess of 10%, and the location of trees with a diameter of eight inches dbh and greater.
- k) The location, design and description of stormwater management facilities, including proposed grading plan.
- m) The location, height, and species of landscape plantings on a landscape plan
- n) The location and design of lighting and communication facilities.
- s) Adequate provisions for the handling of stormwater runoff, including retention/detention, piping or channeling to existing or proposed drainage systems during and after construction.

Ms. Axelson said that there were no changes to be done to this site and she recommended that the waivers be granted.

There were no further comments from Mr. Barber, Ms. Mangarillo or the members of the Planning Board.

Town of Kent Planning Board Minutes
November 12, 2020

Mr. Tolmach asked for a motion to grant the requested waivers. The motion was made by Mr. Carey and seconded by Mr. Gattucci. Following were the roll call votes.

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

The motion carried.

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

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

The motion carried.

Ms. Axelson asked for approval of the Resolution she had prepared with conditions for site plan amendment of the GADF property.

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

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

The motion carried.

Town of Kent Planning Board Minutes
November 12, 2020

• **Kent Development – Commercial Lot & Timber Harvest & Lot Line Adjustment, , N, Horsepound & Peckslip Rds, Kent, NYI TM: 12.-1-38 & 4**

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

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

The motion carried.

Ms. Jamie LoGuidice of Insite Engineering and Mr. Richard Esposito, the owner of this property, participated on this call. A new submittal was received prior to this meeting.

Ms. LoGuidice said that the majority of comments had been addressed and additional vegetation had been added to the eastern portion of the parking areas to provide screening to the neighboring properties and along the property line and near the entrance of the site to mitigate any wetland buffer disturbance and minimize asphalt millings going into the wetlands. The curve will extend to N. Horsepound Road and will include a 4' wide riprap trench to protect the wetlands. Additional notes were added to the plans pertaining to existing vegetation to remain on the site, a limits of disturbance legend and construction fencing to protect existing trees. A wooded area will be remaining in between any existing buildings. The architectural and renderings have been updated and the building will be gray rather than green. There was discussion about the neighboring property and what was owned by adjacent individuals and the surveyor confirmed that the survey submitted is accurate and current. There was circulation about a short EAF Part II and Part 3 dealing with traffic and the commercial lot is proposing 2-3 vehicle trips for peak hours. Small vehicles will be the types of vehicles which will be using the warehouse. Jordan Heller, who will be handling the timber harvest, said that there will probably 2-3 trucks per week taking the logs out of the site with 1-2 passenger vehicles. The logging operation will take approximately 3 months. There is a bond proposed to protect the integrity of Peckslip Road. The boulder across the road is about 300' away from the entrance on the other side of the road the applicant does not think its necessary for him to remove it. There also was concern about the speed on the road and the applicant cannot be held responsible for other peoples actions. A SEQRA determination was requested in order to move forward with the project. Health Department and DEP approvals have been submitted.

Mr. Tolmach asked if anyone wished to be heard. Ms. Sally Hoskins asked to be heard – she is a 20 year resident of Kent and asked what evidence was presented to protect the wetlands from the asphalt millings. Ms. LoGuidice said that the DEP does not permit an impervious surface and the millings were acceptable by DEP and DEC. There will be asphalt millings on the driveway and a flush curb at the edge of the road to hold the millings in place and a 4' wide riprap of rock strip to collect anything that would wash over the curb and would be maintained by the property owner. Ms. Hoskins said she strongly opposes this project due to environmental concerns. Ms. Jody Panny , a 37 year resident of 23 Peckslip Road asked to be heard. She stated that the road is very narrow and the road used to have swales, which have washed away and she strongly opposes the project. The road is the last one to be plowed or sanded during inclement weather.

Town of Kent Planning Board Minutes
November 12, 2020

Mr. Barber's Comments (memo attached)

Mr. Barber reminded the Board that there had been discussion about the applicant preparing a Part II EAF which was in response to public comments and outstanding issues identified and it was distributed the previous Friday. There were moderate to large impacts with respect to traffic and the environment and wetlands on this project. Mr. Barber said that he had been working with the applicant on issues with the wetlands and it is in part of a larger system across the road regulated by the NYSDEC. The applicant is required to demonstrate that there would be no pre or post-construction changes in pollutant loading to the wetland system. The applicant is also required to demonstrate that there would be no pre or post construction changes to the water regime. The post construction water should be the same as pre-construction. An analysis needs to be done pertaining to what the wetland buffer is doing at the present time so that if there is disturbance it is reviewed, identified and mitigation would need to be done. All is detailed in a memo and the Part III EAF. A field analysis of the functional assessment was submitted which does not provide a summary or analysis. A more detailed wetland analysis was requested and alternatives from the DEP pertaining to millings.

Ms. Axelson's Comments

Ms. Axelson said that a short EAF Part III prepared by Mr. Barber was provided to the Planning Board and the applicant and their representatives. The submittal dated November 11, 2020 was reviewed by the consultants, but there was not sufficient data to allow the project to move forward. It was recommended that the Board not allow any SEQRA action be taken at the meeting. Ms. Axelson asked if the Board had any comments on the Short EAF distributed. Ms. LoGuidice said that pre-post construction data was included in the SWPPP. The wetland functional narrative would be submitted shortly. Mr. Bates had prepared this report and stated that it was not necessarily the best review of the wetland. The number that came out of his worksheets were extremely low. The concern about the traffic was not significant. Ms. Axelson said that the short EAF part II indicated that there was a small impact to traffic. Mr. Barber said the methodologies in his memos were suggestions, but any other methodologies could be used if the applicant chose to do so. Mr. Gattucci asked how Mr. Barber felt about using recycled process rather than millings. Mr. Barber said that millings had opportunities, but that this site was a difficult site and his concern was that the millings could get into the wetlands and would pollute it. Broken up concrete and bricks/recycled process may be less of a pollutant, but would need to be approved by the DEC. Ms. Axelson said that she saw a mention of Mr. Bates report and felt that comments were not addressed and needed to be addressed. Ms. LoGuidice said that Mr. Bates' report was on its way. Mr. Barber recommended that the Planning Board accept the Part 2 EAF(attached) which was distributed the previous Friday. Ms. LoGuidice prepared a narrative in response to the Part 2 EAF. The Board did not recommend any changes to the Part 2 EAF distributed on Friday. A wetland hydrological report was requested and some sort of scientific study showing that millings do not result in polluting loading into a receiving water system. A report from the DEC and/or DEP allowing anything other than millings to be used on this site. Ms. LoGuidice will provide the requested information for the next meeting. Ms. Axelson recommended adjourning this Public Hearing until December 10, 2020.

Mr. Tolmach asked for a motion to adjourn this Public Hearing until December 10, 2020. The motion was made by Mr. Wilhelm and seconded by Mr. Lowes. Following were the roll call votes:

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

The motion carried.

Town of Kent Planning Board Minutes
November 12, 2020

- **Patterson Crossing, NYS Rte 311, Kent, NY; TM: 22.-2-48**

Mr. Contelmo, of Insite Engineering, represented the applicant and requested a time extension of approvals for this project. Due to the Covid 19 virus the applicant was unable to proceed with this project.

Ms. Axelson's Comments

Ms. Axelson recommended that the time extension be granted.

Mr. Tolmach asked for a motion to grant the time extension. The motion was made by Mr. Wilhelm and seconded by Mr. Lowes. Following were the roll call votes:

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

The motion carried.

- **Sunoco 7-22, Route 52, Kent, NY; TM: 12.-1-43**

Mr. Jim Polinski, of Signs,, Inc., represented the applicant. The applicant is proposing to replace an existing sign which will be a 7-11 store on the outside of the building and a 5 x 10' sign over the door.

Mr. Tolmach asked for a motion to approve the sign changes. The motion was made by Mr. Gattucci and seconded by Mr. Wilhelm. Following were the roll call votes:

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

The motion carried.

- **Sun Property, 3 Westwood Dr., Kent, NY; TM: 19.12-1-20**

Mr. Bart Lansky, attorney for the applicant, participated on the call as did Mr. Pisarri and Mr. Ferrazza. Mr. Lansky stated that the applicant's request to construct the house on the first lot stands and that he would send a copy of the deed and other material.

Ms. Mangarillo's Comments (memo attached)

Ms. Mangarillo asked for more details about lot 2 and requested a memo stating why the second lot would not be suitable to build the house on to justify building it on the first lot.

**Town of Kent Planning Board Minutes
November 12, 2020**

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

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

Awaiting a site plan for this project.

- | | | |
|---|----------------------|---------------|
| • Annunziata
Smalley Corners Rd., Kent, NY
TM: 21.-1-11 | Erosion Control Plan | Status Report |
|---|----------------------|---------------|

Awaiting re-submittal and a bond estimate.

- | | | |
|--|----------------------|---------------|
| • Fregosi/Marinelli Property
Miller Hill Road, Kent, NY
TM: 10.-1-17 | Erosion Control Plan | Status Report |
|--|----------------------|---------------|

The surety bond and inspection fee was submitted and will be forwarded to the Town Board for them to approve. The plans are ready for Chairman's signature.

- | | | |
|---|------------------------------------|---------------|
| • NYCDEP/Bailey Brook Forest Mgmt. Project
Nimham Rd. & Cole Shears Ct., Kent, NY
TM: 20.-1-57; 20.-1-48, 50, 57,73 thru 81 | Erosion Control/
Timber Harvest | Status Report |
|---|------------------------------------|---------------|

The plans for this project are ready for Chairman's signature.

- | | | |
|--|--|---------------|
| • Putnam Nursing &
Rehabilitation Center Addition
404 Ludingtonville Road, Holmes, NY
TM: 12.-3-40 & 41 | Erosion Control/Site Plan/
Wetland Permit/Bond Estimate | Status Report |
|--|--|---------------|

KPB Counsel is awaiting tax forms.

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

No new material has been submitted for this project.

- | | | |
|--|--------------|---------------|
| • Rodriguez
104 Smalley Corners Rd., Kent, NY
TM: 21.-1-10 | Sub-Division | Status Report |
|--|--------------|---------------|

No new material has been submitted.

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

No new material has been submitted. Escrow needs to be replenished

- | | | |
|--|--|---------------|
| • Gierer (Cargain) Property
43 Marie Road, Kent, NY 10512
TM: 22.-1-42 | Erosion Control Plan/
Bond Recommendation | Status Report |
|--|--|---------------|

Withdrawal pending

**Town of Kent Planning Board Minutes
November 12, 2020**

- | | | |
|---|---|---------------|
| <ul style="list-style-type: none"> DiSanza Property
381 Ludingtonville Rd., Holmes, NY
TM: 12.-3-63 & 64 | Erosion Control Plan/
Wetland Permit | Status Report |
|---|---|---------------|

This matter is still before the Kent Court. Mr. Barber will, at the Court's request, inspect the property when a fee of \$1,250.00 is submitted along with the Wetland Verification form. .

- | Cabrera Property
126 Hortontown Road, Kent, NY
TM: 19.-1-35 | Erosion Control Plan | Status Report |
|--|----------------------|---------------|
| <ul style="list-style-type: none"> The Planning Board met in Executive Session. The Planning Board met with Mr. Hugo German via Zoom to discuss his request to become an Alternate for the Planning Board. Mr. Tolmach asked for a motion to ask the Town Board to approve the Board's recommendation to grant this request. The motion was made by Mr. Lowes and seconded by Mr. Carrey. Following were the roll call votes: | | |

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

The motion carried.

Mr. Tolmach asked for a motion to adjourn the November 12, 2020 meeting at 09:30 P.M. The motion was made by Mr. _____ and seconded by _____. Following were the roll call votes:

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

The motion carried.

The motion carried.

Respectfully Submitted,

Vera Patterson
Planning Board Secretary

cc: Planning Board Members
Building Inspector
Town Clerk

**Town of Kent Planning Board Minutes
November 12, 2020**

NOVEMBER 2020
KENT PLANNING BOARD AGENDA

Workshop: November 05, 2020 (Thursday, 7:30 PM) VIA ZOOM

Meeting: November 12, 2020 (Thursday, 7:30 PM) VIA ZOOM

THIS MEETING WILL BE CONDUCTED VIRTUALLY The Town of Kent Planning Board will be holding its regularly scheduled monthly workshop on Thursday, November 5, 2020 and the monthly meeting on Thursday, November 12, 2020 at 7:30 p.m. via ZOOM. The meeting will be televised live on the Town of Kent cable channel as well as live-streamed on YouTube. The public can participate via ZOOM. Please identify yourself when participating just as you would if you came to the microphone during a regular meeting. Thank you for your cooperation.

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

Topic: Town of Kent, N.Y. Planning Board Work Session Meeting

Time: November 5, 2020 07:30 PM Eastern Time (US and Canada)

Topic: Town of Kent, N.Y. Planning Board Meeting

Time: November 12, 2020 07:30 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/5877083251>

Meeting ID: 587 708 3251

One tap mobile

+19292056099,,5877083251# US (New York)

Dial by your location

+1 929 205 6099 US (New York)

Meeting ID: 587 708 3251

Find your local number: <https://us02web.zoom.us/u/kH6X5CXoW>

To view the video live on YouTube click the link below. To make a public comment, please sign in to a Gmail account on YouTube.

<https://www.youtube.com/watch?v=L2mrLNH3I2Q&feature=youtu.be>

NOVEMBER 2020 AGENDA

- | | | |
|--|--|--------|
| • Approve Planning Board Minutes from October 2020 | | |
| • GADF LLC
1088 Rte. 52, Kent, NY
TM: 12.17-1-9 | Public Hearing/
Site Plan | Review |
| • Kent Development – Commercial Lot
& Timber Harvest
N. Horsepound & Pecksip Rds.
Kent, NY
TM: 12.-1-38 & 42 | Public Hearing (Cont'd)
Site Plan /Steep Slopes/
Freshwater Wetlands Permit
& Lot Line Adjustment | Review |
| • Patterson Crossing
NYS Rte 311, Kent, NY
TM: 22.-2-48 | Time Extension
For Site Plan, Freshwater Wetland
& Erosion Control Permits | Review |

**Town of Kent Planning Board Minutes
November 12, 2020**

• Sunoco/7-11 Route 52, Kent, NY TM: 12.-1-43	Sign Approval	Review
• Sun Property 3 Westwood Dr., Kent, NY TM: 19.12-1-20	Erosion Control Plan	Review
Permit Applications Updates (Applicants attendance not required/Workshop Discussion):		
• Best Discount Depot 86 Towners Rd., Kent, NY TM: 33.73-1-60	Sign Approval/Site Plan	Discussion
• Annunziata Smalley Corners Rd., Kent, NY TM: 21.-1-11	Erosion Control Plan	Status Report
• Fregosi/Marinelli Property Miller Hill Road, Kent, NY TM: 10.-1-17	Erosion Control Plan/	Status Report
• NYCDEP/ Bailey Brook Forest Mgmt. Project Nimham Rd. & Cole Shears Ct., Kent, NY TM: 20.-1-57; 20.-1-48, 50, 57,73 thru 81	Erosion Control/ Timber Harvest	Status Report
• Putnam Nursing & Rehabilitation Center Addition 404 Ludingtonville Road, Holmes, NY TM: 12.-3-40 & 41	Erosion Control/Site Plan/ Wetland Permit/Bond Estimate	Status Report
• Route 52 Development/ Kent Country Square Route 52, Kent, NY TM: 12.-1-52		Status Report
• Rodriguez 104 Smalley Corners Rd., Kent, NY TM: 21.-1-10	Sub-Division	Status Report
• Raneri Property Hillside Paper Rd., Kent,, NY TM: 44.24-1-3	Erosion Control Plan/	Status Report
• Gierer (Cargain) Property 43 Marie Road, Kent, NY 10512 TM: 22.-1-42	Erosion Control Plan/ Bond Recommendation Withdrawal pending	Status Report
• DiSanza Property 381 Ludingtonville Rd., Holmes, NY TM: 12.-3-63 & 64	Control Plan/ Wetland Permit	Status Report
• Cabrera Property 126 Hortontown Road, Kent, NY TM: 19.-1-35	Erosion Control Plan	Status Report

Approved: December 10, 2020

**TOWN OF KENT PLANNING BOARD
November 12, 2020
FINAL ADOPTED MINUTES**

Due to the Corona virus the Planning Board held their November 12, 2020 meeting via Zoom.

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

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

Planning Board Members

Philip Tolmach, Chairman	Giancarlo Gattucci
Simon Carey	Stephen Wilhelm
Dennis Lowes, Vice Chairman	

Absent:

Jamie McGlasson, Liaison	Chris Ruthven, Liaison
Nisim Sachakov	Charles Sisto

Others in Attendance:

Liz Axelson, Planner	Julie Mangarillo, Engineer Consultant
Bruce Barber, Environmental Consultant	Bill Walters, Building Inspector

- Mr. Tolmach opened the meeting with the Pledge of Allegiance.
- Mr. Tolmach asked each of the Board members to identify themselves to the audience and state that they were alone in their residences participating in the meeting, which they did.
- Mr. Tolmach asked for a motion to approve the Planning Board minutes from the October 8, 2020 meeting. The motion was made by Stephen Wilhelm and seconded by Simon Carey. Following were the roll call votes.

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

The motion carried.

Town of Kent Planning Board Minutes
November 12, 2020

• **GADF LLC, 1088 Rte. 52, Kent, NY; TM: 12.17-1-9**

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

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

The motion carried.

Mr. Tolmach asked if anyone wished to be heard pertaining to this property.

Mr. Alex Mazzotta, the owner of the above mentioned property, asked to be heard. Mr. Mazzotta said in 2019 the Kent Planning Board suggested that an updated site plan should be submitted to the Kent Planning Board to allow for two new tenants to reside in this building. Although no changes had been made to the property, which had been rehabilitated to accommodate a new tenant (Coldwell Banker Real Estate) and a rental apartment in the rear. This building had previously been used by a chiropractor and had always had a rental apartment in it.

Ms. Axelson's Comments

Ms. Axelson said that there was no State environmental quality review required for this property because it was a Type II Action. A waiver letter request was submitted by Insite Engineering dated October 13, 2020 (attached). The applicant was seeking waivers for the following code requirements of Approval of Site Plans. §77-60(F-1) Applications.

- The....architectural design of all existing buildings and structures.
- The....structures within 200' of the property boundary, with topography extending 50' outward from the site property boundary and 200' along existing roads.
- e) Existing topography and proposed grade elevations at a contour interval of not more than two feet, unless waived by the Planning Board, soil types, wetlands and watercourses, one-hundred-year floodplains, bedrock outcrops, slopes in excess of 10%, and the location of trees with a diameter of eight inches dbh and greater.
- k) The location, design and description of stormwater management facilities, including proposed grading plan.
- m) The location, height, and species of landscape plantings on a landscape plan
- n) The location and design of lighting and communication facilities.
- s) Adequate provisions for the handling of stormwater runoff, including retention/detention, piping or channeling to existing or proposed drainage systems during and after construction.

Ms. Axelson said that there were no changes to be done to this site and she recommended that the waivers be granted.

There were no further comments from Mr. Barber, Ms. Mangarillo or the members of the Planning Board.

**Town of Kent Planning Board Minutes
November 12, 2020**

Mr. Tolmach asked for a motion to grant the requested waivers. The motion was made by Mr. Carey and seconded by Mr. Gattucci. Following were the roll call votes.

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

The motion carried.

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

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

The motion carried.

Ms. Axelson asked for approval of the Resolution she had prepared with conditions for site plan amendment of the GADF property.

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

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

The motion carried.

Town of Kent Planning Board Minutes
November 12, 2020

• **Kent Development – Commercial Lot & Timber Harvest & Lot Line Adjustment, , N, Horsepound & Peckslip Rds, Kent, NYI TM: 12.-1-38 & 4**

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

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

The motion carried.

Ms. Jamie LoGuidice of Insite Engineering and Mr. Richard Esposito, the owner of this property, participated on this call. A new submittal was received prior to this meeting.

Ms. LoGuidice said that the majority of comments had been addressed and additional vegetation had been added to the eastern portion of the parking areas to provide screening to the neighboring properties and along the property line and near the entrance of the site to mitigate any wetland buffer disturbance and minimize asphalt millings going into the wetlands. The curve will extend to N. Horsepound Road and will include a 4' wide riprap trench to protect the wetlands. Additional notes were added to the plans pertaining to existing vegetation to remain on the site, a limits of disturbance legend and construction fencing to protect existing trees. A wooded area will be remaining in between any existing buildings. The architectural and renderings have been updated and the building will be gray rather than green. There was discussion about the neighboring property and what was owned by adjacent individuals and the surveyor confirmed that the survey submitted is accurate and current. There was circulation about a short EAF Part II and Part 3 dealing with traffic and the commercial lot is proposing 2-3 vehicle trips for peak hours. Small vehicles will be the types of vehicles which will be using the warehouse. Jordan Heller, who will be handling the timber harvest, said that there will probably 2-3 trucks per week taking the logs out of the site with 1-2 passenger vehicles. The logging operation will take approximately 3 months. There is a bond proposed to protect the integrity of Peckslip Road. The boulder across the road is about 300' away from the entrance on the other side of the road the applicant does not think its necessary for him to remove it. There also was concern about the speed on the road and the applicant cannot be held responsible for other peoples actions. A SEQRA determination was requested in order to move forward with the project. Health Department and DEP approvals have been submitted.

Mr. Tolmach asked if anyone wished to be heard. Ms. Sally Hoskins asked to be heard – she is a 20 year resident of Kent and asked what evidence was presented to protect the wetlands from the asphalt millings. Ms. LoGuidice said that the DEP does not permit an impervious surface and the millings were acceptable by DEP and DEC. There will be asphalt millings on the driveway and a flush curb at the edge of the road to hold the millings in place and a 4' wide riprap of rock strip to collect anything that would wash over the curb and would be maintained by the property owner. Ms. Hoskins said she strongly opposes this project due to environmental concerns. Ms. Jody Panny , a 37 year resident of 23 Peckslip Road asked to be heard. She stated that the road is very narrow and the road used to have swales, which have washed away and she strongly opposes the project. The road is the last one to be plowed or sanded during inclement weather.

Town of Kent Planning Board Minutes
November 12, 2020

Mr. Barber's Comments (memo attached)

Mr. Barber reminded the Board that there had been discussion about the applicant preparing a Part II EAF which was in response to public comments and outstanding issues identified and it was distributed the previous Friday. There were moderate to large impacts with respect to traffic and the environment and wetlands on this project. Mr. Barber said that he had been working with the applicant on issues with the wetlands and it is in part of a larger system across the road regulated by the NYSDEC. The applicant is required to demonstrate that there would be no pre or post-construction changes in pollutant loading to the wetland system. The applicant is also required to demonstrate that there would be no pre or post construction changes to the water regime. The post construction water should be the same as pre-construction. An analysis needs to be done pertaining to what the wetland buffer is doing at the present time so that if there is disturbance it is reviewed, identified and mitigation would need to be done. All is detailed in a memo and the Part III EAF. A field analysis of the functional assessment was submitted which does not provide a summary or analysis. A more detailed wetland analysis was requested and alternatives from the DEP pertaining to millings.

Ms. Axelson's Comments

Ms. Axelson said that a short EAF Part III prepared by Mr. Barber was provided to the Planning Board and the applicant and their representatives. The submittal dated November 11, 2020 was reviewed by the consultants, but there was not sufficient data to allow the project to move forward. It was recommended that the Board not allow any SEQRA action be taken at the meeting. Ms. Axelson asked if the Board had any comments on the Short EAF distributed. Ms. LoGuidice said that pre-post construction data was included in the SWPPP. The wetland functional narrative would be submitted shortly. Mr. Bates had prepared this report and stated that it was not necessarily the best review of the wetland. The number that came out of his worksheets were extremely low. The concern about the traffic was not significant. Ms. Axelson said that the short EAF part II indicated that there was a small impact to traffic. Mr. Barber said the methodologies in his memos were suggestions, but any other methodologies could be used if the applicant chose to do so. Mr. Gattucci asked how Mr. Barber felt about using recycled process rather than millings. Mr. Barber said that millings had opportunities, but that this site was a difficult site and his concern was that the millings could get into the wetlands and would pollute it. Broken up concrete and bricks/recycled process may be less of a pollutant, but would need to be approved by the DEC. Ms. Axelson said that she saw a mention of Mr. Bates report and felt that comments were not addressed and needed to be addressed. Ms. LoGuidice said that Mr. Bates' report was on its way. Mr. Barber recommended that the Planning Board accept the Part 2 EAF(attached) which was distributed the previous Friday. Ms. LoGuidice prepared a narrative in response to the Part 2 EAF. The Board did not recommend any changes to the Part 2 EAF distributed on Friday. A wetland hydrological report was requested and some sort of scientific study showing that millings do not result in polluting loading into a receiving water system. A report from the DEC and/or DEP allowing anything other than millings to be used on this site. Ms. LoGuidice will provide the requested information for the next meeting. Ms. Axelson recommended adjourning this Public Hearing until December 10, 2020.

Mr. Tolmach asked for a motion to adjourn this Public Hearing until December 10, 2020. The motion was made by Mr. Wilhelm and seconded by Mr. Lowes. Following were the roll call votes:

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

The motion carried.

**Town of Kent Planning Board Minutes
November 12, 2020**

- **Patterson Crossing, NYS Rte 311, Kent, NY; TM: 22.-2-48**

Mr. Contelmo, of Insite Engineering, represented the applicant and requested a time extension of approvals for this project. Due to the Covid 19 virus the applicant was unable to proceed with this project.

Ms. Axelson's Comments

Ms. Axelson recommended that the time extension be granted.

Mr. Tolmach asked for a motion to grant the time extension. The motion was made by Mr. Wilhelm and seconded by Mr. Lowes. Following were the roll call votes:

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

The motion carried.

- **Sunoco 7-22, Route 52, Kent, NY; TM: 12.-1-43**

Mr. Jim Polinski, of Signs,, Inc., represented the applicant. The applicant is proposing to replace an existing sign which will be a 7-11 store on the outside of the building and a 5 x 10' sign over the door.

Mr. Tolmach asked for a motion to approve the sign changes. The motion was made by Mr. Gattucci and seconded by Mr. Wilhelm. Following were the roll call votes:

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

The motion carried.

- **Sun Property, 3 Westwood Dr., Kent, NY; TM: 19.12-1-20**

Mr. Bart Lansky, attorney for the applicant, participated on the call as did Mr. Pisarri and Mr. Ferrazza. Mr. Lansky stated that the applicant's request to construct the house on the first lot stands and that he would send a copy of the deed and other material.

Ms. Mangarillo's Comments (memo attached)

Ms. Mangarillo asked for more details about lot 2 and requested a memo stating why the second lot would not be suitable to build the house on to justify building it on the first lot.

**Town of Kent Planning Board Minutes
November 12, 2020**

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

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

Awaiting a site plan for this project.

- | | | |
|---|----------------------|---------------|
| • Annunziata
Smalley Corners Rd., Kent, NY
TM: 21.-1-11 | Erosion Control Plan | Status Report |
|---|----------------------|---------------|

Awaiting re-submittal and a bond estimate.

- | | | |
|--|----------------------|---------------|
| • Fregosi/Marinelli Property
Miller Hill Road, Kent, NY
TM: 10.-1-17 | Erosion Control Plan | Status Report |
|--|----------------------|---------------|

The surety bond and inspection fee was submitted and will be forwarded to the Town Board for them to approve. The plans are ready for Chairman's signature.

- | | | |
|--|------------------------------------|---------------|
| • NYCDEP/Bailey Brook Forest Mgmt. Project
Nimham Rd. & Cole Shears Ct., Kent, NY
TM: 20.-1-57; 20.-1-48, 50, 57, 73 thru 81 | Erosion Control/
Timber Harvest | Status Report |
|--|------------------------------------|---------------|

The plans for this project are ready for Chairman's signature.

- | | | |
|--|--|---------------|
| • Putnam Nursing &
Rehabilitation Center Addition
404 Ludingtonville Road, Holmes, NY
TM: 12.-3-40 & 41 | Erosion Control/Site Plan/
Wetland Permit/Bond Estimate | Status Report |
|--|--|---------------|

KPB Counsel is awaiting tax forms.

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

No new material has been submitted for this project.

- | | | |
|--|--------------|---------------|
| • Rodriguez
104 Smalley Corners Rd., Kent, NY
TM: 21.-1-10 | Sub-Division | Status Report |
|--|--------------|---------------|

No new material has been submitted.

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

No new material has been submitted. Escrow needs to be replenished

- | | | |
|--|--|---------------|
| • Gierer (Cargain) Property
43 Marie Road, Kent, NY 10512
TM: 22.-1-42 | Erosion Control Plan/
Bond Recommendation | Status Report |
|--|--|---------------|

Withdrawal pending

**Town of Kent Planning Board Minutes
November 12, 2020**

- | | | |
|---|---|---------------|
| <ul style="list-style-type: none"> DiSanza Property
381 Ludingtonville Rd., Holmes, NY
TM: 12.-3-63 & 64 | Erosion Control Plan/
Wetland Permit | Status Report |
|---|---|---------------|

This matter is still before the Kent Court. Mr. Barber will, at the Court's request, inspect the property when a fee of \$1,250.00 is submitted along with the Wetland Verification form. .

- | Cabrera Property
126 Hortontown Road, Kent, NY
TM: 19.-1-35 | Erosion Control Plan | Status Report |
|--|----------------------|---------------|
| <ul style="list-style-type: none"> The Planning Board met in Executive Session. The Planning Board met with Mr. Hugo German via Zoom to discuss his request to become an Alternate for the Planning Board. Mr. Tolmach asked for a motion to ask the Town Board to approve the Board's recommendation to grant this request. The motion was made by Mr. Lowes and seconded by Mr. Carrey. Following were the roll call votes: | | |

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

The motion carried.

Mr. Tolmach asked for a motion to adjourn the November 12, 2020 meeting at 09:30 P.M. The motion was made by Mr. _____ and seconded by _____. Following were the roll call votes:

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

The motion carried.

The motion carried.

Respectfully Submitted,

Vera Patterson
Planning Board Secretary

cc: Planning Board Members
Building Inspector
Town Clerk

**Town of Kent Planning Board Minutes
November 12, 2020**

**NOVEMBER 2020
KENT PLANNING BOARD AGENDA**

Workshop: November 05, 2020 (Thursday, 7:30 PM) VIA ZOOM

Meeting: November 12, 2020 (Thursday, 7:30 PM) VIA ZOOM

THIS MEETING WILL BE CONDUCTED VIRTUALLY The Town of Kent Planning Board will be holding its regularly scheduled monthly workshop on Thursday, November 5, 2020 and the monthly meeting on Thursday, November 12, 2020 at 7:30 p.m. via ZOOM. The meeting will be televised live on the Town of Kent cable channel as well as live-streamed on YouTube. The public can participate via ZOOM. Please identify yourself when participating just as you would if you came to the microphone during a regular meeting. Thank you for your cooperation.

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

Topic: Town of Kent, N.Y. Planning Board Work Session Meeting

Time: November 5, 2020 07:30 PM Eastern Time (US and Canada)

Topic: Town of Kent, N.Y. Planning Board Meeting

Time: November 12, 2020 07:30 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/5877083251>

Meeting ID: 587 708 3251

One tap mobile

+19292056099,,5877083251# US (New York)

Dial by your location

+1 929 205 6099 US (New York)

Meeting ID: 587 708 3251

Find your local number: <https://us02web.zoom.us/u/kH6X5CXoW>

To view the video live on YouTube click the link below. To make a public comment, please sign in to a Gmail account on YouTube.

<https://www.youtube.com/watch?v=L2mrLNH3l2Q&feature=youtu.be>

NOVEMBER 2020 AGENDA

- | | | |
|--|--|--------|
| • Approve Planning Board Minutes from October 2020 | | |
| • GADF LLC
1088 Rte. 52, Kent, NY
TM: 12.17-1-9 | Public Hearing/
Site Plan | Review |
| • Kent Development – Commercial Lot
& Timber Harvest
N. Horsepound & Pecksip Rds.
Kent, NY
TM: 12.-1-38 & 42 | Public Hearing (Cont'd)
Site Plan /Steep Slopes/
Freshwater Wetlands Permit
& Lot Line Adjustment | Review |
| • Patterson Crossing
NYS Rte 311, Kent, NY
TM: 22.-2-48 | Time Extension
For Site Plan, Freshwater Wetland
& Erosion Control Permits | Review |

**Town of Kent Planning Board Minutes
November 12, 2020**

• Sunoco/7-11 Route 52, Kent, NY TM: 12.-1-43	Sign Approval	Review
• Sun Property 3 Westwood Dr., Kent, NY TM: 19.12-1-20	Erosion Control Plan	Review
Permit Applications Updates (Applicants attendance not required/Workshop Discussion):		
• Best Discount Depot 86 Towners Rd., Kent, NY TM: 33.73-1-60	Sign Approval/Site Plan	Discussion
• Annunziata Smalley Corners Rd., Kent, NY TM: 21.-1-11	Erosion Control Plan	Status Report
• Fregosi/Marinelli Property Miller Hill Road, Kent, NY TM: 10.-1-17	Erosion Control Plan/	Status Report
• NYCDEP/ Bailey Brook Forest Mgmt. Project Nimham Rd. & Cole Shears Ct., Kent, NY TM: 20.-1-57; 20.-1-48, 50, 57,73 thru 81	Erosion Control/ Timber Harvest	Status Report
• Putnam Nursing & Rehabilitation Center Addition 404 Ludingtonville Road, Holmes, NY TM: 12.-3-40 & 41	Erosion Control/Site Plan/ Wetland Permit/Bond Estimate	Status Report
• Route 52 Development/ Kent Country Square Route 52, Kent, NY TM: 12.-1-52		Status Report
• Rodriguez 104 Smalley Corners Rd., Kent, NY TM: 21.-1-10	Sub-Division	Status Report
• Raneri Property Hillside Paper Rd., Kent,, NY TM: 44.24-1-3	Erosion Control Plan/	Status Report
• Gierer (Cargain) Property 43 Marie Road, Kent, NY 10512 TM: 22.-1-42	Erosion Control Plan/ Bond Recommendation Withdrawal pending	Status Report
• DiSanza Property 381 Ludingtonville Rd., Holmes, NY TM: 12.-3-63 & 64	Control Plan/ Wetland Permit	Status Report
• Cabrera Property 126 Hortontown Road, Kent, NY TM: 19.-1-35	Erosion Control Plan	Status Report

FINAL ADOPTED
November 12, 2020
Town of Kent Planning Board Resolution of
Approval with Conditions for: Site Plan Amendment for
GADF Office and Accessory Apartment 1088 Route 52
TM: 12.17-1-9

Whereas, the Town of Kent Planning Board has received an application from Alex Mazzotta, GADF, LLC, for approval of a site plan amendment for the use of an existing building, driveway and parking area for office space and use of a pre-existing accessory apartment, including a single building with two office spaces, existing utilities, electric and stormwater management systems on a 0.9-acre site in the C (Commercial) zoning district located at 1088 Route 52, in the Town of Kent, Putnam County, New York (tax parcel identification number 12.17-1-9); and

Whereas, the proposed action involves a site plan amendment on an existing developed site for offices, which is a principal permitted use in the C zoning district; and a residential unit located above a nonresidential use, which is a permitted accessory use in the C district; and

Whereas, the project is depicted on a site plan, prepared by Jeffrey J. Contelmo, PE, Insite Engineering, Surveying & Landscape Architecture, PC, dated June 18, 2020, revised October 13, 2020; and a floor plan illustration; and

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

Whereas, in accordance with the New York State Environmental Quality Review Act ("SEQRA"), on October 8, 2020 the Planning Board classified the proposed action as a Type 2 Action under SEQRA as per 6 NYCRR part 617, section 617.5 (c)(18); and accordingly, no SEQRA review is required; and

Whereas, on October 8, 2020 the Planning Board made a 239-l&m Referral to the Putnam County Department of Planning, Development & Public Transportation; and obtained a response therefrom dated October 20, 2020 indicating approval;

Now Therefore Be It Resolved, that the public hearing for this project, which was held on November 12, 2020 is hereby closed; and

Be It Further Resolved, that the Planning Board hereby grants approval with conditions to the proposed Site plan, as depicted on the following maps:

- Floor plan illustration entitled 1088 Route 52 Floor Plan, preparer not indicated, undated; and
- Plan sheet SP-1 entitled GADF, LLC Site Plan, prepared by Jeffrey J. Contelmo, PE, Insite Engineering, Surveying & Landscape Architecture, PC, dated June 18, 2020, revised October 13, 2020.

Be It Further Resolved, that the site plan approval is expressly conditioned on the completion of the compliance with the following:

1. Address the comments of the Planning Board's Planning Consultant as set forth in a memorandum dated October 15, 2020.
2. Payment of all consultant fees accrued by the Planning Board to review the project plans and the application.

*Town of Kent Planning Board Resolution of
Approval with Conditions for: Site Plan Amendment for
GADF Office and Accessory Apartment 1088 Route 52
November 12, 2020*

3. The conditional site plan approval shall expire 12 months from the date of approval as set forth in the Code of the Town of Kent section 77-61 C., which states that the approval would be "... void if construction is not started within one year of the date of Planning Board approval, and completed within two years of the date of such approval."; and unless otherwise extended by the Planning Board upon the express written request of the applicant prior to the date of expiration.
4. It is the responsibility of the application/project sponsor to submit to the Town Planning Board proof that each of the conditions of this Site Plan Approval have been completed; and the signature of the Planning Board Chairman shall be withheld pending receipt of a written memorandum from the Planning Board's Planning Consultant verifying that each of the conditions of this approval have been completed. The final drawings shall not be accepted by the Planning Board without submission of proof of completion.

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

I certify that the above resolution was adopted by the Town of Kent Planning Board at a meeting of the Board held on November 12, 2020.



Vera Patterson, Clerk
Town of Kent Planning Board

Othmer comments re Esposito Project North Horsepound Road - Kent Development

Planning Kent <planningkent@townofkentny.gov>

Mon 11/16/2020 12:00 PM

To: Kent Planning Board 2020 <kentplanningboard2019@townofkentny.gov>; Kent Planning Board Consultants 2020 <kentplanningboardconsultants2019@townofkentny.gov>; Building Inspector <buildinginspector@townofkentny.gov>
FYI.

Vera Patterson
Town of Kent
Planning Board Secretary
25 Sybil's Crossing
Kent, NY 10512
planningkent@townofkentny.gov
845-225-7802 (T)
845-306-5283 (F)

From: Jamie LoGiudice, RLA <jlogiudice@insite-eng.com>
Sent: Thursday, November 12, 2020 3:19 PM
To: eaxelson@cplteam.com <eaxelson@cplteam.com>; jmangarillo@rsaengrs.com <jmangarillo@rsaengrs.com>; barberbruce@yahoo.com <barberbruce@yahoo.com>
Cc: jwatson@insite-eng.com <jwatson@insite-eng.com>; dick@espositobuilders.com <dick@espositobuilders.com>; Planning Kent <planningkent@townofkentny.gov>
Subject: FW: Othmer comments re Esposito Project North Horsepound Road - Kent Development

TOWN OF KENT NOTICE

THIS EMAIL IS FROM AN EXTERNAL SENDER!

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

Hello all,

In response to comments received below from Richie Othmer, we offer the following:

- Large Boulder:
 - The boulder is located over 300 FT away from the project entrance and on the other side of N. Horsepound Road.
 - Sight distance of 320 FT has been adequately provided as shown on the site plans. The NYSDOT states 140 FT of stopping distance is required for a rural road of 30 MPH.
 - "Straightening the curve" would be a Town of Kent Highway Department action on the road itself and not the responsibility of the applicant. The properties for which said straightening would occur are not owned by the applicant but by the N/F Putnam County Land Trust, N/F Maher and the Town of Kent as part of the road right-of-way.
 - The speed as listed on N. Horsepound Road is 30 MPH. The applicant cannot be held responsible for the actions of others if traveling at greater speeds than are permitted on a town road.
- Traffic at Route 52 Intersection:
 - The project proposes 2-3 vehicle trips during peak hours. This is an extremely small amount of cars for the proposed use as compared to what could potentially be constructed in this location given the IOC zoning district permitted uses. It should be noted that these numbers are similar in

nature to those of a single-family residential property. Given the location adjacent to single family residential properties, the amount of vehicle trips proposed is adequate for this area and will not burden the surrounding areas further from their current conditions.

- o The applicant does not have any control over what the NYSDOT may or may not have planned Route 52 and any intersections within close proximity to the project. One could argue that if the NYSDOT were reviewing this area, a signalized intersection would be located at Route 52 and Ludingtonville Road, not Route 52 and N. Horsepound Road given that the greater amount of traffic is located at the Route 52 and Ludingtonville Road intersection. It is our understanding that a round-about was reviewed at one time but no official plans area in the works that we area aware of for these intersections.
- o The project proposes 2-3 vehicle trips in peak hours which is well under the 100 vehicle trip threshold that the EAF Workbook states triggers a use to have a significant impact/substantial increase on and to surrounding traffic. The Light Industrial/Warehousing use states having 180,000 SF Gross Floor Area or more would result in a substantial increase to existing traffic. Single Family Residential was also reviewed since the surrounding area away from Route 52 is residential and 95 units or more would result in a substantial traffic increase. As this project proposes no where near those numbers, the project will not have a substantial increase to traffic in this area.

Vera, can you please forward these responses to the Planning Board members as I do not have their contact information. We will discuss this further tonight of course.

Thank you,
Jamie

From: Planning Kent <planningkent@townofkentny.gov>

Sent: Thursday, November 12, 2020 9:32 AM

To: Jamie LoGiudice, RLA <jlogiudice@insite-eng.com>; dick@espositobuilders.com

Subject: Fw: Othmer comments re Esposito Project North Horsepound Road - Kent Development

fyi.

Vera Patterson
Town of Kent
Planning Board Secretary
25 Sybil's Crossing
Kent, NY 10512
planningkent@townofkentny.gov
845-225-7802 (T)
845-306-5283 (F)

From: Planning Kent <planningkent@townofkentny.gov>

Sent: Tuesday, November 10, 2020 2:29 PM

To: Kent Planning Board 2020 <kentplanningboard2019@townofkentny.gov>; Kent Planning Board Consultants 2020 <kentplanningboardconsultants2019@townofkentny.gov>; Building Inspector <buildinginspector@townofkentny.gov>; dinothecat@yahoo.com <dinothecat@yahoo.com>

Subject: Othmer comments re Esposito Project North Horsepound Road - Kent Development

fyi.

Vera Patterson
Town of Kent
Planning Board Secretary
25 Sybil's Crossing
Kent, NY 10512
planningkent@townofkentny.gov
845-225-7802 (T)
845-306-5283 (F)

From: Richard Othmer <rothmer@townofkentny.gov>
Sent: Monday, November 9, 2020 12:30 PM
To: jmangarillo@rsaengrs.com <jmangarillo@rsaengrs.com>; Planning Kent
<planningkent@townofkentny.gov>
Subject: Esposito Project North Horsepound Road

Good Morning All;

My two outstanding concerns on the North Horsepound Road Project are;

- The sharp turn & large boulder at the driveway intersection. Cars fly around here. Maybe remove the boulder to straighten curve?
- The evening rush hour is crazy coming off I-84 towards North Horsepound. Starting in the afternoon, the intersection of Ludingtonville & North Horsepound Roads & Route 52 is backed up & congested. The combination of the two gas stations & Gappy's Restaurant & the usage of North Horsepound as an on ramp for Farmer's Mills Road makes for a perfect storm of chaos. I would see if NYS DOT has any plans for a traffic control light here. I guarantee if not done now it will be done in the future.

I hope this helps.

Rich Othmer

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

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

Resolution #11

Year 2020

Date: November 5, 2020

Re: **Recommendation to move this project to the Administrative Track,
Waive Tree Survey & forward Bond Agreement to the Town Board
Mark & Brianna Marinelli
82 Anton Drive
Carmel, NY 10512
For Property Located at:
Miller Hill Woods Ct.
Kent, NY 10512
TM: 10.-1-17**

Resolved: On October 8, 2020 Kent Planning Board reviewed material pertaining to the recommendation noted above (attached) and agreed that it was appropriate to forward it to the Town Board for their action.

Mr. Tolmach asked for a motion to forward this recommendation to the Kent Town Board to accept the attached Erosion Control Bond and Inspection fee as noted below:

Erosion Control Bond, Citibank check 115411350	-	\$12,650.00
Final Inspection Fee, Citibank check 372	-	\$1,000.00

Mr. Tolmach asked for a motion to accept the Erosion Control Bond in the amount of \$12,650.00. The motion was made by Mr. Gattucci and seconded by Mr. Wilhelm. The roll call votes were as follows:

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

The motion carried.

The Planning Board respectfully asks that, if the Town Board is in agreement, they approve this recommendations.

I, Vera Patterson, Planning Board Secretary of the town of Kent, County of Putnam, State of New York, do hereby certify that the foregoing is a true excerpt from the minutes of a meeting of the Planning Board of the Town of Kent held on October 8, 2020.

Dated: October 8, 2020



Vera Patterson
Planning Board Secretary

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

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

Memorandum

DATE: November 17, 2020
TO: Finance Dept.
CC:
FROM: Vera Patterson
RE: Marinelli Erosion Control Bond – TM: 10.-1-17

Please find attached Supporting documentation and a copy of the Surety Bond in the amount of \$12,650.00 for the above mentioned property. Mr. Fregosi, Mrs. Marinelli's father, has been involved with this project and has another surety bond with Western Surety Company for another piece of property which he is developing. Also attached is documentation for TM: 10.20-1-69, because a copy of this document should be in both files. When Mr. & Mrs. Marinelli applied for a surety bond along with Mr. Fregosi Western Surety Bond combined the two bonds, which is why the attached bond is \$28,867.50, as noted below:

Western Surety Company/Continuation Certificate Bond # 738087694

TM: 10:01-17	-	\$12,650.00
TM: 10.20-1-69	-	\$33,217.50
Total Bond	-	\$45,867.50



PO Box 5077 Sioux Falls SD 57117-5077

November 10, 2020

Received
Rate: \$1000/year

1-800-331-6053
Fax 1-605-335-0357
www.onasurety.com
Email: uwsservices@cnasurety.com

NOV 12 2020

Planning Department
Town of Kent

Joseph Fregosi
82 Anton Drive
Carmel, NY 10512

Bond # 72087694
Joseph Fregosi

\$45,867.50
Company Code: 0601 WESTERN SURETY COMPANY
Erosion and Sediment Control Town of Kent

Enclosed is the rider adjusting your coverage as requested. To assure proper coverage, you must file this rider with the original document.

If there is a premium due because of the required change, an invoice is included with the rider. If an invoice is included, please pay the amount indicated within 30 days.

If the rider is no longer needed, please write the word "Void" on the document and return it to us.

If you have any questions, please contact your local agent.

Enclosure



Western Surety Company

RIDER

To be attached to and form part of Bond No. 72087694

It is hereby mutually agreed and understood by and between Western Surety Company and JOSEPH FREGOSI

that instead of as originally written; the bond is changed or revised in the particulars checked below:

- ☐ Principal Name changed to:
- ☐ Principal Address changed to:
- ☐ Vehicle/Vessel/Hull Information changed to:
- ☐ Lost Instrument Information changed to:
- ☐ Identification Number changed to:
- ☒ Penalty Amount changed to: \$45,867.50
- ☐ Additional or Event Location:
- ☐ Effective Date changed to:
- ☐ Expiration Date changed to:
- ☐ The following bond information changed:

But in no event shall Western Surety Company's total liability for all locations exceed the aggregate amount set forth in the bond, regardless of the number of years this bond remains in force, the number of claims made, or the number of renewal premiums payable or paid.
It is further understood and agreed that all other terms and conditions of this bond shall remain unchanged.

This Rider becomes effective on the 10th day of November, 2020.

Signed this 10th day of November, 2020.

WESTERN SURETY COMPANY

By: Paul T. Bruflat
Paul T. Bruflat, Vice President





Western Surety Company

RIDER

To be attached to and form part of Bond No. 72087694

It is hereby mutually agreed and understood by and between Western Surety Company
and JOSEPH FREGOSI

that instead of as originally written; the bond is changed or revised in the particulars checked below:

- ☐ Principal Name changed to:
- ☐ Principal Address changed to:
- ☐ Vehicle/Vessel/Hull Information changed to:
- ☐ Lost Instrument Information changed to:
- ☐ Identification Number changed to:
- ☒ Penalty Amount changed to: \$45,867.50
- ☐ Additional or Event Location:
- ☐ Effective Date changed to:
- ☐ Expiration Date changed to:
- ☐ The following bond information changed:

But in no event shall Western Surety Company's total liability for all locations exceed the aggregate amount set forth in the bond, regardless of the number of years this bond remains in force, the number of claims made, or the number of renewal premiums payable or paid.

It is further understood and agreed that all other terms and conditions of this bond shall remain unchanged.

This Rider becomes effective on the 10th day of November, 2020.

Signed this 10th day of November, 2020.

WESTERN SURETY COMPANY

By: Paul T. Bruflat
Paul T. Bruflat, Vice President



50-1139/219
SECURED BY
EZBANK

11/11/2020

1379

MARC MARINELLI
BRIANNA MARINELLI
82 ANTON DRIVE
CARMEL, NY 10512

Pay to the order of Town of Kent

One thousand $\times \times / 100$

\$ 1,000 $\times \times / 100$

Dollars

TOMPKINS MAHOPAC BANK

For Brianna Marinelli

1379

021011398 055 940200

COUNT YOUR BLESSINGS

RECEIPT DATE Nov. 12, 2020 No. 537121

RECEIVED FROM B. Marinelli \$1,000.00

One Thousand and 00/100

☐ FOR RENT

☒ FOR Review Fees / Escrow DOLLARS

ACCOUNT ☐

PAYMENT ☐

BAL. DUE ☐

☐ CASH

☒ CHECK

☐ MONEY ORDER

☐ CREDIT CARD

1379

FROM Platons TO B. Marinelli

BY TM 10-1-17

3-11

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

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

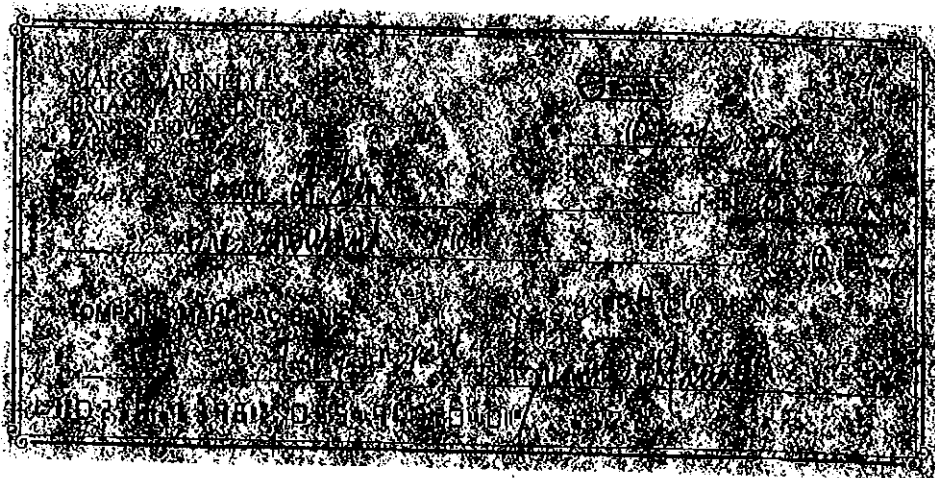
Memorandum

DATE: Oct 27, 2020
 TO: Finance Department
 CC: jfregosi1957@gmail.com
 FROM: Vera Patterson
 RE: Fregosi Marinelli Property
 TM: 10-1-17

Please find attached Tompkins Mahopac Bank Check 1377, dated 10/22/20, in the amount of \$1,000.00. This should be deposited into the escrow account noted above – it is for inspection/review fees.

Thanks very much

RECEIPT		DATE <u>Oct 27, 2020</u>	No. <u>537117</u>
RECEIVED FROM <u>Brianne/Mark Marinelli</u>		<u>\$1,000.00</u>	
<u>One Thousand and 00/100</u>		DOLLARS	
<input type="radio"/> FOR RENT <input checked="" type="radio"/> FOR <u>Review / Inspect in Fee TM: 10-1-17</u>		<input type="radio"/> CASH <input checked="" type="radio"/> CHECK <input type="radio"/> MONEY ORDER <input type="radio"/> CREDIT CARD	
ACCOUNT		FROM <u>V. Patterson</u>	TO <u>B. Marinelli</u>
PAYMENT		BY _____	
BAL. DUE		1377	



Fregosi Landscaping Inc _MarineIII TM 10.-1-17

Date		Deposits	Fees	Balance
12/20/2018	Check #1638	1,500.00		1,600.00
3/25/2019	CPL		(57.00)	1,443.00
5/3/2019	Check #1328	1,500.00		2,943.00
5/7/2019	CPL 60374 for Jan 2019		(171.00)	2,772.00
5/7/2019	Rohde 29657-1582 for Jan 2019		(494.84)	2,277.36
5/7/2019	Rohde 29657-1641 for Feb 2019		(531.92)	1,745.44
5/7/2019	Cornerstone - Jan 2019		(375.00)	1,370.44
5/7/2019	Cornerstone - Feb 2019		(312.50)	1,057.94
7/12/2019	Rohde 29657-1811 for May 2019		(14.00)	1,043.94
5/26/2020	Rohde 29657-2322 Mar 2020		(56.00)	987.94
5/28/2020	Cornerstone 20-0406 for Mar 2020		(82.50)	925.44
6/10/2020	Rohde 29657-2352 for Apr 2020		(490.00)	435.44
8/18/2020	Cornerstone 20-0608 for May 2020		(126.00)	310.44
8/18/2020	Rohde 29657-2383 for May 2020		(42.00)	268.44
08/25/20	Rohde-29657-2465		(14.00)	254.44
08/27/20	Mahopac Nat Bk Ck 2143-review fee	750.00		1,004.44
10/27/20	Mahopac Nat Bk Ck 1377	1,000.00		2,044.44
	Inspection/Escrow w/surety bond			
10/27/2020	Rohde-29657-2555		(770.00)	1,274.74
10/27/20	Cornerstone - Sept 2020		(343.75)	930.69

PERFORMANCE BOND FOR EROSION AND SEDIMENTATION CONTROL

Performance Bond given by Fregosi Landscaping, Inc., a domestic business corporation, with its principal place of business located at 82 Anton Drive, Carmel, New York, 10512, and by Marc & Brianna Marinelli, having an address of 82 Anton Drive, Carmel, New York, 10512 ("Obligor") to the Town of Kent, a municipal corporation whose Town Hall is located at 25 Sybil's Crossing, Kent, New York, 10512 ("Obligee"), dated 10/21/20, 2020.

KNOW ALL PEOPLE BY THESE PRESENTS that the Obligor is held and firmly bound unto the Obligee in the sum of **\$12,650.00**, along with an initial inspection fee deposit of **\$1,000.00** for the payment whereof to Obligee the said Obligor binds itself, its successors and assigns.

WHEREAS, Obligor is seeking one or more approvals from the Obligee for a land development activity, as that term is defined in Town of Kent Town Code Chapter 66 (the "Code"), on certain real property located in the Town of Kent, in connection with which erosion and sedimentation controls ("Controls") are required; and

WHEREAS, on October 8, 2020, the Kent Planning Board adopted a resolution of conditional approval of land development activity located at Miller Hill Woods Court, Town of Kent, County of Putnam and State of New York, Tax Map No. 10.-1-17, ("Project Site") requiring the Controls; and

WHEREAS, in conjunction with such approval, the Obligor submitted plans and specifications ("Project Plans") for the land development activity, and in furtherance of the approvals of the Planning Board, as follows:

- A. Site Plan for construction of a single-family residence with well and septic system ("Marinelli Property"), prepared by Roy Frederiksen, PE, P.O. Box 950, Mahopac, New York, 10541; and

WHEREAS, Obligor submitted to the Town Erosion and Sedimentation Control plans forming a part of the Project Plans; and

The Obligor agrees to execute and/or endorse and deliver to the Town any documents required for the Town to call upon the security.

The Obligee and its agents, employees, engineers and/or planners are hereby expressly authorized to enter upon the property for the purpose of inspecting whether the Controls are being performed in accordance with the approved Project Plans, and to complete the work in the event the Obligee fails to do so, or to restore the Project Site. This right of the Obligee shall run with the land.

In the event that Obligor interferes with the Obligee's exercise of its rights under this instrument, the Obligee shall be entitled to recover of Obligor the Obligee's attorneys' fees, other consultant costs, and expenses resulting from or arising out of Obligor's interference. This right of the Obligee shall run with the land.

The obligations of Obligor in this performance bond may not be assigned or assumed by a third party without the prior written approval of the Town Board of the Town of Kent.

Dated: 10/21, 2020


FREGOSI LANDSCAPING, INC


MARC MARINELLI


BRIANNA MARINELLI

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

On the 21 day of OCTOBER, 2020, before me, the undersigned, a notary public in and for said state, personally appeared MARC MARINELLI

WHEREAS, the amount of this bond is based upon a recommendation by the Engineer to the Town; and

WHEREAS, as condition to the issuance of approval of a land development activity, the Obligor, prior to construction, provides the Obligees with security of **\$12,650.00** along with an initial inspection fee deposit of **\$1,000.00** which guarantees satisfactory completion of the Controls, which security shall remain in full force and effect until the Obligor is released from liability by the Town;

NOW, THEREFORE, the condition of this performance obligation is such that, if the Obligor shall well and truly construct the aforesaid Controls in accordance with the Project Plans, and if said improvements are deemed complete by the Town of Kent, and if Obligor is released from liability by the Obligees as provided in Town Code Section 66-7(A)(2), then this obligation shall be null and void; otherwise, the obligation shall remain in full force and effect.

In furtherance of the above, the Obligor acknowledges that, pursuant to Town Code Section 66-7(A)(2), the security shall remain in full force and effect for a minimum period of two years from the date of final acceptance or such other certification that the work permitted by the steep slope and erosion control permit has been constructed and completed in accordance with the approved permit and the Project Plans.

The Obligor shall at all times provide the Obligees with such security as the Obligees shall deem sufficient. In furtherance of this covenant, the Obligor has obtained and hereby delivers to the Town of Kent the following security for faithful performance of this obligation:

Surety bond in the sum of **\$12,650.00**.

Initial inspection fee deposit in the sum of **\$1,000.00**.

In the event the Controls are not constructed and completed according to the Project Plans within one year from the date of the approved permit, unless extended by the Planning Board pursuant to Town Code Section 66-6(K)(4), the Obligees shall have the right to withdraw the aforesaid security and complete the work with full use of said sums as the Obligees requires, or in the alternative at its exclusive option, Obligees shall have the right to apply the security to restore and render stable and environmentally sound the Project Site.

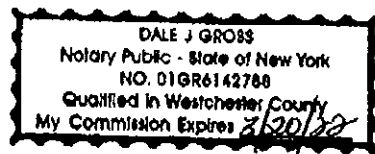
personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.



Dale J. Gross
NOTARY PUBLIC

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

On the 21 day of OCTOBER, 2020, before me, the undersigned, a notary public in and for said state, personally appeared Brianna Marinelli personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.



Dale J. Gross
NOTARY PUBLIC

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

On the 21 day of OCTOBER, 2020, before me, the undersigned, a notary public in and for said state, personally appeared Joseph Fregosi personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the

same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.



Dale J. Gross
NOTARY PUBLIC

From: Lana Cappelli
Sent: Wednesday, November 14, 2018 1:15 PM
To: Planning Kent; Accountant
Subject: FYI

Categories: Green Category, Red Category

Resolution # Accepting Fregosi Erosion Control Surety Bond TM# 10.20-1-69

On a motion by Councilwoman McGlasson

Seconded by Supervisor Fleming

WHEREAS, the Planning Board, by Resolution dated November 8, 2018, has recommended that the Town Board accept an Erosion Control Bond in the amount of \$28,867.50 from the owner of the property located at Kentview Drive, Kent New York, identified as Tax Map No. 10.20-1-69 (the "Lot"); and

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

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Kent hereby accepts the recommendation of the Planning Board and approves the posting of an Erosion Control Bond in the amount of \$28,867.50.

Motion carried unanimously

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

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

RESOLUTION 19
FOR
FREGOSI PROPERTY
Year 2018

Date: November 8, 2018
From: The Kent Planning Board
To: The Kent Town Board:
Maureen Fleming, Supervisor - w/Att. Bill Huestis, Deputy Supervisor
Paul Denbaum Christine Woolley
CC: W. Walters, Building Inspector - w/Att. Finance Department - w/Att.
T. Harrison - w/Att. N. Tagliaferro - w/Att.
L. Cappelli, Town Clerk - w/Att.
Re: Request to Accept an Erosion Control Bond
Joseph Fregosi
82 Anton Drive
Carmel, NY 10512
For Property located on:
Kentview Drive
Kent, NY 10512
TM: 10.20-1-69

Resolved: On November 8, 2018 the Kent Planning Board reviewed material submitted by Mr. Joseph Fregosi, the owner of the property mentioned above. This project pertains to construction of a single-family residence and an Erosion Control Bond in the amount of \$28,867.50. Attached is supporting documentation for this project as well as the Bond Agreement and a Surety Bond #72087694 from Western Surety Company dated October 18, 2018.

Mr. Tolmach asked for a motion to recommend to the Town Board that this Erosion Control Bond be accepted. The motion was made by Simon Carey and seconded by Dennis Lowes. The roll call votes were as follows:

The roll call votes were as follows:



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

The motion carried.

The Planning Board would appreciate it very much if this matter could be placed on the next Town Board meeting.

Sincerely,


Vera Patterson, Secretary
Kent Planning Board

	
<h1>Western Surety Company</h1>	
<h2>CONTINUATION CERTIFICATE</h2>	
Western Surety Company hereby continues in force Bond No. <u>72087694</u> briefly	
described as <u>EROSION AND SEDIMENT CONTROL TOWN OF KENT</u>	
for <u>JOSEPH FREGOSI</u>	
, as Principal,	
in the sum of \$ <u>TWENTY-EIGHT THOUSAND EIGHT HUNDRED SIXTY-SEVEN AND 50/100</u> Dollars, for the term beginning	
<u>October 18</u> , <u>2020</u> , and ending <u>October 18</u> , <u>2021</u> , subject to all	
the covenants and conditions of the original bond referred to above.	
This continuation is issued upon the express condition that the liability of Western Surety Company	
under said Bond and this and all continuations thereof shall not be cumulative and shall in no event exceed	
the total sum above written.	
Dated this <u>2nd</u> day of <u>September</u> , <u>2020</u> .	
	WESTERN SURETY COMPANY
	By <u>Paul T. Brumat</u> Paul T. Brumat, Vice President
THIS "Continuation Certificate" MUST BE FILED WITH THE ABOVE BOND.	
Form 90-A-8-2012	

Western Surety Company

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

That WESTERN SURETY COMPANY, a corporation organized and existing under the laws of the State of South Dakota, and authorized and licensed to do business in the States of Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, Wyoming, and the United States of America, does hereby make, constitute and appoint

Paul T. Bruffat of Sioux Falls
State of South Dakota, its regularly elected Vice President
as Attorney-in-Fact, with full power and authority hereby conferred upon him to sign, execute, acknowledge and deliver for and on its behalf as Surety and as its act and deed, the following bond:

One EROSION AND SEDIMENT CONTROL TOWN OF KENT

bond with bond number 72087694

for JOSEPH FREGOSI

as Principal in the penalty amount not to exceed: \$28,867.50

Western Surety Company further certifies that the following is a true and exact copy of Section 7 of the by-laws of Western Surety Company duly adopted and now in force, to-wit:

Section 7. All bonds, policies, undertakings, Powers of Attorney, or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, any Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys-in-Fact or agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile.

In Witness Whereof, the said WESTERN SURETY COMPANY has caused these presents to be executed by its Vice President Paul T. Bruffat with the corporate seal affixed this 2nd day of September, 2020.

ATTEST

L. Nelson
L. Nelson, Assistant Secretary

WESTERN SURETY COMPANY
By Paul T. Bruffat
Paul T. Bruffat, Vice President

STATE OF SOUTH DAKOTA }
COUNTY OF MINNEHAHA } ss

On this 2nd day of September, 2020, before me, a Notary Public, personally appeared Paul T. Bruffat and L. Nelson

who, being by me duly sworn, acknowledged that they signed the above Power of Attorney as Vice President and Assistant Secretary, respectively, of the said WESTERN SURETY COMPANY, and acknowledged said instrument to be the voluntary act and deed of said Corporation.

J. MOHR
NOTARY PUBLIC
SOUTH DAKOTA

My Commission Expires June 23, 2021

Notary Public

To validate bond authenticity, go to www.enasurety.com > Owner/Obligee Services > Validate Bond Coverage.

Effective Date: October 18, 2018

Western Surety Company

LICENSE AND PERMIT BOND

KNOW ALL PERSONS BY THESE PRESENTS:

Bond No. 72087694That we, Joseph Fregosi

of Carmel, State of New York, as Principal,
and WESTERN SURETY COMPANY, a corporation duly licensed to do surety business in the State
New York, as Surety, are held and firmly bound unto the

Town of Kent, State of New York, as Obligor, in the penal

sum of Twenty-Eight Thousand Eight Hundred Sixty-Seven DOLLARS (\$28,867.50),
lawful money of the United States, to be paid to the Obligor, for which payment well and truly to be made,
we bind ourselves and our legal representatives, firmly by these presents.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That whereas, the Principal has been
licensed Erosion and Sediment Control

by the Obligor.

NOW THEREFORE, if the Principal shall faithfully perform the duties and in all things comply
with the laws and ordinances, including all amendments thereto, pertaining to the license or permit
applied for, then this obligation to be void, otherwise to remain in full force and effect until
October 18th, 2019, unless renewed by Continuation Certificate.

This bond may be terminated at any time by the Surety upon sending notice in writing, by First Class
U.S. Mail, to the Obligor and to the Principal at the address last known to the Surety, and at the
expiration of five (5) days from the mailing of said notice, this bond shall ipso facto terminate and
the Surety shall thereupon be relieved from any liability for any acts or omissions of the Principal
subsequent to said date. Regardless of the number of years this bond shall continue in force, the number of
claims made against this bond, and the number of premiums which shall be payable or paid, the Surety's
total limit of liability shall not be cumulative from year to year or period to period, and in no event shall
the Surety's total liability for all claims exceed the amount set forth above. Any revision of the bond
amount shall not be cumulative.

Dated this 18th day of October, 2018.

Principal

Principal

WESTERN SURETY COMPANY

By

Paul T. Bruffat

Paul T. Bruffat, Vice President

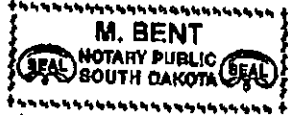
Form 532-12-2015

STATE OF SOUTH DAKOTA }
COUNTY OF MINNEHAHA } ss

ACKNOWLEDGMENT OF SURETY
(Corporate Officer)

On this 18th day of October, 2018, before me, the undersigned officer, personally appeared Paul T. Bruflet, who acknowledged himself to be the aforesaid officer of WESTERN SURETY COMPANY, a corporation, and that he as such officer, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself as such officer.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.



M. Bent
Notary Public — South Dakota

My Commission Expires March 2, 2020

ACKNOWLEDGMENT OF PRINCIPAL
(Individual or Partners)

STATE OF _____ }
COUNTY OF _____ } ss

On this _____ day of _____, before me personally appeared _____, known to me to be the individual _____ described in and who executed the foregoing instrument and acknowledged to me that he executed the same.

My commission expires _____

Notary Public

STATE OF _____ }
COUNTY OF _____ } ss

ACKNOWLEDGMENT OF PRINCIPAL
(Corporate Officer)

On this _____ day of _____, before me personally appeared _____, who acknowledged himself/herself to be the _____ of _____, a corporation, and that he/she as such officer being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation by himself/herself as such officer.

My commission expires _____

Notary Public

Western Surety Company

License or Permit No. _____

**LICENSE AND PERMIT
BOND
As**

of _____

State of _____

Name of Applicant _____

Address _____

Filed _____

Approved this _____

day of _____

Western Surety Company

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

That WESTERN SURETY COMPANY, a corporation organized and existing under the laws of the State of South Dakota, and authorized and licensed to do business in the States of Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, Wyoming, and the United States of America, does hereby make, constitute and appoint

Paul T. Bruflat of Sioux Falls
State of South Dakota, its regularly elected Vice President
as Attorney-in-Fact, with full power and authority hereby conferred upon him to sign, execute, acknowledge and deliver for and on its behalf as Surety and as its act and deed, the following bond:

One Erosion and Sediment Control City of Kent

bond with bond number 72087694

for Joseph Fregosi

as Principal in the penalty amount not to exceed: \$28,867.50

Western Surety Company further certifies that the following is a true and exact copy of Section 7 of the bylaws of Western Surety Company duly adopted and now in force, to-wit:

Section 7. All bonds, policies, undertakings, Powers of Attorney, or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, any Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys-in-Fact or agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile.

In Witness Whereof, the said WESTERN SURETY COMPANY has caused these presents to be executed by
Vice President 2018 with the corporate seal affixed this 18th day of October

ATTEST

J. Nelson
J. Nelson, Assistant Secretary

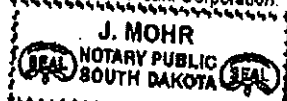
WESTERN SURETY COMPANY
By Paul T. Bruflat
Paul T. Bruflat, Vice President



STATE OF SOUTH DAKOTA }
COUNTY OF MINNEHAHA }

On this 18th day of October, 2018

Paul T. Bruflat and J. Nelson, before me, a Notary Public, personally appeared who, being by me duly sworn, acknowledged that they signed the above Power of Attorney as Vice President and Assistant Secretary, respectively, of the said WESTERN SURETY COMPANY, and acknowledged said instrument to be the voluntary act and deed of said Corporation.



My Commission Expires June 23, 2021

Form F1974-1-2018

J. Mohr
Notary Public



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

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

Resolution #11

Year 2020

Date: October 8, 2020

Re: Recommendation to move this project to the Administrative Track,
Waive Tree Survey & forward Bond Agreement to the Town Board
Mark & Brianna Marinelli
82 Anton Drive
Carmel, NY 10512
For Property Located at:
Miller Hill Woods Ct.
Kent, NY 10512
TM: 10.-1-17

Resolved: On October 8, 2020 Kent Planning Board reviewed material pertaining to the recommendation noted above (attached) and agreed that it was appropriate to forward it to the Town Board for their action.

Mr. Tolmach asked for a motion to forward this recommendation to the Kent Town Board to accept the attached Erosion Control Bond and Inspection fee as noted below:

Erosion Control Bond, Citibank check 115411350	-	\$12,650.00
Final Inspection Fee, Citibank check 372	-	\$1,000.00

Mr. Tolmach asked for a motion to accept the Erosion Control Bond in the amount of \$12,650.00. The motion was made by Mr. Gattucci and seconded by Mr. Wilhelm. The roll call votes were as follows:

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

The motion carried.

The Planning Board respectfully asks that, if the Town Board is in agreement, they approve this recommendations.

I, Vera Patterson, Planning Board Secretary of the town of Kent, County of Putnam, State of New York, do hereby certify that the foregoing is a true excerpt from the minutes of a meeting of the Planning Board of the Town of Kent held on October 8, 2020.

Dated: October 8, 2020



Vera Patterson
Planning Board Secretary



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

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

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

Memorandum

To: Planning Board
Town of Kent

Attn: Philip Tolmach
Chairman

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

Subject: Erosion Control Plan

Date: October 7, 2020

Project: Marinelli
Miller Hill Woods Ct
TM # 10.-1-17

The following materials were submitted via email & reviewed:

- Combined Application Form, signed by Marc Marinelli, dated 9/13/2020, including:
 - Site Plan Checklist dated 9/13/2020, Agricultural Data Statement, signed 9/22/2020
- Putnam County Department of Health Permit to Construct a water well, issued 1/24/2019
- Putnam County Department of Health Construction Permit for Sewage Treatment System, issued 1/24/2019
- Notice of Intent (NOI), signed 10/1/2020 by Marc Marinelli
- Erosion control estimate prepared by Fregosi Landscaping Inc., dated 10/5/2020
- Deed
- Drawing prepared by Roy Fredriksen, PE "Stormwater Pollution Prevention Plan (Erosion & Sediment Control)" Sheet 1 of 2, dated 12/3/2018, revised 9/20/2020
- Drawing prepared by Roy A. Fredriksen, PE, "Stormwater Pollution Prevention Plan (Erosion & Sediment Control)" Sheet 2 of 2, dated 8/19/2020, revised 9/20/2020
- Boundary & Topographic Survey of Property Known as Lot 4 'Miller Hill Woods,' prepared by Baxter Land Surveying, P.C., revised 10/7/2019

The project proposes construction of a single family house with well, septic, and driveway. The lot is a flag lot with frontage on Miller Hill Road, but will derive access from a shared driveway from Miller Hill Woods Ct. Previous questions regarding potentially historic structures have been answered with a "No adverse impact" letter from NYS OPRHP dated July 18, 2019. No protections of the structures are required.

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

See below for additional history/background regarding remaining comments and administrative comments.

Memorandum
 Marinelli – Miller Hill Rd/ Miller Hill Woods Ct ECP
 TM # 10.-1-17
 October 7, 2020
 Page 2 of 4

Here is a summary of remaining and new comments:

1. Provide Certification of Professional Engineer affidavit.
2. On the SWPPP drawing, Sheet 1 of 2, Note #4 – Remove reference to updated topo from Baxter survey dated 10/7/2019. The topo shown on the SWPPP drawing is only from 1984. The wetland boundary and 100 foot adjacent area may have been updated from the 2019 survey, but the topo was not.
3. Per §66-6.B.2.g[5], provide a time frame for each step in the "Construction Sequence" on the SWPPP drawing. It can be a number of days, weeks or months for each step.
4. Provide clearer information on the drawings for future homeowners to operate, maintain and inspect the catchbasins and dry wells.
5. We defer to the Planning Board's environmental consultant regarding wetland issues and request for tree survey waiver.
6. Provide a catchbasin at the intersection of the pipe from the CB at the end of the driveway with the "ldr & ftg drains" pipe. Indicate drainage pipe sizes and slopes on the drawing.
7. An erosion control bond estimate of \$12,650.00 was prepared by Fregosi Landscaping, Inc., dated 10/5/2020. We recommend this amount be accepted for the bond amount and recommended for approval by the Town Board.
8. Provide written responses with future submittals.

History/Background of Remaining Comments and Comments Completed since last review:

The following comments are provided for the Planning Board's consideration from a memo dated January 9, 2019:

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. - **Acknowledged.**
2. Refer to Combined Application Form
 - a. Page 3, #14 – Provide copy of the deed. Currently Putnam County Image Mate Online shows the property is owned by Doria. It is acknowledged that there is a delay for the Putnam County website to show new sales. – **Item Complete.**
 - b. Provide required affidavits, including Disclosure of Business Interest.
 - i. **10/7/2020** – Additional affidavits have been submitted. The only affidavit not received is the **Certification of Professional Engineer**. Provide the Certification of Professional Engineer.
3. Provide approvals from Putnam County Department of Health for well and septic.
 - a. **10/7/2020 – Item Complete**
4. 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 ...

ROHDE, SOYKA & ANDREWS CONSULTING ENGINEERS, P.C.

Memorandum
 Marinelli – Miller Hill Rd/ Miller Hill Woods Ct ECP
 TM # 10.-1-17
 October 7, 2020
 Page 3 of 4

- i. 4/3/2020 - Source of soils information has been provided. Source of topographic base map is provided as Baxter Land Surveying, dated 3/25/2019, rev 10/7/2019. However, the topo on the Stormwater Pollution Prevention Plan drawing still appears to show the topo from 1984. Updated information from the revised survey, such as the location and grading of the shared driveway and existing structures are not shown on the Stormwater Pollution Prevention Plan drawing. Update the drawing to reflect current information provided in the updated survey.
- ii. 9/9/2020 - The Stormwater Pollution Prevention Plan drawing still appears to show the outdated 1984 topo instead of the new 2019 survey topo. This is most apparent for the location and grading of the shared driveway and existing structures that are not shown on the Stormwater Pollution Prevention Plan drawing. Update the Stormwater Pollution Prevention Plan drawing to reflect current information provided in the updated 2019 survey.
- iii. 10/7/2020 – Per discussion at the 9/10/2020 Planning Board meeting and in a follow-up email on 9/11/2020, the SWPPP drawing can remain "as is" with the following requirements:
 1. Revise Note #4 to state this topo is from 1984, not the 2019 updated survey. – **Note #4 still states updated topo from Baxter 2019. The wetland line and 100' buffer may have been updated, but the topo was not.**
 2. Add a note referencing the updated Baxter survey and topo and make it part of the Erosion Control Permit Drawing set. - **Completed**
 3. Add notes to the SWPPP drawing indicating how to handle the existing structures on the property. – **Completed.**
- b. §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.
 1. 9/9/2020 - include "timetable and schedule" for the Construction Sequence.
 2. 10/7/2020 – Provide a time frame for each step in the "Construction Sequence." It can be a number of days, weeks or months for each step.
 - ii. [6] Provide an estimate for the cost of implementing all elements of the erosion control plan.
 1. 10/7/2020 – Erosion Control bond estimate provided.

RONDI, SOYKA & ANDREWS CONSULTING ENGINEERS, P.C

Memorandum
Marinelli – Miller Hill Rd/ Miller Hill Woods Ct ECP
TM # 10.-1-17
October 7, 2020
Page 4 of 4

6. Refer to the Notice of Intent (NOI).
 - f. 4/3/2020 - New comment: Putnam County Image Mate shows the property is owned by Marc and Brianna Marinelli. Owner/Operator Information and signature to be updated with current owner information.
 - i. 10/7/2020 – **Item Complete**
7. Refer to the Drawings:
 - e. Provide soil testing for dry well locations.
 - i. 10/7/2020 – Note added. **Item Complete.**
 - g. Provide notes on operation, maintenance and inspection of catchbasins and dry wells for future homeowners.
 - i. 9/9/2020 - The response letter states "Catch basin and dry well maintenance inspections are provided on page 2 of the SWPPP".
Dry well has "clean yearly" under "Necessary to Maintain Function" and no information under "After approval of inspector".
Provide clearer information for future homeowners to operate, maintain and inspect the catchbasins and dry wells.
 - ii. 10/7/2020 - Provide clearer information for future homeowners to operate, maintain and inspect the catchbasins and dry wells.
9. 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. - **Acknowledged.**
10. We defer to the Planning Board's environmental consultant regarding wetland issues.

The following comments are provided for the Planning Board's consideration summarized from an email dated September 11, 2020:

1. Revise Note #4 to state this topo is from 1984. Add a note referencing the updated survey & topography for more current information. The Baxter survey will become part of the Erosion Control Permit drawing set along with the 2 drawings prepared by Roy Fredriksen, P.E. – **See above regarding Note #4.**
2. Add notes to the drawing indicating what will be done with the existing structures. – **Item Complete.**


Julie S. Mangarillo, P.E., CPESC

cc: Planning Board via email
Bill Walters via email
19-261-999-164

Bruce Barber via email
Liz Axelson via email

ROHDE, SOYKA & ANDREWS CONSULTING ENGINEERS, P.C.