

Approved: April 13, 2023

**TOWN OF KENT PLANNING BOARD  
MARCH 9, 2023  
FINAL ADOPTED MINUTES**

The Planning Board held their March 9, 2023 meeting at the Kent Town Hall.

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

The following Planning Board members and Planning Board consultants participated in the meeting held at Kent Town Hall.

**Members in Attendance:**

Hugo German, Chairman	Simon Carey, Vice Chairman
Jacky Beshar	Thomas Faraone
Giancarlo Gattucci	

**Absent:**

Sabrina Cruz  
Phil Tolmach  
Chris Ruthven, Planning Board Liaison

**Others in Attendance:**

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

• **Approve Kent Planning Board Minutes from the February 9, 2022 meeting**

Mr. German asked the Planning Board members if they had read the Minutes from the March 9, 2023 meeting. The Board members stated that they had reviewed the March 9, 2022 minutes. Mr. German asked for a motion to approve the Planning Board minutes from the March 9, 2023 meeting.

Ms. Beshar made the motion to accept the March 9, 2023 minutes and Mr. Faraone seconded the motion. Following were the roll call votes:

Hugo German, Chairman	<u>Aye</u>
Simon Carey, Vice Chairman	<u>Aye</u>
Jacky Beshar, Alternate	<u>Aye</u>
Sabrina Cruz	<u>Absent</u>
Thomas Faraone	<u>Aye</u>
Giancarlo Gattucci	<u>Aye</u>
Philip Tolmach	<u>Absent</u>

The motion carried.

- **Flintlock Storage, 1030 Route 52, Kent, NY; TM: 12.18-1-14**

Ms. Jamie LoGuidice represented the applicants, Mr. & Mrs. Vasi. This property is 1.67 acres on Route 52. There is an existing meadow field area with a town regulated wetland to the north of the property, which extends through the center, creating a wetland or buffer area through most of the property. The owners propose to build a self-storage facility with four buildings and a two-story office building in a commercial zone. The buildings will be built outside of the wetlands. The property was previously disturbed and a structure was demolished. Stormwater management areas will be built to collect and treat stormwater runoff. Gravity from the south to the north is proposed in the direction where the grading goes down.. There will be extensive landscaping plan associated with the stormwater practices and along Route 52. There will be a building with a windowless façade along Route 52. The Board of Health approved the installation of a holding tank rather than a septic system. DOT approval was not necessary, although they did grant permission to modify the existing pipe going onto the property and it will be re-routed. An Access Agreement was drawn up by the applicant's attorney and the Planning Board attorney.

John Andrews Comments (Memo Attached)

Mr. Andrews said that the Planning Board identified the access road, which is a shared driveway. An email of an access agreement was sent out earlier in the day, but it will need to be issued and delivered and will permit the improvements and makes the driveway available to a third party. The DOT was contacted regarding the orphan pipe going through the property and gave permission to remove it. Mr. Andrews reiterated that a holding tank will be installed on the property instead of a septic system.

There will be four bonds covering this property. There will be an Erosion Control bond in the amount of \$7,460.00. There will be a long-term Stormwater Management Facilities Bond in the amount of \$78,575.00, which will cover construction. There is a provision in the Town Code that states that when there is a permanent Stormwater Management Facility, there should be a Maintenance Guarantee. Mr. Andrews recommended that you should take the \$78,575.00 to cover construction and when it is completed and certified reduce it to \$15,000.00 to be held for long-term maintenance to ensure that everything functions well. There will be a Site Landscaping Bond \$17,680.00 and a Wetland Mitigation Bond of \$20,632.00; all will be part of the final Resolution. Provided there are no comments during the Public Hearing Mr. Andrews recommended that the Town Attorney prepare these bonds and, when they are done, they should be accepted by the Planning Board and Forwarded to the Town Board for their approval.

Bruce Barber's Comments (memo attached)

Mr. Barber advised the Planning Board that the wetlands in the center of the property were previously unidentified and the applicant hired a soil scientist to confirm that there were jurisdictional wetlands in the center of the property. The property was very disturbed in the past and there were ruts and changes to the site. There was an opportunity to improve the wetlands in this case. The applicant provided a bond estimate which would be returned after three years if the property is stabilized. There was pollutant phosphorous, which will be reduced.

Mr. German aside for a motion to open the Public Hearing. The motion was made by Mr. Carey and seconded by Mr. Gattucci. Following were the roll call votes:

Hugo German, Chairman	<u>Aye</u>
Simon Carey, Vice Chairman	<u>Aye</u>
Jacky Beshar	<u>Aye</u>
Sabrina Cruz	<u>Absent</u>
Thomas Faraone	<u>Aye</u>
Giancarlo Gattucci	<u>Aye</u>
Philip Tolmach	<u>Absent</u>

The motion carried.

A Neighbor asked to be heard and had concerns about his privacy. He also asked about the lighting and how tall the building would be.

Ms. Rebecca Boyd, a neighbor to the north of the wetlands, asked to be heard. Ms. Boyd said that the applicant has met with them and that she had no issues with this project.

Ms. Susan Kotzur said that, if she lived next to this property, as the first gentleman who spoke does who had concerns about lighting, she would also be concerned about the lights and what hours they would be in operation.

Ms. LoGuidice asked to be allowed to address the comments made by the neighbors who spoke during the Public Hearing. The lighting is for security purposes. There lights around the building which will be on dawn to dusk. The hours of operation are listed on the plans. Monday through Friday 8:00 -4:00 PM. The lighting will be motion sensor lighting.

Mr. Vasi said that the buildings will be 8' in the low part of the building up to 11' at the highest point. There will be 6' fences between the storage units and the neighboring property. There will also be rows of pine trees. There will be a shop on the property, which will have lights on during hours of operation.

Mr. German asked for a motion to close the Public Hearing.

The motion was made by Mr. Faraone and seconded by Mr. Carey. Following were the roll call votes:

Hugo German, Chairman	<u>Aye</u>
Simon Carey, Vice Chairman	<u>Aye</u>
Jacky Beshar, Alternate	<u>Aye</u>
Sabrina Cruz	<u>Absent</u>
Thomas Faraone	<u>Aye</u>
Giancarlo Gattucci	<u>Aye</u>
Philip Tolmach	<u>Absent</u>

The motion carried.\

Liz Axelson's Comments

Mx. Axelson said that most of her issues were substantially addressed. See prepared a short Environmental Assessment Form Parts 2 and 3, which address potential impacts of the project. A small impact on the character of the community was noted on the SEAF PART 2. Another small impact was noted on Wastewater Treatment Facilities. A third impact was noted regarding the potential for erosion and draining problems. A moderate to large impact was noted pertaining to an adverse effect on natural resources and wetlands. Most of these issues have been addressed. A Draft Resolution with many conditions was also prepared (Attached) in the event the Planning Board felt that this project was ready to move forward. The Draft Resolution is for A Special Use Permit, Site Plan, Steep Slope and Erosion Control and Freshwater Wetland Permits. Mr. Andrews advised the Board that the bond numbers are included in the Resolution as well as the Access and Sidewalk Easements. Ms. Beshar asked why the bond estimate for the long-term stormwater management maintenance bond increased. Mr. Andrews said that Insite Engineering had made some modifications and increased some categories and that was why it had increased.

Mr. German asked for a motion to adopt the Draft Resolution as prepared.

The motion was made by Mr. Carey and seconded by Mr. Gattucci. Following were the roll call votes:

Hugo German, Chairman	<u>Aye</u>
Simon Carey, Vice Chairman	<u>Aye</u>
Jacky Beshar, Alternate	<u>Aye</u>
Sabrina Cruz	<u>Absent</u>
Thomas Faraone	<u>Aye</u>
Giancarlo Gattucci	<u>Aye</u>
Philip Tolmach	<u>Absent</u>

The motion carried.

Town Kent Planning Board Minutes  
March 9, 2023

- Mr. Andrews said that no action was to be taken on this project at the present time. Rocky Ridge is being held in abeyance and Old 17 must correct the violations identified by Mr. Walters. We are waiting for updated information from the applicant's engineer. When the new material is submitted (an As-Built -drawing) Old 17 LLC will appear above the line.

<ul style="list-style-type: none"> <li>Doherty Electric 81 Lincoln Dr., Carmel, NY TM: 33.48-1-23</li> </ul>	Lot Line Revision	Status Report
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<ul style="list-style-type: none"> <li>Old 17 LLC Old Horsepound Road, Kent, NY TM: 12.-1-38 &amp; 42</li> </ul>	Site Plan/Time Extension/ New owner	Status Report
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<ul style="list-style-type: none"> <li>Holly Property Winkler's Farm Ct Property, Kent, NY TM: 33.16-1-8</li> </ul>	Concept Plan	Status Report
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<ul style="list-style-type: none"> <li>Friel &amp; Pure Property Gipsy Trail Rd., Carmel, NY TM: 21.-1-27</li> </ul>	Erosion Control	Status Report
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Town Kent Planning Board Minutes  
March 9, 2023

- George & Sally Marriott Property      Erosion Control Plan      Status Report  
189Mooney Hill Rd., Kent, NY  
TM: 12.-3-3

This project was moved to an administrative track and we received a final submittal. A completeness memo was sent out earlier this week. The only outstanding item is the bond. The bond estimate 3/7/23. The breakdown was 19,503 and seemed excessive. Mr. Andrews reworked it and found that some items, such as topsoil was not needed, Mr. Andrews recommended that a bond estimate of \$8,500.00 was recommended and that it should be forwarded it to town board.

Mr. German asked for a motion to accept the bond estimate in the amount of \$8,500.00

The motion was made by Ms. Beshar and seconded by Mr. Faraone. . Following were the roll call votes:

Hugo German, Chairman	<u>Aye</u>
Simon Carey, Vice Chairman	<u>Aye</u>
Jacky Beshar, Alternate	<u>Aye</u>
Sabrina Cruz	<u>Absent</u>
Thomas Faraone	<u>Aye</u>
Giancarlo Gattucci	<u>Aye</u>
Philip Tolmach	<u>Absent</u>

The motion carried.

- Putnam Nursing &      Extension of Approvals      Status Report  
Rehabilitation Center Addition  
404 Ludingtonville Road, Holmes, NY  
TM: 12.-3-40 & 41

This Approval Extensions were granted and this project will be removed from the agenda.

- Annunziata/Smalley Corners      Erosion Control/      Status Report  
Smalley Corners Rd., Kent, NY      Bond Forwarded to Town Board  
TM: 21.-1-11      For Approval

This project is on an Administrative track and Waiting for the Bond to be submitted.

- Realbuto Property      Erosion Control      Status Report  
49 Tiger Trail, Kent, NY  
TM: 21.8-1-39

This project is still being worked on.

- Raneri Property      Erosion Control Plan      Status Report  
Hillside Paper Rd., Kent., NY      Public Hearing  
TM: 44.24-1-3

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We are waiting for a new submittal.

- |   |        |               |
|---|--------|---------------|
| • Patterson Crossing<br>Route 311, Kent, NY<br>TM: 22.-2-48 | Update | Status Report |
|---|--------|---------------|

This project is done. And will be taken off of the agenda.

- |   |  |               |
|---|--|---------------|
| • Guylazaca/Mayet<br>24 Sol Dr., Kent, NY<br>TM: 33.17-1-48 | Erosion Control Plan<br>Alteration/<br>2 Car Garage Addition | Status Report |
|---|--|---------------|

Waiting for new submittal

- |   |                 |               |
|---|-----------------|---------------|
| • White_Vernon Property<br>Horsepound Rd., Kent, NY<br>TM: 33.-1-58.2 | Erosion Control | Status Report |
|---|-----------------|---------------|

Done - will be taken off of the agenda

- |  |                     |               |
|--|---------------------|---------------|
| • NYCDEP & Seven Hills<br>Lake Property Owners Assn<br>(SHLPOA), Kent, NY<br>TM: 66.-1-43.1 & 20.11-1-3 (NYC)<br>& 66.-1-43.2 (SHLPOA) | Lot Line Adjustment | Status Report |
|--|---------------------|---------------|

Need new submittal.

- |   |           |               |
|---|-----------|---------------|
| • Kent Manor<br>Nichols Rd., Kent, NY<br>TM: 33.-1-79 | Site Plan | Status Report |
|---|-----------|---------------|

Nothing new

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

Need revised submittal

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

Nothing new.

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Town Kent Planning Board Minutes  
March 9, 2023

Mr. German asked for a motion to close the meeting at 9:30 PM. The motion was made by Mr. German and seconded by Ms. Beshar. Following were the roll call votes:

Hugo German, Chairman	<u>Aye</u>
Simon Carey, Vice Chairman	<u>Aye</u>
Jacky Beshar, Alternate	<u>Aye</u>
Sabrina Cruz	<u>Absent</u>
Thomas Faraone	<u>Aye</u>
Giancarlo Gattucci	<u>Absent</u>
Philip Tolmach	<u>Absent</u>

Respectfully Submitted,



Vera Patterson  
Planning Board Secretary

cc: Planning Board Members  
Building Inspector  
Town Clerk



MARCH 2023

KENT PLANNING BOARD MEETING  
FINAL AGENDA

Workshop: March 02, 2023 (Thursday, 7:30 PM)

Meeting: March 09, 2023 (Thursday, 7:30 PM)

The Kent Planning Board workshop is scheduled for Thursday, March 02, 2023 and The Town of Kent Planning Board meeting will be held on Thursday, March 09, 2023 at 7:30 P.M. at the Kent Town Hall.

- Approve Planning Board Minutes from February 9, 2023
- Flintlock Storage  
1030 Route 52, Kent, NY  
TM: 12.18-1-14      Erosion Control/Wetland Permit/  
Site Plan &/Public Hearing      Review
- Rocky Ridge  
(New Owners of Old 17 LLC)  
Old Horsepound Road, Kent, NY  
TM: 12.-1-38 & 42      Site Plan/Time Extension/  
Approvals to be transferred over  
To New Owners      Review

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

- Doherty Electric  
81 Lincoln Dr., Carmel, NY  
TM: 33.48-1-23      Lot Line Revision      Status Report
- Old 17 LLC  
Old Horsepound Road,  
Kent, NY  
TM: 12.-1-38 & 42      Site Plan/Time Extension/  
New owner      Status Report
- Holly Property  
Winkler's Farm Ct Property,  
Kent, NY  
TM: 33.16-1-8      Concept Plan      Status Report
- Friel & Pure Property  
Gipsy Trail Rd., Carmel, NY  
TM: 21.-1-27      Erosion Control      Status Report
- George & Sally Marriott Property  
189 Moonry Hill Rd., Kent, NY  
TM: 12.-3-3      Erosion Control Plan      Status Report

• Putnam Nursing & Rehabilitation Center Addition 404 Ludingtonville Road, Holmes, NY TM: 12.-3-40 & 41	Extension of Approvals	Status Report
• Annunziata/Smalley Corners Smalley Corners Rd., Kent, NY TM: 21.-1-11	Erosion Control/ Bond Forwarded to Town Board For Approval	Status Report
• Realbuto Property 49 Tiger Trail, Kent, NY TM: 21.8-1-39	Erosion Control	Status Report
• Raneri Property Hillside Paper Rd., Kent,, NY TM: 44.24-1-3	Erosion Control Plan Public Hearing	Status Report
• Patterson Crossing Route 311, Kent, NY TM: 22.-2-48	Update	Status Report
• Guylazaca/Mayet 24 Sol Dr., Kent, NY TM: 33.17-1-48	Erosion Control Plan Alteration/ 2 Car Garage Addition	Status Report
• White _Vernon Property Horsepound Rd., Kent, NY TM: 33.-1-58.2	Erosion Control	Status Report
• NYCDEP & Seven Hills Lake Property Owners Assn (SHLPOA), Kent, NY TM: 66.-1-43.1 & 20.11-1-3 (NYC) & 66.-1-43.2 (SHLPOA)	Lot Line Adjustment	Status Report
• Kent Manor Nichols Rd., Kent, NY TM: 33.-1-79	Site Plan	Status Report
• Route 52 Development/ Kent Country Square Route 52, Kent, NY TM: 12.-1-52	SEQRA	Status Report
• Town of Kent Excavation Law		Status Report



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

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Poughkeepsie, NY 12601  
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E-Mail Address: [jandrews@rsaengrs.com](mailto:jandrews@rsaengrs.com)

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

# Memorandum

To:	Planning Board Town of Kent	Attn:	Hugo German Chairman
From:	John V. Andrews, Jr., P.E.	Subject:	Special Use Permit/Site Plan/ECP/ Wetland Review Memorandum – 5th Revised Submittal
Date:	March 6, 2023	Project:	Flintlock Storage. TM # 12.18-1-14

The following materials were reviewed:

- Letter to Town of Kent Planning Board- Flintlock Storage prepared by Insite Engineering, Surveying & Landscape Architecture, P.C., dated February 16, 2023.
- Email from Richard Othmer from Jamie LoGiudice dated November 16, 2022.
- Opinion of Probable Construction Cost-Erosion Control Bond Estimate-Flintlock Storage prepared by Insite Engineering dated October 20, 2022, last revised February 16, 2023.
- Opinion of Probable Construction Cost-Stormwater Management Bond Estimate-Flintlock Storage prepared by Insite Engineering dated October 20, 2022, last revised February 16, 2023.
- Opinion of Probable Construction Cost-Site Landscaping-Flintlock Storage prepared by Insite Engineering dated October 20, 2022, last revised February 16, 2023.
- Opinion of Probable Construction Cost-Mitigation Planting-Flintlock Storage prepared by Insite Engineering dated October 20, 2022, last revised February 16, 2023.
- Drawing A3- Exterior Elevations-Flintlock storage-prepared by Richard Vail, Architect dated October 17, 2022, last revised February 14, 2022.
- Drawing A10- West Elevation-Flintlock storage-prepared by Richard Vail, Architect dated October 17, 2022, last revised February 14, 2022
- Drawing EX-1-Existing Conditions Plan-Flintlock Storage- prepared by Insite Engineering, Surveying & Landscape Architecture, dated June 9, 2022, last revised February 16, 2023, scale 1" =20'.
- Drawing SP-1-Layout & Landscape Plan-Flintlock Storage- prepared by Insite Engineering, Surveying & Landscape Architecture, dated March 17, 2022, last revised February 16, 2023, scale 1" =20'.
- Drawing SP-2-Grading, Drainage & Utilities Plan-Flintlock Storage- prepared by Insite Engineering, Surveying & Landscape Architecture, dated March 17, 2022, last revised February 16, 2023, scale 1" =20'.

- Drawing SP-3-Erosion & Sediment Control Plan-Flintlock Storage- prepared by Insite Engineering, Surveying & Landscape Architecture, dated March 17, 2022, last revised February 16, 2023, scale 1" =20'.
- Drawing SS-1-Steep Slopes & Soil Plan-Flintlock Storage- prepared by Insite Engineering, Surveying & Landscape Architecture, dated March 17, 2022, last revised February 16, 2023, scale 1" =20'
- Drawing LP-1-Lighting Plan-Flintlock Storage- prepared by Insite Engineering, Surveying & Landscape Architecture, dated October 20, 2022, last revised February 16, 2023, scale 1" =20'.
- Drawing D-1-Details-Flintlock Storage- prepared by Insite Engineering, Surveying & Landscape Architecture, dated March 17, 2022 last revised February 16, 2023, scale As Noted.
- Drawing D-2-Details-Flintlock Storage- prepared by Insite Engineering, Surveying & Landscape Architecture, dated March 17, 2022, last revised February 16, 2023, scale As Noted.

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

The subject Erosion and Sediment Control Plan is not yet approved. The comments from our prior review memoranda have been resolved or incorporated herein. The following comments are provided for the Planning Board's consideration:

1. The proposed project is within the NYCDEP East of Hudson watershed. The project will disturb 1.36 acres of land. Additionally, since the project requires a wetland permit, a Town of Kent Erosion & Sediment Control Permit as well as coverage under NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity, GP-0-20-001 is required. Post construction stormwater management practices will be required.
2. We defer to the Planning Board's environmental consultant regarding wetland issues. Project will require a site-specific Wetland Permit which is separate and distinct from the Erosion and Sediment Control Permit.
3. We defer to the Planning Board's planning consultant regarding planning and zoning matters.
4. A Notice of Intent (NOI) was provided in a prior submittal. We take no exception to the material as submitted. Revisions to the NOI are possible until the SWPPP is accepted.
5. An MS4 SWPPP Acceptance Form with Sections I and II completed was provided in a prior submittal. Once the SWPPP is accepted we will complete and return the MS4 Acceptance Form to the Project Sponsor for filing.

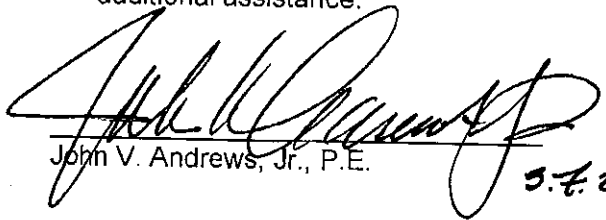
6. The Planning Board Attorney prepared an agreement for the private right-of-way to permit the proposed improvements, ensure long term maintenance, and protect the Town and the ultimate users of the storage facilities. The attorney for the Applicant is working with the Planning Board Attorney to put this instrument into a final form acceptable to both parties. Completion of this agreement with the filing of this agreement in the office of the County Clerk should be a condition of any approval.
7. The engineer for the Applicant has demonstrated that the NYSDOT requirement for daylighting of the culvert discharge and construction of a future sidewalk, if or when such a sidewalk is to be constructed, can be accommodated so long as a retaining wall is constructed at the time of sidewalk construction and the sidewalk is pushed to the front limit of the easement. We take no exception to the proposal. The Planning Board should formally acknowledge and accept the use of the retaining wall as part of the sidewalk construction.
8. Putnam County Department of Health approval for use of a holding tanks for wastewater disposal on this site was granted on January 1, 2023
9. The sidewalk easement area is shown and noted on the plans included in this submittal. Completion of the easement instrument in substantially the same form and content as that prepared by the Planning Board Attorney with the filing of this instrument in the Office of the County Clerk a condition of approval if or when considered.
10. Refer to the Drawings:
  - a. Please revisit the rim, inverts, and pipe sizes in the Drainage Table. It appears that one of the pipes will be partially exposed. The cover letter suggests that this has been resolved but the condition remains.
11. The following REVISED bond estimates have been provided by Insite:
  - a. An erosion control bond estimate of \$7460.00.
  - b. A long-term stormwater management facility bond estimate of \$78,575.00. At the conclusion of construction, subject to the receipt of an as-built plan and a certification of construction compliance from the Applicant's engineer, we recommend that the amount of this bond be reduced to \$15,000.00 to serve as the long term maintenance guarantee.
  - c. An opinion of probable construction cost for mitigation landscaping of \$20,632.00 for wetland mitigation
  - d. An opinion of probable construction cost for site landscaping of \$17,680.00 for erosion control landscaping.
  - e. We reviewed the bond estimates listed above as prepared by Insite Engineering, except we cannot verify the quantities in the Stormwater Management Bond as they do not match the plan set. Once all matters have been settled and following the close of the public hearing, provided there are no substantive issues raised in the public hearing, we are prepared to recommend the bond amounts prepared

Memorandum  
Flintlock Storage – 5th Revised Submittal  
TM # 12.18-1-14  
March 6, 2023  
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by Insite for acceptance by the Planning Board and referral to the Town Board provided the indicated amounts are acceptable to Bruce Barber, the Town's environmental consultant.

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

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. 3.7.2023

cc: Planning Board via email  
Bill Walters via email  
Jeff Battistoni, Esq.  
22-261-262

Bruce Barber via email  
Liz Axelson via email



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

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E-Mail Address: [jandrews@rsaengrs.com](mailto:jandrews@rsaengrs.com)

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

# Memorandum

To: Planning Board  
Town of Kent

Attn: ~~Philip Tolmach~~  
Chairman

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

Subject: Special Use Permit/Site Plan/ECP/  
Wetland Review Memorandum – 4th <sup>5th</sup>  
Revised Submittal

Date: January 3, 2023

Project: Flintlock Storage.  
TM # 12.18-1-14

The following materials were reviewed:

- Letter to Town of Kent Planning Board- Flintlock Storage prepared by Insite Engineering, Surveying & Landscape Architecture, P.C., dated October 20, 2022.
- Opinion of Probable Construction Cost-Erosion Control Bond Estimate-Flintlock Storage prepared by Insite Engineering dated October 20, 2022.
- Opinion of Probable Construction Cost-Stormwater Management Bond Estimate-Flintlock Storage prepared by Insite Engineering dated October 20, 2022.
- Opinion of Probable Construction Cost-Site Landscaping-Flintlock Storage prepared by Insite Engineering dated October 20, 2022.
- Opinion of Probable Construction Cost-Mitigation Planting-Flintlock Storage prepared by Insite Engineering dated October 20, 2022.
- Opinion of Probable Construction Cost-Erosion Control Bond Estimate-Flintlock Storage prepared by Insite Engineering dated October 20, 2022.
- Statement of Use-Flintlock Storage- prepared by Insite Engineering dated October 20, 2022.
- Wetland Buffer Monitoring & Maintenance Plan-Flintlock Storage, dated October 20, 2022.
- Stormwater Pollution Prevention Plan-Flintlock Storage-prepared by Insite Engineering dated October 20, 2022.
- Drawing EX-1-(2) Existing Conditions Plan-Flintlock Storage- prepared by Insite Engineering, Surveying & Landscape Architecture, dated June 9, 2022, last revised October 20, 2022, scale 1" = 20'.
- Drawing SP-1-(2) Layout & Landscape Plan-Flintlock Storage- prepared by Insite Engineering, Surveying & Landscape Architecture, dated March 17, 2022, last revised October 20, 2022, scale 1" = 20'.
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- Drawing SS-1-Steep Slopes & Soil Plan-Flintlock Storage- prepared by Insite Engineering, Surveying & Landscape Architecture, dated March 17, 2022, last revised October 20, 2022, scale 1" = 20'
- Drawing LP-1-Lighting Plan-Flintlock Storage- prepared by Insite Engineering, Surveying & Landscape Architecture, dated October 20, 2022, scale 1" = 20'.
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The proposed project involves construction of a self-storage facility with a small office /maintenance building, subsurface sewage treatment system, stormwater management practices, lighting, and landscaping. The project is located in the Commercial Zoning District. The use is a use permitted by special permit requiring site plan approval. Further, the project includes work within a Town of Kent regulated wetland buffer, requiring issuance of a Town Wetland Permit.

The subject Erosion and Sediment Control Plan is not yet approved. The comments from our prior review memoranda have been resolved or incorporated herein. The following comments are provided for the Planning Board's consideration:

- CONT.*
1. The proposed project is within the NYCDEP East of Hudson watershed. The project will disturb 1.36 acres of land. Additionally, since the project requires a wetland permit, a Town of Kent Erosion & Sediment Control Permit as well as coverage under NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity, GP-0-20-001 is required. Post construction stormwater management practices will be required.

- SAME*
2. We defer to the Planning Board's environmental consultant regarding wetland issues. Project will require a site-specific Wetland Permit which is separate and distinct from the Erosion and Sediment Control Permit.

- SAME*
3. We defer to the Planning Board's planning consultant regarding planning and zoning matters.

- SAME*
4. A Notice of Intent (NOI) was provided in a prior submittal. We take no exception to the material as submitted. Revisions to the NOI are possible until the SWPPP is accepted.

- SAME*
5. An MS4 SWPPP Acceptance Form with Sections I and II completed was provided in a prior submittal. Once the SWPPP is accepted we will complete and return the MS4 Acceptance Form to the Project Sponsor for filing.

6. The Planning Board authorized the Planning Board Attorney to develop an alternative to an easement associated with the private right-of-way to permit the improvements, ensure long term maintenance, and protect the Town and the ultimate users of the storage facilities. The Planning Board Attorney has submitted an Agreement to serve that purpose. It is not without risk, the risk being primarily on the Applicant. We take no  
*Condition of Approval - Form 1 Content Attached to  
Pl. Board Attorney - Filed*



exception to the form and content of this agreement. A final fully executed version of this agreement, with the agreement filed in the office of the County Clerk.

7. A response has been received from the NYSDOT concerning the drainage pipe that enters the property from the NYSDOT right-of-way. The response letter indicates that the NYSDOT correspondence is enclosed but it was not in our package. The NYSDOT has apparently indicated that so long as the pipe is physically disconnected from the system exiting the right-of-way and an open gap established, the owner is free to reconfigure the downstream pipe in any manner which benefits their project. The current plans incorporate both the disconnect and the gap. We take no exception to the current configuration. We have one concern with the proposal in that it impacts the future sidewalk easement. The Applicant should demonstrate that the proposed pipe relocation will not impact the construction of a sidewalk in the future if and/or when such construction was to occur. *WAM - PL. PRO ACCEPT THAT REQ.*
8. Putnam County Health Department approval is required for the water supply and wastewater disposal system serving the project. The plan set reflects use of the existing well and a holding tank. The response letter acknowledges requirement for PCDOH approval and that a submission has been made to that Department, with minimal comments received. *[Approval letter 1-6-2023 - Holding Tank with comments]*
9. Provide a written response with future submittals stating how the comments have been addressed. *ONGOING*
10. The sidewalk easement area is now shown and noted on the plans included in this submittal. An easement instrument in substantially the same form and content as that prepared by the Planning Board Attorney has also been included. We take no exception to the instrument as submitted. The final easement instrument should be required to be signed and filed as a condition of approval if or when considered. *Proof of filing*
11. Refer to the Drawings:
- On the plan set, coordinate the drain line location with the planting plan - *Resolved*
  - Label the weir/emergency overflow on all applicable plans *Resolved*
  - Please revisit the rim, inverts, and pipe sizes in the Drainage Table. It appears that one of the pipes will be partially exposed. *→ still same - DMH - 1*
  - The drainage work, associated with the disconnection from the NYSDOT piping is at variance with the future sidewalk and creates a potential conflict in the event a sidewalk is ever constructed. *1.9 cover*
12. The following bond estimates have been provided by Insite:
- An erosion control bond estimate of ~~\$6,460.00~~ *7460*
  - A long-term stormwater management facility bond estimate of ~~\$57,045.00~~ *18,915*
  - An opinion of probable construction cost for mitigation landscaping of ~~\$17,443.50~~ *20632* for wetland mitigation
  - An opinion of probable construction cost for site landscaping of ~~\$17,680.00~~ *17680.00* for

31.2023

erosioncontrol landscaping.

- e. We reviewed the bond estimates listed above as prepared by Insite Engineering. We prepared our own bond estimates on several of the bonds based on our review of the information and notes in this submittal. A copy each is attached hereto for your consideration. Once all matters have been settled and following the close of the public hearing, provided there are no substantive issues raised in the public hearing, we are prepared to recommend the bond amounts prepared by us for acceptance by the Planning Board and referral to the Town 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.

1.11.2023

Attachment

cc: Planning Board via email  
Bill Walters via email  
Jeff Battistoni, Esq.  
22-261-262

Bruce Barber via email  
Liz Axelson via email

WE REVIEWED THE REVISED ESTIMATES PREPARED BY INSITE — EXCEPT THAT WE CANNOT VERIFY THE QUANTITIES IN THE STORMWATER MANAGEMENT BOND  
SUBJECT TO REVIEW & ACCEPTANCE BY BRUCE BARBER  
WE ARE PREPARED TO RECOMMEND THE BOND AMOUNTS PREPARED BY INSITE FOLLOWING THE CLOSE OF THE PUBLIC HEARING, PROVIDED THERE ARE NO SUBSTANTIVE ISSUES (COPIES ATTACHED)



**OPINION OF PROBABLE CONSTRUCTION COST**  
for  
**EROSION CONTROL BOND ESTIMATE**

Prepared For  
Flintlock Storage  
1030 NYS Route 52  
Town of Kent, New York

October 20, 2022  
Revised February 16, 2023

Item	Quantity	Unit Price	Total
Stabilized Construction Entrance	1 Each	\$ 750.00 Each	\$ 750.00
Silt Fence	360 L.F.	\$ 2.00 / L.F.	\$ 720.00
Seeding & Mulching	71,000 S.F.	\$ 0.06 / S.F.	\$ 4,260.00
Erosion Control Blanket	62 S.Y.	\$ 2.50 / S.Y.	\$ 155.00
Temporary Soil Stockpile	1 Each	\$ 575.00 Each	\$ 575.00
Concrete Washout	2 Each	\$500.00 Each	\$1,000.00
		<b>TOTAL</b>	<b>\$ 7,460.00</b>

*3.1.2023  
No. 1000  
T. Miller*

RECEIVED

FEB 21 2023

ROHDE, SOYKA & ANDREWS  
CONSULTING ENGINEERS, PC



**OPINION OF PROBABLE CONSTRUCTION COST**  
for  
**STORMWATER MANAGEMENT BOND ESTIMATE**

Prepared For  
Flintlock Storage  
1030 NYS Route 52  
Town of Kent, New York

October 20, 2022  
Revised February 16, 2023

Item	Quantity	Unit Price	Total
Drainage Manhole	3 Each	\$ 2,500.00 / Each	\$ 7,500.00
Stormwater Planter	4 Each	\$ 2,500.00 / Each	\$ 10,000.00
P-1 Micropool Extended Detention Basin	1 Each	\$ 25,000.00 / Each	\$ 25,000.00
HDPE Drainage Pipe	277 L.F.	\$ 25.00 / L.F.	\$ 6,925.00
Grass Swale	381 L.F.	\$ 20.00 / L.F.	\$ 7,620.00
Filter Strip	90 L.F.	\$12.00 / L.F.	\$ 1,080.00
Riprap Pads	30 L.F.	\$15.00 / L.F.	\$ 450.00
Porous Pavers	800 S.F.	\$25.00 / S.F.	\$ 20,000.00
	<b>TOTAL</b>		<b>\$78,575.00</b>

3.1.2023  
No telephone  
taken up  
Paving  
and it's very  
loose

RECEIVED

FEB 21 2023

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



**OPINION OF PROBABLE CONSTRUCTION COST**  
for  
**MITIGATION PLANTING**

Prepared For  
Flintlock Storage  
1030 NYS Route 52  
Town of Kent, New York

October 20, 2022  
Revised February 16, 2023

Item	Quantity	Unit Price	Total
Evergreen Trees	8 Each	\$ 200.00 Each	\$ 1,600.00
Specimen Trees	6 Each	\$ 200.00 Each	\$ 1,200.00
Shrubs	50 Each	\$ 35.00 Each	\$ 1,750.00
Perennials Plugs	2,079 Each	\$ 3.00 Each	\$ 6,237.00
Live Stakes	100 Each	\$ 2.00 Each	\$ 200.00
Seed Mix	1,430 S.Y.	\$ 1.50 S.Y.	\$ 2,145.00
Installation	1 Lump Sum	\$ 7,500.00 Lump Sum	\$ 7,500.00
<b>TOTAL</b>			<b>\$ 20,632.00</b>

*3/13/23  
No  
excavation  
T.M.*

RECEIVED

FEB 21 2023

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



**OPINION OF PROBABLE CONSTRUCTION COST**  
for  
**SITE LANDSCAPING**

Prepared For  
Flintlock Storage  
1030 NYS Route 52  
Town of Kent, New York

October 20, 2022  
February 16, 2023

Item	Quantity	Unit Price	Total
Specimen Tree	1 Each	\$200.00 Each	\$ 200.00
Evergreen Trees	37 Each	\$200.00 Each	\$ 7,400.00
Shrubs	56 Each	\$35.00 Each	\$ 1,960.00
Perennials/Groundcovers	459 Each	\$5.00 Each	\$ 2,295.00
Seed Mix	550 S.Y.	\$1.50 S.Y.	\$ 825.00
Installation	1 Lump Sum	\$5,000.00 Lump Sum	\$ 5,000.00
		<b>TOTAL</b>	<b>\$ 17,680.00</b>

*3.1.2023  
AL*

RECEIVED

FEB 21 2023

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

## MEMORANDUM

TO: Town of Kent Planning Board  
CC: Bill Walters  
John Andrews  
Bruce Barber  
FROM: Liz Axelson, AICP  
DATE: March 1, 2023  
RE: Flintlock Storage Special Use Permit & Site Plan, 1030 Route 52, Tax Parcel No. 12.18-1-14 / CPL#16570.04

This memorandum is anoted to reflect an update on page 2, comment 6. a., which comment has been addressed.

I reviewed the materials listed at the end of this memorandum. I also reviewed online mapping resources; and the Code of the Town of Kent, Chapters 77, Zoning. This review is based on my most recent January 11, 2023 review. Prior comments that have been addressed have been deleted, and comments that remain to be addressed are repeated and updated, as necessary. **Updates are shown in bolded lettering.** It is noted that many of the prior comments were addressed, yet several comments remain to be addressed. Based on my review I offer the following comments for the Board's consideration:

### Summary

1. The proposal is to convert a vacant site into an indoor storage establishment, including five (5) proposed buildings, access, driveway, and parking areas. The site is a 72,606 square foot (SF), or 1.67-acre parcel in the Commercial (C) Zoning District. The proposed structures include: a 760 SF an apparently 2-story office building, with 2 overhead doors; and 4 storage-unit buildings, including 66 units and an outdoor storage area as follows:
  - a. a 1,200 SF building with 6 storage units;
  - b. a 2,400 SF building with 16 storage units;
  - c. two 2,000 SF buildings each with 20 storage units; and
  - d. a fenced in, paved, 5,500 square foot (SF) outdoor storage area.
2. The project will require physical site changes and disturbance.

### SEQRA

3. The proposal is an Unlisted Action as per the SEQRA regulations.
4. I defer to the Planning Board's Environmental Consultant about the site's wetlands.

### Zoning Requirements

5. A primary concern on this site is the right-of-way (ROW) labeled on the Layout plan sheet as "Existing Gravel Drive to Remain", which ROW is located on an adjoining property and abuts the project site's southern property line. The ROW and existing gravel driveway providing access to the subject site's proposed driveways is located on the adjacent tax parcel, ID 12.1-56. Specific concerns are as follows:
  - a. The site plan shows apparent improvements such as curbing, planted median areas and two asphalt driveway entrances within the bounds of the ROW, that



is, a portion of proposed site improvements would be located off of the subject parcel. Recent updates note that the property owner and applicant representatives have conferred, and further information will be provided.

**Update: A draft driveway easement was submitted. It was noted in prior submittal letters that additional attempts were made to consult with the ROW owner, noting "The property owner will not provide the requested documents and has ceased communication. We respectfully request that the Town accept the attached agreement between the applicant and the owner of the adjoining property."**

Subsequently, the Planning Board's Attorney, Jeffrey Battistoni has prepared a Draft document of "AGREEMENT REGARDING IMPROVEMENT, MAINTENANCE AND REPAIR OF ACCESS AREA" for the Planning Board's consideration. I offer the following additional comments:

- i. The site plans were revised to add parcel number 12-1-56 almost everywhere the property of Zef Balaj is shown, except add the parcel number to sheet SP-3.
- ii. It is suggested that reference to the Balaj parcel number 12-1-56 should also be added to the draft Agreement by the Board's Attorney noted above.
- b. The proposed access from the subject parcel appropriately includes asphalt driveways and related curbing, entering onto an "Existing Gravel Drive to Remain", which is not acceptable. The entire entrance into the site should be fully paved for durability and to prevent gravel spillage onto Route 52 given the increased traffic from the proposed development. Accordingly, a length of the "Existing Gravel Drive" would have to be paved. This would necessitate a ROW that provides the proposed project the right to make such improvements. A very basic, one-page signed document was submitted that notes that the intent to allow "... improvements for ingress and egress such as paving, plowing, improved drainage, widening, lighting and/or any other reasonable improvements." Yet a draft of a document in recordable form remains to be provided. **Update: see the response to 5. A, above.**
- c. Please refer to Kent Code chapter 57 article II. Driveway Specifications. Also, refer to zoning section 77-34.3 Buildable lot., regarding access. As noted above, the property owner and applicant representatives have conferred, and further information will be provided. **Update: see the response to 5. A, above.**

~~6. The proposed indoor storage establishment requires a special use permit, in addition to site plan approval, as per zoning section 77-21. C. (13). Please provide required information by addressing the following:~~

Comment 6. a.,  
has been  
addressed.

- ~~a. While the architectural plan set includes a floor plan layout and shows the area in square feet (760 SF) of the first and second floors of the office building, and garages, revise the titles of the several plan sheets that incorrectly refer to the "Proposed 1,200 SF Storage Unit". **See and revise the titles of sheets A6, A7, A8 and A9.**~~
- ~~b. I defer to the Planning Board's Environmental Consultant and Consulting Engineer about any permitting requirements for vehicle storage.~~
7. Regarding 77-23. A. Design standards, address the following:
  - a. Prior comments noted that as per 77-23. A. (5), "Sidewalks shall be provided along any existing or proposed public street. The sidewalks shall be





separated from the street by a tree lawn at least four feet wide." In response to the Planning Board request from their July 14, 2022 meeting, a "Proposed 10' Wide Future Sidewalk Easement in Favor of the Town of Kent" has been delineated on the plans. Address the following:

- i. The easement language when submitted should include a metes and bounds description of the easement and corresponding survey map.
  - ii. The easement would be reviewed by the Planning Board's Attorney.
8. As per prior comments, this submittal and plans was reviewed in more detail regarding the design standards in zoning section 77-23; and special use and site plan requirements and standards in 77-60. F. through T. Address the following comments:
  - a. While the proposed freestanding sign and location appears to address requirements per Zoning section 77-37 Signs in nonresidential districts, address the following:
    - i. Show proposed sign lighting, if any, for example focused, shielded lights pointed down; and
    - ii. Show and label the proposed sign and framing colors.
  - b. Since a wall or façade sign is also permitted, which size is based on the linear foot length of the building façade, shown any such proposed sign, demonstrating conformance with requirements.
  - c. Show the location and text for outdoor storage sign on the plans. **While the text is shown, provide a more readable illustration with a larger font.**
9. Please provide written responses to the above comments.

#### Recommendation

10. The Planning Board should direct the applicant to address the comments above.
11. The application is for the development and use of a vacant site, is more complete with some information needed for further review. At the February 9, 2023 meeting, the Planning Board initiated review under the New York State Environmental Quality Review Act (SEQRA), made their referral to Putnam County Planning; and set a public hearing. In my opinion, sufficient information has been provided so that the Planning Board may opt to:
  - a. Hold and consider continuing or closing the public hearing; and
  - b. If the hearing has been closed, consider adopting the prepared Draft resolution of special use permit, site development plan, wetland and stormwater permit approvals with conditions.

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

#### Materials Reviewed

- Cover letter from John M. Watson, PE, Insite Engineering, Surveying & Landscape Architecture, PC, dated February 16, 2023;
- NYSDOT letter dated November 16, 2022, revised December 15, 2022;
- Plan set entitled Flintlock Storage, prepared by John M. Watson, PE, Insite Engineering, Surveying & Landscape Architecture, PC, dated March 17, 2022, all revised February 16, 2023, except as noted below, including the following sheets:
  - o Existing Conditions Plan, dated June 9, 2022;
  - o Layout & Landscape Plan;
  - o Grading Drainage and Utilities Plan;



- o Erosion & Sediment Control Plan;
- o Steep Slopes & Soils Plan;
- o Lighting Plan, dated October 20, 2022; and
- o Details (2 sheets, D-1 and D-2; and
- Architectural Drawing Set entitled Flintlock Storage, prepared by Richard Vail, Registered Architect, dated October 17, 2022, revised February 14, 2023, including the following sheets:
  - o Proposed 1,200 SF Storage Unit (elevations); and
  - o West Elevation of Property (as viewed from Route 52).
- Architectural set revised 12/21/22, received 1/13/23.

Materials Previously Reviewed

- Cover letter from John M. Watson, PE, Insite Engineering, Surveying & Landscape Architecture, PC, dated December 15, 2022;
- Statement of Use, preparer NOT indicated, dated October 20, 2022, revised December 15, 2022;
- Draft of Easement Agreement, untitled, preparer NOT indicated, undated;
- Sidewalk Easement Agreement, untitled, preparer NOT indicated, undated;
- Plan set entitled Flintlock Storage, prepared by John M. Watson, PE, Insite Engineering, Surveying & Landscape Architecture, PC, dated March 17, 2022, revised December 15, 2022, except as noted below, including the following sheets:
  - o Existing Conditions Plan, dated June 9, 2022;
  - o Layout & Landscape Plan;
  - o Grading Drainage and Utilities Plan;
  - o Erosion & Sediment Control Plan;
  - o Steep Slopes & Soils Plan;
  - o Lighting Plan, dated October 20, 2022; and
  - o Details (2 sheets, D-1, revised October 20, 2022; and D-2 revised December 15, 2022); and

\*\*\*\*\*

- Cover letter from John M. Watson, PE, Insite Engineering, Surveying & Landscape Architecture, PC, dated October 20, 2022;
- Architectural Drawing Set entitled Flintlock Storage, prepared by Richard Vail, Registered Architect, dated October 17, 2022, including the following sheets:
  - o Proposed Foundation Plan for 2,400 SF Storage Unit;
  - o Proposed Foundation Plan for 2,000 SF Storage Unit;
  - o Proposed 1,200 SF Storage Unit (elevations);
  - o Proposed 2,400 SF Storage Unit (elevations);
  - o Proposed 2,000 SF Storage Unit (elevations);
  - o "Proposed 1,200 SF Storage Unit", actually Framing Plans for 760 SF Office/Storage Building;
  - o "Proposed 1,200 SF Storage Unit", actually Elevations for 760 SF Office/Storage Building;
  - o "Proposed 1,200 SF Storage Unit", actually Privacy Fence and Road Signage Elevations/Details Building;
  - o "Proposed 1,200 SF Storage Unit", actually West Elevation for 760 SF Office/Storage Building and 1,200 SF Storage Unit;
- Figure 1 Site Sections, Existing and Proposed, preparer NOT indicated, dated October 20, 2022;
- Statement of Use, preparer NOT indicated, dated October 20, 2022;
- Draft of Easement Agreement, untitled, preparer NOT indicated, undated;
- Sidewalk Easement Agreement, untitled, preparer NOT indicated, undated;
- Opinion of Probable Construction Cost for the items listed below, prepared Insite Engineering, Surveying & Landscape Architecture, PC, dated October 20, 2022:
  - o Stormwater Management Bond Estimate;
  - o Erosion Control Bond Estimate;
  - o Site Landscaping;
  - o Mitigation Planting;
- Wetland Buffer Monitoring & Maintenance Plan & Monitoring Data Form, Draft dated October 20, 2022;
- Stormwater Pollution Prevention Plan (SWPPP) narrative, prepared by John M. Watson, PE, Insite Engineering, Surveying & Landscape Architecture, PC, dated October 20, 2022;
- ; and
- Plan set entitled Flintlock Storage, prepared by John M. Watson, PE, Insite Engineering, Surveying & Landscape Architecture, PC, dated March 17, 2022, except as noted below, revised October 20, 2022, including the following sheets:



- o Existing Conditions Plan, dated June 9, 2022;
- o Layout & Landscape Plan;
- o Grading Drainage and Utilities Plan;
- o Erosion & Sediment Control Plan;
- o Steep Slopes & Soils Plan;
- o Lighting Plan, dated October 20, 2022 and

Details (2 sheets, D-1 and D-2).

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- Cover letter from John M. Watson, PE, Insite Engineering, Surveying & Landscape Architecture, PC, dated August 18, 2022;
- Stormwater Pollution Prevention Plan (SWPPP), prepared by John M. Watson, PE, Insite Engineering, Surveying & Landscape Architecture, PC, dated August 18, 2022;
- Phosphorous Loading Analysis, prepared by John M. Watson, PE, Insite Engineering, Surveying & Landscape Architecture, PC, dated August 18, 2022;
- Short EAF signed by John M. Watson, PE, March 17, 2022, revised June 16, 2022, and August 18, 2022;
- Letter prepared by Heidi Krahling, New York State Natural Heritage Program, dated August 3, 2022; and
- Plan set entitled Flintlock Storage, prepared by John M. Watson, PE, Insite Engineering, Surveying & Landscape Architecture, PC, dated March 17, 2022, except as noted below, revised August 18, 2022, including the following sheets:
  - o Existing Conditions Plan, dated June 9, 2022;
  - o Layout & Landscape Plan;
  - o Grading Drainage and Utilities Plan;
  - o Erosion & Sediment Control Plan;
  - o Steep Slopes & Soils Plan; and
  - o Details (2 sheets, D-1 and D-2).

#####

- Cover letter from John M. Watson, PE, Insite Engineering, Surveying & Landscape Architecture, PC, dated June 16, 2022;
- Combined Application, for Site Plan, Freshwater Wetland and Steep Slope & Erosion Control, signed by Frank Vasi June 16, 2022;
- Short EAF signed by John M. Watson, PE, March 17, 2022, revised June 16, 2022;
- SWPPP Acceptance Form, undated;
- Preliminary Stormwater Pollution Prevention Plan, prepared by John M. Watson, PE, Insite Engineering, Surveying & Landscape Architecture, PC, dated June 16, 2022;
- Opinion of Probable Construction Cost documents (4), regarding: stormwater, erosion control, site landscaping, and mitigation planting, respectively, prepared by Insite Engineering, Surveying & Landscape Architecture, PC, dated June 16, 2022;
- Copy of email dialogue about pond and watercourse in flagged wetland dated May 31, 2022;
- Copy of Putnam County Recording Page for Deed with attachments, dated August 19, 2021;
- Plan set entitled Flintlock Storage, prepared by John M. Watson, PE, Insite Engineering, Surveying & Landscape Architecture, PC, dated March 17, 2022, revised June 9, 2022, including the following sheets:
  - o Existing Conditions Plan;
  - o Layout & Landscape Plan;
  - o Grading Drainage and Utilities Plan;
  - o Erosion & Sediment Control Plan;
  - o Steep Slopes & Soils Plan;
  - o Details (2 sheets);
- Copy of Putnam County Clerk's Recording Page, for Deed for Frank Vasi, tax ID 12.18-1-14, dated 8/19/21; and
- Document about right-of-way signed by Lyn Balaj, dated July 12, 2022.

#####

- Cover letter from John M. Watson, PE, Insite Engineering, Surveying & Landscape Architecture, PC, dated March 17, 2022;
- Plan set entitled Flintlock Storage, prepared by John M. Watson, PE, Insite Engineering, Surveying & Landscape Architecture, PC, dated March 17, 2022, including the following sheets:
  - o Layout & Landscape Plan;
  - o Grading Drainage and Utilities Plan;
  - o Erosion & Sediment Control Plan;
  - o Steep Slopes & Soils Plan;



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



## Cornerstone Associates

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

March 9, 2023

To: Planning Board

From: Bruce Barber, Town of Kent Environmental Consultant

**Re: Flintlock Storage Application**  
1030 NYS Route 22  
Section 12.18 Block 1 Lot 14  
Town of Kent, New York

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

1. Comment response memo executed by John Watson of Insite Engineering dated 02/16/23, 5 pages.
2. Email from Richard Othmer dated 11/16/22.
3. Opinion of Probable Costs (Stormwater Management Bond Estimate, Erosion Control Bond Estimate, Site Landscaping, Mitigation Planting) dated 02/16/23 (rev.).
4. Plans entitled; "Proposed 1,200 square Foot Storage Unit – Flintlock Storage" prepared by Richard Vail, RA dated 02/14/23 (rev), 2 Sheets: A3, A10.
5. Plans entitled; "Flintlock Storage;" prepared by Insite Engineering dated 02/16/23 (rev.), 8 sheets: EX-1, SP-1, SP-2, SP-3, SS-1, LP-1, D-1, D-2.

### **Summary of Application:**

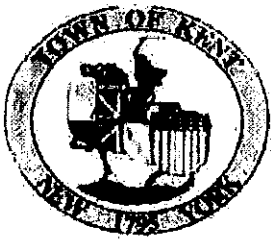
The subject application is to construct four, two-story self-storage buildings (8,200 SF total footprint) and one, two-story office/maintenance building (760 SF footprint), an outdoor storage area, a subsurface septic tank and water well systems, stormwater management practices, detention basin, conveyance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

### **Review Comments:**

The Planning Board may request that the design of the outdoor storage area demonstrate the maximum of vehicle or other storage in the area (See Town Code Chapter 77-60 (O)(1)).

Sincerely,

Bruce Barber, S-PWS  
Town of Kent Environmental Consultant



TOWN OF KENT HIGHWAY DEPARTMENT  
62 Ludington Court, Kent Lakes, NY 10512  
(845) 225-7172 -

0031

## APPLICATION FOR PERMIT TO DO WORK ON AND WITHIN A TOWN ROAD AREA

To the Town of Kent Department of Highways:

Application is hereby made for permission, under Local Law No. 2 adopted 1-24-2012 (available to view within the Town Code at [www.townofkentny.gov](http://www.townofkentny.gov)), to enter upon, construct or open a road constructed or improved on the Town Road System of Town of Kent, Putnam County, N.Y. as follows:



- Applicant or Owner Representative OLD 17 LLC.
- Phone number 914-403-1243
- Address 19 Sunderland Lane Katonah, NY 10536
- Name of road where driveway is to be constructed North Horsepound Road Kent, NY 10512 - Tax Map Designation 12-1-38 & 12-1-42
- Location of nearest cross roads Route 52
- Proposed driveway width and length (Required minimum; 16' width 20' blacktop apron in from road) Width 18', Curb Cut 62' wide, Length 500'
- Work to be started on March 2021 To be completed by March 2022
- Is Pavement to be disturbed? No If so, what type? \_\_\_\_\_
- Purpose of Application (Check one):  
New ☒ 2<sup>nd</sup> Driveway ☐ Relocation or Redesign ☐
- I have read and acknowledged all attached documents ☒ YES
- Attach 3 sketches showing the location of work, size of openings, and giving distance to nearest street intersection
- If work is to be performed by contractor, please fill out the following:  
Con-Tech Construction Technology, Inc. PC6823  
(Name of contractor) (Putnam County License Number)

STATE OF NEW YORK  
COUNTY OF

Pasquale Carino being duly sworn deposes and says that he/she is  
an officer, namely viz:

Member of the Permittee herein named; that compensation has been secured  
One of the partners

pursuant to the provisions of the Workmen's Compensation Law of the State of New York, and the provisions of said law will be complied with during the life of this permit, and that no subcontractor will be permitted to do any work under this permit until he has fully and completely complied with all the terms and provisions of the aforesaid law

If permit is granted, I hereby agree to comply with all the terms, covenants and conditions hereinafter set forth which are attached to and form part of the permit and to restore the road to its original condition, in accordance therewith. Sworn to before me this

21st day of January 20 21

Pasquale Carino, Applicant  
Applicant's Signature and Title

Notary Public, County of Westchester

Approval to start work:

1-21-2021  
Date

Lauren M. Cole  
NOTARY PUBLIC, STATE OF NEW YORK  
Registration No. 01CO6411095  
Qualified in Westchester County  
Commission Expires November 9, 2024

Richard T. Ochmer Jr., Kent Highway Superintendent

White: Highway Department Yellow: Town Clerk Pink: Building Department Gold: Resident

NOTARIZED

Town of Kent  
25 Sybil's Crossing  
Kent Lakes, NY 10512  
(845) 225-2067

# **RECEIPT**

## **#**

01/29/2021

Tech, Inc.) Old 17 Llc. (con-tech Construction  
North Horsepound Rd  
1.-1-38 & 12.-1-42  
Carmel, NY 10512

Received \$ 1,000.00 for Driveway Bond, on 01/29/2021. Thank you for stopping by the Treasurer's Office.

As always, it is our pleasure to serve you.

Yolanda D. Cappelli  
Town Clerk



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

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

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

# Memorandum

To: Planning Board  
Town of Kent

Attn: Hugo German  
Chairman

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

Subject: Field Observation Visit

Date: February 22, 2023

Project: Rocky's Ridge, N.Horsepound Rd.  
TM # 12.-1-38 & 42

The project was formerly known as Old 17 LLC and before that Kent Development Associates. The current application involves another change in ownership requiring the transfer of all previously granted permits and the proper substitution of the bonds/guarantees with those of the new owner. The project involved a Special Use Permit, Site Plan, Steep Slopes/Stormwater management and Freshwater Wetlands permits and approvals.

The project established coverage under NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity, GP-0-20-001. Actual construction on the project commenced sometime in in late December 2021/early February 2022. Site preparation has proceeded but is not yet complete. Rough grading has been generally completed.

The following comments are offered for the consideration by the Planning Board:

1. Field Observation Visit:

A field observation visit was made together with Bruce Barber, the Town environmental consultant, Planning Board members Jacky Beshar and Tom Faraone and Project Representative Jamie LoGiudice, RLA, INSITE on Tuesday, February 14, 2022.

A prior site visit was conducted back on February 23, 2022 to observe conditions. At that time site work had started, somewhat prematurely. Work had stopped and was on hold pending completion of the re-approval and owner change process taking place at that time. The site was stable but certain issues were identified that were to be corrected once actual work was able to be restarted.

INSITE on behalf of the current owner, Old 17, LLC has been performing weekly Erosion and Sediment Control inspections and filing reports. We utilized the plan from the February 9, 2023 inspection as a reference during the course of this visit. Conditions have been advanced since the visit conducted in 2022. The access driveway was continued up the hill, the building site and associated site areas have been rough graded and shaped. The site was generally stable. The observed conditions were not consistent with the most recent weekly plan. This was discussed and reviewed with the INSITE representatives who concurred with our observations.

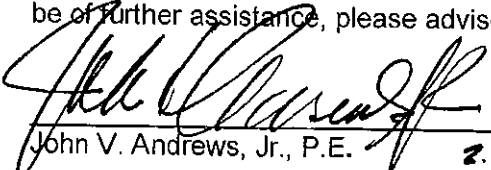


The following conditions were noted and discussed:

- The access road was stabilized with reclaimed stone that included, among other materials, asphalt chunks and construction type debris. At the time of the 2.23.2022 site visit it was agreed that this material would be removed once construction was able to commence and replaced with clean crushed stone. This was not done.
- Millings which were prohibited under the original approval have been placed in several areas along the access road. The millings need to be removed.
- A surface water spring/seep was identified during the 2.23.2022 site visit. This seep was to be picked up, controlled, and properly conveyed across the access road. This seep is still running. Some work, including installation of a pipe across the road was completed but the discharge has not been properly conveyed to a point of discharge. We were shown plans, but the work reflected on those plans has not yet been implemented. Future submittals should include this modification.
- The clearing limits and the location of the silt fence have been modified and appear to be at variance with the approved plans. It appears that clearing has encroached upon the wetland. The matter needs to be reviewed and modifications made to bring the both the limits of disturbance and silt fence back to the appropriate locations. Measures will need to be developed and incorporated into the plans going forward to stabilize the disturbed areas adjacent to the wetlands.
- The double silt fence at the entry is working, perhaps too well. The stream is clean, but barely flowing, allowing /creating a stagnant water section between the two fences. The second (downstream section) should be removed and replaced with a medium duty rock check dam, to slow the water but allow it to more freely flow.

The work conducted to date is at variance with approved plans. The site needs to be brought back into compliance. We defer to the Town's Environmental consultant with regard to the wetland matters. The required work appears to be an issue to be settled between the two parties involved in the property transfer. Any approvals considered by the Town will need incorporate a plan of correction with an appropriate time frame.

We trust the comments contained herein are of value to you. If there any questions or we can be of further assistance, please advise.

  
John V. Andrews, Jr., P.E. 2.22.2023

cc: Planning Board via email  
Bill Walters via email  
Jeffrey Battistoni, Esq. via email  
Richard Othmer, Highway Supt via email

Bruce Barber via email  
Elizabeth Axelson, AICP, CPL  
23-261-209-04



## Cornerstone Associates

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

February 22, 2023

To: Planning Board  
Town Building Inspector

From: Bruce Barber  
Town of Kent Environmental Consultant

**Re: Rocky Ridge Application**  
(Current Old 17 LLC property and former Kent Development Associates property)  
North Horsepound and Peckslip Roads  
Section 12 Block 1 Lots 38, 42  
Town of Kent, New York

Dear Chairman German and Members of the Planning Board:

This project is presently known as Old 17 LLC and was formerly known as Kent Development Associates. The Planning Board issued Site Development Plan Approval, a Stormwater and Steep Slope Permit, a Wetland Permit and a Special Use permit for construction of a contractor's storage building and yard. A wetland permit was issued by the New York State Department of Environmental Conservation (NYSDEC) and permits for construction of an on-site sewage disposal system and water well were issued by the Putnam Count Department of Health (PCDOH). Construction was reportedly started in December 2021.

Rocky Ridge is requesting transfer of all approvals, permits and bonds in order to assume title to the property.

A site inspection was conducted on February 14; 2023. In addition to the undersigned, present at the site inspection were John Andrews, PE, Engineer to the Planning Board, Planning Board members Jacky Beshar and Tom Faraone and Jamie LoGiudice, RLA of Insite Engineering. The following is a summary of the environmental findings of the site inspection:

- 1) The approved location of the silt fencing which also marked the limits of disturbance on the site had been changed in the area of the access driveway.
- 2) Vegetation (trees, shrubs, herbaceous plants) have been removed in an area(s) of jurisdictional NYSDEC and Town of Kent wetland buffer and potential wetland areas. The wetland permits/plans indicate that alteration/disturbance to these areas were not approved limits of disturbance and represent potential wetland violations.

- 3) Construction debris including brick and asphalt as well as asphalt millings have been installed in the wetland buffer on the driveway surface. Use of these materials in this area were not on the approved plans.
- 4) A ground water seep was noted at the driveway cut (this had been observed at a prior inspection conducted on 02/22). This seep was to be piped down the driveway to the drainage swale adjacent to the road. The pipe currently discharges to the stormwater basin and wetland area which is not shown on the approved plans.
- 5) The erosion controls in the roadway swale at the base of the driveway were found to be obstructing free flow of this drainage area and should be corrected.

It is recommended that the Town Building Inspector review this project to confirm if there are Town of Kent wetland violations on the property and determine any enforcement actions to be taken. Additionally, a determination if referral to NYSDEC is required should be made.

The Planning Board may consider the following:

- 1) Determination of the appropriate action to be taken under the town code to process this application. Consultation with the Town Planner is recommended.
- 2) Request written certification from the applicant's design professional that the site is presently stable, and sediment will not be discharged to the wetland or wetland buffer.
- 3) Request an as-built map which documents current conditions on the site.
- 4) Request amended site plan, wetland permit, stormwater and steep slope permit applications and associated materials be submitted.
- 5) Request the applicant address the above inspection findings in the amended application documents (#1-#5).

This office defers to the Engineer to the Planning Board regarding SWPPP, erosion control and site engineering findings and the Planning Board Attorney regarding review of the bonds proposed to be transferred.

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

Sincerely,



Bruce Barber, PWS, Registered Soil Scientist  
Town of Kent Environmental Consultant



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

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

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

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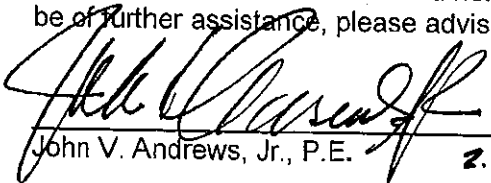
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