



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

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

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

Memorandum

To:	Planning Board Town of Kent	Attn:	Hugo German Chairman
From:	John V. Andrews, Jr., P.E.	Subject:	Erosion Control Plan – Completeness
Date:	July 17, 2023	Project:	Ahlers Residence TM #21-1-19

The following materials were reviewed:

- Drawing L-100-Steep Slopes and Erosion Control Permit Plan-Ahlers 769 Gipsy Trail Road, prepared by MKM Landscape Architecture PC, dated June 5, 2023, scale 1" =20'.
- Short Environmental assessment Form (SEAF) Part 1 dated June 19, 2023

The project has been modified to involve the filling and grading against an existing retaining wall to stabilize and eliminate the need for the wall. The proposed project is within the NYCDEP East of Hudson watershed. Disturbance has been reduced to below 5,000 SF of land. The proposal involves disturbance of steep slopes and the placement of 700 cubic yards of clean fill. A Town of Kent Steep Slope and Erosion Control Permit is required. Coverage under NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity, GP-0-20-001 is not required.

The subject Erosion and Sediment Control Plan is approved. The following comments are provided for the Planning Board's consideration:

1. Engineering concerns have been satisfactorily resolved.
2. The Planning Board's environmental consultant has no further concerns with regard to wetland issues.
3. The Planning Board accepted the bond estimate in the amount of \$4700.00 and referred the matter to the Town Board for approval of the amount and acceptance of the bond.
4. The Town must have a fully executed bond agreement form and a check (or other form of acceptable surety). The Town Board must accept the bond agreement and the check at a regular meeting. Upon acceptance by the Town Board, the final plans may be signed.
5. 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.
6. If not already done, prior to the Planning Board Chairman's signature on plans, all Planning Board costs and fees including the erosion control bond, initial inspection fee

Memorandum
Ahlers Residence ECP – **Completeness**
TM # 21-1-19
July 17, 2023
Page 2 of 2

deposit and all professional review fees incurred during the review and approval of the application must be paid in full.

7. Vera Patterson, Planning Board Clerk, should verify that there are sufficient copies of the final drawings in the Planning Office for the Chairman's signature.

We trust the comments contained herein are satisfactory for your purposes. If we can be of additional assistance, please advise.


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

7.17.2023

cc: Planning Board via email
Bill Walters via email
23-261-999-183

Bruce Barber via email



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

Memorandum

To:	Planning Board Town of Kent	Attn:	Hugo German Chairman
From:	John V. Andrews, Jr., P.E.	Subject:	Revised Lot Line Approval – Completeness
Date:	July 17, 2023	Project:	Doherty 81 Lincoln Dr & 38 Chauncey Rd TM # 33.48-1-23 & 33.48-1-18

The following materials were reviewed:

- Bargain and Sale Deed with Covenants Section 33.48-1-23- Doherty.
- Bargain and Sale Deed with Covenants Section 33.48-1-18- Doherty.
- Lot Line Change-Robert & Katherine Doherty prepared by David L Odell, PLS dated March 22, 2023, last revised April 19, 2023. Scale 1' =20'.

The project proposes a property transfer between the parcel at 81 Lincoln Dr. (TM # 33.48-1-23) and the parcel at 38 Chauncey Rd. (TM# 33.48-1-18), reducing the Lincoln Dr parcel by approximately 2628 SF and increasing the Chauncey Rd. parcel by that same amount.

The following comments are provided for the Planning Board's consideration based on our February 1, 2023 and April 3, 2023 memoranda and the Resolution of Approval. New or supplementary comments are shown in **bold**. **In addition, attached hereto for clarity are copies of the submitted deeds, the earlier version of the Subdivision Plat, dated March 22, 2023 and a copy of Town Code Section 66A-17 all of which have been hand notated to reflect and/or amply the comments that remain unresolved as indicated herein.**

1. There are no proposed improvements associated with this action. This is merely a property transfer and perhaps including a lot merger between consenting parties requiring a revised lot line approval from the Town of Kent Planning Board. The matter is handled as a revised lot line approval. There is no public hearing requirement associated with this action. **[No comment required. See approval Resolution.]**
2. There are some inconsistencies in the application. It appears that three (3) tax parcels are involved, TM # 33.48-1-23 (81 Lincoln), TM # 33.38-1-18(38 Chauncey) and TM # 33.48-1-19. A portion of TM # 33.48-1-23 is being conveyed to TM # 33.48-1-18 reducing the acreage of TM # 33.48-1-23 to the minimum required of 10,000 square feet and increasing TM # 33.48-1-18 to greater than 15,000 square feet and apparently including its merger with TM # 33.48-1-19. The Planning Board should discuss the intent of the Applicant and confirm the intended outcome. *[The plat submitted still reflects TM # 33.48-1-19 as a separate parcel. The Applicant should clarify their intent with respect*

to this parcel. As it is a substandard lot size, in our opinion, it should be combined with the adjoining parcel as part of this action. **[Partially resolved – See hand notated Plat attached]**

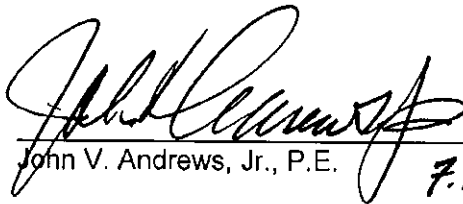
3. A completed, signed and dated Short Environmental Assessment Form (SEAF) should be submitted as part of the Application. Per 6 NYCRR 617-§ 617.5(c)(5) "granting of individual setback and lot line variances and adjustments" is considered a Type II action, requiring no further environmental review. We recommend that the Planning Board make such a determination but require the SEAF for record purposes. *[SEAF required]* **[Resolved]**
4. The zoning designations for the involved parcels are not clear. It appears that TM # 33.48-1-23 is in the R-10 Zoning District and that TM 3 33.48-1-18 is in the C Zoning District. We cannot confirm that based on the Town Zoning Map. If this is in fact the case, both lots to be created as part of this action would conform with respect to lot size. *[The zoning designations remain unclear. The plat note provided indicates that both parcels are in the Commercial District. This requires clarification as both parcels would be non-conforming with the subdivision increasing the nonconformity of one of the parcels.]* **[Resolved – refer to Building Inspector letter in file]**
5. Conceptually we take no exception to the proposed action. It appears that it is consistent with the subdivision regulations. Future submittals shall include the information required by Town Code Section 66A-17. **[A proper subdivision plat was included in this most recent submittal. It is not consistent with Town Code Section 66A-17 Please refer to the attached hand notated plat and attached Town Code Section 66A-17.]**
6. *The following items required by Town Code Section 66A-17 should be provided in future submittals.:*
 - *Site data table listing the name of any school, fire or special districts, zoning designations of parcels, required and proposed lot area, required and proposed lot width, and required and proposed road frontage. Lot sizes must be shown in square feet or acres. Some information has been provided in the form of notes, but it is incomplete.* **[Not Resolved – See attached hand notated information]**
 - *The grantor of lands shall submit a proposed deed conveying the portion of land to the adjoining lot or parcel owner. Said deed must contain a clause stating that: "This parcel of land is conveyed pursuant to a revised lot line approved by the Planning Board of the Town of Kent, on (date) and does not create any new or additional building lots or parcels." Metes and bounds descriptions should be provided for review.* **[Not Resolved – See attached hand notated deeds. Metes and bounds incorrect]**
 - *The owner of the adjoining lot or parcel shall submit a proposed deed describing, as a single parcel, the existing adjoining lot or parcel along with the property to be conveyed, conveying said increased lot or parcel as a single unified lot or parcel, to himself or herself, or such entity as the owner desires. Said deed shall contain a clause as follows: "This deed of conveyance is for the sole purpose of unifying into a single lot or parcel lands previously owned by the grantor with lands conveyed to the grantee as a result of a revised lot line approved by the*

Memorandum
Revised Lot Line Approval – **Completeness**
Doherty
TM # 33.48-1-23 & 33.48-1-18
July 17, 2023
Page 3 of 3

Planning Board of the Town of Kent on (date)." A complete metes and bounds description of the consolidated lot should be provided for review. **[Not resolved See hand notated deeds. Metes and bounds incorrect]**

7. No topography was provided. We recommend that the Applicant request a waiver such that topographic information not be required on the survey. (Reference - Town Code Section 66A-17.D(4)(c) – existing contours with intervals of five feet or less). The topographic information is not necessary. The lack of such information does not hinder a proper review of the matter. When requested, we recommend the Planning Board consider granting the waiver. **[Waived by the Planning Board]**

We trust the comments are useful in your review. Please let us know if we can be of additional assistance.


John V. Andrews, Jr., P.E. 7.17.2023

Attachments

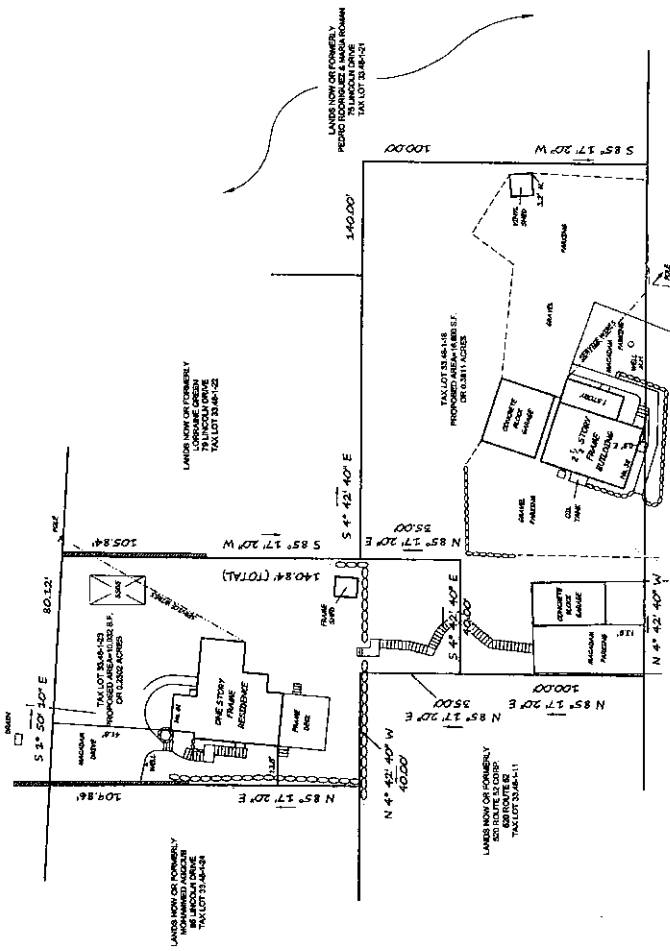
cc: Planning Board via email
Bill Walters via email
22-261-

Bruce Barber via email

- GENERAL NOTES:
- ZONING DISTRICT: COMMERCIAL
 - CARMEL CENTRAL SCHOOL DISTRICT

- MAP REFERENCES:
- REFER TO THIRTIETH MAP OF LAKE CHARLES, FILED MAP NUMBER 1034X
 - TAX LOT 32.46-1-18 SUBDIVISION LOTS 13720 THRU 13724 INCLUSIVE, LIBER 1871 PAGE 311
 - TAX LOT 32.46-1-19 SUBDIVISION LOTS 13716 & 13718, LIBER 1871 PAGE 311
 - TAX LOT 32.46-1-23 SUBDIVISION LOTS 13726 & 13728 & LOTS 13760 THRU 13771 INCLUSIVE, LIBER 2170 PAGE 249

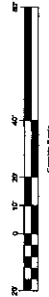
LINCOLN DRIVE



LOT LINE CHANGE
PREPARED FOR THE
ROBERT & KATHERINE DOHERTY

SITUATE IN THE
TOWN OF KENT
PUTNAM COUNTY, NEW YORK

SCALE: 1" = 20'



CHAUNCEY ROAD

TOWN OF KENT PLANNING BOARD APPROVAL

APPROVED BY RESOLUTION OF THE PLANNING BOARD OF THE TOWN OF KENT, PUTNAM COUNTY, NEW YORK, ON THE _____ DAY OF _____, 2023, SUBJECT TO ALL REQUIREMENTS AND CONDITIONS OF SAID RESOLUTION, ANY CHANGE, REVISION, MODIFICATION OR REVISION OF THIS PLAN, AS APPROVED, SHALL VOID THIS APPROVAL. SIGNED THIS _____ DAY OF _____, 2023.

CHAIRMAN:

SECRETARY:

THIS PLAN FILED FOR PUBLICITY _____ DATED THIS MAP WAS FILED AT THE PUTNAM COUNTY CLERK'S OFFICE BEING: _____ DATE OF THIS APPROVAL.

OWNERS' CONSENT

THE UNDERSIGNED, OWNER OF THE ABOVE DESCRIBED PROPERTY, HEREBY CERTIFY THAT THE ABOVE DESCRIBED PROPERTY IS NOT SUBJECT TO ANY EASEMENT, ENCUMBRANCE OR OTHER INTEREST OF ANY KIND, AND THAT THE ABOVE DESCRIBED PROPERTY IS NOT SUBJECT TO ANY EASEMENT, ENCUMBRANCE OR OTHER INTEREST OF ANY KIND, AND THAT THE ABOVE DESCRIBED PROPERTY IS NOT SUBJECT TO ANY EASEMENT, ENCUMBRANCE OR OTHER INTEREST OF ANY KIND.

SIGNED: _____ DATE: _____

SIGNED: _____ DATE: _____

PUTNAM COUNTY COMMISSIONER OF FINANCE'S OFFICE

CARMEL, NEW YORK

THE COMMISSIONER OF FINANCE HEREBY CERTIFIES THAT ALL TAX MAP NUMBERS, MACSAR, BLOCK, LOT, LOTS, PARCELS, AND OTHER INFORMATION AS OF THE DATE OF THIS APPROVAL, HAVE BEEN PAID FOR THE PARCEL OF PARCELS IN THE CARMEL SCHOOL DISTRICT.

SIGNED: _____ COMMISSIONER OF FINANCE

TOWN OF KENT PLANNING BOARD

CARMEL, NEW YORK

PLEASE CERTIFY THAT THE FOLLOWING TAX MAP NUMBERS, MACSAR, BLOCK, LOT, LOTS, PARCELS, AND OTHER INFORMATION AS OF THE DATE OF THIS APPROVAL, HAVE BEEN PAID FOR THE PARCEL OF PARCELS IN THE CARMEL SCHOOL DISTRICT.

SIGNED: _____

PUTNAM COUNTY CLERK'S OFFICE

CARMEL, NEW YORK

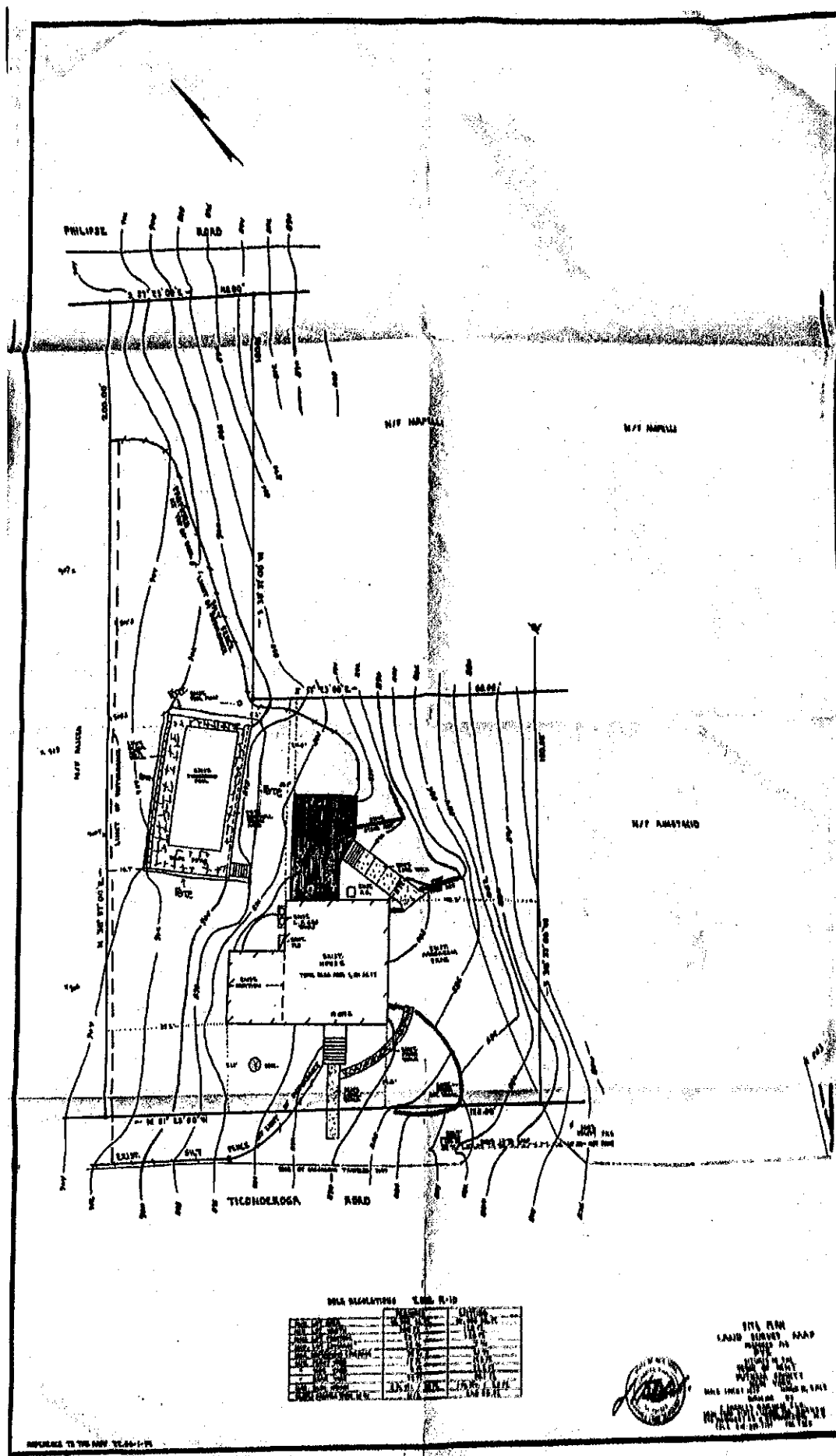
MAP NO. _____ FILED _____ APPROVANT FILED _____ AS PER LOCAL LAW NO. 3 OF 1987

I, DAVID L. ODELL HEREBY CERTIFY THAT THE SURVEY, UPON WHICH THIS MAP IS BASED, WAS COMPLETED MARCH 13, 2023 AND THE MAP WAS PREPARED MARCH 22, 2023, REVISED APRIL 18, 2023.



DAVID L. ODELL, PLS
122483
PUTNAM COUNTY, NEW YORK
PATTERSON, N.Y. 12543

NEW YORK STATE LICENSED LAND SURVEYOR NO. 060214



Town of Kent, NY
Monday, July 17, 2023

Chapter 66A. Subdivision of Land

Article IV. Documents and Information To Be Submitted

§ 66A-17. Revised lot line plat.

The following documents shall be submitted for approval:

ITEMS TO BE PROVIDED

- A. Revised lot line application, completed in full.
- B. Consent of property owner(s) form, completed in full with original signatures.
- C. Short form environmental assessment form, completed in full.
- D. Full-size and reduced-size plans depicting the proposed revised lot line in the quantity and media type specified by the Planning Board and including the following data and information:

1. An accurate survey depicting the condition of the affected properties as of the time of the application prepared by a New York State licensed land surveyor, including the date of the survey, the date the map was prepared, a North point, scale, and the name and address of record owner(s) and the surveyor, and depicting the lot line(s) to be revised.

2. Site data table listing the name of any school, fire or special districts, zoning designations of parcels, required and proposed lot area, required and proposed lot width, and required and proposed road frontage. Lot sizes must be shown in square feet or acres.

(3) Location map: scale one inch equals 400 feet.

(4) Unless waived or modified by the Planning Board:

— WAIVED AS INDICATED

(a) Location of existing watercourses, surface waters, and regulated wetlands and wetland buffer areas. **(NONE PRESENT)**

(b) Location of existing sewers, water mains, culverts, driveways and drains on the property with pipe sizes, grades and direction of flow.

(c) Existing contours with intervals of five feet or less. **(waived)**

(d) Location of existing property lines, streets, easements and buildings.

(e) Names, addresses and tax identification numbers of all adjacent property owners.

3. The grantor of lands shall submit a proposed deed conveying the portion of land to the adjoining lot or parcel owner. Said deed must contain a clause stating that:

"This parcel of land is conveyed pursuant to a revised lot line approved by the Planning Board of the Town of Kent, on (date) and does not create any new or additional building lots or parcels." **language NOT included in deed**

4. The owner of the adjoining lot or parcel shall submit a proposed deed describing, as a single parcel, the existing adjoining lot or parcel along with the property to be conveyed, conveying

said increased lot or parcel as a single unified lot or parcel, to himself or herself, or such entity as the owner desires. Said deed shall contain a clause as follows:

"This deed of conveyance is for the sole purpose of unifying into a single lot or parcel lands previously owned by the grantor with lands conveyed to the grantee as a result of a revised lot line approved by the Planning Board of the Town of Kent on (date)." *language not included in deed.*

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT—THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY.

THIS INDENTURE, made the ____ day of June, in the year 2023

BETWEEN ROBERT W. DOHERTY, with a mailing address of 27 Sedgwick Road, Carmel, New York 10512,

party of the first part, and ROBERT W. DOHERTY and KATHRYN DOHERTY, with a mailing address of 27 Sedgwick Road, Carmel, New York 10512,

party of the second part,

WITNESSETH, that the party of the first part, in consideration of

TEN and 00/100 (\$10.00) dollars

paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever, being and intended to be the same premises described in the Deed to the party of the first part by Federal Home Loan Mortgage Corporation, dated April 24, 2019, and recorded May 6, 2019 in Book 2110 at Page 249 in the Putnam County Clerk's Office

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the

SEE SCHEDULE A ATTACHED HERETO

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof; TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises; TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose. The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:

ROBERT W. DOHERTY

1.17.2023
Witness Required
Language

RECEIVED VIA EMAIL

JUN 23 2023

ROHDE, SOYKA & ANDREWS
CONSULTING ENGINEERS, PC

SCHEDULE A

COMMENCING from a point in the southeasterly corner of Lot Tax Map No. 3348-1-23
adjoining Lincoln Drive

THENCE South 85°17'20" West a distance of 140.64 feet;

THENCE North 4°42'40" West a distance of 40 feet;

THENCE North 85°17'20" East a distance of 109.86 feet;

THENCE South 1°50'10" East a distance of 30.12 feet to a point or place of beginning.

7.17.2023
INCORRECT
DOES NOT MATCH
PLAT

RECEIVED VIA EMAIL.

JUN 23 2023

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

ACKNOWLEDGEMENT TAKEN IN NEW YORK STATE

State of New York, County of Putnam, ss:

On the ____ day of June in the year 2023, before me, the undersigned, personally appeared ROBERT W. DOHERTY

, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

ACKNOWLEDGEMENT BY SUBSCRIBING WITNESS TAKEN IN NEW YORK STATE

State of New York, County of _____, ss:

On the ____ day of ____ in the year ____, before me, the undersigned, a Notary Public in and for said State, personally appeared ____, the subscribing witness to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he/she/they reside(s) in

(if the place of residence is in a city, include the street and street number if any, thereof), that he/she/they know(s)

to be the individual described in and who executed the foregoing instrument; that said subscribing witness was present and saw said

execute the same; and that said witness at the same time subscribed his/her/their name(s) as a witness thereto

ACKNOWLEDGEMENT TAKEN IN NEW YORK STATE

State of New York, County of Putnam, ss:

On the ____ day of ____ in the year ____, before me, the undersigned, personally appeared

, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

ACKNOWLEDGEMENT TAKEN OUTSIDE NEW YORK STATE

*State of _____, County of _____, ss:

*(Or insert District of Columbia, Territory, Possession or Foreign Country)

On the ____ day of ____ in the year ____, before me the undersigned personally appeared

Personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), that by his/her/their signature(s) on the instrument, the individual(s) or the person upon behalf of which the individual(s) acted, executed the instrument, and that such individual make such appearance before the undersigned in the

(add the city or political subdivision and the state or country or other place the acknowledgement was taken).

**Bargain and Sale Deed
With Covenants**

Title No.

ROBERT W. DOHERTY
TO
ROBERT W. DOHERTY and KATHRYN DOHERTY

SECTION: 33.48

BLOCK: 1

LOT: 23

COUNTY OR TOWN: Town of Kent

RECEIVED VIA EMAIL

JUN 23 2023

ROHDE, SOYKA & ANDREWS
CONSULTING ENGINEERS PC

RETURN BY MAIL TO:

Timothy J. Curtiss, Esq.
20 Church Street
Carmel, New York 10512

DISTRIBUTED BY



YOUR TITLE EXPERTS
The Judicial Title Insurance Agency LLC
800-281-TITLE (8485) FAX: 800-FAX-9396

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT—THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY.

THIS INDENTURE, made the ____ day of June, in the year 2023

BETWEEN ROBERT W. DOHERTY and KATHERINE DOHERTY, with a mailing address of 27 Sedgwick Road, Carmel, New York 10512,

party of the first part, and ROBERT W. DOHERTY and KATHERINE DOHERTY, with a mailing address of 27 Sedgwick Road, Carmel, New York 10512,

party of the second part,

WITNESSETH, that the party of the first part, in consideration of

TEN and 00/100 (\$10.00) dollars

paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever, being and intended to be the same premises described in the Deed to the party of the first part by John Guttridge, Referee, dated October 8, 2010, and recorded in the Putnam County Clerk's Office

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the

SEE SCHEDULE A ATTACHED HERETO

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof; TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises; TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose. The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:

ROBERT W. DOHERTY

KATHERINE DOHERTY

7.6.2023
Missing
Required Language

RECEIVED VIA EMAIL

JUN 23 2023

ROHDE, SOYKA & ANDREW'S
CONSULTING ENGINEERS, P.C.

ACKNOWLEDGEMENT TAKEN IN NEW YORK STATE

State of New York, County of Putnam, ss:

On the ____ day of June in the year 2023, before me, the undersigned, personally appeared ROBERT W. DOHERTY

, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

ACKNOWLEDGEMENT BY SUBSCRIBING WITNESS TAKEN IN NEW YORK STATE

State of New York, County of _____, ss:

On the ____ day of ____ in the year ____, before me, the undersigned, a Notary Public in and for said State, personally appeared ____, the subscribing witness to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he/she/they reside(s) in

(if the place of residence is in a city, include the street and street number if any, thereof); that he/she/they know(s)

to be the individual described in and who executed the foregoing instrument; that said subscribing witness was present and saw said

execute the same; and that said witness at the same time subscribed his/her/their name(s) as a witness thereto

ACKNOWLEDGEMENT TAKEN IN NEW YORK STATE

State of New York, County of Putnam, ss:

On the ____ day of June in the year 2023, before me, the undersigned, personally appeared KATHERINE DOHERTY

, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

ACKNOWLEDGEMENT TAKEN OUTSIDE NEW YORK STATE

*State of _____, County of _____, ss:

*(Or Insert District of Columbia, Territory, Possession or Foreign County)

On the ____ day of ____ in the year ____, before me the undersigned personally appeared

Personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), that by his/her/their signature(s) on the instrument, the individual(s) or the person upon behalf of which the individual(s) acted, executed the instrument, and that such individual make such appearance before the undersigned in the

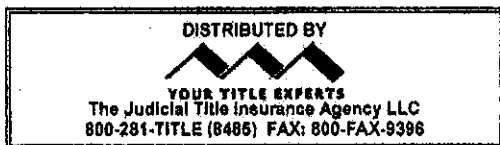
(add the city or political subdivision and the state or country or other place the acknowledgement was taken).

Bargain and Sale Deed With Covenants

Title No.

ROBERT W. DOHERTY and KATHERINE DOHERTY
TO

ROBERT W. DOHERTY and KATHERINE DOHERTY



SECTION: 33A6

BLOCK: 1

LOT: 18

COUNTY OR TOWN: Town of Kent

RECEIVED VIA EMAIL

JUN 23 2023

ROHDE, SOYKA & ANDREWS
CONSULTING ENGINEERS, PC

RETURN BY MAIL TO:

Timothy J. Curtiss, Esq.
20 Church Street
Carmel, New York 10512

SCHEDULE A

Tax Map No. 33.48-1-18

Commencing from a point in the southwesterly corner as Lot Tax Map No. 33.48-1-18
adjoining Chauncey Road

Thence South $85^{\circ}17'20''$ West a distance of 180.84'

Thence South $40^{\circ}42'40''$ East a distance of 40'

Thence North $85^{\circ}17'20''$ East a distance of 35'

Thence North $40^{\circ}42'40''$ West a distance of 40'

Thence North $85^{\circ}17'20''$ East a distance of 109.86'

Thence South $1^{\circ}50'10''$ East a distance of 180.12' to a point or place of beginning.

7.17.2023
M. Conner
Receptionist
M. Conner at plot

RECEIVED VIA EMAIL

JUN 23 2023

ROHDE, SOYKA & ANDREWS
CONSULTING ENGINEERS, PC

	P.W. Scott	pwscott@pwscott.com
	Engineering & Architecture, P.C.	www.pwscott.com
	3871 Danbury Rd (Route 6)	(845) 278-2110
	Brewster, NY. 10509	

June 12, 2023

Hugo German, Chairman
Town of Kent Planning Board
25 Sybil's Crossing
Kent, NY 10512
planningkent@townofkentny.gov

Received
mo/date/year

JUN 14 2023

Planning Department
Town of Kent

Re: Nichols Street Site Development

Dear Chairman and Planning Board Members,

Please find enclosed a site plan for the development of Nichols Street property 33.18-1-17 of 11.05 acres in the C Zone and 33.18-1-10 of 7.46 acres in the R40 Zone. The intent of the project is to create 3 lots in the commercial zone and based on the supplementary minimum lot area regulations, 2 lots in the R40 zone.

The project has several factors which require clarification by the Planning Board and Consultants in order to proceed. These are outlined below:

1. Nichols Street has been dedicated to the Town of Kent and is currently under construction. The ability to subdivide the lots is requested to be clarified by the Town Attorney based upon road dedication status.
2. Subdivision procedure clarification requested: Is a separate subdivision application required for each of the two lots or can they be applied for simultaneously (one application) if drainage easements are implemented on the residential lots?
3. Zoning regulations pertaining to the proposed uses are requested to be reviewed by the Planning Consultant prior to completion of the final design documents for the Self-Storage Facility (not referenced in any zone) and Medical/Professional use. Please refer to the Statement of Use, included with this submission, which discussed the project and zoning compliance.
4. Since the Residential Zone is of such low density, it is requested that the concept of placing stormwater facilities within easements within the R40 Zone be reviewed. This placement allows more land area for the development and placing of the bio-retention and pocket wetland detention basins in the areas of lower slope than those of the Commercial Zone. Two plans with basin placement are provided for review.
5. The commercial property has been granted sewer capacity which is currently under construction. The procedure for site plan approval is requested pending said sewer service.

With the above noted clarifications requested the intent is to apply for a sketch plan review of the project. Accordingly, per the combined application form our office is initiating this process with a "Sketch Plan (Subdivision)" to start the process.

With regards,

Peder Scott

Peder Scott, P.E., R.A.

ARCHITECTURE * ENGINEERING * SITE PLANNING

SAOPEN PROJECTS\Racek - Kent Project\Correspondence\PB ltr re Site Development.doc

Professional Engineer I, Division of Water

New York State Department of Environmental Conservation

21 South Platt Corners Road, New Paltz, NY 12561

P: (845) 255-3760 | F: (845) 255-3414 | Douglas.Upright@dec.ny.gov

www.dec.ny.gov |



Department of
Environmental
Conservation



From: David P. Lombardi, PE <DLombardi@jmcpllc.com>

Sent: Tuesday, July 19, 2022 9:20 AM

To: Upright, Douglas J (DEC) <Douglas.Upright@dec.ny.gov>

Cc: Nathan Kahn <ctadult@aol.com>; Gregory Kamedulski <gkamedulski@gmail.com>; Jody Cross <jcross@zarin-steinmetz.com>; Richard Franzetti <richf714@yahoo.com>; kyoung@YOUNGSOMMER.com; Richard Breck (<richardfbreck@gmail.com>) <richardfbreck@gmail.com>; Whitney Singleton <wsingleton@sdsllawny.com>; Joseph Sarchino <JSarchino@jmcpllc.com>; Michael Thompson, PE <mthompson@jmcpllc.com>

Subject: Kent Manor; Request for Authorization [JMC Project 18024]

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Mr. Upright,

As discussed, SPDES General Permit GP-0-20-001 coverage for the above referenced project was recently transferred to our client (see attached acknowledgement letter). On behalf of our client, we are requesting your review of the SWPPP regarding disturbance of more than five acres of soil at one time, as per Condition 5 of the acknowledgement letter. Please click the below link to download the Stormwater Pollution Prevention Plan-Kent Manor, last revised October 2021, by Richard Franzetti:

 [link](#)

Please direct your attention to Section 3.2, Section 4.0, Appendix G and Appendix I.

If you have questions or require additional information, please contact our office at (914) 273-5225.

Sincerely,

DAVID P. LOMBARDI, PE
Senior Project Manager

**SITE DEVELOPMENT CONSULTANTS**

120 Bedford Road • Armonk, NY 10504

V 914 273-5225, x220 • F 914 273-2102

www.jmcpllc.com**SITE PLANNING | CIVIL ENGINEERING | LANDSCAPE ARCHITECTURE | TRANSPORTATION ENGINEERING | LAND SURVEYING | 3D
SCANNING & MODELING****JMC PLANNING ENGINEERING LANDSCAPE ARCHITECTURE & LAND SURVEYING, PLLC | JMC SITE DEVELOPMENT CONSULTANTS, LLC
| JOHN MEYER CONSULTING, INC.**

Agreement for transfer of information

The information in this (these) file(s) is the internal property of JMC Planning Engineering Landscape Architecture & Land Surveying, PLLC | JMC Site Development Consultants, LLC | John Meyer Consulting, Inc. (JMC) and has been prepared by JMC for exclusive use by its staff.

It is provided herewith for information only and is not to be relied upon by any parties other than JMC's staff and employees. Any reliance thereupon by any party other than JMC's staff and employees shall be at that user's sole risk; and said user choosing to rely upon this information agrees, that by relying on it, he/she accepts full responsibility for all work related thereto and agrees to indemnify and hold JMC harmless from any and all liability arising from or relating to the use of or reliance upon said information.

The party receiving this information is responsible for requesting any future updated and/or current copy of the information hereon prior to considering this information final. No update notification will be sent. Any comments or questions are to be directed in writing to the preparer at JMC.

By extracting these files, you agree to these terms and conditions.

**TOWN OF KENT PLANNING BOARD
SITE PLAN CHECKLIST**

Nichols St

APPLICANT NAME: Tommy Racek, Kent RE Holdings, LLC

ADDRESS: 56 Papania Dr. Mahopac, NY 10541

CONTACT TELEPHONE NUMBER: (914) 497-3230

TM: 33.18-1-17, 33.18-1-10

The following preliminary information must be included on the site plan. Please either check box as completed or indicate N/A (not applicable).

1. ☒ The dimensions of all property lines
2. ☒ Identify scale used
3. ☒ Name of all adjacent roads and driveway location
4. ☒ Sight distances if new curb cut is requested
5. Pending Easements for utilities including overhead
6. N/A All existing structures (including pools) shown and labeled as to their use and the distance from proposed structure and property lines
7. ☒ Distance from the proposed structure to ALL property lines
8. ☒ Completed bulk zoning table
9. ☒ Location of any wetland, stream, lake or body of water within 100 feet of the property line.
10. N/A Location of septic system (including 100% expansion area)
11. ☒ Location of well head
12. Pending Pre and post-construction topography (grading plan)
13. ☒ Total limit of disturbance line
14. ☒ Area(s) of disturbance where slopes are greater than 15%
15. ☒ Total area of disturbance calculation (in square feet)
16. Pending Erosion and sediment control plan (if area of disturbance is greater than 5,000 square feet)
17. Pending Cost estimate (breakdown) to implement erosion and sediment control plan
18. Pending KNOX box system (if commercial property)

Check list completed by:

Peder Scott, P.E., R.A.

(Print or type name here)

(Signature)

Professional Engineer

(Print or type Title here)

June 12, 2023

(Date)

DO NOT WRITE BELOW THIS LINE (OFFICIAL USE)

Plans Date Stamped: _____ Reviewer: _____ Date: _____

Notes: _____

**Town of Kent Planning Board
Combined Application Form**

APPROVAL REQUESTED FOR: (Check all that apply)

Sketch Plan (subdivision)	<u> X </u>	Preliminary Subdivision	<u> </u>
Final Subdivision	<u> </u>	Lot Line Change	<u> </u>
Site Plan	<u> X </u>	Conditional Use Permit	<u> </u>
Freshwater Wetland	<u> X </u>	Steep Slope & Erosion Ctrl	<u> X </u>
Change of Use	<u> </u>	Sign Approval	<u> X </u>

Name of Project: Nichols Street Commercial Development

Description of Proposed Activity: Development of 2 parcels along Nichols Street with residential and commercial projects. Refer to Statement of Use.

Name of Applicant(s): Tommy Racek, Kent RE Holdings, LLC

Address: 56 Papania Dr., Mahopac, NY 10541

Telephone: 914-497-3230

Name and Address of Record Owner(s): Tommy Racek, 56 Papania Dr., Mahopac, NY 10541

Anthony Genovese, 53 Athena Court, Mahopac, NY 10541

Tax Map Number of all parcels: 33.18-1-17, 33.18-1-10

A) For All Applications:

1) Total acreage involved in application: 11.05 & 7.46 acres

2) Total contiguous acreage controlled by applicant/owner (1): 18.51

3) Total number of existing structures: Vacant Land

4) Type of existing structures:

5) Total square footage of all new construction:

6) Estimated value of new construction or addition:

7) Type of construction or activity proposed: (Check all that apply)

New Construction: Residential X Commercial X Institutional

Expansion: Residential Commercial Institutional

Home Occupation: Change in use: Other:

8) Zoning District: R40 and C-Commercial

1) Shall include lands owned by family members of the applicant, and any corporation(s), partnership(s), limited liability company(ies) or other entities in which the applicant has an interest.

9) Does applicant intend to request any information waivers?

No ☒ Yes ____ If yes, please list all waivers (attach separate pages if necessary):

10) Are there agricultural and/or forestry exemptions affecting the property?

No ☒ Yes ____ If yes, please list in detail (attach separate pages if necessary):

11) Have any area or use variances affecting the property been granted?

No ☒ Yes ____ If yes, please list in detail (attach separate pages if necessary):

12) Have any permits affecting the property been issued by any other governmental agency?

No ☒ Yes ____ If yes, please list in detail (attach separate pages if necessary):

13) Has any application(s) for any other permit(s) for any activity affecting the property been submitted to any other governmental agency?

No ☒ Yes ____ If yes, please list in detail (attach separate pages if necessary):

14) Attach a copy of the current deed and any easements affecting the property.

Name and Address of Professional Engineer: Peder Scott, P.E., R.A.
PW Scott Engineering & Architecture, PC, 3871 Danbury Rd., Brewster, NY 10509

Telephone: 845-278-2110

Name and Address of Licensed Land Surveyor: Major Abstract Corp.
1171 Route 55, LaGrangeville, New York 12540

Telephone: 845-337-4910

Name and Address of Attorney: Michael Caruso, Esq.
445 Hamilton Avenue, 14th Floor, White Plains, NY 10601

Telephone: 914 -761 -1300

Name and Address of Wetland Consultant: Michael Nowicki, Ecological Solutions, LLC, PO Box 291,
West Wardsboro, VT 05360

Telephone: (203) 910-4716

B) For Subdivision and Lot Line Change Applications Only:

1) Total number of lots proposed: (2) R40 Zone (3) Commercial Zone

- 2) What is the size of the smallest lot proposed? 3.5 acres
- 3) What is the size of the largest lot proposed? _____
- 4) Number of private driveways proposed: 2
- 5) Number of common driveways proposed: N/A
- 6) Maximum number of lots serviced by a common driveway: N/A
- 7) Number of private roads proposed: N/A
- 8) Number of lots serviced by a private road: N/A
- 9) Preliminary Plat includes _____ acres and tentatively includes _____ future lots. The amount of area shown on this Preliminary Plat proposed to be dedicated for future public use, (exclusive of roads) is _____ (define measure: acres/square feet).
- 10) Does subdivider intend to submit a single subdivision plat for filing with County Clerk for all property in the Preliminary Plat? Yes _____ No X. If no, state the number of sections to be filed 2 sections, R40 & C-Commercial.

C) For Freshwater Wetland Permit Applications Only:

- 1) A map of the site, prepared using a recent boundary and topographic survey of the property showing conditions on the site as of the date of application, shall be submitted.
- 2) The survey map shall show the location of the all federal, state, and local jurisdictional wetland boundaries as delineated by the applicant's consultant, and the location of proposed disturbance to wetlands and wetland buffers. The survey map shall also show the location of all regulated water bodies on the site and within 200 feet of the boundary of the site.
- 3) What is the date of the boundary and topographic survey used as the base map for the application?
1994
- 4) Proposed activity is located in:
 - a) Lake/pond [] Control area of lake/pond []
 - b) Stream/River/Brook [] Control area of stream/river/brook []
 - c) Wetland [] Control area of wetland [X]
 - d) Not located in wetland/wetland buffer []
- 5) Attach a description of the proposed activity in the controlled area including the following: i.e. maintenance, construction of dwelling, addition, driveway, culverts, including size and location.
Buffer development along 100 ft control area.
- 6) Attach a statement of compliance with §39A-8 of the Town Code.

D) For Steep Slopes and Erosion Control Permit Applications Only:

- 1) A map of the site, prepared using a recent boundary and topographic survey of the property showing conditions on the site as of the date of application, shall be submitted.
- 2) Does the project involve any of the following:
 - a) Any disturbance involving 5,000 square feet or more of land? Yes X No .
 - b) Any disturbance on ground areas having a topographical gradient equal to or greater than fifteen percent (15%) measured by utilizing two (2) foot contours?
Yes X No .
- 3) What is the date of the boundary and topographic survey used as the base map for the application?

4) Refer to Chapter 66 of the Town Code for the application requirements.

By His/Her signature the Applicant avows that: 1) He/She has read this application and is familiar with its content; and 2) He/She has read, is familiar with, and understands the requirements of the Town Kent Code provision(s) affecting or regulating the project for which this application is made; and 3) He/She agrees to comply with the requirements of the Town Kent Code provision(s) affecting or regulating the project for which this application is made including any general or special conditions of any permits or approvals granted by any board, agency, or department of the Town of Kent; and 4) He/She has read this statement and understands its meaning and its terms.

Applicant Signature: _____

Print Name: Tommy Racek

Date: 6/12/2023

AFFIDAVIT TO BE COMPLETED BY OWNER

State of NV }

} ss:

County of PUTNAM }

_____ being duly sworn, deposes and says:

1. That I/we are the Owner(s) of the within property as described in the foregoing application for Subdivision /Lot Line Change / Site Plan / Conditional Use Permit / Change in Use / Freshwater Wetland / Steep Slope and Erosion Control approval(s) and that the statements contained therein are true to the best of my/our knowledge and belief.
2. That I/we hereby authorize Peder Scott, P.E., R.A., to act as my/our representative in all matters regarding said application(s), and that I/we have the legal right to make or authorize the making of said application.
3. That I/we understand that by submitting this application for Planning Board approval that I/we expressly grant permission to the Planning Board and its authorized representatives to enter upon the property, at all reasonable times, for the purpose of conducting inspections and becoming familiar with site conditions. I/we acknowledge that this grant of permission may only be revoked by the full withdrawal of said application from further Planning Board action.
4. That I/we understand that by submitting this application that I/we shall be responsible for the payment of all application fees, review fees, and inspection fees incurred by the Town related to this application.
5. That I/we understand that I/we, and our contractors shall be jointly and severally liable for all costs incurred, including environmental restoration costs, resulting from noncompliance with the approved application. I/we acknowledge that approval of the site plan and commencement of any work related to the approved application shall constitute express permission to the Planning Board, the Building Inspector, and their authorized representatives and designees, to enter the property for the purposes of inspection for compliance with the approved application, whether or not any other permits have been applied for or issued for the project. I/we acknowledge that approval of the application and the commencement of work related to the approved plan is an express waiver of any objection to authorized Town official(s) entering the property for the purpose of conducting inspections.
6. That I/we understand that the Town of Kent Planning Board intends to rely on the foregoing representations in making a determination to issue the requested applications and approvals and that under penalty of perjury I/we declare that I/we have examined this affidavit and that it is true and correct.

[Signature]
Applicant/Owner Applicant/Owner

[Signature]
Notary Public

FELIX E REYES MOTA
Notary Public - State of New York
NO. 01RE6429254
Qualified in Orange County
My Commission Expires Feb 7, 2026

AFFIDAVIT TO BE COMPLETED BY AGENT OF OWNER

State of NY }

} ss:

County of PUTNAM }

being duly sworn, deposes and says:

1. That I/we are the Thomas Racek, Owner named in the foregoing application for Planning Board for Subdivision / Lot Line Change / Site Plan / Conditional Use Permit / Change in Use / Freshwater Wetland / Steep Slope and Erosion Control approval(s) and that the statements contained therein are true to the best of my/our knowledge and belief.
2. That he/she resides at 56 Papania Dr. Mahopac in the County of Putnam and the State of New York.
3. That I/we understand that by submitting this application for Planning Board approval that I/we expressly grant permission to the Planning Board and its authorized representatives to enter upon the property, at all reasonable times, for the purpose of conducting inspections and becoming familiar with site conditions. I/we acknowledge that this grant of permission may only be revoked by the full withdrawal of said application from further Planning Board action. That I/we understand that by submitting this application that I/we shall be responsible for the payment of all application fees, review fees, and inspection fees incurred by the Town related to this application.
4. That I/we understand that I/we, and our contractors shall be jointly and severally liable for all costs incurred, including environmental restoration costs, resulting from noncompliance with the approved application. I/we acknowledge that approval of the site plan and commencement of any work related to the approved application shall constitute express permission to the Planning Board, the Building Inspector, and their authorized representatives and designees, to enter the property for the purposes of inspection for compliance with the approved application, whether or not any other permits have been applied for or issued for the project. I/we acknowledge that approval of the application and the commencement of work related to the approved plan is an express waiver of any objection to authorized Town official(s) entering the property for the purpose of conducting inspections.
5. That I/we understand that the Town of Kent Planning Board intends to rely on the foregoing representations in making a determination to issue the requested applications and approvals and that under penalty of perjury I/we declare that I/we has examined this affidavit and that it is true and correct.

[Signature]
Applicant/Agent

[Signature]
Applicant/Agent

[Signature]
Notary Public

FELIX E REYES MOTA
Notary Public - State of New York
NO. 01RE6429254
Qualified in Orange County
My Commission Expires Feb 7, 2026

DISCLOSURE OF BUSINESS INTEREST

State of NY }

} ss:

County of Putnam }

_____ being duly sworn, deposes and says:

1. Pursuant to §803 of the General Municipal Law the following municipal officer(s) or employee(s), and any of their family members, outside employers, business associates, clients, or campaign contributors, have, or will later acquire, an ownership position, employment position, or other contractual interest in the proposed project: (Insert name, home address and municipal position held. Attach additional pages as necessary.)

None

2. That the interest of said municipal officer(s) or employee(s) is: (Detail the nature and extent of the interest. Attach additional pages as necessary.)

None

3. That he/she understands that the Town of Kent Planning Board intends to rely on the foregoing representations in making a determination to issue the requested applications and approvals and that under penalty of perjury he/she declares that he/she has examined this affidavit and that it is true and correct.


Agent/Owner


Notary Public

Agent/Owner

FELIX E. REYES MOTA
Notary Public - State of New York
NO. 01RE6429254
Qualified In Orange County
My Commission Expires Feb 7, 2026

~~NOT APPLICABLE~~

**Town of Kent Planning Board
Agricultural Data Statement**

In accordance with §283-a of the New York State Town Law and §305-a of the Agriculture and Markets Law, this Data Statement will be used to evaluate the potential impacts of a proposed development on farm operations in agricultural districts.

Name of Applicant(s): _____

Address: _____

Telephone: _____

Description of the Project: _____

APPROVAL REQUESTED FOR: (Check all that apply)

Sketch Plan (subdivision) _____

Final Subdivision _____

Site Plan _____

Project Location: _____

Tax Map Number of all parcels: _____

Is any portion of the project site currently being farmed? _____

Is the project site located in an Agricultural District? Yes _____ No _____

Who is farming the site? _____

Does the person farming the site: Rent _____ Own _____ the land?

Attach a list of the names and addresses of the owners of land within an agricultural district containing a farm operation located within 500 feet of the boundary of the project property, and the tax parcel number of the farm parcels. Attach a copy of the tax map and indicate with an "X" the farm parcels within 500 feet of the project property.

I hereby confirm that the information provided herein is true and accurate.

Signature of Applicant: _____ Date: _____

REQUEST FOR WETLAND DELINEATION CONFIRMATION
PLANNING DEPARTMENT
TOWN OF KENT, NEW YORK

Date: June 12, 2023

Property Address: Nichols Street

Property Tax Identification: 33.18-1-17 & 33.18-1-10

Property Size: 11.05 acres & 7.46 acres

Name of Wetland Consultant: Michael Nowicki, Ecological Solutions, LLC

Phone Number of Wetland Consultant : (203) 910-4716

Name of Design Professional: Peder Scott, P.E., R.A./PW Scott Engineering & Architecture, PC

Phone Number of Design Professional: 845-278-2110

Name of Applicant: Thomas Racek, Kent RE Holdings LLC

Name of Owner: Kent RE Holdings, LLC

(Note: If the applicant is not the owner, written and executed authorization to access the property must be provided to the Planning Board Secretary (845-225-7802 or planning@townofkentny.gov) prior to site inspection).

Request:

I request the Town of Kent confirm the wetland boundary delineation(s) completed by the applicant's wetland consultant at the above referenced site. I understand that the wetland confirmation will be conducted to verify only Town of Kent jurisdictional wetlands, watercourses and waterbodies as defined in Chapter 39A of the Town of Kent Town Code. I also understand that this confirmation does not constitute an application for any activity at the above referenced property. If an activity is proposed, then the appropriate application must be filed with the Town of Kent Planning Board Secretary and reviewed by the Town of Kent Planning Board.

I agree to the fee of \$1,000.00 (\$125.00 per hour) which shall include document review, travel time, on-site inspection and verbal/written correspondence. If the fee of \$1,000.00 is not used any funds remaining will be returned or placed in an escrow account.

Signed:


Owner/Authorized Representative

Please attach a sketch map depicting the approximate location of the delineated wetlands.

Rev. Sept. 2018

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Water, Region 3

220 White Plains Road, Suite 110, Tarrytown New York 10591

P: (914) 803-8157 F: (914) 482- 0323

www.dec.ny.gov

June 22, 2023

Kent Hills Development, LLC
Nathan Khan
500 River Avenue, Suite 255
Lakewood, New Jersey 08701

RE: Request for authorization to disturb more than 5 acres of soil

The New York State Department of Environmental Conservation has received and reviewed your request for authorization to disturb more than 5 acres of soil at one time dated August 30, 2022 and the revised submission dated May 8, 2023.

The Department offers the following comments:

1. The draft construction sequence and May 8th response letter incorrectly states one inspection per week where disturbance is less than five acres.
According to the SPDES General Permit for Stormwater Discharges From Construction Activity: For construction sites that directly discharge to one of the 303(d) segments listed in Appendix E or is located in one of the watersheds listed in Appendix C (EOH Watershed), the qualified inspector shall conduct at least two (2) site inspections every seven (7) calendar days. The two (2) inspections shall be separated by a minimum of two (2) full calendar days.
2. Response No. 3 is not an acceptable response. Please elaborate and specify the type of heightened erosion and sediment controls that will be implemented in areas with greater than 5 acres of soil disturbance.

Please submit a revised SWPPP which address the above comments.

If you have any questions or concerns, please feel free to contact me at 914-803-8134 or manoara.begum@dec.ny.gov.

Sincerely,



Manoara Begum, P.E.
Professional Engineer I

ECC: Natalie Browne, NYSDEC
Meena George, NYSDEC
Matthew Giannetta, NYCDEP

Town of Kent Planning Board
25 Sybil's Crossing
Tel: 845-306-5712

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

Memorandum

DATE: June 23, 2023
TO: Finance Department
CC: pwscott@pwscott.com
FROM: Vera Patterson
RE: Nichols St. Project TM: 33.18-1-10 & 17

The attached material is for a new project, Nichols St. Project, (previously known as Kent Manor). There are new owners with new plans so please open an escrow account for this project and deposit the other two checks appropriately.

Please find enclosed supporting documentation for the above mentioned property.
Wells Fargo Bank Check 1244, in the amount of \$ 750.00, for site plans
Wells Fargo Bank Check 1245, in the amount of \$1,500.00, for 3 new lot fees
Wells Fargo Bank Check 1246, in the amount of \$1,000.00, for escrow fees

Thanks very much.

RECEIPT		DATE <u>June 23, 2023</u>	No. <u>533373</u>
RECEIVED FROM <u>Dynamite Contractor Inc.</u>		\$ <u>1,100.00</u>	
<u>One Thousand and 00/100</u>		DOLLARS	
<input type="radio"/> FOR RENT <input checked="" type="radio"/> FOR <u>Expense TM 33-1-10 E 17 / Nichols St Proj.</u>			
ACCOUNT		<input type="radio"/> CASH <input checked="" type="radio"/> CHECK <input type="radio"/> MONEY ORDER <input type="radio"/> CREDIT CARD	1246 FROM <u>V. Patten</u> TO <u>Dynamite</u> BY _____
PAYMENT			
BAL. DUE			

RECEIPT		DATE <u>June 23, 2023</u>	No. <u>533371</u>
RECEIVED FROM <u>Dynamite Soil Leasing Inc.</u>		\$ <u>750.00</u>	
<u>Seven Hundred fifty and 00/100</u>		DOLLARS	
<input type="radio"/> FOR RENT <input checked="" type="radio"/> FOR <u>Site Plans TM 33-1-10 E 7 / Nichols St.</u>			
ACCOUNT		<input type="radio"/> CASH <input checked="" type="radio"/> CHECK <input type="radio"/> MONEY ORDER <input type="radio"/> CREDIT CARD	1244 1PW 1000 Project FROM <u>V. Patten</u> TO <u>Dynamite</u> BY _____
PAYMENT			
BAL. DUE			

RECEIPT		DATE <u>June 23, 2023</u>	No. <u>533372</u>
RECEIVED FROM <u>Dynamite Contracting Inc.</u>		\$ <u>1,500.00</u>	
<u>Fifteen Hundred and 00/100</u>		DOLLARS	
<input type="radio"/> FOR RENT <input checked="" type="radio"/> FOR <u>TM 33-18-1-10 E 17 / Nichols St. Proj / P.O. 2023</u>			
ACCOUNT		<input type="radio"/> CASH <input type="radio"/> CHECK <input type="radio"/> MONEY ORDER <input type="radio"/> CREDIT CARD	New lots FROM <u>V. Patten</u> TO <u>Dynamite</u> BY _____
PAYMENT			
BAL. DUE			

NICHOLS ST. PROJECT
DYNAMITE CONTRACTING SERVICE
GROUP CORP
65 SECOR RD
MAHOPAC, NY 10541-8011

1244

1-1288/260 9038

DATE 6/12/2023

PAY
TO THE
ORDER OF

Town of Kent

\$ 750.00

SEVEN HUNDRED AND FIFTY

DOLLARS



Wells Fargo Bank, N.A.
New York
wellsfargo.com

FOR

Site Plan (3) 33.18-1-10
Application Fee - TM 33.18-1-7

[Signature]

⑈0000001244⑈ ⑆026012881⑆ 8966452412⑈

NICHOLS ST. PROJECT
DYNAMITE CONTRACTING SERVICE
GROUP CORP
65 SECOR RD
MAHOPAC, NY 10541-8011

1245

1-1288/260 9038

DATE 6/12/2023

PAY
TO THE
ORDER OF

Town of Kent

\$ 1,500.00

ONE THOUSAND FIVE HUNDRED

DOLLARS



Wells Fargo Bank, N.A.
New York
wellsfargo.com

FOR

New lot fee (x3) TM: 33.18-1-10
33.18-1-17

[Signature]

⑈0000001245⑈ ⑆026012881⑆ 8966452412⑈

NICHOLS ST. PROJECT
DYNAMITE CONTRACTING SERVICE
GROUP CORP
65 SECOR RD
MAHOPAC, NY 10541-8011

1246

1-1288/260 9038

DATE 6/12/2023

PAY
TO THE
ORDER OF

Town of Kent

\$ 1,000.00

ONE THOUSAND

DOLLARS



Wells Fargo Bank, N.A.
New York
wellsfargo.com

FOR

Escrow TM: 33.18-1-10
33.18-1-17

[Signature]

⑈0000001246⑈ ⑆026012881⑆ 8966452412⑈

	P.W. Scott	pwscott@pwscott.com
	Engineering & Architecture, P.C.	www.pwscott.com
	3871 Danbury Rd (Route 6)	(845) 278-2110
	Brewster, NY 10509	

Letter of Transmittal

To: Vera Patterson
Town of Kent Planning Board
25 Sybils Crossing
Kent, NY 10512

Date: June 13, 2023

Re: Nichols Street, Kent, NY
PB Application

We are sending you: ☒ Attached ☐ Under Separate Cover via _____ the following items:

☐ Drawing(s) ☐ Letter(s) ☐ Plans ☐ Misc Documents

Copies	Date	Pages	Description
1	6/12/23	1	Dynamite Contracting ck#1244 - \$750 PB Application Fee <i>not different (8150 ac) 4</i>
1	6/12/23	1	Dynamite Contracting ck# 1245 - \$1,500 New Lot Fee <i>Site Plans</i>
1	6/12/23	1	Dynamite Contracting ck# 1246 - \$1,000 Escrow
19	6/12/23	11	Planning Board Site Plan Application (Orig & 18 copies)
19	6/12/23	1	PWS ltr to Planning Board (Orig & 18 copies)
19	4/17/23	10	Statement of Use (Orig & 18 copies)
8	3/17/23	2	SY1, SY1A (24 x 36) (stamped and signed) (Orig & 7 copies)
11	3/17/23	2	SY1, SY1A (11 x 17)
PDFs of all documents & dwgs emailed to Vera at planningkent@townofkentny.gov			

These are submitted (as checked below):

- ☐ For Approval ☐ Approved as Submitted ☐ Re-submit _____ Copies for Approval
☐ For Your Use/Records ☐ Approved as Noted ☐ As Requested
☐ Returned for Corrections ☐ Return _____ Corrected Prints ☐ For Review & Comment

Remarks: _____ Delivered by hand _____

Copy To _____ Signed _____

Received
mo/date/year

MAY 11 2023

Planning Department
Town of Kent

TOWN OF KENT PLANNING BOARD
SITE PLAN CHECKLIST

APPLICANT NAME: Douglas Kelly, Laurel Kelly
ADDRESS: 102 Rt 311 Caramel NY 10572

CONTACT TELEPHONE NUMBER: 845 222 0652
TM: 33.16-1-8

The following preliminary information must be included on the site plan. Please either check box as completed or indicate N/A (not applicable).

1. ☒ The dimensions of all property lines
2. ☒ Identify scale used
3. ☒ Name of all adjacent roads and driveway location
4. ☒ Sight distances if new curb cut is requested
5. ☒ Easements for utilities including overhead
6. ☒ All existing structures (including pools) shown and labeled as to their use and the distance from proposed structure and property lines
7. ☒ Distance from the proposed structure to ALL property lines
8. ☒ Completed bulk zoning table
9. ☒ Location of any wetland, stream, lake or body of water within 100 feet of the property line.
10. ☒ Location of septic system (including 100% expansion area)
11. ☒ Location of well head
12. ☒ Pre and post-construction topography (grading plan)
13. ☒ Total limit of disturbance line
14. ☒ Area(s) of disturbance where slopes are greater than 15%
15. ☒ Total area of disturbance calculation (in square feet)
16. ☒ Erosion and sediment control plan (if area of disturbance is greater than 5,000 square feet)
17. ☒ Cost estimate (breakdown) to implement erosion and sediment control plan
18. ☒ KNOX box system (if commercial property)

Check list completed by:

Robert Brodsky
(Print or type name here)

[Signature]
(Signature)

Consultant
(Print or type Title here)

5-10-23
(Date)

DO NOT WRITE BELOW THIS LINE (OFFICIAL USE)

Plans Date Stamped: _____ Reviewer: _____ Date: _____

Notes: _____

TOWN OF KENT, NEW YORK

**Town of Kent Planning Board
Combined Application Form**

APPROVAL REQUESTED FOR: (Check all that apply)

Sketch Plan (subdivision) _____	Preliminary Subdivision _____
Final Subdivision _____	Lot Line Change _____
Site Plan <u>X</u> _____	Conditional Use Permit _____
Freshwater Wetland _____	Steep Slope & Erosion Ctrl _____
Change of Use _____	Sign Approval _____

Name of Project: Winkler Farm

Description of Proposed Activity: Addition of 3 units with 12 separate apts.

Name of Applicant(s): Douglas and Lateral Holly
Address: 102 Rt 311 Chancelry 16512
Telephone: 845 222 0652

Name and Address of Record Owner(s): Same

Tax Map Number of all parcels: 33.16-1-8
Winkler Farm Court

A) For All Applications:

- 1) Total acreage involved in application: 11
- 2) Total contiguous acreage controlled by applicant/owner (1): 11
- 3) Total number of existing structures: 6
- 4) Type of existing structures: 2 Garages 4 residential building
- 5) Total square footage of all new construction: 3838 sq ft
- 6) Estimated value of new construction or addition: _____
- 7) Type of construction or activity proposed: (Check all that apply)

New Construction: Residential <u>X</u> _____	Commercial _____	Institutional _____
Expansion: Residential _____	Commercial _____	Institutional _____
Home Occupation: _____	Change in use: _____	Other: _____

8) Zoning District: R10 1/4 ac residential

- 1) Shall include lands owned by family members of the applicant, and any corporation(s), partnership(s), limited liability company(ies) or other entities in which the applicant has an interest.

9) Does applicant intend to request any information waivers?

No ☒

Yes _____

If yes, please list all waivers (attach separate pages if necessary):

10) Are there agricultural and/or forestry exemptions affecting the property?

No ☒

Yes _____

If yes, please list in detail (attach separate pages if necessary):

11) Have any area or use variances affecting the property been granted?

No ☒

Yes _____

If yes, please list in detail (attach separate pages if necessary):

12) Have any permits affecting the property been issued by any other governmental agency?

No _____

Yes ☒

If yes, please list in detail (attach separate pages if necessary):

Building Permit for Garage

13) Has any application(s) for any other permit(s) for any activity affecting the property been submitted to any other governmental agency?

No _____

Yes ☒

If yes, please list in detail (attach separate pages if necessary):

New York State Supreme Court Decision

14) Attach a copy of the current deed and any easements affecting the property.

Name and Address of Professional Engineer: _____

Telephone: _____

Name and Address of Licensed Land Surveyor: _____

Telephone: _____

Name and Address of Attorney: _____

Telephone: _____

Name and Address of Wetland Consultant: _____

Telephone: _____

B) For Subdivision and Lot Line Change Applications Only:

- 1) Total number of lots proposed: _____
- 2) What is the size of the smallest lot proposed? _____
- 3) What is the size of the largest lot proposed? _____
- 4) Number of private driveways proposed: _____
- 5) Number of common driveways proposed: _____
- 6) Maximum number of lots serviced by a common driveway: _____
- 7) Number of private roads proposed: _____
- 8) Number of lots serviced by a private road: _____
- 9) Preliminary Plat includes _____ acres and tentatively includes _____ future lots. The amount of area shown on this Preliminary Plat proposed to be dedicated for future public use, (exclusive of roads) is _____ (define measure: acres/square feet).
- 10) Does subdivider intend to submit a single subdivision plat for filing with County Clerk for all property in the Preliminary Plat? Yes _____ No _____. If no, state the number of sections to be filed _____.

C) For Freshwater Wetland Permit Applications Only:

- 1) A map of the site, prepared using a recent boundary and topographic survey of the property showing conditions on the site as of the date of application, shall be submitted.
- 2) The survey map shall show the location of the all federal, state, and local jurisdictional wetland boundaries as delineated by the applicant's consultant, and the location of proposed disturbance to wetlands and wetland buffers. The survey map shall also show the location of all regulated water bodies on the site and within 200 feet of the boundary of the site.
- 3) What is the date of the boundary and topographic survey used as the base map for the application?

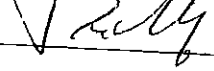
- 4) Proposed activity is located in:
 - a) Lake/pond [_____] Control area of lake/pond [_____]
 - b) Stream/River/Brook [_____] Control area of stream/river/brook [_____]
 - c) Wetland [_____] Control area of wetland [_____]
 - d) Not located in wetland/wetland buffer [_____]
- 5) Attach a description of the proposed activity in the controlled area including the following: i.e. maintenance, construction of dwelling, addition, driveway, culverts, including size and location.
- 6) Attach a statement of compliance with §39A-8 of the Town Code.

D) For Steep Slopes and Erosion Control Permit Applications Only:

- 1) A map of the site, prepared using a recent boundary and topographic survey of the property showing conditions on the site as of the date of application, shall be submitted.
- 2) Does the project involve any of the following:
 - a) Any disturbance involving 5,000 square feet or more of land? Yes _____ No _____
 - b) Any disturbance on ground areas having a topographical gradient equal to or greater than fifteen percent (15%) measured by utilizing two (2) foot contours?
Yes _____ No X
- 3) What is the date of the boundary and topographic survey used as the base map for the application?

4) Refer to Chapter 66 of the Town Code for the application requirements.

By His/Her signature the Applicant avows that: 1) He/She has read this application and is familiar with its content; and 2) He/She has read, is familiar with, and understands the requirements of the Town Kent Code provision(s) affecting or regulating the project for which this application is made; and 3) He/She agrees to comply with the requirements of the Town Kent Code provision(s) affecting or regulating the project for which this application is made including any general or special conditions of any permits or approvals granted by any board, agency, or department of the Town of Kent; and 4) He/She has read this statement and understands its meaning and its terms.

Applicant Signature: 
Print Name: Douglas Holly
Date: 10 May 2023

AFFIDAVIT TO BE COMPLETED BY OWNER

State of New York }

} ss:

County of Putnam }

Douglas Holly being duly sworn, deposes and says:

1. That I/we are the Owner(s) of the within property as described in the foregoing application for Subdivision /Lot Line Change / Site Plan / Conditional Use Permit / Change in Use / Freshwater Wetland / Steep Slope and Erosion Control approval(s) and that the statements contained therein are true to the best of my/our knowledge and belief.
2. That I/we hereby authorize Robert Bradley, to act as my/our representative in all matters regarding said application(s), and that I/we have the legal right to make or authorize the making of said application.
3. That I/we understand that by submitting this application for Planning Board approval that I/we expressly grant permission to the Planning Board and its authorized representatives to enter upon the property, at all reasonable times, for the purpose of conducting inspections and becoming familiar with site conditions. I/we acknowledge that this grant of permission may only be revoked by the full withdrawal of said application from further Planning Board action.
4. That I/we understand that by submitting this application that I/we shall be responsible for the payment of all application fees, review fees, and inspection fees incurred by the Town related to this application.
5. That I/we understand that I/we, and our contractors shall be jointly and severally liable for all costs incurred, including environmental restoration costs, resulting from noncompliance with the approved application. I/we acknowledge that approval of the site plan and commencement of any work related to the approved application shall constitute express permission to the Planning Board, the Building Inspector, and their authorized representatives and designees, to enter the property for the purposes of inspection for compliance with the approved application, whether or not any other permits have been applied for or issued for the project. I/we acknowledge that approval of the application and the commencement of work related to the approved plan is an express waiver of any objection to authorized Town official(s) entering the property for the purpose of conducting inspections.
6. That I/we understand that the Town of Kent Planning Board intends to rely on the foregoing representations in making a determination to issue the requested applications and approvals and that under penalty of perjury I/we declare that I/we have examined this affidavit and that it is true and correct.

Robert Bradley
Applicant/Owner Applicant/Owner

Robert J. Bradley
Notary Public

ROBERT J. BRADLEY
Notary Public, State of New York
Reg. No. 60144-5
Qualified in Putnam County
Commission Expires July 6, 2023

AFFIDAVIT TO BE COMPLETED BY AGENT OF OWNER

State of New York }

} ss:

County of Putnam }

Robert Bradley being duly sworn, deposes and says:

1. That I/we are the Agent named in the foregoing application for Planning Board for Subdivision / Lot Line Change / Site Plan / Conditional Use Permit / Change in Use / Freshwater Wetland / Steep Slope and Erosion Control approval(s) and that the statements contained therein are true to the best of my/our knowledge and belief.
2. That he/she resides at 11 Craft Road in the County of Putnam and the State of New York.
3. That I/we understand that by submitting this application for Planning Board approval that I/we expressly grant permission to the Planning Board and its authorized representatives to enter upon the property, at all reasonable times, for the purpose of conducting inspections and becoming familiar with site conditions. I/we acknowledge that this grant of permission may only be revoked by the full withdrawal of said application from further Planning Board action. That I/we understand that by submitting this application that I/we shall be responsible for the payment of all application fees, review fees, and inspection fees incurred by the Town related to this application.
4. That I/we understand that I/we, and our contractors shall be jointly and severally liable for all costs incurred, including environmental restoration costs, resulting from noncompliance with the approved application. I/we acknowledge that approval of the site plan and commencement of any work related to the approved application shall constitute express permission to the Planning Board, the Building Inspector, and their authorized representatives and designees, to enter the property for the purposes of inspection for compliance with the approved application, whether or not any other permits have been applied for or issued for the project. I/we acknowledge that approval of the application and the commencement of work related to the approved plan is an express waiver of any objection to authorized Town official(s) entering the property for the purpose of conducting inspections.
5. That I/we understand that the Town of Kent Planning Board intends to rely on the foregoing representations in making a determination to issue the requested applications and approvals and that under penalty of perjury I/we declare that I/we has examined this affidavit and that it is true and correct.

RB
Applicant/Agent

[Signature]
Applicant/Agent

[Signature]
Notary Public

ROBERT I. BRADLEY
Notary
New York
Qualified in the County of Putnam
Commission Expires 12/31/2023

CERTIFICATION OF PROFESSIONAL ENGINEER/LICENSED LAND SURVEYOR/ARCHITECT

State of New York }

} ss:

County of Putnam }

Paul Lynett being duly sworn, deposes and says:

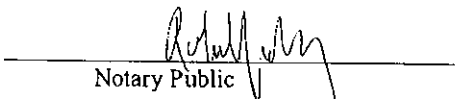
1. That I/we are the Engineers named in the foregoing application for Subdivision / Lot Line Change / Site Plan / Conditional Use Permit / Change in Use / Freshwater Wetland / Steep Slope and Erosion Control approval(s) and that I/we have been duly authorized by the owner in fee to make such application and that the foregoing statements contained therein are true to the best of my/our knowledge and belief.
2. That I/we understand that the Town of Kent Planning Board intends to rely on the foregoing representations in making a determination to issue the requested applications and approvals and that under penalty of perjury I/we declare that I/we have examined this affidavit and that it is true and correct.



Licensed Professional

Engineer

Licensed Professional



Notary Public

ROBERT J. BRADLEY
Notary Public, State of New York
Exp. No. 501420
Qualified in Putnam County
Commission Expires July 6, 2023

DISCLOSURE OF BUSINESS INTEREST

State of New York }

} ss:

County of Putnam }

Douglas Holly being duly sworn, deposes and says:

1. Pursuant to §803 of the General Municipal Law the following municipal officer(s) or employee(s), and any of their family members, outside employers, business associates, clients, or campaign contributors, have, or will later acquire, an ownership position, employment position, or other contractual interest in the proposed project: (Insert name, home address and municipal position held. Attach additional pages as necessary.)

N/A

2. That the interest of said municipal officer(s) or employee(s) is: (Detail the nature and extent of the interest. Attach additional pages as necessary.)

N/A

3. That he/she understands that the Town of Kent Planning Board intends to rely on the foregoing representations in making a determination to issue the requested applications and approvals and that under penalty of perjury he/she declares that he/she has examined this affidavit and that it is true and correct.

Agent/Owner

Notary Public

Agent/Owner

Robert J. Bradley
ROBERT J. BRADLEY
Notary Public, State of New York
Commission Expires July 6, 2023

**Town of Kent Planning Board
Application Forms and Description of Procedures**

**Subdivision Sketch Approval
Subdivision Preliminary Approval
Subdivision Final Approval
Site Plan Approval
Conditional Use Permit Approval
Freshwater Wetland Permit Approval**

1) Meetings

- a) The Town of Kent Planning Board meets in regular session on the second Thursday of each month starting at 7:30 PM.
- b) The Planning Board meets in a workshop session on the first Thursday of each month starting at 7:30 PM. The workshop meeting is an open meeting. The public may attend but may not speak except by invitation of the Planning Board.
- c) If a workshop or meeting is cancelled due to inclement weather, lack of quorum, or other conflict, this information will be posted on the website.
- d) Special meetings may be called by the Planning Board Chair and shall be noticed pursuant to the Open Meetings Law.

2) Deadlines

- a) All submittals are due no later than 12:00 PM (noon) on the Thursday prior (21 days) prior to the regular meeting. There shall be no exceptions.

3) Application Submittals

- a) All applications shall include the following:
 - i) Original and 18 copies of the completed application forms, affidavits, and EAF. We will need 11 (eleven) collated complete sets (applications, Forms, 11" x 17" maps and surveys and seven sets including completed application forms, affidavits and EAFs and 7 full-size drawings and surveys).
 - ii) Seven (7) full-size sets of maps and applications and eleven (11) reduced size (11" x 17" size sheet) sets of maps and applications depicting the proposed activity and prepared in accordance with the requirements of the Town Code. Should be sent or delivered to:

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

PDF files should also be sent to: the
planningkent@townofkentny.gov

- iii) All maps shall be folded. Maps that are not folded will not be accepted. When the drawings are approved Three full size drawings are retained in the Planning Board file; one is retained in the Building Department file; one is given to the Planning Board Engineer, a full size drawing is returned to the applicant and one to the architect/engineer

- iv) Applicants are advised to contact the Planning Board Secretary to determine the amount of Application fees, as established by the Town Board.
 - v) Applicants are advised to consult the Planning Board Clerk to determine the Initial Review Fee amount. As the project progresses this escrow account may need to be replenished. After the project has been completed and inspected any funds remaining in the escrow account will be refunded upon request by the applicant.
 - vi) Survey information shall be recent or recently re-certified by a New York State Licensed Surveyor so as to accurately depict topographic and site conditions as of the date the application is submitted.
 - vii) Short Form Environmental Assessment Form. Applicants are advised that the Planning Board may require the applicant to provide a Long Form Environmental Assessment Form where the Board determines that the Short Form does not provide sufficient information about the application.
 - viii) Agricultural data statement, if applicable.
 - ix) Recent aerial photo at a scale of 1:200 or less with tax parcels delineated.
- b) Applicants are advised to consult the following Town Code sections:
- i) Subdivision Sketch Plan Plat - §A81-7 of the Subdivision Regulations
 - ii) Subdivision Preliminary Plat - §A81-8 of the Subdivision Regulations
 - iii) Subdivision Final Plat - §A81-9 of the Subdivision Regulations
 - iv) Site Plan- §77-60 of the Town Zoning Law
 - v) Conditional Use Permit Application - §77-59 of the Town Zoning Law
 - vi) Freshwater Wetland Permit - §39A-7 of the Town Code.

4) Application Procedures

- a) All applications and submittals are formally received as of the submittal date each month as shown on the Planning Board Schedule (attached), reviewed at the workshop and discussed in depth at the regular meeting of the Planning Board. Applicants are not required to attend the workshop, but are welcome. The applicants and/or their representatives are required to attend the meeting, which is televised.
- b) Upon receipt of an application, including all application and escrow fees, the maps and supporting documentation will be forwarded by the Planning Board Clerk to: the Planning Board members, Building Inspector, Planning Board's Planner, the Planning Board's Engineer and Environmental Consultant. All communication(s) must be directed to the Planning Board Office and not directly to the Planning Board's consultants.
- c) All maps must comply with the Town requirements for preliminary plats and site plans. In addition, all submissions must contain enough engineering data to enable a proper engineering and planning review in accordance with the Zoning Law. If maps either fail to comply with the code requirements or are insufficient to support a proper engineering and planning review, the result may be the denial of approval and the requirement of a new application and applicable fees. The adequacy of all submissions will be determined by the Planning Board after recommendations from the Planning Board Engineer, Environmental Consultant and the Planning Board Planner.
- d) If a public hearing is required the hearing will be set only after the Board is satisfied that the applicant has addressed all comments and questions to the satisfaction of the Board.
- e) An application is not complete until a Negative Declaration has been issued or a DEIS has been received and declared complete.

5) Notes

- a) In addition to other notes as may be required by the Board, the applicant shall include as notes on the map the following:
 - i) Driveway Construction notes. (See attached)
 - ii) Erosion Control notes. (See attached)

6) Actions of the Planning Board

- a) Prior to making a decision on the application, the Planning Board shall make a determination of significance under the State Environmental Quality Review Act. The Planning Board may open a public hearing prior to the determination of significance in order to obtain public comment on the issues of environmental concern. An application is not considered complete until a SEQRA determination has been made.
- b) Decisions of approval or disapproval will be made no more than sixty two (62) days after the close of a public hearing on a complete application unless extended by agreement of the Planning Board and the applicant. The decision of the Planning Board will be filed with the Town Clerk within five (5) business days of the date of the decision.
- c) Disapproval of an application will require the resubmission of a preliminary application if the applicant wishes to pursue further consideration of the plan.
- d) The Plat will be void if it is revised after Planning Board signature. No changes, erasures, modifications or revisions shall be made on any plat after the plat has been signed by the Board. If the recorded plan contains any changes, the plat shall be considered void, and the Planning Board shall take action to remove the plat from county records.

7) Fees

All application fees and review fees are due at the time an application is submitted. Application fees are not refundable. At the time an application is submitted to the Planning Board fees shall be paid with separate checks to cover the following: (1) Application Fee (Erosion Control, and/or Site Plan, and/or Wetland Permit, and/or Lot Line Revision); and (2) Review Fee. Checks shall be made payable to the "Town of Kent", but should be mailed or delivered to:

The Kent Planning Board
25 Sybil's Crossing
Kent, NY 10512
Tel: 845-225-7802

Unexpended review fees are returnable upon completion of the Planning Board's review of the application and the receipt of final invoice(s) from all professionals retained by the Planning Board to review the application. After a project is completed the Planning Board needs to be notified. A letter from the applicant requesting bonds and/or review fees asking for refunds needs to be sent to the Planning Board. The consultants will inspect the property to ensure that it is stabilized and they will make a recommendation to the Planning Board at that time with their determination. Based on the consultants' recommendation the Planning Board will discuss the matter and vote on it and make a recommendation to the Town Board at the appropriate time to return the bond(s) and after all invoices have been processed the review fees may be returned if the Planning Board agrees and they will make a recommendation to the Town Board to return the review fees.

Recreation Fees are due and payable prior to the Chairman signing the approved residential subdivision or site plan map. Approval of any application is expressly conditioned on the payment of all application fees, review fees, and recreation fees, and the signature of the Chairman on the final plat or site plan shall be withheld pending payment of all fees.

Pursuant to §55 of the Town of Kent Code an applicant is responsible to pay the cost of services of consulting attorneys, engineers, planners, architects, and other professionals retained by the Planning Board to review an application. At the time an application is submitted the applicant shall pay to the Planning Board an initial deposit in an amount set by the Planning Board for the Review Fee. The fee will be used to pay the cost of consultant fees incurred by the Planning Board to review the application. The deposit amount may be adjusted up or down by the Planning Board based upon the type, size and complexity of the application. The applicant may be periodically advised as to the need to replenish the review fee fund, and the Planning Board may cease its review of an application pending such replenishment. Any unexpended deposit amounts will be returned to the applicant. As the project moves forward all invoices will be sent to the applicant and/or their representatives as they are received along with a summary of the review account. If/when additional funds are needed the applicants will be notified.

**Town of Kent Planning Board
Application Forms and Description of Procedures**

Steep Slope & Erosion Control Approval

1) Application Submittals

- a) All applications shall include the following:
 - i) Original of the completed application form with affidavits.
 - ii) Seven (7) full-size and ten (11) reduced sets (11" x 17") of maps prepared and sealed by a New York State licensed professional depicting the proposed activity and prepared in accordance with the requirements of the Town Code. **All maps shall be folded. Maps that are not folded will not be accepted. PDF files must also be sent to the Planning Board office.** The applicable sections of the Town Code are as follows:
 - (1) Steep Slope and Erosion Control Permit - §66 of the Town Code.
 - iii) Survey information shall be recent or recently re-certified by a New York State Licensed Surveyor so as to accurately depict topographic and site conditions as of the date the application is submitted.

3) Application Procedures

- a. Within five (5) days of receipt an application, including payment of all fees, the maps and supporting documentation will be forwarded by the Planning Board Clerk to the Planning Board's Engineer, Town Planner, Environmental Consultant and Building Inspector. All communication(s) must be directed to the Planning Board Office and not directly to the Planning Board Engineer.
- b) All maps must comply with the Town requirements for Steep Slope and Erosion Control Permit as set forth in §66 of the Town Code. If maps either fail to comply with the code requirements or are insufficient to support a proper engineering review, the result may be the denial of approval and the requirement of a new application and applicable fees. The adequacy of all submissions will be determined by the Planning Board Engineer, Planning Board Consultant and the Planning Board Planner.

4) Notes

- a) In addition to other notes as may be required by the Board, the applicant shall include as notes on the map the following:
 - i) Driveway Construction notes. (See attached)
 - ii) Erosion Control notes. (See attached)

5) Actions of the Planning Board

- a) The Planning Board will only approve the application based on the recommendation of the Planning Board Engineer.

6) Fees

All application fees and review fees are due at the time an application is submitted. Application fees are not refundable. At the time an application is submitted to the Planning Board fees shall be paid with separate checks to cover the following: 1) Application Fee; and 2) Review Fee. Checks shall be made payable to the "Town of Kent" and mailed or delivered to the Kent Planning Board, 25 Sybil's Crossing, Kent, NY 10512.

Pursuant to §55 of the Town of Kent Code an applicant is responsible to pay the cost of services of consulting attorneys, engineers, planners, architects, and other professionals retained by the Planning Board to review an application. At the time an application is submitted the applicant shall pay to the Planning Board an initial deposit in an amount set by the Planning Board for the Review Fee. The fee will be used to pay the cost of consultant fees incurred by the Planning Board to review the application. The deposit amount may be adjusted up or down by the Planning Board based upon the type, size and complexity of the application. The applicant may be periodically advised as to the need to replenish the review fee fund, and the Planning Board may cease its review of an application pending such replenishment. Any unexpended deposit amounts will be returned to the applicant.

Unexpended review fees are returnable upon completion of the Planning Board's review of the application and the receipt of final invoice(s) from all professionals retained by the Planning Board to review the application. After a project is completed the Planning Board needs to be notified. A letter from the applicant requesting bonds and/or review fees asking for refunds needs to be sent to the Planning Board. The consultants will inspect the property to ensure that it is stabilized and they will make a recommendation to the Planning Board at that time with their determination. Based on the consultants' recommendation the Planning Board will discuss the matter and vote on it and make a recommendation to the Town Board at the appropriate time to return the bond(s) and after all invoices have been processed the review fees may be returned if the Planning Board agrees and they will make a recommendation to the Town Board to return the review fees.

Applicants are advised to contact the Planning Board Clerk to determine the amount of the application fee and the amount of the initial deposit for the review fee that must be submitted with the application.

7) Erosion Control, Stormwater, Performance Bonds

When bonds are required, cash bonds, surety bonds or Letters of Credit are acceptable (see attached document). The bond is first approved by the Planning Board and then forwarded to the Town Board for their approval when the bond and notarized agreement is delivered to the Planning Board office.