

Town of Kent Planning Board  
January 8, 2015

Approved: February 12, 2015

**Minutes**  
**Town of Kent Planning Board Meeting**  
**January 8, 2015**

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

**In attendance were the following Planning Board members:**

Michael McDermott, Chairman  
George Brunner  
Dennis Lowes

Charles Sisto  
Philip Tolmach

**Others in Attendance:**

Bruce Barber, Environmental Consultant  
Julie Mangarillo, Engineering Consultant

Neil Wilson, Planner

**Absent:**

Janis Bolbrock, Vice Chairman  
Bill Walters, Town of Kent Building Inspector

Glenna Wright

• **Approve Planning Board Minutes from December 11, 2014**

Mr. McDermott asked for a motion to approve the Planning Board minutes from December 11, 2014. Mr. McDermott said that the December minutes would be reviewed, and if appropriate, approved in February, 2015.

• **Kent Materials (Mountain View), Route 52, Kent, NY; TM: 12.-1-44 & 12.-1-48**

Mr. John Watson, Insite Engineering, and the applicant, Mr. Steve Caruso, Aggregate 3, appeared at the meeting wishing to discuss an amended site plan which would entail rock cutting on Mr. Doug Weck's (Unit Step) property (TM: 12.-1-1-48) and continuing grading of the present Kent Materials property to the south on Route 52. This will be a joint application between Mr. Weck and Mr. Caruso to remove rock and create more storage for both applicants. The area of disturbance will be in the rear of both properties toward Route 84 and wetlands behind Mr. Weck's property; however the disturbance will not be in the wetlands of either Mr. Weck's property or that of Kent Materials. The only thing changing on Kent Materials will be the grading at the top of the hill. There will still be two separate pieces of property and two separate storage yards. There will be a 50 foot grass strip between the two pieces of property.

Mr. Wilson's Comments (memo attached)

Mr. Wilson referenced some of his prior memos and said that his primary concern were noise from blasting, construction and construction from rock crushing, post construction stormwater impacts on on-site wetlands, and potential changes in groundwater flow. Although a short-form Environmental Assessment Form (EAF) had been submitted previously he asked for a long form EAF since Mr. Weck's property would now be involved in the amended site plan and the Kent Planning Board would need to be declared the Lead Agency once again. Included in his review was a summary of items which will be required but he believed that most of the plans were complete and complied with Kent's zoning codes. He recommended that the Planning Board adopt a resolution stating their intention to become the Lead Agency (attached to his memo) along with a letter attached to the application which will be sent to the involved agencies.

Mr. Barber's Comments (memo attached)

Mr. Barber said that he and Mr. Watson had inspected the wetlands adjacent to Mr. Weck's property and verified that Mr. Weck's consultant's delineation complied with the Town of Kent's ordinance for jurisdictional wetland and watercourses. He also mentioned that that some modifications had been made since Mr. Weck's original site plans were approved and he was asked to look at an area which had been filled in. Mr. Barber said the majority of the fill was stabilized, but the majority of the fill was comprised of concrete, asphalt, small pieces of metal. There were two pipes which were shown on the site plan and there were no unusual discharges coming out of them. Mr. Barber said that he suggested the amended site plan be compared to the original site plan. Mr. Tolmach asked if there would be any runoff as a result of the removal of the topsoil where the applicants are planning on mining. Mr. Barber deferred to Ms. Mangarillo and advised Mr. Tolmach that a stormwater and site plan had already been provided and he presumed Mr. Watson had addressed the runoff issue. He said that Mr. Watson also submitted a revised Stormwater Pollution Prevention Plan (SWPPP) and site plan to be approved by the NYSDEP and the Town of Kent. He would also need a new Multi-Sector Permit.

Ms. Mangarillo's Comments (memo attached)

Ms. Mangarillo said she requested additional information pertaining to the SWPPP, flow-splitter, hydronic separator for pre-treatment of the infiltration basin, and whether the Notice of Intent (NOI) will be revised or a separate one made for the adjacent parcel. She said that there would need to be agreements between the two property owners because they would be sharing stormwater and a stormwater maintenance agreement would be necessary with the Town of Kent for the proposed infiltration basin. She also felt that the bonding would have to be looked at for the additional erosion/sediment control and stormwater management. Since there is a wetland buffer she recommended some type of demarcation to prevent future encroachment onto the wetland buffer.

Mr. Lowes asked Mr. Watson how large the two lots were. Mr. Watson said that Kent Materials covers approximately 26 acres, 50% are wetlands and the limit of disturbance is approximately 13 acres. The other property is approximately 14 acres and the proposed mining will only affect about 2.5 acres of the 14. Mr. Sisto asked Mr. Watson about the riprap and what the elevation is and if anything would be trapped there. Mr. Watson said that the proposed 7.42 elevation would be flattened and would not impact the drainage patterns. Mr. Tolmach asked Mr. Watson if there were plans to do this on other adjacent parcels and Mr. Watson said no. Mr. Lowes asked about the splitter catch basin. Mr. Watson said NYSDEC wants to promote infiltration, capture it and have it go back into the ground. He said that this was fine during smaller storms, but that during larger storms this was not a good idea. Mr. Watson said that during construction there would be temporary swales constructed to redirect the dirty water into a basin and allow it to drain slowly. Mr. Lowes asked about siltation and if the ponds would be monitored and Mr. Watson said that they would be. There would also be pre-treatments done to remove any type of silt and sediment from the ponds.

Mr. McDermott asked for a motion to declare the intent of the Kent Planning Board to become the Lead Agency for the amended site plan for Kent Materials. The motion was made by Mr. Tolmach and seconded by Mr. Lowes. The roll call vote was as follows:

Mike McDermott	<u>Aye</u>
Janis Bolbrock	<u>Absent</u>
George Brunner	<u>Aye</u>
Dennis Lowes	<u>Aye</u>
Charles Sisto	<u>Aye</u>
Philip Tolmach	<u>Aye</u>
Glenna Wright	<u>Absent</u>

The motion carried.

• **Chris Automotive, Route 52, Kent, NY; TM: 33.18-1-12**

Mr. Robert Cameron, of Putnam Engineering, represented the applicant – Mr. Chris Rini the owner, who was also present. Mr. Cameron discussed the amended site plan for this property and some field changes the consultants had recommended. The applicant and Mr. Cameron had discussed this matter at the monthly review meeting.

**Mr. Wilson's Comments (memo attached)**

Mr. Wilson stated that the package submitted by Mr. Cameron was complete and he had provided the material requested at the review meeting. He asked the Planning Board if they wanted to hold a public meeting as had been done previously and said that he did not feel one was necessary. He said, if they did not want to hold a public hearing, the Board could issue a conditional approval at the January meeting to be followed up with a written Resolution.

Mr. Barber's Comments (memo attached)

Mr. Barber said the applicant had addressed environmental issues brought up in November of 2014 and ones Julie Mangarillo had at that time. Mr. Barber said that the only elements in question pertained to wetland mitigation that could not be undertaken at this time of year. He agreed with Mr. Wilson that a conditional approval could be granted, but suggested that one of the conditions be that the mitigation needed to be completed by July 15, 2015.

Ms. Mangarillo's Comments (memo attached)

Ms. Mangarillo comments were:

- That the overhead doors in the front building be labeled;
- Boulders on the eastern property line should be noted on the site plan;
- Details are needed regarding the gravel area in the wetland buffer, but out of the proposed fence. She asked that the gravel be removed and the area mitigated.

Mr. McDermott asked for a motion to waive a public hearing on the amended site plan for Chris Automotive. The motion was made by Mr. Brunner and seconded by Mr. Sisto. The roll call vote was as follows:

Mike McDermott	<u>Aye</u>
Janis Bolbrock	<u>Absent</u>
George Brunner	<u>Aye</u>
Dennis Lowes	<u>Aye</u>
Charles Sisto	<u>Aye</u>
Philip Tolmach	<u>Aye</u>
Glenna Wright	<u>Absent</u>

The motion carried.

Mr. McDermott asked for a motion to grant conditional approval of the amended site plan for Chris Automotive based on the written Resolution to be prepared by Mr. Wilson. The motion was made by Mr. Brunner and seconded by Mr. Tolmach. The roll call vote was as follows:

Mike McDermott	<u>Aye</u>
Janis Bolbrock	<u>Absent</u>
George Brunner	<u>Aye</u>
Dennis Lowes	<u>Aye</u>
Charles Sisto	<u>Aye</u>
Philip Tolmach	<u>Aye</u>
Glenna Wright	<u>Absent</u>

The motion carried.



Mr. Cameron thanked the Planning Board for cooperating with the applicant and asked that Mr. Walters be advised that the Certificate of Occupancy could be granted. Mr. McDermott said Mr. Wilson would contact Mr. Walters regarding this matter.

Mr. Rini addressed the audience and thanked the Planning Board for their assistance in expediting the approval of his site plan. He said he would continue to comply with the recommendations made by the consultants and conditions set forth in the conditional approval of his site plan.

- **Hillcrest Commons, Route 52, Carmel, NY; TM: 44-9-2-27 & 44.10-2-1**

Mr. Watson, of Insite Engineering, represented the applicant in requesting that their stormwater and erosion control bond be returned.

Mr. Wilson said that, if the Planning Board agrees to return the bond, they make the recommendation to the Town Board to put this on their agenda and they will ask the Town Attorney prepares the Resolution to return the bond.

Ms. Mangarillo's Comments (memo attached)

Ms. Mangarillo reminded the Planning Board that this project was completed in 2012 and most of the work was done in the town of Carmel, but the stormwater facilities and the driveway entrance are situated in the town of Kent. According to town code, the property was inspected in 2012 and was stabilized; we were required to hold the bond for two years. Ms. Mangarillo conducted a followup inspection in December 2014. She did have some concerns in a couple of areas of the property which needed to be repaired and the applicant agreed to make the repairs. Another complication is that a future phase is to be completed in the town of Carmel and the Notice of Termination (NOT) will not be filed until that is done. Usually the bond is not returned until the NOT is issued. Therefore, Ms. Mangarillo recommended holding \$2,000.00 until the work was completed, which will include any work to be done in the town of Carmel when their next phase is completed. She recommended that a partial refund in the amount of \$65,380.00 be returned to the applicant.

Mr. McDermott asked for a motion to make the recommendation to the Kent Town Board to grant a refund in the amount of \$65,380.00 . The remaining \$2,000.00 will be held until the repairs Ms. Mangarillo suggested are done, and work to be performed in future phase(s) in the Town of Carmel is completed and a Notice of Termination is issued.

Mr. Tolmach made the motion and it was seconded by Mr. Lowes. The roll call vote was as follows:

Mike McDermott	<u>Aye</u>
Janis Bolbrock	<u>Absent</u>
George Brunner	<u>Aye</u>
Dennis Lowes	<u>Aye</u>
Charles Sisto	<u>Aye</u>
Philip Tolmach	<u>Aye</u>
Glenna Wright	<u>Absent</u>

The motion carried.

Mr. McDermott asked the Planning Board Clerk to prepare a memo to be forwarded to the Town Board and send it to him prior to sending it.

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

- |  |                   |               |
|--|-------------------|---------------|
| - Wellington Property<br>Townners Road, Lake Carmel, NY<br>TM: 33.73-1-38 & 39 | Amended Site Plan | Status Report |
|--|-------------------|---------------|

Conditional Approval was granted and the applicants are working on their final conditions.

- |  |                         |            |
|--|-------------------------|------------|
| - Baywater Pondview Estates<br>Kent, NY<br>33.16-1-23 & 24 | Request to release bond | Discussion |
|--|-------------------------|------------|

The applicants will be meeting with the consultants at the January 23, 2015 monthly review meeting to go over the particulars of this project.

- |   |  |               |
|---|--|---------------|
| - Biben Property<br>146 S. Knapp Court, Kent, NY<br>TM: 10.-1-1 | Erosion Control Plan &<br>Wetland Permit | Status Report |
|---|--|---------------|

We are waiting for a resubmittal.

- |  |                 |               |
|--|-----------------|---------------|
| - Morini Property<br>China Paper Circle, Kent, NY<br>TM: 42.18-1-2 | Erosion Control | Status Report |
|--|-----------------|---------------|

We are waiting for the bond to be submitted.

- Seven Hills Lake Dam Rehabilitation (NYSDEP) Farmers Mills Road, Kent, NY  
TM: 20.-1-43.1

Wetland & Status Report  
Erosion Control Permits

Ms. Mangarillo said the applicants sent an electronic resubmittal and will be sending hard copies.

- Unger Property  
89 Ressique Street, Kent, NY  
TM: 2211.-1-29

Erosion Control Plan Status Report

The applicant submitted the bond and Town Board needs to approve it.

- Updated Forms

Discussion

Mr. McDermott said that, after speaking to Mr. Wilson prior to the meeting, we should have a workshop in February and go over the updated forms at that time.

Mr. McDermott asked for a motion to adjourn the meeting at 8:20. The motion was made by Mr. Brunner and seconded by Mr. Tolmach. The motion carried.

Respectfully Submitted,



Vera Patterson  
Planning Board Secretary

cc: Planning Board Members  
Building Inspector  
Town Clerk

JANUARY  
2015  
AGENDA

Workshop: January 01, 2015 (Thursday, 7:30 PM) Cancelled

Meeting: January 08, 2015 (Thursday, 7:30 PM)

- Approve Planning Board Minutes from December 11, 2014
- Kent Materials (Mountain View)      Amend Site Plan      Review  
Route 52, Kent, NY  
TM: 12.-1-44 & 12.-1-48
- Chris Automotive      Amended Site Plan      Review  
Route 52, Kent, NY  
TM: 33.18-1-12
- Hillcrest Commons      Request to Release Bond      Review  
Route 52, Carmel, NY  
TM: 44.-9-2-27 & 44.-10-2-1

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

- Wellington Property      Amended Site Plan      Status Report  
Townners Road, Lake Carmel, NY  
TM: 33.73-1-38 & 39
- Baywater Pondview Estates      Request to release bond  
Discussion  
Kent, NY  
33.16-1-23 & 24
- Biben Property      Erosion Control Plan/Wetland Permit  
Status Report      Addition to existing residence  
146 S. Knapp Court, Kent, NY  
TM: 10.-1-1
- Morini Property      Erosion Control  
Status Report  
China Paper Circle, Kent, NY  
TM: 42.18-1-2
- Seven Hills Lake Dam Rehabilitation      Wetland & Erosion Control Permits Status  
Report  
Farmers Mills Road, Kent, NY  
TM: 20.-1-43.1

- Unger Property  
Report  
89 Ressique Street, Kent, NY

Erosion Control Plan

Status

TM: 2211.-1-29

- Updated Forms  
Discussion



January 6, 2015

To: Planning Board

From: Bruce Barber  
Town of Kent Environmental Consultant

Re: **Kent Materials**  
NYS Route 52  
Section 12 Block 1 Lot 44

I have reviewed the following pertinent documents relative to the above referenced project:

- Letter executed by John Watson, P.E of Insite Engineering dated 12/18/14, 2 pages.
- Town of Kent Planning Board Combined Application executed by Harold Magid, dated 12/18/14.
- Plan entitled; "Kent Materials Soils and Slopes Plan" prepared by Insite Engineering dated 12/18/14, 1 sheet: SS-1.
- Plans entitled; "Kent Materials-Amended Overall Site Plan" prepared by Insite Engineering dated 12/18/14, 7 total sheets: OP-1, SP-1, SP-2, SP-3, MP-1, D-1, D-2.
- Report entitled; "Amended Stormwater Pollution Prevention Plan for Kent Materials" prepared by Insite Engineering dated 12/18/14.

**Summary:**

The application is to expand the approved mining operation on the Kent Materials parcel to the south to include a portion of the adjoining Weck parcel (Goldens Bridge Unit Step) in order to establish more outdoor storage for both the Kent Materials and Weck parcels.

**Comments:**

A site inspection was conducted on January 7, 2015 with the applicant's engineer (John Watson) present:

1. The wetland delineation as depicted on the above referenced plans was found to be accurate pursuant to Chapter 39A of the Town of Kent Town Code. The applicant should indicate if the subject is or is not located within the NYSDEC checkzone.
2. Inspection of the fill section in the area behind the existing building revealed the majority of the slope to be stable with grass cover although some evidence of



erosion was observed (rills). In areas of exposed soil a moderate amount of concrete and asphalt pieces, plastic piping, various metal elements and cloth/fabric were visible. There was no observed soil staining or discharge noted at the time of inspection. Two pipes were apparently installed on the site which discharge to the eastern property border and form Town of Kent jurisdictional watercourses. There was no visible evidence of any discoloration or odor at the pipe discharge points at the time of inspection. Please note that this inspection was only visual in nature of areas readily accessible at the time of inspection and did involve any excavation or testing.

3. There is evidence of recent fill installation at the toe of the slope.
4. The site contains substantial areas of stored machinery, parts of machinery, pre-cast concrete steps, basins, piping and other construction materials. These materials are not specifically depicted on the above plans.

It was noted at the town consultant's meeting that it is possible that components of the subject parcel are not in compliance with the approved site plan. It is recommended that these issues be identified so that a complete review of the parcel which will also include impacts from the proposed mining expansion may be undertaken.

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

Sincerely,



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



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

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

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

# Memorandum

To: Planning Board  
Town of Kent

Attn: Michael McDermott  
Chairman

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

Subject: Amended Site Plan Review

Date: January 8, 2015

Project: Kent Materials TM # 12.-1-44  
Weck Parcel (Goldens Bridge Unit  
Step Site) TM 12.-1-48

The following material was reviewed:

- Transmittal letter from Insite Engineering, Surveying & Landscape Architecture, P.C., dated 12/18/2014
- Combined Application Form dated 12/18/2014 with affidavits for both properties
- Site Plan Checklist, dated 12/18/2014
- Short Environmental Assessment Form (EAF) dated 12/18/2014
- Deed for Weck parcel
- Amended Stormwater Pollution Prevention Plan, prepared by Insite Engineering dated 12/18/2014 for the Weck Parcel
- Drawings, prepared by Insite Engineering, dated 12/18/2014 including:
  - OP-1, Amended Overall Site Plan
  - SP-1, Amend Layout and Landscaping Plan
  - SP-2, Amended Grading and Utilities Plan
  - SP-3, Amended Sediment and Erosion Control
  - MP-1, Amended Mining Plan
  - D-1, Site Details
  - D-2, Site Details
  - SS-1, Soils and Slopes Plan


This project is seeking amended site plan approval for Kent Materials for additional material removal from the adjacent Weck parcel (TM 12.-1-48).

The following is offered for consideration by the Planning Board:

1. Show approximate location of existing septic system on the Weck parcel.
2. Drawing SP-2 "Amended Grading and Utilities Plan" and the SWPPP include information on a flow splitter catchbasin. However, the secondary route of the flow splitter is not shown.
3. The SWPPP indicates a hydrodynamic separator will be used for pretreatment prior to the infiltration basin. Provide location and details of this on the drawings.
4. Indicate if a revised or separate Notice of Intent (NOI) will be provided for the Weck Parcel. If a separate NOI is not required, the owners of the Weck Parcel should sign the Owner/Operator certification contained at the end of the NOI for work that will be done on their property.

5. Provide draft copies of agreements between Kent Materials and Weck property for the discharge of stormwater.
6. Provide draft copies of stormwater maintenance agreement with the Town.
7. Provide estimates for erosion and sediment control and stormwater management for bonds.
8. We recommend a physical demarcation of the wetland buffer be provided, such as a fence or rock wall, to discourage future expansion into the wetland buffer area.
9. It is our understanding that the Weck parcel has previous site plan approval. A comparison of current site conditions to the previously approved site plan should be provided to determine if other features of the site need to be included in the amended site plan approval.
10. Continue to provide copies of correspondence and/or permits from NYSDEC, NYCDEP, NYSDOT or other agencies.

Additional comments may be provided as this project moves forward.

  
Julie S. Mangarillo, P.E., CPESC

cc: Planning Board via email  
Neil Wilson via email  
John Watson, PE, Insite Engineering, via email

Bill Walters via email  
Bruce Barber via email  
12-261-199-01

# LRC PLANNING SERVICES, LLC

LAND USE/REAL ESTATE/ENVIRONMENTAL CONSULTING

**8 MOREHOUSE ROAD  
POUGHKEEPSIE, NEW YORK 12603-4010  
TELE: 845-452-3822  
FAX: 845-452-3346**

## MEMORANDUM

TO: Town of Kent Planning Board  
From: Neil A. Wilson  
Date: January 8, 2015  
Re: Kent Materials Amended Site Plan

With reference to the above matter we have reviewed the latest set of plans and materials submitted by the applicant's consulting engineer via letter dated December 18, 2014 and offer the following for the Board's consideration:

### SEQRA

1. The applicant has provided a Short Environmental Assessment Form. Since we recommend that the Planning Board circulate the application to establish lead agency a Long Form EAF should be provided.
2. Similar to our review of the original Kent Materials application we believe that the primary environmental concerns are as follows:
  - a. Construction noise and blasting from site work and truck trips required to remove processed and unprocessed materials off-site; and
  - b. Post construction noise from rock crushing operations and truck trips bringing new material on-site for processing and removing processed materials off-site; and
  - c. Construction and post-construction storm water impacts to the on-site wetland; and
  - d. Potential changes in ground water volume and flow related to the removal of bedrock that may affect the on-site wetland or local ground water resources.
3. The Planning Board should discuss any additional environmental concerns and direct the applicant to prepare and to submit for review appropriate information or studies.
4. For the prior application the applicant provided an extensive Noise Report that resulted in phasing of the rock removal as mitigation. We ask the applicant to provide a revised Noise Report that would analyze the additional rock removal to determine what if any mitigation for noise impacts might be required.

### Site Plan

1. To assist the Planning Board and the applicant as to the completeness of this most recent submittal the following checklist from §77-60(F) of the Zoning Law along with our analysis as to completeness/incompleteness is offered:

- a. *The site plan shall use as a base map an accurate boundary and topographic survey of the property depicting all existing improvements and grades prepared by a New York State licensed land surveyor.*

Comment: This item is complete.

- b. *The plan shall depict all proposed improvements and shall be prepared by a professional engineer, a landscape architect, or an architect licensed by the State of New York and shall include the following information:*

Comment: This item is complete.

- c. *A location map, at a convenient scale, showing the applicant's entire property and all boundaries, easements and streets within 500 feet thereof.*

Comment: This item is complete.

- d. *The location, size, use and architectural design of all existing buildings and structures.*

Comment: This item is complete.

- e. *The location of all property lines and structures within 200 feet of the property boundary, with topography extended 50 feet outward from the site property boundary and 200 feet outward along existing roads.*

Comment: This item is complete.

- f. *Any proposed division of buildings into units of separate occupancy.*

Comment: This item is complete.

- g. *Existing topography and proposed grade elevations at a contour interval of not more than two feet, unless waived by the Planning Board, soil types, wetlands and watercourses, one-hundred-year floodplains, bedrock outcrops, slopes in excess of 10%, and the location of trees with a diameter of eight inches dbh and greater.*

Comment: This item is complete.

- h. *The location and capacity or number of all existing and proposed roads, driveways, parking and loading areas, including access and egress drives.*

Comment: This item is complete.

- i. *The location of outdoor storage areas.*

Comment: This item is complete.

- j. *The location of fire access roads and fire protection features.*

Comment: This item is complete.

- k. *The location, description and design of all existing and proposed site improvements, including pavement, walkways, curbing, drains, culverts, retaining walls, fences, parks, open spaces, and recreation areas.*

Comment: This item is complete.

- l. *The location, design and description of water supply and sewage disposal facilities.*

Comment: This item is complete.

- m. *The location, design and description of stormwater management facilities, including proposed grading plan.*

Comment: This item is complete.

- n. *The location, height, size and design of all signs.*

Comment: This item is complete.

- o. *The location, height, and species of landscape plantings on a landscape plan.*

Comment: This item is complete.

- p. *The location and design of lighting and communication facilities.*

Comment: This item is complete.

- q. *The location, type and design of all waste and refuse storage and handling facilities.*

Comment: This item is complete.

- r. *The character and location of all power distribution and transmission lines.*

Comment: This item is complete.

- s. *The location and description of all subsurface site improvements and facilities.*

Comment: This item is complete.

- t. *The extent and amount of cut and fill for all disturbed areas, including before-and-after profiles of typical development areas, parking lots, driveways and roads.*

Comment: We defer to the Planning Board engineer as to whether this item is complete.

- u. *Adequate provisions for the handling of stormwater runoff, including retention/detention, piping or channeling to existing or proposed drainage systems during and after construction.*

Comment: We defer to the Planning Board engineer as to whether this item is complete.

- v. *Phasing of development, if any.*

Comment: This item is complete.

- w. *A signature block for Planning Board endorsement of approval.*

Comment: This item is complete.

- x. *The name and address of the owner of the property proposed for development along with the signature of said owner.*

Comment: This item is complete.

- y. *The name and address of the applicant, if different, along with the signature of said applicant.*

Comment: This item is complete.



- z. At the request of the Planning Board, any other pertinent information as may be deemed necessary to determine and provide for the proper enforcement of this Chapter.*

Comment: Pending a determination by the Board this item is incomplete.

2. We request that the applicant provide a geotechnical analysis of the expansion area for review.
3. We defer to Bruce Barber with respect to wetland, stream, flora/fauna, and steep slope impact issues.
4. We defer to Julie Mangarillo with respect to site engineering, sewer, water supply, and storm water management impact issues.

#### **Recommendation**

1. We recommend that the Planning Board conduct a coordinated review of the application. This involves selection of a lead agency. A resolution stating the Board's intention to be the lead agency is attached.
2. We ask the applicant to provide a Long Form EAF for our review and approval prior to sending out the mailings for selection of a lead agency.
3. Verification is required as to the date copies of the EAF and the application were mailed to the identified involved agencies in order to determine when the 30 day period for selection of a lead agency commenced.
4. We may provide additional comments on the site plan as the plan review progresses.

**Town of Kent Planning Board  
Declaration of Intent to Be Lead Agency**

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**Matter of Kent Materials**

**Whereas**, the Town of Kent Planning Board ("Planning Board") has received an application for Amended Site Plan Approval from Kent Materials, LLC to allow the development of an additional  $\pm 13.73$  acre Parcel (The Weck Parcel) adjoining the Kent Materials site located on NYS Route 52, Tax Map #12.-1-44; and

**Whereas**, the Town of Kent Planning Board has reviewed the Site Plan Approval application, site plan map, Part 1 Long Form Environmental Assessment Form (EAF), and other information provided by the applicant for the proposed Kent Materials Site Plan, and

**Whereas**, the Planning Board has determined the proposed project is an Unlisted Action and that a coordinated review of the action will be undertaken,

**Therefore Be It Resolved**, the Planning Board hereby declares its intent to be the Lead Agency for review of the project pursuant to Sections 617.6(2) and (3) of 6 NYCRR 617.

**Be It Further Resolved**, the Planning Board hereby directs that the identified involved and interested agencies as noted on Attachment "A" hereto, to be notified of the Board's intent to be the Lead Agency.

Motion: Philip Tolmach

Second: Dennis Lowes

Michael McDermott, Chairman Aye

Janis Bolbrock, Vice Chairman Absent

George Brunner Aye

Dennis Lowes Aye

Charles Sisto Aye

Philip Tolmach Aye

Glenna Wright Absent

Date: January 8, 2015

I certify that the above resolution was adopted by the Town of Kent Planning Board at a meeting of the Board on the date set forth above.



Vera Patterson, Clerk  
Town of Kent Planning Board

**Attachment "A"**  
**Identified Involved & Interested Agencies**

NYS Department of Environmental Conservation  
Region 3 Office  
Division of Regulatory Affairs  
21 South Putt Corners Road  
New Paltz, New York 12561-1696

SEQRA Unit  
Traffic Engineering & Safety Division  
Region 8 NYS Department of Transportation  
4 Burnett Boulevard  
Poughkeepsie, New York 12603

NYC Department of Environmental Protection  
SEQRA Coordination Section  
465 Columbus Avenue  
Valhalla, New York 10595

Putnam County Health Department  
1 Geneva Road  
Brewster, New York 10509

Putnam County Division of Planning & Development  
841 Fair Street  
Carmel, New York

**Town of Kent Planning Board**  
**Lead Agency Coordination Letter and Request For Immediate Response**

To Identified Potential Involved Agencies (See Attachment "A"):

You are hereby notified by the Planning Board of the Town of Kent, Putnam County, New York that the Planning Board has adopted a resolution in connection with a proposed project known as the **Amended Kent Materials Site Plan**. Specifically, the Planning Board has declared its intent to assume lead agency status unless an objection is received.

The Planning Board has determined that the proposed action is subject to SEQRA and that a coordinated review should be conducted. The Board has also determined that the action constitutes an Unlisted Action. The Planning Board wishes to be the lead agency for the project review and pursuant to Sections 617.6(2) and (3) of 6 NYCRR and requests your agreement that the Planning Board be designated as the lead agency.

The Planning Board wishes to expedite the designation of lead agency. If you agree to the Planning Board being designated as lead agency, please complete this form and return it to the Planning Board as soon as possible. If your agency does not submit a written objection to the Planning Board within 30 days of the mailing date of this notification, the Planning Board will assume the role of lead agency for this project review.

Enclosed please find a copy of the Part 1 Environmental Assessment Form and supporting documentation.

Michael McDermott, Chairman

The \_\_\_\_\_ agrees to the designation of the Town of Kent Planning Board as lead agency for the above referenced project review.

Please Return Form To:

Planning Board  
Town of Kent  
Town Centre  
25 Sybil's Crossing  
Kent Lakes, New York 10512

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**Attachment "A"**  
**Identified Involved & Interested Agencies**

NYS Department of Environmental Conservation  
Region 3 Office  
Division of Regulatory Affairs  
21 South Putt Corners Road  
New Paltz, New York 12561-1696

SEQRA Unit  
Traffic Engineering & Safety Division  
Region 8 NYS Department of Transportation  
4 Burnett Boulevard  
Poughkeepsie, New York 12603

NYC Department of Environmental Protection  
SEQRA Coordination Section  
465 Columbus Avenue  
Valhalla, New York 10595

Putnam County Health Department  
1 Geneva Road  
Brewster, New York 10509

Putnam County Division of Planning & Development  
841 Fair Street  
Carmel, New York 10512



January 7, 2015

To: Planning Board

From: Bruce Barber  
Town of Kent Environmental Consultant

Re: **Chris' Automotive**  
Route 52  
Map 33.18 Block 1 Lot 12

Dear Chairman McDermott and Members of the Planning Board:

Please be advised that I have reviewed the following documents relative to the above referenced application:

Comment response letter dated 12/22/14 executed by Robert J. Cameron, Jr., R.A. of Putnam Engineering, 4 pages.

Plan entitled; "Amended Site Plan Prepared for Chris' Automotive" prepared by Putnam Engineering dated 12/22/14 (rev.), 1 sheet: C-110.

Review Comments:

The above referenced documents provide satisfactory responses to the comments of the 11/13/14 memo prepared by this office with the following exceptions (pages and item #'s as per 11/05/14 Town Engineer memo):

- Page 3: Item 2h: Boulders should mark the edge of the property to insure that further encroachment into the wetlands does not occur. This information is indicated in the comment reponse letter but is not shown along the eastern edge of the property.
- Page 4: Item 4b: The existing wetland mitigation has not been well maintained and is predominately colonized with invasive species. The existing wetland mitigation requires removal of invasive species and replanting.

It should be noted that the applicant has indicated that 115 square feet of wetland mitigation will be added adjacent to the approved wetland mitigation area located at the northeast corner of the site if permission is granted to use the Crystal property as shown.



The remaining rectangular area of gravel within the wetland buffer to the east of the fence (Crystal and Sandanova property) should be removed and treated in the same manner as the plan note in the hatched area in the northwest section of the plans

A date of 07/15 to complete the maintenance to the existing wetland mitigation on the Sandanova property as well as the installation of the additional mitigation at the northeast corner of the subject property plan was discussed subject to Planning Board approval. The applicant should be aware that if the Planning Board agrees to this date, non-compliance will result in violation of the town wetland ordinance.

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

Sincerely,

A handwritten signature in black ink, appearing to be 'R' followed by a stylized flourish.

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



# Memorandum

To: Planning Board  
Town of Kent

Attn: Michael McDermott  
Chairman

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

Subject: January 2015 Agenda  
Amended Site Plan

Date: January 8, 2015

Project: Chris Automotive – Site Plan  
TM #33.18-1-12

The following materials were reviewed:

1. Cover letter prepared by Chris Automotive Center, Inc., dated 11/12/2014
2. Cover letter prepared by Putnam Engineering, PLLC, dated 12/22/2014
3. Drawing C-110 "Amended Site Layout Plan," prepared by Putnam Engineering, PLLC, last revised 12/22/2014

Other drawings referenced:

4. Approved site plan drawings prepared by Putnam Engineering, including
  - a. C-110, 'Amended Site Layout Plan,' revised 9/6/2012
  - b. C-110 ALT, 'Amended Site Layout Plan,' revised 9/6/2012
  - c. C-210, 'Details,' revised 9/6/2012
5. As-built survey: "Survey of Property Prepared for Rini Land Development, LLC," prepared by H. Stanley Johnson and Company Land Surveyors, P.C., last revised October 7, 2014

The following is offered for consideration by the Planning Board:

A site visit was conducted on October 29, 2014 for the purposes of final stabilization and site plan completeness and general conformance with the approved site plan.

A comparison of the 'as-built' plan, last revised 10/7/2014 and the approved site plans, last revised 9/6/2012 was performed. Numerous deviations were noted. These are outlined in a Site Visit Memorandum dated 11/5/2014.

A productive meeting was held with the applicant and applicant's engineer on December 19, 2014. Since that time, the applicant has submitted an amended site plan. It is also our understanding that some of the deviations noted have already been corrected or are in the process of being corrected.

The following comments are regarding the amended site plan. The reference numbers follow the numbering from the 11/5/2014 Site Visit memo and 12/22/2014 cover letter. New or supplementary comments are in **bold**.

1. Front (southerly) side of property – along Route 52 road frontage
  - b. Further, some of the vehicles were advertised for sale. Per the March 2012 approval resolution, under "Be It Further Resolved" #2a "There shall be no vehicles or equipment parked on the site where such vehicles or equipment are advertized for sale."
  - i. **We defer to the Town's Planner.**

- d. Label the overhead garage doors on the front of the building facing Rt 52.
2. Easterly side of property—adjacent to property "N/F Tower Center, Inc." (TM 33.18-1-13)
  - h. **Per the 12/22/2014 cover letter, the boulders will be aligned along the easterly property line. This should be noted on the amended site plan.**
4. Rear (north) of project site; on 'N/F Sandanova Development Corp.' property (TM 33.18-1-17)
  - c. The approved site plan called for a new fence along the westerly edge of the area of permitted use on the Sandanova property to delineate the approved use area and prevent future encroachment into the wetland buffer.
    - i. **The applicant has proposed use of boulders instead of a fence. We have no objection to the use of boulders.**
5. Westerly side of property – adjacent to property "N/F Crystal Property Management, LLC." (TM 33.18-1-11):
  - b. The property owner has indicated he would like to request permission from Crystal Property Management, LLC to continue using the property, similar to the agreement with the Sandanova property owner.
    - i. **It is our understanding the applicant is working on obtaining the agreement.**
  - c. If Crystal Property Management, LLC grants permission for use of the land, a fence or other clear demarcation is to be provided to prevent additional expansion or encroachment. Additionally, gravel surface areas within the 100 foot wetland buffer are to be removed and mitigated.
    - i. **The amended site plan shows an approximately 115 SF strip of asphalt just inside the wetland buffer area. The applicant proposes to mitigate an equivalent area in the northeast corner of the property in order to keep this 115 SF strip of asphalt.**
    - ii. **Just above (north of) this strip is another area of existing gravel that is within the wetland buffer, but outside of the proposed "new fence or boulders." (See attached sketch.) The entire gravel area outside (west of) the proposed fence should be removed and mitigated. At a minimum, the gravel within the wetland buffer is to be removed and mitigated.**
6. Refuse enclosure – **We defer to the Town's Planner regarding the proposed dumpster pad.**

  
Julie S. Mangarillo, P.E., CPESC

Enclosure: Marked up sketch of C-110 Amended Site Layout Plan, Revised 12/22/2014

cc: Planning Board via email  
Bill Walters via email  
Chris Rini, Chris Automotive via email

Bruce Barber via email  
Neil Wilson via email  
11-261-191

NEW CONSTRUCTION AREA:

Existing gravel surface within wetland buffer



Redline by  
Julie Mangarillo,  
RSA 1/8/2015

ABOVE GROUND STORAGE TANK LEGEND:

**EXISTING SITE LAYOUT PLAN LEGEND:**

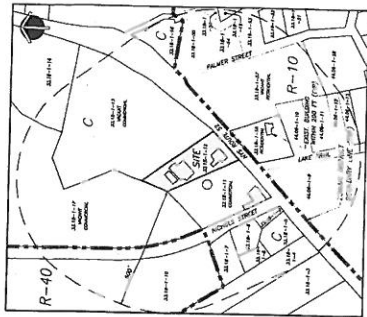
[illegible][illegible]

OFF-STREET PARKING & LOADING REQUIREMENTS	
OFF-STREET PARKING PER GARAGE SPACE	
ENTRUSTED TO THE PUBLIC	100% + 10%
ENTRUSTED TO THE PUBLIC WITH SPECIAL PARKING	100% + 20%
ENTRUSTED TO THE PUBLIC WITH SPECIAL OFFICE	100% + 100%
ENTRUSTED TO THE PUBLIC WITH SPECIAL COMMERCIAL, MANUFACTURE	100% + 100%
ENTRUSTED TO THE PUBLIC WITH SPECIAL FINANCIAL INSTITUTIONS	100% + 100%
ENTRUSTED TO THE PUBLIC WITH SPECIAL FUEL TANKS	100% + 100%
ENTRUSTED TO THE PUBLIC WITH SPECIAL SECOND LEVEL AREAS	100% + 100%
ENTRUSTED TO THE PUBLIC WITH SPECIAL BELOW GROUND	100% + 100%
TOTAL REQUIRED PER LOT	100%
TOTAL, MAXIMUM PER LOT	100%

EXISTING C.O. and CONSTRUCTION DATES:

LEADS #1 -	INFORMATION PROVIDED TO BUREAU, HATFIELD (B) - CONDUCTED SEARCH FOR CERTIFICATE OF OCCUPANCY (C.O.)
LEADS #2 -	ORIGINAL BUREAU BUREAU CONDUCTED SEARCH FOR PROHIBITORY REQUIREMENTS. BUREAU CONDUCTED SEARCH FOR PROHIBITORY REQUIREMENTS.
LEADS #3 -	MADE BUREAU CONDUCTED SEARCH FOR PROHIBITORY REQUIREMENTS. BUREAU CONDUCTED SEARCH FOR PROHIBITORY REQUIREMENTS.
LEADS #4 -	ORIGINAL BUREAU AND BUREAU #2 BUREAU CONDUCTED SEARCH FOR PROHIBITORY REQUIREMENTS. BUREAU CONDUCTED SEARCH FOR PROHIBITORY REQUIREMENTS.

SITE LAYOUT NOTES:

[illegible]

LOCATION MAP

[illegible]

REQUEST FOR WAIVERS:

- THE FOLLOWING PHASES OF GROWTH IN THE PLANT APPROVAL DIRECTION TO-40 ARE REQUESTED:
1. PHASE OF DIAGNOSTIC ANALYSIS.
  2. PHASE OF TREE PLAN.
  3. PHASE OF TENDRILS AND STUMP SURVEY AS THE SITE IS LOGICALLY TESTED WITH A SLIGHT SLURF TO THE SOURCE.
  4. PHASE OF TENDRILS SURVEY ALONE DURING AN IMPROVED SKEET.
  5. PHASE OF TENDRILS SURVEY ALONE DURING AN IMPROVED SKEET.

OWNER/APPLICANT APPROVAL

TOWN of KENT PLANNING BOARD

THIS STATE PLAN WAS APPROVED BY A RESOLUTION OF THE PLANNING BOARD ON \_\_\_\_\_ DATE OF \_\_\_\_\_ 20\_\_\_\_.

PLEASE SEE TO ALL REQUIREMENTS AND CONDITIONS OF SAID APPROVAL. ANY CHANGE THEREIN NOTIFICATION OF REVISION OF THIS STATE PLAN MUST BE FURNISHED THE PLANNING BOARD SMALL REVISIONS TWO STATE PLAN VOLS AND NO OF OTHER \_\_\_\_\_

SIGNED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_.

CHRIS' AUTOMOTIVE  
394-34 ROUTE 52  
TOWN OF KENT  
PUTNAM COUNTY, NEW YORK  
TAX MAP 3318, BLOCK 1, LOT 12

AMENDED SITE LAYOUT  
PLAN

011-5

# LRC PLANNING SERVICES, LLC

LAND USE/REAL ESTATE/ENVIRONMENTAL CONSULTING

8 MOREHOUSE ROAD  
POUGHKEEPSIE, NEW YORK 12603-4010  
TELE: 845-452-3822  
FAX: 845-452-3346

## MEMORANDUM

TO: Town of Kent Planning Board  
From: Neil A. Wilson  
Date: January 8, 2015  
Re: Chris' Automotive Repair  
Amended Site Plan Approval

With reference to the above matter, we have reviewed the materials submitted by the applicant's consulting architect via letter dated December 22, 2015 and offer the following for the Board's consideration:

### Application Completeness Review

1. To assist the Planning Board and the applicant as to the completeness of this most recent submittal the following checklist from §77-60(F) of the Zoning Law along with our analysis as to completeness/incompleteness is offered:

- a. *The site plan shall use as a base map an accurate boundary and topographic survey of the property depicting all existing improvements and grades prepared by a New York State licensed land surveyor.*

Comment: This item is complete.

- b. *The plan shall depict all proposed improvements and shall be prepared by a professional engineer, a landscape architect, or an architect licensed by the State of New York and shall include the following information:*

Comment: This item is complete.

- c. *A location map, at a convenient scale, showing the applicant's entire property and all boundaries, easements and streets within 500 feet thereof.*

Comment: This item is complete.

- d. *The location, size, use and architectural design of all existing buildings and structures.*

Comment: This item is complete.

- e. *The location of all property lines and structures within 200 feet of the property boundary, with topography extended 50 feet outward from the site property boundary and 200 feet outward along existing roads.*

Comment: This item is complete.

- f. *Any proposed division of buildings into units of separate occupancy.*

Comment: This item is complete.

- g. *Existing topography and proposed grade elevations at a contour interval of not more than two feet, unless waived by the Planning Board, soil types, wetlands and watercourses, one-hundred-year floodplains, bedrock outcrops, slopes in excess of 10%, and the location of trees with a diameter of eight inches dbh and greater.*

Comment: Waivers for a sidewalk along Route 52, a biodiversity study, and a tree survey were granted at the November 10, 2011 Planning Board meeting. A waiver for a drainage analysis and topography was granted at the February 9, 2012 Planning Board meeting. This item is complete.

- h. *The location and capacity or number of all existing and proposed roads, driveways, parking and loading areas, including access and egress drives.*

Comment: The parking spaces in the front yard will be removed which will bring the site plan into conformity with the zoning law requirements. This item is complete.

- i. *The location of outdoor storage areas.*

Comment: The final site plan will include proper provisions for fencing to avoid encroachment of vehicles and machinery onto adjoining property. This item is complete.

- j. *The location of fire access roads and fire protection features.*

Comment: Pending verification by the Town Fire Inspector that deficiencies have been either corrected or will be corrected this item is incomplete.

- k. *The location, description and design of all existing and proposed site improvements, including pavement, walkways, curbing, drains, culverts, retaining walls, fences, parks, open spaces, and recreation areas.*

Comment: This item is complete.

- l. *The location, design and description of water supply and sewage disposal facilities.*

Comment: This item is complete.

- m. *The location, design and description of stormwater management facilities, including proposed grading plan.*

Comment: This item is complete.

- n. *The location, height, size and design of all signs.*

Comment: This item is complete.

- o. *The location, height, and species of landscape plantings on a landscape plan.*

Comment: This item is complete.

- p. *The location and design of lighting and communication facilities.*

Comment: This item is complete.

- q. *The location, type and design of all waste and refuse storage and handling facilities.*

Comment: This item is complete.

- r. *The character and location of all power distribution and transmission lines.*



Comment: This item does not appear to be relevant to the project.

- s. *The location and description of all subsurface site improvements and facilities.*

Comment: This item does not appear to be relevant to the project.

- t. *The extent and amount of cut and fill for all disturbed areas, including before-and-after profiles of typical development areas, parking lots, driveways and roads.*

Comment: This item does not appear to be relevant to the project.

- u. *Adequate provisions for the handling of stormwater runoff, including retention/detention, piping or channeling to existing or proposed drainage systems during and after construction.*

Comment: This item is complete.

- v. *Phasing of development, if any.*

Comment: This item is complete.

- w. *A signature block for Planning Board endorsement of approval.*

Comment: This item is complete.

- x. *The name and address of the owner of the property proposed for development along with the signature of said owner.*

Comment: An owner signature block is provided but is unsigned. This item will be completed prior to Chairman's signature.

- y. *The name and address of the applicant, if different, along with the signature of said applicant.*

Comment: This item is complete.

- z. *At the request of the Planning Board, any other pertinent information as may be deemed necessary to determine and provide for the proper enforcement of this Chapter.*

Comment: This item is complete.

### SEQRA

1. The project is a Type II Action under SEQRA and that no further environmental review is required.

### Comments on the Site Plan

1. The amended plan includes the items discussed with the applicant's consulting engineer on December 19, 2015. We have no further comment.
2. We defer to the Planning Board's Environmental Consultant regarding cleanup and removal of debris that may have been deposited into any Town wetland or wetland buffer.
3. We defer to the Planning Board's Professional Engineer as to any remaining drainage, water supply, or sewage disposal issues.

**Recommendation**

1. Assuming the Board finds the revised plan acceptable the Board should decide whether to convene a public hearing. Based on the nature of the changes to the plan we do not see the need for a public hearing but that is a decision for the Board.
2. We believe that the plan is complete for the Planning Board to consider issuing conditional Amended Site Plan Approval but defer to Julie Mangarillo and Bruce Barber as to whether they agree.



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

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

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

# Memorandum

To: Planning Board  
Town of Kent

Attn: Michael McDermott  
Chairman

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

Subject: January 2015 Agenda  
12/19/2014 site visit and  
Bond release request

Date: January 8, 2015

Project: Hillcrest Commons  
TM #44.10-1-4

## Reference drawings:

- Asbuilt Survey of Property Prepared for BBJ Associates, LLC, prepared by Insite Engineering, Surveying & Landscape Architecture, P.C., dated July 2, 2012
- Hillcrest Commons Senior Housing Development Amended Overall Site Plan drawing set, prepared by Insite Engineering, Surveying & Landscape Architecture, P.C., last revised December 20, 2010

A site visit was conducted on 12/19/2014. This was the two-year follow-up to the stormwater management and stabilization inspection conducted on 12/6/2012.

## The following observations are noted:

1. There are a couple of spots in the grassed shoulder along the road where the grass hasn't fully filled in. The most noticeable is near the entrance from Rt 52, on the south side of the road, over the culvert. While this section is actually in Town of Carmel, it is a good example and should still be repaired. There are other spots along the road shoulder that will probably need some topsoil in order to get the grass to grow.
2. The grassed slope on the south side of the road, as you approach the cul-de-sac – There are visible grading lines across the slope with no grass. The pebbles/stone of the subsoil are visible. These lines will likely need some topsoil in order to get grass to grow.
3. The biggest concern is there appears to be a channel or swale that has formed at the bottom of the slope, along the edge of the wooded area. There is evidence of erosion. At the top of the swale, it looks like there is a pipe, perhaps a roof or footing drain. This pipe could not be located on the grading & utilities plan. The "riprap" is noted on the as-built, which could be for the pipe. This pipe may need some additional outlet stabilization and the swale itself looks like it needs some stabilization or check dams to slow the water down. This eroded swale is directly contributory to the stormwater basins.
4. The stormwater basins themselves looked to be in good condition and fully vegetated.

Refer to attached marked up sketches regarding the site visit observations.

We have spoken with the project sponsor and project engineer regarding these items. The project sponsor has agreed to make the repairs in the spring.

Memorandum  
Hillcrest Commons  
Bond release request  
January 8, 2015  
Page 2 of 2

The following is offered for consideration by the Planning Board:

The applicant is requesting release of the \$67,380 bond held by the Town of Kent. Based on the observations during the 12/19/2014 site visit, we recommend \$2,000 of the bond continue to be held by the Town, with the remaining \$65,380 returned to the applicant.

The NYSDEC Notice of Termination (NOT) has not been filed for this project. It is our understanding that a future phase is planned in the Town of Carmel. Because the work in Town of Kent and Town of Carmel were done under a single Notice of Intent (NOI), the NOT cannot be filed until all work, including work in Carmel, is completed.

For the Notice of Intent, both Town of Carmel and Town of Kent provided MS4 SWPPP Acceptance Forms. Similarly, both Town of Carmel and Town of Kent will have to sign off on the Notice of Termination before it is filed with NYSDEC.

It has not been the practice of the Town of Kent to release the entire bond amount until after the NOT is filed with NYSDEC. After the repairs noted above are made, we recommend some amount of bond money continue to be held until the Notice of Termination is filed.

Please let us know if you have any questions.

  
Julie S. Mangarillo, P.E., CPESC

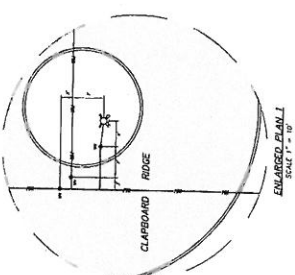
Enclosure: Marked up sketches

cc: Planning Board via email  
Bill Walters via email  
John Bainlardi via email  
04-261-111

Bruce Barber via email  
Neil Wilson via email  
Insite Engineering via email



**Lot E-2.2**



Prepared by

**ON SITE**  
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