

Approved: December 12, 2019

**Minutes
Town of Kent Planning Board Meeting
November 14, 2019
FINAL ADOPTED MINUTES**

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

In attendance were the following Planning Board members:

Phil Tolmach, Chairman
Dennis Lowes, Vice Chairman
Simon Carey
Giancarlo Gattucci
Nisim Sachakov
Charles Sisto

Others in Attendance:

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

Absent:

Stephen Wilhelm

• **Approve Planning Board Minutes from October 10, 2019**

Mr. Tolmach asked for a motion to approve the minutes from the October 10, 2019 meeting. The motion was made by Mr. Lowes and seconded by Mr. Sachakov. The roll call votes were as follows:

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

The motion carried.

• **Kent Self Storage, 164 Route 311, Kent, NY; TM: 22.-2-17**

Mr. Joseph Rina of Site Design Consultants represented Mr. Vriebrock, the owner of the property. This was a continuation of a Public Hearing held in September, 2019. Mr. Rina discussed screening on the property, which was a concern to a neighbor, Mr. Shaffer. The Planning Board suggested that Mr. Rina prepare a drawing showing the contrast and the site line from Mr. Shaffer's house to the proposed building, which he displayed at the meeting. Twenty seven 7' to 8' White Spruce trees will be planted and a dense permanent year round vegetation screening will also be planted. A row of Oak Trees will line the driveway, which will provide an additional line of screening. .

Ms. Axelson's Comments (memo attached)

Ms. Axelson provided a Full EAF Part 2 to the Planning Board members. Her review went over remaining Ms. Axelson said she had advised Mr. Rina that the drawings needed to reflect a decorative veneer facing the Shaffer property. Ms. Axelson recommended that, after Ms. Mangarillo and Mr. Barber are heard as well as any public comments, the Board review the Full EAF Part 2 and a Resolution she prepared.

Mr. Barber's Comments (memo attached)

Mr. Barber said the majority of his comments had been addressed. The potential discharge of post-construction stormwater into the stream across the street from the property has been addressed through some thermo analysis from the engineer. Regarding the screening, Mr. Barber suggested that 1/3 of the erosion control bond be put into a landscaping bond to be held for three years.

Ms. Mangarillo's Comments (memo attached)

The majority of Ms. Mangarillo's comments have also been addressed. She asked to see a copy of the deed for this property and said a note is not on the drawing. There is a temporary sediment trap shown in the gravel paver infiltration area, which should be relocated. Signage or striping should be placed in the truck backup area to ensure there is no parking there. The Erosion Control Bond estimate was for \$22,909.00, but because there will be long-term stormwater management facilities there will need to be two additional bonds and a Landscaping Bond as noted below:

- | | |
|---|--|
| - Erosion Control Bond | - \$34,414.00 (two years after completion) |
| - Long-Term Stormwater Management Facility Bond | - \$48,740.00 (two years After completion) |
| - Landscaping Bond | - \$ 2,500.00 will be deducted From the Stormwater Facility Bond (three years) |

Mr. Carey had questions regarding the sidewalk easement and asked who would pay to have it installed and maintained. Mr. Rina said that he would provide an easement if it ever became necessary to install a sidewalk, but the owner of the property would not pay for it. Ms. Axelson said that in the Zoning section of the Town Code Chapter 77.-26 and there are also design standards in the IOC to put sidewalks in along the front of the property. It was suggested that an easement be put in place for future development of a sidewalk.

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Mr. Tolmach asked for a motion to re-open the Public Hearing for this project. The motion was made by Mr. Sachakov and seconded by Mr. Gattucci. The roll call votes were as follows:

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

The motion carried.

Mr. Tolmach asked if anyone in the audience wished to be heard and no one did.

Mr. Tolmach asked for a motion to close the Public Hearing for this project. The motion was made by Mr. Sachakov and seconded by Mr. Lowes. The roll call votes were as follows:

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

The motion carried.

Mr. Tolmach asked for a motion to approve the following bonds:

- | | |
|---|--|
| - Erosion Control Bond | - \$34,414.00 (Held for 2 years
after completion) |
| - Long-Term Stormwater Management Facility Bond | - \$46,240.00 (Held for 2 years
After completion) |
| - Landscaping Bond | - \$ 2,500.00 (Held for 3 years) |

The motion was made by Mr. Sachakov and seconded by Mr. Carey. The roll call votes were as follows:

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

The motion carried.

Ms. Axelson read the draft Full EAF Part 2 (attached) and Resolution.

Mr. Tolmach asked for a motion to adopt the Resolution as prepared by Ms. Axelson. The motion was made by Mr. Gattucci and seconded by Mr. Lowes. The roll call votes were as M

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

The motion carried.

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

Mr. David Schlosser, of Schopfer Architects, represented the applicants. This was a Public Hearing for this project. Mr. Schlosser explained that Putnam Nursing & Rehabilitation Center is an existing New York State Department of Health licensed 3 story 160 bed skilled nursing facility, which is approximately 54,000 square feet in size and 337 square feet per bed. There are a high percentage of double bedded rooms. The facility consists of two parcels, totaling about 10.9 acres. 7 acres to the north and 3.8 acres to the south, which is undeveloped. The commercial owners granted an easement to the HUD financed owner of the north parcel where the nursing home is situated for the development of roadways and access for emergency vehicles. The parking is on the north parcel and there is a pond on that parcel. The proposed plan is an expansion to the north of about 25,000 square feet bringing the facility up to a total of 79,000 square feet/500 square feet per bed. The addition will house an additional 30 beds, but the nursing home will maintain its 160 bed capacity (private/semi-private rooms) which will allow the facility to reduce the double-bed rooms by 30 and increase private rooms by 60 beds. The communal areas will also be expanded in the existing and new residences. A new entrance, lobby, reception area, parlors and a 3,000 physical are will be constructed. The existing physical therapy will be converted into additional dining space for residents. The addition will have its own dining area for acute sub-acute rehabilitation residents and 23 spaces for parking will be under it. Additional 57 parking spaces will be added to the south parcel. Schopfer Architects worked with the Lake Carmel Fire Department to develop an access road and emergency vehicle lane around the property to the south. Along the pond to the north there will be a retention pond, infiltration pond and a wetland buffer landscaping plan. The entire addition and area of disturbance are all within the existing asphalt area of the property, as dictated by the DEP and DEC. Both agencies have stipulated that they will approve the project when/if the Planning Board approves it. The proposed plan is opposite of what the existing facility is. The addition will be residential style, partial two-story addition attached to the existing structure on the north side with the residential component above the parking area. The addition will consist of support columns over the parking lot. Mr. Schloss said he had received comments from the consultants and responded to them, additional comments were received the day of this meeting and Schopfer Architects would respond to them shortly.

Ms. Axelson's Comments (memo attached)

Ms. Axelson said most of her comments had been addressed. The DEP and Mr. Barber had comments pertaining to the species of plants to be installed. Ms. Axelson said she needed to keep working with Jeff Battistoni, Van DeWater & Van DeWater, Planning Board Attorney regarding the draft deed for this property as well as a Draft Declaration of Easement for construction maintenance between the two parcels. The Lead Agency material went out on October 23, 2019 and thirty days has not passed and some agencies have replied, but not enough to close the Public Hearing. Ms. Axelson said that she, Ms. Mangarillo and Mr. Barber felt that a SEQRA Negative Declaration would be prepared for the December meeting as well as approvals with conditions.

Mr. Barber's Comments (memo attached)

Mr. Barber said most of his comments have been addressed. Ms. Cynthia Garcia, of NYCDEP, made suggestions about modifications to the species to be planted, with which he agreed. There is about 14,000 square feet of wetland buffer impacts predominantly around the pond. The applicant in developing their stormwater management plan demonstrated a reduction in phosphorous, nitrogen, biological oxygen, and TSS going into the resources which presently has untreated stormwater going into them. Therefore, there is a positive environmental gain with respect to the installation of the stormwater practices and wetland buffer mitigation. The applicant would like to cut the trees during the winter months and they would not be stumping them. Mr. Barber suggested that the applicant be mindful of the compaction of the ground and the potential for stormwater run-off. Mr. Barber asked if 2,800 cubic yards would be removed and Mr. Schlosser said that they would only be removing 2,000 cubic yards over 6 months. Mr. Barber said that the applicant should discuss the number of truck trips and traffic patterns to ensure if any necessary materials should be supplied if town roads are used and may need to be repaired.

Ms. Mangarillo's Comments (memo attached)

Ms. Mangarillo said the project has come a long way and that the majority of her comments had been addressed. The Erosion Control and Stormwater bond estimate were submitted in May 2019 and needed to be updated and submitted for approval.

Mr. Tolmach asked for a motion to open the Public Hearing. The motion was made by Mr. Carey and seconded by Mr. Sachakov. The roll call votes were as follows:

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

The motion carried.

November 14, 2019

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

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

The motion carried.

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

- | | | |
|---|-------|---------------|
| <ul style="list-style-type: none"> Route 52 Development/
Peder Scott Project
Route 52, Kent, NY
TM: 12.-1-52 | SEQRA | Status Report |
|---|-------|---------------|

A Draft Environmental Impact Statement needs to be submitted. The Draft Scoping Outline was adopted by the Planning Board previously. The initial noise consultant needs to submit a revised proposal and are going to ask another noise consultant to submit a proposal. A memo from the applicant's attorney notified the Planning Board that the Truck Stop will no longer be part of the project. Ms. Axelson will ask the noise consultants to not include the truck stop in the new proposals. Mr. John Neff stated that in a previous video the applicant's architect and attorney stated that the truck stop was an integral part of this project. Mr Neff asked what other things would be included in this project. He also asked about the phasing of the mining. Mr. Tolmach said that neither the Board nor the consultants could answer those questions at this time. Ms. Doherty asked what hotels would be constructed since the truck stop was no longer part of the project. Ms. Doherty also asked how the public could follow the scoping and if the applicants would come to the next workshop. Mr. Tolmach said that the speed of how the project moves forward was up to the applicant. Ms. Doherty asked if a new scoping outline would have to be done. Mr. Tolmach if new things needed to be addressed a new scoping would have to be done.

- | | | |
|---|---|---------------|
| <ul style="list-style-type: none"> Chin/Chen Property
Gipsy Trail Road, Kent, NY
TM: 32.06-1-1 | Erosion Control Plan/
Wetland Permit | Status Report |
|---|---|---------------|

This project is almost ready for signature.

- | | | |
|--|--------------|---------------|
| <ul style="list-style-type: none"> Rodriguez Property
104 Smalley Corners Road, Kent, NY
TM: 21.-1-10 | Sub-Division | Status Report |
|--|--------------|---------------|

Waiting for a new submittal.

Town of Kent Planning Board Minutes
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- | | | |
|--|--|---------------|
| <ul style="list-style-type: none"> • NYCDEP Horsepound Ridge Management Project
Horsepound Road, Kent, NY
TM: 33.-1-44, 45 & 33.-6-1-71 | Accept Letter of Assurance for Erosion Control Bond/
Transfer Wetland Permit Fee to Review/Escrow Account | Status Report |
|--|--|---------------|

This project has been approved and can come off of the agenda.

- | | | |
|--|-----------------------|---------------|
| <ul style="list-style-type: none"> • Raneri Property
Hillside Paper Rd., Kent,, NY
TM: 44.24-1-3t | Erosion Control Plan/ | Status Report |
|--|-----------------------|---------------|

Waiting for a re-submittal.

- | | | |
|---|----------------------|---------------|
| <ul style="list-style-type: none"> • Kent Development/Hilltop Estates Timber Harvest
Peckslip Road, Kent, NY
TM: 12.-1-38 & 42 | Erosion Control Plan | Status Report |
|---|----------------------|---------------|

Waiting for additional material.

- | | | |
|--|--|---------------|
| <ul style="list-style-type: none"> • Gierer (Cargain) Property
43 Marie Road, Kent, NY 10512
TM: 22.-1-42 | Erosion Control Plan/
Bond Recommendation | Status Report |
|--|--|---------------|

The applicant wants to withdraw application; waiting for notification in writing of withdrawal.

- | | | |
|---|-------------------------|---------------|
| <ul style="list-style-type: none"> • Kent Materials
NYS Rte. 52, Kent, NY
TM: 12.-1-44 | Request to Release Bond | Status Report |
|---|-------------------------|---------------|

Waiting for additional material and escrow.

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

A re-submittal is due.

- | | | |
|---|---------------------------|---------------|
| <ul style="list-style-type: none"> • Realbuto
49 Tiger Trail, Kent, NY
TM: 21.8-1-39 | Erosion Control Plan/Bond | Status Report |
|---|---------------------------|---------------|

A bond estimate is due for this project..

- | | | |
|---|----------------------|---------------|
| <ul style="list-style-type: none"> • O'Mara
Lhasa Ct., Kent, NY
TM: 31.9-1-6 | Erosion Control Plan | Status Report |
|---|----------------------|---------------|

Almost ready for signature. .

Town of Kent Planning Board Minutes
November 14, 2019

- | | | |
|---|---|---------------|
| <ul style="list-style-type: none">• DiSanza Property
381 Ludingtonville Rd., Holmes, NY
TM: 12.-3-63 & 64 | Erosion Control Plan/
Wetland Permit | Status Report |
|---|---|---------------|

This matter is still pending and escrow is needed. .

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

A re-submittal is due.

Mr. Tolmach asked for a motion to close the November meeting at 09:39, The motion was made Mr. Gattucci and seconded by Mr. Carey. The roll call votes were as follows:

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

The motion carried.

Respectfully Submitted,



Vera Patterson
Planning Board Secretary

cc: Planning Board Members
Building Inspector
Town Clerk

NOVEMBER

2019

KENT PLANNING BOARD AGENDA

Workshop: November 07, 2019 (Thursday, 7:30 PM) (CANCELLED)

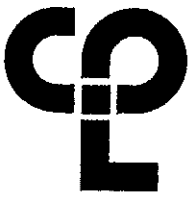
Meeting: November 14, 2019 (Thursday, 7:30 PM)

- | | | |
|---|--|--------|
| <ul style="list-style-type: none"> • Approve Planning Board Minutes from October 2019 | | |
| <ul style="list-style-type: none"> • Kent Self Storage
Rte. 311, Kent, NY
TM: 22.-2-17 | Site Plan/Erosion Control/
Wetland Permit
Public Hearing Continued | Review |
| <ul style="list-style-type: none"> • Putnam Nursing & Rehabilitation Center Addition
404 Ludingtonville Road, Holmes, NY
TM: 12.-3-40 & 41 | Erosion Control/Site Plan/
Wetland Permit
Public Hearing | Review |

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

- | | | |
|---|---|---------------|
| <ul style="list-style-type: none"> Route 52 Development/
Peder Scott Project
Route 52, Kent, NY
TM: 12.-1-52 | SEQRA | Status Report |
| <ul style="list-style-type: none"> Chin/Shen Property
Gipsy Trail Road, Kent, NY
TM: 32.06-1-1 | Erosion Control Plan/
Wetland Permit | Status Report |
| <ul style="list-style-type: none"> Rodriguez
104 Smalley Corners Rd., Kent, NY
TM: 21.-1-10 | Sub-Division | Status Report |
| <ul style="list-style-type: none"> NYCDEP Horsepound Ridge Forest
Management Project
Horsepound Rd., Kent, NY
TM: 33.-1-44, 45 & 33.6-1-71 | Accept Letter of Assurance for
Erosion Control Bond
Transfer Wetland Permit Fee to
Review/Escrow Account | Status Report |
| <ul style="list-style-type: none"> Raneri Property
Hillside Paper Rd., Kent,, NY
TM: 44.24-1-3 | Erosion Control Plan/ | Status Report |
| <ul style="list-style-type: none"> Kent Development /Hilltop Estates
Timber Harvest
Peckslip Rd., Kent, NY
TM: 12.-1-38 & 42 | Erosion Control | Status Report |

• Gierer (Cargain) Property 43 Marie Road, Kent, NY 10512 TM: 22.-1-42	Erosion Control Plan/ Bond Recommendation	Status Report
• Kent Materials NYS Rte. 52, Kent, NY TM: 12.-1-44	Request to Release Bond	Status Report
• Fregosi Marinelli Property Miller Hill Road, Kent, NY TM: 10.-1-17	Erosion Control Plan	Status Report
• Realbuto 49 Tiger Trail, Kent, NY TM: 21.8-1-39	Erosion Control Plan/Bond	Status Report
• O'Mara Lhasa Ct., Kent, NY TM: 31.9-1-6	Erosion Control Plan	Status Report
• DiSanza Property 381 Ludingtonville Rd., Holmes, NY TM: 12.-3-63 & 64	Erosion Control Plan/ Wetland Permit	Status Report
• Cabrera Property 126 Hortontown Road, Kent, NY TM: 19.-1-35	Erosion Control Plan	Status Report
• Rodriguez 104 Smalley Corners Rd., Kent, NY TM: 21.-1-10	Sub-Division	Status Report



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ENGINEERING
PLANNING
CPLteam.com

MEMORANDUM

TO: Town of Kent Planning Board
CC: Bill Walters
Julie Mangarillo
Bruce Barber
FROM: Liz Axelson, AICP
DATE: November 14, 2019
RE: Putnam Nursing & Rehabilitation Center Addition Site Plan, 404 Ludingtonville Road, Holmes, Tax Parcels No. 12.-3-40 & 41 / CPL# 14820.00

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 wetland permit approvals for the renovation of and addition to an existing nursing home and other improvements to be made on an approximately 10.9-acre site developed and partially wooded lot (see tax parcels listed above) as a principal permitted use in the R-80 (One Family Residence) zoning district.
2. My review is limited to the Zoning and planning comments below. I defer to the Planning Board's Consulting Engineer and Environmental Consultant review for all other aspects of the project.

SEQRA

3. I have no further comments on the Full EAF; and defer to the Planning Board's Environmental Consultant for review of Full EAF section D. and E. pertaining to other aspects of the project.
4. The Planning Board initiated a coordinated review under SEQRA by circulating materials to involved and interested agencies, which were sent out on October 23, 2019.

Zoning & Site Plan

5. It is recommended that the project plans be revised to address the November 12, 2019 comments of the New York City Department of Environmental Protection (NYCDEP) to the extent practicable. Consultation with the Planning Board's Environmental Consultant is suggested.
6. In response to a recommendation that the parcels, which make up the site be merged into a single tax parcel, the Applicant's Architect stated it is preferred by the Applicant and their Representatives that tax parcel 40 (the nursing home lot), which is federally financed, remain separate. Because the adjoining tax parcel 41, intended for new employee parking, is separately financed, the owner would amend its legal description to include cross easements and access right of ways for the two parcels. This proposal was discussed with the Planning Board. The submitted deeds and cross access easement are being reviewed by the Planning Board's Attorney.
7. As per prior comments, the Applicant's submitted draft declaration of easement describes an easement for use for construction; maintenance; and access, which would address certain aspects of the combined use of 2 lots as a single land development. This approach may sufficiently bind the separately-owned lots together as the site for an approved site plan, which would be enforceable by the Town of Kent. Following Planning Board Attorney review, add clear plan

notation referring to: the entity that would have the authority for control of the entire site and the use thereof; and the legal instrument describing the easement.

8. Revise the zoning table on plan sheet T1.0 for the northern lot, Parcel I (Tax Parcel No. 12.-3-40) as follows:
 - a. Review the label of 92.3' side yard (north) for the existing parking area on L1.0; and revise the 117.2' setback in the table on sheet T1.0 to be 92.3'; and
 - b. The proposed parking setback for the southern side yard should be listed as 0 (S).
9. Regarding the July 10, 2019 Northeast Fire Suppression Associates, LLC (NFSA) comments, the Applicant's October 15, 2019 response letter and revised plans were emailed to Mr. Fleming and Mr. Cecere, Fire Inspector. The Planning Board should request a response from Mssrs. Fleming and Cecere.

Recommendation

10. The Planning Board should direct the applicant to address the remaining comments above.
11. Since more detailed plans and other information has been submitted; and the application is now complete, the Planning Board may consider taking the following actions at a future meeting:
 - a. Pending the end of the 30-day period following the SEQRA circulation on October 23, 2019, make Determination of Non-Significance (Negative Declaration); and
 - b. Following SEQRA action, consider a conditional approval of the site plan; erosion control; and wetland permits.

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

Materials Reviewed

- Response letter to Planning, Engineering and Environmental/Wetland Consultants, prepared by David A. Schlosser, AIA, Schopfer Architects, LLP, received October 22, 2019;
- Response letter to Northeast Fire Suppression Associates prepared by David A. Schlosser, AIA, Schopfer Architects, LLP, received October 15, 2019;
- Response letter to Marga Rojas, neighboring property owner, prepared by David A. Schlosser, AIA, Schopfer Architects, LLP, dated October 21, 2019;
- Plans prepared by David Schlosser, RA, Schopfer Architects, LLP, entitled Renovations and Additions, Putnam Nursing and Rehabilitation Center, dated August 23, 2019, last revised October 22, 2019, including the following:
 - o Title Sheet;
 - o Proposed Landscape Plan and Details;
 - o Photometrics Plan; and
 - o Miscellaneous Details.
- Topographic Survey of Property Situate in the Town of Kent, Putnam County, New York, prepared by Eric J. Link, LS, Link Land Surveyors, P.C., dated July 11, 2013, revised October 15, 2019;
- Plans prepared by David A. Getz, P.E., Lehman & Getz, PC, entitled Renovations and Additions Putnam Nursing and Rehabilitation Center, dated February 21, 2018, revised October 22, 2019, except as noted below, including the following:
 - o Layout Plan;
 - o Grading and Utility Plan; and
 - o Erosion and Sediment Control Plan.



Cornerstone Associates

Environmental Planning Consultants

1770 Central Street

Yorktown Heights, NY 10598

Phone: (914)-299-5293

November 14, 2019

To: Planning Board

From: Bruce Barber
Town of Kent Environmental Consultant

Re: **Putnam Nursing and Rehabilitation Center**
404 Luddingtonville Road
Section 12 Block 3 Lots 40, 41

Dear Chairman Tolmach and Members of the Planning Board:

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

1. Comment responses from David Schollosser dated 10/22/19
2. Letter dated 11/12/19 executed by Cynthia Garcia of NYCDEP.
3. Long-form EAF (Part I) executed by David Schollosser dated 10/22/19 *rev.).
4. Letter executed by Chris Lang of NYSDEC dated 10/24/19.

1: Summary of Application:

This is an application to expand the existing Putnam Nursing and Rehabilitation Center by constructing a two-story addition, new employee parking and making improvements to the existing building and parking facilities.

2: Environmental Review:

A: Wetlands:

There is proposed encroachment into the Town of Kent and NYSDEC jurisdictional wetland buffer. A total of 0.34+/- acres (14,676+/- square feet) of wetland buffer will be impacted.

The applicant has provided the above referenced correspondence from NYSDEC indicating the Article 24 permit is pending a determination of environmental significance from the lead agency. .

B: Trees:

The applicant has requested that tree cutting be permitted to commence during the winter months. Stump removal would be scheduled during the Spring at the time of commencement of construction. Tree cutting results in soil compaction and loss of shrub

and herbaceous plant material. In addition, when the ground freezes it is difficult to install typical erosion and sediment controls. It is recommended that the Town Engineer review the erosion and sediment control plan and make recommendations regarding temporary soil stabilization measures during the winter months. .

3. Plan Review:

Provide detailed planting plan including planting key and maintenance schedule for indicated buffer mitigation area, all stormwater structures and grass filter strip (e.g native grasses, etc.). It is suggested that the recommendations regarding plant materials and techniques provided by the NYCDEP in their memo be implemented.

The applicant has provided an estimate of plants and labor of \$40,000 which is found to be acceptable.

Indicate if deer fencing will be installed around all plantings as well as safety fencing at stormwater basin.

4: EAF Review:

Complete

5: Additional Review:

The EAF indicates that approximately 2,800 cubic yards of material are to be removed from the site over the 5 month anticipated construction period. Applicant should indicate how many truck trips per day are anticipated and provide a truck route for trucks leaving the site. The Planning Board may refer the application to the town Highway Superintendent to determine if an evaluation of the road, bridge and culvert conditions is required.

This office defers to the Town Planner regarding planning and zoning issues and the Town Engineer regarding engineering issues.

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

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Permits, Region 3

21 South Putt Corners Road, New Paltz, NY 12561-1620 NEWYORKSTATE
(845) 256-3054 1 F: (845) 255-4659 OPPORTUNITYEnvironmental
www.dec.ny.govConservation



OFDepartment of P:

October 24, 2019

VIA EMAIL

Vera Patterson, Planning Board Secretary
Town of Kent Planning Board
lannin.kent.townofkentn.ov

Re: Putnam Nursing and Rehabilitation Center
Town of Kent, Putnam County
SEQR Response and Comments on Jurisdiction

Dear Ms. Patterson,

The Department of Environmental Conservation (DEC or Department) received your State Environmental Quality Review Act (SEQR) Lead Agency Coordination on October 23, 2019! The proposal involves expansion of an existing building and associated reconfiguration of parking areas, stormwater management practices, and other site elements for the facility located at 404 Ludingtonville Road in the Town of Kent. The Department has no objection to the Town of Kent Planning Board serving as lead agency for this project.

Please note, the project sponsor submitted an application to DEC for a permit pursuant to Article 24 (Freshwater Wetlands) for this project on November 5, 2018 (DEC ID 3-3722-00010/00003). The application was determined complete on July 19, 2019 and a final decision on the application is currently pending; however, with the Town of Kent Planning Board providing its intent to serve as lead agency for this project under a coordinated review at this time, DEC will wait to receive the lead agency's determination of significance prior to making any final decisions on this permit application.

By copy of this letter, the applicant is hereby notified that DEC application timeframes will be suspended until DEC receives the lead agency's determination of significance and SEQR is completed.

For purposes of the SEQR lead agency coordination, DEC offers the following comments on the proposal:

FRESHWATER WETLANDS

The proposed project requires a Freshwater Wetlands permit for disturbances to the adjacent area of Freshwater Wetland LC-6 (Class II). As described above, the project sponsor has submitted an application for this permit. DEC must receive the lead agency's determination of significance prior to making any final decisions on the application.

STATE-LISTED SPECIES

DEC has reviewed the State's Natural Heritage records. No records of sensitive resources were identified by this review.

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The absence of data does not necessarily mean that other rare or state-listed species, natural communities or significant habitats do not exist on or adjacent to the proposed site. Rather, our files currently do not contain information which indicates their presence. For most sites, comprehensive field surveys have not been conducted. We cannot provide a definitive statement on the presence or absence of all rare or state-listed species or significant natural communities. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other sources may be required to fully assess impacts on biological resources.

PROTECTION OF WATERS STREAM DISTURBANCE

The following waterbodies are located on or near the property identified above:

<u>Name</u>	<u>Class</u>	<u>DEC Water Index Number</u>	<u>Status</u>
Trib. of Middle Branch Reservoir	C	HOI-P44-23-P59-6-5a	Non-protected
Unnamed Pond	B	H-31-P44-23-P59-6-5a-P52d	Protected

A Protection of Waters permit is required to physically disturb the bed or banks (up to 50 feet from stream) of any streams identified above as "protected." A permit is not required to disturb any waterbodies identified above as "non-protected".

Based on the materials submitted to DEC for this project, it does not appear either of these waterbodies' bed or banks would be physically disturbed.

If a permit is not required, please note, however, you are still responsible for ensuring that work shall not pollute any stream or waterbody. Care shall be taken to stabilize any disturbed areas promptly after construction, and all necessary precautions shall be taken to prevent contamination of the stream or waterbody by silt, sediment, fuels, solvents, lubricants, or any other pollutant associated with the project.

NEW YORK CITY DEPARTMENT OF ENVIRONMENTAL PROTECTION NYCDEP

The project site is located within the NYCDEP watershed.

STATE POLLUTANT DISCHARGE ELIMINATION SYSTEM SPDES STORMWATER.

As the overall project will disturb over one acre of land (or 5000 square feet or more of _____ land within the NYC Department of Environmental Protection East of Hudson Watershed), the project sponsor must obtain coverage under the current SPDES General Permit for Stormwater Discharge from Construction Activity 5-002), and a Stormwater Pollution Prevention Plan (SWPPP) must be developed which conforms to requirements of the General Permit. Authorization for coverage under this SPDES General Permit is not granted until the Department issues all other necessary DEC permits.

As the site is within a Municipal Separate Storm Sewer System (MS4) community, the SWPPP must be reviewed and accepted by the municipality, and the MS4 Acceptance Form submitted

with the SWPPP and the application for coverage, in accordance with the application instructions.

OTHER

Other permits from this Department or other agencies may be required for projects conducted on this property now or in the future. Also, regulations applicable to the location subject to this determination occasionally are revised and you should, therefore, verify the need for permits if your project is delayed or postponed. This determination regarding the need for permits will remain effective for a maximum of one year unless you are otherwise notified. More information about DEC permits may be found at our website, www.dec.ny.gov, under "Regulatory" then

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October 24, 2019

"Permits and Licenses. Application forms may be downloaded at <http://www.dec.ny.gov/permits/6081.html>.

Please contact this office if you have questions regarding the above information. Thank you.

Sincerely,



Chris Lang
Division of Environmental Permits
Region 3, Telephone No. (845) 256-3096

ecc: Putnam Acquisition I, LLC/Putnam Rehabilitation Center
Maria TuppefrGoebel, NYC DEP
Josh Fisher, DEC Bureau of Ecosystem Health David
Griggs, ERS Consultants Inc.

Cornerstone Associates

Environmental Planning Consultants
1770 Central Street Yorktown
Heights, NY 10598
Phone: (910-299-5293

October 10, 2019

To: Planning Board

From: Bruce Barber
Town of Kent Environmental Consultant

Re: Putnam Nursing and Rehabilitation Center
404 Luddingtonville Road
Section 12 Block 3 Lots 40, 41

Dear Chairman Tolmach and Members of the Planning Board:

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

1. Email comment response from David Schlosser dated 09/23/19.
2. Plans entitled; "Renovations and Additions Putnam Nursing and Rehabilitation Center" prepared by Schopfer Architects dated 08/23/19, 2 sheets: L1.6, L1.7
3. Plans entitled; "Renovations and Additions Putnam Nursing and Rehabilitation Center" prepared by Lehman and Getz, P.C., dated 08/23/19 (rev.) 6 sheets: L1.0, L1. 1, L1.2, L1 .3, L1 .4, L1.5,.
4. Stormwater Pollution Prevention Plan prepared by Lehman & Getz, P.C. undated (stamped received 09/16/19).

1: Summary of Application:

This is an application to expand the existing Putnam Nursing and Rehabilitation Center by constructing a two-story addition, new employee parking and making improvements to the existing building and parking facilities.

2: Environmental Review:

A: Wetlands:

There is proposed encroachment into the Town of Kent and NYSDEC jurisdictional wetland buffer. A total of 0.34+/- acres (14,676+/- square feet) of wetland buffer will be impacted.

The applicant has provided a mitigation plan in the form of a planted pond edge and stormwater treatment improvements. It is recommended that the mitigation areas along the pond edge be connected to provide a buffer between the pond and the proposed grass filter strip. GETZ RESPONSE 10/22/19: We would request this change be reconsidered as the mitigation plans and wetlands planting plans have been submitted to NYSDEC with approval anticipated any day. A change at this time could result in a delay in approval for further review.

The applicant has provided data which indicates that discharge of Total Suspended Solids, Total Phosphorous, Total Nitrogen and Biological Oxygen Demand will be reduced from pre-construction levels. GETZ RESPONSE 10/22/19: no response required.

B: Trees:

Tree cutting is limited to the time period between November 1 and April 1 of the following year. SCHOPFER RESPONSE 10/22/19: Agreed, general note 7 has been added to revised L1.0. Additionally, because a spring 2020 construction start is anticipated, once the Planning Board Approval has been issued, we would request permission to mark all trees to be removed and proceed with cutting them to stump level this winter. To do anything less could delay the construction start by a full year.

3. Plan Review:

Provide detailed planting plan including planting key and maintenance schedule for indicated buffer mitigation area, all stormwater structures and grass filter strip (e.g native grasses, etc.). Provide cost to plant (labor and materials) for bonding purposes. Indicate if deer fencing will be installed around all plantings as well as safety fencing at stormwater basin. GETZ RESPONSE 10/22/19: The plantings in the buffer mitigation area have been added to sheet L1.6. Native grasses to be planted are specified on sheet L1.2 and in the SWPPP.

The cost of the all the planting materials including labor (as shown on L1.6) is estimated at \$40,000.

No safety fencing is required as the bioretention basins are graded to pond no more than 6" during large storms and up to 12" short term peak period of the largest storm.

4: EAF Review:

Page 8: Question D.2.p.ii: Provide response.

Page 9: Question D.2.t: Provide information regarding medical waste generation. Page I

1 : Question E.2.d: Please confirm response.

5: Additional Review:

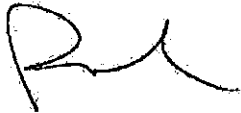
The EAF indicates that approximately 2,800 cubic yards of material are to be removed from the site over the 5 month anticipated construction period. Applicant should indicate how many truck trips per day are anticipated and provide a truck route for trucks leaving the site. The Planning Board may refer the application to the town Highway Superintendent to determine if an evaluation of the road, bridge and culvert conditions is required.

Provide NYSDEC permit(s) as required. GETZ RESPONSE 10/22/19: DEC has issued a letter noting the Application is complete however they also indicated they will hold on issuance of the final approval until the Town Planning Board, as Lead Agency, has completed its SEQRA review and approval. A copy of that letter was emailed to the PB Secretary and Town Consultants on 10/24/19.

This office defers to the Town Planner regarding planning and zoning issues and the Town Engineer regarding engineering issues.

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

Sincerely,

A handwritten signature in black ink, appearing to be 'B. Barber', written in a cursive style.

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: Amended Site Plan, Erosion Control
Permit, Wetland Permit

Date: November 14, 2019

Project: Putnam Nursing & Rehabilitation
Center Renovations & Addition
TM # 12.-3-40 & 41

The following materials were reviewed:

- Response to comments, email dated October 22, 2019
- Full Environmental Assessment Form (EAF), signed August 21, 2018, revised 10/22/2019
- Stormwater Pollution Prevention Plan (SWPPP) prepared by Lehman & Getz, P.C. Consulting Engineers, dated 2/21/2018, revised 8/23/2019, including Notice of Intent (NOI) – last revised 10/15/2019 received via email 11/14/2019
- Letter from NYC DEP dated November 12, 2019
- Letter from NYS DEC dated Oct 24, 2019
- Drawing set prepared by Schopfer Architects LLP, including submitted via email:
- Drawing-T1.0-Cover Sheet -Renovations and Additions-Putnam Nursing and Rehabilitation Center, prepared by Schopfer Architects, LLP, revised 10/22/2019 via email
- Drawing-L1.0-Layout Plan -Renovations and Additions-Putnam Nursing and Rehabilitation Center, prepared by Lehman & Getz, P.C., last revised 10/22/2019, via email
- Drawing-L1.1-Grading and Utility Plan- Renovations and Additions-Putnam Nursing and Rehabilitation Center, prepared by Lehman & Getz, P.C., last revised 10/22/2019, via email
- Drawing-L1.2-Erosion and Sediment Control Plan- Renovations and Additions-Putnam Nursing and Rehabilitation Center, prepared by Lehman & Getz, P.C., revised 10/22/2019 via email
- Drawing-L1.6-Proposed Landscape Plans and Details -Renovations and Additions-Putnam Nursing and Rehabilitation Center, prepared by Schopfer Architects, LLP, revised 10/22/2019 via email,
- Drawing-L1.7-Photometrics Plan -Renovations and Additions-Putnam Nursing and Rehabilitation Center, prepared by Schopfer Architects, LLP, revised 10/22/2019 via email
- Drawing-L1.8-Miscellaneous Details -Renovations and Additions-Putnam Nursing and Rehabilitation Center, prepared by Schopfer Architects, LLP, revised 10/22/2019 via email

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

The project proposes construction of an addition to the Putnam Nursing and Rehabilitation Center. Proposed site work includes construction of a new parking lot and stormwater management facilities. Project will not increase the number of beds.

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 October 5, 2018:

1. Refer to Combined Application Form –
 - c. Provide a copy of the deed(s)
 - i. The 2/28/2019 response letter indicates deed “to be provided by Owner under separate cover.” Deeds have not been received at this time.
 - ii. 10/9/2019 – Deeds have not been received.
 - iii. **11/14/2019 – Deeds have been received. Item complete.**
2. 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.
10. An erosion control bond estimate of \$13,030 was included with the submittal. A separate bond estimate for long term stormwater management facilities will have to be provided. In addition, agreements and easements for the stormwater management facilities with the Town will have to be prepared by the Planning Board Attorney. At this time, we recommend waiting to approve the bond amount until further in the review and approval process.
 - a. 5/13/2019 Acknowledged. Stormwater management facility bond estimate has not been received at this time.
 - b. **11/14/2019 – Provide revised erosion control bond estimate and long term stormwater management facility bond estimate to correspond to the revised layout and stormwater management measures. Include unit costs.**
11. 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.
 - a. **Acknowledged.**
12. We defer to the Planning Board's environmental consultant regarding wetland issues.
13. We defer to the Planning Board's planning consultant regarding planning and zoning issues.

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

1. Submit signed Notice of Intent prior to final approval.
5. Proposed cross easement will have to reviewed and approved by the Planning Board's attorney.
 - a. 10/9/2019 – The Planning Board attorney is reviewing the draft easement.

The following comments are provided for the Planning Board's consideration from a memo dated October 9, 2019:

1. Provide elevations for top and bottom of the proposed retaining wall. Provide structural calculations for retaining walls greater than 4 feet.
 - a. **11/14/2019 Per the response letter, the concrete block manufacturer has a height limit of 20 feet. Provide structural calculations for retaining walls greater than 4 feet.**

New Comments:

1. Address comments in NYC DEP letter dated November 12, 2019.

Please continue to provide written response with future submittals stating how the comments have been addressed.



Julie S. Mangarillo, P.E., CPESC

cc: Planning Board via email
Bill Walters via email
15-261-220

Bruce Barber via email
Liz Axelson via email

A. Rohde, **Memorandum**

To: Planning Board
Town of Kent

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

Date: October 9, 2019

Attn: Philip Tolmach
Chairman

Subject: Amended Site Plan, Erosion
Control Permit, Wetland Permit
Project: Putnam Nursing &
Rehabilitation Center Renovations &
Addition TM #12.-3-40 & 41

The following materials were reviewed

- Response to comments, email dated September 22, 2019 •
Full Environmental Assessment Form (EAF), signed August
21, 2018, revised 9/20/2019
- Stormwater Pollution Prevention Plan (SWPPP) prepared by
Lehman & Getz, P.C. Consulting Engineers, dated
2/21/2018, revised 8/23/2019, including Notice of Intent
(NOD)
- Letter from NYC DEP dated September 26, 2019
- Draft easement submitted via email 6/21/2019
- Drawing set prepared by Schopfer Architects LLP,
including:
- Drawing-T1, O-Cover Sheet -Renovations and Additions Putnam
Nursing and Rehabilitation Center, prepared by
Schopfer Architects, LLP, revised 8/28/2019 & 9/23/2019
via email
- Drawing-L1 .0-Layout Plan -Renovations and
Additions Putnam Nursing and Rehabilitation Center,
prepared by Lehman & Getz, P.C., last revised 8/23/2019,
- Drawing-L1 . I-Grading and Utility Plan- Renovations and
Additions-Putnam Nursing and Rehabilitation Center,
prepared by Lehman & Getz, P.C., last revised 8/23/2019,
- Drawing-L1 .2-Erosion and Sediment Control Plan-
Renovations and Additions-Putnam Nursing and
Rehabilitation Center, prepared by Lehman & Getz, P.C.,
revised 8/23/2019 and 9/23/2019 via email
- Drawing-L1 .3-Removals Plan- Renovations and
Additions Putnam Nursing and Rehabilitation Center,
prepared by
Lehman & Getz, P.C., last revised 2/19/2019,
- Drawing-L1 .4-Profiles & Details, Sheet 1- Renovations
and Additions-Putnam Nursing and Rehabilitation Center,
prepared by Lehman & Getz, P.C., last revised 2/19/2019,

- Drawing-L1.5-Profiles & Details, Sheet 2 -Renovations and Additions-Putnam Nursing and Rehabilitation Center, prepared by Lehman & Getz, P.C., last revised 2/19/2019,
- Drawing-SAI.O-DEP Analysis of Exist. & New Impermeable Surface Area -Renovations and Additions-Putnam Nursing and Rehabilitation Center, prepared by Lehman & Getz, P.C., LLP, last revised 9/5/2019

New or supplementary comments are shown in bold.

The project proposes construction of an addition to the Putnam Nursing and Rehabilitation Center. Proposed site work includes construction of a new parking lot and stormwater management facilities. Project will not increase the number of beds.

Since the last submittal, there has been additional, extensive improvement for the access that reaches the rear of the property, both for emergency vehicles and maintenance vehicles to the treatment plant based upon input from the Fire Inspector and Fire Department.

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 October 5, 2018:

- 1 Refer to Combined Application Form –
 - c. Provide a copy of the deed(s)

- i. **The 2/28/2019 response letter indicates deed "to be provided by Owner under separate cover." Deeds have not been received at this time. SCHOPFER RESPONSE 10/22/19: Receipt was acknowledged in an email.**

- ii. **10/9/2019 – Deeds have not been received. SCHOPFER RESPONSE 10/22/19: Receipt was acknowledged in an email.**

2. 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-015-002.
5. Provide an erosion and sediment control only SWPPP in accordance with GP-O-15-002. Provide required information from Part III.B including:
 - d. Please note – With issuance of new NYSDEC General Permit GP-O-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).

- i. Revise wording regarding time frames on Drawing L 1.2 "Erosion Control Notes" #5 and 7. Also in the SWPPP Narrative (Appendix D), under Stabilization Practices.
 1. 5/13/2019 Notes & 7 still need to be revised on L1.2. The SWPPP Narrative, Appendix D, under Stabilization Practices still has a reference to 14 days.
 2. **10/9/2019- Note on L1.2 and SWPPP Appendix D still have references to "14 days."** GETZ RESPONSE 10/22/19: The definition of "temporary ceased" disturbance has been revised to 7 days in both the SWPPP and L1.2.
10. An erosion control bond estimate of \$13,030 was included with the submittal. A separate bond estimate for long term stormwater management facilities will have to be provided. In addition, agreements and easements for the stormwater management facilities with the Town will have to be prepared by the Planning Board Attorney. At this time, we recommend waiting to approve the bond amount until further in the review and approval process.
 - a. **5/13/2019 Acknowledged. Stormwater management facility bond estimate has not been received at this time.**
11. 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. **a. Acknowledged.**
12. We defer to the Planning Board's environmental consultant regarding wetland issues.
13. We defer to the Planning Board's planning consultant regarding planning and zoning issues.

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

1. Submit signed Notice of Intent prior to final approval.

5. Proposed cross easement will have to reviewed and approved by the Planning Board's attorney.
 - a. **10/9/2019 – The Planning Board attorney is reviewing the draft easement.**
6. The revised drawings are to be submitted to the Fire Department for review and comment. The Fire Department may request input from the Planning Board's Fire Code consultant.
 - a. **10/9/2019 – Nicholas Cecere, Town of Kent Fire Inspector has signed off on the re-design via email on 8/12/2019.**

New Comments:

- 1 . Provide elevations for top and bottom of the proposed retaining wall. Provide structural calculations for retaining walls greater than 4 feet. SCHOPFER RESPONSE 10/22/19: The top and bottom elevations of the retaining wall are posted on L1.1, rev 10/22/19. The wall varies from 1'- 9.5'H. The retaining wall will be fabricated from premanufactured concrete blocks with stone face and tongue and groove inter-lock. The manufacturer, Recon or equal, posts a maximum 20' height restriction on the wall. Refer to details 7-8/L1.8, rev 10/22/19
2. Include reference to the newly issued DEP letter, dated September 26, 2019 in the SWPPP. GETZ RESPONSE 10/22/19: The SWPPP has been revised accordingly.
3. Underground pipe storage is now proposed as part of the stormwater management. Provide additional information in the SWPPP, such as in Sections "1. Project Description" and descriptions of areas in "2. Study Area." Section "5. Peak Flow Reduction" has reference to detention basin instead of underground pipe storage. GETZ RESPONSE 10/22/19: The SWPPP has been revised accordingly.
4. SWPPP Section 7 "Pipe Calculations" – The values in the table for pipe "Ex HW #17 to EX. HW #18" which is the pipe beneath the driveway entrance to the facility, is listed with an upstream invert of 671.3, slope of 1.75% and diameter of 12". Drawing L 1.1 has a proposed upstream invert of 670.9, slope of 0.69% and diameter of 15". The table shows the pipe flowing at capacity during

100 year storm event. The table and the drawing should be re-visit to ensure they are consistent. GETZ RESPONSE 10/22/19: Correct. It is proposed to replace the existing 12" dia. HDPE culvert where it passes under the entrance. The proposed inlet invert and slope are purposely lower than existing to allow for 12" cover of the new pipe (refer to profile on sht L1.5. The new culvert is sized to handle the flow from the existing pipe running full to ensure no reduction in capacity. The "EX.HW#17 to EX.HW #18" line shows this calculation. Section 7 of the SWPPP has been revised accordingly. It is likely that under proposed conditions less runoff will reach HW#17 than does currently, being diverted uphill and piped to CB#13.

5. Provide a pre-construction and post-construction peak flow analysis at the discharge of the EX HW #18 (at Ludingtonville Road) to ensure there is not an increased discharge at Ludingtonville Road. Proposed CB 16 may be diverting more upland runoff to the discharge point compared to existing conditions. GETZ RESPONSE 10/22/19: The SWPPP has been revised to consider this question. It was found that the drainage divide under existing and proposed conditions is very similar with only a small area being diverted north. Thus the stormwater measures should indeed reduce peak flows at that discharge point.
6. Provide written response with future submittals stating how the comments have been addressed GETZ RESPONSE 10/22/19: Acknowledged.


Julie S. Mangarillo, P.E., CPESC

cc: Planning Board via email

Planning Board via email
Bill Walters via email
15-261-220

Bruce Barber via email
Liz Axelson via email



November 12, 2019

Vera Patterson, Planning Board Secretary
Town of Kent Planning Board
25 Sybil's Crossing
Kent, NY 10512

*Vincent Saplanza P.E.
Acting Commissioner*

Paul V. Rush, P.E.
Deputy Commissioner
Bureau of Water Supply
prush@dep.nyc.gov

465 Columbus Avenue
Valhalla, NY 10595

T: (845) 340-7800
F: (845) 334-7175

**Re: Notice of Intent to be Lead Agency
Putnam Nursing & Rehabilitation Center Addition
404 Ludingtonville Road
Town of Kent, Putnam County, NY
Tax Map #: 12.-3-40-41
DEP Log#: 2001-MB-0044-SQ.1**

Dear Ms. Patterson and Members of the Planning Board:

The New York City Department of Environmental Protection (DEP) has reviewed the Town Of Kent Planning Board (Board) Notice of Intent to act as Lead Agency and full Environmental Assessment Form (EAF) for the above referenced project. DEP does not object to the Board acting as Lead Agency for the Coordinated Review of the proposed action pursuant to the New York State Environmental Quality Review Act (SEQRA).

The proposed action involves the construction of a 2-story, 24,801 sq. ft. addition to an existing 160 patient bed nursing facility. The total number of patient beds is to remain the same (160).

DEP does not maintain any discretionary regulatory authority over the proposed activity. As such, DEP would be considered an interested agency pursuant to SEQRA.

Based upon the review of the submitted documents, DEP respectfully submits the following comments for the Board's consideration:

1. The landscape plan indicates guy wiring to be used with tree plantings. While once industry standard, most arborists no longer recommend using this system as it prevents trees from developing root systems that encourage wind firmness. However, if the wires are used, it is recommended that a note be added that the wires be removed after twelve (12) months otherwise there is a risk that the tree will become girdled.
2. The landscape plan indicates fertilizer will be applied at a rate of 5-10-5. It is recommended that a soil test be performed by a soil lab that tests for fertility such as the Cornell Cooperative Extension before any fertilizer is applied. Furthermore, it is recommended that any fertilizer

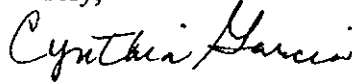
used at the site does not contain phosphorous as the project site is located in a phosphorus restricted reservoir basin of the New York City Water Supply.

3. It is recommended polyethylene weed barriers not be used. Spreading plants like red osier dogwood (*Cornus sericea*), elderberry (*Sambucus canadensis*), and summersweet (*Clethra alnifolia*) will not be able to penetrate through this fabric to their full natural form. Further, as this fabric degrades it contributes to microplastic pollution in surface waters.
4. Several proposed species are not native to this region. The applicant should consider replacing the non-natives with native alternatives as suggested below:
 - a. *Picea omorika* is not native to the US. Consider replacing with native trees with a native evergreen with similar growth form, such as Eastern white pine (*Pinus strobus*) or white spruce (*Picea glauca*).
 - b. *Cercis canadensis* is not native to the Hudson Valley region. Consider replacing with an alternative ornamental tree such as American witch hazel (*Hamamelis virginiana*) or Allegheny serviceberry (*Amelanchier laevis*).
 - c. *Viburnum plicatum tomentosum* is native to Asia. Consider replacing with an attractive native shrub. Wild hydrangea (*Hydrangea arborescens*) and rosebay rhododendron (*Rhododendron maximum*) are two native shrubs that are similar in form and function.
 - d. *Viburnum carlesii* is native to Asia. Consider replacing with a native viburnum, such as southern arrowwood (*Viburnum dentatum*).
 - e. *Cornus alba* is native to eastern and central Asia. Consider replacing with a red twig dogwood (*Cornus sericea*) which is similar in form.
 - f. *Pieris japonica* is not native to the US. Consider replacing with a native evergreen shrub like mountain laurel (*Kalmia latifolia*) which is similar on growth form.
 - g. *Euonymus fortunei* is not native to our region. Consider replacing with native, spreading groundcovers like wild ginger (*Asarum canadense*) or Allegheny Spurge (*Pachysandra procumbens*).
5. DEP previously reviewed the Article 24 wetland permit application for this project. Rather than the mix of non-natives shown in note 7 of the Erosion and Sediment Control Notes, DEP recommends a permanent seed mix containing 30% annual ryegrass (*Lolium perenne* ssp. *multiflorum*) and 70% mixture of 2 or more native grasses such as big bluestem (*Andropogon gerardii*), little bluestem (*Schizachyrium scoparium*), switchgrass (*Panicum virgatum*), Indiangrass (*Sorghastrum nutans*), tufted hairgrass (*Deschampsia cespitosa*), deertongue (*Dichanthelium clandestinum*), Canada wild rye (*Elymus*

canadensis), Virginia wild rye (*Elymus virginicus*), and/or sideoats grama (*Bouteloua curtipendula*) at a rate of 30 lbs./acre.

Thank you for the opportunity to provide comments. You may reach the undersigned at cgarcia@dep.nyc.gov or (914) 749-5302 with any questions or if you care to discuss the matter further.

Sincerely,

A handwritten signature in cursive script that reads "Cynthia Garcia".

Cynthia Garcia, Supervisor
SEQRA Coordination Section

X: J. Petronella, DEC



Vincent Saplenza P.E.
Acting Commissioner

Paul V. Rush, P.E.
Deputy Commissioner
Bureau of Water Supply
prush@dep.nyc.gov

465 Columbus Avenue
Valhalla, NY 10595

T: (845) 340-7800
F: (845) 334-7175

October 10, 2019

Ms. Vera Patterson, Town Clerk
Town of Kent Planning Board
25 Sybil's Crossing
Kent, New York 10512

Re: Notice of Intent to be Lead Agency
Kent Self-Storage
NYS Route 311
Town of Kent, Putnam County, NY
Tax Map #: 22.-2-17
DEP Log#: 2009-MB-0883-SQ.1

Received
mo/date/year

NOV - 7 2019

Planning Department
Town of Kent

Dear Ms. Patterson and Members of the Planning Board:

The New York City Department of Environmental Protection (DEP) has reviewed the Town of Kent Planning Board's (Planning Board) Notice of Intent to act as Lead Agency and Full Environmental Assessment Form (EAF) for the above referenced project. DEP does not object to the Planning Board acting as Lead Agency for the Coordinated Review of the proposed action pursuant to the New York State Environmental Quality Review Act (SEQRA).

The proposed site is located in the Middle Branch Reservoir drainage basin of New York City's Water Supply. Middle Branch Reservoir is phosphorous restricted; therefore, water quality impacts to the receiving reservoir from pollutant-laden runoff must be avoided or mitigated.

The proposed activity involves the construction of a 32,309 sq. ft. two-story self storage unit, a 2,400 sq. ft one-story self-storage facility, 24 parking spaces and stormwater management facilities. The two-story building will also accommodate office space. The project site is to be served by private on-site water supply well and a subsurface sewage treatment system.

DEP's status as an involved agency stems from its review and approval authority of the commercial subsurface septic treatment system (SSTS) pursuant to Section 18-38 of the *Rules and Regulations for the Protection from Contamination, Degradation, and Pollution of the New York City Water Supply and Its Sources* (Watershed Regulations) and the Delegation Agreement with the Putnam County Department of Health (PCDH).

Received
mo/date/year

NOV - 7 2019

RESPONSE TO REQUEST THAT THE
TOWN OF KENT PLANNING BOARD

Planning Department
Town of Kent

SERVE AS LEAD AGENCY FOR

Kent Self-Storage of Putnam Inc./ Richard Viebrook, located Route 311, Town of Kent,
County of Putnam, State of New York.

On behalf of Putnam County Department of Planning, Development and Transportation, I acknowledge receipt of the Lead Agency notice in this matter.

The above named involved agency hereby CONSENTS that the Town of Kent serve as lead agency in this application, and requests that the undersigned continue to be notified of SEQR determinations, proceedings, and hearings in this matter.

DATE: 10/15/19

Signature: Barbara Barosa, AICP, County Planner

Printed: Barbara Barosa

Agency: Putnam County Dep. of Planning



Department of Transportation

ANDREW M. CUOMO
Governor

MARIE THERESE DOMINGUEZ
Commissioner

Received
mo/date/year

LANCE MacMILLAN, P.E.
Regional Director

October 30, 2019

NOV -7 2019

Phil Tolmach, Chairman
Town of Kent Planning Board
25 Sybil's Crossing
Kent Lake, NY 10512

Planning Department
Town of Kent

Re: **SEQRA# 19-203**
Kent Self-Storage of Putnam Inc.
Route 311 and Ludingtonville Court
Putnam County

Dear Mr. Tolmach:

The Site Plan and Part 1 of the Full Environmental Assessment Form for the subject proposal have been received, along with the request from the Town of Kent Planning Board, declaring its intent to act as Lead Agency to conduct all necessary review under SEQRA. The New York State Department of Transportation (NYSDOT) consents to the Town of Kent Planning Board serving as Lead Agency for review of the referenced proposal.

The applicant should also be encouraged to review the permit process and all required HWP forms on the NYSDOT website (<https://www.dot.ny.gov/index>). Please submit the PERM 33-COM as part of the submission.

Provide a sight distance matrix including design speed, posted speed, each type of turning movement, required sight distance for each type of turning movement, available sight distance, variance (if any), and support for variance. Labeled and dimensioned sight distance triangles need to be shown on Plans.

Future submissions shall be electronic (PDF) FORMAT -CD, DVD or Thumb drive with one paper copy to the Poughkeepsie office and one paper copy to the Holmes office:

Regional Permit Coordinator
NYS Department of Transportation
4 Burnett Blvd.
Poughkeepsie, NY 12603

Permit Engineer, Residency 8-3
NYS Department of Transportation
106 Ludingtonville Road
Holmes, NY, 12531

If you have any questions you can contact me at Jason.Brenner@dot.ny.gov.

Very truly yours,

Jason Brenner
Assistant Engineer

cc: Permit Engineer, Residency 8-3
Kent Self-Storage of Putnam Inc,
Site Design Consultants



Cornerstone Associates

Environmental Planning Consultants

1770 Central Street

Yorktown Heights, NY 10598

Phone: (914)-299-5293

November 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:

- Comment response memo executed by Joseph Riina, PE of Site Design Consultants dated October 16, 2019 3 pages.
- Color photo simulations of proposed project, 2 pages. .
- Plans entitled; "Proposed Improvement Plan-Kent Self Storage of Putnam Inc." prepared by Site Design Consultants dated October, 2019 (rev.), 18 total sheets: T-1, V-1, C-101, C-102, C-103, C-104, C-105, C-106, C-107, C-301, C-302, C-303, C-304, C-501, C-502, C-503, C-504.

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 (23 spaces), utilities, retaining walls and stormwater structures.

Review Summary:

The following items are pending as per the above referenced comment response memo:

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

In addition, at the prior Planning Board meeting the Board requested site cross sections to the adjoining residential property as requested by the neighbor to evaluate view shed

impacts. It is unclear if the photo simulations provide the requested information. The vantage points should be included in the information provided.

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 'B. Barber', with a stylized, cursive-like script.

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: November 14, 2019

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

The following materials were reviewed:

- Letter to Town of Kent Planning Board from Site Designs Consultants-Kent Self-Storage, dated October 16, 2019.
- Letter from NYCDEP dated October 10, 2019
- Letter from NYSDOT dated October 30, 2019
- Engineer's Site Work Estimates, Prepared by Site Design Consultants, dated August 14, 2019
- Color renderings of proposed site
- Drawing T-1 Title Sheet-Kent Self Storage, prepared by Site Design Consultants, dated January 2019, last revised October 2019.
- Drawing V-1- Vicinity Plan & Topographic Map-Kent Self Storage, prepared by Site Design Consultants, dated November 27, 2018, last revised October 16, 2019 scale 1"=40'.
- Drawing C-101- Site Plan-Kent Self Storage, prepared by Site Design Consultants, dated November 27, 2018, last revised October 16, 2019, scale 1"=20'.
- Drawing C-102- Existing Conditions Plan & Slope Map-Kent Self Storage, prepared by Site Design Consultants, dated November 27, 2018, last revised October 16, 2019, scale 1"=20'.
- Drawing C-103- Grading & Utility Plan-Kent Self Storage, prepared by Site Design Consultants, dated November 27, 2018, last revised October 16, 2019, scale 1"=20'.
- Drawing C-104- Septic Plan, Profile & Notes-Kent Self Storage, prepared by Site Design Consultants, dated November 27, 2018, last revised October 16, 2019, scale 1"=20'.
- Drawing C-105- Erosion & Sediment Control Plan & Notes-Kent Self Storage, prepared by Site Design Consultants, dated November 27, 2018, last revised October 16, 2019, scale 1"=20'.
- Drawing C-106- Landscape Plan-Kent Self Storage, prepared by Site Design Consultants, dated November 27, 2018, last revised October 16, 2019, scale 1"=20'.
- Drawing C-107- Site Lighting Plan, Photometrics & Specifications-Kent Self Storage, prepared by Site Design Consultants, dated November 27, 2018, last revised October 16, 2019, scale 1"=30'.
- Drawing C-301- Intersection Site Distance Plan & Road Profiles-Kent Self Storage, prepared by Site Design Consultants, dated November 27, 2018, last revised October 16, 2019, scale As Noted.

- Drawing C-302- Storm Sewer Profiles-Kent Self Storage, prepared by Site Design Consultants, dated November 27, 2018, last revised October 16, 2019, scale As Noted.
- Drawing C-303- Development Area Profiles-Kent Self Storage, prepared by Site Design Consultants, dated May 6, 2019, last revised October 16, 2019, scale As Noted.
- Drawing C-304-Wall Profiles-Kent Self Storage, prepared by Site Design Consultants, dated May 6, 2019, last revised October 16, 2019, scale As Noted.
- Drawing C-501-Site Improvement Details- Kent Self Storage, prepared by Site Design Consultants, dated November 27, 2018, last revised October 16, 2019, scale N.T.S.
- Drawing C-502-Stormwater Management Details-Kent Self Storage, prepared by Site Design Consultants, dated November 27, 2108, last revised October 16, 2019, scale N.T.S.
- Drawing C-503- Septic Details-Kent Self Storage, prepared by Site Design Consultants, dated November 27, 2018, last revised October 16, 2019, scale N.T.S.
- Drawing C-504- Erosion & Sediment Control Details-Kent Self Storage, prepared by Site Design Consultants, dated November 27, 2018, last revised October 16, 2019, scale N.T.S.

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

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.
 - a. 9/12/2019 – Combined application form and disclosure of business interest form provided. **Response letter indicates deed will be provided under separate cover.**
 - b. 11/14/2019 – To our knowledge, the deed has not been submitted.
8. We defer to the Planning Board's environmental consultant regarding wetland issues.
9. We defer to the Planning Board's planning consultant regarding planning and zoning issues.

The following comments are provided for the Planning Board's consideration from a memo dated July 3, 2019

4. Refer to the Stormwater Management Plan:
 - e. Include requirements for project close-out and Notice of Termination in an MS4 community. Stabilization inspection will be conducted by Town representatives prior to MS4 sign-off of Notice of Termination.

- i. 9/12/2019 – Section 12.3 “Termination of Permit Coverage” has been added on page 22 of the SWPPP. Specify either in the SWPPP or as a note on a drawing that Town representative(s) will conduct a stabilization inspection prior to MS4 sign-off of the Notice of Termination.
- ii. **11/14/2019 – Response letter states “This note has been added to the E&SC Plan.” The note could not be located in the drawing set. Provide specific drawing and location of note.**

The following comments are provided for the Planning Board’s consideration from a memo dated September 12, 2019:

2. Stormwater maintenance and access agreements with the Town will have to be prepared and approved by the Planning Board’s attorney. – **Acknowledged.**

New Comments:

1. Address the comment in NYC DEP’s letter dated October 10, 2019.
2. Provide copies of correspondence and submittals with NYSDOT for the driveway to the Planning Board.
3. Drawing C-105 “Erosion and Sediment Control Plan and Notes” show a temporary sediment trap on the downhill section of the gravel paver/infiltration practices. Sediment traps are not permitted in areas proposed for infiltration practices. Relocate the sediment trap outside the infiltration area.
4. For the truck back-up area, in the upper north corner, provide signage prohibiting storage or parking of any kind.
5. An erosion control bond estimate of \$22,909.00 was prepared by Site Design Consultants. Based upon review of the design plans and bond estimates prepared for other projects within the Town of Kent, we recommend an erosion control bond estimate of \$34,414.00 and long term stormwater management facilities bond estimate of \$48,740.00. Please see attached calculation sheet for additional details. We recommend these bond amounts be accepted by the Planning Board and recommended to the Town Board for approval.


Julie S. Mangarillo, 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: info@rsaengrs.com

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

To: Planning Board Town of Kent
From: Julie S. Mangarillo, P.E., CPESC
Date: November 14, 2019

Attn: Philip Tolmach, Chairman
Subject: Erosion Control & Stormwater Bond Amounts
Project: Kent Self Storage, Route 311
Tax Map: 22.-2-17

The erosion control bond is as follows:

ITEM	QUANTITY	UNIT	UNIT COST	TOTAL COST
Temp. sediment trap	3	EA	\$ 5,000.00	\$ 15,000.00
Inlet protection	13	EA	\$ 500.00	\$ 6,500.00
Concrete truck washout pit	1	EA	\$ 500.00	\$ 500.00
Erosion blanket	140	SY	\$ 2.00	\$ 280.00
Soil stockpiles	2	EA	\$ 500.00	\$ 1,000.00
Seed and mulch	10,000	SF	\$ 0.06	\$ 600.00
Stabilized construction entrance	1	EA	\$ 750.00	\$ 750.00
Silt Fence	2,446	LF	\$ 4.00	\$ 9,784.00
			TOTAL:	\$ 34,414.00

The long term stormwater management facilities bond is as follows:

ITEM	QUANTITY	UNIT	UNIT COST	TOTAL COST
Infiltration Practice	2	EA	\$ 8,000.00	\$ 16,000.00
Grass swale	360	LF	\$ 4.50	\$ 1,620.00
End sections w/ riprap pads	2	EA	\$ 500.00	\$ 1,000.00
15" dia drainage pipe	906	LF	\$ 20.00	\$ 18,120.00
Catchbasins/drain inlets	12	EA	\$ 1,000.00	\$ 12,000.00
			TOTAL:	\$ 48,740.00

EC Bond:	\$	34,414.00
SW Bond:	\$	48,740.00
Total Bond:	\$	83,154.00

MEMORANDUM

TO: Town of Kent Planning Board
CC: Bill Walters
Julie Mangarillo
Bruce Barber
FROM: Liz Axelson, AICP
DATE: November 11, 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; 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 shows two self-storage buildings with office (management) and retail spaces, parking areas, drive, utilities, electric and stormwater management systems on a 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.
4. The Planning Board circulated a notice of Intent to be Lead agency for a coordinated review of this proposal as an Unlisted Action under the SEQRA.

Zoning & Site Plan

5. Revise the Site Plan sheet Zoning Schedule, in the Minimum Yard Dimensions section by deleting the 5 rows including the heading "Retaining Walls" and the 4 rows thereunder; and including values in all columns of these 5 rows pertaining to Retaining Walls. Front, side and rear yard setbacks do not pertain to the retaining walls proposed as part of this site plan application.
6. Clarify all aspects of the proposed business by revising the site plan to clearly delineate and label floor areas in square feet (SF) for office and retail areas; and truck rental in the 2-story building.
7. As per Chapter 77-25.5, the code requires sidewalks with a four-foot (4') tree lawn be installed on every public street. The Planning Board expressed support for the sidewalk and tree lawn at their June 13, 2019 meeting, yet agreed that a sidewalk easement would suffice to provide for future sidewalk development. Prior site plans showed a "Proposed Future Sidewalk Easement Reserved For the Town of Kent". Address the following:
 - a. Add back the label stating: "Proposed Future Sidewalk Easement Reserved for the Town of Kent".

- b. Add reference in the Site Plan view to sidewalk notation; and add notation to the Site Plan that the easement is for sidewalk development only; and specifically referring to the legal instrument governing its use; and prohibiting other improvements in this area that would prevent future sidewalk development;
 - c. Complete the metes and bounds description of the sidewalk easement by providing the metes and bounds description for the north and south ends of the easement; and
 - d. Provide draft legal instruments for review by the Planning Board's Attorney describing the use of the easement for future sidewalk development, including any necessary agreements and a metes and bounds description.
8. Extensive lengths of retaining walls are proposed (~210' and 80'+), which will be visible from the site's frontage; and from the adjoining residential property to the northeast (N/F Schaefer). Revise the plans regarding retaining walls as follows:
 - a. Revise the Site Plan sheet, to note that the more decorative stone/brick veneer will also be provided for the wall facing the adjoining residential property to the northeast (N/F Schaefer). Add the callout "Conc. Retaining Wall with Stone or Brick Veneer" to the pointer to the wall near the residential property.
 - b. Revise the Wall Profiles sheet, Wall D, to note that the more decorative stone/brick veneer will be provided for the portion of the wall facing the adjoining residential property to the northeast (N/F Schaefer).
 - c. Provide samples and colors of the stone or brick veneer for consideration by the Planning Board. After review, the plan notation should specify the colors; and stone or brick veneer selections.
 - d. Regarding the detail for the type of fence that will be on top of the wall, provide samples of color and finish; and add notation specifying same.
 - e. I defer to the Planning Board's consulting engineer regarding the potential for failure of the walls close to adjoining properties.
9. Regarding the architectural plans, address the following:
 - a. Label areas in square feet (SF) for all uses, including storage spaces.
 - b. Clarify whether the office and retail space will have a counter area.
10. Revise the plans to include all aspects of proposed signs, their locations, design, dimensions, height, size (area), materials, colors, lighting, etc. Refer to the supplementary sign regulations, Zoning, Article X generally; and specifically, the requirements in section 77-37., Signs in nonresidential districts.
11. 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.

Recommendation

12. Since the application is now substantially complete, the Planning Board should:
 - a. Review any comments from SEQRA Involved agencies, including the Putnam County Department of Planning; and
 - b. Review Draft Full EAF Part 2.
13. The Planning Board may consider taking the actions described below, which are set forth in a draft resolution:
 - a. Make a SEQRA Determination of Non-significance;
 - b. Close the concurrent public hearings on the Site Plan; Steep Slope; and Erosion Control Plan Applications; and
 - c. Adopt a resolution of approval with conditions on the Site Plan; Steep Slope; and Erosion Control Plan Applications.

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

Materials Reviewed

- Response letter prepared by Joseph C. Riina, P.E., dated October 16, 2019;
- Renderings of views from Route 311, the site's frontage, preparer not indicated, undated; ...
- Plans prepared by Joseph C. Riina, P.E., entitled Kent Self Storage of Putnam, Inc., dated November 27, 2018, revised October 16, 2019, except as noted below, including the following:
 - o Title Sheet, dated January 2019, revised October 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 Landscape Plan;
 - o Site Lighting Plan, Photometrics and Specification;
 - o Intersection Site Distance Plan and Road Profiles;
 - o Storm Sewer Profiles;
 - o Development Area Profiles;
 - o Wall Profiles;
 - o Site Improvement Details;
 - o Stormwater Management Details;
 - o Septic Details; and
 - o Erosion and Sediment Control Details.

ADOPTED
November 14, 2019
Town of Kent Planning Board Resolution of
SEQRA Determination of Non-Significance (Negative Declaration) and
Approvals with Conditions for: Site Plan; and
Steep Slope and Erosion Control Permit for
Kent Self Storage Route 311
TM: 22.-2-17

Whereas, the Town of Kent Planning Board has received an application from Richard Viebrook, Kent Self-Storage of Putnam, Inc., for approval of a site plan for the construction of a self-storage facility and truck rental services and other uses, including two self-storage buildings with office (management) and retail spaces, parking areas, driveway, utilities, electric and stormwater management systems on a 2.7-acre site in the IOC (Industrial Office Commercial) zoning district located at 164 Route 311, Carmel, in the Town of Kent, Putnam County, New York (tax parcel identification number 22.-2-17); and

Whereas, the proposed action involves site development of vacant land for the proposed storage facility, which is a principal permitted use in the IOC zoning district; and

Whereas, the project is depicted on a detailed set of site plans, including erosion and sediment control plans, prepared by Site Design Consultants, Civil Engineers & Land Planners, dated May 14, 2019, last revised October 16, 2019; and a Full EAF, dated January 22, 2019 was submitted; and

Whereas, the proposal will also involve a Steep Slopes and Erosion Control Permit approval; and

Whereas, in accordance with the New York State Environmental Quality Review Act ("SEQRA"), the Planning Board took the following actions to initiate review on September 12, 2019:

- classified the proposed action as an Unlisted Action under SEQRA as per 6 NYCRR part 617, sections 617.4 and 617.5;
- declared its intent to serve as Lead Agency in a coordinated review of the Project and circulated a notice of its intent to all other involved and interested agencies; and
- referred the application to the Putnam County Department of Planning, Development and Public Transportation pursuant to Section 239-l, m and n of the General Municipal Law; and

Now Therefore Be It Resolved, that the Town of Kent Planning Board, as lead agency under SEQRA, 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 land disturbance on a vacant, vegetated site. Impervious coverage of developed site would be about thirty-five percent (34.8%). Land disturbance and construction activities will occur on just under 2 acres of the 2.7-acre site. Proposed grading, stormwater management practices and erosion and sedimentation control measures will be implemented to manage runoff and potential erosion effects. The site development includes extensive landscaping, which would serve to stabilize the site after construction.

*Town of Kent Planning Board Resolution of
SEQRA Negative Declaration; and Approvals with Conditions
for Site Plan; and Erosion Control
for Kent Self Storage Route 311
November 14, 2019*

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 IOC zoning district's principal uses; lot and bulk requirements and design standards. The commercial use would be visible from Route 311, which is both a rural and suburban road leading to nearby recreational uses (Powerline Trail and Wonder Lake State Park); and nearby residences. Any effects on aesthetic resources or community character would be mitigated by the proposed architecture, including decorative veneer on retaining walls; and landscaping. Additionally, a proposed sidewalk easement provides for future potential development of pedestrian facilities.

Be It Further Resolved, that the public hearing for this project, which was originally held on October 10, 2019; and was adjourned and continued to November 14, 2019; is hereby closed; and

Be It Further Resolved, that pursuant to Kent Code Chapter 66, Article III the Planning Board hereby grants Steep Slope and Erosion Control Permit approval; and

Be It Further Resolved, that the Planning Board hereby grants final approval with conditions to the proposed Site plan and steep slope and erosion control plan approvals, as depicted on the following maps:

- Plans prepared by Joseph C. Riina, P.E., entitled Kent Self Storage of Putnam, Inc., dated November 27, 2018, revised October 16, 2019, except as noted below, including the following:
 - o Title Sheet, dated January 2019, revised October 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 Landscape Plan;
 - o Site Lighting Plan, Photometrics and Specification;
 - o Intersection Site Distance Plan and Road Profiles;
 - o Storm Sewer Profiles;
 - o Development Area Profiles;
 - o Wall Profiles;
 - o Site Improvement Details;
 - o Stormwater Management Details;
 - o Septic Details; and
 - o Erosion and Sediment Control Details.

***Town of Kent Planning Board Resolution of
SEQRA Negative Declaration; and Approvals with Conditions
for Site Plan; and Erosion Control
for Kent Self Storage Route 311
November 14, 2019***

Be It Further Resolved, that these site plan and steep slope and erosion control plan approvals are expressly conditioned on the completion of the compliance with the following:

1. Address the comments of the Planning Board's Professional Engineer as set forth in a memorandum dated September 12, 2019, or any later review memorandum.
2. Address the comments of the Planning Board's Environmental Consultant as set forth in a memorandum dated September 12, 2019, or any later review memorandum.
3. Address the comments of the Planning Board's Planning Consultant as set forth in a memorandum dated November 11, 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. Obtain the approval of the Putnam County Department of Health for the individual sewage disposal and water supply system.
6. Obtain all required approvals from the New York City Department of Environmental Protection.
7. Obtain all required approvals from the New York State Department of Transportation.
8. Certification by the Planning Board's Attorney that the forthcoming easements and agreements, noted in the above review memorandums, are acceptable as to form and sufficiency, including but not limited to:
 - a. Stormwater maintenance and access agreements with the Town; and
 - b. Legal instruments for review by the Planning Board's Attorney describing the use of the easement for future sidewalk development, including any necessary agreements and a metes and bounds description.
9. 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.
10. Payment of an inspection fee for the Steep Slope and Erosion Control Permit.
11. Payment of all consultant fees accrued by the Planning Board to review the project plans and the application.
12. The conditional final subdivision approval shall expire within one hundred eighty (180) day of the date of this resolution unless each condition as stated herein has been certified as completed. Said conditional approval shall thereafter expire unless

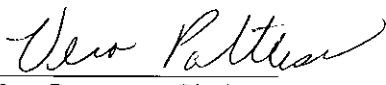
*Town of Kent Planning Board Resolution of
SEQRA Negative Declaration; and Approvals with Conditions
for Site Plan; and Erosion Control
for Kent Self Storage Route 311
November 14, 2019*

otherwise extended by the Planning Board after receipt of a written request of the applicant prior to the date of expiration.

13. It is the responsibility of the application/project sponsor to submit to the Town Planning Board proof that each of the conditions of this Site Plan Approval; and Steep Slope and Erosion Control permit approvals have been completed; and the signature of the Planning Board Chairman shall be withheld pending receipt of a written memorandum from the Planning Board's Planning Consultant verifying that each of the conditions of this approval have been completed. The final drawings shall not be accepted by the Planning Board without submission of proof of completion.

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

I certify that the above resolution was adopted by the Town of Kent Planning Board at a meeting of the Board held on November 14, 2019.


Vera Patterson, Clerk
Town of Kent Planning Board

MEMORANDUM


To: Town Supervisor, Town Board, Planning Board
From: Kent Country Square, LLC
Subject: Truck Stop Component of Route 52 site development plan application
Date: October 24, 2019

In recent months, public opposition to the truck stop component of this site development plan has exponentially intensified and grown identifying a plethora of wide-ranging concerns. The Project Team has listened to these concerns, and the developer has considered various alternatives while keeping the truck stop as one of those alternatives for Planning Board review.

An extensive amount of design work has been engaged to vet the feasibility of alternatives with and without the truck-stop for several months' time. Community impact and input is an important factor in the design of this project.

Having considered the community sentiment and Town Board feedback to date, this shall confirm Kent Country Square, LLC's intention to remove the truck-stop component of the site plan in view of a more community-based and amenable use(s) on that portion (or phase) of the Project site. The Project team looks forward to developing a multifaceted and community-oriented site plan that enhances the Town of Kent. To that end, we will continue to adapt the focus of the Project so that it remains harmonious with the expressions of the community. We look forward to developing a fully-built project that our team and the Town of Kent can be proud of.

KENT COUNTRY SQUARE, LLC

By: 
Tejpal Sandhu, Managing Member



Memorandum

To: Planning Board
Town of Kent

Attn: Philip Tolmach
Chairman

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

Subject: Completeness Review

Date: October 31, 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 October 3, 2019
- Meeting Minutes from ZBA meeting, March 18, 2019
- Short Environmental Assessment Form (EAF), signed March 16, 2019
- Putnam County Department of Health Division of Environmental Health Services, Water Well permit, dated 4/16/2019
- Putnam County Department of Health Division of Environmental Health Services, Sewage Treatment System permit, dated 4/16/2019
- Percolation Tests, dated 10/15/2016
- Drawing "Erosion Control Plan" EC-1 and EC-2, prepared by John Karell, Jr., P.E., last revised October 3, 2019
- Drawing "Proposed SSTS" SS-1, prepared by John Karell, Jr., P.E., last revised 2/4/2019, Health Dept Signed 4/16/2019

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

The project proposes construction of a single family house. The parcel received variance from the ZBA on March 18, 2019. Information provided indicates the lot has Putnam County Department of Health approval for well and septic, issued April 14, 2019.

This project has been before the Planning Board at various times since 2004. Most recently, at the April 11, 2019 Planning Board meeting, the Planning Board granted driveway waivers subject to approval by Highway Department and Fire Department, 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:

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.
- c. 4/10/2019 – **Waiting to receive comments from the Fire Department.**
- d. 10/31/2019 – 10/3/2019 response letter states "The Fire Department has been consulted relative to the terminus of Lhasa Road and have approved the project." **We have not received written comments or approval from the Fire Department. Please provide. If already provided, please re-send.**

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

- 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.

The following comments are provided for the Planning Board's consideration from a comment memo dated April 10, 2019:

- 1. Per letter from Richard Othmer, Jr, Highway Superintendent, dated April 1, 2019, add a note to the drawing that reads, **"The Owner will make modifications to the driveway as required by the Highway Superintendent."**
 - a. 10/31/2019 – **The required note could not be located on the drawing.**


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



Memorandum

To: Planning Board
Town of Kent

Attn: Philip Tolmach
Chairman

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

Subject: Completeness Review

Date: October 31, 2019

Project: Chen and Shin, Gipsy Trail
TM # 32.6-1-1

The following materials were reviewed:

- Response letter prepared by John Karell, Jr., P.E., dated October 15, 2019
- Short Environmental Assessment Form (EAF) signed 10/15/2019
- Notice of Intent (NOI) signed 7/17/2019 but revised since then
- Drawings prepared by John Karell, Jr., P.E., including:
 - S-1 Site Plan, revised 10/12/2019
 - D-1 Details, revised 10/12/2019
 - SS-1 Steep Slope & Soil Plan, revised 10/12/2019

The project proposes demolition of an existing house that was damaged by fire and construction of new house in its place. New house will use existing septic system and existing connection to Gipsy Trail public water supply. Improvements to the existing driveway are also proposed.

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

The following comments are provided for the Planning Board's consideration from a memo dated September 12, 2019:

3. 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 Wetland Permit is also required.
10. Refer to the Drawings:
 - a. Provide additional erosion control measures at the crossing of Indian Brook to reduce the likelihood that sediment flows or is tracked into the brook.
 - i. 10/10/2019 – Additional erosion control measures could not be located at the brook crossing. Provide additional measures.
 - ii. **10/31/2019 – Silt fence is shown along the brook crossing. Silt fence may not be sufficient and may interfere with drainage flow paths. Provide additional notes for increased monitoring and inspection as well as additional measures to be installed as needed to correct**

signs of erosion. Stone check dams or riprap may be needed to filter runoff flowing towards the brook.

During work on re-grading the existing driveway, waterbars with sediment traps may be needed between the disturbed area and the brook. Again, provide additional notes for increased monitoring and inspection with additional measures to be installed as needed.

At the brook crossing the previous guiderail is missing and/or in very poor repair. We acknowledge that it is not on the applicant's property and is instead on Club property. It is strongly recommended that a new guiderail be constructed. Provide a note on the drawing that the property owner will discuss with the Club options to replace the guiderail.

14. 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. - **Noted**

New Comments:

1. From discussions at the September review meeting and the 10/2/2019 email, notes were to be added to the site plan for the homeowners to be able to maintain and operate the infiltrators. A note is on the revised plans which states "Homeowner to maintain stormwater facilities."
 - a. **Provide additional notes with instructions as to how the homeowner will maintain and operate the stormwater facilities.**
2. For resubmittal to the Planning Board for signature, include all drawings in the set. Previous submittal sets also included E-1 "Existing Conditions Plan," and EC-1 "Erosion Control & Steep Slope Details/Notes".



Julie S. Mangarillo, P.E., CPESC

cc: Planning Board via email
Bill Walters via email
19-261-999-167

Bruce Barber via email
Liz Axelson via email