

**TOWN OF KENT
TOWN BOARD MEETING
Tuesday, November 28, 2017**

Executive Session – 6:00 p.m.

Discuss matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation and proposed, pending or current litigation

Public Hearing – 7:00 p.m.

Town Code amendment to restrict the production of concrete in all use districts except the IOC

Workshop

1. Pledge of Allegiance
2. Planning – accept resignation of Planning Board Chairman; release of Erosion Control Bonds to Gypsy Trail Club, A. Vaughn, G. Hartshorn; release of Stormwater Facilities Performance Bond to G. Hartshorn
3. Highway Department – release of Driveway Bond to J. Bene
4. Lake Carmel Park District – cleaning of retention ponds
5. Fire Inspector – Operating Permit for Lakeview Community Church sale of Christmas trees
6. Announcements
7. Public Comment

Meeting

1. Roll Call
2. Vote on the following:
 - a) SEQRA determination
 - b) Appoint Zoning Board member(s)
 - c) Resignation of Planning Board Chairman
 - d) Release of Erosion Control Bond to Gypsy Trail Club
 - e) Release of Erosion Control Bond to A. Vaughn
 - f) Release of Erosion Control and Stormwater Facilities Performance Bonds to G. Hartshorn
 - g) Release of Driveway Bond to J. Bene
 - h) Contract for cleanup of retention ponds
 - i) Operating Permit for Christmas tree sale – Lakeview Community Church
3. Correspondence
4. Vouchers and claims
5. Public comment

TOWN OF KENT
AMENDMENT TO
CHAPTER 77 OF THE KENT TOWN CODE

BE IT ENACTED by the Town Board of the Town of Kent, Putnam County, New York, as follows:

Section 1. Chapter 77 Entitled “Zoning”, is hereby amended to add the following provisions.

§ 77-40.1 Prohibited Uses in Certain Districts.

A. Purpose. In order to safeguard the health, safety and welfare of the residents of the Town of Kent, it is necessary to prohibit certain uses which, by the very nature in which they are conducted, have the potential to significantly impact the environment, pose a risk to human health and safety, or disturb or interfere with reasonable community expectations regarding odors, noise, light, traffic and water quality.

B. Prohibition. In any use district except for the Industrial-Office-Commercial District (“IOC District”), the production of concrete, the operation of a concrete products plant, or the manufacture in any form of concrete is hereby expressly prohibited.

C. Amortization. Any individual or business that is lawfully engaged in the production of concrete, the operation of a concrete products plant or the manufacture in any form of concrete, in any use district except for IOC District in the Town of Kent, upon the effective date of this subsection, shall become engaged in a legal nonconforming use and that use shall terminate by amortization no later than 2 years immediately following the effective date of this subsection.

Section 2. This local law shall take effect immediately.

Dated: October , 2017

BY THE ORDER OF THE TOWN BOARD
TOWN OF KENT

November 13, 2017

Dear Supervisor Fleming and Members of the Town Board,

I write to inform you that I plan to resign from my position as a member of the Town of Kent Planning Board effective December 31, 2017.

I have been a member of the Planning Board for about 17 years over two separate stints dating back to 1990. I have held the chairman's position three different times. I have served under four different Town Supervisors and numerous Town Boards. It has been at times fulfilling and at times challenging, but I am happy to have had the opportunity to give something back to the Town Kent.

Cordially,

Michael J. McDermott
Chairman, Town of Kent Planning Board

Town of Kent Planning Board
25 Sybil's Crossing
Tel: 845-225-7802

email: planningkent@townofkentny.gov
Kent, NY 10512
Fax: 845-306-5283

Memorandum

Date: November 20, 2017

From: The Kent Planning Board

To: The Kent Town Board

CC: Finance Department
Lana Cappelli
Jasmine Ramos

Re: Requests to release Erosion Control Bonds

Please find attached supporting documents pertaining to releasing Erosion Control Bonds for the following applicants:

Gipsy Trail Club	-	\$ 8,000.00
Hartshorn Property	-	\$15,000.00 (retaining \$2,000 of Stormwater bond)
AlexSandra Vaughn	-	\$ 420.00

The properties have been inspected and found to be stabilized. The Planning Board reviewed the material attached and are requesting that the Town Board approve the request to release the bonds as noted above at the next Town Board meeting.

RESOLUTION #21
Year 2017

Date: November 9, 2017

From: The Kent Planning Board

To: The Kent Town Board:
Maureen Fleming, Supervisor - w/Att.
Scott Chin
Paul Denbaum
Bill Huestis
Jaimie McGlasson

CC: W. Walters, Building Inspector - w/Att J. Ramos – w/Att.
L. Cappelli, Town Clerk – w/Att Finance Department – w/Att.

Re: Request to Return Erosion Control Bond
AlexSandra Vaughn, 10 Smokey Hollow Ct., Kent, NY; TM: 43.-2-42

Resolved: On November 9, 2017 the Kent Planning Board reviewed material submitted by Ms. Vaughn requesting the two year waiting period be waived to return her erosion control bond in the amount of \$420.00. The property has been inspected and found to be stable. Mr. McDermott asked for a motion to forward a request to the Kent Town Board to take the above action and to waive the two-year waiting period. The motion was made by Mr. Tolmach and seconded by Mr. Wilhelm. The roll call vote was as follows:

Michael McDermott, Chairman	<u>Aye</u>
Dennis Lowes, Vice Chairman	<u>Aye</u>
Charles Sisto	<u>Aye</u>
Philip Tolmach	<u>Aye</u>
Stephen Wilhelm	<u>Aye</u>

The motion carried.

The Planning Board respectfully asks that, if the Town Board is in agreement, they pass a resolution decreeing that the above actions be taken.

I, Vera Patterson, Planning Board Secretary of the town of Kent, County of Putnam, State of New York, do hereby certify that the foregoing is a true excerpt from the minutes of a meeting of the Planning Board of the Town of Kent held on November 9, 2017.

Dated: November 9, 2017



Vera Patterson

Date: November 9, 2017

From: The Kent Planning Board

To: The Kent Town Board
Maureen Fleming, Supervisor.
Scott Chin
Paul Denbaum

Bill Huestis, Deputy Supervisor
Jaime McGlasson

CC: W. Walters, Building Inspector .
L. Cappelli, Town Clerk.

J. Ramos – w/Att.
Finance Dept. – w/Att

Re: Gypsy Trail Club
607 Gypsy Trail Road
Kent, NY 10512
TM: 32.-1-25

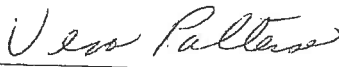
Resolved: On November 9, 2017 the Town of Kent Planning Board discussed a request from Mr. Hendon, at Gypsy Trail Club, asking that their Erosion Control Bond in the amount of \$8,000.00 which was submitted in October of 2012 be released:

The property has been inspected and it was suggested that the Planning Board ask the Town Board to release this bond. The motion was made by Mr. Wilhelm and seconded by Mr. Tolmach. The votes were as follows:

Michael McDermott, Chairman	-	<u>Aye</u>
Mr. Dennis Lowes, Vice Chairman	-	<u>Aye</u>
Mr. Charles Sisto	-	<u>Aye</u>
Mr. Phillip Tolmach	-	<u>Aye</u>
Mr. Stephen Wilhelm	-	<u>Aye</u>

I, Vera Patterson, Planning Board Secretary of the town of Kent, County of Putnam, State of New York, do hereby certify that the foregoing is a true excerpt from the minutes of a meeting of the Planning Board of the Town of Kent held on November 9, 2017.

Dated: November 9, 2017



Vera Patterson
Planning Board Secretary

Town of Kent Planning Board
25 Sybil's Crossing
Tel: 845-225-7802

email: planningkent@townofkentny.gov
Kent, NY 10512
Fax: 845-306-5283

RESOLUTION #18
2017

Date: November 9, 2017

From: The Kent Planning Board

To: The Kent Town Board
Maureen Fleming, Supervisor. Bill Huestis, Deputy Supervisor
Scott Chin Jaime McGlasson
Paul Denbaum

CC: W. Walters, Building Inspector . J. Ramos - w/Att.
L. Cappelli, Town Clerk. Finance Dept. - w/Att

Re: Gipsy Trail Club
607 Gipsy Trail Road
Kent, NY 10512
TM: 32.-1-25

Resolved: On November 9, 2017 the Town of Kent Planning Board discussed a request from Mr. Hendon, at Gipsy Trail Club, asking that their Erosion Control Bond in the amount of \$8,000.00 which was submitted in October of 2012 be released:

The property has been inspected and it was suggested that the Planning Board ask the Town Board to release this bond. The motion was made by *Steve* and seconded by *Phil*. The votes were as follows:

Michael McDermott, Chairman	-	<i>Aye</i>
Mr. Dennis Lowes, Vice Chairman	-	<i>Aye</i>
Mr. Charles Sisto	-	<i>Aye</i>
Mr. Phillip Tolmach	-	<i>Aye</i>
Mr. Stephen Wilhelm	-	<i>Aye</i>

I, Vera Patterson, Planning Board Secretary of the town of Kent, County of Putnam, State of New York, do hereby certify that the foregoing is a true excerpt from the minutes of a meeting of the Planning Board of the Town of Kent held on November 9, 2017.

Dated: November 9, 2017

Vera Patterson
Planning Board Secretary

Town of Kent Planning Board
25 Sybil's Crossing
Tel: 845-225-7802

email: planningkent@townofkentny.gov
Kent, NY 10512
Fax: 845-306-5283

RESOLUTION #19
2017

Date: November 9, 2017

From: The Kent Planning Board

To: The Kent Town Board
Maureen Fleming, Supervisor. Bill Huestis, Deputy Supervisor
Scott Chin Jaime McGlasson
Paul Denbaum

CC: W. Walters, Building Inspector . J. Ramos – w/Att.
L. Cappelli, Town Clerk. Finance Dept. – w/Att

Re: Hartshorn Property
641 Ludingtonville Road
Kent, NY 10512
TM: 12.-1-88

Resolved: On November 9, 2017 the Town of Kent Planning Board discussed a request from Insite Engineering, representing Mr. George Hartshorn, asking that the following funds remaining in an Erosion Control Bond and in a Stormwater Facilities Performance Bond be released.

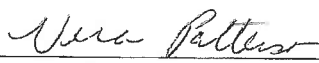
Erosion Control Bond	-	\$ 7,000.00
Stormwater Facilities Performance Bond	-	<u>\$ 8,000.00 (the Town will retain the remaining \$2,000)</u>
Total Amount to Be Refunded	-	\$15,000.00

The property has been inspected and it was suggested that the Planning Board ask the Town Board to release the bonds as broken down above. The motion was made by Stephen Wilhelm and seconded by Phil Tolmach. The votes were as follows:

Michael McDermott, Chairman	-	<u>Aye</u>
Mr. Dennis Lowes, Vice Chairman	-	<u>Aye</u>
Mr. Charles Sisto	-	<u>Aye</u>
Mr. Phillip Tolmach	-	<u>Aye</u>
Mr. Stephen Wilhelm	-	<u>Aye</u>

I, Vera Patterson, Planning Board Secretary of the town of Kent, County of Putnam, State of New York, do hereby certify that the foregoing is a true excerpt from the minutes of a meeting of the Planning Board of the Town of Kent held on November 9, 2017.

Dated: November 9, 2017



Vera Patterson
Planning Board Secretary

TOWN OF KENT HIGHWAY DEPARTMENT

62 LUDINGTON COURT

KENT LAKES, NEW YORK 10512

(845) 225-7172

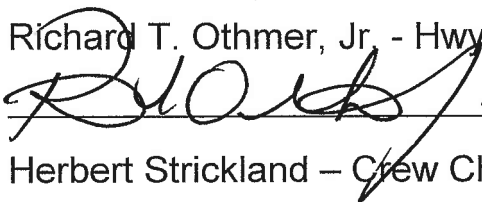
fax (845) 225-9464

email: highwaykent@townofkentny.gov

Date 11/14/17

TO: The Town Supervisor and the Kent Town Board
FROM: Richard T. Othmer, Jr., Highway Superintendent
RE: Driveway Bond Release

I have inspected the attached driveway application and found all the work to have been completed. I recommend that the driveway bond be returned to the applicant.

Richard T. Othmer, Jr. - Hwy. Supt.

Herbert Strickland – Crew Chief 311

Robert Schaniel Jr. – Crew Chief 301

Name Joseph Bone
Street 226 Tibet Drive Kent, NY 10512
Tax Map # 30.20 -1 -16

RECEIPT

TOWN OF KENT
FINANCE DEPARTMENT
25 SYBIL'S CROSSING
KENT LAKES, NY 10512

10720

DATE 7/19/18

RECEIVED FROM Joseph Bene

\$ 500

FOR Five hundred
Driveway Permit

DOLLARS

AMOUNT OF ACCOUNT		
THIS PAYMENT		
BALANCE DUE		

- CASH
- CHECK
- M.O.

BY [Signature]

THANK YOU

Subject: Agenda Item: Town of Kent Lake Carmel Sediment Basin Clean Out

Date: Wednesday, November 22, 2017 at 9:28:41 AM Eastern Standard Time

From: Lcpd Clerk

To: Maureen Fleming

CC: jasmine ramos

Attached are quotes from FI Adams Inc. and Dutchess Environmental Construction for the cleaning of the 4 sediment basins in Lake Carmel. A quote was requested from Hartshorn Paving but not received.

FI Adams provided the lowest quote at \$1800.00

Thank you.

Heidi Link

Town of Kent, NY

Lake Carmel Park District Clerk

25 Sybil's Crossing

Kent Lakes, NY 10512

Telephone: (845) 306-5602

Fax: (845) 225-5130

lcpdclerk@townofkentny.gov

www.townofkentny.gov/lcpd_home.htm

610 Route 292
Holmes, NY 12531 FIadamsinc@gmail.com
(845)-855-3733 (914)760-8959

FI Adams, Inc.

Estimate

For: Town Of Kent (Sediment Basin Clean Out)
sanitation@townofkentny.gov

Estimate No. 134
Date: 11/14/2017

Description	Quantity	Rate	Amount
Clean out four sediment basins from water line to rip-rap. Add town supplied rip-rap to two basins. Haul material away.	1	\$1,800.00	\$1,800.00

Subtotal	\$1,800.00
TAX 0%	\$0.00
Total	\$1,800.00

Total \$1,800.00

DUTCHESS ENVIRONMENTAL CONSTRUCTION

936 Route 6, Mahopac, NY 10541

EPA #: 000047506

Phone: (845) 628-3610

NYSDEC #: 3A491

Fax: (845) 628-3591

www.dutchessenviro.com

email: dutchessenviro@comcast.net

Proposal submitted to:

Town of Kent 25 Sybil's Crossing Kent Lakes, NY 10512	Phone	845-306-5602	Date	11/16/17
	Email	lcpdclerk@townofkentny.gov	Bob	845-225-5229
	Job Name / Location	Lake Carmel		

We hereby submit specifications and estimates for: Removal of sediment from retention pond(s). Dutchess Environmental Construction will supply the labor and equipment to perform the following:

- Excavator with operator to excavate retention pond areas as per site walk through.
- Trackloader with operator to load materials into on-site dump truck.
- Laborer to assist with sediment removal and rip rap rock placement.
- Install rip rap rock in areas as per site walk through. Material provided by Town of Kent
- Dump truck for off-site sediment removal. Material to be offloaded @ a Town of Kent facility to be determined.
- Rough grade of disturbed area(s).

Total: \$3,480.00 Tax Exempt

Options/Notes:

Not included in this estimate are: Final grading of grass area(s) including topsoil, grass seed and straw.

Payment

We propose to furnish material and labor, complete, in accordance with above specifications, for the sum of: Three thousand four hundred eighty and 00/100 Dollars (\$3,480.00)

Payment to be made as follows:

Purchase order # (PO) due upon acceptance of proposal & payment due upon receipt of invoices.

All material is guaranteed to be as specified. All work is to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from the above specifications involving extra costs will be executed only upon written orders, and will be an extra charge over and above the estimate. All agreements are contingent upon strikes, accidents, and delays beyond our control. Owner to carry fire, tornado, and other necessary insurance. Our workers are fully covered by Workmen's Compensation Insurance. Returned checks will be subject to a \$45.00 handling fee.

Note: This proposal may be withdrawn by Dutchess Environmental Construction if not accepted within 60 days.

Authorized Signature: _____

Date: 11/16/17

Acceptance of Proposal

The above prices, specification, and conditions are satisfactory and hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Signature: _____

Date of Acceptance: _____

Town of Kent
25 Sybil's Crossing
Kent Lakes NY 10512

Application #: 33.18-1-14

OPERATING PERMIT APPLICATION FORM

Page 1 of 3

Part I Applicant/Building Information

Applicant's Name: Lakeview Community Church

Applicant's Address: 387 Route 52, Kent Lakes, New York 10512

Contact Person: Anglela Day Telephone: 845-490-7905

Address of Premises for which Operating Permit is requested: same as above

Other (specify): _____

Tax Map Number: 33.-18-1-14 Current Occupancy Class: E, A

Part II Type Operating Permit

An Operating Permit is required to conduct any activity or to use any class of building listed below. **Please indicate the type(s) of Operating Permit(s) requested by checking each applicable box.** (If you require assistance, or would like more information, contact the Town of Kent Building Department at 845-225-3900.)

Manufacturing, storing or handling hazardous materials in quantities exceeding those listed in Tables 2703.1.1(1), 2703.1.1(2), 2703.1.1(3) or 2703.1.1(4), of the Fire Code of New York State (see 19 NYCRR Part 1225); **(See Appendix A.)** Identify the materials and quantities and describe the manner in which the materials will be manufactured, stored or handled (attach additional sheets if necessary):

Conducting a hazardous process or activity (including but not limited to, any commercial or industrial operation which produces combustible dust as a byproduct, fruit and crop ripening, and waste handling; **(See Appendix B.)** Describe the process(es) or activity(ies) to be conducted (attach additional sheets if necessary):

Use of pyrotechnic devices in assembly occupancies; **(See Appendix C.)** Describe the proposed use (attach additional sheets if necessary):

Use of a building containing one or more areas of public assembly with an occupant load of 100 persons or more **(See Appendix D.)** Describe the proposed use (attach additional sheets if necessary):

OPERATING PERMIT APPLICATION FORM

Part II (continued)

Page 2 of 3

- Temporary Sales Events (attach a plan drawn to scale showing the general location of the building and / or lot where the temporary sales event is)

Christmas Tree Sale From November ²⁴ 24, 2017 – December 24, 2017

- Use of a building whose use or occupancy classification has been determined by Town of Kent Building Department as posing a substantial potential hazard to public safety. (See Appendix E.) Describe the proposed use (attach additional sheets if necessary):

Part III
Premises/Building Information

1. Date of last Inspection of Premises? 10-27-17

2. Has a Certificate of Occupancy been issued for the premises?

- YES
 NO

Type: Permanent Temporary

Date of Issuance: _____

3. Date(s) of issuance of previous Certificate(s) of Occupancy? (If any): N/A

4. Are there currently any open Building Permits associated with the premises?
If yes, please describe (attach additional sheets if necessary):

YES NO

5. Have any violations to the Uniform Code been issued in relation to the Premises?

YES NO

If yes, please describe (attach additional sheets if necessary):

6. Have any variances to the Uniform Fire Prevention and Building Code been granted in relation to these premises?

YES NO If yes please describe (attach additional sheets if necessary): (Include Variance Decision Number)

Town of Kent
25 Sybil's Crossing
Kent Lakes NY 10512

Application #:

33.18-1-14

OPERATING PERMIT APPLICATION FORM

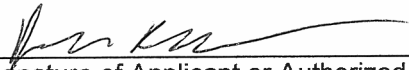
Part III (continued)

Page 3 of 3

7. Additional Comments:

SIGNATURE OF APPLICANT

I hereby certify that the foregoing information (and all information in attached sheets, if any) is true and complete.



10/21/17

Signature of Applicant or Authorized Representatives Signature

Date

Angela Day – Church Administrator

Name (and Title, if applicable of person signing Application (Please print)

Part IV

To be completed by *Town of Kent Building and or Fire Inspector*

Inspection Required YES NO

Inspections Performed YES NO

Date of Inspection: 11-21-17

Tests or Reports required verifying compliance? YES NO

If YES, have Tests or Reports been received? YES NO

Description:

Application(s) Approved: YES NO

Operating Permit Issued By: NICOLAAS J. CECCRE - FIRE INSP.

Date Operating Permit Issued: 11-29-17 Date Operating Permit Expires: 12-24-17

Type/Description of Operating Permit: CHRISTMAS TREE SALE

Conditions of Operating Permit (list conditions here AND in the space provided in the Operating Permit):

NONE

Additional Comments:

PLEASE WAIVE ANY FEE -



Town of Kent Building Department OPERATING PERMIT

This Operating Permit must be displayed at Premises

Application #: 33.18-1-14

Application's Name: Lakeview Community Church

Applicant's Address: 387 Route 52, Kent Lakes NY 10512

Contact Person: Angela Day

Telephone: 845-490-7905

Address of Premises for which Operating Permit is requested: same as above other (specify):

Date of Issuance: November 29, 2017

Expiration: December 24, 2017

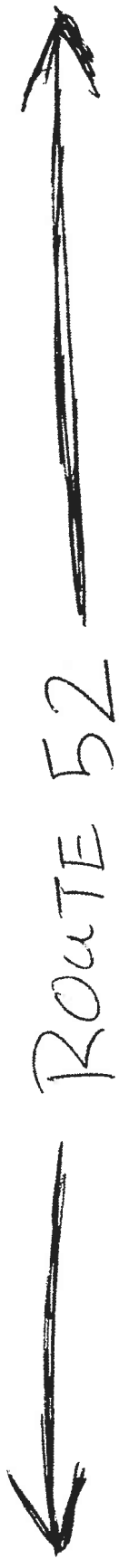
This Operating Permit is issued to the Applicant named above to conduct the activity(ies) and/or to use the class(es) of buildings indicated below at the Premises specified above:

- Cutting & Welding Operations – International Fire Code - 3501.2
- Manufacturing, storing or handling hazardous materials in quantities exceeding those listed in Tables 5003.1.1(1), 5003.1.1(2), 5003.1.1(3) or 5003.1.1(4), of the International Fire Code (see 19 NYCRR Part 1225); as described in the Application.
- Conducting a hazardous process or activity; as described in the International Fire Code.104.1 & 2301.1
- Use of pyrotechnic devices in assembly occupancies; as described in the Application
- Use of a building containing one or more areas of public assembly with an occupant load of 100 persons or more; as described in the Application.
- Use of a building whose use or occupancy classification has been determined by *Town of Kent Building Department* as posing a substantial potential hazard to public safety; as described in the Application.

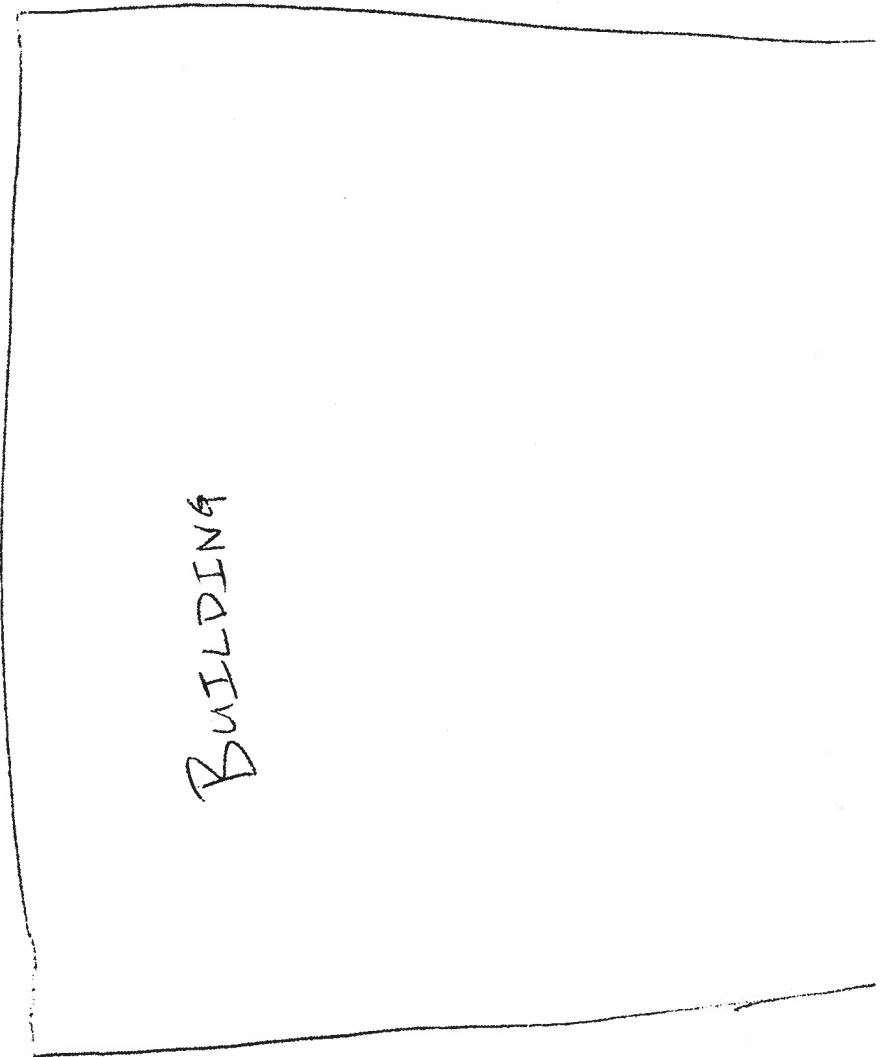
The conditions, surroundings and arrangements for the activity(ies) and/or use(es) subject to this Operating Permit shall be in accordance with all applicable laws, ordinances, regulations and the conditions (if any) mentioned below. The Premises shall be subject to periodic inspection by *Town of Kent Building Department* to ensure compliance with all applicable laws, ordinances, regulations and conditions. The Operating Permit is subject to revocation for failure to comply with any applicable law, ordinance, regulation or condition. This Operating Permit shall expire on the earlier of the Expiration Date specified above or on the date of revocation pursuant to the preceding sentence. CONDITIONS (continue on attached sheets, if necessary):

TOWN OF KENT BUILDING DEPARTMENT

By: Nicholas J. Cecere
Nicholas J Cecere, Fire Inspector



← Entrance to
387 Rt. 52



CHRISTMAS
TREE
SALES

