

**Minutes**  
**Town of Kent Planning Board Meeting**  
**March 14, 2019**  
**FINAL**

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	Charles Sisto
Giancarlo Gattucci	Stephen Wilhelm

**Absent:**

Nissim Sachakov

**Others in Attendance:**

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

• **Approve Planning Board Minutes from February 14, 2019**

Mr. Tolmach asked for a motion to approve the minutes from the February 14, 2019 meeting. The motion was made by Giancarlo Gattucci and seconded by Stephen 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>
Nisim Sachakov	<u>Absent</u>
Stephen Wilhelm	<u>Aye</u>

The motion carried.

• **DOGWARD BOUND, 461 RICHARDSVILLE ROAD, KENT, NY; TM: 30.12-1-1**

Mr. Vincent Sciuillo, the owner of the property, and Mr. Charles May attended the meeting.

Mr. May advised the Planning Board that this business is on 14.62 acres in an R-80 zone. A variance was granted in 1960 allowing the previous owners of the property to operate a dog kennel on the property. This matter was before the Planning Board and a Public Hearing was scheduled.

Mr. Tolmach asked for a motion to open the Public Hearing. The motion was made by Mr. Wilhelm and seconded by Mr. Gattucci. 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>
Nisim Sachakov	<u>Absent</u>
Stephen Wilhelm	<u>Aye</u>

The motion carried.

**Town of Kent Planning Board Minutes**  
**March 14, 2019**

Ms. LeFevre said the kennel was well run and the property was kept in great order. Ms. LeFevre said that they are great neighbors and that she was in favor of the proposed addition.

Mr. Tolmach asked for a motion to close the Public Hearing. The motion was made by Mr. Wilhelm 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>
Nisim Sachakov	<u>Absent</u>
Stephen Wilhelm	<u>Aye</u>

The motion carried.

Ms Axelson's Comments (memo/Resolution attached..

Ms. Axelson read her Resolution and acknowledged that a use variance was granted in 1960 and that the ZBA of Kent had approved an expansion of the use on July 17, 2017 and it qualifies as a Type II action under SEQRA and no further action was necessary. Ms. Mangarillo stated that a wetland permit was needed and the Resolution would expire in 12 months.

Mr. Barber's Comments (memo attached)

Mr. Barber said that a wetland buffer was not required after his inspection earlier in the day.

Mr. Tolmach asked for a motion to adopt the Resolution prepared by Ms. Mangarillo. The motion was made by Mr. Sisto and seconded by Mr. Gattucci. 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>
Nisim Sachakov	<u>Absent</u>
Stephen Wilhelm	<u>Aye</u>

The motion carried.

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

This was a continuation of a Public Hearing for this property. Mr. John Karell represented the applicants.

Mr. Karell said he is still waiting for a response from the Board of Health.

Ms. Axelson's Comments

Ms. Axelson advised the Planning Board that the Public Hearing should be adjourned until the April meeting.

Mr. Tolmach asked for a motion to adjourn the Public Hearing to the April meeting. The motion was made by Mr. Sisto 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>
Nisim Sachakov	<u>Absent</u>
Stephen Wilhelm	<u>Aye</u>

The motion carried.

- **DELILAND, 508 ROUTE 52, KENT, NY; TM: 33.48-1-12**

Mr. Owen Jordan, owner of Deliland, attended the meeting.

Ms. Axelson's Comments (memo attached)

Ms. Axelson said that a hearing had not been required for this project. Ms. Axelson prepared a draft Resolution which had been done previously. Putnam County Planning previously approved this project and it had been referred to them at the present time and they reapproved it. The Kent Planning department granted site plan and special use approvals in March of 2017. Ms. Axelson recommended that the approvals be granted by the Planning Board.

Mr. Barber's Comments

Mr. Barber advised the Planning Board that a wetland permit was not required for this project.

Mr. Tolmach asked for a motion to adopt the draft Resolution prepared by Ms. Axelson. The motion was made by Mr. Sisto 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>
Nisim Sachakov	<u>Absent</u>
Stephen Wilhelm	<u>Aye</u>

The motion carried.

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

Ms. Mangarillo told the Planning Board that the applicant had requested a reduction of his bond, but due to inclement weather a site inspection had not been done. An inspection was scheduled for the next week.

- **PATTERSON CROSSING, ROUTE 311, KENT, NY; TM: 22.-2-48**

Ms. Axelson's Comments

Ms. Axelson advised the Planning Board that the applicant and his engineer are working to address conditions of approval. One item was approval of a Blasting Pamphlet, and no blasting was anticipated but if they did have to do so they would follow procedures and provide blasting pamphlets to property owners. Ms. Axelson recommended that the Planning Board approve providing the Blasting Pamphlet to the property owners.

Mr. Tolmach asked for a motion to approve the Blasting Pamphlet (copy attached). The motion was made by Mr. Carey and seconded by Mr. Gattucci. The Roll call votes were:

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

The motion carried.

- **KENT SELF STORAGE, ROUTE 311, KENT, NY; TM: 22.-2-17**

Mr. Joseph Rina, of Site Design Consultants, represented the applicant. This project was before the Planning Board previously, however the owner of this property passed away and the new owner has different plans for this property.

Mr. Barber's Comments (memo attached)

The new application is to construct a 30,308 square foot two-story storage building, which will consist of 2,500 square feet of management and dry retail space and a separate 2,400 square foot storage building. The parcel size is 2.7 acres in the IOC district. There will be on-site sewage disposal, a well, required parking, utilities, retaining walls and stormwater structures. Previous inspections verified that there are no wetland permits required by the Town of Kent or the NYSDEC. There are steep slopes requiring retaining walls. A trout stream is located across the street from the property and Mr. Barber asked that the applicant be sensitive to that. A tree survey was submitted, however Mr. Barber was not sure how many trees would be removed and where they would be cut., and they must be cut from November 1<sup>st</sup>. through April 1<sup>st</sup>. Mr. Barber asked how many parking spaces would be on site and a new EAF was to be provided, as well as a SWPPP plan, an erosion control plan, more detailed soil information map , lighting and landscaping plans, architectural drawings and a business plan. DOT, Board of Health, NYCDEP and Putnam County Planning approvals are also required .

Ms. Axelson's Comments

Ms. Axelson said she had not prepared a memo, but was in the process of doing so. Ms. Axelson felt that there was some concern about two parking spaces in the rear of the building and suggested that they should be relocated. The truck rental spaces needed to be shown on the drawings and lighting and landscaping plans were needed. Because there was an entrance on the ground floor level in front and one at the second story level sidewalks needed to be defined on the plans. More screening and a loading space would also be required. An architectural plan was also requested. Ms. Axelson said that she suggested more parking be in the rear of the building rather than the front. No action was recommended at this time.

Ms. Mangarillo's Comments (memo attached)

Ms. Mangarillo said she is waiting for the SWPPP, stormwater calculations and other details.

Mr. Rina said he will be working on the recommendations provided by the consultants.

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

Mr. John Karell represented the applicant and said that he is awaiting results pertaining to soil samples sent to NY State Health Department. Mr. Karell said that, as recommended by Ms. Axelson, he was applying to the Kent ZBA for a variance for the road frontage.

Ms. Axelson's Comments (memo attached)

Ms. Axelson mentioned she sent materials to the Planning Board Attorney and would follow up with him before the next meeting.

- **O'MARA, LHASA COURT, KENT, NY; TM: 31.9-1-6**

Mr. John Karell represented Mr. O'Mara, who also attended the meeting. Mr. Karell said that this project had previously been approved in 2016, but due to the economy the applicant had not proceeded with this project and would like to do so at this time. The applicant also was before the ZBA for variance for frontage. Board of Health approvals also expired and the applicant was waiting for reapprovals

Ms. Axelson's Comments (memo attached)

Ms. Axelson said that she and the other consultants were not ready to take any actions at this time.

Mr. Barber's Comments (memo attached)

Mr. Barber advised the Planning Board that an updated EAF was required, plan notes pertaining to tree cutting should be put on the drawings and soil testing results should also be included.

Ms. Mangarillo's Comments (memo attached)

There remains some open items from Ms. Mangarillo's last memo from 2016 which needed to be addressed. She recommended that the driveway plans need to be resubmitted to the Fire Department as well as the Kent Highway Department. The Planning could, at a later date, grant a driveway waiver if the Highway and Fire Departments approved the driveway plan. The bond amount of \$28,150 approved previously still is reasonable, according to Ms. Mangarillo. A Public Hearing was waived previously because a hearing was held before the ZBA and it will be done again at this time so Ms. Mangarillo recommended it be waived again by the Planning Board

- **BAILLARGEON PROPERTY, KENTVIEW DRIVE, KENT, NY; TM: 10.20-1-71**

Mr. John Karell represented Mr. Baillargeon, who also attended the meeting. This project was approved previously when the property was owned by Eric Arell. The new owners of the property are building a different style house, but it will be in the same location as will the septic system.

Ms. Axelson's Comments (memo attached)

Ms. Axelson said that utilities will be underground and that at this time she did not recommend any action be taken.

Mr. Barber's Comments (memo attached)

Mr. Barber said that the proposed changes are mostly with the driveway location. He requested additional information on plantings, modifications to the plantings bond, revision dates, architectural plans, Health Department approvals and an updated EAF. Mr. Barber, Mr. Walters and Ms. Mangarillo inspected the property earlier in the day and determined that the previous owner exceeded the limits of disturbance when cutting trees. He said he would be working with the new owners and Mr. Karell to mitigate the loss of the trees cut. Now there is a lot of drainage flowing toward the neighboring property and silt fences needed to be installed immediately to mitigate that. The wood chips on the property should be moved to the area where the silt fence is installed to slow down the force of the water.

Ms. Mangarillo's Comments (memo attached)

Ms. Mangarillo suggested that at least two-three rows of silt fence needed to be installed as soon as possible. Previous approvals for Arell expired and a new permit was required. She had concerns about the driveway, which is quite steep and leads into the garage. She said that the code requires a flat area before garages and suggested that the applicant reconsider the grading or request a waiver. There are some notes missing and the plans needed to be re-submitted to the Highway Department to review driveway plans.

Mr. Barber asked the Planning Board to grant permission Mr. Karell to install silt fencing on the property immediately, Mr. Karell said he would send plans to the consultants.

Mr. Tolmach asked for a motion to authorize Mr. Karell to install silt fencing on this property. The motion was made by Mr. Wilhelm and seconded by Mr. Sisto. . . 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>
Nisim Sachakov	<u>Absent</u>
Stephen Wilhelm	<u>Aye</u>

The motion carried.

• **ZUCKER PROPERTY, 12 WOODCHUCK COURT, KENT, NY; TM: 21.19-1-5**

Mr. John Karell represented the applicant.. This is an existing house in Gipsy Trail. The owners are proposing to add a garage and a breezeway. There are NY State wetlands adjacent to this property, which are flagged and a 100' setback has been established. A request has been made to the state to verify the wetlands block. The architecture is small.

Ms. Axelson's Comments (memo attqached)

Ms. Axelson commenrs were minor and she recommended no action be taken at this time.

Mr. Barber's Comments (memo attqached)

Mr. Barber said that he, Bill Walters and Ms. Mangarillo had inspected this property earlier in the day. There is an existing house and the applicant wants to construct a garage on the property. Mr. Barber asked that the applicant show on the plans where any future expansion of the septic system would be if it became necessary. He also asked for additional information pertaining to a shower and bath area shown on the plans for the garage.

Mrl Karell advised Mr. Barber that the water from the shower and bath will go into the septic and there is no area outside of the wetland buffer where a new septic system could be installed.

Mr. Lowes asked whether or not there was an easement for the applicant to get driveway access which cuts across a neighbor's property to the south. Mr. Karell said that there was no easement, but he could get a note from the Club saying that they had no objections or from the neighbor. The roads are owned by the Club.

Ms. Mangarillo's Comments (memo attached)

Ms. Mangarillo said no coverage is required under the NYS DEC stormwater regulations because the limits of disturbance is under 5,000 square feet and that she recommended that the applicant keep it that way. However, a Kent Erosion control Permit is required because a wetland permit is required. Until other wetland issues are resolved Ms. Mangarillo did not approve the bond estimate. Infiltration for roof runoff needs to be looked at. Ms. Mangarillo asked that a letter from Gipsy Trail Club be submitted to the Planning stating that they have no objections in this matter and in that case a waiver of a Public Hearing would be granted.

- **HOLMES PRESBYTERIAN, KENT, NY; TM: 2.-1-47-1**

Ms. Axelson said that Holmes Presbyterian were concerned that their approvals were expiring. Plans signed March of 2018 and since the applicant is in the middle of construction there is no expiration at this time. The expiration date would be November of 2019, but construction would probably be completed by then and no action was necessary at this time and Ms. Axelson had advised Sloan Architects of that as well..

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

Mr. Michael Caruso represented the applicant. A site visit was still to be scheduled in the future. A Scoping Document would be submitted for the April meeting.

Ms. Axelson said that the consultants would review the Scoping Document at the April workshop and that a Draft Regulation may be prepared for the April meeting.

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

- |   |                   |                     |
|---|-------------------|---------------------|
| <ul style="list-style-type: none"><li>• Wagner Millworks<br/>Longmountain Rd., Kent, NY<br/>TM: 8.1-2</li></ul> | Logging Operation | Workshop Discussion |
|---|-------------------|---------------------|

Ms. Mangarillo said that some changes as to how logging operations are approached needed to be addressed. Some improvements to the tracking pad need to be made and memos would be sent out shortly.



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- |   |              |               |
|---|--------------|---------------|
| <ul style="list-style-type: none"> <li>• Lewis/Ackerley<br/>72 Barrett Cir., Kent, NY<br/>TM: 42.12-1-25</li> </ul> | Field Change | Status Report |
|---|--------------|---------------|

The applicant has an approved erosion control plan, but wants to move the garage. Ms. Mangarillo confirmed that the change to the location of the garage is within the limits of disturbance and is only a field change. An amended permit was not required.

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|--|----------------------|---------------|
| <ul style="list-style-type: none"> <li>• Fregosi Property<br/>Kentview Dr., Kent, NY<br/>TM: 10.20-1-69</li> </ul> | Erosion Control Plan | Status Report |
|--|----------------------|---------------|

Waiting for re-submittal

- |   |                      |               |
|---|----------------------|---------------|
| <ul style="list-style-type: none"> <li>• Fregosi/Marinelli Property<br/>Miller Hill Rd., Kent, NY<br/>TM: 10.-1-17</li> </ul> | Erosion Control Plan | Status Report |
|---|----------------------|---------------|

Waiting for re-submittal. .

- |  |                      |               |
|--|----------------------|---------------|
| <ul style="list-style-type: none"> <li>• Bourgeois Property<br/>100 Lakeshore Dr., Kent, NY<br/>TM: 33.58-1-9</li> </ul> | Erosion Control Plan | Status Report |
|--|----------------------|---------------|

Awaiting a re-submittal.

- |   |                      |               |
|---|----------------------|---------------|
| <ul style="list-style-type: none"> <li>• Gierer (Cargain) Property<br/>43 Marie Rd., Kent, NY<br/>TM: 22.-1-42</li> </ul> | Erosion Control Plan | Status Report |
|---|----------------------|---------------|

Awaiting a re-submittal.

- |  |                             |               |
|--|-----------------------------|---------------|
| <ul style="list-style-type: none"> <li>• Putnam Nursing &amp;<br/>Rehabilitation Center Addition<br/>404 Ludingtonville Rd., Holmes, NY<br/>TM: 12.-3-40 &amp; 41</li> </ul> | Erosion Control /Site Plan/ | Status Report |
|--|-----------------------------|---------------|

A submittal was submitted for the April meeting. A zoning amendment is still pending..

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|--|----------------------|---------------|
| <ul style="list-style-type: none"> <li>• Cabrera Property<br/>126 Hortontown Rd., Kent, NY<br/>TM: 19.-1-35</li> </ul> | Erosion Control Plan | Status Report |
|--|----------------------|---------------|

Nothing new has been submitted.

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|--|---|---------------|
| <ul style="list-style-type: none"> <li>• Boccia Property<br/>Beach Court, Kent, NY<br/>TM: 21.-1-16</li> </ul> | Erosion Control Plan/<br>Wetland Permit | Status Report |
|--|---|---------------|

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Nothing new submitted/waiting for bond to be submitted

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

Nothing new was submitted

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

Nothing new had been submitted.

Mr. Tolmach asked for a motion to close the meeting at 8:45 PM. 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>
Nissim Sachakov	<u>Absent</u>
Charles Sisto	<u>Aye</u>
Stephen Wilhelm	<u>Aye</u>

The motion carried.

Respectfully Submitted,



Vera Patterson  
Planning Board Secretary

cc: Planning Board Members  
Building Inspector  
Town Clerk

MARCH 2019

KENT PLANNING BOARD AGENDA

Workshop: March 07, 2019 (Thursday, 7:30 PM)

Meeting: March 14, 2019 (Thursday, 7:30 PM)

- Approve Planning Board Minutes from February 2019
- Dogward Bound  
461 Richardsville Road, Kent, NY  
TM: 30.12-1-1      Erosion Control Plan/  
Public Hearing/  
Site Plan/Accept Bond      Review
- Realbuto  
49 Tiger Trail, Kent, NY  
TM: 21.8-1-39      Erosion Control Plan/Bond  
Public Hearing Continued      Review
- Deliland  
508 Rte. 52, Kent, NY  
TM: 33.48-1-12      Amended Site Plan  
For Second Story Addition      Review
- Kent Materials  
NYS Rte. 52, Kent, NY  
TM: 12.-1-44      Request to Reduce Bond      Review
- Patterson Crossing  
Route 311, Kent, NY  
TM: 22.-2-48      Blasting Pamphlet      Discussion
- Kent Self Storage  
Rte. 311, Kent, NY  
TM: 22.-2-17      Site Plan/Erosion Control      Review
- Raneri Property  
Hillside Paper Rd., Kent, NY  
TM: 44.24-1-3      Erosion Control Plan/  
Soil Test      Review
- O'Mara  
Lhasa Ct., Kent, NY  
TM: 31.9-1-6      Erosion Control Plan      Review
- Baillargeon Property  
Kentview Dr., Kent, NY  
TM: 10.20-1-71      Erosion Control Plan/  
Wetland Permit      Review
- Zucker Property  
12 Woodchuck Ct., Kent, NY  
TM: 21.19-1-5      Erosion Control Plan/  
Wetland Permit      Review
- Holmes Presbyterian  
Kent, NY  
TM: 2.-1-47-1      Request for Time Extension      Review

**Town of Kent Planning Board Minutes  
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Permit Applications Review (Applicants attendance not required/Workshop Discussion):

- |  |   |                     |
|--|---|---------------------|
| • Wagner Millworks<br>Longmountain Rd., Kent, NY<br>TM: 8.1-2  | Logging Operation                                   | Workshop Discussion |
| • Lewis/Ackerley<br>72 Barrett Cir., Kent, NY<br>TM: 42.12-1-25  | Field Change  | Status Report       |
| • Fregosi Property<br>Kentview Dr., Kent, NY<br>TM: 10.20-1-69   | Erosion Control Plan                                | Status Report       |
| • Fregosi/Marinelli Property<br>Miller Hill Road, Kent, NY<br>TM: 10.-1-17                                       | Erosion Control Plan                                | Status Report       |
| • Bourgeois Property<br>100 Lakeshore Dr., Kent, NY<br>TM: 33.58-1-9   | Erosion Control Plan                                | Status Report       |
| • Route 52 Development/<br>Peder Scott Project<br>Route 52, Kent, NY<br>TM: 12.-1-52                             | SEQRA   | Status Report       |
| • Gierer (Cargain) Property<br>43 Marie Road, Kent, NY 10512<br>TM: 22.-1-42                                     | Erosion Control Plan                                | Status Report       |
| • Putnam Nursing &<br>Rehabilitation Center Addition<br>404 Ludingtonville Road, Holmes, NY<br>TM: 12.-3-40 & 41 | Erosion Control/Site Plan/<br>Wetland Permit        | Status Report       |
| • Cabrera Property<br>126 Hortontown Road, Kent, NY<br>TM: 19.-1-35  | Erosion Control Plan                                | Status Report       |
| • Boccia Property<br>Beach Court, Kent, NY<br>TM: 21.-1-16   | Erosion Control Plan/<br>Wetland Permit             | Status Report       |
| • Rodriguez/Olson<br>104 Smalley Corner Road, Kent, NY<br>TM: 21.-1-10   | Subdivision   | Status Report       |
| • Von Rosenvinge Property<br>451 Pudding St., Kent, NY<br>TM: 31.17-1-7  | Erosion Control Plan<br>for In-Ground Swimming Pool | Status Report       |



# Memorandum

To: Planning Board  
Town of Kent

Attn: Philip Tolmach  
Chairman

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

Subject: Erosion Control Plan

Date: March 13, 2019

Project: Baillargeon ECP – Kentview Drive  
TM # 10.20-1-71  
Formerly Arell

The following materials were reviewed:

- Combined Application Form signed 2/16/2019, including:
  - Owner's affidavit, Agent of owner's affidavit, Certification of Professional Engineer, Disclosure of Business Interest, Agricultural data statement and Site plan checklist
- Deed
- Short Environmental Assessment Form (EAF) signed 2/16/2019
- Stormwater Pollution Prevention Plan, prepared by John Karell, Jr., P.E., dated 2/16/2019
- Notice of Intent (NOI), signed 2/16/2019
- Erosion Control Cost Estimate, prepared by John Karell, Jr., P.E., dated March 3, 2019
- Drawings prepared by John Karell, Jr., P.E., including
  - S-1 Site Plan, revised 3/3/2019
  - S-2 Erosion Control, Steep Slope Plan, Sight Line Plan, revised 3/3/2019
  - S-3 Sight Line P[r]ofiles, revised 3/3/2019
  - D-1 Details, revised 3/3/2019
  - EC-1 Erosion Control & Steep Slope Details/Notes, dated 2/16/2019

The project proposes construction of a single family house, driveway, septic and well. Construction on this lot previously received approval in January 2018, which has since expired. The lot has been purchased by a new owner with different proposed house and driveway layout. Some changes were made to the proposed development, adding screening and landscaping, after a review meeting on February 28, 2019.

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-0-15-002.

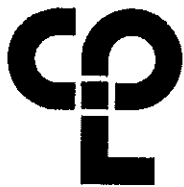
- a. Coverage under GP-0-15-002 was granted by NYS DEC under the previous owner, Arell. An updated Notice of Intent (NOI) has been provided for the new owner, Baillargeon. After the new owner submits the new NOI to NYSDEC, then, the previous owner, Arell, will have to submit a Notice of Termination. Refer to GP-0-15-002 Part II, E.
2. Refer to the drawings:
  - a. On S-1 and S-2, show the sight lines at the proposed driveway intersection with the road.
  - b. Drawing S-1 and S-2 show a tree in the front yard not marked for removal, with the proposed contour 392 cutting through it. Adjust the grading to preserve this tree or show it as to be removed.
  - c. Restore the "significant trees" table to drawing S-1.
  - d. Restore the "Town Notes" to drawing S-1, including:
    - i. 1. There shall not be any vegetation removal or pruning other than dead or diseased elements outside the indicated limits of disturbance.
    - ii. 2. If during construction the level spreader at the end of the drainage pipe is not sufficient to manage the stormwater, additional stormwater management measures will be required.
  - e. On S-1 and S-2, refer to the notes above the title block in lower left corner. Add "trench drain" in addition to yard drains and level spreader as items that need to be inspected and cleaned.
  - f. Provide a note on the drawings referencing the SWPPP.
3. Refer to the proposed driveway:
  - a. Per Town Code Chapter 57, §57-26.A(2)(a): "Finished grades for all parts of any proposed driveway shall not exceed 10% and shall not be less than 1 ½% nor exceed 5% within 30 feet of the intersection of the driveway with the Town road... The slope **shall not exceed 3% within 30 feet of a garage** or parking pad..." Currently the profile shows a slope of 8.8% to the entrance of the garage. The design of the driveway is to be re-visited to provide a flatter area next to the garage.
  - b. A trench drain is proposed at the bottom of the driveway at the entrance to the garage. Based on the length of driveway and associated runoff, the applicant is to consider setting the low spot and trench drain further from the entrance to the garage. This will help reduce, but not eliminate, the potential for runoff to enter the garage, particularly during intense rain events.
  - c. Provide a driveway cross-section detail.
4. Provide pipe sizing calculations to show the 6" pipe is sufficient to carry stormwater around the house to the level spreader.
5. Provide current Health Department approvals.

6. A bond estimate of \$11,638 was prepared by Jack Karell, P.E. Add a line item for the trench drain and increase linear feet of 6" drainage pipe. As a reminder, the approved bond amount for Arell, the previous owner, was \$12,890.00.
7. We recommend the revised plans be circulated to the Highway Superintendent for review and approval.
8. 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.

  
Julie S. Mangarillo, P.E., CPESC


cc: Planning Board via email  
Bill Walters via email  
05-261-999-95

Bruce Barber via email  
Liz Axelson via email



ARCHITECTURE  
ENGINEERING  
PLANNING  
CPLteam.com

### MEMORANDUM

**TO:** Town of Kent Planning Board  
**CC:** Bill Walters  
Julie Mangarillo  
Bruce Barber  
**FROM:** Liz Axelson, AICP   
**DATE:** March 13, 2019  
**RE:** Baillargeon Erosion Control Plan, Kentview Drive, Tax Parcel No. 10.20-1-71 / CPL# 14973.00-00007

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 38,290 square foot (SF; <1-acre) lot (see tax parcel listed above) in the R-80 (Residential) 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/EAF

3. Clarify that the limit of disturbance is 0.48 (20,800 SF) as noted by limit of disturbance in plan sheet), and make uniform in the General Notes on Plan Sheet EC-1, as well as EAF question 3-b.
4. The proposal appears to be a Type 2 action under the SEQRA.

#### Zoning Requirements

5. Revise the zoning table of lot and bulk requirements to the plat corresponding to the R-80 district as follows:
  - a. Add a note indicating existing noncomplying conditions for the following:
    - i. Minimum lot area;
    - ii. Minimum lot width; and
    - iii. Minimum highway frontage.
  - b. Include a value for proposed building height and number of stories.
  - c. The proposed building height should be 30 feet (30') or less, which is the correct requirement.
  - d. I note two different versions of the zoning tables appear on two separate plan sheets. It is preferred that it be presented on the site plan. In any case, provide a single, corrected zoning table.
6. Add a note to the plans to state that utilities shall, unless unfeasible, be placed underground.
7. Label the driveway surface and width.



Recommendation

8. The Planning Board should direct the applicant to:
  - a. address the comments above; and
  - b. provide additional information for a more complete application.
9. Since the application is not be 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 [caxelson@CPLteam.com](mailto:caxelson@CPLteam.com).

Materials ReviewedMaterials Reviewed

- Application for erosion control permit; and request for Wetland Delineation Confirmation, with site plan checklist signed 2/16/19; and attached deed information;
- Stormwater Pollution Prevention Plan, prepared by John Karell, PE, dated January 16, 2019 with NOI signed 2/16/19;
- Short EAF signed January 16, 2019;
- Erosion Control Cost Estimate, prepared by John Karell, PE, dated March 3, 2019; and
- Plans prepared by John Karell, Jr., P.E., entitled Brian and Jennifer Baillargeon Residence dated as listed below:
  - o Site Plan, dated June 26, 2017, revised February 16, 2019;
  - o Erosion Control, Steep Slope and Sight Line Plan, dated June 26, 2017, revised February 16, 2019;
  - o Sight Line Profiles, dated June 26, 2017, revised February 16, 2019;
  - o Details, dated June 26, 2017, revised February 16, 2019;
  - o Erosion Control & Steep Slope Details/Notes, February 16, 2019.

Town of Kent Planning Board  
Special Use Permit and Site Plan Application

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Matter of On a Roll Realty (Deliland)

Page | 1

**Whereas**, the Town of Kent Planning Board has received an application from On a Roll Realty (d/b/a Deliland) for Special Use Permit and Site Plan approval to allow the establishment of a one bedroom apartment above an existing delicatessen, as well as a minor expansion of the delicatessen's ground floor, on a site located at 508 Route 52, Tax Parcel 33.48-1-12, which is consistent with an application for the same property reviewed in 2017; and

**Whereas**, the action qualifies as a Type II Action for which no further environmental review is required; and

**Whereas**, the Putnam County Department of Planning had previously recommended approval of the Amended Site Plan pursuant to GML 239-m during the 2017 Planning Board review; and

**Whereas**, the Town of Kent Planning Board had previously granted Special Permit and Site Plan approval with conditions of the above-described application on March 9, 2017 based on a Site Plan Map prepared by Robert F. Germaine, Jr., ME, P.E., dated November 22, 2016 and bearing a latest revision date of March 1, 2017 entitled "Site Plan-Deliland"; and

**Whereas**, the March 9, 2017 approval has since expired, and a minor expansion of the delicatessen's ground floor is proposed;

**Whereas**, after review of the application and consideration of the criteria set forth in §77-59, §77-60 and §77-44.5 of the Town Zoning Law, the Planning Board had previously found as follows:

- 1) That all proposed second floor apartment would be readily accessible for fire and police protection; and
- 2) That the location, size and character of the second floor apartment will be in harmony with the appropriate and orderly development of the Commercial District, will not be detrimental to the orderly development of adjacent properties; and
- 3) That the proposed apartment will not be a nuisance to the adjoining properties; and

- 4) The location and size of the apartment will be such that both pedestrian and vehicular traffic to and from the use and the assembly of persons in connection therewith will not be hazardous or inconvenient to, or incongruous with, the residence district or conflict with the normal traffic of the neighborhood; and
- 5) The location, height and architectural features of the proposed second floor apartment addition will harmonize with its surroundings and will not hinder or discourage the appropriate development and use of adjacent land and buildings; and
- 6) The proposed apartment is consistent with the amount of land available, and that the proposed repairs and other improvements would not impede or adversely affect access to the site or impair the quiet use and enjoyment of neighboring lands.
- 7) The use is an allowed use in the Commercial (C) District, and information provided by the applicant indicates that the overall appearance, size, and dimension of the improvement, including the minor expansion of the delicatessen's ground floor, would be appropriate to the site.
- 8) The information supplied by the applicant meets the information requirements of §77-60 (F) of the Town Code.
- 9) That because the proposal is an expansion of an existing commercial structure for a residential use the design requirements of §77-60(H) through (T) are not applicable to this application.
- 10) The proposed use would be in harmony with the existing and planned development of contiguous lands and adjacent neighborhoods.
- 11) The proposed use would have no material adverse effect upon the desirability of adjacent and nearby property for development of other uses allowed within the district.
- 12) The proposed use is properly related to the uses, goals and policies for land development as expressed in the Town Master Plan.
- 13) Pedestrian and vehicular access, traffic circulation and the general layout of the site have been properly planned with regard to the safety of vehicles and pedestrians using the site, as well as those on neighboring properties and streets.

Page | 3

- 14) The proposed use is sited to take advantage of solar access insofar as practical, including the orientation of the proposed building with respect to sun angles, the shading and windscreen potential of proposed and existing vegetation on and off the site, and the impact of solar access to adjacent uses and properties.
- 15) The site plan reflects an awareness of and sensitivity to the views, terrain, soils, plant life and other unique qualities of the site and preserves and enlarges upon these assets for recreation, scenic or conservation purposes to the extent practicable.
- 16) The proposed use, buildings, and outdoor storage areas, landscaping, and off-street parking and loading, conform to the requirements of the Town Zoning Law and other applicable local laws.
- 17) The lot will have its own means of ingress and egress which is not shared with any other use.

**Whereas**, the Planning Board had previously waived a public hearing on this application;

**Now Therefore Be It Resolved**, that the Planning Board hereby waives the requirement for a public hearing on this application;

**Be It Further Resolved**, that the Planning Board hereby refers this matter to the Putnam County Department of Planning with a copy of the previous 2017 recommendation for approval of the Amended Site Plan pursuant to GML 239-m, in anticipation of a recommendation for approval as occurred during the 2017 Planning Board review;

**Be It Further Resolved**, that the Planning Board hereby grants Special Use Permit and Site Plan Approval to On A Roll Realty to establish a second-floor apartment as depicted on a Plot Plan map prepared by Robert F. Germaine, Jr., ME, P.E., dated February 19, 2019; and

**Be It Further Resolved**, that this Amended Site Plan Approval is expressly conditioned on the completion and/or adherence to the following:

- 1) *Payment of all Planning Board costs and fees, including professional review fees incurred during the review and approval of the application.*
- 2) *Kent Planning Board receipt of a Putnam County Department of Planning recommendation of approval of the Amended Site Plan.*

*Town of Kent Planning Board  
Special Use Permit and Site Plan Approval  
Matter of On A Roll Realty (Deliland)  
March 14, 2019*

- 3) *The facility shall be constructed in accordance with the plans and specifications as approved herein.*
- 4) *The applicant shall obtain all required approvals from the Putnam County Department of Health and the New York City Department of Environmental Protection.*
- 5) *This site plan approval shall expire 12 months from the date of approval as set forth in the Code of the Town of Kent section 77-61 C., which states that the approval would be "... void if construction is not started within one year of the date of Planning Board approval, and completed within two years of the date of such approval."; and unless otherwise extended by the Planning Board upon the express written request of the applicant.*

Page | 4

Motion: Charles Sisto

Second: Giancarlo Gattucci

Phil Tolmach, Chairman Aye

Simon Carey Aye

Giancarlo Gattucci Aye

Dennis Lowes Aye

Nisim Sachakov Absent

Charles Sisto Aye

Stephen Wilhelm Aye

Date: \_\_\_\_\_ (March 14, 2019)

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

Vera Patterson  
Vera Patterson, Clerk  
Town of Kent Planning Board



# Memorandum

To: Planning Board  
Town of Kent

Attn: Phillip Tolmach  
Chairman

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

Subject: Site Plan  
Erosion Control Plan

Date: March 13, 2019

Project: Dogward Bound, 461 Richardsville Rd  
TM # 30.12-1-1

The following materials were reviewed:

- Drawings prepared by Charles P. May & Associates, P.C., including
  - DE-1 Driveway Entrance Plan, dated 2/12/2019

The project proposes construction of a pole barn for dog training, an office and storage with a garage for auto and RV parking. Additional site work is also proposed. The parcel received variances for use from the ZBA. There is an existing single family home, dog kennels and fenced dog runs on the property.

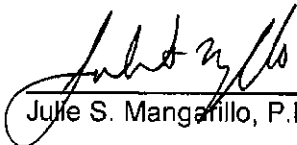
New or supplementary comments are shown in **bold**.

The subject Erosion and Sediment Control Plan is not approved. The following comments are provided for the Planning Board's consideration from a memo dated August 10, 2017:

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-0-15-002.
9. Per Town Code §66-6.G(6), "Maximum exposed soil slopes will be 33% unless otherwise recommended by the Planning Board Engineer and approved by the Planning Board." Indicate if there will be any exposed soil slopes steeper than 33%. If so, these slopes will require more aggressive stabilization, such as by erosion control matting.
  - a. 12/14/2017 Exposed soil slopes of 33% may be encountered for driveway improvements requested by fire department. If so, erosion control matting will be required.
  - b. 2/13/2019 – **A detail for erosion control matting has been provided on drawing EC-1. Add a note on the detail requiring the use of erosion control matting on 3:1 slopes or steeper.**
10. 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. – **Acknowledged.**

The following comments are provided for the Planning Board's consideration from a memo dated February 13, 2019:

1. Refer to the Notice of Intent:
  - a. Page 3, #4 – Double check the areas. The future impervious area within disturbed area (0.2 acres) should not be less than the existing impervious area to be disturbed (0.3 acres). Based on the drawings, the impervious area under proposed conditions should be greater than existing conditions.
  - b. Page 4, #10, Select "No". The "unidentified" "drainage ditch" from question 9 is not classified as a 303(d) segment.
  - c. Page 6, #24 –SWPPP preparer to sign.
2. Refer to drawing BS-1 "Boundary & Topographic Information"
  - a. For the connection to Richardsville Road, include a note or label to describe the distance to Richardsville Road. Include a reference to drawing DE-1 for full driveway length.
  - b. On the property, revise "Putnam County" to "Putnam Valley" as the neighboring municipality.
3. Refer to drawing DE-1 "Driveway Entrance Plan"
  - a. A site visit was conducted on February 5, 2019 along with William Walters, Building Inspector and Bruce Barber, Environmental Consultant. The proposed improvements to the driveway shown on DE-1 did not appear to line up with field conditions.
    - i. **3/13/2019 – DE-1 has been revised. This comment has been addressed.**
  - b. Upon discussion at the February 7, 2019 Planning Board Workshop, drawing DE-1 will be revised to better reflect field conditions. Drawing revisions are to include:  
- **3/13/2019 - complete**
  - c. Label dumpster/gate. It is our understanding this will be the point to begin driveway improvements. – **3/13/2019 - complete**
  - d. Widening on the downhill side of the driveway shall not occur in the section of steep drop-off next to the driveway. **3/13/2019 - complete**
  - e. Submit revised drawings to the Fire Chief for review and approval. The Planning Board must receive approval from the Fire Chief prior to granting any waivers for location of the driveway turn-outs.
4. For the erosion control bond estimate of \$1500.00 provide a break down with length of silt fence, area for seed & mulch, topsoil stockpile and any other erosion control measures.

  
Julie S. Mangarillo, P.E., CPESC

cc: Planning Board via email  
Bill Walters via email  
17-261-241

Bruce Barber via email  
Liz Axelson via email

Town of Kent Planning Board  
Site Plan and Erosion Control Application

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Matter of Dogward Bound Site Plan,  
461 Richardsville Road, Tax Parcel No. 30.12-1-1

**Whereas**, the Town of Kent Planning Board has received an application from Vincent Sciullo (d/b/a Dogward Bound) for Site Plan and Erosion Control Plan approvals to allow the expansion of an existing dog kennel facility with the construction of a two-story barn on a 14.56-acre lot (see tax parcel listed above) in the R-80 (one family residence) zoning district. The new building would be used for automobile and RV storage; and would also contain space for dog training and client drop off; and

**Whereas**, the proposed action is an expansion of, "...an existing dog kennel that received a use variance in the 1960's for the business operation. The Zoning Board of Appeals approved the expansion of the use at the July 17, 2017 meeting. Pursuant to 77-60(C)(6) of the Town Code, '*Activities for which a use variance has been granted by the Zoning Board of Appeals*' are subject to site plan approval by the Planning Board."; and

**Whereas**, the action would ordinarily qualify as a Type II Action, for which no further environmental review would be required, however, since the application required the modification of a previous use variance and would be an Unlisted action Unlisted Action under SEQRA as per 6 NYCRR part 617, sections 617.4 and 617.5; and

**Whereas**, the Planning Board referred the matter to the Putnam County Department of Planning pursuant to GML 239-l & m; and

**Whereas**, the Town of Kent Planning Board held a public hearing on the applications described herein, which was opened on March 14, 2019; and

**Now Therefore Be It Resolved**, that the Planning Board hereby designates themselves as lead agency an uncoordinated SEQRA review of the application;

**Be It Further Resolved**, that the Town of Kent Planning Board, as lead agency under SEQRA, having reviewed Short EAF Part 2, hereby determines the proposed action described herein will not have any significant adverse environmental impacts and an Environmental Impact Statement will not be required; and

**Be It Further Resolved**, that the Planning Board relies on the following supporting reasons in this determination of non-significance (negative Declaration):

1. The proposal will involve 0.4 acres of land disturbance on a previously developed 14.56-acre site with a dog kennel facility and a single-family home, outbuildings, a driveway and other improvements. Impervious coverage of existing and proposed improvements on the lot would be less than two percent (2%). Land disturbance and construction activities will be limited to the northeastern corner of the site near existing structures and improvements. Accordingly, development is not proposed on the steeper portions of the site.



2. The proposed action also involves an application for a Town Erosion Control Permit. The proposed limits of disturbance are defined on the site plans with corresponding erosion and sedimentation control measures.
3. The proposed site plan is consistent with the R-80 zoning district's lot and bulk requirements. The scale of the proposed development is appropriate for the proposed site at the proposed location. Accordingly, no impacts related to the character of the community have been identified.

**Be It Further Resolved**, that the Planning Board hereby closes the public hearing;

**Be It Further Resolved**, that after review of the application and consideration of the criteria set forth in the Code of the Town of Kent, Chapter 77. Zoning, §77-61. B. the Planning Board finds as follows:

1. That the location, size and character of the expansion of an existing dog kennel facility will be in harmony with the appropriate and orderly development of the R-80 Residential District, will not be detrimental to the orderly development of adjacent properties;
2. That all facilities would be readily accessible for fire and emergency protection, including a pull-off along the driveway recommended by the Fire Chief;
3. The proposed expansion of an existing dog kennel facility will not be a nuisance to the adjoining properties;
4. The location and size of the expanded dog kennel facility will be such that vehicular traffic to and from the use will not be hazardous or inconvenient to, or incongruous with, the residence district or conflict with the normal traffic of the neighborhood; and
5. While the use is not allowed in the R-80 District, the dog kennel had received a use variance in the 1960's for the business operation. The Zoning Board of Appeals approved the expansion of the use at the July 17, 2017 meeting. Also, information provided by the applicant indicates that the overall appearance, size, and dimension of the improvement would be appropriate to the site.
6. The proposed use would be in harmony with the existing and planned development of contiguous lands and adjacent neighborhoods.
7. The proposed use would have no material adverse effect upon the desirability of adjacent and nearby property for development of other uses allowed within the district.
8. The site plan reflects an awareness of and sensitivity to the views, terrain, soils, plant life and other unique qualities of the site and preserves and enlarges upon these assets for recreation, scenic or conservation purposes to the extent practicable.

**Be It Further Resolved**, that the Planning Board hereby grants conditional Site Plan and Erosion Control Permit Approval to Dogward Bound to expand an existing dog kennel facility as depicted on site and erosion control plans prepared by Charles P. May, R.L.A., dated December 12, 2018, listed at the end of this resolution; and

**Be It Further Resolved**, that this Amended Site Plan Approval is expressly conditioned on the completion and/or adherence to the following:

1. Address the comments of the Planning Board's Professional Engineer as set forth in a memorandum dated February/March \_\_, 2019.

2. Address the comments of the Planning Board's Environmental Consultant as set forth in a memorandum dated February/March \_\_, 2019.
3. Address the comments of the Planning Board's Planning Consultant as set forth in a memorandum dated February 4, 2019.
4. Obtain the approval of the Planning Board's Consulting Professional Engineer in regard to the final Steep Slope and Erosion Control Permit plan.
5. Approval of the amount of the performance bond or security for the Steep Slope and Erosion Control Permit required per Kent Code section 66-6 D.(4) by the Planning Board's Consulting Professional Engineer; approval of the form of the bond or security by the Planning Board Attorney; and acceptance of the bond or security by the Town Board.
6. Payment of an inspection fee for the Steep Slope and Erosion Control Permit.
7. Revision of the site plans, as directed by the Kent Planning Board, to address recommendations of the Putnam County Department of Planning.
8. Payment of all Planning Board costs and fees, including professional consultant review fees incurred during the review and approval of the applications.
9. The facility shall be constructed in accordance with the plans and specifications as approved herein.
10. The Applicant shall obtain a Town Wetland Permit.
11. This site plan approval shall expire 12 months from the date of approval as set forth in the Code of the Town of Kent section 77-61 C., which states that the approval would be "... void if construction is not started within one year of the date of Planning Board approval, and completed within two years of the date of such approval."; and unless otherwise extended by the Planning Board upon the express written request of the applicant.

Motion: \_\_\_\_\_

Second: \_\_\_\_\_

Phil Tolmach, Chairman

Simon Carey

Giancarlo Gattucci


Dennis Lowes

Charles Sisto

Stephen Wilhelm

Date: \_\_\_\_\_ (March 14, 2019)

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

  
\_\_\_\_\_  
Vera Patterson, Clerk  
Town of Kent Planning Board

\*\*\*\*\*

Plans Reviewed

- Plans entitled Dogward Bound, prepared by Charles P. May, R.L.A., dated December 12, 2018, including the following:
  - o Cover Sheet;
  - o Boundary and Topographic Information;
  - o Demolition Plan;
  - o Site Layout Plan;
  - o Site Grading Plan;
  - o Erosion Control Plan;
  - o Erosion Control Plan (Sheet 2);
  - o Site Analysis Plan;
  - o Elevation Plan;
  - o Building Floor Plan; and
  - o Driveway Entrance Plan.



## Cornerstone Associates

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

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March 14, 2019

To: Planning Board

From: Bruce Barber  
Town of Kent Environmental Consultant

**Re: Dogward Bound Application**  
41 Richardsville Road  
Section 30.12 Block 1 Lot 1

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

1. Plan prepared by Charles P. May and Assoc. dated 02/12/19, 1 sheet: DE-1.

**Summary:**

The above referenced plans indicate a revision to the proposed driveway expansion. The proposed expansion will now terminate at the existing driveway gate. A site inspection will be conducted on March 16, 2019 to determine if the expansion is located in a Town of Kent jurisdictional wetland or wetland buffer which would require approval of a wetland permit by the Planning Board.

**Additional:**

It was requested that the tree line be shown on the plans.

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

Sincerely,

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

Town of Kent Planning Board  
Site Plan and Erosion Control Application

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Matter of Dogward Bound Site Plan,  
461 Richardsville Road, Tax Parcel No. 30.12-1-1

**Whereas**, the Town of Kent Planning Board has received an application from Vincent Sciuillo (d/b/a Dogward Bound) for Site Plan and Erosion Control Plan approvals to allow the expansion of an existing dog kennel facility with the construction of a two-story barn on a 14.56-acre lot (see tax parcel listed above) in the R-80 (one family residence) zoning district. The new building would be used for automobile and RV storage; and would also contain space for dog training and client drop off; and

**Whereas**, the proposed action is an expansion of, "...an existing dog kennel that received a use variance in the 1960's for the business operation. The Zoning Board of Appeals approved the expansion of the use at the July 17, 2017 meeting. Pursuant to 77-60(C)(6) of the Town Code, '*Activities for which a use variance has been granted by the Zoning Board of Appeals*' are subject to site plan approval by the Planning Board."; and

**Whereas**, the action would ordinarily qualify as a Type II Action, for which no further environmental review would be required, however, since the application required the modification of a previous use variance and would be an Unlisted action Unlisted Action under SEQRA as per 6 NYCRR part 617, sections 617.4 and 617.5; and

**Whereas**, the Planning Board referred the matter to the Putnam County Department of Planning pursuant to GML 239-l & m; and

**Whereas**, the Town of Kent Planning Board held a public hearing on the applications described herein, which was opened on March 14, 2019; and

**Now Therefore Be It Resolved**, that the Planning Board hereby designates themselves as lead agency an uncoordinated SEQRA review of the application;

**Be It Further Resolved**, that the Town of Kent Planning Board, as lead agency under SEQRA, having reviewed Short EAF Part 2, hereby determines the proposed action described herein will not have any significant adverse environmental impacts and an Environmental Impact Statement will not be required; and

**Be It Further Resolved**, that the Planning Board relies on the following supporting reasons in this determination of non-significance (negative Declaration):

1. The proposal will involve 0.4 acres of land disturbance on a previously developed 14.56-acre site with a dog kennel facility and a single-family home, outbuildings, a driveway and other improvements. Impervious coverage of existing and proposed improvements on the lot would be less than two percent (2%). Land disturbance and construction activities will be limited to the northeastern corner of the site near existing structures and improvements. Accordingly, development is not proposed on the steeper portions of the site.

2. The proposed action also involves an application for a Town Erosion Control Permit. The proposed limits of disturbance are defined on the site plans with corresponding erosion and sedimentation control measures.
3. The proposed site plan is consistent with the R-80 zoning district's lot and bulk requirements. The scale of the proposed development is appropriate for the proposed site at the proposed location. Accordingly, no impacts related to the character of the community have been identified.

**Be It Further Resolved**, that the Planning Board hereby closes the public hearing;

**Be It Further Resolved**, that after review of the application and consideration of the criteria set forth in the Code of the Town of Kent, Chapter 77. Zoning, §77-61. B. the Planning Board finds as follows:

1. That the location, size and character of the expansion of an existing dog kennel facility will be in harmony with the appropriate and orderly development of the R-80 Residential District, will not be detrimental to the orderly development of adjacent properties;
2. That all facilities would be readily accessible for fire and emergency protection, including a pull-off along the driveway recommended by the Fire Chief;
3. The proposed expansion of an existing dog kennel facility will not be a nuisance to the adjoining properties;
4. The location and size of the expanded dog kennel facility will be such that vehicular traffic to and from the use will not be hazardous or inconvenient to, or incongruous with, the residence district or conflict with the normal traffic of the neighborhood; and
5. While the use is not allowed in the R-80 District, the dog kennel had received a use variance in the 1960's for the business operation. The Zoning Board of Appeals approved the expansion of the use at the July 17, 2017 meeting. Also, information provided by the applicant indicates that the overall appearance, size, and dimension of the improvement would be appropriate to the site.
6. The proposed use would be in harmony with the existing and planned development of contiguous lands and adjacent neighborhoods.
7. The proposed use would have no material adverse effect upon the desirability of adjacent and nearby property for development of other uses allowed within the district.
8. The site plan reflects an awareness of and sensitivity to the views, terrain, soils, plant life and other unique qualities of the site and preserves and enlarges upon these assets for recreation, scenic or conservation purposes to the extent practicable.

**Be It Further Resolved**, that the Planning Board hereby grants conditional Site Plan and Erosion Control Permit Approval to Dogward Bound to expand an existing dog kennel facility as depicted on site and erosion control plans prepared by Charles P. May, R.L.A., dated December 12, 2018, listed at the end of this resolution; and

**Be It Further Resolved**, that this Amended Site Plan Approval is expressly conditioned on the completion and/or adherence to the following:


1. Address the comments of the Planning Board's Professional Engineer as set forth in a memorandum dated February/March \_\_, 2019.

2. Address the comments of the Planning Board's Environmental Consultant as set forth in a memorandum dated February/March \_\_, 2019.
3. Address the comments of the Planning Board's Planning Consultant as set forth in a memorandum dated February 4, 2019.
4. Obtain the approval of the Planning Board's Consulting Professional Engineer in regard to the final Steep Slope and Erosion Control Permit plan.
5. Approval of the amount of the performance bond or security for the Steep Slope and Erosion Control Permit required per Kent Code section 66-6 D.(4) by the Planning Board's Consulting Professional Engineer; approval of the form of the bond or security by the Planning Board Attorney; and acceptance of the bond or security by the Town Board.
6. Payment of an inspection fee for the Steep Slope and Erosion Control Permit.
7. Revision of the site plans, as directed by the Kent Planning Board, to address recommendations of the Putnam County Department of Planning.
8. Payment of all Planning Board costs and fees, including professional consultant review fees incurred during the review and approval of the applications.
9. The facility shall be constructed in accordance with the plans and specifications as approved herein.
10. The Applicant shall obtain a Town Wetland Permit.
11. This site plan approval shall expire 12 months from the date of approval as set forth in the Code of the Town of Kent section 77-61 C., which states that the approval would be "... void if construction is not started within one year of the date of Planning Board approval, and completed within two years of the date of such approval."; and unless otherwise extended by the Planning Board upon the express written request of the applicant.

Motion:	<u>Charles Sisto</u>
Second:	<u>Giancarlo Gattucci</u>
Phil Tolmach, Chairman	<u>Aye</u>
Simon Carey	<u></u>
Giancarlo Gattucci	<u>Aye</u>
Dennis Lowes	<u>Aye</u>
Nisim Sachakov	<u>Absent</u>
Charles Sisto	<u>Aye</u>
Stephen Wilhelm	<u>Aye</u>

Date: (March 14, 2019)

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

  
Vera Patterson, Clerk

## Town of Kent Planning Board

\*\*\*\*\*

### Plans Reviewed

- Plans entitled Dogward Bound, prepared by Charles P. May, R.L.A., dated December 12, 2018, including the following:
  - o Cover Sheet;
  - o Boundary and Topographic Information;
  - o Demolition Plan;
  - o Site Layout Plan;
  - o Site Grading Plan;
  - o Erosion Control Plan;
  - o Erosion Control Plan (Sheet 2);
  - o Site Analysis Plan;
  - o Elevation Plan;
  - o Building Floor Plan; and
  - o Driveway Entrance Plan.





## Cornerstone Associates

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

---

March 14, 2019

To: Planning Board

From: Bruce Barber  
Town of Kent Environmental Consultant

Re: **Kent Self Storage of Putnam Inc. Application**  
Route 311  
Section 22 Block 2 Lot 17

Please be advised that I have conducted a review of the following pertinent documents relative to the above referenced project:

- Plans entitled; "Kent Self Storage of Putnam Inc." prepared by Site Design Consultants dated 01/22/19 (rev.), 16 total sheets: T-1, V-1, C-101, C-102, C-103, C-104, C-105, C-106, C-107, C-108, C-301, C-301, C-401, C-501, C-502, C-503, C-504.
- Long-form EAF (Part I) executed by Joseph C. Riina, PE dated 01/22/19.
- Property topographic survey with tree survey prepared by Bunney Associates 09/03/08, 1 sheet.

### **Summary of Application:**

The applicant proposes to construct 32,308 two-story self-storage buildings which shall include a 2,500 square foot management office and dry retail space and a separate 2,400 storage building on a 2.705 acre parcel in an IOC (industrial-office-commercial) zoning district on the northwest corner of Route 311 and Ludington Court. Associated site improvements consist of an on-site sewage disposal system, well, required parking, utilities, retaining walls and stormwater structures.

The Planning Board had previously reviewed application on this site for a retail-office facility.

### **Summary of Comments:**

1. Based upon the limitations outlined below, a Town of Kent wetland permit is not required for the proposed activity.
2. The majority of the site contains steep slopes (in excess of 15%). The total area of disturbance is indicated as 1.91 acres.

3. A NYSDEC classified trout stream (CTs) is located just to south of Route 311. Post-construction stormwater must consider thermal loading to the stream.
4. Tree cutting is restricted to the months of November 1 through April 1.

**Natural Resource Considerations:**

A: Wetlands:

A site inspection conducted in 2010 by this office did not reveal any Town of Kent jurisdictional wetlands, watercourses or waterbodies directly located on the subject property. A small wetland area is located adjacent (west) to the site which was found to be below the jurisdictional size of 40,000 square feet and therefore is not regulated.

B: Steep Slopes:

The applicant has indicated that slopes of 15% or greater are located on 59.6% of the site and an additional 20% of the site contains slopes greater than 10%.

The applicant is proposing to disturb 1.91 acres as indicated in the EAF. A SWPPP including a complete erosion and sediment control plan should be submitted. Post-construction thermal impacts to the regulated NYSDEC and Town of Kent watercourse must be considered. Please indicate how stormwater runoff from the lower area of the driveway (adjacent to Route 311) is proposed to be treated.

C: Trees:

Due to US Fish and Wildlife restrictions (Indiana and Northern Long-eared bats), tree cutting is limited to the months from November 1 to April 1. A note should be added to the plan indicating this restriction.

Applicant should indicate trees proposed to be cut on the plans and provide a corresponding table.

D: EAF:

Page 1: Description: Please indicate total number of parking spaces.

Page 7: D2j: Please indicate how this response was determined.

Page 12: E2o: Please provide documentation (include US Fish and Wildlife restrictions due to Indiana and northern long-eared bats).

E: Additional:

Please provide the following documents/information:

Complete combined Planning Board application.

Stormwater Pollution Prevention Plan including soil logs from site specific soil testing conducted in the area of the proposed infiltration structures.

Soils Map with corresponding table describing soil limitations (depth to restrictive densic layer 20"-39", depth to water table 18"-37" and high run off potential).

Landscape/lighting plan.

Architectural drawings (elevations and floor plans).

Business plan which describes materials to be stored on site, hours of operation, retail operations.

NYSDOT approval.

PCDOH approval.

NYCDEP approval,

Putnam County referral (239-m).

This office will conduct additional review upon receipt of responses to the above 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



# Memorandum

To: Planning Board  
Town of Kent

Attn: Philip Tolmach  
Chairman

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

Subject: Site Plan

Date: March 13, 2019

Project: Kent Self Storage of Putnam, Inc  
TM # 22-2-17, Rt 311  
(Formerly Route 311 Plaza)

The following materials were reviewed:

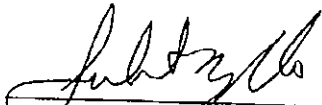
- Combined Application Form, signed 1/22/2019, including:
  - Owner's Affidavit, Certification of Professional Engineer and Site Plan checklist
- Full Environmental Assessment Form (EAF) dated January 22, 2019
- Aerial Vicinity Map
- Aerial Photo
- Drawing set prepared by Site Design Consultants, last revised 1/22/2019, including 16 sheets.
- Topographic Survey of Property, prepared by Bunney Associates, dated September 3, 2008, not to scale

The project proposes construction of two self storage buildings along with parking areas, water, wastewater and stormwater treatment. Development of this lot was previously approved as Route 311 Plaza.

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 1 acre 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-0-15-002.
2. Provide an updated Combined Application Form, including a copy of the deed and Disclosure of Business Interest Form
3. Refer to the EAF:
  - a. Page 2, C.2.b, specify that the NYC Watershed is the East of Hudson watershed.
  - b. Page 4, D.2.a, it is expected that there will be considerable excavation during construction. This should be reflected in the response to the EAF.

4. Provide information as required by Town Code Chapter 66 for erosion control and stormwater management.
5. 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)."
6. Provide a full SWPPP in accordance with GP-0-15-002.
  - a. Please note – With issuance of NYSDEC General Permit GP-0-15-002, per Part I.B.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). All notes are to updated.
7. Provide a Notice of Intent (NOI) for review.
8. The proposed driveway (outside NYS DOT right-of-way) is expected to meet current driveway design requirements per Town Code Chapter 57. If those requirements cannot be met, request specific waivers with justification.
9. We defer to the Planning Board's environmental consultant regarding wetland issues.
10. We defer to the Planning Board's planning consultant regarding planning and zoning issues.
11. Additional comments will be provided as more information is provided.

  
Julia S. Mangarino, P.E., CPESC

cc: Planning Board via email  
Bill Walters via email  
19-261-250

Bruce Barber via email  
Liz Axelson via email

## MEMORANDUM

**TO:** Town of Kent Planning Board  
**CC:** Bill Walters  
Julie Mangarillo  
Bruce Barber  
**FROM:** Liz Axelson, AICP  
**DATE:** March 27, 2019  
**RE:** Kent Self Storage, Site and Erosion Control Plan, Route 311, Tax Parcels No. 22.-2-17 / CPL# 60248.00

I reviewed the materials listed at the end of this memorandum; online mapping sources; and the Code of the Town of Kent, Chapter 77, Zoning. Based on my review I offer the following comments for the Board's consideration:

### Summary

1. The proposal involves site plan; erosion control; and steep slope permit approvals for the construction of a self-storage facility and other uses. The plan proposes two self-storage buildings with office (management) and retail spaces, as well as parking areas, drive, utilities, and electric and stormwater management systems an approximately 2.7-acre site in the IOC (Industrial Office Commercial) zoning district.
2. My review is limited to the Zoning comments below. I defer to the Planning Board's Consulting Engineer and Environmental Consultant review for all other aspects of the project.

### SEQRA

3. We have no comments on the Full Environmental Assessment Form (Full EAF). I defer to the Environmental Consultant for review of Full EAF section D. and E. pertaining to other aspects of the project. However, plan revisions are needed to address community character.
4. The proposal appears to be an Unlisted Action under the SEQRA.

### Zoning & Site Plan

5. Reconfigure the site layout such that the front building is closer to the site frontage with all parking areas behind it. Please refer to zoning section 77-60. I. (4).
6. Relocate the two parking spaces, and the corresponding corner retaining wall, that encroach into the side yard setback on the west side of the property as per the zoning requirement set forth in note 3 on sheet C-101.
7. Clarify all aspects of the proposed business as follows:
  - a. Show the floor areas for office and retail areas; and truck rental.
  - b. Submit a floor plan.
  - c. Label the rental truck spaces.
  - d. Revisit and clarify the parking calculations based on the number of spaces that will be labeled as truck spaces.
8. Regarding the proposed buildings address the following items:

- a. Label the front building as 2-story; and the rear building is 1-story.
  - b. Label all entries to both buildings.
  - c. Submit architectural elevations for each building; and a rendering of the site as viewed from the street.
9. Provide a landscaping plan that addresses the following:
  - a. Retain existing wooded areas in the back of the property.
  - b. Screen parking areas from adjoining properties.
  - c. Add buffering along the sides, particularly to the northeast near the existing residence.
  - d. Include trees along the frontage.
  - e. Provide a schedule with the location, height and species of proposed plantings. Include native species.
10. Label the zoning district line to delineate the R-40 zoning district line on the east side on sheets T-1; C-101; and landscaping and lighting plans. On sheet T-1, label the IOC zoning district.
11. Extend pedestrian pathways as follows:
  - a. Add sidewalks and crosswalks to connect the parking areas with the rear of the main building; and the front of the smaller storage structure.
  - b. Add a sidewalk with a 4-foot (4') tree lawn along Route 311.
  - c. Benches and a picnic table are recommended.
  - d. Refer to; and add corresponding details to the plan set.
12. Extensive lengths of retaining walls are proposed (~310' and 200'+), which will likely be visible from the site's frontage. Revise the plans regarding retaining walls as follows:
  - a. Label top and bottom elevations of all retaining walls, and the corresponding top elevation of the fence on top of the retaining wall at the entrance.
  - b. The detail on sheet C-501 appears to depict a flat faced concrete wall. A more decorative wall must be provided.
  - c. Submit elevations of the walls; and a rendering of the site as viewed from the street.
  - d. Revise the detail accordingly.
13. Confer with the Building Inspector about whether retaining walls and guard rail may be located within the required yard setbacks.
14. Provide locations of all waste receptacles, corresponding to the detail for an enclosure on C-501.
15. Regarding the zoning lot and bulk requirements table presented on plan sheet C-101, address the following:
  - a. The minimum lot width at street line should be inclusive of the 244' length on Route 311 plus 237' on Ludington Court for a total of 481'.
  - b. The rear lot setback should be 159.6' corresponding to the closest structure, which is the small building.
  - c. The current western side yard setback, based on off street parking, is actually 13', which does not comply with the minimum 25' requirement. Please address the comment above about 2 parking spaces to be relocated; and revise the corresponding side yard.
  - d. Provide a value for height of the proposed principal building.
  - e. Add to the table to address yard setbacks for retaining walls and guard rail as needed.
16. Label parking or other yard setbacks in the plan view as follows:
  - a. Add parking setbacks for both side yards.
  - b. Add retaining walls and guard rail setbacks, as needed.
17. Show the calculations for impervious surface area.
18. Provide a lighting plan complying with zoning section 77-44.3. A. through D., and the following items:
  - a. Show all proposed lighting, including illumination of the parking areas.
  - b. Show lighting location (pole- and wall-mounted), type, height, materials, color, whether full cut-off, etc.

- c. Refer to details.
  - d. Provide a photometric plan.
19. Regarding any proposed signs, address the following:
- a. While a free-standing sign is shown, clarify whether any wall sign is proposed.
  - b. Refer to the supplementary sign regulations, Zoning, Article X generally; and specifically, the requirements in section 77-37., Signs in nonresidential districts.
  - c. Revise the plans to include all aspects of proposed signs, their locations, design, dimensions, height, size (area), materials, colors, lighting, etc.
  - d. Provide a tabular summary of permitted and proposed sign areas per section 77-37 A. (2) and (3) requirements. Signage will be reviewed in detail later.
20. Revise the plans to address the required site plan information and standards in sections 77-60. F. and I., as follows:
- a. The Title sheet must include a location map including the subject property's boundaries; and adjoining property lines.
  - b. Make the aerial photography on sheet V-1, the Vicinity Plan and Topographic Map clearer, if possible; and clearly show site and nearby adjoining parcel lines.
  - c. Provide the extent and amount of cut and fill for disturbed areas, including before-and-after profiles of development areas, parking lots and the driveway per 77-60 F. (1)(r).
  - d. Delineate snow storage areas.
  - e. Add property lines and structures within 200' of the property to sheet V-1.
  - f. Depending on the size and type of retail area, it may be necessary to show a loading area.
  - g. Show any outdoor storage areas and enclosures.
  - h. Show the limit of disturbance on the site plan and forthcoming landscaping plan sheets.
  - i. Show and label traffic circulation patterns; and clarify discontinuous truck pathways shown on sheet C-101. Label the type of truck shown.

### Recommendation

- 21. The Planning Board should direct the applicant to:
  - a. address the comments above; and
  - b. provide additional information for a more complete application.
- 22. Since the application is not be 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](mailto:eaxelson@CPLteam.com).

### Materials Reviewed

- Applications for Site Plan and Steep Slope & Erosion Control signed January 22, 2019, with affidavits and certification; and
- Full Environmental Assessment Form, signed January 22, 2019; and
- Plans prepared by Joseph C. Riina, P.E., entitled Kent Self Storage of Putnam, Inc., dated November 27, 2018, revised January 22, 2019, except as noted below, including the following:
  - o Title Sheet, dated January 2019;
  - o Vicinity Plan and Topographic Map;
  - o Site Plan;
  - o Existing Conditions and Slope Map;
  - o Grading and Utility Plan;
  - o Septic Plan, Profile and Notes;
  - o Erosion and Sediment Control Plan and Notes;
  - o Intersection Site Distance Plan and Road Profiles;
  - o Storm Sewer Profiles;
  - o Water System Plan and Elevation, dated January 16, 2012;
  - o Site Improvement Detail;



- o Stormwater Management Details;
  - o Septic Details; and
  - o Erosion and Sediment Control Details;
- Plans prepared by Bunney Associates, Land Surveyors, entitled Topographic Survey of Property Situate in the Town of Kent, dated July 8, 2008, Amended September 3, 2008; and
- Figure 1-Aerial Photo, prepared by Site Design Consultants, dated April 22, 2010; and
- Figure 1-Vicinity Map, prepared by Site Design Consultants, dated January 9, 2009

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Kent Self Storage, Site and Erosion Control Plan, Route 311, Tax Parcel No. 22.-2-17 / CPL#60248.00

Page

- Stormwater Management Details;
- Septic Details; and
- Erosion and Sediment Control Details;
- Plans prepared by Bunney Associates, Land Surveyors, entitled Topographic Survey of Property Situate in the Kent, dated July 8, 2008, Amended September 3, 2008; and
- Figure 1-Aerial Photo, prepared by Site Design Consultants, dated April 22, 2010; and
- Figure 1-Vicinity Map, prepared by Site Design Consultants, dated January 9, 2009



# Memorandum

To: Planning Board  
Town of Kent

Attn: Philip Tolmach  
Chairman

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

Subject: Site Plan

Date: March 13, 2019

Project: Kent Self Storage of Putnam, Inc  
TM # 22.-2-17, Rt 311  
(Formerly Route 311 Plaza)

The following materials were reviewed:

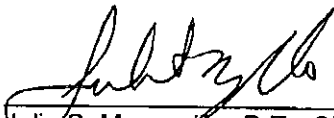
- Combined Application Form, signed 1/22/2019, including:
  - Owner's Affidavit, Certification of Professional Engineer and Site Plan checklist
- Full Environmental Assessment Form (EAF) dated January 22, 2019
- Aerial Vicinity Map
- Aerial Photo
- Drawing set prepared by Site Design Consultants, last revised 1/22/2019, including 16 sheets.
- Topographic Survey of Property, prepared by Bunney Associates, dated September 3, 2008, not to scale

The project proposes construction of two self storage buildings along with parking areas, water, wastewater and stormwater treatment. Development of this lot was previously approved as Route 311 Plaza.

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 1 acre 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-0-15-002.
2. Provide an updated Combined Application Form, including a copy of the deed and Disclosure of Business Interest Form
3. Refer to the EAF:
  - a. Page 2, C.2.b, specify that the NYC Watershed is the East of Hudson watershed.
  - b. Page 4, D.2.a, it is expected that there will be considerable excavation during construction. This should be reflected in the response to the EAF.

4. Provide information as required by Town Code Chapter 66 for erosion control and stormwater management.
5. 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)."
6. Provide a full SWPPP in accordance with GP-0-15-002.
  - a. Please note – With issuance of NYSDEC General Permit GP-0-15-002, per Part I.B.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). All notes are to updated.
7. Provide a Notice of Intent (NOI) for review.
8. The proposed driveway (outside NYS DOT right-of-way) is expected to meet current driveway design requirements per Town Code Chapter 57. If those requirements cannot be met, request specific waivers with justification.
9. We defer to the Planning Board's environmental consultant regarding wetland issues.
10. We defer to the Planning Board's planning consultant regarding planning and zoning issues.
11. Additional comments will be provided as more information is provided.

  
Julie S. Mangarino, P.E., CPESC

cc: Planning Board via email  
Bill Walters via email  
19-261-250

Bruce Barber via email  
Liz Axelson via email



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

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

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

# Memorandum

To: Planning Board  
Town of Kent

Attn: Philip Tolmach  
Chairman

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

Subject: Field Change  
Erosion Control Plan/  
Wetland Disturbance Permit

Date: March 13, 2019

Project: Lewis/Ackerley ECP  
72 Barrett Circle Ct  
TM # 42.12-1-25

The following materials were reviewed:

- Cover letter prepared by Foz Design, February 14, 2019
- Drawings prepared by FOZ Design, last revised 2/14/2019, including:
  - A-100 Proposed Site Plan

The following comments are provided for the Planning Board's consideration:

1. This project has an erosion control permit and wetland disturbance permit for construction of single-family home. The project architects have provided a revised drawing depicting a "Field Change". The changes include shifting the location of a proposed garage and keeping the existing asphalt driveway instead of replacing it with pervious pavers/asphalt.
2. The changes are within the previously approved limits of disturbance. The pervious pavers/asphalt was not a requirement for stormwater treatment.
3. In our opinion, these field changes do not rise to the level of requiring an amended erosion control permit. We thank the applicant and their architect for keeping the Planning Board informed.

Julie S. Mangarillo, P.E., CPESC

cc: Planning Board via email  
Bill Walters via email  
Bruce Barber via email  
14-261-999-142



## Cornerstone Associates

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*Environmental Planning Consultants*

*1770 Central Street*

*Yorktown Heights, NY 10598*

*Phone: (914)-299-5293*

March 14, 2019

To: Planning Board

From: Bruce Barber

Town of Kent Environmental Consultant

**Re: Lewis Ackerly Application**

72 Barrett Circle

Town of Kent, New York

Section 42.12 Block 1 Lots 24, 25

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

1. Plan prepared by Foz Design dated 02/15/15, 1 sheet: A1.00..

**Summary:**

The application to demolish and construct a single family home on this parcel has received prior Planning Board approval. The owner requests that the location of the garage be modified. The new garage location will be within the originally approved limits of disturbance and within zoning set back requirements. No change in environmental impacts are noted.

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

March 14, 2019

To: Planning Board

From: Bruce Barber  
Town of Kent Environmental Consultant

**Re: O'Mara Application**  
Lhasa Court  
Section 31.9 Block 1 Lot 16

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

- Plans entitled; "O'Mara Realty Corporation" prepared by John Karell, Jr., PE dated 11/11/16 (rev) 2 sheets: EC-1, EC-2.

**Summary:**

Application is to construct a single-family residence with well, septic and driveway on a 1.793+/- acre parcel in an R-80 zoning district. Variances are required from the Zoning Board of Appeals.

**Review:**

Plans: Sheet E-1: Provide note on plan indicating that there shall not be any tree cutting on the site between April 1 and November 1 of the same year.  
Provide site specific soil testing log information in the area of the proposed stormwater infiltration structures.

EAF: Provide updated EAF.

Additional: Provide PCDOH approvals.

This office defers to the Planning Board Engineer regarding site and drainage design.


Sincerely,

Bruce Barber, PWS, Cert. 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: March 11, 2019  
RE: O'Mara Erosion Control Plan, Lhasa Court, Tax Parcel No. 31.9-1-6 / CPL# 14973.00-00006

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, and 57, Roads and Driveways. Based on my review I offer the following comments for the Board's consideration:

Summary

1. The proposal involves an erosion control plan for the construction of a single-family dwelling and other improvements to be made to a 78,103 square foot (SF, 1.73-acre) lot (see tax parcel listed above) in the R-80 (Residential) 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. My copy of the submittal did not include a Short EAF, yet prior comments by the Planning Board's Environmental Consultant may have been addressed.

Zoning Requirements

4. Revise the zoning table of lot and bulk requirements to the plat corresponding to the R-80 district as follows:
  - a. Revise the table to include Minimum Highway Frontage.
  - b. Revise the table to include Maximum Impervious Surface.
5. Add a note to the plans to state that utilities shall, unless unfeasible, be placed underground.
6. Label the existing and proposed treeline.
7. Label the surface of the driveway.
8. Label the shaded area between the edge of the existing pavement and the proposed driveway.
9. As per Town Code Chapter 57-26 "Driveway Access" Section A-4-b, the minimum driveway width should not be less than 16 feet (16'). However, we defer to the Planning Board's Consulting Engineer.

Recommendation

10. The Planning Board should direct the applicant to:
  - a. address the comments above; and
  - b. provide additional information for a more complete application.
11. Since the application is not be 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](mailto:eaxelson@CPLteam.com).

Materials Reviewed

- Memorandum from John Karell, Jr., P.E., titled "Response to Comments O'Mara Realty, Lhasa Court, Julie Mangarillo, P.E., December 8, 2016, Kent (T); TM#31.9-1-6" dated February 24, 2019
- Memorandum from John Karell, Jr., P.E., titled "Erosion Control Bond Estimate", dated February 24, 2019
- Plans prepared by John Karell, Jr., P.E., entitled Erosion Control Plan Lhasa Ave., dated July 6, 2004, revised February 24, 2019 as listed below:
  - o Sheet EC-1 Erosion Control Plan; and
  - o Sheet EC-2 Drainage Control Plan.



# Memorandum

To: Planning Board  
Town of Kent

Attn: Philip Tolmach  
Chairman

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

Subject: Erosion Control Plan

Date: March 13, 2019

Project: O'Mara Realty Lhasa Ave  
TM # 31.9-1-6

The following materials were reviewed:

- Response letter prepared by John Karell, Jr., P.E., dated February 24, 2019
- Erosion control bond estimate prepared by John Karell, Jr., P.E., dated February 24, 2019
- Drawing "Erosion Control Plan" EC-1 and EC-2, prepared by John Karell, Jr., P.E., last revised February 24, 2019

The project proposes construction of a single family house. According to the Combined Application Form, the parcel received variance from the ZBA. Information provided indicates the lot has Putnam County Department of Health approval for well and septic, issued in 2008, which would now be expired.

New or supplementary comments are shown in **bold**.

This project has been before the Planning Board at various times since 2004. **Most recently, at the December 8, 2016 Planning Board meeting, the Planning Board granted driveway waivers, waived public hearing, approved the bond amount and sent to project to 'administrative track.'**

The following comments are provided for the Planning Board's consideration from a comment memo dated June 8, 2016:

3. The Combined Application Form indicates an area variance has been granted. When was the area variance granted? If more than 12 months ago, a new variance will have to be granted by the ZBA.
  - a. 11/10/2016 – It is our understanding this project is currently before the ZBA.
  - b. **3/13/2019 – It is our understanding the project is back before the ZBA.**
6. Any extension of or turnaround for Lhasa Avenue will have to meet current NYS Fire Code standards.
  - a. 12/8/2016 - It is our understanding the project drawings have been sent to the fire department.

- b. 3/13/2019 – The applicant's engineer indicates the Fire Department may have reviewed the project. We do not have a record of the Fire Department signing off. We recommend the project drawings be circulated to the Fire Department for review and comment.**
- 7. Provide current Department of Health approvals.
  - a. 12/8/2016 - In process.
  - b. 3/13/2019 – Provide current Department of Health approvals.**

The following comments are provided for the Planning Board's consideration from a comment memo dated November 10, 2016:

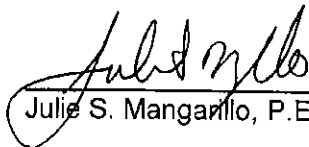
- 3. Refer to the Drawing "Erosion Control Plan":
  - b. Per Town Code Chapter 57, §57-26.A(2)(a): "Finished grades for all parts of any proposed driveway shall not exceed 10% and shall not be less than 1 ½% nor exceed 5% within 30 feet of the intersection of the driveway with the Town road...The slope shall not exceed 3% within 30 feet of a garage or parking pad."
    - i. The proposed driveway is shown as 15%. A waiver from the Planning Board will be required to exceed 10%, with input from Town Highway Superintendent and Fire Department.
    - ii. The proposed driveway is shown as greater than 5% within 30 feet of the Town road. Adjust the driveway grading or request a waiver from the Planning Board.
    - iii. 12/8/2016 – We have no objection to the granting of the requested driveway waivers.
    - iv. 3/13/2019 – We have no objection to the granting of the requested waivers. The drawings are to be circulated to the Fire Department and Highway Department.**
- 5. Assuming the ZBA grants the requested variances, we recommend the public hearing be waived per §66-6.F as this project would be subject to a public hearing during the ZBA approval process.
- 6. 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.

**New Comments 3/13/2019:**

- 1. Based upon the information provided, we recommend the following:
  - a. Refer drawings to the Highway Superintendent,
  - b. Refer drawings to the Fire Department,
  - c. Re-affirm the driveway waivers, subject to no objection by the Fire Department or Highway Department,

Memorandum  
O'Mara Realty – Lhasa Avenue  
TM # 31.9-1-6  
March 13, 2019  
Page 3 of 3

- d. Re-affirm the erosion control bond amount of \$28,150.00,
- e. Re-affirm waiver for the public hearing, subject to a public hearing being held by the ZBA,
- f. Return the project to Administrative Track.

  
Julie S. Mangarillo, P.E., CPESC

cc: Planning Board via email  
Bill Walters via email  
04-261-999-81

Bruce Barber via email  
Liz Axelson via email

# VAN DeWATER AND VAN DeWATER, LLP

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## MEMORANDUM

TO: Town of Kent Planning Board (via email only)

CC: Bill Walters, Building Inspector  
Julie Mangarillo, P.E., CPESC  
Liz Axelson, AICP  
Bruce Barber, Town of Kent Environmental Consultant

FROM: Jeffrey S. Battistoni, Esq.

DATE: March 27, 2019

RE: Raneri Erosion Control Permit & SWPPP; & Single-Family Lot  
Development Zoning Requirements, Hillside Paper Road, Tax  
Parcel No. 44-24-1-3; 33.18-1-28; & 33.80-1-1/CPL# 60094.00

---

I have reviewed copies of deeds, plans and a property description provided by the applicant's consultants and I have the following comments related to ownership issues.

First, the deed dated October 4, 1999 and recorded in Liber 1487 at page 360 conveyed most of the property which Mr. Raneri indicates he owns as part of this application. That deed conveyed property to Jerry Raneri and Jeanette Toscano. Subsequently, Jeanette Toscano conveyed her interest in the subject property to Jerry Raneri by deed dated June 20, 2002 and recorded in Liber 1598 at page 371. There is a "typo" in the

deed description in reference to one of the Lot Numbers. More significantly, the description fails to include a large parcel to the north of Lots Numbers 15571-15582. A title company might require a Correction Deed in order to insure title. We may have to ask the applicant to have a title company submit a report about this issue.

Second, the above referenced deeds do not include parcels identified as Lot Nos. 15548 and 15549. These are the two parcels which give access to the "paper" street known as Sunset Road. A copy of a Resolution from the Putnam County Legislature dated May 2, 2017 was provided. It authorizes the conveyance to Jerry Raneri of real property identified by Town of Kent Tax Map No. 33.80-1-1., which is presumably Lots Nos. 15548 and 15549. However, we need verification of that fact. The Resolution requires a closing and the consolidation of the parcel conveyed with another parcel already owned by Mr. Raneri, identified by Tax Map No.33.12-1-28.

I have not received a copy of the deed for the conveyance from Putnam County to Mr. Raneri, so a copy of that recorded deed must be provided. I also have not received a copy of the Consolidation Deed which was required by the said Resolution. I wonder whether such a deed was ever recorded with the County Clerk. If so, I need to review a copy. If not, one needs to be prepared and recorded.

The application contemplates 3 tax parcels being consolidated into one. The applicant has submitted a copy of a description from Geologic Land Surveying, PLLC, which describes the consolidated parcel and which matches the plans submitted by the applicant. Once again, I wonder if a Consolidation Deed was ever recorded, using this description. It seems doubtful, since the description is dated January 7, 2019. If that Consolidation

Deed was recorded with the County Clerk, I need to review a copy of it. If it was not, it needs to be.

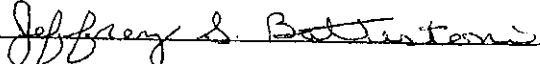
Third, I do not see any documents which show ownership of the unimproved, "paper" street known as Sunset Road. It is incumbent on the applicant to submit documents establishing such ownership. Ordinarily, a title company would do so through a title report, which indicates the ownership which the title company is willing to insure. I think the applicant should be required to obtain and submit such a title report. That title company should also address whether the description in the deed from Jeanette Toscano to Jerry Raneri (above referenced) is insurable or whether it needs to be corrected.

In my view, all of these ownership and consolidation issues must be adequately addressed before the application should proceed any further.

Fourth, I agree with the issues raised in Liz Axelson's Memorandum of February 14, 2019 about access and frontage. Under Town Code Sections 77-16(H) and 77-34.3, a building lot must adjoin an improved street or have access to an unimproved street that will be improved as part of the development plan for the lot. Once ownership of Sunset Road has been established, if the applicant is then able to improve the portion of it on which his property fronts (improve it in a manner which meets the standards set in the Town Code), then that issue is resolved. Alternatively, it appears that Town Code Section 77-51(B) allows the "Board of Appeals" to approve an application pursuant to NYS Town Law Section 280-a. The applicant may choose to pursue such an application.

In summary, the applicant must first satisfy ownership and consolidation issues. Then, a determination can be made about whether improving a portion of Sunset Road will occur or whether an application to the Zoning Board of Appeals should be made.

Please contact me if you need to discuss the contents of  
this Memorandum.

  
Jeffrey S. Battistoni


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ARCHITECTURE  
ENGINEERING  
PLANNING  
CPLteam.com

### MEMORANDUM

**TO:** Town of Kent Planning Board  
**CC:** Bill Walters  
Julie Mangarillo  
Bruce Barber  
**FROM:** Liz Axelson, AICP   
**DATE:** February 14, 2019  
**RE:** Raneri Erosion Control Permit & SWPPP; & Single-Family Lot Development Zoning Requirements, Hillside Paper Road, Tax Parcel No. 44-24-1-3; 33.18-1-28; & 33.80-1-1 / CPL# 60094.00

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, Chapter 77, Zoning. Based on my review I offer the following comments for the Board's consideration:

#### Summary

1. The proposal involves construction of a single-family dwelling on an 9.2-acre site consisting of 3 lots (see tax parcels listed above) in the R-10 (One Family Residence) zoning district. The proposed improvements for a single-family lot include a driveway to an "Unimproved Road".
2. The lack of frontage for the lot on which the home is proposed; and the lack of an improved road for access thereto pose problems for the lot development. Please refer to the zoning comments below, which detail zoning compliance issues; and recommended potential remedies.

#### SEORA

3. The proposed action appears to be a SEQRA Type 2 action as per Part 617, section 617.5 (c)(11); (16); and (17) as it is the construction of a residential structure and related improvements.

#### Single-family Lot Development Zoning Requirements

4. I defer to the Planning Board's Engineering and Environmental Consultants about the specifics of the Erosion Control Permit & SWPPP; and soil testing results and related measures.
5. The Planning Board should consult with the Planning Board's Consulting Attorney about access and frontage concerns noted in the code-related comments below.
6. The site consists of 3 tax parcels, which are apparently proposed to be merged to make up a 9.2-acre site, yet the Site and Erosion Control Plan must be revised to properly list the correct parcels, as shown on the Topographic Survey of Property sheet, as follows:
  - a. The large central lot of 7.842 acres is tax parcel 33.18-1-28. It was apparently merged with former tax parcel 33.80-1-1, a 40-foot by 106-foot (40'X106') strip of land connecting the large parcel to Unimproved Sunset Road. Label the parcel as tax parcel 33.18-1-28. Revise the design data notes to delete reference to former tax parcel 33.80-1-1.
  - b. Tax parcel 33.80-1-3, which is an 0.813-acre lot running along Unimproved Sunset Road adjacent to the large lot. This area is listed in the submitted deed. Label the parcel as tax

- parcel 33.80-1-3. The entirety of the lot should be shown on the plans as it is part of the subject site.
- c. Tax parcel 44.24-1-3, which is an 0.55-acre lot running along Unimproved Hillside Road. Label the parcel as tax parcel 44.24-1-3.
  - d. Label all of the lines between existing tax parcels 33.18-1-28; 33.80-1-3; and 44.24-1-3 as lot lines to be removed.
7. More information was provided about the subject parcel, including of the "filed maps relative to this property". However, in order to better understand the extent of the subject property and the proposed lot merger, address the following:
- a. The response letter indicated that a copy of the "official Town Map" has been provided. Clarify why the submitted map, entitled Lake Carmel, only shows a portion of the Town. ***If directed by the Planning Board, I can inquire with the Highway Superintendent and/or Town Clerk's office about whether any official map of the entire Town is on file.***
  - b. The response letter and submitted deeds clarify an apparent typographical error in the previously submitted Premier Abstract letter. Since other pertinent information has been provided, is suggested that the Planning Board need not rely on information stated in this letter.
8. Label the surface of the proposed driveway and add reference to the pertinent detail on plan sheet D-2.
9. Create a plan set by adding notation to one of the plan sheets which will serve as a cover sheet listing all of the sheets included in the plan set. The Topographic Survey of Property sheet should be added to the plan set and referenced in the plans.
10. A zoning table of lot and bulk requirements was added to the plan set corresponding to the R-10 district as set forth in zoning section 77-16, A. through H. It is suggested that a note be added to the erosion control plan, sheet S-1 referring to the zoning table on detail sheet D-3. Revise the Zoning Schedule on sheet D-3 to demonstrate compliance with all of the requirements and proposed conditions as follows:
- a. Since the access is proposed from Sunset Road, revise the plan to show that the eastern boundary of the site should be considered the front yard; with the northern and southern boundaries as side yards; and the western boundary would be the rear yard (as now shown). Revise the zoning table accordingly.
  - b. Label all yard setbacks in the plan view for clarity. All labeled setbacks should include the total proposed lot area, which would result from the proposed lot mergers.
  - c. Label the lot width in the plan view for clarity.
  - d. Provide a proposed building height value that complies with the 30' maximum requirement.
  - e. Given the definitions of "highway frontage" and "street", it appears the large lot on which the home is proposed to be built would not have frontage. See 77-16, C. Even if the 3 subject lots are merged, the resulting large lot may still not comply with the frontage requirement. Please refer to the comment below about access.
  - f. The proposal does not appear to comply with the requirement for a "buildable lot" as referenced in section 77-16, H.; and the supplementary lot requirement in Article IX, section 22-34.3. Accordingly, a development plan for the improvement of the unimproved street may be required.
11. Zoning section 77-51, Land use and building permits, subsection B.(1) states that no building permit shall be issued for "The construction or alteration of any building upon a lot without access to a street or highway except upon application to and approval by the Board of Appeals, as set forth in section 280-a of the Town Law." Accordingly, an application to the Town of Kent Zoning Board of Appeals will be required.



12. Information about the “paper” streets’ ownership, status and disposition is needed to determine how a development plan for the improvement of the unimproved street, if required, would be handled. Officially filed plats for the project area may include such information. According to Code Chapter 57, Roads and Driveways, the preparation and review of a road plan may be needed. It is suggested that such a road plan would be limited to portions of Unimproved Sunset Road and Unimproved Hillside Road to where existing roadway improvements are located. This may involve review by the Planning Board and Town Board.
13. Clarify the meaning of the note “This section to be improved with existing road improvements”.
14. I will confer with the Planning Board Attorney about the above recommended procedural steps.

#### Recommendation

15. In order to determine the ownership, status and disposition of the existing “paper” streets, I recommend the following steps:
  - a. Review of any available Town Official Map; and
  - b. Review of any other plats or maps pertaining to the site and environs.
16. It is recommended that the Planning Board’s Attorney be consulted about the comments herein. Also, the Attorney should review the application, particularly the attached document entitled “Bargain and Sale Deed with Covenant Against Grantor’s Acts”. This deed appears to refer to parcels A and B only. The copy of the application I received did not include any other copy of a deed.

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](mailto:eaxelson@CPLteam.com).

#### Materials Reviewed

- Response letter from John Karell, PE, dated January 17, 2019;
- Response letter to Bruce Barber from Evan J. Fogle, P.L.S., dated January 21, 2019;
- Response letter from John Karell, P.E., dated January 7, 2019;
- Description of parcel letter from Evan J. Fogle, P.L.S., dated January 7, 2019
- Resolution #100 of 2017 Putnam County Legislature;
- Liber 1487 Page 0360-0364, Putnam County Recording and Endorsement Page, dated October 7, 1999;
- Filed Map number 108a, “Hill & Dale Country Club Inc”, dated July 14, 1931;
- Filed Map number 130D, “Fifth Map of Lake Carmel”, dated June 2, 1930;
- Filed Map number 130L, “Fourteenth Map of Lake Carmel”, dated August 18, 1930;
- Filed Map “Final Subdivision Plat of Gateway Estates”, dated March 3, 1974;
- Topographic survey of property, parcels A and B, prepared by Evan J. Fogle, P.L.S., revised January 5, 2019;
- Plans entitled Jerry Ranieri, Hillside Road, prepared by John Karell, Jr., PE, dated December 28, 2017, revised January 4, 2019, except as noted below, including the following:
  - o Site & Erosion Control Plan,
  - o Steep Slope Plan;
  - o Existing Conditions;
  - o Health Department Details;
  - o Erosion Control Details; and
  - o Erosion Control & Steep Slope Notes, dated March 10, 2018, revised January 4, 2019.

#### Materials Previously Reviewed

- Response letter from John Karell, PE, dated August 30, 2018;
- Letter from Ted Kozlowski, Certified wetland Delineator, dated July 20, 2018;
- Design Data sheet dated May 4, 2018;
- Short EAF Part 1, signed August 30, 2018;
- Letter from the NYSDEC dated August 9, 2018;
- Memorandum from Richard Othmer, Town of Kent Highway Superintendent, dated June 5, 2018;

- Letter from Georgianne Berte, Premier Abstract, LTD, dated August 30, 2018; and
- Plans entitled Jerry Ranieri, Hillside Road, prepared by John Karell, Jr., PE, dated December 28, 2017, except as noted below, including the following:
  - o Site & Erosion Control Plan, revised August 9, 2018;
  - o Steep Slope Plan;
  - o Existing Conditions;
  - o Health Department Details, revised August 9, 2018;
  - o Erosion Control Details, revised August 9, 2018; and
  - o Erosion Control & Steep Slope Notes, dated March 10, 2018.
- Application for Steep Slope & Erosion, signed 2/13/18 with attached affidavits; certifications; agricultural data statement; and Request for Wetland Delineation Confirmation;
- Stormwater Pollution Prevention Plan, prepared by John Karell, Jr. PE, dated March 2, 2018 with attached NOI;
- Short EAF, unsigned, dated March 5, 2018;
- Copy of document entitled "Bargain and Sale Deed with Covenant Against Grantor's Acts" apparently executed on or about June 20, 2002;
- Plans entitled Jerry Ranieri, Hillside Road, prepared by John Karell, Jr., PE, dated December 28, 2017, except as noted below, including the following:
  - o Site & Erosion Control Plan;
  - o Steep Slope Plan;
  - o Existing Conditions;
  - o Health Department Details;
  - o Erosion Control Details; and
  - o Erosion Control & Steep Slope Notes, dated March 10, 2018.

# VAN DEWATER AND VAN DEWATER, LLP

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## MEMORANDUM

TO: Town of Kent Planning Board (via email only)

CC: Bill Walters, Building Inspector  
Julie Mangarillo, P.E., CPESC  
Liz Axelson, AICP  
Bruce Barber, Town of Kent Environmental Consultant

FROM: Jeffrey S. Battistoni, Esq.

DATE: December 12, 2018

RE: Raneri Erosion Control Permit & SWPPP; & Single-Family Lot  
Development Zoning Requirements, Hillside Paper Road, Tax  
Parcel No. 44-24-1-3; 33.18-1-28; & 33.80-1-1/CPL# 60094.00

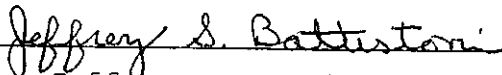
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The application involves 3 tax parcels. The applicant has submitted a copy of a deed, which describes 2 parcels, and a letter from Premier Abstract, Ltd. dated August 30, 2018. I am unable to correlate the deed and the parcels described in the letter 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

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## Cornerstone Associates

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

March 14, 2019

To: Planning Board

From: Bruce Barber  
Town of Kent Environmental Consultant

**Re: Zucker Application**  
12 Woodchuck Court  
Section 21.19 Block 1 Lot 5

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

- Town of Kent Planning Board Combined Application executed by Jonathan Zucker dated February 20, 2019.
- Deed dated August 11, 2017.
- Short-form EAF (Part I) executed by Jonathan Zucker dated January 23, 2019.
- Stormwater Pollution Prevention Plan prepared by John Karell, Jr., PE dated January 23, 2019.
- Erosion Control Cost Estimate executed by John Karell, JR, PE dated January 31, 2019.
- Property Survey prepared by David L. O'Dell, PLS dated June 26, 2018, 1 sheet.
- Plans entitled; "Jonathan Zucker" prepared by John Karell, Jr, PE dated February 20, 2019, 4 sheets: S-1, S-2, EC-1, AP-1.

### **Summary:**

Application is to construct an addition, a garage with deck, outdoor tub and shower, and screened porch within an existing deck footprint to renovate an existing two bedroom 2,058 square foot single-family residence on a 1.0+/- acre parcel in an R-80 zoning district.

Total site disturbance is indicated as 4,750 square feet. Additions total 2,138 square feet.

### **Environmental Review:**

Wetlands: The applicant has delineated wetlands located immediately adjacent to the subject parcel. The wetland buffer from the wetlands is reflected onto the subject property and there is proposed disturbance in the wetland buffer.

A site inspection will be conducted to determine if the wetland delineation is in compliance with Chapter 39A of the Town of Kent Town Code. A Town of Kent wetland permit will be required from the Planning Board.

Additionally, it is indicated that the wetlands are also regulated by the New York State Department of Environmental Conservation (NYSDEC). A NYSDEC executed wetland validation block should be provided on the plans and if required, a wetland permit obtained for the proposed action from the NYSDEC.

Trees: The applicant has provided a tree survey but has not indicated any trees to be cut.

Topography/Soils: Applicant has not provided a soils map. Approximately 658 square feet of the proposed disturbance is located in areas of slope greater than 15%.

Threatened Species: Tree cutting in this area is restricted due to US Fish and Wildlife preservation directives for the Indiana and Long-eared bats.

**Review:**

General: Please provide architectural drawings (elevations and floor plans) of the proposed additions. Please review Gipsy Trail restrictions regarding setbacks and building stories/height.  
Provide approval(s) from the Gipsy Trail Club as required.  
Indicate a steep slope/erosion control permit is required on the application.

Plans: Sheet S-1: Please provide executed PCDOH approval blocks.  
Please provide executed NYSDEC wetland validation blocks.  
It is unclear where the proposed outdoor bathtub and shower will drain to. Please indicate all connections and provide verification of PCDOH approval.  
Provide as-built of the septic system.  
Provide location of a potential 100% expansion area for the septic system.  
Indicate if garage area will be used as living space. Indicate if there will be electric, plumbing and/or HVAC to the garage.  
Indicate if there shall be any net changes in the existing number of bedrooms.  
The proposed additions (front addition excepting) are substantially located in the indicated wetland buffer. Provide narrative as to why the additions cannot be located outside the wetland buffer and impacts avoided.  
If impacts are not avoidable, provide total area of wetland buffer disturbance and total area of increased impervious surface (in square feet). Provide narrative of current wetland buffer function



and a mitigation plan to offset proposed impacts to the wetland and wetland buffer areas.

Clearly indicate the limits of disturbance.

Indicate all regulated trees that are proposed to be cut.

Provide plan note indicating that trees shall only be cut between November 1 and March 31 of the following year.

Indicate location of the water supply.

EC-1: Provide a complete erosion and sediment control plan.

EAF: Provide amended EAF (January 2019 version).

Page 3: Question 15: Indicate Indiana and Long-eared bats.

Page 3, Question 17: Indicate how stormwater will be treated.

This office defers to the Planning Board Engineer regarding site and drainage design.

Sincerely,

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

Bruce Barber, PWS, Cert. 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 Plan  
Wetland Permit

Date: March 13, 2019

Project: Zucker ECP Woodchuck Ct  
TM # 21.19-1-5

The following materials were reviewed:

- Combined Application Form, signed 2/20/2019 (Page 12 updated 3/7/2019), including:
  - Owner's affidavit, Agent of owner's affidavit, Certification of Professional Engineer, Request for wetland delineation confirmation, site plan checklist
- Deed
- Stormwater Pollution Prevention Plan (SWPPP) prepared by John Karell, Jr., P.E., dated January 23, 2019
- Short Environmental Assessment Form (EAF) dated 1/23/2019
- Erosion Control Cost Estimate, prepared by John Karell, Jr., P.E., dated January 31, 2019
- Drawings prepared by John Karell, Jr., P.E. dated February 20, 2019, including,
  - S-1 Site and Erosion Control Plan, revised 3/5/2019
  - S-2 Slope Plan
  - EC-1 Erosion Control & Steep Slope Details/Notes
  - AP-1 Aerial Photo
- Topographic survey of property prepared for Jonathan Zucker & Una Chae, prepared by David L. O'Dell, P.L.S., dated June 26, 2018

The project proposes construction of an addition and new garage for an existing single family home.

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, however the current estimate for area of disturbance is less than the threshold of 5,000 SF. As long as the area of disturbance remains less than 5,000 SF then coverage under NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity, GP-0-15-002 is NOT required.

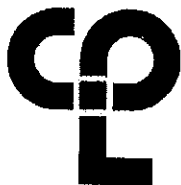
However, since steep slopes will be disturbed and a wetland buffer is expected to be disturbed, a Town of Kent Erosion & Sediment Control Permit is required.

2. Provide Disclosure of Business Interest Form.
3. 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)."
4. Provide a note on the drawing referencing the SWPPP. Provide a note indicating that if the area of disturbance exceeds 5,000 SF, coverage under NYS DEC GP-0-15-002 will be required.
5. Refer to the SWPPP:
  - a. Repeat in the conclusion of the SWPPP that as long as the area of disturbance remains under 5,000 SF, coverage under GP-0-15-002 is not required. If during construction the area of disturbance exceeds 5,000 SF, coverage under GP-0-15-002 will be required.
6. Refer to the Drawings:
  - a. Drawing S-1, revised 3/5/2019 shows proposed storm tech chambers for infiltration of new garage roof runoff. Has any soil testing been conducted in this area to confirm sufficient depth to bedrock? While infiltration is typically preferred method for handling additional stormwater runoff from impervious surfaces, it is located within the wetland buffer. We defer to Bruce Barber if an alternative stormwater treatment is preferred in the wetland buffer.
7. A bond estimate of \$520.00 was included with the submittal. We do not recommend this bond estimate be accepted for the bond amount and recommended for approval by the Town Board until additional discussion and analysis is completed.
8. 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.
9. This house is located within the Gipsy Trail Club. If the applicant can provide that there is no objection to these alterations by the Club, then per §66-6.F, we recommend the public hearing be waived.
10. We defer to the Planning Board's environmental consultant regarding wetland issues.

  
Julie S. Mangarillo, P.E., CPESC


cc: Planning Board via email  
Bill Walters via email  
19-261-999-

Bruce Barber via email  
Liz Axelson via email



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## MEMORANDUM

**TO:** Town of Kent Planning Board  
**CC:** Bill Walters  
Julie Mangarillo  
Bruce Barber  
**FROM:** Liz Axelson, AICP   
**DATE:** March 13, 2019  
**RE:** Zucker Erosion Control Plan and Wetland Permit, 12 Woodchuck Court, Tax Parcel No. 21.19-1-5 / CPL# 14973.00-0010

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 an addition of a garage and deck onto a single-family dwelling, and other improvements to be made to a 43,560 square foot (SF; 1-acre) lot (see tax parcel listed above) in the R-80 (Residential) 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. I have no comments on the Short EAF. The proposal appears to be a Type 2 action under SEORA.

### Zoning Requirements

4. Revise the zoning table of lot and bulk requirements to the plat corresponding to the R-80 district as follows:
  - a. Provide a value for Proposed Road Frontage.
  - b. Add a note to the plans to state that utilities shall, unless unfeasible, be placed underground.
5. Label the existing and proposed tree line, with notation that wooded areas will be retained.

### Recommendation

6. The Planning Board should direct the applicant to:
  - a. address the comments above; and
  - b. provide additional information for a more complete application.
7. Since the application is not be 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](mailto:eaxelson@CPLteam.com).

### Materials Reviewed

- Application for wetland and erosion control permit; and request for Wetland Delineation Confirmation, with site plan checklist signed 2/20/19;
- Stormwater Pollution Prevention Plan, prepared by John Karell, PE, dated January 23, 2019;
- Short EAF signed January 23, 2019;
- Erosion Control Cost Estimate, prepared by John Karell, PE, dated January 31, 2019;
- 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 SWPPP form; and
- Plans prepared by John Karell, Jr., P.E., entitled Jonathian Zucker and dated as listed below:
  - o Site and Erosion Control Plan, dated February 20, 2019, revised March 5, 2019;
  - o Site Plan, dated February 20, 2019;
  - o Slope Plan, dated February 20, 2019;
  - o Erosion Control & Steep Slope Details/Notes, dated February 20, 2019;
  - o Aerial Photo, dated February 20, 2019; and
- Topographic Survey of Property, prepared by David O'Dell, PLS, dated June 26, 2018.