

Minutes
Town of Kent Planning Board Meeting
January 10, 2019
FINAL MINUTES

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

In attendance were the following Planning Board members:

Phil Tolmach, Chairman	Dennis Lowes
Simon Carey	Stephen Wilhelm
Giancarlo Gattucci	

Absent:

Charles Sisto	Julie Mangarillo, Engineer Consultant
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Others in Attendance:

Liz Axelson, Planner
Bruce Barber, Environmental Consultant
Bill Walters, Kent Building Inspector

• **Approve Planning Board Minutes from November 8, 2018**

Mr. Tolmach asked for a motion to approve the minutes for the November 8, 2018 meeting. The motion was made by Mr. Carey and seconded by Mr. Wilhelm. The roll call votes were as follows:

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

The motion carried.

• **REALBUTO PROPERTY, 49 TIGER TRAIL, KENT, NY; TM: 21.8-1-39**

Mr. John Karell, who represents the applicant did not attend the meeting.

Mr. Barber's Comments (memo attached)

Mr. Barber said that the results from the applicant's engineer regarding the recent soil testing, which indicated a slightly elevated level of mercury in the soil. Mr. Barber discussed this with representatives of solid waste program at NYSDEC management and, since the surrounding community and subject property will have a potable well, the materials should be referred to the Department of Health and NYCDEP. Mr. Barber stated that Ms. Mangarillo, who was not in attendance, agreed with his recommendation. Mr. Barber asked the Planning Board Chairman to advise the applicant to follow his recommendation, which he did.

Town of Kent Planning Board Minutes
January 10, 2019

Ms. Axelson's Comments (memo attached)

Ms. Axelson advised the Planning Board that the only action to be taken on this matter was to keep the Public Hearing open.

Mr. Lento, a neighbor of the subject property, sent a letter to the Board with his concerns and had received the answers the morning of the meeting. He contends that the property is non-conforming lot and according to Town Code, and should not be considered grand-fathered. Regarding cutting trees, Mr. Lento asked why they needed to cut the existing trees. Water will still go under the retaining wall and will go onto his property and invade his leach fields. Mr. Lento said that the existing house is 1,945 square feet and the applicant says that the plans for the proposed house show that it should be 2,745 square feet. However, the plans submitted to the Planning Board shows the following:

- The first floor is 2,781 square feet;
- The second floor is 2,180 square feet;
- The basement is 2,781 square feet; and
- The total square footage will be 7,742 square feet

Mr. Lento said that he had been asking to have the soil tested for two years.

Ms. Axelson said that there still are comments to be addressed from the three consultants. Her concerns pertained to lot area and the front yard. The lot area is pre-existing, non-conforming and the development or re-development of the lot should conform with the other lot and bulk requirements for the R-40 district. She requested that this information be put on the plans.

Mr. Barber said that he recommended the older trees be retained and that he thought that was agreed upon, but he would check into it further.

Mr. Tolmach asked for a motion to adjourn the Public Hearing to February. The motion was made by Mr. Gattucci and seconded by Mr. Wilhelm. The roll call votes were as follows:

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

The motion carried

- **RANERI PROPERTY, HILLSIDE PAPER RD., KENT, NY; TM: 44.24-1-3**

Ms. Axelson's Comments (memo attached)

Ms. Axelson said that there are outstanding comments from Bruce Barber, Julie Mangarillo (from October 5, 2018 memo) and herself that have not been addressed. Mr. Battistoni, Kent Planning Board Attorney, sent a memo with questions requesting title search pertaining to ownership of the three properties on this road. These reports are essential and the project should not move forward until they are resolved. No further action was taken on this project.

Mr. Barber's Comments (memo attached)

Mr. Barber said that the soil testing had not been done in the exact location of protocols. He requested a map. The tests indicated that there were several semi-volatile organic compounds which were above the unrestricted levels per the NYSDEC. Mr. Barber spoke to the representatives from NYSDEC and they recommended that the materials should be referred to the Department of Health and NYCDEP for their recommendations pertaining to this project.

- **FREGOSI PROPERTY, KENTVIEW DR., KENT, NY; TM: 10.20-1-69**

Mr. Joseph Fregosi, the owner of this property, attended the meeting and said he proposes to build a house on Miller Hill Road and had some comments that are yet to be addressed and asked that this matter be held over until February.

Mr. Barber's Comments

There are wetlands on this site and he will inspect the property in the near future.

Ms. Axelson's Comments

Ms. Axelson said she had some zoning comments and recommended no action be taken until the next meeting.

- **FREGOSI/MARINELLI PROPERTY, MILLER HILL RD., KENT, NY; TM: 10.-1-17**

The Planning Board is waiting for a new submittal on this project.

Ms. Axelson said that this project was being handled administratively. The Planning Board is waiting for comments from Ms. Mangarillo and Mr. Barber which were submitted in September, 2018. No action was to be taken on this project.

- **ROBERT DAVIS PROPERTY, 1155 BARRETT CIRCLE W., KENT, NY; TM: 42.11-1-24**

There was no one present to represent this applicant.

Ms. Axelson said that there are still some zoning comments to be addressed pertaining to this property and that the applicant realized that there was a need for a variance as she suggested. Ms. Axelson said the applicant requested a denial from the KPB, but that there was no need for one per Chapter 66.A.10 (c) in the middle of the paragraph. Ms. Axelson suggested that the Planning Board should make a motion to refer this project to the ZBA.

Mr. Tolmach asked for a motion to refer this project to the Zoning Board of Appeals. The motion was made by Mr. Lowes and seconded by Mr. Wilhelm. The roll call votes were as follows:

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

The motion carried.

- **P & G FARM, 29 SCHRADE RD., KENT, NY; TM: 11.-2-44.2**

Mr. John Watson, of Insite Engineering, represented the applicant, but did not speak.

Mr. Barber's Comments and Ms. Mangarillo's Comments (memo attached)

Mr. Barber advised the Planning Board that he and Ms. Mangarilo had inspected the property and found that it was stabilized. The time period to release a bond is two years after the date of certification of stabilization, however, under certain circumstances the Board has reduced the time to one year. Mr. Barber said that he recommended that the cover go through the winter to see it was going to be viable on the site. The certificate of occupancy has not been granted yet and the Building Inspector has some questions about that. Mr. Barber said that Ms. Mangarillo agreed to sign off on the Stormwater MS4 Acceptance Form and Notice of Termination if the applicant certifies that there will not be any additional site disturbance pertaining to this application. Mr. Watson said that he spoke to the owner of the property and said that due to the tornado storm damage was done and she was repairing it and would be getting back to Mr. Walters to do a final inspection.

- **KENT MATERIALS, NYS RTE 52., KENT, NY; TM: 12.-1-44**

Mr. John Watson, of Insite Engineering, represented the applicant. Mining aspects of this project has been completed and the sign off from the DEC has been done and the applicant received a bond back from them. Several entities are interested in purchasing this property and the applicant is requesting that his erosion control and stormwater bonds be returned prior to the sale of the property and the applicant will post a \$50,000 erosion control contingency bond.

Mr. Barber's Comments and Ms. Mangarillo's Comments (memo attached)

Mr. Barber said that the applicant has a \$75,185.00 bond that they want to reduce to \$50,000.00 which was agreed to for a contingency plan. A site inspection has to be done to ensure that the property is stabilized and they will do so shortly.

- **KENT SELF STORAGE/FARMERS PRIDE, 164 RTE. 311, KENT, NY; TM: 22.-2-33**

Ms. Axelson's Comments (memo attached)

Ms. Axelson said that all of the comments regarding this property have been addressed and that the drawings were ready to be signed.

- **LIMNI RESTAURANT, 47 RTE 311, KENT, NY; TM: 22.82-1-58**

Ms. Axelson's Comments

Ms. Axelson said she previously thought that this property was in a residential district, but was told by Mr. Walters that it was in a commercial district and the sign was the proper dimension. Ms. Axelson recommended that the sign be approved.

Mr. Tolmach asked for a motion to approve the sign as it was submitted. The motion was made by Mr. Carey and seconded by Mr. Wilhelm. The roll call votes were as follows:

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

The motion carried.

- **RIENZI PROPERTY, KENTVIEW DR., KENT, NY; TM: 10.20-1-51**

Mr. Martin Stejskal, of Architectural Visions, represented the applicant. Mr. Stejskal requested a driveway waiver of the slope of the driveway and (per Ms. Mangarillo's 1/9/19 memo) the transition space between the parking pad, the driveway and slope of the driveway.

Mr. Barber's Comments (memo attached)

Mr. Barber said that he and the Town Engineer recommended granting the waiver requested.

Ms. Axelson's Comments)

Ms. Axelson stated that, as recommended by Ms. Mangarillo, a waiver of 14.2% be authorized and a waiver of less than 30 feet of driveway at less than 3% slope the Board should make a motion granting this waiver.

Town of Kent Planning Board Minutes
January 10, 2019

Mr. Tolmach asked for a motion to grant the waiver as noted above. The motion was made by Mr. Wilhelm and seconded by Mr. Lowes. The roll call votes were as follows:

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

The motion carried.

Mr. Stejskal asked what the next step would be. Ms. Axelson said that Ms. Mangarillo would let him know how to proceed. This project was now on the administrative track.

- **BOURGEOIS PROPERTY, 100 LAKESHORE DR., KENT, NY; TM: 33.58-1-9**

Mr. Dan Ciarci, of Ciarci Engineering, represented the applicant. This project consists of construction of a residence on this property. The applicant has received Board of Health approvals for a well and septic system. Another submission will be required based upon comments from the Planning Board consultants.

Mr. Barber's Comments (memo attached)

Mr. Barber recommended that this property be stabilized and that a new plan be submitted. If the proposed disturbance is within 100' of Lake Carmel a Kent Wetland permit will be required.

Ms. Axelson's Comments (memo attached)

Ms. Axelson noted that Ms. Mangarillo had sent a 5 page memo with comments regarding this property which needed to be addressed. She did not recommend any action be taken until a new submittal was delivered.

- **ROUTE 52 DEVELOPMENT/P SCOTT, RTE 52, KENT, NY; TM: 12.-1-52**

Mr. Caruso and Mr. Scott represented the applicants. Mr. Caruso said that the applicants had retained the services of a Planner, Patrick Cleary of Cleary Consulting, to assist them in scoping and DEIS preparations. Mr. Caruso and Ms. Axelson felt it best to wait until the next meeting when Mr. Cleary was able to attend the meeting to discuss this further.

Mr. Scott said that one component he would like to discuss with Ms. Axelson was the fact that there are really no bodies of water in some areas of the site which will be disturbed. The second component of concern is the impacts on groundwater. An approved water system was done already pertaining to this project. There was also a comment about water and sewer systems for residential uses, which is not applicable.

Ms. Axelson's Comments (memo attached)

Ms. Axelson said that the reason a FEAF Part 2 was prepared was that it was a tool for assessment. The next step would be to draft a SEQRA Positive Declaration which states that an EIS would be required. Ms. Axelson reviewed the comments submitted and referred to a comment that a new body was not created – and had no problem changing that item. Regarding impacts on water bodies – Ms. Axelson said a new wetland had been found on the site, which Mr. Barber also noted. Mr. Barber said that it needed to be investigated further. Mr. Wilhelm said that the Board would have to discuss this matter further and would have concerns about truck traffic and air quality. Mr. Scott said that the project would be broken down into two separate phases/studies. Ms. Axelson asked for the Planning Board's authorization to draft a SEQRA Determination of Significance. She would distribute this as soon as it is completed and she would also be working on the scoping document. Messrs. Caruso and Scott agreed with the recommendations made by Ms. Axelson, Mr. Barber and Ms. Mangarillo. Mr. Scott asked the Board to also authorize them to allow Mr. Cleary to work with Ms. Axelson. Ms. Axelson said she would like to first work with Ms. Mangarillo and Mr. Barber and then to work with Mr. Cleary.

• **Putnam Nursing & Rehabilitation Center Addition, 404 Ludingtonville Rd., Holmes, NY; TM: 12.-3-40 & 41**

Ms. Axelson asked the Planning Board to refer this matter to the Town Board. She asked for a motion to send the March 3, 2015 memo and attachments along with her December 11, 2018 memo to the Board for discussion of a Zoning text amendment to allow nursing homes to function in the R-80 zone.

Mr. Tolmach asked for a motion to forward this matter to the Kent Town Board. The motion was made by Mr. Gattucci and seconded by Mr. Carey. The roll call votes were as follows:

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

The motion carried.

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

- | | | |
|---------------------|----------------------|---------------|
| • Roncallo Property | Erosion Control Plan | Status Report |
| Tibet Dr., Kent, NY | | |
| TM: 30.20-1-15 | | |

Mr. Barber said that there are just a few comments from Ms. Mangarillo and felt that this was close to being ready for Chairman's signature. Ms. Axelson said that there was no further action to be taken at this time.

Town of Kent Planning Board Minutes
January 10, 2019

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

Waiting for new submittal.

- | | | |
|---|--------------------|---------------|
| • Patterson Crossing
Route 311, Kent, NY
TM: 22.-2-48 | Site Plan Approval | Status Report |
|---|--------------------|---------------|

Memos from Mr. Contelmo had been sent to the Planning Board consultants who were moving forward in reviewing them.

- | | | |
|---|---|---------------|
| • John Murtaugh
1250 Peekskill Hollow Rd.,
Kent, NY
TM: 42.-2-51 | Erosion Control Plan/
Wetland Permit/Subdivision | Status Report |
|---|---|---------------|

Mr. Murtaugh had dropped off revised drawings and there was no action to be taken at this time.

- | | | |
|--|----------------------|---------------|
| • Cabrera Property
126 Hortontown Rd., Kent, NY
TM: 19.-1-35 | Erosion Control Plan | Status Report |
|--|----------------------|---------------|

Nothing new

- | | | |
|--|---|---------------|
| • Boccia Property
Beach Court, Kent, NY
TM: 21.-1-16 | Erosion Control Plan/
Wetland Permit | Status Report |
|--|---|---------------|

Nothing new submitted/waiting for bond to be submitted

- | | | |
|--|---|---------------|
| • Dogward Bound
461 Richardsville Road, Kent, NY
TM: 30.12-1-1 | Erosion Control/
Site Plan/Accept Bond | Status Report |
|--|---|---------------|

New material was submitted for February meeting.

- | | | |
|--|-------------|---------------|
| • Rodriguez/Olson
104 Smalley Corner Road, Kent, NY
TM: 21.-1-10 | Subdivision | Status Report |
|--|-------------|---------------|

Nothing new was submitted

- | | | |
|---|--|---------------|
| • Von Rosenvinge Property
451 Pudding St., Kent, NY
TM: 31.17-1-7 | Erosion Control Plan
for an In-Ground Swimming Pool | Status Report |
|---|--|---------------|

Nothing new had been submitted.

Town of Kent Planning Board Minutes
January 10, 2019

Mr. Tolmach asked for a motion to close the meeting at 9:00 PM. The motion was made by Mr. Lowes and seconded by Mr. Wilhelm. The roll call votes were as follows:

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

The motion carried.

Respectfully Submitted,



Vera Patterson
Planning Board Secretary
Respectfully Submitted,

cc: Planning Board Members
Building Inspector
Town Clerk

JANUARY 2019

KENT PLANNING BOARD AGENDA

Workshop: January 03, 2019 (Thursday, 7:30 PM)

Meeting: January 10, 2019 (Thursday, 7:30 PM)

- Approve Planning Board Minutes from November 2018
- Realbuto
49 Tiger Trail, Kent, NY
TM: 21.8-1-39 Erosion Control Plan/Bond
Public Hearing Continued Review
- Raneri Property
Hillside Paper Rd., Kent., NY
TM: 44.24-1-3 Erosion Control Plan/
Soil Test Review
- Robert Davis
1155 Barrett Circle W., Kent, NY
TM: 42.11-1-24 Lot Line Revision Review
- P & G Farm Corp.
29 Schrade Rd., Kent, NY
TM: 11.-2-44.2 Request to Release
Erosion Control Bond Review
- Kent Materials
NYS Rte. 52, Kent, NY
TM: 12.-1-44 Request to Release Bonds Review
- LIMNI Restaurant
47 Route 311, Kent, NY
TM: 22.82-1-58 Sign Approval Review
- Rienzi Property
Kentview Dr., Kent, NY
TM: 10.20-1-51 Erosion Control Plan/
Bond Pending Review
- Fregosi/Marinelli Property
Miller Hill Road, Kent, NY
TM: 10.-1-17 Erosion Control Plan Review
- Bourgeois Property
100 Lakeshore Dr., Kent, NY
TM: 33.58-1-9 Erosion Control Plan Review
- Route 52 Development/
Peder Scott Project
Route 52, Kent, NY
TM: 12.-1-52 SEQRA Review

**Town of Kent Planning Board Minutes
January 10, 2019**

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

- | | | |
|--|--|---------------|
| • Kent Self Storage/Farmers Pride
164 Rte. 311, Kent, NY
TM: 22.-2-33 | Amended Site Plan | Status Report |
| • Roncallo Property
Tibet Dr., Kent, NY
TM: 30.20-1-15 | Erosion Control Plan/
Bond Review | Status Report |
| • Fregosi Property
Kentview Dr., Kent, NY
TM: 10.20-1-69 | Erosion Control Plan | Status Report |
| • Gierer (Cargain) Property
43 Marie Road, Kent, NY 10512
TM: 22.-1-42 | Erosion Control Plan | Status Report |
| • Putnam Nursing &
Rehabilitation Center Addition
404 Ludingtonville Road, Holmes, NY
TM: 12.-3-40 & 41 | Erosion Control/Site Plan/
Wetland Permit | Status Report |
| • Patterson Crossing
Route 311, Kent, NY
TM: 22.-2-48 | Site Plan Approval | Status Report |
| • John Murtaugh
1250 Peekskill Hollow Rd., NY
TM: 42.-2-51 | Public Hearing/
Erosion Control Plan/
Wetland Permit/Subdivision | Status Report |
| • Cabrera Property
126 Hortontown Road, Kent, NY
TM: 19.-1-35 | Erosion Control Plan | Status Report |
| • Boccia Property
Beach Court, Kent, NY
TM: 21.-1-16 | Erosion Control Plan/
Wetland Permit | Status Report |
| • Dogward Bound
461 Richardsville Road, Kent, NY
TM: 30.12-1-1 | Erosion Control/
Site Plan/Accept Bond | Status Report |
| • Rodriguez/Olson
104 Smalley Corner Road, Kent, NY
TM: 21.-1-10 | Subdivision | Status Report |

Town of Kent Planning Board Minutes
January 10, 2019

- Von Rosenvinge Property Erosion Control Plan Status Report
451 Pudding St., Kent, NY
TM: 31.17-1-7 for In-Ground Swimming Pool

Rev. 1 Jan. 2019



Cornerstone Associates

Environmental Consultants

1770 Central Street

Yorktown Heights, NY 10598

Phone: (914)-299-5293

January 6, 2019

To: Planning Board

From: Bruce Barber
Town of Kent Environmental Consultant

Re: Bourgeois Application
100 Lake Shore Drive East
Section 33.58 Block 1 Lot 9

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

1. Town of Kent Planning Board Application executed by Joseph Fregosi dated 12/3/18.
2. Notice of Intent executed by Joseph Fregosi dated 12/3/18.
3. Short-form EAF (Part I) executed by Joseph Fregosi dated 12/3/18..
4. Plan entitled; "Septic Repair Replacement Plan prepared for David and Lucille Bourgeois" prepared by Ciarcia Engineering, P.C. dated 7/3/18, 2 sheets.
5. Plan entitled; "Proposed Foundation Plan and Wall Section prepared for David and Lucille Bourgeois dated 8/18/18, 1 sheet: A1.

Summary of Application:

Application is to reconstruct a single family, two bedroom residence and rebuild the existing septic system on a 0.23+/- acre parcel in an R-10 zoning district. The parcel is situated on the western side of Lake Shore Road

A: Environmental Review Comments:

Wetlands:

Lake Carmel is located across the street from the subject property and represents a New York State Department of Environmental Conservation (NYSDEC) and Town of Kent jurisdictional waterbody. The distance from the property to the lake edge is not shown. The applicant should indicate the location of the lake edge and the 100' setback from the lake edge to determine if a wetland permit is required.

Trees:

The applicant has not provided information regarding on-site protected trees.

Steep Slopes and Rock Outcrop:

None noted.

Land Disturbance:

Site inspection revealed virtually the entire site to be disturbed. Additionally there was a large soil stockpile on the site. Erosion and runoff on the site had accumulated in the catch basin in front of the property which directly discharges to Lake Carmel

Review of the above referenced plans does not indicate a limit of disturbance. It is recommended that the applicant provide a complete erosion and sediment control plan to reflect current site conditions in order to prevent future sediment discharge to Lake Carmel. The site requires immediate stabilization to be confirmed by inspection by the Town Engineer.

Well and Septic System: Well and septic system approvals from the Putnam County Department of Health have been provided.

Other:

- A copy of a property survey has not been provided.
- An Environmental Assessment Form (EAF) has not been provided
- The applicant is proposing to discharge the footing and roof drains to the catch basin located in the street which directly discharges to Lake Carmel. Roof water may have deleterious thermal effects on receiving waters and should not be permitted. Information regarding the access to the property (common driveway) has not been provided.
- Referral to the Town of Kent Highway Superintendent is recommended to review the proposed catch basin connection and pipe under the driveway.

This office defers to the Town Engineer regarding review of the SWPPP/erosion and sediment control plan and the Town Planner regarding zoning review.

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



Cornerstone Associates

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

January 6, 2019

To: Planning Board

From: Bruce Barber
Town of Kent Environmental Consultant

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100 Lake Shore Drive East
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Other:

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



ARCHITECTURE
ENGINEERING
PLANNING
CPLteam.com

MEMORANDUM

TO: Town of Kent Planning Board cc: Bill Walters
Julie Mangarillo
Bruce Barber
FROM: Liz Axelson, AICP
DATE: January 10, 2019
Bourgeois Erosion Control Plan, 100 Lake Shore Drive East, Tax Parcel No. 33.58-1-9 /
CPL# 14973.00-03

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. Based on my review I offer the following comments for the Board's consideration:

Summary

1. The proposal involves the erosion control plan for the construction of a single-family dwelling and other improvements to be made to a 10,000 square foot (SF, —0.23-acre) lot (see tax parcel listed above) in the R-IO (One Family Residence) zoning district.
2. My review is limited to the Zoning Requirements comments below. I defer to the Planning Board's Consulting Engineer and Environmental Consultant review for all other aspects of the project.

SEORA

3. My copy of the submittal did not include a Short EAF.

Zoning Requirements

4. Revise the zoning table of lot and bulk requirements to the plat corresponding to the R-10 district as follows:
 - a. Correct the alignment of the table rows.
 - b. Revise the table to reflect the zoning language regarding "nummm lot area"; delete extra text line ("mmimum size of lot").
 - c. Correct the maximum height to be 30 feet (30'), which is the correct requirement.
 - d. Revise the table to reflect that the proposed side yard setback appears to be 12' from the house, not 8'.
 - e. Add a note to the plans to state that utilities shall, unless unfeasible, be placed underground.

Recommendation

5. The Planning Board should direct the applicant to:
 - a. address the comments above; and b. provide additional information for a more complete application.
6. Since the application is not complete, no action is required by the Planning Board at this time.

If you have any questions please do not hesitate to contact me at 845-454-3411 ext. 21, or e-mail at eaxelson@CPLteam.com.

Materials Reviewed

- Application materials for Steep Slope and Erosion Control approval, submitted by Ciarcia Engineering, PC, with a cover letter December 20, 2018 with attached affidavits; certifications; and
- Plans prepare by Ciarcia Engineering PC, entitled and dated as listed below:
- Septic Replacement Plan, dated April 12, 2018, revised July 3, 2018



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

Memorandum

o: Planning Board
Town of Kent

Attn: Phillip Tolmach
Chairman

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

Subject: Erosion Control Plan

Date: January 9, 2019

Project: Bourgeois ECP 100 Lakeshore Dr
E
TM # 33.58-1-9

The following materials were reviewed:

- Cover letter prepared by Ciarcia Engineering, P.C., dated December 20, 2018
- Combined Application Form, signed 1/20/2018 including Agent of Owner affidavit, Certification of Professional Engineer, and Disclosure of Business Interest
- Letter from NYC DEP Wastewater Design Review EOH, dated 7/1/2018 • Letters from Putnam County Department of Health, dated 7/13 and 7/16/2018
- Application to construction a water well — illegible.
- Drawings prepared by Ciarcia Engineering, P.C., including o Septic Replacement Plan, revised 7/3/2018 o Septic Details, revised 7/3/2018 o Proposed Foundation Plan & Wall Section, revised 8/18/2018
- Architectural drawings prepared by Signature Building Systems of PA, LLC, revised 1/19/2018

The project proposes construction of a single family home to replace a previous single family home. The project also includes repair/reconstruction of the septic system. Information provided indicates the lot has Putnam County Health Department approval for well and septic. The parcel is 10,000 SF (0.23 Acres) with R-IO zoning.

Construction/reconstruction of the house and septic system disturbed more than 5,000 SF of land without an erosion control permit. The lot is located across the street from Lake Carmel. It is not clear if the disturbance is within 100 feet of the Lake.

The subject Erosion and Sediment Control Plan is not approved. The following comments are provided for the Planning Board's consideration:

1. The proposed project is within the NYCDEP East of Hudson watershed and will disturb more than 5,000 SF of land. A Town of Kent Erosion & Sediment Control Permit is

Memorandum

Bourgeois ECP 100 Lakeshore Drive East

TM # 33.58-1-9

January 9, 2019

Page 2 of 6

required as well as coverage under NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity, GP-O-15-002.

2. During a site inspection on 1/29/2018 at the request of the Building Inspector, the entire parcel, except for the house itself, was disturbed and disturbance extended to within the

Page 1 of 5

road right-of-way. A line of silt fence was observed in front of the house but had been knocked down. A stabilized construction entrance had been installed, but needed maintenance/improvement. There is an existing catchbasin at the corner of the driveway. It appeared silt was entering the catchbasin and discharging to Lake Carmel. There were some haybales and silt fence around the catchbasin, with silt fence being used as filter fabric within the catchbasin. There was also a soil stockpile on the other side of the driveway. Erosion and sediment control measures provided were not sufficient as sediment was noted off-site.

3. Immediate improvements to erosion and sediment control practices are needed. Provide additional/improved silt fence along edge of yard at road right-of-way. Provide temporary stabilization of exposed soil — hay or rolled erosion control matting. Provide soil stockpile protection, such as silt fence encircling entire pile and mulch. Remove silt fence from grate of catch basin. Provide storm drain inlet protection in accordance with New York State Standards and Specifications for Erosion and Sediment Control (Blue Book), 2016, Chapter 5.
 - a. During on meeting on 12/20/2018, the owner indicated some improvements have been made. It is our understanding, additional measures are needed, particularly for the catch basin inlet protection.
4. The drawing "Septic Replacement Plan" includes some information required for the erosion control permit. Additional information is to be provided as outlined below.
5. Provide the following information as required by Town Code Chapter 66-6.B.2:
 - a. S66-6.B.2.a — Provide "the location of the proposed area of disturbance and its relationship to property lines, easements, buildings, roads, walls and wetlands, if any, within 50 feet of the boundaries of said area." — include distance to Lake Carmel.
 - b. §66-6.B.2.e — Provide "a soils and slopes map indicating existing soils on the property, based on the most recent United States Department of Agriculture (USDA) Soil Conservation Service soil survey for Putnam County. Generalized slope areas for slopes 0% to 15%; 15% to 25%; and greater than 25% shall be delineated. This map shall be drawn on a topographic base map with the date and source of the soils and steep slope data noted on said map." — The Septic Replacement Plan Drawing indicates soil type UpB. Provide "date and source of the soils data." Provide slope percentages.

Memorandum

Bourgeois ECP 100 Lakeshore Drive East

TM # 33.58-1-9

January 9, 2019

Page 3 of 6

- c. §66-6.B.2.g — Provide "a soil erosion and sedimentation control plan designed utilizing the standards and specifications contained in the most recent version of New York State Standards and Specifications for Erosion and Sediment Control. The design, testing, installation, maintenance and removal of erosion control measures shall adhere to these standards and any conditions of this chapter and the erosion control permit. This plan shall:"

- i.[1] Describe or depict the temporary and/or permanent structural and vegetative measures that will be used to control erosion and sedimentation for each stage of the project, from land clearing to the finished stage. — Specify catch basin/storm drainage inlet protection.
- ii. [2] Delineate the area of the site that will be disturbed and shall include a calculation of the acreage or square footage so disturbed.

SOYKA

CONSULTING

—

- iii. [3] Include a map drawn at a scale of not less than one inch equals 40 feet showing the location of erosion and sediment control measures, swales, grassed waterways, diversions and other similar structures.
 - iv. [4] Provide dimensional details of proposed erosion and sedimentation facilities as well as calculations used in the siting and sizing of sediment basins, swales, grassed waterways, diversions and other similar structures.
 - v. [5] Include a timetable and schedule for completion and installation of all elements of the erosion control plan, together with a schedule for completion of the construction and disturbance proposed by the applicant.
 - vi. [6] Provide an estimate for the cost of implementing all elements of the erosion control plan. (This will be used as the basis for the erosion control bond.) vii. [7] Provide a maintenance schedule for erosion control measures.
6. Provide a note on the drawing stating "Per §66-6.K (1): Within 10 days after installation of all erosion control plan measures, the applicant shall submit to the Building Inspector a letter from the qualified professional who designed the plan for the applicant/landowner stating that all erosion control measures have been constructed and installed in compliance with the approved plan(s)."
7. Provide an erosion and sediment control only SWPPP in accordance with GP-O-15-002. Provide required information from Part III.B including:
- a. Part III.B. 1 .a — "Background information about the scope of the project, including the location, type and size of project;"
 - b. Part III.B. 1 .b — "A site map/construction drawing(s) for the project, including a general location map. At a minimum, the site map shall show the total site area; all improvements; areas of disturbance; areas that will not be disturbed; existing vegetation; on-site and adjacent off-site surface water(s), floodplain/floodway

boundaries; wetlands and drainage patterns that could be affected by the construction activity; existing and final contours; locations of different soil types with boundaries; material, waste, borrow or equipment storage areas located on adjacent properties; and location(s) of the stormwater discharge(s);"

- c. Part III.B. 1 .c — "A description of the soil(s) present at the site, including an identification of the Hydrologic Soil Group (HSG);"
- d. Part III.B. 1 .d — "A construction phasing plan and sequence of operations describing the intended order of construction activities, including clearing and grubbing, excavation and grading, utility and infrastructure installation and any other activity at the site that results in soil disturbance;"
- e. Part III. B. 1 .e — "A description of the minimum erosion and sediment control practices to be installed or implemented for each construction activity that will result in soil disturbance. Include a schedule that identifies the timing of initial placement or implementation of each erosion and sediment control practice and the minimum time frames that each practice should remain in place or be implemented;"

SOWA

-
- f. Part III.B. 1 .f — "A temporary and permanent soil stabilization plan that meets the requirements of this general permit and the technical standard, New York State Standards and Specifications for Erosion and Sediment Control, dated August 2016, for each stage of the project, including initial land clearing and grubbing to project completion and achievement of final stabilization;"
 - g. Part III. B. 1 .g — "A site map/construction drawing(s) showing the specific location(s), size(s), and length(s) of each erosion and sediment control practice;"
 - h. Part III.B. 1 .h — "The dimensions, material specifications, installation details, and operation and maintenance requirements for all erosion and sediment control practices. Include the location and sizing of any temporary sediment basins and structural practices that will be used to divert flows from exposed soils;" — include catch basin inlet protection.
 - i. Part III. B. 1 .i — "A maintenance inspection schedule for the contractor(s) identified in Part III.A.6. of this permit, to ensure continuous and effective operation of the erosion and sediment control practices. The maintenance inspection schedule shall be in accordance with the requirements in the technical standard, New York State Standards and Specifications for Erosion and Sediment Control, dated August 2016;"
 - j. Part III.B. 1 .j — "A description of the pollution prevention- measures that will be used to control litter, construction chemicals and construction debris from becoming a pollutant source in the stormwater discharges;"
 - k. Part III.B. 1 .1 — "Identification of any elements of the design that are not in conformance with the requirements in the technical standard, New York State Standards and Specifications for Erosion and Sediment Control, dated August 2016. Include the reason for the deviation or alternative design and provide information which demonstrates that the deviation or alternative design is equivalent to the technical standards."
 - l. The Applicant and Applicant's design professional are expected to be familiar with the provisions of the newly issued NYSDEC GP-0-15-002, particularly the sections regarding the maintenance of documentation on-site (Part II.C.2), provisions for modifying the SWPPP (Part II.C.5), trained contractor requirements (Part III.A.6), inspection and maintenance requirements (Part IV) and the procedure for termination of coverage in an MS4 community (Part V.A.4). These requirements are to be referenced in the SWPPP.
 - m. Please note — With issuance of new NYSDEC General Permit GP-O-15-002, per Part I R. 1 .b 'Soil Stabilization' "In areas where soil disturbance activity has temporarily or permanently ceased... " and . is located in one of the watersheds listed in Appendix C [Entire New York City Watershed located east of the Hudson River] the application of soil stabilization measures must be initiated by the end of the next business day and completed within seven (7) days from the date the

Memorandum

Bourgeois ECP 100 Lakeshore Drive East

TM # 33.58-1-9

January 9, 2019

Page 6 of 6

current soil disturbance activity ceased... " (emphasis added). This is to be noted on the plans.

8. Provide a Notice of Intent (NOI) for review.
9. Provide an MS4 SWPPP Acceptance Form with Sections I and I' completed.

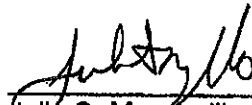
SOYKA

-

10. Refer to the Drawings:

- a. Note #10 under "Putnam County Health Department Notes" states "After backfilling the system, the SSTS area shall be covered with a minimum of 6 inches of top soil, seeded and mulched." For erosion control permit purposes, provide additional specification on "seeded and mulched" in accordance with New York State Standards and Specifications for Erosion and Sediment Control (Blue Book), 2016.
 - b. The drawings show footing and roof drains proposed to be connected directly to the catchbasin in the Town road right-of-way. Provide approval from Highway Superintendent for these connections. Consider disconnection of the roof drainage to improve water quality. Measures such as a rain garden, dry well or rain barrel can improve water quality for Lake Carmel by diverting, reducing or delaying roof runoff entering Lake Carmel.
11. Refer to the Combined Application Form — Provide a copy of the deed, per #14 on Page 7.
 12. The applicant is responsible for full payment of actual costs of erosion control inspections. An initial inspection fee deposit of \$1000 is to be paid to the Town in accordance with the Town of Kent Fee Schedule.
 13. We defer to the Planning Board's environmental consultant regarding wetland and Lake issues.

As additional information is provided, additional comments may be provided.


Julie S. Mancarillo, P.E., CPESC

SOYKA
Bruce Barber via
email
Liz Axelson via
email

cc: Planning Board via email
Bill Walters via email
18-261-999-163



Cornerstone Associates

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

January 6, 2019

To: Planning Board

From: Bruce Barber
Town of Kent Environmental Consultant

Re: Fregosi Application
Miller Hill Road
Section 10 Block 1 Lot 17

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

1. Town of Kent Planning Board Application executed by Joseph Fregosi dated 12/3/18.
2. Notice of Intent executed by Joseph Fregosi dated 12/3/18.
3. Short-form EAF (Part I) executed by Joseph Fregosi dated 12/3/18..
4. Plan entitled; "Stormwater Pollution Prevention Plan-Joseph Fregosi" prepared by Roy Fredriksen, P.E.d ated 12/3/18, 1 sheet: 1 of 1.

Summary of Application:

Application is to construct a single family residence with front porch, well and septic systems and a driveway grade on a 3.449+/- acre parcel in an R-80 zoning district. The parcel is situated on a common driveway on the northern side of Miller Hill Road

A: Environmental Review Comments:

Wetlands:

A New York State Department of Environmental Conservation (NYSDEC) jurisdictional wetland and wetland buffer are indicated to be located on the site. The property is also located within a NYSDEC check zone. A NYSDEC wetland validation block has not been provided. This office will conduct a site inspection to verify the boundaries of the Town of Kent wetland/watercourse and buffer areas on the site.

The applicant is not proposing disturbance to the NYSDEC wetland or wetland buffer as per the above referenced plans (NYSDEC confirmation required).

Trees:

The applicant has requested a tree survey waiver. This office will conduct a site inspection and make recommendation to the Planning Board.

Steep Slopes and Rock Outcrop:

Indicated areas of rock cropping are not proposed to be disturbed. The applicant has indicated that there will be land disturbance on slopes greater than 15%.

Land Disturbance:

The applicant proposes to disturb 34,505 square feet (0.87+/- acres) of land area. Calculations regarding cut and fill has not been provided.

Well and Septic System: Well and septic system approvals from the Putnam County Department of Health have not been provided. The septic system will require 2' (400 cubic yards) of fill to be installed.

Other:

- A copy of a property survey has not been provided.
- Information regarding the access to the property (common driveway) has not been provided.
- Site specific soil testing results have not been provided for the proposed infiltration structures (drywells).
- EAF: Please respond to question 14.
- EAF: Please indicate potential area of Northern Long Eared and Indiana Bats as per US Fish and Wildlife.

This office defers to the Town Engineer regarding review of the SWPPP/erosion and sediment control plan and the Town Planner regarding zoning review.

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



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

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

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

Memorandum

o:Planning Board

Town of Kent

Attn:

• Combined
Application Form,
signed 12/3/2018
Philip Tolmach
Chairman

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

Subject:

Erosion Control Plan

Date: January 9, 2019

Project:

Fregosi Miller Hill Woods
Ct

The following materials were reviewed:

TM # 10.-1-17

- Short Environmental Assessment Form (EAF), signed 12/3/2018
- Notice of Intent (NOD, signed 12/3/2018
- MS4 SWPPP Acceptance Form, with Sections I and II completed.
- Drawing prepared by Roy Fredriksen, PE "Stormwater Pollution Prevention Plan for Joseph Fregosi" dated 12/3/2018

The project proposes construction of a single family house with well, septic, and driveway. The lot is a flag lot with frontage on Miller Hill Road, but will derive access from a shared driveway from Miller Hill Woods Ct.

The subject Erosion and Sediment Control Plan is not approved. The following comments are provided for the Planning Board's consideration:

1. The proposed project is within the NYCDEP East of Hudson watershed and will disturb more than 5,000 SF of land. A Town of Kent Erosion & Sediment Control Permit is required as well as coverage under NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity, GP-O-15-002.
2. Refer to Combined Application Form
 - a. Page 3, #14 — Provide copy of the deed. Currently Putnam County Image Mate Online shows the propetty is owned by Doria. It is acknowledged that there is a delay for the Putnam County website to show new sales.
 - b. Provide required affidavits, including Disclosure of Business Interest.

Fregosi — Miller Hill Rd/ Miller Hill Woods Ct ECP

TM # 10-1-17

January 9, 2019 Page 2 of 4

- c. Page 5, under Section D "For Steep Slopes and Erosion Control Permit Applications" indicates boundary and topographic survey are from the Subdivision Map filed in 1984. Provide updated survey and topo. This is particularly important for the existing common driveway.
3. Provide approvals from Putnam County Department of Health for well and septic.

Page 1 of 4

4. Provide the following information as required by Town Code Chapter 66-6.B.2:
 - a. §66-6.B.2.e — Provide "a soils and slopes map indicating existing soils on the property, based on the most recent United States Department of Agriculture (USDA) Soil Conservation Service soil survey for Putnam County. Generalized slope areas for slopes 0% to 15%; 15% to 25%; and greater than 25% shall be delineated. This map shall be drawn on a topographic base map with the date and source of the soils and steep slope data noted on said map." — Slope information is provided. However, the source is listed as "subdivision map" without reference to who prepared it or a date. The combined application has a date of 1984. Topo should be updated, particularly in regard to the existing shared driveway. Soils information is provided, but not the source of soils information.
 - b. §66-6.B.2.g — Provide "a soil erosion and sedimentation control plan designed utilizing the standards and specifications contained in the most recent version of New York State Standards and Specifications for Erosion and Sediment Control. The design, testing, installation, maintenance and removal of erosion control measures shall adhere to these standards and any conditions of this chapter and the erosion control permit. This plan shall:"
 - i.[5] Include a timetable and schedule for completion and installation of all elements of the erosion control plan, together with a schedule for completion of the construction and disturbance proposed by the applicant.
 - ii. [6] Provide an estimate for the cost of implementing all elements of the erosion control plan.
5. Provide an erosion and sediment control only SWPPP in accordance with GP-O-15-002. Provide required information from Part III.B including:
 - a. Part III.B. I .d — "A construction phasing plan and sequence of operations describing the intended order of construction activities, including clearing and

Fregosi - Miller Hill Rd/ Miller Hill Woods Ct ECP

TM # 10-1-17

January 9, 2019 Page 3 of 4

grubbing, excavation and grading, utility and infrastructure installation and any other activity at the site that results in soil disturbance;"

- b. Part III.B. 1 .e — "A description of the minimum erosion and sediment control practices to be installed or implemented for each construction activity that will result in soil disturbance. Include a schedule that identifies the timing of initial placement or implementation of each erosion and sediment control practice and the minimum time frames that each practice should remain in place or be implemented;"
 - c. Part III.B. 1 .f — "A temporary and permanent soil stabilization plan that meets the requirements of this general permit and the technical standard, New York State Standards and Specifications for Erosion and Sediment Control, dated August 2005, for each stage of the project, including initial land clearing and grubbing to project completion and achievement of final stabilization;" - Topsoil stockpile.
 - d. Part III.B. 1 .i — "A maintenance inspection schedule for the contractor(s) identified in Part III.A.6. of this permit, to ensure continuous and effective operation of the erosion and sediment control practices. The maintenance inspection schedule shall be in accordance with the requirements in the technical standard, New York State Standards and Specifications for Erosion and Sediment Control, dated August 2005;"
 - e. Part III.B. 1 .j — "A description of the pollution prevention measures that will be used to control litter, construction chemicals and construction debris from becoming a pollutant source in the stormwater discharges;"
 - f. The Applicant and Applicant's design professional are expected to be familiar with the provisions of the newly issued NYSDEC GP-O-15-002, particularly the sections regarding the maintenance of documentation on-site (Part II.C.2), provisions for modifying the SWPPP (Part II.C.5), trained contractor requirements (Part III.A.6), inspection and maintenance requirements (Part IV). These requirements are to be referenced in the SWPPP.
 - g. Please note — With issuance of new NYSDEC General Permit GP-045-002, per Part LB. 1 .b 'Soil Stabilization' "In areas where soil disturbance activity has temporarily or permanently ceased. " and . is located in one of the watersheds listed in Appendix C [Entire New York City Watershed located east of the Hudson River] the application of soil stabilization measures must be initiated by the end of the next business day and completed within seven (7) days from the date the current soil disturbance activity ceased... " (emphasis added). Provide this as a note on the drawings.
6. Refer to the Notice of Intent (NOD).


Memorandum

Fregosi - Miller Hill Rd/ Miller Hill Woods Ct ECP

TM # 10-1-17

January 9, 2019 Page 4 of 4

- a. Page 2, #1 — Provide coordinates from NYSDEC Stormwater Interactive Map.
 - b. Page 3, #3 — For Existing Condition, there is not an existing single family home. Consider selecting "Forest" or "Other" and adding "vacant lot".
 - c. Page 3, #6 — Indicates a mix of B and C soils. Soil information on the drawing only lists B soils. These should be coordinated to reflect the same information.
 - d. Page 3, #7 — Provide a response.
 - e. Page 4, #9 — Provide NYSDEC wetland designation number, if known.
7. Refer to the Drawings:
- a. Provide more detailed (zoomed in) location map or provide additional area around the subject lot for reference as to how this lot fits in with Miller Hill Rd and Miller Hill Woods Ct. Also, this flag pole lot has a much longer pole than shown on the drawing. Provide additional description, labeling to clarify the pole has been shortened.
 - b. Add metes and bounds description for property line along Miller Hill Road.
 - c. Label the NYSDEC wetland with its designation, if known.
 - d. Provide catch basin inlet protection for proposed catchbasin during construction.
 - e. Provide soil testing for dry well locations. f. Provide a detail on riprap outlet protection for drywell overflow. Direct overflow to discharge at less steep section of slope.
 - g. Provide notes on operation, maintenance and inspection of catchbasins and dry wells for future homeowners.
8. Provide additional information and agreements on use of existing common driveway.
9. The applicant is responsible for full payment of actual costs of erosion control inspections. An initial inspection fee deposit of \$1000 is to be paid to the Town in accordance with the Town of Kent Fee Schedule.
10. We defer to the Planning Board's environmental consultant regarding wetland issues.
11. We defer to the Planning Board's planning consultant regarding zoning and flag lot issues.
12. Additional comments may be offered after a site visit is conducted.


Julie S. Mangarillo, P.E., CPESC

19-261-999-164
Bruce Barber via
email
Liz Axelson via email

cc: Planning Board via email
Bill Walters via email



TO: Town of Kent Planning Board cc: Bill Walters
Julie Mangarillo
Bmce Barber

FROM: Liz Axelson, AICP DATE: January 10, 2019

i/Marinelli Erosion Control Plan, Miller Hill Road, Tax Parcel No. 10.-1-17 / CPL#
14973.00-02

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. Based on my review I offer the following comments for the Board's consideration:

Summary

1. The proposal involves the erosion control plan for the construction of a single-family dwelling and other improvements to be made to a 150,238 square foot (SF, 3.4-acre) lot (see tax parcel listed above) in the R-80 (One Family Residence) zoning district.
2. My review is limited to the Zoning Requirements comments below. I defer to the Planning Board's Consulting Engineer and Environmental Consultant review for all other aspects of the project.

SEQRA

3. I defer to the Planning Board's Environmental Consultant regarding the Short EAF. I have no comments on the EAF.

Zoning Requirements

4. Revise the zoning table of lot and bulk requirements to the plat corresponding to the R-80 district as follows:
 - a. The table should be corrected to reflect the zoning code language of "minimum lot width."
 - b. Label the lot width in the plan view so it is clear where it is measured relative to the front lot line, which would be on Miller Hill Road,
 - c. Correct the road frontage value for the frontage, which is on Miller Hill Road, which appears to be about fifty feet (50'). Add an asterisk to this value indicating it is an existing noncomplying flag lot.
 - d. Clarify the impervious surface lot value, which I believe is 2.7%.
 - e. Correct the table such that the height value of the lot reflects a specific height.
5. Add a note to the plans to state that utilities shall, unless unfeasible, be placed underground.
6. Label wooded areas to be retained.

Recommendation

7. The Planning Board should direct the applicant to:
 - a. address the comments above; and

Fregosi/Marinelli Erosion Control Plan, 215 Miller Hill Road, Tax Parcel No. 10.-1-17 / CPL# 14973.000

Page 2

- b. provide additional information for amore complete application.
8. Since the application is not complete, no action is required by the Planning Board at this time.

If you have any questions please do not hesitate to contact me at 845-454-3411 ext. 21, or e-mail at eaxelson@CPLteam.com.

Materials Reviewed

- Application materials for Steep Slope and Erosion Control approval, submitted by Roy Fredriksen, PE, with attached affidavits; certifications; and SWPPP form;
- Short Environmental Assessment Form, signed December 3, 2018; and
- Plans prepared by Roy Fredriksen, PE, entitled and dated as listed below:
 - o Stormwater Pollution Prevention Plan (Erosion & Sediment Control), dated December 3, 2018;



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

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

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

Memorandum

o: Planning Board
Town of Kent

Attn: Philip Tolmach
Chairman

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

Subject: End of Mining — Bond
Reduction

Date: January 9, 2019

Project: Kent Materials (formerly
Mountain View Realty)
TM # 12-1-44

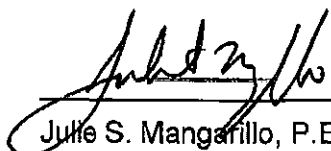
The following material was reviewed:

- Letter from Insite Engineering, Surveying & Landscape Architecture, P.C., dated December 12, 2018
- Copy of Performance Bond for Site Stability Maintenance and Erosion Control Contingency Plan, signed March 27, 2014.
- NYSDEC Division of Mineral Resources, Mined Land Inspection Report, dated 12/12/2018

This site currently has site plan approval for a contractor's office building and additional contractor yard/outdoor storage area.

The following is offered for consideration by the Planning Board:

1. Insite Engineering has submitted documentation that the NYSDEC considers mining complete as of 12/12/2018. This starts the one (1) year clock before the contingency plan must be put into place. The letter provided indicates the property owner is "entertaining several offers on the property."
2. As part of the contingency plan agreement, the Town will hold \$50,000 bond. The Town currently holds a \$17,885 for Erosion Control Bond and \$57,300 for Stormwater Bond, for a total of \$75,185. The applicant is requesting the reduction to the \$50,000 bond at this time.
3. We will conduct a stabilization inspection with the Town's Environmental Consultant prior to providing a recommendation on the bond reduction.


Julie S. Mangarillo, P.E., CPESC

cc: Planning Board via email
Liz Axelson via email
John Watson, PE, Insite Engineering, via email

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



January 7, 2019

To: Planning Board

From: Bruce Barber
Town of Kent Environmental Consultant

Re: **Kent Materials**
NYS Route 52
Section 12 Block 1 Lots 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 12/12/18, 1 page.

Summary:

The applicant requesting that currently posted bond amount of \$75,185.00 be replaced with a new contingency performance bond in the amount of \$50,000.00 as the site is currently stabilized.

Comments:

This office and the Town Engineer will conduct a site inspection to confirm the site is stable in accordance with the approved plans.

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

Sincerely,

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

1770 CENTRAL STREET YORKTOWN HEIGHTS, NY 10598
Telephone: 914.299.5293



January 7, 2019

To: Planning Board

From: Bruce Barber
Town of Kent Environmental Consultant

Re: **Kent Self-Storage**
164 Route 311
Section 22 Block 2 33

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

- Letter executed by John Watson, P.E of Insite Engineering dated 12/6/18, 2 pages.
- Plans entitled; "Kent Self-Storage" prepared by Insite Engineering dated 11/29/18 (rev.), 1 sheet: SP-I.

Comments:

The applicant has provided a satisfactory response and plan revisions to previous comments provided by this office on 10/9/18. We have no further comment on this application..

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

Sincerely,

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



January 7, 2019

To: Planning Board

From: Bruce Barber
Town of Kent Environmental Consultant

Re: **Kent Self-Storage**
164 Route 311
Section 22 Block 2 33

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

- Letter executed by John Watson, P.E of Insite Engineering dated 12/6/18, 2 pages.
- Plans entitled; "Kent Self-Storage" prepared by Insite Engineering dated 11/29/18 (rev.), 1 sheet: SP-1.

Comments:

The applicant has provided a satisfactory response and plan revisions to previous comments provided by this office on 10/9/18. We have no further comment on this application..

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

Sincerely,

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



Cornerstone Associates

Environmental Consultants

1770 Central Street

Yorktown Heights, NY 10598

Phone: (914)-299-5293

January 7, 2019

To: Planning Board

From: Bruce Barber

Town of Kent Environmental Consultant

Re: P & G Farm Corporation

29 Shrade Road

Section 11. Block 2 Lot 44.2

Please be advised that a site inspection was conducted on December 19, 2018. The purpose on the inspection was to verify that the site has been stabilized in accordance with the approved plans. The town engineer and the applicant's engineering consultant were present at the time of inspection.

Inspection revealed the site to be stable as per plans. This office does not have any additional comments relative to this application.

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

Sincerely,

Bruce Barber, Certified Ecologist
Town of Kent Environmental Consultant



Memorandum

To:	Planning Board Town of Kent	Attn:	Philip Tolmach Chairman
From:	Julie S. Mangarillo, P.E., CPESC	Subject:	Erosion Control— Permit close-out
Date:	January 9, 2019	Project:	P and G Farms, 29 Schrade Rd TM #11.-2-44.2

The following is offered for consideration by the Planning Board:

1. Stabilization Inspection:

A stabilization inspection was conducted for this project on December 19, 2018 with Bruce Barber and Jamie LoGiudice of Insite. Silt fence and other temporary erosion control measures had been removed.

The previously disturbed area is now considered fully stabilized in accordance with NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity Permit No. GP-O-15-002.

2. Notice of Termination (NOT):

Submitting the completed NOT (including completed MS4 sign-off on Page 2) to NYSDEC will close-out coverage under NYSDEC GP-O-15-002 and the Town of Kent Erosion Control Permit. Having the 'Qualified Professional' sign the Notice of Termination fulfills the requirement per Town of Kent Town Code, Chapter 66, §66-6. K(5) for a certification of completion of work.

A NYSDEC Notice of Termination (NOT) form was submitted by the applicant to the Town. The 'Qualified Professional' signed the NOT to fulfill the requirements of §66-6.K(5).

3. Erosion Control Bond:

Per Chapter 66, 96-7.A(2) regarding return of the erosion control bond: "The security shall remain in full force until the applicant and/or developer is released from liability by the Town, provided that such period shall not be less than two years from the date of final acceptance..."

The site achieved final stabilization as of the December 19, 2018 inspection. The two-year waiting period began on 12/19/2018.

For other single-family home projects, the Planning Board has reduced the two year waiting period for bond return. If the Planning Board is considering a bond reduction, our recommendation is for the erosion control bond be held for at least one year to ensure the vegetation survives at least one winter.

Memorandum

P and G Farm Corp, 29 Schrade Rd

TM # 1 1.-2-44.2

January 9, 2019

Page 2 of 2

4. Certificate of Occupancy

Per email discussion with the Building Inspector in December, the single family house and separate art studio have not been granted certificates of occupancy. Typically the CO's have been granted prior to Notice of Termination sign off request. It is our preference to wait to provide MS4 sign-off on the Notice of Termination until the Building Inspector has been contacted by the applicant/owner and can conduct a certificate of occupancy inspection. If the Building Inspector can determine that no additional soil disturbance will be required to complete any potential remaining conditions for certificate of occupancy, then we will issue the MS4 signoff on the Notice of Termination.

Please let us know if you have any questions. Thank you.



Julie S. Mangarillo, P.E., CPESC

cc: Planning Board via email
William Walters via email
Bruce Barber via email
17-261-999-152

From: Elizabeth Axelson <EAxelson@CPLteam.com>
Sent: Tuesday, December 18, 2018 4:41 PM
To: Dave Schlosser; Dave Getz; Lizer Jozefovic; Zafrin Mark
Cc: jmangarillo@rsaengrs.com; 'Bruce Barber'; Planning Kent; Phil Tolmach
Subject: FW: Putnam Nursing & Rehab Center Addition Site Plan Review memorandum
Attachments: Putnm Nrsng & Rehb Sit Plan Revw Memo for Kent PB 121118 & Enclosr.pdf; Putnm Nrsng & Rehb Sit Plan Revw Memo for Kent PB 121118.doc

Categories: Green Category

Hello Dave; Dave; Lizer and Mark – My guess is that by now Vera already forwarded my comments to you all. In any case, please see below and attached.

Take care,
Liz



Elizabeth (Liz) T. Axelson, AICP
Office: 845.454.3411 x21
ARCHITECTURE. ENGINEERING. PLANNING.
CPLteam.com

Morris Associates is now CPL

**Please note that my e-mail has changed as Morris Associates is now part of the architecture, engineering, planning firm CPL. Click here to learn more: [CPL acquires Morris Associates](#)*

From: Elizabeth Axelson **Sent:** Tuesday, December 11, 2018 8:29 PM **To:** 'Charles Sisto' <csisto4004@comcast.net>; 'Phil Tolmach' bestscapes@hotmail.com **Cc:** 'Planning Kent' <planningkent@townofkentny.gov>; 'Building Inspector' <buildinginspector@townofkentny.gov>; 'Dennis Lowes (dmlls@verizon.net)' <dmlls@verizon.net>; 'Giancarlo Gattucci' <Gattucci76@gmail.com>; 'Simon Carey' <Spmcarey@gmail.com>; 'spwilhelm@gmail.com' <spwilhelm@gmail.com>; 'Bruce Barber (barberbruce@yahoo.com)' <barberbruce@yahoo.com>; 'Julie Mangarillo (jmangarillo@rsaengrs.com)' jmangarillo@rsaengrs.com **Subject:** Putnam Nursing & Rehab Center Addition Site Plan Review memorandum

Hello Everyone – Attached please find my Putnam Nursing & Rehabilitation Center Addition Site Plan Review memorandum. It includes an enclosure with the 2015 zoning amendment materials. Please review the memorandum and enclosure.

Although this item is not on the agenda “above the line”, I wanted to get this out to you all as it has taken me a while to finalize this review. Please pardon me for the extended review time.

I will not be in attendance at the meeting on Thursday December 13, 2018. If you so desire, there is a simple action you may take to send the 2015 zoning amendment materials to the Town Board for discussion. I realize you will not have a full board; and so feel free to wait until January to send the 2015 zoning materials to the Town Board if you like. I'll be at the January 2019 meetings.

In any case, you'll see in my review that the site application and plans are not complete, so there is no action to take regarding the site plan.

Everyone enjoy the holidays!



Cornerstone Associates

Environmental Consultants

1770 Central Street

Yorktown Heights, NY 10598

Phone: (914)-299-5293

January 7, 2019

To: Planning Board

From: Bruce Barber

Town of Kent Environmental Consultant

Re: Raneri Application

Hillside Avenue

Section 32.18 Block 1 Lot 28

Town of Kent, New York

Dear Chairman Tolmach and Members of the Planning Board:

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

- Report entitled; "Technical Report prepared for Karell Engineering-Reaneri Hillside Road" prepared by York Laboratory dated 12/10/18.
- Letter prepared by John J. Karell, Jr., P.E. dated 12/28/18, 1 page

Comments:

The soil sample results found in the above referenced report prepared by York Laboratory indicate elevated concentrations of several semi-volatile organic compounds above the levels of the New York State Department of Environmental Conservation (NYSDEC) unrestricted use standards.

Conversation with NYSDEC (Lee Reiff) indicated that the materials that result in these conditions are generally not acceptable in fill sections but may be used as a base for pavement. Mr. Reiff recommended that referring the test results to the Putnam County Department of Health (PCDOH) as well as the New York City Department of Environmental Protection (NYCDEP).

Please note that the applicant has not provided the previously requested location map of the soil pits /sample locations excavated on 11/29/18.

It is recommended that the Planning Board request the applicant to refer the soil test results to the PCDOH and NYCDEP for review and comment.

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

Sincerely,

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

From: Planning Kent
Sent: Tuesday, January 08, 2019 3:44 PM
To: john karell
Subject: FW: Raneri Erosion Control: Attorney review memorandum

The Planning Bd. Asked me to forward this note to you.

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

From: Jeffrey Battistoni <JBattistoni@VanDeWaterLaw.com> **Sent:** Wednesday, December 12, 2018 3:53 PM **To:** Elizabeth Axelson EAxelson@CPLteam.com **Cc:** Planning Kent <planningkent@townofkentny.gov>; Bruce Barber <barberbruce@yahoo.com>; jmangarillo@rsaengrs.com; Building Inspector <buildinginspector@townofkentny.gov>; Jennifer Osterhoudt JOsterhoudt@VanDeWaterLaw.com **Subject:** RE: Raneri Erosion Control: Attorney review memorandum

Hi to all. Attached is a Memo with my comments about title to the subject parcels. Please contact me if you have any questions about this matter.

Jeffrey S. Battistoni, Esq.
Van DeWater & Van DeWater, LLP
85 Civic Center Plaza, Suite 101
P.O. Box 112
Poughkeepsie, New York 12601
(845) 452-5900 - Office
(845) 452-5848 - Facsimile
jbattistoni@vandewaterlaw.com

This message and any attachments is intended only for the use of the individual or entity for which it is addressed and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If you are neither the intended recipient nor the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify Van DeWater & Van DeWater LLP immediately by replying to this message, or by sending an eMail to lawyers@vandewaterlaw.com, and delete this message and any attachments.

From: Jeffrey Battistoni <JBattistoni@VanDeWaterLaw.com> **Sent:** Monday, December 10, 2018 2:48 PM **To:** Elizabeth Axelson <EAxelson@CPLteam.com>; Phil Tolmach <bestscapes@hotmail.com>; jmangarillo@rsaengrs.com; Bruce Barber <barberbruce@yahoo.com>; Planning Kent <planningkent@townofkentny.gov>; Building Inspector <buildinginspector@townofkentny.gov>; Charles Sisto <csisto4004@comcast.net>; Dennis Lowes (dmls@verizon.net)

<dmlls@verizon.net>; Giancarlo Gattucci <Gattucci76@gmail.com>; Simon Carey <Spmcarey@gmail.com>;
spwilhelm@gmail.com **Subject:** RE: Status of Raneri Erosion Control: Attorney review; Soils; & Review Memorandums

Hi to all. I have spoken with Julie and with Liz about this matter and have reviewed Liz's Memos of 4/11 and 10/24. I make the following comments.

The application involves 3 tax parcels. The applicant has submitted a copy of a deed, which describes 2 parcels, and a letter from Premier Abstract, Ltd. dated August 30, 2018. I am unable to correlate the deed and the parcels described in the letter with the 3 tax parcels. Very simply, the applicant should submit title reports or searches that show the ownership of each of the three tax parcels and which will include a copy of the deed and show tax map grid number for each parcel described in any such deed. I advise that the title searches are necessary, because we need to determine ownership and whether there are any easements, restrictive covenants or any other encumbrances which might limit, prevent or otherwise restrict the proposed use of the properties.

The Site and Erosion Control Plan of John Karell, Jr., P.E. dated December 28, 2017 shows access on Sunset Road, which I am told is an unimproved, "paper" street. I advise the Planning Board to also require a title report or search to show who owns this property and what encumbrances may exist on it.

In my view, these title reports or searches are essential before the Planning Board can determine how to consider this application. I don't think the Planning Board should review the application further until those title reports or searches are received and reviewed.

Jeffrey S. Battistoni, Esq.
Van DeWater & Van DeWater, LLP
85 Civic Center Plaza, Suite 101
P.O. Box 112
Poughkeepsie, New York 12601
(845) 452-5900 - Office
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This message and any attachments is intended only for the use of the individual or entity for which it is addressed and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If you are neither the intended recipient nor the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify Van DeWater & Van DeWater LLP immediately by replying to this message, or by sending an eMail to lawyers@vandewaterlaw.com, and delete this message and any attachments.

From: Planning Kent
Sent: Tuesday, January 08, 2019 3:44 PM
To: john karell
Subject: FW: Raneri Erosion Control: Attorney review memorandum

The Planning Bd. Asked me to forward this note to you.

Vera Patterson
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Van DeWater & Van DeWater, LLP
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From: Jeffrey Battistoni <JBattistoni@VanDeWaterLaw.com> **Sent:** Monday, December 10, 2018 2:48 PM **To:** Elizabeth Axelson <EAxelson@CPLteam.com>; Phil Tolmach <bestscapes@hotmail.com>; jmangarillo@rsaengrs.com; Bruce Barber <barberbruce@yahoo.com>; Planning Kent <planningkent@townofkentny.gov>; Building Inspector <buildinginspector@townofkentny.gov>; Charles Sisto <csisto4004@comcast.net>; Dennis Lowes (dmls@verizon.net)

<dmls@verizon.net>; Giancarlo Gattucci <Gattucci76@gmail.com>; Simon Carey <Spmcarey@gmail.com>;
spwilhelm@gmail.com **Subject:** RE: Status of Raneri Erosion Control: Attorney review; Soils; & Review Memorandums

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The application involves 3 tax parcels. The applicant has submitted a copy of a deed, which describes 2 parcels, and a letter from Premier Abstract, Ltd. dated August 30, 2018. I am unable to correlate the deed and the parcels described in the letter with the 3 tax parcels. Very simply, the applicant should submit title reports or searches that show the ownership of each of the three tax parcels and which will include a copy of the deed and show tax map grid number for each parcel described in any such deed. I advise that the title searches are necessary, because we need to determine ownership and whether there are any easements, restrictive covenants or any other encumbrances which might limit, prevent or otherwise restrict the proposed use of the properties.

The Site and Erosion Control Plan of John Karell, Jr., P.E. dated December 28, 2017 shows access on Sunset Road, which I am told is an unimproved, "paper" street. I advise the Planning Board to also require a title report or search to show who owns this property and what encumbrances may exist on it.

In my view, these title reports or searches are essential before the Planning Board can determine how to consider this application. I don't think the Planning Board should review the application further until those title reports or searches are received and reviewed.

Jeffrey S. Battistoni, Esq.
Van DeWater & Van DeWater, LLP
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Cornerstone Associates

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

January 7, 2019

To: Planning Board

From: Bruce Barber
Town of Kent Environmental Consultant

Re: Realbuto Application
49 Tiger Trail East
Section 21.8 Block 1 Lot 39
Town of Kent, New York

Dear Chairman Tolmach and Members of the Planning Board:

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

- Report entitled; "Technical Report prepared for Karell Engineering-Realbuto Tiger Trail" prepared b York Laboratory dated 12/10/18.
- Letter executed by John J. Karell, Jr., P.E. dated 12/28/18, 1 page
- Email from neighbor (Lento), 1 page
- Comment response to Lento email unsigned and undated, 1 page

Comments:

The soil sample results found in the above referenced report prepared by York Laboratory indicate a mercury level in one of the samples was slightly above New York State Department of Environmental Conservation (NYSDEC) unrestricted use standards.

In conversation with NYSDEC (Lee Reiff) he recommended that referral of the test results to the Putnam County Department of Health (PCDOH) as well as the New York City Department of Environmental Protection (NYCDEP).

It is recommended that the Planning Board request the applicant to refer the soil test results to the PCDOH and NYCDEP for review and comment.

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

Sincerely,

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

From: Michael Lento <mike1758@verizon.net>
Sent: Thursday, December 13, 2018 12:35 PM
To: Planning Kent
Cc: mike1758@verizon.net
Subject: 49 Tiger Trail East erosion control and site plan
Attachments: TOKPB.pdf

I oppose the Realbuto Property Erosion Control and Site Plan because of the following objections:

Plan is to eliminate several more steep slopes at property line and rear of lot. A steep slope was already eliminated in rear of property. My property is higher and destroying existing topography and eliminating the steep slopes will change the current natural flow of water and cause increased runoff onto my septic field.

Plan calls for cutting all existing native trees in back and on property line. These trees are 75 to 100 feet tall and because of the steep slope of Kentwood lake properties only trees this high provide shade and visual enhancement to the surrounding properties of Kentwood Estates.

Plan calls for added fill to put in a pool. That open the possibility of additional impervious surfaces such as stone patio or pool deck. this will increase the amount of water towards my property. There are no calculations of how much runoff, velocity or how other storm water protections will work.

Plan proposes to remove existing house and replace it with a much larger house that will overshadow my house and neighboring houses and disrupt the character of Kentwood Lake. Because of the Overshadow my house will make it less desirable and lose value in terms of resale

This site plan runs contrary to town planning policy of conservation of natural land and the minimization of tree clearing and changes to existing topography. The plan is in direct conflict with the Kent Comprehensive Plan that states the major environmental protection is the avoidance of creating situations where failing septic fields can harm water supplies and other surface water. Calculating water runoff is not an exact science, its a best guess scenario. There isn't any reason that the existing lot has to be clear cut of existing trees, steep slopes eliminated and natural water flow disrupted just to gain a few feet of level property. This lot is non conforming but is grandfathered, however the Kent Zoning Laws **prohibits** both the lot and the house on it from enlargement, alteration, extension, reconstruction or restored. Zoning code also maximizes any approved remodeling enlargement not to exceed 25% of its existing area. The proposed house in this plan is more than double the existing house. Because of this lot should be considered **un-grandfathered** and therefore a **Zoning Variance** is required as part of this application. This application must be subjected to the criteria of obtaining an area variance. I have attached a pdf with corresponding town codes

THE REALBUTO EROSION CONTROL AND SITE PLAN ARE IN VIOLATION OF THE FOLOWING TOWN CODES

- **CHAPTER 66-2** Steep slopes have been and are in jeopardy of being destroyed by unregulated regrading, filling, excavating, building, clearing and other such acts that are inconsistent with the natural condition or acceptable use of steep slopes. Steep slopes in Kent are environmentally sensitive land forms and valuable natural resources which are of benefit to the entire Town and the surrounding region. The environmental sensitivity of steep slopes often results from such features as shallow soils over bedrock, bedrock fractures, groundwater seeps, and watercourses and wetlands found on or adjacent to steep slope areas.
- **CHAPTER 77-12 (B)** Minimum lot width. The minimum lot width shall not be less than 150 feet.
- **§ 77-47 Nonconforming buildings and uses.**
- The following provisions shall apply to all buildings and uses legally existing on the effective date of this chapter which do not conform to the requirements set forth in this chapter and to all buildings and uses that become nonconforming by reason of any subsequent amendment to this chapter:
 - (a) Except as provided hereinafter, nonconforming use of buildings or open land and, regardless of change of title, possession or occupancy or right thereof, any nonconforming buildings may be continued indefinitely, but:
 - (1) Shall not be enlarged, altered, extended, reconstructed or restored, except as provided elsewhere in this article, or placed on a different portion of the lot or parcel of land occupied by such use on the effective date of this chapter, nor shall any external evidence of such use be increased by any means whatsoever.
- **CHAPTER 77-13 (7)** To the extent practicable existing tree rows and hedgerows, stone walls, and similar features shall be retained in the development of any new use or the expansion of any existing use
- **CHAPTER 77-13 (8)** Site disturbance and phasing shall be designed to minimize tree clearing and changes to existing topography
- **CHAPTER 66-6 (G)(2)** The proposed activity is in accordance with the principles and recommendations of the Town of Kent Master Plan
- **CHAPTER 66-6 (G)(5)** The proposed activity will not adversely affect existing or proposed water supplies or sewage disposal systems



Cornerstone Associates

Environmental Consultants

1770 Central Street

Yorktown Heights, NY 10598

Phone: (914)-299-5293

January 7, 2019

To: Planning Board

From: Bruce Barber
Town of Kent Environmental Consultant

Re: Raneri Application
Hillside Avenue
Section 32.18 Block 1 Lot 28
Town of Kent, New York

Dear Chairman Tolmach and Members of the Planning Board:

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

- Report entitled; "Technical Report prepared for Karell Engineering-Reaneri Hillside Road" prepared by York Laboratory dated 12/10/18.
- Letter prepared by John J. Karell, Jr., P.E. dated 12/28/18, 1 page

Comments:

The soil sample results found in the above referenced report prepared by York Laboratory indicate elevated concentrations of several semi-volatile organic compounds above the levels of the New York State Department of Environmental Conservation (NYSDEC) unrestricted use standards.

Conversation with NYSDEC (Lee Reiff) indicated that the materials that result in these conditions are generally not acceptable in fill sections but may be used as a base for pavement. Mr. Reiff recommended that referring the test results to the Putnam County Department of Health (PCDOH) as well as the New York City Department of Environmental Protection (NYCDEP).

Please note that the applicant has not provided the previously requested location map of the soil pits /sample locations excavated on 11/29/18.

It is recommended that the Planning Board request the applicant to refer the soil test results to the PCDOH and NYCDEP for review and comment.

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

Sincerely,

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



Cornerstone Associates

Environmental Consultants

1770 Central Street

Yorktown Heights, NY 10598

Phone: (914)-299-5293

January 6, 2019

To: Planning Board

From: Bruce Barber

Town of Kent Environmental Consultant

Re: Bourgeois Application

100 Lake Shore Drive East

Section 33.58 Block 1 Lot 9

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

1. Town of Kent Planning Board Application executed by Joseph Fregosi dated 12/3/18.
2. Notice of Intent executed by Joseph Fregosi dated 12/3/18.
3. Short-form EAF (Part I) executed by Joseph Fregosi dated 12/3/18..
4. Plan entitled; "Septic Repair Replacement Plan prepared for David and Lucille Bourgeois" prepared by Ciarcia Engineering, P.C. dated 7/3/18, 2 sheets.
5. Plan entitled; "Proposed Foundation Plan and Wall Section prepared for David and Lucille Bourgeois dated 8/18/18, 1 sheet: A1.

Summary of Application:

Application is to reconstruct a single family, two bedroom residence and rebuild the existing septic system on a 0.23+/- acre parcel in an R-10 zoning district. The parcel is situated on the western side of Lake Shore Road

A: Environmental Review Comments:

Wetlands:

Lake Carmel is located across the street from the subject property and represents a New York State Department of Environmental Conservation (NYSDEC) and Town of Kent jurisdictional waterbody. The distance from the property to the lake edge is not shown. The applicant should indicate the location of the lake edge and the 100' setback from the lake edge to determine if a wetland permit is required.

Trees:

The applicant has not provided information regarding on-site protected trees.



Cornerstone Associates

Environmental Consultants

1770 Central Street

Yorktown Heights, NY 10598

Phone: (914)-299-5293

January 7, 2019

To: Planning Board

From: Bruce Barber
Town of Kent Environmental Consultant

Re: Rienzi Application
Kentview Drive
Section 10.20 Block 1 Lot 51
Town of Kent, New York

Dear Chairman Tolmach and Members of the Planning Board:

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

- Plans entitled; "New House for Paul Rienzi" prepared by Joel Greenberg, R.A., dated 01/02/19 (revised), 2 sheets: S-1, S-2.

A: Summary of Application:

Application is to construct a two story, three bedroom, single-family residence on a 1.009+/- acre parcel in an R-40 zoning district on the northern side of Kentview Drive.

B: Plan Review:

- Please provide a planting key/legend indicating the species of plants, size, and preparation (ball and burlap, gallon container, etc.).
- Provide typical planting detail.
- Include a planting maintenance schedule and a plan note indicating that any planted material that does not survive a three period following the date of the certificate of occupancy shall be replaced with like kind and size.
Include a plan note which indicates that tree protection shall be installed around all all protected trees (greater than 6" dbh) to remain within the indicated limit of disturbance and all trees located 25' outside the limits of disturbance on the subject property. A plan note of the tree protection detail should be provided.

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

Sincerely,

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

From: Planning Kent
Sent: Thursday, January 03, 2019 8:59 AM
To: Building Inspector; Charles Sisto (Csisto4004@comcast.net); Dennis Lowes (dmlls@verizon.net); Giancarlo Gattucci; Phil Tolmach; Simon Carey; spwilhelm@gmail.com; Planning Kent
Cc: Maureen Fleming; Bill Huestis
Subject: FW: NYCDEP Inquiry re Route 52 SEQR RE: Kent Planning Board Agenda for January 2019

FYI.

I asked Liz to respond to Ms. Garcia's inquiry and am forwarding her response to all of you for your information.

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

From: Elizabeth Axelson [mailto:EAxelson@CPLteam.com]
Sent: Monday, December 31, 2018 3:26 PM
To: Planning Kent; CGarcia@dep.nyc.gov
Cc: Phil Tolmach; Bruce Barber; jmangarillo@rsaengrs.com
Subject: NYCDEP Inquiry re Route 52 SEQR RE: Kent Planning Board Agenda for January 2019

Hello Vera – Thank you for forwarding me the email from Ms. Garcia.

Hello Ms. Garcia – The Planning Board has been carefully reviewing this application so far for the purpose of considering readiness for initiation of SEQRA review and circulation to agencies. Based on early presentations about this project by the Applicant and his Representatives, the Applicant has indicated that a Draft Environmental Impact Statement is anticipated due to the scale and intensity of the project.

The Planning Board reviewed all submitted materials; plans; reports; a Full Environmental Assessment Form (Full EAF) Part 1; and has discussed a Full EAF Part 2; and is awaiting input from the Applicant's Representatives on the Draft Part 2. Although the Planning Board anticipates making a SEQRA Determination of Significance (Positive Declaration) at a later date, it is not anticipated at the January 10, 2019 meeting.

We look forward to any comments you may have on this project. The Planning Board Chairman; Secretary; Environmental Consultant; and Consulting Engineer are copied.

Happy holidays and healthy New Year to you!

Take care,
Liz



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Morris Associates is now CPL

**Please note that my e-mail has changed as Morris Associates is now part of the architecture, engineering, planning firm CPL. Click here to learn more: [CPL acquires Morris Associates](#)*

From: Garcia, Cynthia [<mailto:CGarcia@dep.nyc.gov>] **Sent:** Monday, December 24, 2018 10:43 AM **To:** Planning Kent
Subject: RE: Kent Planning Board Agenda for January 2019

Hi Vera,

I see that Route 52 Development is on the agenda. Do you know if the Board is leaning towards a Pos Dec?
Thank you for the status update.

Have a wonderful holiday and healthy new year!

Cynthia Garcia | Bureau of Water Supply | SEQRA Coordination Section
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From: Planning Kent <planningkent@townofkentny.gov> **Sent:** Monday, December 24, 2018 9:31 AM **To:** Building Inspector <buildinginspector@townofkentny.gov>; Bruce Barber (barberbruce@yahoo.com) <barberbruce@yahoo.com>; Julie Mangarillo (jmangarillo@rsaengrs.com) <jmangarillo@rsaengrs.com>; Liz Axelson - Morris Associates (eaxelson@cplteam.com) <eaxelson@cplteam.com> **Cc:** Building Clerk <buildingclerk@townofkentny.gov>; Barbara Barosa <Barbara.Barosa@putnamcountyny.gov>; rbradre@bestweb.net; Daniel Ciarcia (Dan@ciarcia.com) <Dan@ciarcia.com>; David Bourgeois (dabourgeois@yahoo.com) <dabourgeois@yahoo.com>; Dawn McKenzie <DMcKenzie@insite-eng.com>; Gale Epstein (Gale@hankypanky.com) <Gale@hankypanky.com>; Gordon Moccio (gordon.moccio@gmail.com) <gordon.moccio@gmail.com>; Harold Cargain (hicargain@outlook.com) <hicargain@outlook.com>; John karell <jack4911@yahoo.com>; Jamie LoGuidice (jlogiudice@insite-eng.com) <jlogiudice@insite-eng.com>; Jason Snyder (jsnyder@badey-watson.com) <jsnyder@badey-watson.com>; Jeffery Battistone (JBattistoni@VanDeWaterLaw.com) <JBattistoni@VanDeWaterLaw.com>; Jerry Raneri (kentpd100@yahoo.com) <kentpd100@yahoo.com>; Joel Greenberg <joel.greenberg@arch-visions.com>; Gordon Moccio (gordon.moccio@gmail.com) <gordon.moccio@gmail.com>; Harold Cargain (hicargain@outlook.com) <hicargain@outlook.com>; John karell <jack4911@yahoo.com>; Jamie LoGuidice (jlogiudice@insite-eng.com) <jlogiudice@insite-eng.com>; Jason Snyder (jsnyder@badey-watson.com) <jsnyder@badey-watson.com>; Jerry Raneri (kentpd100@yahoo.com) <kentpd100@yahoo.com>; Joel Greenberg <joel.greenberg@arch-visions.com>; John Murtaugh (jjmurts@optonline.net) <jjmurts@optonline.net>; John Watson <JWatson@insite-eng.com>; Joseph Fregosi (jfregosi1957@gmail.com) <jfregosi1957@gmail.com>; Katharine Curtiss (katharine.curtiss@gmail.com) <katharine.curtiss@gmail.com>; Martin (martin@arch-visions.com) <martin@arch-visions.com>; Michael Caruso <mvcarusolaw@gmail.com>; Michael Lento (mike1758@verizon.net) <mike1758@verizon.net>; Nancy Tagliaferro (ntag@hoganandrossi.com) <ntag@hoganandrossi.com>; Fire Inspector <fireinspector@townofkentny.gov>; Paul Holman (eurovideo@comcast.net) <eurovideo@comcast.net>; Paul Rienza (paulr210@yahoo.com) <paulr210@yahoo.com>; Paul Roncallo (proncallo@aol.com) <proncallo@aol.com>; P.W. Scott Eng. & Arch. PC <pwscott2@comcast.net>; Richard Harris <rharris@townofkentny.gov>; Highway Kent <highwaykent@townofkentny.gov>; Richie Vriebrock (rhardrock3@aol.com) <rhardrock3@aol.com>; Sue Kotzur (kent.recycling@gmail.com) <kent.recycling@gmail.com>; Tamara Harrison <tharrison@townofkentny.gov>; Veronica A McMillan (vamcmillan@lewisgreer.com) <vamcmillan@lewisgreer.com>; Garcia, Cynthia <CGarcia@dep.nyc.gov>; Jeff Contelmo <JContelmo@insite-eng.com>; Lana Cappelli <lcappelli@townofkentny.gov>; Deputy 1

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Subject: [WARNING: ATTACHMENT(S) MAY CONTAIN MALWARE]Kent Planning Board Agenda for January 2019

Attached is the Planning Board Agenda for January 2029. There will be a workshop on January 3, 2019 as well as the monthly meeting on January 10, 2019 at 7:30 PM.

The people copied on this email are not required to attend the meeting on January 10, 2019 unless they have a project before the Planning Board.

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