

**Town of Kent Planning Board**

Approved: April 10, 2014

**Minutes  
Town of Kent Planning Board Meeting  
March 13, 2014**

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  
Anthony Mastrangelo (Alternate)

Arthur Singer (Alternate)  
Charles Sisto  
Philip Tolmach  
Glenna Wright

**Others in attendance:**

Bruce Barber, Environmental Consultant  
Bill Walters, Town of Kent Building Inspector

Julie Mangarillo, Engineering Consultant

**Absent:**

Janis Bolbrock

• **Hilltop Estates (Kent Development Corp), Peckslip Road, Kent, NY; TM: 12.-1-38 & 42**

This was a re-opening of the Public Hearing on this project. Jaime Kieper represented the owners of this property.

Bruce Barber's Comments (memo attached)

Mr. Barber said that he wanted to inform the Planning Board that there was a lot line adjustment between lots 12.-1-38 and 42 and deferred to Mr. Wilson to address that as to how to address SEQR regulations pertaining to this. The applicant is waiting for a response from the DEP to determine if there is a jurisdictional watercourse on the property. Mr. Barber said that he was working with Jaimie Kieper in developing a tree plan.

### Julie Mangarillo's Comments (memo attached)

Ms. Mangarillo's comments regarded signage, monuments and a site distance analysis. She said that on the revised plans there was a separate access point across lot 10 to get to the stormwater management area and she had requested additional details and wants the applicant to work with the Highway Superintendent to coordinate the curb cuts onto a town road. She asked that a note be placed on the plans pertaining to the letter from the Highway Superintendent about removing boulders to improve site distance.

Ms. Mangarillo deferred to Bill Walters, Chief of the Lake Carmel Fire Department, for the comments from the Fire Department (memo attached). Mr. Walters said that they are not opposed to the subdivision going in and discussed the following waivers:

- 1) Increasing the length of the cul-de-sac from 800' to 1,380'
- 2) Reserve area at the end of the cul-de-sac for a possible driveway
- 3) The width reduced from 24' to 20' with 2' shoulders

The Fire Department had no problem agreeing to waivers 2 and 3, however they did have a problem with Waiver number 1. Due to water requirements the length of the proposed roadway would make it difficult to provide an adequate supply of water in case of an emergency. Mr. McDermott asked if a 30,000 gallon water holding tank was installed if the Fire Department would consider granting the waiver allowing the applicant to increase the length of the cul-de-sac to 1,380' and Mr. Walters said that they would. Mr. Walters said that he suggested that a 30,000 gallon holding tank that's well-fed and a dry hydrant be placed in the center of the development, as had been done in other developments in the area. He said that the insurance rates on the proposed homes would also be significantly lower if this were done. He also suggested the possibility of the homeowners installing sprinkler systems.

### Neil Wilson's Comments (no memo)

Mr. Wilson said he had not prepared a memo on this project and that it was on the Town Board Agenda to be held on Tuesday, March 18, 2014 to discuss the possibility of the Town accepting part of the open space area of the property for recreational use. Mr. McDermott asked Mr. Wilson about the installation of sprinkler systems if the applicant decided to do so how it would be enforced. Mr. Wilson said that notes would have to be placed on the plats and that covenants would have to be included on the deeds that the homeowners would be responsible to install the systems and maintain them.

Mr. Curt Fuchs, who resides at 174 Church Hill Road, asked to be heard regarding this project. He had concerns about access to the pond where there is a septic system noted on the map. He had said that he had concerns about the ponds and piping which he felt would impact his property. Mr. Fuchs also said that lot 10 had a septic system on it which might be damaged by vehicles accessing the ponds. Ms. Mangarillo said she had recommended a split rail fence be put on the property to protect the septic system. She said that the infiltration system and design of the ponds would keep them from overflowing. Ms. Wright asked if there were any regulations about how close a pond could be built from a property line and Ms. Mangarillo said that there was not.

Mr. McDermott asked for a motion to adjourn the Public Hearing for this property until April. The motion was made by Mr. Tolmach and seconded by Mr. Brunner. 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>
Anthony Mastrangelo (Alternate)	<u>Aye</u>
Charles Sisto	<u>Aye</u>
Philip Tolmach	<u>Aye</u>
Glenna Wright	<u>Aye</u>

The motion carried.

• **Lakeview Church, Route 52, Carmel, NY; TM: 33.18-1-14**

Mr. Jack Karrel represented the applicant, Reverend Brian McIntyre, who also attended the meeting.

Mr. Bruce Barber's Comments (memo attached)

Mr. Barber said that there had been discussions about an existing well scheduled to be abandoned being used for fire suppression. Mr. Karell said he had advised the Board of Health that they intended to abandon the well and that the fire suppression equipment would be self-contained inside the building and they had no objections. There is no need for a Town of Kent Wetland Permit.

Ms. Julie Mangarillo's Comments (memo attached)

Ms. Mangarillo said that the applicant would have to consult with the Lake Carmel Fire as to what type of Knox Box would be required and where it should be installed. She stated that the applicant intended to use the existing septic system until they could hook up to the town sewer system and had a letter from the Health Department that they had no objection to doing this. She recommended the applicant check the sewer use law to ensure that the details for the sewer lateral match and make notes when they switch over to the Route 52 sewer main the existing system be de-commissioned and provide certification to the Town that this has been done. Other comments Ms. Mangarillo pertained to the poor site distance of the driveway and that Mr. Karrel had been working with the NYSDOT regarding this issue. The guide rail was to be moved back to improve site distance and she wanted to ensure that this was definitely part of the plan. Excell Printing had a drainage easement, which she wanted to be shown on the revised plan. Jack Karrel said he had met with Mr. Lance McMillan, the Regional Engineer at the NYSDOT office on Ludingtonville Road, and that the guide rail would be moved back by the CIRCON contractor or the church as part of the site plan approval under a permit from the DOT. He said they also discussed raising the elevation at the driveway entrance approximately 8-12" to improve site distance under the DOT permit by the CIRCON contractor when he puts the piping in for the sewer system. He said that he would provide the permits when he got them and would put the necessary note on the plans.

Mr. Neil Wilson's Comments (memo attached)

Mr. Wilson had circulated a memo including drafts of a Negative Declaration and Site Plan Approval Resolution. He said that he felt the change of use pertaining to traffic was that there would be no significant impact to Route 52. Neil Wilson said that with respect to the plans, in his opinion the applicant had responded to comments he had made as well as those made by Mr. Barber and Ms. Mangarillo to their satisfaction and that the Planning could take action to approve the plans with the caveat as to whether or not they wished to waive a Public Hearing. Mr. McDermott asked Mr. Wilson what the conditions of approval would be and he responded that the conditions were listed on Page 2 of the Site Plan Resolution (attached). He also said additional notes needed to be added to the plan and payment of application fees. Mr. McDermott said there was some question about whether or not a chain link fence was shown on the plan. Neil Wilson said he believed it was shown on the site plan for Excell printing because it was ton top of their retaining wall. Mr. McDermott advised Reverend McIntyre that they would have to contact the Building Inspector and he said he had already done that.

Mr. McDermott asked for a motion to waive a Public Hearing. The motion was made by Mr. Mastrangelo 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>
Anthony Mastrangelo (Alternate)	<u>Aye</u>
Charles Sisto	<u>Aye</u>
Philip Tolmach	<u>Aye</u>
Glenna Wright	<u>Aye</u>

The motion carried.

Mr. McDermott asked for a motion to adopt the Negative Declaration as presented and that an Environmental Impact Statement (EIS) would not be required. 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>
Anthony Mastrangelo (Alternate)	<u>Aye</u>
Charles Sisto	<u>Aye</u>
Philip Tolmach	<u>Aye</u>
Glenna Wright	<u>Aye</u>

The motion carried.

Mr. McDermott asked for a motion to grant a conditional Site Plan Approval Resolution. The motion was made by Mr. Tolmach and seconded by Mr. Brunner. 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>
Anthony Mastrangelo (Alternate)	<u>Aye</u>
Charles Sisto	<u>Aye</u>
Philip Tolmach	<u>Aye</u>
Glenna Wright	<u>Aye</u>

The motion carried.

- **Morini Property, China Paper Circle, Kent, NY; TM: 42.18-1-2**

Ms. Mangarillo reminded the Planning Board that they had discussed and granted a number of waivers for the private road from the rural road specifications and that some of the waivers discussed had not made it into the Resolution for the waivers. She attached a table to her memo with the list of the waivers which still needed to be granted. Mr. McDermott asked for a motion to amend the list of waivers granted in February. Mr. Tolmach made the motion and it was seconded by Mr. Mastrangelo. 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>
Anthony Mastrangelo (Alternate)	<u>Aye</u>
Charles Sisto	<u>Aye</u>
Philip Tolmach	<u>Aye</u>
Glenna Wright	<u>Aye</u>

The motion carried.

- **Frangel Realty, Route 52, Kent, NY; TM: 33.48-1-6**

This project was for the upgrade for their connection to the Route 52 sewer system. They are different from most of the other properties because they will have three buildings hooking up to one manhole into the sewer system because each building does not have its own lateral connecting to the sewer system. It has to go to the Town Board for their approval and is on their agenda for March 18, 2014. An open item is their erosion control bond. Mr. McDermott asked for a motion to forward a recommendation to the Town Board that they accept an erosion control bond in the amount of \$10,500.00 as prepared in HDR's estimate dated January 23, 2014. The motion was made by Mr. Brunner 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>
Anthony Mastrangelo (Alternate)	<u>Aye</u>
Charles Sisto	<u>Aye</u>
Philip Tolmach	<u>Aye</u>
Glenna Wright	<u>Aye</u>
The motion carried.	

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

- Scott Frey (Zappolo Property)	Erosion Control/	Status Report
Bowen Road, Kent, NY	Wetland Permit	
TM: 22.-1-24		

Mr. Wilson said that Mr. Frey had provided a copy of the deed to his property and other documents necessary for recording purposes as well as a paper and mylar drawing of the revised lot line map – which would need to be signed and recorded with the Putnam County Clerk. He had forwarded all the documents to the Town Attorney the week of March 6, 2014 for him to review. He stated that it would be on the Town Board agenda on March 18, 2014 for their acceptance. He said that fees needed to be collected and they would be done.

- Boccia Property	Erosion Control	Status Report
Beach Court, Kent, NY		
TM: 21.-1-16		

Awaiting resubmittal.

- Buckley Property 12 Par Court, Carmel, NY TM: 42.7-1-20	Erosion Control/ Driveway Variance	Status Report
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Awaiting resubmittal and it was referred for administrative review and this project is almost completed.

- Kent Materials (Mountain View) Route 52, Kent, NY TM: 12.-1-44	Amend Site Plan	Status Report
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Ms. Mangarillo is working with the Planning Board attorney to prepare the paperwork for the bond and no action is required at the present time.

Mr. McDermott asked for a motion to adjourn at 8:20 and the motion was made by Phil Tolmach and seconded by Anthony Mastrangelo. 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>
Anthony Mastrangelo (Alternate)	<u>Aye</u>
Charles Sisto	<u>Aye</u>
Philip Tolmach	<u>Aye</u>
Glenna Wright	<u>Aye</u>

The motion carried.

Respectfully Submitted,



Vera Patterson  
Planning Board Secretary

cc: Planning Board Members  
Building Inspector  
Town Clerk